

By: Burns

H.B. No. 4303

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Prairie Ridge Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3954 to read as follows:

CHAPTER 3954. PRAIRIE RIDGE MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3954.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Grand Prairie, Texas.

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

(4) "Director" means a board member.

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

Sec. 3954.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3954.003. 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,

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

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

11 Sec. 3954.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
12 The district is created to serve a public use and benefit.

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

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

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

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

26 (2) eliminating unemployment and underemployment;

27 (3) developing or expanding transportation and

1 commerce; and

2 (4) providing quality residential housing.

3 (e) The district will:

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

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

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

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

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

23 Sec. 3954.005. INITIAL DISTRICT TERRITORY. (a) The
24 district is initially composed of the territory described by
25 Section 2 of the Act enacting this chapter.

26 (b) The boundaries and field notes contained in Section 2 of
27 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 3954.201 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. 3954.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

- (1) a tax increment reinvestment zone created under
Chapter 311, Tax Code;
- (2) a tax abatement reinvestment zone created under
Chapter 312, Tax Code; or
- (3) an enterprise zone created under Chapter 2303,
Government Code.

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

- (1) the purposes permitted for money granted to a
corporation under Section 380.002(b), Local Government Code; and
- (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 3954.201.

(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. 3954.007. 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. 3954.008. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 3954.007 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 3954.009. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICT LAW. Except as provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3954.010. 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. 3954.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 3954.052, directors serve

staggered four-year terms.

Sec. 3954.052. INITIAL DIRECTORS. (a) The initial board consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Murphy Short</u>
<u>2</u>	<u>Johnny Catalano</u>
<u>3</u>	<u>Reid Halverson</u>
<u>4</u>	<u>Riley Standridge</u>
<u>5</u>	<u>Brian Tomich</u>

(b) Initial directors serve until the earlier of:

(1) the date permanent directors are elected under Section 3954.007; 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 3954.007 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 3954.007; 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 commission requesting that the

1 commission appoint as successor initial directors the five persons
2 named in the petition. The commission shall appoint as successor
3 initial directors the five persons named in the petition.

4 Sec. 3954.053. COMPENSATION; EXPENSES. (a) The district
5 may compensate each director in an amount not to exceed \$150 for
6 each board meeting. The total amount of compensation for each
7 director in a calendar year may not exceed \$6,000.

8 (b) The governing body of the city, by resolution or
9 ordinance, may increase:

10 (1) the compensation for each director to an amount
11 not to exceed \$300 for each board meeting; and

12 (2) the total compensation for each director to an
13 amount not to exceed \$12,000 in a calendar year.

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

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3954.101. GENERAL POWERS AND DUTIES. The district has
19 the powers and duties necessary to accomplish the purposes for
20 which the district is created.

21 Sec. 3954.102. IMPROVEMENT PROJECTS AND SERVICES. (a) The
22 district may provide, design, construct, acquire, improve,
23 relocate, operate, maintain, or finance an improvement project or
24 service using any money available to the district, or contract with
25 a governmental or private entity for the provision, design,
26 construction, acquisition, improvement, relocation, operation,
27 maintenance, or financing of an improvement project or service

authorized under this chapter or Chapter 372 or 375, Local Government Code.

(b) An improvement project may be located inside or outside the district.

Sec. 3954.103. ADDING OR REMOVING TERRITORY. (a) Subject to Subsection (b), the board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code.

(b) The district may add territory as described by Subsection (a) only if the district obtains written consent from the governing body of the city.

Sec. 3954.104. EMINENT DOMAIN. The district may exercise the power of eminent domain in the manner and for the purposes provided by Section 49.222, Water Code.

Sec. 3954.105. 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 2 of the Act enacting 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 dividing the

1 district.

2 (e) The board may adopt an order dividing the district
3 before or after the date the board holds an election under Section
4 3954.007 to confirm the creation of the district.

5 (f) An order dividing the district must:

6 (1) name each new district;

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

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

10 and

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

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

17 (h) Any new district created by the division of the district
18 shall hold a confirmation and directors' election as required by
19 Section 3954.007.

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

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

27 (k) Municipal consent to the creation of the district and to

1 the inclusion of land in the district granted under Section
2 3954.008 acts as municipal consent to the creation of any new
3 district created by the division of the district and to the
4 inclusion of land in the new district.

5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

6 Sec. 3954.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
7 board by resolution shall establish the number of directors'
8 signatures and the procedure required for a disbursement or
9 transfer of the district's money.

10 Sec. 3954.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
11 The district may acquire, construct, finance, maintain, or operate
12 an improvement project or service authorized by this chapter or
13 Chapter 372 or 375, Local Government Code, using any money
14 available to the district.

15 Sec. 3954.153. METHOD OF NOTICE FOR HEARING. The district
16 may mail the notice required by Section 375.115(c), Local
17 Government Code, by certified or first class United States mail.
18 The board shall determine the method of notice.

