

1-1 By: Wray (Senate Sponsor - Birdwell) H.B. No. 3136
1-2 (In the Senate - Received from the House May 19, 2017;
1-3 May 19, 2017, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2017, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 7,
1-6 Nays 0; May 23, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3136 By: Bettencourt

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the creation of the Windsor Hills Municipal Management
1-20 District No. 1; providing authority to issue bonds; providing
1-21 authority to impose assessments.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-24 Code, is amended by adding Chapter 3946 to read as follows:

1-25 CHAPTER 3946. WINDSOR HILLS MUNICIPAL MANAGEMENT DISTRICT NO. 1

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3946.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "City" means the City of Midlothian, Texas.

1-30 (3) "Commission" means the Texas Commission on
1-31 Environmental Quality.

1-32 (4) "Development agreement" means a development
1-33 agreement between the city and One Windsor Hills, L.P., that
1-34 establishes the standards that apply to development in the district
1-35 and includes zoning provisions for the district that allow a
1-36 maximum of 545 residential units.

1-37 (5) "Director" means a board member.

1-38 (6) "District" means the Windsor Hills Municipal
1-39 Management District No. 1.

1-40 (7) "Finance plan" means a finance plan between the
1-41 city and the district that includes a general description of
1-42 proposed improvement projects that will be financed by the
1-43 district, an estimate of the costs for the proposed improvement
1-44 projects, and the means of financing costs related to the planning,
1-45 design, construction, and improvement of the proposed improvement
1-46 projects.

1-47 Sec. 3946.002. PRECONDITION; EXPIRATION. (a) The district
1-48 may not exercise any powers under this chapter until the
1-49 development agreement and finance plan are executed.

1-50 (b) This chapter, including Section 3946.052, expires
1-51 September 1, 2019, if the development agreement and finance plan
1-52 are not executed by that date.

1-53 Sec. 3946.003. CREATION AND NATURE OF DISTRICT. The
1-54 district is a special district created under Section 59, Article
1-55 XVI, Texas Constitution.

1-56 Sec. 3946.004. PURPOSE; LEGISLATIVE FINDINGS. (a) The
1-57 creation of the district is essential to accomplish the purposes of
1-58 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-59 Texas Constitution, and other public purposes stated in this
1-60 chapter. By creating the district and in authorizing the city and

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

2-4 (b) The creation of the district is necessary to promote,
2-5 develop, encourage, and maintain employment, commerce,
2-6 transportation, housing, tourism, recreation, the arts,
2-7 entertainment, economic development, safety, and the public
2-8 welfare in the district.

2-9 (c) This chapter and the creation of the district may not be
2-10 interpreted to relieve the city from providing the level of
2-11 services provided to the area in the district as of the effective
2-12 date of the Act enacting this chapter. The district is created to
2-13 supplement and not to supplant the city services provided in the
2-14 district.

2-15 Sec. 3946.005. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
2-16 The district is created to serve a public use and benefit.

2-17 (b) All land and other property included in the district
2-18 will benefit from the improvements and services to be provided by
2-19 the district under powers conferred by Sections 52 and 52-a,
2-20 Article III, and Section 59, Article XVI, Texas Constitution, and
2-21 other powers granted under this chapter.

2-22 (c) The district is created to accomplish the purposes of a
2-23 municipal management district as provided by general law and
2-24 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
2-25 Texas Constitution.

2-26 (d) The creation of the district is in the public interest
2-27 and is essential to further the public purposes of:

2-28 (1) developing and diversifying the economy of the
2-29 state;

2-30 (2) eliminating unemployment and underemployment;

2-31 (3) providing quality residential housing; and

2-32 (4) developing or expanding transportation and
2-33 commerce.

2-34 (e) The district will:

2-35 (1) promote the health, safety, and general welfare of
2-36 residents, employers, potential employees, employees, visitors,
2-37 and consumers in the district, and of the public;

2-38 (2) provide needed funding for the district to
2-39 preserve, maintain, and enhance the economic health and vitality of
2-40 the district territory as a residential community and business
2-41 center; and

2-42 (3) promote the health, safety, welfare, and enjoyment
2-43 of the public by providing pedestrian ways and by landscaping and
2-44 developing certain areas in the district, which are necessary for
2-45 the restoration, preservation, and enhancement of scenic beauty.

2-46 (f) Pedestrian ways along or across a street, whether at
2-47 grade or above or below the surface, and street lighting, street
2-48 landscaping, parking, and street art objects are parts of and
2-49 necessary components of a street and are considered to be a street
2-50 or road improvement.

