

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.
(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.
(c) This chapter and the creation of the district may not be interpreted to relieve the city or county from providing the

SENATE VERSION (IE)

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SUBCHAPTER A. GENERAL PROVISIONS
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(1) "Board" means the district's board of directors.
(2) "City" means the City of Celina, Texas.
(3) "County" means Collin County, Texas.
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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 other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.
(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.
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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

(2) eliminate unemployment and underemployment; and

(3) develop or expand transportation and commerce.

(e) The district will:

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

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

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary

SENATE VERSION (IE)

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

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

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

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

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

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

for the restoration, preservation, and enhancement of scenic beauty.

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

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

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

(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

SENATE VERSION (IE)

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(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;

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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;

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

(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

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

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

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

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

(b) If a statute, including this chapter, requires the district to obtain the city's approval or consent before taking an action, the district may not take that action unless the action is authorized by a city resolution or ordinance approved by a

SENATE VERSION (IE)

(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

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

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

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

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

majority of the governing body of the city.

Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes 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.

No equivalent provision.

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.

SENATE VERSION (IE)

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Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes 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 composed of:

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

(2) the city manager; and

(3) the city's chief financial officer.

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

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

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

(c) Notwithstanding any other law:

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

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

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

Sec. 3919.053. 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. 3919.054. DIRECTOR'S OATH OR AFFIRMATION.

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

(b) Of the initial directors, the terms of two directors expire May 31, 2016, and the terms of three directors expire May 31,

SENATE VERSION (IE)

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

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

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

Sec. 3919.057. 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 activities taken by the district or by others acting on its behalf.

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

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

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

- (1) Mike Forman, city manager;
- (2) Jay Toutouchian, city chief financial officer; and
- (3) three directors appointed by the governing body of the city.

(b) Of the initial directors, the term of one director appointed under Subsection (a)(3) expires May 31, 2016, and the terms

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

2014.

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

(d) This section expires September 1, 2016.

SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

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

of the other two directors appointed under Subsection (a)(3) expire May 31, 2014.

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

(d) This section expires September 1, 2016.

SUBCHAPTER C. POWERS AND DUTIES

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

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

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House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

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

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

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

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

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

SENATE VERSION (IE)

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

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

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

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

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

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

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

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

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

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

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

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

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

(2) by ordinance or resolution authorize the district to own,

SENATE VERSION (IE)

SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

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

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

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

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

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

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

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

encumber, maintain, and operate an improvement project or convey the project to the city at a later date.

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

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

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

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

Sec. 3919.203. BORROWING MONEY; OBLIGATIONS.

(a) The district may borrow money for a district purpose, including the acquisition or construction of improvement projects authorized by this chapter and the reimbursement of a person who develops or owns an improvement project

SENATE VERSION (IE)

encumber, maintain, and operate an improvement project or convey the project to the city at a later date.

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

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

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CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

authorized by this chapter, without holding an election by issuing bonds, notes, time warrants, or other obligations, or by entering into a contract or other agreement payable wholly or partly from an assessment, a contract payment, a grant, other district revenue, or a combination of these sources.

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

- (1) may bear interest at a rate determined by the board; and
- (2) may include a term or condition as determined by the board.

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

- (1) a district under Subchapter F, Chapter 375, Local Government Code; or
- (2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

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

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

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

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

SENATE VERSION (IE)

authorized by this chapter, without holding an election by issuing bonds, notes, time warrants, or other obligations, or by entering into a contract or other agreement payable wholly or partly from an assessment, a contract payment, a grant, other district revenue, or a combination of these sources.

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

- (1) may bear interest at a rate determined by the board; and
- (2) may include a term or condition as determined by the board.

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

- (1) a district under Subchapter F, Chapter 375, Local Government Code; or
- (2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

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

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

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

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

in the district.

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

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

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

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

SUBCHAPTER E. DISSOLUTION

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

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

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

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

Sec. 3919.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, the city succeeds to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

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

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

(2) special revenue or assessment bonds or other obligations

SENATE VERSION (IE)

in the district.

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

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

(2) special revenue or assessment bonds or other obligations

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

issued by the city to refund the outstanding bonds or obligations of the district.

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

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

SECTION 2. *(Establishes the initial boundaries for the Old Celina Municipal Management District No. 1.)*

The Old Celina Municipal Management District No. 1 initially includes all the territory contained in the following area:

West Tract

All that certain tract or parcel of land situated in the Henry Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas, said tract being all of a called 30.45 acre tract as described in deed to Dorothea Cornelius, filed 24 April 2007, and recorded in county clerks number 07-000549120 of the deed records of the County of Collin, State of Texas, and said tract being part of a called 11.13 acre tract as described in deed to Cornelius Family Revocable Trust, filed 24 April 2007, and recorded In county clerks number 07-000549090 of said deed records, 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, said rebar being the southwest corner of said Cornelius 30 acre tract, some being

SENATE VERSION (IE)

issued by the city to refund the outstanding bonds or obligations of the district.

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

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

SECTION 2. *(Establishes different initial boundaries for the Old Celina Municipal Management District No. 1.)*

The Old Celina Municipal Management District No. 1 initially includes all the territory contained in the following area:

TRACT 1 (40.233 ACRES):

All that certain tract or parcel of land situated in the Henry Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas, said tract being all of a called 30.45 acre tract as described in deed to Dorothea Cornelius, filed 24 April 2007, and recorded in county clerks number 07-000549120 of the deed records of the County of Collin, State of Texas, and said tract being part of a called 11.13 acre tract as described in deed to Cornelius Family Revocable Trust, filed 24 April 2007, and recorded In county clerks number 07-000549090 of said deed records, 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, said rebar being the southwest corner of said Cornelius 30 acre tract, some being

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the southeast corner of a called 99.028 acre tract as described in deed to Old Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408 of said deed records, said rebar also being on the north line of a called 73.558 acre tract as described in deed to Old Celina, Ltd, filed 11 June 2002, and recorded in volume 5208 page 3382 of said deed records;

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

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

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

Thence: With said curve to the left and with the west line of said road an arc length of 33.72 feet to a set 1/2 inch steel

SENATE VERSION (IE)

the southeast corner of a called 99.028 acre tract as described in deed to Old Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408 of said deed records, said rebar also being on the north line of a called 73.558 acre tract as described in deed to Old Celina, Ltd, filed 11 June 2002, and recorded in volume 5208 page 3382 of said deed records;

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

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

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

Thence: With said curve to the left and with the west line of said road an arc length of 33.72 feet to a set 1/2 inch steel

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

square tubing for the end of said curve;

Thence: South 41 degrees 31 minutes 00 seconds East, with the west line of said road a distance of 20.40 feet to a set 1/2 inch steel square tubing for the start of a curve to the right having a central angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds east, and a chord distance- of 753.75 feet;

Thence: With said curve to the right and with the west line of said road an arc length of 769.31 feet to a set 1/2 inch steel square. Tubing for the end of said curve;

Thence: .South 01 degrees 29 minutes 00 seconds East, with the west line of said road, a distance of 129.80 feet to a set 1/2 inch steel square tubing for the southeast corner of this tract, same being the northeast corner of Exhibit "C" a called 28.15 acre tract as described in Partition Deed to Sandra Short Osborne, filed 12 March 1986, and recorded In volume 2325 page 801 of said deed records;

Thence: South 88 degrees 54 minutes 08 seconds West, with the north line of said Osborne tract, a distance of 1332.93 feet to a found 1 inch pipe by a pipe fence corner post for file northwest corner of Tract One a called 15.66 acre tract as described in deed to Jerry L. Moore, filed 24 October 1994; and recorded in county clerks number 94-0095870 of said deed records, same being the northeast corner of a called 16.141 acre tract as described in deed to Old Celina Ltd., filed 11 June 2002, and recorded in volume 5208 page 3366 of said deed records;

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

SENATE VERSION (IE)

square tubing for the end of said curve;

Thence: South 41 degrees 31 minutes 00 seconds East, with the west line of said road a distance of 20.40 feet to a set 1/2 inch steel square tubing for the start of a curve to the right having a central angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds east, and a chord distance- of 753.75 feet;

Thence: With said curve to the right and with the west line of said road an arc length of 769.31 feet to a set 1/2 inch steel square. Tubing for the end of said curve;

Thence: .South 01 degrees 29 minutes 00 seconds East, with the west line of said road, a distance of 129.80 feet to a set 1/2 inch steel square tubing for the southeast corner of this tract, same being the northeast corner of Exhibit "C" a called 28.15 acre tract as described in Partition Deed to Sandra Short Osborne, filed 12 March 1986, and recorded In volume 2325 page 801 of said deed records;

Thence: South 88 degrees 54 minutes 08 seconds West, with the north line of said Osborne tract, a distance of 1332.93 feet to a found 1 inch pipe by a pipe fence corner post for file northwest corner of Tract One a called 15.66 acre tract as described in deed to Jerry L. Moore, filed 24 October 1994; and recorded in county clerks number 94-0095870 of said deed records, same being the northeast corner of a called 16.141 acre tract as described in deed to Old Celina Ltd., filed 11 June 2002, and recorded in volume 5208 page 3366 of said deed records;

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

East Tract

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

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

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

Thence: With-said curve to the left and with the east line of said 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 sai tubing being on the west line of said King tract, said tubing also

SENATE VERSION (IE)

TRACT 2 (0.837 ACRES):

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

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

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

Thence: With-said curve to the left and with the east line of said 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 sai tubing being on the west line of said King tract, said tubing also

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 sold 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 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod found for corner, said corner being the northwest corner of a tract of land conveyed to Hassan Badii, as recorded in Volume 2031, Page 943, D.R.C.C.T.;
THENCE South 00 degrees 48 minutes 00 seconds East along the weal line of said Badii tract, and along the west line of a tract of land conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page 3011. D.R.C.C.T. and the west line of a tract of land conveyed to the City of Celina, as recorded in Volume 4770, Page 2324, D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found for an ell comer of said City of Celina tract;

SENATE VERSION (IE)

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 sold 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
TRACT 3 (38.545 ACRES):
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 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod found for corner, said corner being the northwest corner of a tract of land conveyed to Hassan Badii, as recorded in Volume 2031, Page 943, D.R.C.C.T.;
THENCE South 00 degrees 48 minutes 00 seconds East along the weal line of said Badii tract, and along the west line of a tract of land conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page 3011. D.R.C.C.T. and the west line of a tract of land conveyed to the City of Celina, as recorded in Volume 4770, Page 2324, D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found for an ell comer of said City of Celina tract;

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

THENCE South 89 degrees 02 minutes 12 seconds West along the most southerly north line of said City of Celina tract, a distance of 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found for corner, said corner being on the east line of the aforementioned Glendenning tract;
THENCE North 00 degrees 54 minutes 23 seconds West along the east line of said Glendenning tract, a distance of 2140.98 foot to the POINT OF BEGINNING;
CONTAINING a computed area of 1,896,815 square feet or 43.545 acres of land.

Exhibit "A"

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

BEGINNING of a 1/2-inch iron rod found at the southeast corner of said McKnight tract of land, being an ell corner for a 39.02 acre tract of land described in deed to the City of Celina, recorded in Volume 4770, Page 2324, D.R.C.C.T.;

THENCE S 89°03'24" W, along the common line of said McKnight and City of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod found for a corner on the easterly line of a 99.028 acre tract of land described in deed to Rex Glendenning, recorded In Volume 4408, Page 1763, D.R.C.C.T.;

THENCE N 01°05'22" W, along the common line of said McKnight and Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set for a

SENATE VERSION (IE)

THENCE South 89 degrees 02 minutes 12 seconds West along the most southerly north line of said City of Celina tract, a distance of 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found for corner, said corner being on the east line of the aforementioned Glendenning tract;
THENCE North 00 degrees 54 minutes 23 seconds West along the east line of said Glendenning tract, a distance of 2140.98 foot to the POINT OF BEGINNING;
CONTAINING a computed area of 1,896,815 square feet or 43.545 acres of land.

SAVE AND EXCEPT the following 5.00 acres to the City of Celina for Park Purposes:

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

BEGINNING of a 1/2-inch iron rod found at the southeast corner of said McKnight tract of land, being an ell corner for a 39.02 acre tract of land described in deed to the City of Celina, recorded in Volume 4770, Page 2324, D.R.C.C.T.;

THENCE S 89°03'24" W, along the common line of said McKnight and City of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod found for a corner on the easterly line of a 99.028 acre tract of land described in deed to Rex Glendenning, recorded In Volume 4408, Page 1763, D.R.C.C.T.;

THENCE N 01°05'22" W, along the common line of said McKnight and Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set for a

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

corner;
THENCE N 89°03'24" E, departing said common line, a distance of 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set for a corner on the westerly line of the aforesaid City of Celina tract of land;
THENCE S 00°48'00" E, along the common line of sold McKnight and City of Celina tracts, a distance of 246.81 feet to the POINT OF BEGINNING and containing 217,600 square feet or 5.000 acres of land, more or less.