2-51 (g) The district will not act as the agent or
2-52 instrumentality of any private interest even though the district
2-53 will benefit many private interests as well as the public.

2-54 Sec. 3946.006. INITIAL DISTRICT TERRITORY. (a) The
2-55 district is initially composed of the territory described by
2-56 Section 2 of the Act enacting this chapter.

2-57 (b) The boundaries and field notes contained in Section 2 of
2-58 the Act enacting this chapter form a closure. A mistake in the
2-59 field notes or in copying the field notes in the legislative process
2-60 does not affect the district's:

2-61 (1) organization, existence, or validity;

2-62 (2) right to contract;

2-63 (3) authority to borrow money or issue any type of
2-64 bonds or other obligations for a purpose for which the district is
2-65 created;

2-66 (4) right to impose or collect an assessment, or
2-67 collect other revenue; or

2-68 (5) legality or operation.

2-69 Sec. 3946.007. APPLICABILITY OF MUNICIPAL MANAGEMENT

3-1 DISTRICT LAW. Except as provided by this chapter, Chapter 375,
3-2 Local Government Code, applies to the district.

3-3 Sec. 3946.008. CONFIRMATION AND DIRECTORS' ELECTION
3-4 REQUIRED. The initial directors shall hold an election to confirm
3-5 the creation of the district and to elect five permanent directors
3-6 as provided by Section 49.102, Water Code.

3-7 SUBCHAPTER B. BOARD OF DIRECTORS

3-8 Sec. 3946.051. GOVERNING BODY; TERMS. (a) The district is
3-9 governed by a board of five elected directors.

3-10 (b) Except as provided by Section 3946.052, directors serve
3-11 staggered four-year terms, with two or three directors' terms
3-12 expiring May 31 of each even-numbered year.

3-13 Sec. 3946.052. INITIAL DIRECTORS. (a) The initial board
3-14 consists of:

- 3-15 (1) John Malloy;
- 3-16 (2) Jon Hendrickson;
- 3-17 (3) Suzanne Disette;
- 3-18 (4) Katie Martin Brown; and
- 3-19 (5) Christopher Alan Cain.

3-20 (b) Initial directors serve until the earlier of:

- 3-21 (1) the date permanent directors are elected under
3-22 Section 3946.008; or
- 3-23 (2) June 1, 2021.

3-24 (c) If permanent directors have not been elected and the
3-25 terms of the initial directors have expired, successor directors
3-26 shall be appointed or reappointed as provided by Subsection (d) to
3-27 serve terms that expire on the earlier of:

- 3-28 (1) the date permanent directors are elected under
3-29 Section 3946.008; or
- 3-30 (2) the fourth anniversary of the date of the
3-31 appointment or reappointment.

3-32 (d) If Subsection (c) applies, the owner or owners of a
3-33 majority of the assessed value of the real property in the district
3-34 may submit a petition to the commission requesting that the
3-35 commission appoint as successor directors the five persons named in
3-36 the petition. The commission shall appoint as successor directors
3-37 the five persons named in the petition.

3-38 Sec. 3946.053. ELIGIBILITY. To be qualified to serve as a
3-39 director, a person must meet the qualifications prescribed by
3-40 Section 375.063, Local Government Code.

3-41 Sec. 3946.054. EX OFFICIO DIRECTORS. (a) The following
3-42 persons serve ex officio as nonvoting directors:

- 3-43 (1) the city manager of the city; and
- 3-44 (2) the chief financial officer of the city.

3-45 (b) An ex officio director is entitled to speak on a matter
3-46 before the board.

3-47 Sec. 3946.055. VACANCY. A vacancy on the board shall be
3-48 filled by the remaining members of the board for the unexpired term.

3-49 Sec. 3946.056. DIRECTOR'S OATH OR AFFIRMATION. A director
3-50 shall file the director's oath or affirmation of office with the
3-51 district, and the district shall retain the oath or affirmation in
3-52 the district records.

3-53 Sec. 3946.057. OFFICERS. The board shall elect from among
3-54 the directors a chair, a vice chair, and a secretary.

3-55 Sec. 3946.058. COMPENSATION. A director is entitled to
3-56 receive fees of office and reimbursement for actual expenses in the
3-57 manner provided by Section 49.060, Water Code. Sections 375.069 and
3-58 375.070, Local Government Code, do not apply to the board.