THENCE South 88 degrees 18 minutes 39 seconds West following the north line of said 73.558 acres a distance of 824.02 feet to 2 inch iron pipe found for corner at the northeast corner of said 73.558 acre tract;
THENCE South 88 degrees 30 minutes 52 seconds West a distance of 2900.39 feet to wood fence post in the creek for corner;
THENCE North 00 degrees 59 minutes 11 seconds West a distance of 421.72 feet to 1/2 inch iron rod found for corner at the southwest corner of a 75.0307 acre tract as recorded in County Clerk No. 94-0092806 of Collin County, Texas;
THENCE North 87 degrees 43 minutes 39 seconds East following the south line of said 75.0307 acre tract a distance of 2922.26 feet to a 1 inch iron pipe found for corner at an ell corner of said 75.0307 acre tract;
THENCE North 00 degrees 48 minutes 41 seconds West following the east line of said 75.0307 acre tract a distance of 3339.14 feet to a 60d nail found for corner in County Road No. 8;
THENCE North 88 degrees 19 minutes 00 seconds East following said County Road No. 8 a distance of 75.37 feet to a

SENATE VERSION (IE)

corner;
THENCE N 89°03'24" E, departing said common line, a distance of 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set for a corner on the westerly line of the aforesaid City of Celina tract of land;
THENCE S 00°48'00" E, along the common line of sold McKnight and City of Celina tracts, a distance of 246.81 feet to the POINT OF BEGINNING and containing 217,600 square feet or 5.000 acres of land, more or less.
Leaving an net area of 38.545 acres.
TRACT 4 (99.028 ACRES):
THENCE South 88 degrees 18 minutes 39 seconds West following the north line of said 73.558 acres a distance of 824.02 feet to 2 inch iron pipe found for corner at the northeast corner of said 73.558 acre tract;
THENCE South 88 degrees 30 minutes 52 seconds West a distance of 2900.39 feet to wood fence post in the creek for corner;
THENCE North 00 degrees 59 minutes 11 seconds West a distance of 421.72 feet to 1/2 inch iron rod found for corner at the southwest corner of a 75.0307 acre tract as recorded in County Clerk No. 94-0092806 of Collin County, Texas;
THENCE North 87 degrees 43 minutes 39 seconds East following the south line of said 75.0307 acre tract a distance of 2922.26 feet to a 1 inch iron pipe found for corner at an ell corner of said 75.0307 acre tract;
THENCE North 00 degrees 48 minutes 41 seconds West following the east line of said 75.0307 acre tract a distance of 3339.14 feet to a 60d nail found for corner in County Road No. 8;
THENCE North 88 degrees 19 minutes 00 seconds East following said County Road No. 8 a distance of 75.37 feet to a

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

60d nail found for corner in the south ROW line of said FM No. 455, said 60d nail also being in a curve to the left with a chord bearing of South 80 degrees 57 minutes 03 seconds East and a chord distance of 241.64 feet;

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

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

Reservation from and Exceptions to Conveyance and Warranty:

Any portion of the property described herein within the limits or boundaries of any public or private roadway and/or highway, including, but not limited to, that portion of the subject property in County Road No. 8.

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

EXHIBIT "A"

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

SENATE VERSION (IE)

60d nail found for corner in the south ROW line of said FM No. 455, said 60d nail also being in a curve to the left with a chord bearing of South 80 degrees 57 minutes 03 seconds East and a chord distance of 241.64 feet;

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

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

TRACT 5 (93.523 ACRES):

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

BEGINNING at an iron pipe found in the north R.O.W. line of Farm Road No. 428, at the northeast corner of the 1.622 acres R.O.W., Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning 73.558 acres, Ref. V. 3968, P. 2169; Thence westerly with said north R.O.W, line (the north line of said 1.622 acres) as follows:

South 89 degrees 05 minutes west, 17.5 feet;

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

Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with the west line of said 73.32 acre tract and the east line of said 86.849 acre tract to an iron pin set at the northwest corner of said 73.32 acre tract and the northeast corner of said 86.849 acres, same being in the south line of the Douglas Parker 99.288 acres;

Thence north 88 degrees 40 minutes east, 1569.81 feet with the north line of said 73.32 acre tract and the north line of said SECOND TRACT and with the south line of said 99.288 acres to a 2" iron pipe found at the northeast corner of-said SECOND TRACT and the northwest corner of said 73.558 acre tract;

Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with the east line of said SECOND TRACT and the west line of said 73.558 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of land.

LEGAL DESCRIPTION

BEING a tract of land situated in the Samuel McCullough Survey, Abstract No, 593, Collin County, Texas and also being all of a 16 acre tract as recorded in County Clerks No.

SENATE VERSION (IE)

BEGINNING at an iron pipe found in the north R.O.W. line of Farm Road No. 428, at the northeast corner of the 1.622 acres R.O.W., Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning 73.558 acres, Ref. V. 3968, P. 2169; Thence westerly with said north R.O.W, line (the north line of said 1.622 acres) as follows:

South 89 degrees 05 minutes west, 17.5 feet;

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

Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with the west line of said 73.32 acre tract and the east line of said 86.849 acre tract to an iron pin set at the northwest corner of said 73.32 acre tract and the northeast corner of said 86.849 acres, same being in the south line of the Douglas Parker 99.288 acres;

Thence north 88 degrees 40 minutes east, 1569.81 feet with the north line of said 73.32 acre tract and the north line of said SECOND TRACT and with the south line of said 99.288 acres to a 2" iron pipe found at the northeast corner of-said SECOND TRACT and the northwest corner of said 73.558 acre tract;

Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with the east line of said SECOND TRACT and the west line of said 73.558 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of land.

TRACT 6 (16.141):

BEING a tract of land situated in the Samuel McCullough Survey, Abstract No, 593, Collin County, Texas and also being all of a 16 acre tract as recorded in County Clerks No.

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

94-0111727, and being more particularly described by metes and bounds as follows:

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

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

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

THENCE South 89 degrees 26 minutes 08 seconds East a distance of 350.00 feet to a axle found for corner;

THENCE South 00 degrees 43 minutes 06 seconds West a distance of 1947.51 feet to a 1/2 inch iron rod found for corner in the north line of said Moore tract;

THENCE North 89 degrees 19 minutes 15 seconds West following the north line of said Moore tract a distance of 319.00 feet to a 1/2 inch iron rod set for corner;

THENCE South 0 degrees 53 minutes 01 seconds West following the west line of said Moore tract a distance of 657.40 feet to the POINT OF BEGINNING and containing 703,115 square feet or 16.141 acres of land.

EXHIBIT "A"

BEING a tract of land situated in the Samuel McCullough Survey, Abstract No. 593, Collin County, Texas and also being part of a 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed Records of Collin County, Texas, and also being all of a 21 acre tract as recorded in Volume 577, Page

SENATE VERSION (IE)

94-0111727, and being more particularly described by metes and bounds as follows:

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

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

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

THENCE South 89 degrees 26 minutes 08 seconds East a distance of 350.00 feet to a axle found for corner;

THENCE South 00 degrees 43 minutes 06 seconds West a distance of 1947.51 feet to a 1/2 inch iron rod found for corner in the north line of said Moore tract;

THENCE North 89 degrees 19 minutes 15 seconds West following the north line of said Moore tract a distance of 319.00 feet to a 1/2 inch iron rod set for corner;

THENCE South 0 degrees 53 minutes 01 seconds West following the west line of said Moore tract a distance of 657.40 feet to the POINT OF BEGINNING and containing 703,115 square feet or 16.141 acres of land.

TRACT 7 (73.558 ACRES):

BEING a tract of land situated in the Samuel McCullough Survey, Abstract No. 593, Collin County, Texas and also being part of a 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed Records of Collin County, Texas, and also being all of a 21 acre tract as recorded in Volume 577, Page

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

246 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:
BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being in the North right of way line of F.M 428, said iron rod also being the most Southwest corner of a 16 acre tract as recorded in County Clerks No. 94-0111727;
THENCE North 89 deg. 04 min. 23 sec. West following the North ROW line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch square iron rod found for corner at the Southeast corner of a tract conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page 724, D.R.C.C.T.;
THENCE North 00 deg. 41 min. 20 sec. East following the East line of said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe found for corners
THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet to a 1/2 inch iron rod found for corner at the Northwest corner of said 16 acre tract,
THENCE South 0 deg. 44 min. 59 sec. West following the West line of said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING and containing 3,204,138 square feet or 73.558 acres of land.

THENCE, continuing along the South line of said 5.1038 acre tract, South 01 degrees 04 minutes 28 seconds East, a distance of 31.35 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;
THENCE, continuing along said South line, North 88 degrees 55 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner on the West line of a 99.2888 acre tract of land conveyed to Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records, Collin County, Texas;

SENATE VERSION (IE)

246 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:
BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being in the North right of way line of F.M 428, said iron rod also being the most Southwest corner of a 16 acre tract as recorded in County Clerks No. 94-0111727;
THENCE North 89 deg. 04 min. 23 sec. West following the North ROW line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch square iron rod found for corner at the Southeast corner of a tract conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page 724, D.R.C.C.T.;
THENCE North 00 deg. 41 min. 20 sec. East following the East line of said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe found for corners
THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet to a 1/2 inch iron rod found for corner at the Northwest corner of said 16 acre tract,
THENCE South 0 deg. 44 min. 59 sec. West following the West line of said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING and containing 3,204,138 square feet or 73.558 acres of land.

TRACT 8 (72.9923 ACRES):
THENCE, continuing along the South line of said 5.1038 acre tract, South 01 degrees 04 minutes 28 seconds East, a distance of 31.35 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;
THENCE, continuing along said South line, North 88 degrees 55 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner on the West line of a 99.2888 acre tract of land conveyed to Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records, Collin County, Texas;

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

THENCE, along said West line of a 99.2888 acre tract, South 00 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a 5/8 inch iron pipe found for the Southeast corner of said 99.301 acre tract and being an ell corner of said 99.2888 acre tract;

THENCE, along the North line of said 99.2888 acre tract, South 87 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a 1/2 inch iron rod found for corner;

THENCE, generally along a fence row, North 00 degrees 55 minutes 08 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found in the crotch of three large Hackberry trees at the junction of the evidence of an old North-South fence and evidence of an old fence from the East, and being on the South line of a 73.047 acre tract as conveyed to Douglas Barker, as recorded in Volume 1159, Page 423, Deed Records, Collin County, Texas;

THENCE, along the South line of said 73.047 acre tract, North 87 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a 5/8 inch iron rod found for the Southeast corner of said 73.047 acre tract;

THENCE, along the East line of said 73.047 acre tract, North 01 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;

THENCE, continuing along the East line of said 73.047 acre tract, North 01 degrees 09 minutes 50 seconds West a distance of 366.97 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as conveyed to Robert Jake Jones and Virginia C. Jones;

THENCE, along the South line of said 5.0227 acre tract, North 88 degrees 55 minutes 32 seconds East a distance of

SENATE VERSION (IE)

THENCE, along said West line of a 99.2888 acre tract, South 00 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a 5/8 inch iron pipe found for the Southeast corner of said 99.301 acre tract and being an ell corner of said 99.2888 acre tract;

THENCE, along the North line of said 99.2888 acre tract, South 87 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a 1/2 inch iron rod found for corner;

THENCE, generally along a fence row, North 00 degrees 55 minutes 08 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found in the crotch of three large Hackberry trees at the junction of the evidence of an old North-South fence and evidence of an old fence from the East, and being on the South line of a 73.047 acre tract as conveyed to Douglas Barker, as recorded in Volume 1159, Page 423, Deed Records, Collin County, Texas;

THENCE, along the South line of said 73.047 acre tract, North 87 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a 5/8 inch iron rod found for the Southeast corner of said 73.047 acre tract;

THENCE, along the East line of said 73.047 acre tract, North 01 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;

THENCE, continuing along the East line of said 73.047 acre tract, North 01 degrees 09 minutes 50 seconds West a distance of 366.97 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as conveyed to Robert Jake Jones and Virginia C. Jones;

THENCE, along the South line of said 5.0227 acre tract, North 88 degrees 55 minutes 32 seconds East a distance of

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

365.91 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for the Southeast corner of said 5.0227 acre tract;

THENCE, along the East line of said 5.0227 acre tract, North 01 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the point of curvature of a curve to the left having a central angle of 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;

THENCE, continuing along said East line and said curve to the left, for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;

THENCE, along the North line of said 5.0227 acre tract, North 66 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the Northernmost corner of said 5.0227 acre tract;

THENCE, North 01 degrees 09 minutes 50 seconds West a distance of 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres of land, more or less.

EXHIBIT "A"

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

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

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

THENCE South 69 degrees 51 minutes 27 seconds East with the North line of said tract 1066.72 feet to an Iron Pin set in

SENATE VERSION (IE)

365.91 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for the Southeast corner of said 5.0227 acre tract;

THENCE, along the East line of said 5.0227 acre tract, North 01 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the point of curvature of a curve to the left having a central angle of 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;

THENCE, continuing along said East line and said curve to the left, for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set for corner;

THENCE, along the North line of said 5.0227 acre tract, North 66 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the Northernmost corner of said 5.0227 acre tract;

THENCE, North 01 degrees 09 minutes 50 seconds West a distance of 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres of land, more or less.

TRACT 9 (28.28 ACRES):

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

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

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

THENCE South 69 degrees 51 minutes 27 seconds East with the North line of said tract 1066.72 feet to an Iron Pin set in

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the West right-of-way line of FM Hwy. 428;
THENCE with said right-of-way line as follows:
South 1 degree 29 minutes East 82.92 feet an Iron Pin set;
South 0 degrees 20 minutes West 316.0 feet an Iron Pin set;
South 7 degrees 08 minutes West 264.4 feet an Iron Pin set;
South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set,
being the P.C. of a curve to the right having a central angle of
64 degrees 08 minutes 34 seconds radius of 773.5 feet and a
chord bearing of South 57 degrees 30 minutes 40 seconds
West;
THENCE with said curve 865.95 feet to an Iron Pin set;
THENCE South 89 degrees 31 minutes West with said right-
of-way line 216.6 feet to the place of beginning, containing
28.28 acres.
TRACT 3
SITUATED in the BBB & CPR Co. Survey, Abstract No. 132
in Collin County, Texas, and being a called 158.83 acre tract
of land described in Substitute Trustee's Deed recorded in
Volume 2998, gage 191, of the Land Records of Collin
County, Texas, being more particularly described by metes
and bounds to-wit:
BEGINNING at a point at the intersection of the South line of
the BBB & CRR Co. Survey, and the West R.O.W. line of the
St. Louis - San Francisco and Texas Railroad;
THENCE SOUTH 89 degrees 52 minutes West with the
South line of said survey, same being the centerline of County
Road 55, 951.4 feet to an iron pin;
THENCE NORTH 0 degrees 37 minutes West with an old
established fence being the East line of a tract of Land
described in Volume 28491 Page 861, 203.4 feet to a corner
post;
THENCE SOUTH 89 degrees 39 minutes West with said

SENATE VERSION (IE)

the West right-of-way line of FM Hwy. 428;
THENCE with said right-of-way line as follows:
South 1 degree 29 minutes East 82.92 feet an Iron Pin set;
South 0 degrees 20 minutes West 316.0 feet an Iron Pin set;
South 7 degrees 08 minutes West 264.4 feet an Iron Pin set;
South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set,
being the P.C. of a curve to the right having a central angle of
64 degrees 08 minutes 34 seconds radius of 773.5 feet and a
chord bearing of South 57 degrees 30 minutes 40 seconds
West;
THENCE with said curve 865.95 feet to an Iron Pin set;
THENCE South 89 degrees 31 minutes West with said right-
of-way line 216.6 feet to the place of beginning, containing
28.28 acres.
TRACT 10 (157.54 ACRES):
SITUATED in the BBB & CPR Co. Survey, Abstract No. 132
in Collin County, Texas, and being a called 158.83 acre tract
of land described in Substitute Trustee's Deed recorded in
Volume 2998, gage 191, of the Land Records of Collin
County, Texas, being more particularly described by metes
and bounds to-wit:
BEGINNING at a point at the intersection of the South line of
the BBB & CRR Co. Survey, and the West R.O.W. line of the
St. Louis - San Francisco and Texas Railroad;
THENCE SOUTH 89 degrees 52 minutes West with the
South line of said survey, same being the centerline of County
Road 55, 951.4 feet to an iron pin;
THENCE NORTH 0 degrees 37 minutes West with an old
established fence being the East line of a tract of Land
described in Volume 28491 Page 861, 203.4 feet to a corner
post;
THENCE SOUTH 89 degrees 39 minutes West with said

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

fence, same being the North line of said tract 206.86 feet to a corner post;
THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63 feet to an iron pin in the centerline of County Road 55;
THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8 feet to an iron pin found;
THENCE NORTH 0 degrees 03 minutes West with said County Road 1196 feet to an iron pin found;
THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron pin found;
THENCE in a Northerly direction with the East R.O.W. line of FM Highway 428 as follows:
NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;
NORTH 2 degrees 49 minutes East 200.13 feet a concrete marker;
NORTH 1 degree 23 minutes West 468.59 feet to an iron pin found;
THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an established fence 2048.6 feet to an iron pin found;
THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to an iron pin found;
THENCE EASTERLY with an old fence as follows:
NORTH 89 degrees 43 minutes East 197.4 feet;
NORTH 138 degrees 35 minutes East 324 feet;
SOUTH 68 degrees 25 minutes East 205 feet;
SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin found.
THENCE NORTH 0 degrees 13 minutes East with a fence 962.42 feet to an iron pin found;
THENCE NORTH 88 degrees 56 minutes East with a fence 533.9 feet to an iron pin found;

SENATE VERSION (IE)

fence, same being the North line of said tract 206.86 feet to a corner post;
THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63 feet to an iron pin in the centerline of County Road 55;
THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8 feet to an iron pin found;
THENCE NORTH 0 degrees 03 minutes West with said County Road 1196 feet to an iron pin found;
THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron pin found;
THENCE in a Northerly direction with the East R.O.W. line of FM Highway 428 as follows:
NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;
NORTH 2 degrees 49 minutes East 200.13 feet a concrete marker;
NORTH 1 degree 23 minutes West 468.59 feet to an iron pin found;
THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an established fence 2048.6 feet to an iron pin found;
THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to an iron pin found;
THENCE EASTERLY with an old fence as follows:
NORTH 89 degrees 43 minutes East 197.4 feet;
NORTH 138 degrees 35 minutes East 324 feet;
SOUTH 68 degrees 25 minutes East 205 feet;
SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin found.
THENCE NORTH 0 degrees 13 minutes East with a fence 962.42 feet to an iron pin found;
THENCE NORTH 88 degrees 56 minutes East with a fence 533.9 feet to an iron pin found;

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron pin found;
THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron pin found in the West R.O.W. line of the St. Louis - San Francisco and Texas Railroad,'
THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line 2547 feet to the place of beginning,
CONTAINING 157.54 acres.
EXHIBIT "A"
SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132, Collin County, Texas, and being more particularly described as follows:
BEGINNING at an iron rod set for the Southeast corner of the herein described tract, said iron rod is located West 980 feet from the intersection of the middle of a county road and the West line of the S.L.S.F. & T. Railroad Right-of-Way;
THENCE West with the middle of the said county road for a distance of 208.8 feet to an iron rod set for corner;
THENCE North 00 degrees 04 minutes West for a distance of 198.3 feet to a fence corner found for corner;
THENCE South 89 degrees 58 minutes East for a distance of 108.1 feet to a fence corner found for corner;
THENCE 141 South 00 degrees 17 minutes-East for a distance of 198.2 feet to the PLACE OF BEGINNING,
CONTAINING 0.95 acres of land, 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

SENATE VERSION (IE)

THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron pin found;
THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron pin found in the West R.O.W. line of the St. Louis - San Francisco and Texas Railroad,'
THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line 2547 feet to the place of beginning,
CONTAINING 157.54 acres.
TRACT 11 (0.95 ACRES):
SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132, Collin County, Texas, and being more particularly described as follows:
BEGINNING at an iron rod set for the Southeast corner of the herein described tract, said iron rod is located West 980 feet from the intersection of the middle of a county road and the West line of the S.L.S.F. & T. Railroad Right-of-Way;
THENCE West with the middle of the said county road for a distance of 208.8 feet to an iron rod set for corner;
THENCE North 00 degrees 04 minutes West for a distance of 198.3 feet to a fence corner found for corner;
THENCE South 89 degrees 58 minutes East for a distance of 108.1 feet to a fence corner found for corner;
THENCE 141 South 00 degrees 17 minutes-East for a distance of 198.2 feet to the PLACE OF BEGINNING,
CONTAINING 0.95 acres of land, more or less.

TRACT 12 (68.112 ACRES):
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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 (an asphalt surfaced public street), a distance of 672.70 feet to a set 1/2 inch steel square tubing for a corner;

THENCE South 00 degrees 01 minutes 29 seconds West, with the West line of a 10 foot wide concrete alley part of the way, a distance of 824.71 feet to a set 1/2 inch steel square tubing for a corner;

THENCE South 87 degrees 14 minutes 21 seconds East, with the South line of a 10 foot wide concrete alley part of the way, a distance 708.19 feet to a set 1/2 inch steel square tubing for a corner on the East line of said Higgins tract, and

SENATE VERSION (IE)

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 (an asphalt surfaced public street), a distance of 672.70 feet to a set 1/2 inch steel square tubing for a corner;

THENCE South 00 degrees 01 minutes 29 seconds West, with the West line of a 10 foot wide concrete alley part of the way, a distance of 824.71 feet to a set 1/2 inch steel square tubing for a corner;

THENCE South 87 degrees 14 minutes 21 seconds East, with the South line of a 10 foot wide concrete alley part of the way, a distance 708.19 feet to a set 1/2 inch steel square tubing for a corner on the East line of said Higgins tract, and

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

the West line of a called 22.74 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and recorded in Volume 2599, Page 892 of said Deed Records;
THENCE South 00 degrees 00 minutes 40 seconds East, with the East line of said Higgins tract, and the West line of said 22.74 acre tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a corner;
THENCE South 89 degrees 04 minutes 33 seconds West, with an old fence and tree line, a distance of 533.74 feet to a found 1/2 inch rebar for a corner;
THENCE South 00 degrees 06 minutes 14 seconds West, with an old fence and tree line, a distance of 963.27 feet to a set 1/2 inch steel square tubing for a corner;
THENCE North 76 degrees 30 minutes 57 seconds West, a distance of 411.39 feet to a set 1/2 inch steel square tubing for a corner;
THENCE South 87 degrees 43 minutes 31 seconds West, a distance of 186.92 feet to a set 1/2 inch steel square tubing for a corner;
THENCE South 89 degrees 58 minutes 09 seconds West, a distance of 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of land.

TRACT II - Correct

SENATE VERSION (IE)

the West line of a called 22.74 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and recorded in Volume 2599, Page 892 of said Deed Records;
THENCE South 00 degrees 00 minutes 40 seconds East, with the East line of said Higgins tract, and the West line of said 22.74 acre tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a corner;
THENCE South 89 degrees 04 minutes 33 seconds West, with an old fence and tree line, a distance of 533.74 feet to a found 1/2 inch rebar for a corner;
THENCE South 00 degrees 06 minutes 14 seconds West, with an old fence and tree line, a distance of 963.27 feet to a set 1/2 inch steel square tubing for a corner;
THENCE North 76 degrees 30 minutes 57 seconds West, a distance of 411.39 feet to a set 1/2 inch steel square tubing for a corner;
THENCE South 87 degrees 43 minutes 31 seconds West, a distance of 186.92 feet to a set 1/2 inch steel square tubing for a corner;
THENCE South 89 degrees 58 minutes 09 seconds West, a distance of 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of land.
SAVE AND EXCEPT the following tract:
BEING all that certain called 13.416 acre tract of land from Rex Glendenning, etux to Celina Independant School District, by deed recorded in Volume 5086, Page 5064, Deed Records, Collin County, Texas, and being all of Lot 1, Block A, Celina Elementary Addition, an addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Cabinet P, Page 144, Map Records, Collin County, Texas.
Leaving a net area of 68.112 acres.
TRACT 13 (22.741 ACRES):

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

BEING all that certain tract or parcel of land situated in the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas; said tract being shown by Deed to E. L. Higgins, dated April 8, 1987, and recorded in Volume 2599, Page 892 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 set 1/2 inch steel square tubing by a fence corner post, said tubing being the Northeast corner of said Higgins tract, and on the West right-of-way line of the St. Louis, San Francisco & Texas Railroad;

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

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

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

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

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

THENCE North 00 degrees 00 minutes 40 seconds West, with the West line of said Higgins tract, a distance of 1567.31 feet to a found 1/2 inch rebar for a corner;

THENCE North 00 degrees 02 minutes 00 seconds East, with the West line of said Higgins tract, a distance of 421.32 feet to

SENATE VERSION (IE)

BEING all that certain tract or parcel of land situated in the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas; said tract being shown by Deed to E. L. Higgins, dated April 8, 1987, and recorded in Volume 2599, Page 892 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 set 1/2 inch steel square tubing by a fence corner post, said tubing being the Northeast corner of said Higgins tract, and on the West right-of-way line of the St. Louis, San Francisco & Texas Railroad;

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

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

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

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

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

THENCE North 00 degrees 00 minutes 40 seconds West, with the West line of said Higgins tract, a distance of 1567.31 feet to a found 1/2 inch rebar for a corner;

THENCE North 00 degrees 02 minutes 00 seconds East, with the West line of said Higgins tract, a distance of 421.32 feet to

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

a found 1/2 inch rebar for a corner;
THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of 311.57 feet to a fence corner post for a corner;
THENCE North 00 degrees 03 minutes 04 seconds West, a distance of 416.61 feet to a fence corner post for a corner;
THENCE North 89 degrees 15 minutes 06 seconds East, a distance of 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of land.

EXHIBIT A

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

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

Thence North, with the west line of said 6.26 acre tract, an east line of said 77.7100 acre tract, with an old fence, passing a 1/2" iron pin set on the north side of a corner post at 374.49 feet and continuing in all 419.87 feet to a PK nail set at the northwest corner of said 6.26 acre tract, the northeast corner of said 77.7100 acre tract, in the center of the asphalt paved County Road No. 55 and in the south line of the Rex K. Glendenning 156.54 acres, Ref. V. 3788, P. 205;

Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet with the north line of said 6.26 acre tract, the north line of said 33.62 acre tract, the south line of said 156.54

SENATE VERSION (IE)

a found 1/2 inch rebar for a corner;
THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of 311.57 feet to a fence corner post for a corner;
THENCE North 00 degrees 03 minutes 04 seconds West, a distance of 416.61 feet to a fence corner post for a corner;
THENCE North 89 degrees 15 minutes 06 seconds East, a distance of 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of land.