3-59 Sec. 3946.059. LIABILITY INSURANCE. The district may
3-60 obtain and pay for comprehensive general liability insurance
3-61 coverage from a commercial insurance company or other source that
3-62 protects and insures a director against personal liability and from
3-63 all claims relating to:

- 3-64 (1) actions taken by the director in the director's
3-65 capacity as a member of the board;
- 3-66 (2) actions and activities taken by the district; or
- 3-67 (3) the actions of others acting on behalf of the
3-68 district.

3-69 Sec. 3946.060. CONFLICTS OF INTEREST. Chapter 171, Local

4-1 Government Code, governs conflicts of interest of directors.
4-2 SUBCHAPTER C. POWERS AND DUTIES
4-3 Sec. 3946.101. IMPROVEMENT PROJECTS. (a) The district may
4-4 provide, or it may enter into contracts with a governmental or
4-5 private entity to provide, the improvement projects described by
4-6 Subchapter D.
4-7 (b) An improvement project authorized under this chapter
4-8 may be located inside or outside the district.
4-9 Sec. 3946.102. RULES; ENFORCEMENT. (a) The district may
4-10 adopt rules:
4-11 (1) to administer or operate the district; or
4-12 (2) for the use, enjoyment, availability, protection,
4-13 security, and maintenance of the district's property and
4-14 facilities.
4-15 (b) The district may enforce its rules by injunctive relief.
4-16 Sec. 3946.103. NAME CHANGE; NOTICE. (a) The board by
4-17 resolution may change the district's name.
4-18 (b) The board shall give written notice of a name change to
4-19 the city.
4-20 Sec. 3946.104. TERMS OF EMPLOYMENT; COMPENSATION. The
4-21 board may employ and establish the terms of employment and
4-22 compensation of an executive director or general manager and any
4-23 other district employees the board considers necessary.
4-24 Sec. 3946.105. NO EMINENT DOMAIN POWER. The district may
4-25 not exercise the power of eminent domain.
4-26 SUBCHAPTER D. IMPROVEMENT PROJECTS AND SERVICES
4-27 Sec. 3946.151. IMPROVEMENT PROJECTS AND SERVICES. Except
4-28 as otherwise provided by this chapter, the district may provide, or
4-29 contract with a governmental or private entity to provide, water,
4-30 wastewater, drainage, or roadway projects, or related projects and
4-31 services.
4-32 Sec. 3946.152. BOARD DETERMINATION REQUIRED. The district
4-33 may not undertake an improvement project unless the board
4-34 determines the project is necessary to accomplish a public purpose
4-35 of the district.
4-36 Sec. 3946.153. CITY REQUIREMENTS. (a) An improvement
4-37 project must comply with any applicable city construction codes and
4-38 construction ordinances.
4-39 (b) The district may not provide, conduct, or authorize any
4-40 improvement project on the city's streets, highways,
4-41 rights-of-way, or easements without the consent of the city.
4-42 Sec. 3946.154. ADDITIONAL CITY POWERS REGARDING
4-43 IMPROVEMENT PROJECTS. (a) Except as otherwise provided by an
4-44 agreement between the district and the city, the city may:
4-45 (1) by ordinance, order, resolution, or other
4-46 directive require that title to all or any portion of an improvement
4-47 project vest in the city; or
4-48 (2) by ordinance, order, resolution, or other
4-49 directive authorize the district to own, encumber, maintain, and
4-50 operate an improvement project or convey the project to the city at
4-51 a later date.
4-52 (b) The district shall immediately comply with any city
4-53 ordinance or resolution adopted under this section.
4-54 SUBCHAPTER E. CONTRACTS
4-55 Sec. 3946.201. GENERAL CONTRACT POWERS. The district may
4-56 contract with any person to accomplish any district purpose.
4-57 Sec. 3946.202. CONTRACT TERMS. A contract the district
4-58 enters into to carry out a purpose of this chapter may be on any
4-59 terms and for any period the board determines, including an
4-60 obligation to issue a negotiable or nonnegotiable note or warrant
4-61 payable to the city or any other person.
4-62 Sec. 3946.203. REIMBURSEMENT OF COSTS. The district may
4-63 contract with any person for the payment, repayment, or
4-64 reimbursement of costs incurred by that person on behalf of the
4-65 district, including all or part of the costs of an improvement
4-66 project and interest on the reimbursed cost.
4-67 Sec. 3946.204. CONTRACT FOR IMPROVEMENT PROJECT. (a) The
4-68 district may contract with any person for the use, occupancy,
4-69 lease, rental, operation, maintenance, or management of all or part

5-1 of a proposed or existing improvement project.
5-2 (b) The district may apply for and contract with any person
5-3 to receive, administer, and perform a duty or obligation of the
5-4 district under a federal, state, local, or private gift, grant,
5-5 loan, conveyance, transfer, bequest, or other financial assistance
5-6 arrangement relating to the investigation, planning, analysis,
5-7 study, design, acquisition, construction, improvement, completion,
5-8 implementation, or operation by the district or others of a
5-9 proposed or existing improvement project.