TRACT 14 (46.743 ACRES):

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

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

Thence North, with the west line of said 6.26 acre tract, an east line of said 77.7100 acre tract, with an old fence, passing a 1/2" iron pin set on the north side of a corner post at 374.49 feet and continuing in all 419.87 feet to a PK nail set at the northwest corner of said 6.26 acre tract, the northeast corner of said 77.7100 acre tract, in the center of the asphalt paved County Road No. 55 and in the south line of the Rex K. Glendenning 156.54 acres, Ref. V. 3788, P. 205;

Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet with the north line of said 6.26 acre tract, the north line of said 33.62 acre tract, the south line of said 156.54

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

acre tract and with the center of said County Road No. 55 to a PK nail set at the northeast corner of said 33.62 acre tract, the southeast corner of said 156.54 acre tract and in the west R.O.W. line of the Burlington Northern Railroad;

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

Thence South 89 degrees 38 minutes 16 seconds West, with the south line of said 33.62 acre tract, the north line of said 4.66 acre tract and with the evidence of an old fence, passing a 1/2 inch iron pin set beside an old post at 250.96 feet and continuing in all 359.86 feet to a 1/2" iron pin set at the southwest corner of said 33.62 acre tract, the northwest corner of said 4.66 acre tract, in the east line of said 77.7100 acre tract and on the west side of County Dirt Road No. 1117;

Thence North, with the west line of said 33.62 acre tract, the east line of said 77.7100 acre tract, coming to the center of said Dirt Road at approximately 200 feet and continuing with the center of said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set in the center of said Dirt Road at the southeast corner of said 6.26 acre tract and in the west line of said 33.62 acre tract;

Thence South 89 degrees 33 minutes 55 seconds West with the south line of said 6.26 acre tract, with a north line of said 77.7100 acre tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet and continuing with an old fence in all 623.64 feet to the PLACE OF BEGINNING and containing 46.743

SENATE VERSION (IE)

acre tract and with the center of said County Road No. 55 to a PK nail set at the northeast corner of said 33.62 acre tract, the southeast corner of said 156.54 acre tract and in the west R.O.W. line of the Burlington Northern Railroad;

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

Thence South 89 degrees 38 minutes 16 seconds West, with the south line of said 33.62 acre tract, the north line of said 4.66 acre tract and with the evidence of an old fence, passing a 1/2 inch iron pin set beside an old post at 250.96 feet and continuing in all 359.86 feet to a 1/2" iron pin set at the southwest corner of said 33.62 acre tract, the northwest corner of said 4.66 acre tract, in the east line of said 77.7100 acre tract and on the west side of County Dirt Road No. 1117;

Thence North, with the west line of said 33.62 acre tract, the east line of said 77.7100 acre tract, coming to the center of said Dirt Road at approximately 200 feet and continuing with the center of said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set in the center of said Dirt Road at the southeast corner of said 6.26 acre tract and in the west line of said 33.62 acre tract;

Thence South 89 degrees 33 minutes 55 seconds West with the south line of said 6.26 acre tract, with a north line of said 77.7100 acre tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet and continuing with an old fence in all 623.64 feet to the PLACE OF BEGINNING and containing 46.743

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

acres of land.

EXHIBIT B

"PERMITTED EXCEPTIONS"

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

SENATE VERSION (IE)

acres of land.

TRACT 15 (49.985 ACRES):

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

EXHIBIT "A"

All that certain tract or parcel of land situated in Lot B of Subdivision number 14 of the Collin County School Land Survey A-167, County of Collin State of Texas as shown on

SENATE VERSION (IE)

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

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

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

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

TRACT 16 (3.305 ACRES):

All that certain tract or parcel of land situated in Lot B of Subdivision number 14 of the Collin County School Land Survey A-167, County of Collin State of Texas as shown on

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

plat recorded in Volume 03, Page 118 of the Deed Records of Collin County, Texas, and said tract being the remaining tract of a called 118 acre tract as described in deed to L.L. Lewis filed 10 November 1916 and recorded in Volume 206, Page 196 of said Deed Records and being more fully described as follows:

Beginning for the northeast corner of the tract being described herein at a found 1/2 inch rebar with a plastic cap marked Alliance, said rebar being the northeast remainder corner of said Lewis tract, same being the most easterly southeast corner of a called 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11 July 2002 and recorded in Volume 5208, Page 3398 of said Deed Records and said rebar being on the west line of State Highway Number 289;

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

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

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

Thence South 88 degrees 49 minutes 36 seconds West, with the north line of said Old Celina 66 acre tract, a distance of 209.37 feet to a found 1/2 inch rebar with a plastic cap marked

SENATE VERSION (IE)

plat recorded in Volume 03, Page 118 of the Deed Records of Collin County, Texas, and said tract being the remaining tract of a called 118 acre tract as described in deed to L.L. Lewis filed 10 November 1916 and recorded in Volume 206, Page 196 of said Deed Records and being more fully described as follows:

Beginning for the northeast corner of the tract being described herein at a found 1/2 inch rebar with a plastic cap marked Alliance, said rebar being the northeast remainder corner of said Lewis tract, same being the most easterly southeast corner of a called 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11 July 2002 and recorded in Volume 5208, Page 3398 of said Deed Records and said rebar being on the west line of State Highway Number 289;

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

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

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

Thence South 88 degrees 49 minutes 36 seconds West, with the north line of said Old Celina 66 acre tract, a distance of 209.37 feet to a found 1/2 inch rebar with a plastic cap marked

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Alliance for the southwest remainder corner of said Lewis tract; same being an ell corner of said Old Celina 66 acre tract; Thence North 01 degrees 10 minutes 27 seconds West, with the east line of said Old Celina 66 acre tract and passing the most northerly northeast corner of said Old Celina 66 acre tract, same being the most southerly southeast corner of said Old Celina 49.985 acre tract and continuing on said course with the east line of said Old Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2 inch rebar with a plastic cap marked Alliance for the northwest remainder corner of said Lewis tract, same being an ell corner of said Old Celina 49.985 acre tract

Thence North 88 degrees 48 minutes 36 seconds East, with the south line of said Old Celina 49.985 acre tract a distance of 209.56 feet to the POINT OF BEGINNING and containing 3.305 acres of land, more or less.

EXHIBIT "A"

Legal Description

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

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

THENCE North 88 degrees 49 minutes 19 seconds East, along the common line of said Lewis tract, and a tract of land conveyed to Rex Glendenning according to the deed recorded in Volume 4476, Page 280 D.R.C.C.T., (for a distance of

SENATE VERSION (IE)

Alliance for the southwest remainder corner of said Lewis tract; same being an ell corner of said Old Celina 66 acre tract; Thence North 01 degrees 10 minutes 27 seconds West, with the east line of said Old Celina 66 acre tract and passing the most northerly northeast corner of said Old Celina 66 acre tract, same being the most southerly southeast corner of said Old Celina 49.985 acre tract and continuing on said course with the east line of said Old Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2 inch rebar with a plastic cap marked Alliance for the northwest remainder corner of said Lewis tract, same being an ell corner of said Old Celina 49.985 acre tract

Thence North 88 degrees 48 minutes 36 seconds East, with the south line of said Old Celina 49.985 acre tract a distance of 209.56 feet to the POINT OF BEGINNING and containing 3.305 acres of land, more or less.

TRACT 17 (66.020 ACRES):

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

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

THENCE North 88 degrees 49 minutes 19 seconds East, along the common line of said Lewis tract, and a tract of land conveyed to Rex Glendenning according to the deed recorded in Volume 4476, Page 280 D.R.C.C.T., (for a distance of

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

1.67.42 feet to a 1/2 inch iron rod found at a common interior Interior corner of same;
THENCE South 01 degrees 10 minutes 41 seconds East to leaving said common line, for a distance of 197.35 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set for corner;
THENCE North 88 degrees 48 minutes 28 seconds East for a distance of 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430 set on the West right-of-way line of State Highway No. 289;
THENCE South 01 degrees 13 minutes 34 seconds East along said West right-of-way line, for a distance of 1,242.72 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5420 set at the Southeast corner of the aforementioned Lewis tract;
THENCE South 88 degrees 53 minutes 32 seconds West leaving said west right-of-way line along the south line of said Lewis tract passing at a distance of 538.88 feet a 1/2 inch iron rod found near the intersection of a barbed wire fence, and continuing with said fence passing at a distance of 2,032.87 feet a 3/8 inch iron rod found, and continuing for a total distance of 2,179.17 to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set at the southwest corner of said Lewis tract, and also lying on the east right-of-way line of the aforementioned S.L. & S.F. Railroad;
THENCE North 10 degrees 41 minutes 21 seconds East along said East right-of-way line, for a distance of 1,468.61 feet to the PLACE OF BEGINNING, and containing 2,875.811 square feet or 66.020 acres of land.
Exhibit A
BEING a 13.50 acre tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a portion of a called 38

SENATE VERSION (IE)

1.67.42 feet to a 1/2 inch iron rod found at a common interior Interior corner of same;
THENCE South 01 degrees 10 minutes 41 seconds East to leaving said common line, for a distance of 197.35 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set for corner;
THENCE North 88 degrees 48 minutes 28 seconds East for a distance of 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430 set on the West right-of-way line of State Highway No. 289;
THENCE South 01 degrees 13 minutes 34 seconds East along said West right-of-way line, for a distance of 1,242.72 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5420 set at the Southeast corner of the aforementioned Lewis tract;
THENCE South 88 degrees 53 minutes 32 seconds West leaving said west right-of-way line along the south line of said Lewis tract passing at a distance of 538.88 feet a 1/2 inch iron rod found near the intersection of a barbed wire fence, and continuing with said fence passing at a distance of 2,032.87 feet a 3/8 inch iron rod found, and continuing for a total distance of 2,179.17 to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set at the southwest corner of said Lewis tract, and also lying on the east right-of-way line of the aforementioned S.L. & S.F. Railroad;
THENCE North 10 degrees 41 minutes 21 seconds East along said East right-of-way line, for a distance of 1,468.61 feet to the PLACE OF BEGINNING, and containing 2,875.811 square feet or 66.020 acres of land.
TRACT 18 (13.50 ACRES):
BEING a 13.50 acre tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a portion of a called 38

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

acre tract of land as conveyed to Dan P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the Northeast corner of said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records of Collin County, Texas, said iron rod also being in the South line of a tract of land conveyed to Old Celina, Ltd., by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to a point for corner;

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

THENCE North 00 degrees 19 minutes 12 seconds West, along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, a distance of 473.64 feet to a 1/2 inch iron rod found for corner, said point being the Northwest corner of said called 38 acre tract, same being the Northeast corner of said Ayala Metro Park Properties, Ltd. tract, and being in the South line of said Old Celina, Ltd. tract;

THENCE South 90 degrees 00 minutes 00 seconds East, along the common line of said 38 acre tract, and said Old Celina,

SENATE VERSION (IE)

acre tract of land as conveyed to Dan P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the Northeast corner of said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records of Collin County, Texas, said iron rod also being in the South line of a tract of land conveyed to Old Celina, Ltd., by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to a point for corner;

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

THENCE North 00 degrees 19 minutes 12 seconds West, along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, a distance of 473.64 feet to a 1/2 inch iron rod found for corner, said point being the Northwest corner of said called 38 acre tract, same being the Northeast corner of said Ayala Metro Park Properties, Ltd. tract, and being in the South line of said Old Celina, Ltd. tract;

THENCE South 90 degrees 00 minutes 00 seconds East, along the common line of said 38 acre tract, and said Old Celina,

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Ltd. tract, a distance of 1238.92 feet to the POINT OF BEGINNING and containing 588,075 square feet or 13.50 acres of computed land, more or less.

Exhibit A

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

COMMENCING at a 1/2 inch iron rod found for the Northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded in Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the South line of a tract of land conveyed to Old Celina, Ltd., by deed recorded In Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said called 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to the POINT OF BEGINNING;

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

SENATE VERSION (IE)

Ltd. tract, a distance of 1238.92 feet to the POINT OF BEGINNING and containing 588,075 square feet or 13.50 acres of computed land, more or less.

TRACT 19 (5.50 ACRES):

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

COMMENCING at a 1/2 inch iron rod found for the Northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded in Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the South line of a tract of land conveyed to Old Celina, Ltd., by deed recorded In Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said called 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to the POINT OF BEGINNING;

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

Exhibit A

Being a 9.426 acre tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a portion of a called 38 acre tract of land as conveyed to Dan P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of

SENATE VERSION (IE)

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

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

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

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

TRACT 20 (9.425 ACRES):

Being a 9.425 acre tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a portion of a called 38 acre tract of land as conveyed to Dan P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

COMMENCING at a 1/2 Inch iron rod found for the northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the south line of a tract of land conveyed to Old Celina, Ltd., by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said Stone tract, and said Chen tract as recorded In Volume 5836, Page 545, a distance of 473.70 feet to a point for corner,

THENCE North 90 degrees 00 minutes 00 seconds West, through the interior of said called 38 acre tract, a distance of 761.90 feet to a point for corner, said point being the POINT OF BEGINNING;

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

THENCE South 89 degrees 43 minutes 40 seconds West, along the common line of said called 38 acre tract, and said called 40 acre tract, and the center line of County Road No. 53, a distance of 482.43 feet to a 1/2 inch iron rod found for corner, said point being the Southwest corner of said called 38 acre tract;

SENATE VERSION (IE)

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

COMMENCING at a 1/2 Inch iron rod found for the northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the south line of a tract of land conveyed to Old Celina, Ltd., by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said Stone tract, and said Chen tract as recorded In Volume 5836, Page 545, a distance of 473.70 feet to a point for corner,

THENCE North 90 degrees 00 minutes 00 seconds West, through the interior of said called 38 acre tract, a distance of 761.90 feet to a point for corner, said point being the POINT OF BEGINNING;

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

THENCE South 89 degrees 43 minutes 40 seconds West, along the common line of said called 38 acre tract, and said called 40 acre tract, and the center line of County Road No. 53, a distance of 482.43 feet to a 1/2 inch iron rod found for corner, said point being the Southwest corner of said called 38 acre tract;

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

THENCE North 00 degrees 19 minutes 12 seconds West, along the West line of said called 38 acre tract, passing the Southeast corner of a tract of land conveyed to Ayala Metro Park Properties, Ltd., as recorded in Volume 5431, Page 6738, of the Deed Records of Collin County, Texas, at a distance of 22.29 feet, and continuing along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, Ltd. tract, a total distance of 852.15 feet to a point for corner; THENCE North 90 degrees 00 minutes 00 seconds East, through the interior of said called 38 acre tract, a distance of 482.44 feet to the POINT OF BEGINNING and containing 410,551 square feet or 9.425 acres of computed land, more or less.