5-10 Sec. 3946.205. NO FURTHER CONTRACT AUTHORIZATION REQUIRED.
5-11 Any person, including the city, may contract with the district to
5-12 carry out the purposes of this chapter without further statutory or
5-13 other kind of authorization.

5-14 SUBCHAPTER F. GENERAL FINANCIAL PROVISIONS

5-15 Sec. 3946.251. DEVELOPMENT AGREEMENT REQUIRED TO BORROW
5-16 MONEY OR IMPOSE ASSESSMENTS. Before the district may issue bonds,
5-17 impose assessments, or borrow money, the district must obtain from
5-18 the city confirmation that no defaults under the development
5-19 agreement are known.

5-20 Sec. 3946.252. BORROWING MONEY. The district may borrow
5-21 money for a district purpose by issuing or executing bonds, notes,
5-22 credit agreements, or other obligations of any kind found by the
5-23 board to be necessary or appropriate for a district purpose. The
5-24 bond, note, credit agreement, or other obligation must be secured
5-25 by and payable from assessments or any other district revenue.

5-26 Sec. 3946.253. BONDS AND OTHER OBLIGATIONS. (a) The
5-27 district may issue, by public or private sale, bonds, notes, or
5-28 other obligations payable wholly or partly from assessments in the
5-29 manner provided by Subchapter J, Chapter 375, Local Government
5-30 Code.

5-31 (b) If the improvements financed by an obligation will be
5-32 conveyed to or operated and maintained by a municipality or retail
5-33 utility provider pursuant to an agreement between the district and
5-34 the municipality or retail utility provider entered into before the
5-35 issuance of the obligation, the obligation may be issued in the
5-36 manner provided by Subchapter A, Chapter 372, Local Government
5-37 Code.

5-38 (c) In exercising the district's borrowing power, the
5-39 district may issue a bond or other obligation in the form of a bond,
5-40 note, certificate of participation or other instrument evidencing a
5-41 proportionate interest in payments to be made by the district, or
5-42 other type of obligation.

5-43 (d) In addition to the sources of money described by
5-44 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
5-45 Government Code, district bonds may be secured and made payable
5-46 wholly or partly by a pledge of any part of the money the district
5-47 receives from improvement revenue or from any other source.

5-48 Sec. 3946.254. BOND MATURITY. Bonds may mature not more
5-49 than 40 years from their date of issue.

5-50 Sec. 3946.255. ISSUER POWERS FOR CERTAIN PUBLIC
5-51 IMPROVEMENTS. The district may exercise any power of an issuer
5-52 under Chapter 1371, Government Code.

5-53 Sec. 3946.256. GENERAL POWERS REGARDING PAYMENT OF DISTRICT
5-54 BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or
5-55 secure the payment or repayment of any bond, note, or other
5-56 temporary or permanent obligation or reimbursement or other
5-57 contract with any person and the costs and expenses of the
5-58 establishment, administration, and operation of the district and
5-59 the district's costs or share of the costs or revenue of an
5-60 improvement project or district contractual obligation or debt by:

5-61 (1) a lease, installment purchase contract, or other
5-62 agreement; or

5-63 (2) any other revenue or resources of the district or
5-64 other revenue authorized by the city, including revenue from a tax
5-65 increment reinvestment zone created by the city.

5-66 Sec. 3946.257. ASSESSMENTS. (a) The district may impose an
5-67 assessment on property in the district to pay the cost of any
5-68 authorized district improvement or to pay the costs of establishing
5-69 and operating the district in the manner provided for:

6-1 (1) a district under Subchapters A, E, and F, Chapter
6-2 375, Local Government Code; or

6-3 (2) a municipality or county under Subchapter A,
6-4 Chapter 372, Local Government Code.

6-5 (b) An assessment may not exceed the equivalent of 43 cents
6-6 per \$100 of valuation on the average residential lot in the
6-7 district.