Exhibit A

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

COMMENCING at a 1/2 inch iron rod found for the northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the south line of a tract of land conveyed to Old Celina, Ltd. by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said called 38 acre tract, and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to a point for corner;

SENATE VERSION (IE)

THENCE North 00 degrees 19 minutes 12 seconds West, along the West line of said called 38 acre tract, passing the Southeast corner of a tract of land conveyed to Ayala Metro Park Properties, Ltd., as recorded in Volume 5431, Page 6738, of the Deed Records of Collin County, Texas, at a distance of 22.29 feet, and continuing along the common line of said called 38 acre tract, and said Ayala Metro Park Properties, Ltd. tract, a total distance of 852.15 feet to a point for corner; THENCE North 90 degrees 00 minutes 00 seconds East, through the interior of said called 38 acre tract, a distance of 482.44 feet to the POINT OF BEGINNING and containing 410,551 square feet or 9.425 acres of computed land, more or less.

TRACT 21 (0.784 ACRES):

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

THENCE North 00 degrees 19 minutes 12 seconds West, through the interior of said called 38 acre tract, a distance of 849.86 feet to a point for corner;

THENCE South 90 degrees 00 minutes 00 seconds East, through the interior of said called 38 acre tract, a distance of 483.74 feet to the POINT OF BEGINNING and containing 410,545 square feet or 9.428 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

SENATE VERSION (IE)

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 Ryno tract, same being the east line of the Burlington Northern ,Railroad,*
Thence: North 12 degrees 48 minutes 09 seconds East, with the east line of said railroad a distance of 206.40 feet to a set 1/2 inch steel square tubing for the northwest corner of said Ryno tract, same being the southwest corner of said Old Celina tract, and said tubing being South 24 degrees 24 minutes 28 seconds West, a distance of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked Wisdom 3646;
Thence, South 89 degrees 04 minutes 00 seconds East, with the north line of said Ryno tract, and with the south line of said Old Celina tract, a distance of 146.45 feet to the POINT OF BEGINNING and containing 0.784 of an acre of land
Exhibit
Tract Three

SENATE VERSION (IE)

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 Ryno tract, same being the east line of the Burlington Northern ,Railroad,
Thence: North 12 degrees 48 minutes 09 seconds East, with the east line of said railroad a distance of 206.40 feet to a set 1/2 inch steel square tubing for the northwest corner of said Ryno tract, same being the southwest corner of said Old Celina tract, and said tubing being South 24 degrees 24 minutes 28 seconds West, a distance of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked Wisdom 3646;
Thence, South 89 degrees 04 minutes 00 seconds East, with the north line of said Ryno tract, and with the south line of said Old Celina tract, a distance of 146.45 feet to the POINT OF BEGINNING and containing 0.784 of an acre of land
TRACT 22 (5.500 ACRES):

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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, sold tract being part of the monumented tract on the ground of a called 8.772 acre tract as described in deed to Ryno .Materials, Inc., filed 21 April 2006, and recorder! 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 set 1/2 inch steel square tubing, said tubing being an the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 651.67 feet from 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 June 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 at described in deed to Old Celina, Ltd, filed 31 July 2003, 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-raid Ryno tract and passing at 648.22 feet a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the north side of Collin County Road Number 53, and continuing on said course a total distance of 674.50 feet to a point for the southeast corner of this tract;

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

SENATE VERSION (IE)

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, sold tract being part of the monumented tract on the ground of a called 8.772 acre tract as described in deed to Ryno .Materials, Inc., filed 21 April 2006, and recorder! 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 set 1/2 inch steel square tubing, said tubing being an the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 651.67 feet from 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 June 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 at described in deed to Old Celina, Ltd, filed 31 July 2003, 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-raid Ryno tract and passing at 648.22 feet a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the north side of Collin County Road Number 53, and continuing on said course a total distance of 674.50 feet to a point for the southeast corner of this tract;

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

Thence: South 89 degrees 05 minutes 00 seconds East, a distance of 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of land

Exhibit A

Tract Two

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 in 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:

SENATE VERSION (IE)

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

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

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

Thence: South 89 degrees 05 minutes 00 seconds East, a distance of 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of land

TRACT 23 (2.500 ACRES):

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 in 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:

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Beginning for the northeast corner of the it-act being described herein at a set 1/2 inch steel square tubing, said tubing being on the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 201.95 feet from 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 June 2003, and recorded in volume 5431 page 6738 of said deed records, said re bar 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 547,1 page 1109 of said deed recasts;

Thence:. South 00 degrees 07 minutes 36 seconds West, with the monumented east line of said Ryno tract, a distance of 449.72 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 292.60 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 Ryno tract, same being the east line of the Burlington Northern Railroad;

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

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

Exhibit "A" 4 5 5 1 1849

BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, Collin

SENATE VERSION (IE)

Beginning for the northeast corner of the it-act being described herein at a set 1/2 inch steel square tubing, said tubing being on the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 201.95 feet from 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 June 2003, and recorded in volume 5431 page 6738 of said deed records, said re bar 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 547,1 page 1109 of said deed recasts;

Thence:. South 00 degrees 07 minutes 36 seconds West, with the monumented east line of said Ryno tract, a distance of 449.72 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 292.60 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 Ryno tract, same being the east line of the Burlington Northern Railroad;

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

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

TRACT 24 (50.596 ACRES):

BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, Collin

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

County, Texas, and also being part of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

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

THENCE South 89 degrees 56 minutes 19 seconds West following the North line of said 70 acre tract a distance of 2266.24 feet to a 1/2 inch iron rod set for corner at the Northwest corner of said 70.00 acre tract, said iron rod also being in the East right of way line of State Highway No. 289 a variable-width ROW;

THENCE following the-East ROW line of State Highway No. 289:

North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2 inch iron rod set;

North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2 inch iron rod set;

North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2 inch iron rod set;

North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2 inch iron rod set;

North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2 inch iron rod set;

North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2 inch iron rod set;

North 12 degrees 28 minutes 00 seconds East, 100.50 feet 1/2 inch iron rod set;

SENATE VERSION (IE)

County, Texas, and also being part of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

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

THENCE South 89 degrees 56 minutes 19 seconds West following the North line of said 70 acre tract a distance of 2266.24 feet to a 1/2 inch iron rod set for corner at the Northwest corner of said 70.00 acre tract, said iron rod also being in the East right of way line of State Highway No. 289 a variable-width ROW;

THENCE following the-East ROW line of State Highway No. 289:

North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2 inch iron rod set;

North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2 inch iron rod set;

North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2 inch iron rod set;

North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2 inch iron rod set;

North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2 inch iron rod set;

North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2 inch iron rod set;

North 12 degrees 28 minutes 00 seconds East, 8.23feet 1/2 inch iron rod set for the southwest corner of Lot 2, Block A,

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

North 14 degrees 22 minutes 00 seconds East, 300.67 feet 1/2 inch-iron-rod set;

THENCE North 18 degrees 11 minutes 00 seconds East following the East ROW line of State Highway No. 289 a distance of 200.09 feet to a 1/2 inch iron rod set for corner at the Southwest corner-of a 8.755 acre tract as recorded in Volume 814, Page 808, Deed Records, Collin County, Texas;

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

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

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

Exhibit A
BEING a 2.59 acre tract of land situated in the Collin County

SENATE VERSION (IE)

Cattlemans Crossing, an addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Cabinet R, Slide 670, Map Records, Collin County, Texas;

THENCE through the interior of said called 125.871 acre tract, and along the south and east lines of said Lot 2 as follows:

North 88 deg. 04 min. 32 sec. West, a distance of 372.79 feet to a point for the southeast corner of said Lot 2;

North 18 deg. 11 min. 00 sec. East, a distance of 602.60 feet to a point for the northeast corner of a right-of-way dedication by said Cattlemans Crossing plat for County Road No. 98, same being in the north line of said called 125.871 acre tract, same being in the South line of a 8.755 acre tract as recorded in Volume 814, Page 808, Deed Records, Collin County, Texas;

THENCE North 88 degrees 04 minutes 32 seconds East following the South line of said 8.755 acre tract a distance of 151.20 feet to a 1/2 inch iron rod found for corner at the Southeast corner of said 8.755 acre tract, said iron rod also being at the Southwest corner of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed Records, Collin County, Texas;

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

THENCE South 01 degree 01 minute 35 seconds East following the West line of said 72.00 acre tract a distance of 1205.28 feet to the POINT OF BEGINNING and containing 2,203,976 square feet or 50.596 acres of land, more or less.

TRACT 25 (2.54 ACRES):
BEING a 2.54 acre tract of land situated in the Collin County

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

COMMENCING at a 5/8 inch iron rod found for the Southwest corner of a called 8.755 acre tract of land recorded in Volume 814, Page 808, of the Deed Records of COLLIN County, Texas, same being in the East right-of-way line of State Highway No. 289 (a variable width right-of-way);

THENCE North 88 degrees 04 minutes 32 seconds East, along the South line of said called 8.755 acre tract, a distance of 340.00 feet to a 1/2 inch iron rod set for corner, said point being the POINT OF BEGINNING;

THENCE North 88 degrees 04 minutes 32 seconds East, continuing along the South line of said called 8.755 acre tract, a distance of 63.90 feet to a 1/2 inch iron rod set for corner;

THENCE South 18 degrees 11 minutes 00 seconds West, through the interior of said called 125.871 acre tract, a distance of 602.60 feet to a 1/2 inch iron rod set for corner;

THENCE South 88 degrees 04 minutes 32 seconds West, through the interior of said called 125.871 acre tract, a distance of 372.79 feet to a 1/2 inch iron rod set for corner, said point being in the East right-of-way line of said State Highway No. 289;

SENATE VERSION (IE)

School Land Survey, Abstract No. 167, in the City of Celina, COLLIN County, Texas, and being portion of a tract of a called 125.871 acre tract of land conveyed to Old Celina, Ltd. by deed recorded in Volume 1775, Page 454, of the Deed Records of Collin County, Texas, and being all of Lot 1, Block A, Cattlemans Crossing, an addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Cabinet R, Slide 670, Map Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the Southwest corner of a called 8.755 acre tract of land recorded in Volume 814, Page 808, of the Deed Records of COLLIN County, Texas, same being in the East right-of-way line of State Highway No. 289 (a variable width right-of-way), same being the northwest corner of said Lot 1;

THENCE North 88 degrees 04 minutes 32 seconds East, along the South line of said called 8.755 acre tract, and along the north line of said Lot 1, a distance of 340.00 feet to a 1/2 inch iron rod set for the northeast corner of said Lot 1, same being the most northerly northwest corner of Lot 2, of said Cattlemans Crossing;

THENCE South 18 degrees 11 minutes 00 seconds West, along the common line of said Lot 1, and said Lot 2, a distance of 284.12 feet to a point for the southeast corner of said Lot 1;

THENCE South 88 degrees 04 minutes 32 seconds West, continuing along the common line of said Lot 1, and said Lot 2, a distance of 329.74 feet to a point for the southwest corner of said Lot 1 and the most westerly northwest corner of said Lot 2, same being in the east right-of-way line of aforesaid

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

THENCE North 12 degrees 28 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 92.27 feet to a 1/2 Inch Iron rod set for corner;
THENCE North 14 degrees 22 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 155.95 feet to a 1/2 inch iron rod set for corner;
THENCE North 88 degrees 04 minutes 32 seconds East, through the interior of said called 125.871 acre tract, a distance of 329.74 feet to a 1/2 inch iron rod set for corner;
THENCE North 18 degrees 11 minutes 00 seconds East, through the 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

SENATE VERSION (IE)

State Highway No. 289;

THENCE North 14 degrees 22 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 144.72 feet to a 1/2 inch iron rod set for corner;

THENCE North 18 degrees 11 minutes 00 seconds East, along the East right-of-way line of said State Highway No. 289, a distance of 200.09 feet to the POINT OF BEGINNING and CONTAINING 110,400 square feet or 2.54 acres of computed land, more or less.

TRACT 26 (70.802 ACRES):

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

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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, 1302.22 feet to a railroad spike found marking the most southerly southeast corner of said 70.00 acre tract;

THENCE with a west line of said 70.00 acre tract and an east line of a 40.886 acre tract recorded under County Clerk No. 93-0018472 of the Collin County Land Records, North 01 degrees 05 minutes 25 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the most northerly northeast corner of said 40.886 acre tract;

THENCE with a south line of said 70.00 acre tract and the north line of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds West, 777.67 feet to a 1/2 inch iron rod found marking the southeast corner of an abandoned 60-foot road right-of-way;

THENCE with the south line of said abandoned road right-of-way, South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a 3/8-inch iron rod found in the east right-of-way line of State Highway 289 (variable R.O.W.) marking the southwest corner of said road abandonment;

THENCE with the east right-of-way line of State Highway No. 289 and the west line of said 70.00 acre tract as follows:
North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a 1/2-inch iron found;

North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a

SENATE VERSION (IE)

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, 1302.22 feet to a railroad spike found marking the most southerly southeast corner of said 70.00 acre tract;

THENCE with a west line of said 70.00 acre tract and an east line of a 40.886 acre tract recorded under County Clerk No. 93-0018472 of the Collin County Land Records, North 01 degrees 05 minutes 25 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the most northerly northeast corner of said 40.886 acre tract;

THENCE with a south line of said 70.00 acre tract and the north line of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds West, 777.67 feet to a 1/2 inch iron rod found marking the southeast corner of an abandoned 60-foot road right-of-way;

THENCE with the south line of said abandoned road right-of-way, South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a 3/8-inch iron rod found in the east right-of-way line of State Highway 289 (variable R.O.W.) marking the southwest corner of said road abandonment;

THENCE with the east right-of-way line of State Highway No. 289 and the west line of said 70.00 acre tract as follows:
North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a 1/2-inch iron found;

North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

1/2-inch iron rod set;
North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a 1/2-inch iron rod found marking the northwest corner of said 70.00 acre tract and the southwest corner of the aforementioned 55.718 acre tract;
THENCE with the north line of said 70.00 acre tract and the south line of said 55.718 acre tract, North 89 degrees 56 minutes 19 seconds East, 2266.24 feet to the point of beginning and containing 70.802 gross acres of land.

EXHIBIT B

"PERMITTED EXCEPTIONS"

1. Thirty foot (30') wide easement granted by George Wu to the County of Collin, filed 05/26/1998, recorded in Volume 4172, Page 204, Land Records of Collin County, Texas, and as shown on survey of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised 07/22/2002.
2. That portion of the property lying within the right of way of County Road No. 1211 and County Road No. 91, as shown on the survey of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised 07/22/2002.
3. Mineral estate and interest described in instrument filed 11/16/1983, recorded in Volume 1775, Page 454, Land Records of Collin County, Texas. Title to said interest not checked, subsequent to the date thereof. As noted on survey of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised 07/22/2002.

SENATE VERSION (IE)

1/2-inch iron rod set;
North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a 1/2-inch iron rod found marking the northwest corner of said 70.00 acre tract and the southwest corner of the aforementioned 55.718 acre tract;
THENCE with the north line of said 70.00 acre tract and the south line of said 55.718 acre tract, North 89 degrees 56 minutes 19 seconds East, 2266.24 feet to the point of beginning and containing 70.802 gross acres of land.

TRACT 27 (9.425 ACRES):

BEING a 9.425 acre tract of land situated in the Collin County School Land Survey No. 14, Abstract No. 167, Collin County, Texas, and a portion of a called 38 acre tract of land as conveyed to Don P. Stone, by deed recorded in Volume 831, Page 82, of the Deed Records of Collin County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found for the northeast corner of the said called 38 acre tract, said point also being the Northwest corner of a called 16 acre tract of land as conveyed to Candice Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records of Collin County, Texas, said iron rod also being in the south line of a tract of land conveyed to Old Celina, Ltd. by deed recorded in Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

THENCE South 00 degrees 58 minutes 32 seconds East, along the common line of said called 38 acre tract., and said Chen tract as recorded in Volume 5836, Page 545, a distance of 473.70 feet to a point for corner;

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

THENCE South 00 degrees 19 minutes 12 seconds East, through the interior of said called 38 acre tract, a distance of

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

847.56 feet to a point for corner, said point being in the south line of said called 38 acre tract, same being in the center line of County Road No. 53, said point also being in the north line of a called 40 acre tract of land described by the deed recorded in Volume 682, Page 259, of the Deed Records of Collin County, Texas;

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

THENCE North 00 degrees 19 minutes 12 seconds West, through the interior of said called 38 acre tract, a distance of 849.86 feet to a point for corner;

THENCE South 90 degrees 00 minutes 00 seconds East, through the interior of said called 38 acre tract, a distance of 483.74 feet to the POINT OF BEGINNING and containing 410,545 square feet or 9.425 acres of computed land.

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

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

SECTION 3. Same as House version.

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

No equivalent provision.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

SECTION 4. Same as House version.

SECTION __. The Parker County Utility District No. 1 is dissolved. [FA1]

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. [FA1]

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.

CONFERENCE

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(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.
Sec. 3918.004. CITY CONSENT AND DEVELOPMENT AGREEMENT EXECUTION REQUIRED. (a) The initial directors may not hold an election under Section 3918.003 until the city has:
(1) consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district; and
(2) entered into a development agreement with the owners of the real property in the district under Section 212.172, Local Government Code.
(b) The district is dissolved and this chapter expires September 1, 2017, if:
(1) the city has not consented to the creation of the district and to the inclusion of land in the district under Subsection (a)(1) before that date; or
(2) the development agreement described by Subsection (a)(2) is not entered into before that date.
Sec. 3918.005. PURPOSE; DECLARATION OF INTENT.
(a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59,

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district, and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

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

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(2) eliminating unemployment and underemployment; and
(3) developing or expanding transportation and commerce.
(e) The district will:
(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;
(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center; and
(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas, which are necessary for the restoration, preservation, and enhancement of scenic beauty.
(f) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.
(g) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.
Sec. 3918.007. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section ___ of the Act enacting this chapter.
(b) The boundaries and field notes of the district contained in Section ___ 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 borrow money or issue any type of bonds or other obligations described by Section 3918.203 for a purpose for which the district is created or to pay the principal of and

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

interest on the bonds or other obligations;

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

(4) legality or operation; or

(5) right to contract.

Sec. 3918.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. (a) All or any part of the area of the district that is not in the city's corporate limits 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;

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

(4) an industrial district created under Chapter 42, Local 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

(2) any other district purpose, including the right to pledge the money as security for any bonds or other obligations issued by the district under Section 3918.203.

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

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

(2) a tax abatement reinvestment zone created under Chapter

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

312, Tax Code.

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

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

(2) any other district purpose, including the right to pledge the money as security for any bonds or other obligations issued by the district under Section 3918.203; and

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

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

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

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

SUBCHAPTER B. BOARD OF DIRECTORS

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

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

Sec. 3918.052. INITIAL DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

in the district according to the most recent certified tax appraisal rolls for the county may submit a petition to the city requesting that the city appoint as initial directors the five persons named in the petition. The city shall appoint as initial directors the five persons named in the petition.

(b) Initial directors serve until the earlier of:

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

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

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

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

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

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

SUBCHAPTER C. POWERS AND DUTIES

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

Sec. 3918.102. IMPROVEMENT PROJECTS. The district

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

may provide, or it may enter into contracts with a governmental or private entity to provide, the improvement projects described by Subchapter C-1 or activities in support of or incidental to those projects.

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

Sec. 3918.104. ROAD DISTRICT POWERS. The district has the powers provided by the general laws relating to road districts and road utility districts created under Section 52(b), Article III, Texas Constitution, including Chapter 441, Transportation Code.

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

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

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

- (1) that is in the extraterritorial jurisdiction of the city;
- (2) for which a plat has been filed; and
- (3) that includes 100 or more residents.

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

Sec. 3918.108. NO TOLL ROADS. The district may not

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

construct, acquire, maintain, or operate a toll road.
Sec. 3918.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.
SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES
Sec. 3918.151. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.
Sec. 3918.152. BOARD DETERMINATION REQUIRED. The district may not undertake an improvement project unless the board determines the project:
(1) is necessary to accomplish a public purpose of the district;
and
(2) complies with the development agreement entered into under Section 3918.004(a)(2) or the parties to that development agreement agree to the project, in writing.
Sec. 3918.153. LOCATION OF IMPROVEMENT PROJECT. An improvement project may be inside or outside the district.
Sec. 3918.154. CITY REQUIREMENTS. (a) An improvement project in the corporate limits of the city must comply with any applicable requirements of the city, including codes and ordinances, that are consistent with the development agreement entered into under Section 3918.004(a)(2).
(b) The district may not provide, conduct, or authorize any

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

improvement project on the city's streets, highways, rights-of-way, or easements without the consent of the governing body of the city.

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

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3918.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

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

Sec. 3918.203. BORROWING MONEY; OBLIGATIONS.

(a) The district may borrow money for a district purpose without holding an election by issuing bonds, notes, time warrants, or other obligations, or by entering into a contract or other agreement payable wholly or partly from an assessment, a contract payment, a grant, revenue from a zone created under Chapter 311 or 312, Tax Code, other district revenue, or a combination of these sources.

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

board.

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

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

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

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

Sec. 3918.205. NOTICE OF ASSESSMENTS. (a) The board shall annually file written notice with the secretary of the city that specifies the assessments the district will impose in the district's next fiscal year in sufficient clarity to describe the assessments for the operation and maintenance of the district and the assessments for the payment of debt service of obligations issued or incurred by the district.

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

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

SUBCHAPTER E. DISSOLUTION

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

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

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

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

Sec. 3918.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, the city succeeds to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(b) If the city dissolves the district, the board shall transfer ownership of all district property to the city. [FA1]

No equivalent provision.

SECTION __. The Comanche Municipal Management District No. 1 initially includes all the territory contained in the following area:

TRACT 1

248.67 ACRE

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

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

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

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

THENCE South 02 degrees 13 minutes 34 seconds West a distance of 900.51 feet to a 1/2 inch iron rod found for corner at the northeast corner of a 52.63 acre tract as recorded in Volume 2261, Page 53, D.R.D.C.T.;

THENCE North 89 degrees 19 minutes 31 seconds West following the north line of said 52.63 acres tract a distance of

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

3578.05 feet to a 5/8 inch iron rod (bent) found for corner in the east line of a tract conveyed to the United States of America as recorded in Volume 2585, Page 305, D.R.D.C.T.;
THENCE North 02 degrees 15 minutes 46 seconds East following the USA tract a distance of 243.40 feet to concrete monument stamped 1033-4 for corner;
THENCE North 02 degrees 18 minutes 26 seconds East following the USA tract a distance of 349.95 feet to concrete monument stamped 1033-5 for corner;
THENCE North 36 degrees 42 minutes 11 seconds West following the USA tract a distance of 396.06 feet to concrete monument stamped 1033-6 for corner on the east bank of a dry creek;
THENCE South 89 degrees 12 minutes 38 seconds East a distance of 201.16 feet to 1/2 inch iron rod found for corner;
THENCE North 00 degrees 47 minutes 22 seconds East a distance of 131.81 feet to a point for corner in a creek;
THENCE up said creek the following calls:
N 09°28'51" E 13.38'
N 07°11'52" E 163.03'
N 72°07'15" E 37.14'
S 63°04'41" E 103.03'
S 88°21'20" E 52.55'
N 04°13'19" E 21.33'
N 11°19'26" W 59.51'
N 18°42'11" E 87.30'
N 17°43'03" W 81.64'
N 74°51'43" E 136.16'
N 31°30'01" E 64.83'
S 88°00'53" E 66.68'
S 35°42'40" E 58.03'
S 82°36'34" E 31.64'

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

N 17°26'44" E 95.82'
S 42°05'36" E 150.73'
N 83°20'18" E 36.07'
N 05°26'09" E 107.43'
N 31°37'22" W 51.38'
N 20°57'03" E 66.43'
N 28°51'15" W 102.21'
N 71°19'55" E 53.49'
S 53°48'09" E 44.26'
N 85°29'09" E 65.70'
N 40°30'41" E 86.41'
N 78°32'11" E 40.09'
N 24°32'25" E 53.98'
N 77°19'49" E 92.67'
N 58°04'48" E 80.57'
S 32°29'24" E 38.45'
N 48°05'23" E 47.84'
N 25°13'19" E 47.92'
S 89°41'30" E 57.89'
S 78°26'24" E 91.22'
N 67°15'30" E 29.70'
S 23°35'53" E 132.38'
S 87°07'12" E 40.32'
N 00°43'32" W 44.48'
N 56°26'03" E 92.01'
S 51°37'41" E 87.66'
S 01°35'49" w 42.96'
S 59°48'32" E 8.73'
N 60°27'41" E 125.92'
N 44°01'02" E 75.88'
N 01°26'58" E 82.39'
N 73°27'50" E 73.60'

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

N 54°29'34" E 46.92'
N 81°58'33" E 46.29'
N 49°14'37" E 44.19'
N 53°45'54" W 113.00'
N 18°22'20" W 130.69'
N 29°43'26" E 28.51'
N 50°28'25" W 43.10'
N 17°32'30" W 68.50'
N 88°47'34" E 108.29'
S 55°53'19" E 47.42'
S 45°21'21" E 32.24'
N 52°55'59" E 49.96'
S 35°25'53" E 72.10'
N 24°00'28" E 43.50'
N 49°35'12" W 52.21'
N 07°23'52" E 54.05'
N 01°09'32" E 45.90'
N 84°16'29" E 94.67'
N 86°33'49" E 67.50'
S 74°49'52" E 56.94'
N 51°27'10" E 21.10'
N 21°28'46" W 35.20'
N 67°07'22" E 44.39'
S 30°10'20" E 49.02'
S 85°45'43" E 39.09'
N 18°14'15" E 39.69'
N 69°16'16" E 39.39'
S 49°20'27" E 59.65'
N 55°13'09" E 41.34'
N 40°35'34" W 70.10'
N 33°06'50" E 69.98'
N 66°20'41" E 42.96'

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

N 01°12'16" E 3.53'
THENCE North 86 degrees 41 minutes 34 seconds East a distance of 401.38 feet to a 1/2 inch iron rod set for corner;
THENCE South 88 degrees 18 minutes 26 seconds East a distance of 2105.22 feet to the POINT OF BEGINNING and containing 10,832,069 square feet or 248.67 acres of land, more or less.
RELEASE TRACT
100.582 ACRE TRACT
BEING a tract of land situated in the William Lumpkin Survey Abstract No. 730, Denton County, Texas, and also being part of a 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed Records of Denton County, Texas, also being part of a 75.125 acre tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being more particularly described by metes and bounds as follows:
BEGINNING at a capped 1/2 inch iron rod found for corner (controlling monument) at the northeast corner of said 173.545-acre tract;
THENCE South 1 degree 53 minutes 56 seconds West a distance of 2221.22 feet to a 1/2 inch iron rod set for corner in Bryan Road (gravel surface);
THENCE North 88 degrees 04 minutes 11 seconds West following Bryan Road a distance of 1267.37 feet to a 1/2 inch iron rod found for corner in the east line of a 75.125-acre tract;
THENCE South 02 degrees 13 minutes 34 seconds West a distance of 528.88 feet to a 1/2 inch iron rod found for corner at the northeast corner of a 52.63 acre tract as recorded in Volume 2261, Page 53, D.R.D.C.T.;
THENCE North 89 degrees 19 minutes 31 seconds West following the north line of said 52.63 acres tract a distance of

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

653.67 feet to a point;
THENCE North 02 degrees 10 minutes 14 seconds East a distance of 769.82.40 feet to the beginning of a tangent curve to the right;
THENCE Northerly, along said tangent curve to the right which has a chord that bears North 11 degrees 39 minutes 21 seconds East for 2017.05 feet, a central angle of 18 degrees 58 minutes 13 seconds and a radius of 6120.00 feet, for an arc distance of 2026.29 feet to the end of said curve;
THENCE South 88 degrees 18 minutes 26 seconds East a distance of 1578.43 feet to the POINT OF BEGINNING and containing 4,381,338 square feet or 100.582 acres of land.