6-8 (c) An assessment, a reassessment, or an assessment
6-9 resulting from an addition to or correction of the assessment roll
6-10 by the district, penalties and interest on an assessment or
6-11 reassessment, an expense of collection, and reasonable attorney's
6-12 fees incurred by the district:

6-13 (1) are a first and prior lien against the property
6-14 assessed; and

6-15 (2) are superior to any other lien or claim other than
6-16 a lien or claim for county, school district, or municipal ad valorem
6-17 taxes.

6-18 (d) The lien of an assessment against property runs with the
6-19 land. The portion of an assessment payment obligation that has not
6-20 yet come due is not eliminated by the foreclosure of an ad valorem
6-21 tax lien, and any purchaser of property in a foreclosure of an ad
6-22 valorem tax lien takes the property subject to the assessment
6-23 payment obligations that have not yet come due and to the lien and
6-24 terms of the lien's payment under the applicable assessment
6-25 ordinance or order.

6-26 (e) The board may make a correction to or deletion from the
6-27 assessment roll that does not increase the amount of assessment of
6-28 any parcel of land without providing notice and holding a hearing in
6-29 the manner required for additional assessments.

6-30 Sec. 3946.258. COSTS FOR IMPROVEMENT PROJECTS. The
6-31 district may undertake separately or jointly with other persons,
6-32 including the city, all or part of the cost of an improvement
6-33 project, including an improvement project that confers a general
6-34 benefit on the entire district or a special benefit on a definable
6-35 part of the district.

6-36 Sec. 3946.259. RESIDENTIAL PROPERTY NOT EXEMPT. Section
6-37 375.161, Local Government Code, does not apply to the district.

6-38 Sec. 3946.260. NO IMPACT FEES. The district may not impose
6-39 an impact fee.

6-40 Sec. 3946.261. NO AD VALOREM TAX. The district may not
6-41 impose an ad valorem tax.

6-42 SUBCHAPTER G. DISSOLUTION

6-43 Sec. 3946.301. DISSOLUTION BY CITY ORDINANCE. (a) The city
6-44 by ordinance may dissolve the district.

6-45 (b) The city may not dissolve the district until:

6-46 (1) the district's outstanding debt or other
6-47 obligations have been repaid, assumed, or discharged, including the
6-48 defeasance of any outstanding bonds or other obligations through
6-49 the issuance of debt by the city; and

6-50 (2) each party to the development agreement fulfills
6-51 the party's obligations under the agreement and the plan, including
6-52 a district obligation to reimburse a developer or owner for the
6-53 costs of an improvement project or service.

6-54 Sec. 3946.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

6-55 (a) If the dissolved district has bonds or other obligations
6-56 outstanding secured by and payable from assessments or other
6-57 revenue, the city shall succeed to the rights and obligations of the
6-58 district regarding enforcement and collection of the assessments or
6-59 other revenue.

6-60 (b) The city shall have and exercise all district powers to
6-61 enforce and collect the assessments or other revenue to pay:

6-62 (1) the bonds or other obligations when due and
6-63 payable according to their terms; or

6-64 (2) special revenue or assessment bonds or other
6-65 obligations issued by the city to refund the outstanding bonds or
6-66 obligations.

6-67 Sec. 3946.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
6-68 After the city dissolves the district, the city assumes, subject to
6-69 the appropriation and availability of funds, the obligations of the

7-1 district, including any bonds or other debt payable from
7-2 assessments or other district revenue.

7-3 (b) If the city dissolves the district, the board shall
7-4 transfer ownership of all district property to the city.

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

7-8 TRACT ONE

7-9 BEING a tract of land out of the JOSEPH STEWART Survey,
7-10 Abstract Number 961, M.E.P. & P.R.R. COMPANY Survey, Abstract
7-11 Number 761, JAMES JONES Survey, Abstract Number 583, ALLEN REEVES
7-12 Survey, Abstract Number 939 and the B.F. BERRY Survey, Abstract
7-13 Number 1547 and being part of a tract of land described to One
7-14 Windsor Hills L.P. as recorded in Volume 2199, Page 2425, Volume
7-15 2181, Page 1640 and Volume 2206, Page 1415, Deed Records, Ellis
7-16 County, Texas, and being more particularly described by metes and
7-17 bounds as follows:

7-18 BEGINNING at the northwesterly corner of a tract of land
7-19 described to One Windsor Hills L.P. in Volume 2206, Page 1415, Deed
7-20 Records, Ellis County, Texas, and the southwesterly corner of a
7-21 tract of land described to Suburban Residential, L.P. as recorded
7-22 in Volume 2061, Page 1487, Deed Records, Ellis County, Texas, said
7-23 point also being in the easterly right-of-way of U.S. Highway
7-24 Number 287 (a variable width right-of-way).

7-25 THENCE North 59°34'56" East along said common line and
7-26 departing said east right-of-way line passing at a distance of
7-27 223.98 feet the easterly line of said Suburban Residential, L.P.
7-28 tract and the westerly line of said tract of land described to One
7-29 Windsor Hills, L.P. in Volume 2181, Page 1640 in all a total
7-30 distance of 2878.85 feet to a point for corner;

7-31 THENCE North 30°22'31" West, a distance of 623.90 feet to a
7-32 point for corner;

7-33 THENCE North 81°43'06" East, a distance of 488.08 feet to a
7-34 point for corner;

7-35 THENCE North 72°00'40" East, a distance of 320.19 feet to a
7-36 point for corner;

7-37 THENCE North 71°30'14" East, a distance of 275.16 feet to a
7-38 point for corner;

7-39 THENCE North 60°21'33" East, a distance of 306.11 feet to a
7-40 point for corner;

7-41 THENCE North 60°52'42" East, a distance of 324.51 feet to a
7-42 point for corner;

7-43 THENCE North 62°51'56" East, a distance of 737.24 feet to a
7-44 point for corner;

7-45 THENCE North 77°31'00" East, a distance of 184.84 feet to a
7-46 point for corner;

7-47 THENCE South 54°36'52" East, a distance of 94.36 feet to a
7-48 point for corner;

7-49 THENCE South 45°11'54" East, a distance of 143.80 feet to a
7-50 point for corner;

7-51 THENCE North 00°06'23" East, a distance of 2809.23 feet to a
7-52 point for corner, said point being at the beginning of tangent curve
7-53 to the right whose chord bears North 04°50'09" East, and a chord
7-54 length of 454.89;

7-55 THENCE in a northeasterly direction with said curve to the
7-56 right having a central angle 09°53'05", with a radius of 2640.00
7-57 feet, an arc length of 455.45 feet to a point for corner, said point
7-58 being in the northeasterly line of said tract of land described to
7-59 One Windsor Hills, L.P. in Volume 2199, Page 2425, and southerly
7-60 line of a tract of land described to JAS Holdings, L.L.C. as
7-61 recorded in Volume 2051, Page 2082, Deed Records, Ellis County,
7-62 Texas;

7-63 THENCE North 88°55'17" East, along said common line a distance
7-64 of 627.82 feet to a point for corner;

7-65 THENCE South 01°20'17" East continuing along said common line
7-66 a distance of 491.92 feet to a point for corner;

7-67 THENCE North 87°52'20" East continuing along said common line
7-68 a distance of 765.58 feet to a point for corner;