TRACT 2

52.631 ACRE TRACT

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

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

Thence: South 02 degrees 07 minutes 23 seconds West, with

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the East line of said Layman tract, and with the West line of said Worsham tract, and with said road, a distance of 616.86 feet to a found 1/2 inch rebar for the Southeast corner of said Layman tract, same being the Northeast corner of Lot No. 2, a called 139.76 acre tract as described in partition, dated 18 September 1899, and recorded in Volume L, Page 587 of the District Court Minutes of DENTON County, Texas, and further described in Boundary Agreement, filed 22 May 1985, and recorded in Volume 1640, Page 779 of said Real Property Records;

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

Thence: North 40 degrees 32 minutes 30 seconds East, with the West line of said Layman tract, and with the East line of said USA tract, and with a barbed wire fence, a distance of 299.74 feet to a found Corps of Engineers concrete monument remains for an angle point in the West line of said Layman tract;

Thence: North 40 degrees 28 minutes 28 seconds East, with the West line of said Layman tract, and with the East line of said USA tract, and with a barbed wire fence, a distance of 299.71 feet to a found Corps of Engineers concrete monument with a brass cap marked 1033-3, dated 1966 for an angle point in the West line of said Layman tract, same being an angle point in the East line of said USA tract;

Thence: North 02 degrees 16 minutes 40 seconds East, with

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the West line of said Layman tract, and with the East line of said USA tract, and with a barbed wire fence, a distance of 156.12 feet to a found 1 inch rebar by a pipe fence corner post for the Northwest corner of said Layman tract, same being the Southwest corner of said Denton County 250 tract;
Thence: South 89 degrees 19 minutes 46 seconds East, with the North line of said Layman tract, and with the South line of said Denton County 250 tract, and with a barbed wire fence, and passing at 3550.64 feet a pipe fence corner post on the West side of said road, and continuing on said course a total distance of 3578.04 feet to a POINT OF BEGINNING and CONTAINING 52.613 acres of land.

RELEASE TRACT

9.257 ACRE TRACT

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

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

Thence: South 02 degrees 07 minutes 23 seconds West, with

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the East line of said Layman tract, and with the West line of said Worsham tract, and with said road, a distance of 616.86 feet to a found 1/2 inch rebar for the Southeast corner of said Layman tract, same being the Northeast corner of Lot No.2, a called 139.76 acre tract as described in partition, dated 18 September 1899, and recorded in Volume L, Page 587 of the District Court Minutes of DENTON County, Texas, and further described in Boundary Agreement, filed 22 May 1985, and recorded in Volume 1640, Page 779 of said Real Property Records;

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

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

Thence: South 89 degrees 19 minutes 46 seconds East, with the North line of said Layman tract, and with the South line of said Denton County 250 tract, and with a barbed wire fence, a distance of 653.67 feet to a POINT OF BEGINNING and CONTAINING 9.257 acres of land. [FA1]

No equivalent provision.

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

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

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8469.001. DEFINITIONS. In this chapter:

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

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

(3) "Commission" means the Texas Commission on

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Environmental Quality.

(4) "Director" means a board member.

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

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

Sec. 8469.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary 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.

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

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

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

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

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

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

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

Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

district is initially composed of the territory described by Section ___ of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section ___ of the Act enacting this chapter form a closure. A mistake made 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 issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

(b) Temporary directors serve until the earlier of:

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

(2) September 1, 2017.

(c) If permanent directors have not been elected under Section 8469.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that expire on the earlier of:

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

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

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

SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

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

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

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

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

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section ___ of the Act creating this chapter.

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

dividing the district.

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

(f) An order dividing the district must:

(1) name each new district;

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

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

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

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

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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 vote of a two-thirds majority of the district voters voting at an election held for that purpose.
Sec. 8469.152. OPERATION AND MAINTENANCE TAX.
(a) If authorized at an election held under Section 8469.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

49.107, Water Code.

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

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

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

SUBCHAPTER F. ANNEXATION BY CITY

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

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

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

(b) Notwithstanding Section 54.016(f)(2), Water Code, an allocation agreement between the city and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of the district's territory in the corporate limits of the city may provide that the total annual ad valorem taxes collected by the city and the district from taxable property within the city's corporate limits may exceed the city's ad valorem tax on that property. [FA1]

No equivalent provision.

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

VENABLE PROPERTY DESCRIPTION:

TRACT 1

Being a tract of land situated in the George Smith Survey, Abstract No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride Survey, Abstract No. 804, the N.

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

McMillan Survey, Abstract No. 841, the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey, Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J. Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton County, Texas and being all of the following tracts of land conveyed to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded in Volume 5128, Page 563 of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called 29.089 acre tract by deed recorded in Volume 4077, Page 1372, R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a called 7.000 acre tract, called Parcel One, Tract I, a called 0.228 acre tract, called Parcel One, Tract II, and a called 14.586 acre tract, called Parcel Two by deed recorded in Volume 4506, Page 1340 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton County, Texas according to the plat recorded in Cabinet B, Page 379 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the following tracts of land conveyed to Venable Estate, LTD.; a called 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the Official Records of Denton County, Texas (O.R.D.C.T.); a called 27.20 acre tract by deed recorded in Instrument No. 2004-101157, O.R.D.C.T. (50% interest); all of the following recorded in Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called 48.9 acre tract, called First Tract; a

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

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

THENCE along the west line of said Texas and Pacific

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Railway Company right-of-way the following courses and distances:

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

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

South 26°04'49" West, a distance of 3713.98 feet to the southeast corner of said Venable Exhibit "A-1" Twenty-Fourth Tract, said point being in the approximate centerline of Black Jack Road;

THENCE with the approximate centerline of Black Jack Road and along the south lines of said Venable Exhibit "A-1" Twenty-Fourth Tract and Twentieth Tract, the following courses and distances:

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

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

South 89°49'29" West, passing at a distance of 39.40 feet a mag nail found, and continuing for a total distance of 368.29

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

feet to the southwest corner of said Venable Exhibit "A-1" Twentieth Tract, said point being in the west line of Wilson Cemetery Road;

THENCE North 01°18'58" West, along the west line of said Venable Exhibit "A-1" Twentieth Tract and the west line of said Wilson Cemetery Road, passing at a distance of 8.98 feet a mag nail found for the southeast corner of a called 25.196 acre tract of land conveyed to Russell W. Streng and Truly W. Streng, by deed recorded in Volume 4326, Page 1990, R.P.R.D.C.T., and continuing along said west lines and the east line of said 25.196 acre tract for a total distance of 224.04 feet to a point in a fence line at the southerly corner of a called 0.100 acre tract of land conveyed to Russell W. Streng and Truly W. Streng by deed recorded in Document No. 2012-53458, O.R.D.C.T.;

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

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

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

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

North 54°47'59" West, a distance of 29.83 feet to the most

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

northerly corner of said 0.422 acre tract, said point being in the west line of said Venable Exhibit "A-1" Twentieth Tract and east line of a called 25.196 acre tract of land conveyed to Rodney I. Streng and Judith A. Streng Family Trust, by deed recorded in Instrument Number 2010-59229, O.R.D.C.T.;

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

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

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

corner of a called 0.743 acre tract of land, called Tract One, conveyed to Old South Royalty Company by deed recorded in Volume 2138, Page 809, R.P.R.D.C.T.;

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

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

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

THENCE along the south line of said Venable Exhibit "A-1"

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Nineteenth Tract and the north line of said 352.393 acre tract the following courses and distances:
South 84°01'58" West, a distance of 569.60 feet to a point for corner;
South 89°43'26" West, a distance of 841.22 feet to a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found for the corner;
South 51°33'10" West, a distance of 179.90 feet to a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found for corner;
South 87°42'24" West, a distance of 225.93 feet to a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found for corner;
South 62°36'29" West, a distance of 502.48 feet to a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found the southwest corner of said Venable Exhibit "A-1" Nineteenth Tract and the southeast corner of said Venable Exhibit "A-1" Fifth Tract;
THENCE North 89°55'15" West, continuing along the north line of said 352.393 acre tract and the south lines of said Venable Exhibit "A-1" Fifth Tract and Seventh Tract, passing at a distance of 4118.63 feet a Corps. of Engineers concrete monument with brass disk found for the northeast corner of Tract No. 2512E, conveyed to the United States of America by deed recorded in County Clerk's File No. 95-R0068092, D.R.D.C.T., and continuing along the south line of said Venable Exhibit "A-1" Seventh Tract and the north line of said Tract No. 2512E, for a total distance of 4768.62 feet to a 5/8 inch iron rod found for the northwest corner of said Tract No. 2512E, said corner being in the east line of Tract No. 2512, conveyed to the United States of America by deed recorded in County Clerk's File No. 95-R0068092,

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

D.R.D.C.T.;

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

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

THENCE North 00°37'33" West, along the east lines of said Tract No. 2510 and said Venable Exhibit "A-4", 2.73 acre tract and the west line of said Venable Exhibit "A-1" Sixth Tract, a distance of 2548.77 feet to a Corps. of Engineers concrete monument with brass disk found for the northeast corners of said Tract No. 2510 and said Venable Exhibit "A-4", 2.73 acre tract, the Northwest corner of said Venable Exhibit "A-1" Sixth Tract, the southwest corner of said Venable Exhibit "A-1" Fourth Tract, and the southeast corner of a called 331.388 acre tract of land conveyed to Robert G. McGraw and Helen McGraw, by deed recorded in County Clerk's File No. 97-R0089771, D.R.D.C.T.;

THENCE North 00°44'14" West, along the west line of said Venable Exhibit "A-1" Fourth Tract and the east line of said 331.388 acre tract, a distance of 750.63 feet to a Corps. of Engineers concrete monument with brass disk found for the

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

northwest corner of said Venable Exhibit "A-1" Fourth Tract and a northeast corner of said 331.388 acre tract, being in the south line of a called 119.83 acre tract of land conveyed to Helen McGraw, by deed recorded in Volume 4407, Page 1179, R.P.R.D.C.T.;

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

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

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

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

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

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

THENCE South 89°37'31" East, along the north line of said

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Lot 17, a distance of 206.82 feet to the most northerly northeast corner of said Lot 17, said corner being in a 60 foot radius cul-de-sac right-of-way line of Scenic Drive and being at the beginning of a non-tangent curve to the left;
THENCE, southeasterly along said cul-de-sac right-of-way line and with said non-tangent curve to the left having a central angle of 165°08'50", a radius of 60.00 feet, a chord bearing of South 82°18'25" East, a chord distance of 118.99 feet, passing at an arc length of 72.26 feet the most easterly northeast corner of said Lot 17 and the most westerly northwest corner of Lot 16 of said Scenic Acres, and continuing for a total arc length of 172.94 feet to the most easterly northwest corner of said Lot 16, being in the south right-of-way line of Scenic Drive (a 60 foot wide right-of-way);
THENCE North 74°55'19" East, along the south right-of-way line of said Scenic Drive, a distance of 18.10 feet to the northeast corner of said Lot 16;
THENCE South 05°05'59" West, along the east line of said Lot 16, a distance of 422.16 feet to the southeast corner of said Lot 16, said corner being in the south line of said Scenic Acres and the north line of said Venable Exhibit "A-1" Third Tract;
THENCE South 89°37'50" East, along the south line of said Scenic Acres and the north lines of said Venable Exhibit "A-1" Third Tract and Second Tract, a distance of 667.01 feet to a 1/2 inch iron rod found for the southeast corner of said Scenic Acres and the southwest corner of a called 39.04 acre tract of land conveyed to Pete Kenny, by deed recorded in Instrument No. 2010-28786, O.R.D.C.T.;
THENCE North 89°55'56" East, along the north lines of said Venable Exhibit "A-1" Second Tract and Seventeenth Tract,

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

and the south line of said 39.04 acre tract, a distance of 958.70 feet to a wood corner post found for the southeast corner of said 39.04 acre tract and an ell corner of said Venable Exhibit "A-1" Seventeenth Tract;

THENCE North 00°47'57" West, along the east line of said 39.04 acre tract and the west lines of said Venable Exhibit "A-1" Seventeenth Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72 feet to a 1/2 inch iron rod found for the northeast corner of said 39.04 acre tract and the southeast corner of said Venable Parcel One, Tract I, 7.000 acre tract;

THENCE South 89°17'34" West, along the south line of said Venable Parcel One, Tract I, and the north line of said 39.04 acre tract, a distance of 72.46 feet to a 1/2 inch iron rod found for the southwest corner of said Venable Parcel One, Tract I, and the southeast corner of a called 7.000 acre tract of land conveyed to Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in Volume 1191, Page 694, D.R.D.C.T.;