7-69 THENCE North 89°07'31" East continuing along said common line

8-1 a distance of 1045.64 feet to a point for corner said point being in
8-2 the apparent westerly line of Quarry Road (a variable width
8-3 right-of-way);
8-4 THENCE along said Quarry Road the following calls: South
8-5 00°31'02" East, a distance of 2176.51 feet to a point for corner;
8-6 South 00°12'55" West, a distance of 619.03 feet to a point for
8-7 corner; South 00°11'45" West, a distance of 2361.69 feet to a point
8-8 for corner, said point being the northerly line of a tract of land
8-9 described to Fulson Midlothian Partners L.P., in Volume 2220, Page
8-10 0194, Deed Records, Ellis County, Texas;
8-11 THENCE South 73°40'45" West, departing said Quarry Road, a
8-12 distance of 1024.70 feet to a point for corner, said point being in
8-13 the easterly line of said tract of land described to One Windsor
8-14 Hills, L.P. in Volume 2206, Page 1415, and the northerly line of
8-15 said Fulson Midlothian Partners L.P. tract;
8-16 THENCE South 30°37'38" East, continuing along said common
8-17 line a distance of 350.99 feet to a point for corner;
8-18 THENCE South 59°15'58" West, continuing along said common
8-19 line a distance of 3738.60 feet to a point for corner;
8-20 THENCE South 00°20'54" West, continuing along said common
8-21 line a distance of 423.54 feet to a point for corner, said point
8-22 being in the said northerly right-of-way line of U.S. Highway
8-23 Number 287;
8-24 THENCE along said northerly right-of-way line of U.S. Highway
8-25 Number 287 the following calls: North 63°06'06" West, a distance of
8-26 291.86 feet to a point for corner; North 59°56'14" West, a distance
8-27 of 490.32 feet to a point for corner; North 57°00'04" West, a
8-28 distance of 447.27 feet to a point for corner; North 56°34'07" West,
8-29 a distance of 486.37 feet to a point for corner; North 50°47'17"
8-30 West, a distance of 387.41 feet to a point for corner; North
8-31 49°12'36" West, a distance of 604.08 feet to a point for corner;
8-32 North 48°29'20" West, a distance of 123.15 feet to a point for
8-33 corner, said point being in the southeasterly line of a tract of
8-34 land described to City of Midlothian, Cause Number 04-C-3616 County
8-35 Court of Law, Ellis County, Texas;
8-36 THENCE North 41°28'19" East, departing the said northerly
8-37 right-of-way line of U.S Highway 287, a distance of 100.00 feet to a
8-38 point for corner;
8-39 THENCE North 48°53'44" West continuing along said common line
8-40 a distance of 99.72 feet to a point for corner;
8-41 THENCE South 41°38'09" West continuing along said common line
8-42 a distance of 99.36 feet to a point for corner, said point being in
8-43 the said northerly right-of-way line of U.S. Highway 287;
8-44 THENCE along said northerly right-of-way line of U.S. Highway
8-45 Number 287 the following calls: North 48°36'14" West, a distance of
8-46 247.58 feet to a point for corner; North 42°50'51" West, a distance
8-47 of 458.34 feet to a point for corner; North 51°04'02" West, a
8-48 distance of 466.39 feet to a point for corner; North 27°30'07" West,
8-49 a distance of 3.46 feet to the POINT OF BEGINNING, containing
8-50 29,532,612 square feet or 677.97 acres, more or less.
8-51 TRACT TWO
8-52 BEING a tract of land out of the ALLEN REEVES Survey,
8-53 Abstract Number 939 and being part of a tract of land described to
8-54 One Windsor Hills L.P. as recorded in Volume 2202, Page 2425, Deed
8-55 Records, Ellis County, Texas, and being more particularly described
8-56 by metes and bounds as follows:
8-57 BEGINNING at the southeasterly corner of a tract of land
8-58 described to One Windsor Hills L.P. Tract 2 in Volume 2202, Page
8-59 1295, Deed Records, Ellis County, Texas, said point also being in
8-60 the southwesterly line of a tract of land described to City of
8-61 Midlothian in Volume 491, Page 081, Deed Records, Ellis County,
8-62 Texas, said point also being in the apparent northerly line of Auger
8-63 Road (a variable width right-of-way);
8-64 THENCE along said northerly line of Auger Road the following
8-65 calls: South 81°59'52" West, a distance of 520.79 feet to a point for
8-66 corner; North 84°51'18" West, a distance of 617.43 feet to a point
8-67 for corner; South 79°50'03" West, a distance of 442.41 feet to a
8-68 point for corner, said point also being in the apparent easterly
8-69 line of Quarry Road (a variable width right-of-way) and also being