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

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

THENCE with the approximate centerline of said McKinney Bridge Road, and along the northwesterly line of said Venable Parcel One, Tract II the following courses and distances:
North 39°51'20" East, a distance of 56.10 feet to a point for corner;
North 20°28'10" East, a distance of 132.92 feet to the northeast corner of said Venable Parcel One, Tract II, said corner being in the west line of a called 103.4117 acre tract of land conveyed to E E Ranches of Texas, Inc., by deed recorded in Volume 2256, Page 840, R.P.R.D.C.T.;
THENCE South 00°18'17" East, along the east line of said Venable Parcel One, Tract II and the west line of said 103.4117 acre tract, a distance of 266.23 feet to the southeast corner of said Venable Parcel One, Tract II and the most westerly southwest corner of said 103.4117 acre tract, said point being in the north line of said Venable Parcel One, Tract I;
THENCE North 85°40'16" East, along the north line of said Venable Parcel One, Tract I and a south line of said 103.4117 acre tract, a distance of 774.60 feet to a concrete monument found for the northeast corner of said Venable Parcel One, Tract I and an ell corner of said 103.4117 acre tract;
THENCE South 00°41'49" East, along the east line of said Venable Parcel One, Tract I and a west line of said 103.4117 acre tract, a distance of 427.62 feet to the northwest corner of said Venable Exhibit "A-7" First Tract and the most southerly southwest corner of said 103.4117 acre tract;
THENCE North 89°37'44" East, along the north line of said Venable Exhibit "A-7" First Tract and the south line of said 103.4117 acre tract, passing at a distance of 25.00 a concrete monument found, and continuing for a total distance of 1995.90 feet to a concrete monument found for the northeast

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

corner of said Venable Exhibit "A-7" First Tract and the southeast corner of said 103.4117 acre tract, said corner being in the west line of said Venable Exhibit "A-7" Second Tract; THENCE North 00°17'05" East, along the west line of said Venable Exhibit "A-7" Second Tract and the east line of said 103.4117 acre tract, a distance of 788.98 feet to a wood corner post found for the northwest corner of said Venable Exhibit "A-7" Second Tract and an ell corner of said 103.4117 acre tract;

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

THENCE South 88°46'23" East, along the north line of said Venable Exhibit "A-1" Ninth Tract and the south line of said Yellow Rose Estates Subdivision, a distance of 1323.42 feet to a 1/2 inch iron rod found for the northeast corner of said Venable Exhibit "A-1" Ninth Tract and the northwest corner of Lot 10 of St. John's Place, an addition to Denton County, Texas according to the plat recorded in Cabinet L, Page 119,

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

M.R.D.C.T.;

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

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

THENCE South 88°46'04" East, along the north lines of said Venable Exhibit "A-1" Twenty-Fifth Tract and Twenty-Sixth Tract and the south line of said 129.223 acre tract, a distance of 1653.96 feet to a metal corner post found for the northeast corner of said Venable Exhibit "A-1" Twenty-Sixth Tract and the southeast corner of said 129.223 acre tract, said corner being in the west line of a called 71.114 acre tract of land, File No. F0072.00, conveyed to The Rudman Partnership, by deed recorded in Volume 2844, Page 42, R.P.R.D.C.T.;

THENCE South 01°46'53" West, along the east line of said Venable Exhibit "A-1" Twenty-Sixth Tract and the west line of said 71.114 acre tract, passing at a distance of 789.91 feet a 1/2 inch iron rod found for the southwest corner of said 71.114 acre tract and the northwest corner of a called 61.36 acre tract of land conveyed to Michelle Lynette Roberts, by

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

deed recorded in Instrument No. 2008-40245, O.R.D.C.T., and continuing along said east line and the west line of said 61.36 acre tract, for a total distance of 1296.74 feet to a wood corner post found for the southeast corner of said Venable Exhibit "A-1" Twenty-Sixth Tract and the most westerly southwest corner of said 61.36 acre tract, said corner being in the north line of said Venable Exhibit "A-2" Third Tract; THENCE along the north line of said Venable Exhibit "A-2" Third Tract and the south line of said 61.36 acre tract, the following courses and distances:
North 89°02'25" East, a distance of 1193.53 feet to a wood corner post found for corner;
South 03°32'32" West, a distance of 565.50 feet to a wood corner post found for corner;
South 85°40'05" East, passing at a distance of 1460.68 feet a wood corner post found for the most northerly northeast corner of said Venable Exhibit "A-2" Third Tract, the northwest corner of said Venable Exhibit "A-3", 24 acre tract, the most southerly southeast corner of said 61.36 acre tract, and the most westerly southwest corner of a called 18.78 acre tract of land conveyed to Zandra Bean, by deed recorded in Volume 4229, Page 2901, R.P.R.D.C.T., and continuing along the south line of said 18.78 acre tract for a total distance of 1552.99 feet to a wood corner post found for and ell corner of said 18.78 acre tract;
THENCE South 02°38'27" West, along a west line of said 18.78 acre tract, a distance of 210.21 feet to a wood corner post found for the most southerly southwest corner of said 18.78 acre tract;
THENCE South 87°34'17" East, along the south line of said 18.78 acre tract, a distance of 925.13 feet to a 5/8 inch iron rod found for the southeast corner of said 18.78 acre tract, said

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

corner being in the west line of said Venable 10.69 acre tract, and being in the approximate centerline of Massey Road;
THENCE North 04°51'52" East, with the approximate centerline of said Massey Road, and along the west line of said Venable 10.69 acre tract and east line of said 18.78 acre tract, a distance of 228.51 feet to the northwest corner of said Venable 10.69 acre tract, from which a 1/2 inch iron rod found bears North 87°55'27" West a distance of 6.38 feet;
THENCE South 87°55'27" East, along the north line of said Venable 10.69 acre tract, passing at a distance of 24.76 feet a 1/2 inch iron rod found in the east line of said Massey Road, and continuing for a total distance of 526.66 feet to the POINT OF BEGINNING and containing 2521.094 acres or 109,818,863 square feet of land, more or less.
SAVE AND EXCEPT THE FOLLOWING TRACTS A, B, and C:

TRACT A

Being a tract of land situated in the J. Moses Survey, Abstract No. 894 and the N. McMillan Survey, Abstract No. 841, Denton County, Texas, and consisting of the following; those tracts of land conveyed to Patricia Ann Harmon Brockett, a 105 foot by 210 foot tract, called Tract 1, a called 27.20 acre tract, called Tract 2, and a called 26.23 acre tract, called Tract 3, by deed recorded in Instrument No. 2011-9037, O.R.D.C.T.; a called 27.20 acre tract of land conveyed to Willie Pearlene Harmon Johnson by deed recorded in Volume 5033, Page 3166, R.P.R.D.C.T.; a called 0.5 acre tract of land conveyed to J. R. Johnson and wife, Pearlene Johnson by deed recorded in Volume 400, Page 32, D.R.D.C.T.; a called 1.000 acre tract of land conveyed to Pearlene Johnson, et ux by deed recorded in Volume 794, Page 219, D.R.D.C.T.; a called 1.001 acre tract of land conveyed in deed to J.S. Dubose

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

and/or Lee J. Brookshire, Jr., Trustees, by deed recorded in Volume 2015, Page 147, R.P.R.D.C.T.; a called 3.046 acre tract of land conveyed to Tracy Glenn Henderson and Linda Gail Henderson by deed recorded in Volume 4897, Page 3357, R.P.R.D.C.T.; a called 1.001 acre tract of land conveyed to Michael J. Behrend by deed recorded in Volume 3016, Page 596, R.P.R.D.C.T.; a called 5.061 acre tract of land conveyed to Michael Jon Behrend by deed recorded in County Clerk's File No. 94-R0003414, D.R.D.C.T.; a called 1.000 acre tract of land conveyed to Brad Hines and Margaret Hines by deed recorded in Volume 4991, Page 695, R.P.R.D.C.T.; the remainder of a called 29.553 acre tract of land conveyed to L.Z. Harmon, Sr., by deed recorded in Volume 5033, Page 3143, R.P.R.D.C.T.; a called 2.116 acre tract of land conveyed to Wade Franklin Lewis and Harry Lou Lewis, husband and wife, by deed recorded in County Clerk's File No. 94-R008814, D.R.D.C.T.; a called 1.000 acre tract of land, called Tract 1 and a called 1.00 acre tract of land, called Tract 2, conveyed to Brad Hines and Wife, Margaret Hines, by deed recorded in Volume 4401, Page 1042, R.P.R.D.C.T.; a called 1.000 acre tract of land conveyed to Hugo E. Richter, Jr. and Wife, Jolene J., by deed recorded in Volume 733, Page 574, D.R.D.C.T.; a called 1.01 acre tract of land conveyed to Carol Puckett by deed recorded in Instrument No. 2007-96075, R.P.R.D.C.T.; a called 0.724 acre tract of land conveyed to Marcus Wayne Pierce, et ux, by deed recorded in Instrument No. 2004-104661, O.R.D.C.T.; a tract of land conveyed to Kenneth W. Wilson and Wife, Carolyn Wilson by deed recorded in Volume 4873, Page 2682, R.P.R.D.C.T.; a called 3.00 acre tract of land conveyed to George Wayne Pierce and Wife, Sue Pierce by deed recorded in Volume 719, Page 602, D.R.D.C.T.; a called 1.269 acre tract of land conveyed to

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Kenneth W. Wilson and Wife, Carolyn Wilson by deed recorded in Document No. 2011-95837, O.R.D.C.T.; and a called 0.254 acre tract of land conveyed to Black Rock Water Supply Corporation by deed recorded in Volume 1788, Page 989, R.P.R.D.C.T., and being more particularly described as follows:

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

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

THENCE North 0°38'15" West, along the east line of said Venable 27.20 acre tract and the west line of said 26.23 acre tract, a distance of 1112.40 feet to the northeast corner of said Venable 27.20 acre tract and northwest corner of said 26.23 acre tract, said corner being in the south line of the above mentioned Venable Exhibit "A-8", 54.089 acre tract, being the same as the above mentioned Venable 54.08 acre tract recorded in Volume 4867, Page 3255, R.P.R.D.C.T.;

THENCE South 88°18'52" East, along the south line of said Venable Exhibit "A-8", 54.089 acre tract and the north line of said 26.23 acre tract, a distance of 907.17 feet to the southeast

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

corner of said Venable Exhibit "A-8", 54.089 acre tract and the northeast corner of said 26.23 acre tract, said corner being in the west line of the above mentioned Venable Exhibit "A-2" Second Tract;

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

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

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

THENCE South 88°04'56" East, continuing along the south line of said Venable Exhibit "A-2" Second Tract and the north lines of said Wilson 1.269 acre tract and said Black Rock Water Supply Corporation 0.254 acre tract, a distance of 365.79 feet to a wood corner post found for the northeast corner of said Black Rock Water Supply Corporation 0.254 acre tract and the northwest corner of the above mentioned Venable Exhibit "A-6" 70 acre tract;

THENCE South 01°20'17" West, along the west line of said Venable Exhibit "A-6" 70 acre tract and the east lines of said

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Black Rock Water Supply Corporation 0.254 acre tract, said Harmon 29.553 acre tract, and said Pierce 0.724 acre tract, passing at a distance of 1388.97 feet a 1/2 inch iron rod found in the north line of Richter Road for the southeast corner of said Pierce 0.724 acre tract, and continuing along said west line for a total distance of 1413.97 feet to the southwest corner of said Venable Exhibit "A-6" 70 acre tract, said corner being in the north line of the above mentioned Venable Exhibit "A-1" Twenty-Fourth Tract;
THENCE North 88°16'47" West, along the north line of said Venable Exhibit "A-1" Twenty-Fourth Tract, a distance of 1403.72 feet to the most southerly southeast corner of said Lewis 2.116 acre tract, from which a 1/2 inch iron rod found in the north line of Richter Road bears North 00°28'03" East a distance of 25.01 feet;
THENCE North 88°01'16" West, continuing along the north line of said Venable Exhibit "A-1" Twenty-Fourth Tract and the south lines of said Lewis 2.116 acre tract, said Johnson 0.5 acre tract, and said Johnson 27.20 acre tract, a distance of 2024.03 feet to a wood corner post found for the southwest corner of said Johnson 27.20 acre tract, the northwest corner of said Venable Exhibit "A-1" Twenty-Fourth Tract, the northeast corner of the above mentioned Venable Exhibit "A-1" Eighth Tract, and the southeast corner of said Venable Exhibit "A-1" Twenty-First Tract;
THENCE North 00°39'41" West, along the east line of said Venable Exhibit "A-1" Twenty-First Tract and the west lines of said Johnson 27.20 acre tract and said 27.20 acre Patricia Ann Harmon Brockett tract, a distance of 1401.57 feet to the POINT OF BEGINNING and containing 135.931 acres or 5,921,167 square feet of land, more or less.
TRACT B

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

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

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

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

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

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

TRACT C

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

VENABLE PROPERTY DESCRIPTION

TRACT 2

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

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

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

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

Southwesterly, along said non-tangent curve to the right having a central angle of 02°03'24", a radius of 5669.58 feet, a chord bearing of South 03°44'56" West, a chord distance of

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

203.52 feet, passing at an arc length of 203.12 feet a wood highway marker found for the southeast corner of said 4.35 acre tract and being at the intersection of the west right-of-way line of State Highway 377 with the northwesterly right-of-way line of Farm to Market 3524 (a 80 foot wide right-of-way), and continuing for a total an arc length of 203.53 feet to the end of said curve;

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

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

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

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

North 07°41'12" East, passing at a distance of 91.78 feet the northwest corner of said 4.37 acre tract in the southeasterly line of said Farm to Market 3524, and passing at a distance of 204.92 feet a 1/2 inch iron rod with red plastic cap stamped

House Bill 3914
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

"ALLIANCE" found for the most southerly corner of said 4.35 acre tract in the northwesterly right-of-way line of said Farm to Market 3524, and continuing for a total distance of 1018.10 feet to the POINT OF BEGINNING and containing 10.487 acres or 456,819 square feet of land, more or less.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. [FA1]

No equivalent provision.

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

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

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Subsection (c), Section 17, Article I, Texas Constitution. [FA1]