9-1 in the westerly line of said One Windsor Hills, L.P. Tract Two;
 9-2 THENCE North 00°09'14" West, a distance of 2342.31 feet to a
 9-3 point for corner, said point being in the southwesterly line of a
 9-4 tract of land described to North Texas Cement Company in Volume 846,
 9-5 Page 138, Deed Records, Ellis County, Texas;
 9-6 THENCE North 88°56'09" East departing said easterly line of
 9-7 Quarry Road and continuing along said common line a distance of
 9-8 563.53 feet to a point for corner;
 9-9 THENCE North 00°21'10" West, continuing along said common
 9-10 line a distance of 250.88 feet to a point for corner;
 9-11 THENCE North 89°56'37" East, a distance of 2097.82 feet to
 9-12 appoint for corner, said point being in the westerly line of a tract
 9-13 of land described to City of Midlothian in Volume 2451, Page 0414,
 9-14 Deed Records, Ellis County, Texas;
 9-15 THENCE South 00°22'22" East, continuing along said common
 9-16 line a distance of 1414.75 feet to a point for corner;
 9-17 THENCE South 89°25'13" West, a distance of 563.27 feet to a
 9-18 point for corner;
 9-19 THENCE South 36°57'24" West, a distance of 156.39 feet to a
 9-20 point for corner;
 9-21 THENCE South 42°37'28" West, a distance of 220.86 feet to a
 9-22 point for corner;
 9-23 THENCE South 17°07'08" West, a distance of 110.49 feet to a
 9-24 point for corner;
 9-25 THENCE South 29°56'28" West, a distance of 283.81 feet to a
 9-26 point for corner;
 9-27 THENCE South 83°24'38" West, a distance of 135.84 feet to a
 9-28 point for corner.
 9-29 THENCE South 02°33'31" East, a distance of 435.91 feet to the
 9-30 POINT OF BEGINNING, containing 5,604,605 square feet or 128.66
 9-31 acres, more or less.
 9-32 TRACT THREE
 9-33 BEING a tract of land out of the ALLEN REEVES Survey, Abstract
 9-34 Number 939 and being part of a tract of land described to Jas
 9-35 Holdings, LLC, as recorded in Volume 2051, Page 2082, Deed Records,
 9-36 Ellis County, Texas, and being more particularly described by metes
 9-37 and bounds as follows:
 9-38 BEGINNING at the northwesterly line of said Holdings tract,
 9-39 said point being at the intersection of the southerly line of Gifco
 9-40 Road and the westerly line of Quarry Road;
 9-41 THENCE South 06°40'47" West, a distance of 443.05 feet to a
 9-42 point for corner;
 9-43 THENCE South 06°09'13" East, a distance of 220.20 feet to a
 9-44 point for corner;
 9-45 THENCE South 10°13'13" East, a distance of 536.49 feet to a
 9-46 point for corner;
 9-47 THENCE South 08°58'47" West, a distance of 136.00 feet to a
 9-48 point for corner;
 9-49 THENCE South 10°19'36" West, a distance of 210.10 feet to a
 9-50 point for corner;
 9-51 THENCE South 00°07'52" East, a distance of 565.79 feet to a
 9-52 point for corner, said point being in the southerly line of said
 9-53 Holdings tract and the northerly line of a tract of land described
 9-54 to One Windsor Hills, L.P. as recorded in Volume 2199, Page 2425,
 9-55 Deed Records, Ellis County, Texas;
 9-56 THENCE with said common line the following calls: South
 9-57 89°07'31" West, a distance of 1045.64 feet to a point for corner;
 9-58 South 87°52'20" West, a distance of 765.58 feet to a point for
 9-59 corner; North 01°20'17" West, a distance of 491.92 feet to a point
 9-60 for corner; South 88°55'27" West, a distance of 627.82 feet to a
 9-61 point for corner, said point being at the beginning of a non-tangent
 9-62 curve to the right whose chord bears North 31°16'58" East, a
 9-63 distance of 1935.46 feet;
 9-64 THENCE in a northeasterly direction with said non-tangent
 9-65 curve to the right having a central angle of 43°00'28", with a radius
 9-66 of 2640.00 feet, an arc length of 1981.66 feet to a point for
 9-67 corner, said point being in the northerly line of said Holdings
 9-68 tract;
 9-69 THENCE North 89°50'10" East, along the northerly line of said

10-1 Holdings tract a distance of 1436.81 feet to the POINT OF BEGINNING,
10-2 containing 4,273,854 square feet or 98.11 acres, more or less.

10-3 SECTION 3. (a) The legislature finds that the Windsor Hills
10-4 Municipal Management District No. 1 created under Chapter 3907,
10-5 Special District Local Laws Code, as added by Chapter 858 (H.B.
10-6 3836), Acts of the 82nd Legislature, Regular Session, 2011, did not
10-7 execute a development agreement and finance plan by September 1,
10-8 2012. Therefore, Chapter 3907, Special District Local Laws Code,
10-9 expired by operation of Section 3907.002(b), Special District Local
10-10 Laws Code, on September 1, 2012.

10-11 (b) The legislature finds that the Windsor Hills Municipal
10-12 Management District No. 1 created under Chapter 3907A, Special
10-13 District Local Laws Code, as added by Chapter 253 (H.B. 518), Acts
10-14 of the 83rd Legislature, Regular Session, 2013, did not execute a
10-15 development agreement and finance plan by September 1, 2015.
10-16 Therefore, Chapter 3907A, Special District Local Laws Code, expired
10-17 by operation of Section 3907A.002(b), Special District Local Laws
10-18 Code, on September 1, 2015.

10-19 SECTION 4. (a) The legal notice of the intention to
10-20 introduce this Act, setting forth the general substance of this
10-21 Act, has been published as provided by law, and the notice and a
10-22 copy of this Act have been furnished to all persons, agencies,
10-23 officials, or entities to which they are required to be furnished
10-24 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10-25 Government Code.

10-26 (b) All requirements of the constitution and laws of this
10-27 state and the rules and procedures of the legislature with respect
10-28 to the notice, introduction, and passage of this Act have been
10-29 fulfilled and accomplished.

10-30 SECTION 5. This Act takes effect September 1, 2017.

10-31 * * * * *