19 Sec. 3954.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
20 The board by resolution may impose and collect an assessment for any
21 purpose authorized by this chapter in all or any part of the
22 district.

23 (b) An assessment, a reassessment, or an assessment
24 resulting from an addition to or correction of the assessment roll
25 by the district, penalties and interest on an assessment or
26 reassessment, an expense of collection, and reasonable attorney's
27 fees incurred by the district are:

1 (1) a first and prior lien against the property
2 assessed;

3 (2) superior to any other lien or claim other than a
4 lien or claim for county, school district, special district, or
5 municipal ad valorem taxes; and

6 (3) the personal liability of and a charge against the
7 owners of the property even if the owners are not named in the
8 assessment proceedings.

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

13 (d) The board may make a correction to or deletion from the
14 assessment roll that does not increase the amount of assessment of
15 any parcel of land without providing notice and holding a hearing in
16 the manner required for additional assessments.

17 Sec. 3954.155. RESIDENTIAL PROPERTY NOT EXEMPT. Sections
18 375.161 and 375.164, Local Government Code, do not apply to the
19 district.

20 SUBCHAPTER E. TAXES AND BONDS

21 Sec. 3954.201. BONDS AND OTHER OBLIGATIONS. (a) The
22 district may issue, by public or private sale, bonds, notes, or
23 other obligations payable wholly or partly from ad valorem taxes or
24 assessments in the manner provided by Subchapter J, Chapter 375,
25 Local Government Code.

26 (b) If the improvements financed by an obligation will be
27 conveyed to or operated and maintained by a municipality or retail

1 utility provider pursuant to an agreement between the district and
2 the municipality or retail utility provider entered into before the
3 issuance of the obligation, the obligation may be issued in the
4 manner provided by Subchapter A, Chapter 372, Local Government
5 Code.

6 (c) In exercising the district's borrowing power, the
7 district may issue a bond or other obligation in the form of a bond,
8 note, certificate of participation or other instrument evidencing a
9 proportionate interest in payments to be made by the district, or
10 other type of obligation.

11 (d) In addition to the sources of money described by
12 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
13 Government Code, district bonds may be secured and made payable
14 wholly or partly by a pledge of any part of the money the district
15 receives from improvement revenue, receives under Section
16 3954.006(b), or receives from any other source.

17 (e) The district may issue bonds, notes, or other
18 obligations to maintain or repair an existing improvement project
19 only if the district obtains written consent from the governing
20 body of the city.

21 Sec. 3954.202. ELECTIONS REGARDING TAXES AND BONDS. (a)
22 The district may issue, without an election, bonds, notes, and
23 other obligations secured by:

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

25 (2) contract payments described by Section 3954.205.

26 (b) The district must hold an election in the manner
27 provided by Subchapter L, Chapter 375, Local Government Code, to

1 obtain voter approval before the district may impose an ad valorem
2 tax or issue bonds payable from ad valorem taxes.

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

5 (d) All or any part of any facilities or improvements that
6 may be acquired by a district by the issuance of its bonds may be
7 submitted as a single proposition or as several propositions to be
8 voted on at the election.

9 Sec. 3954.203. TAXES FOR BONDS. At the time the district
10 issues bonds payable wholly or partly from ad valorem taxes, the
11 board shall provide for the annual imposition of a continuing
12 direct ad valorem tax, without limit as to rate or amount, while all
13 or part of the bonds are outstanding as required and in the manner
14 provided by Sections 54.601 and 54.602, Water Code.

15 Sec. 3954.204. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized by a majority of the district voters voting at an
17 election held under Section 3954.202, the district may impose an
18 operation and maintenance tax on taxable property in the district
19 in accordance with Section 49.107, Water Code.

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

22 (c) Section 49.107(f), Water Code, does not apply to a
23 reimbursement made for a purpose described by Section 3954.102.

24 Sec. 3954.205. CONTRACT TAXES. (a) In accordance with
25 Section 49.108, Water Code, the district may impose a tax other than
26 an operation and maintenance tax and use the revenue derived from
27 the tax to make payments under a contract after the provisions of

1 the contract have been approved by a majority of the district voters
2 voting at an election held for that purpose.

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

6 SUBCHAPTER F. DISSOLUTION

7 Sec. 3954.251. DISSOLUTION BY CITY ORDINANCE. (a) The
8 governing body of the city may dissolve the district by ordinance.

9 (b) The governing body may not dissolve the district until:

10 (1) water, sanitary, sewer, and drainage improvements
11 and roads have been constructed to serve at least 90 percent of the
12 developable territory of the district; and

13 (2) the district has reimbursed each party that has an
14 agreement with the district for all costs advanced to or on behalf
15 of the district.

16 (c) Until the district is dissolved, the district is
17 responsible for all bonds and other obligations of the district.

18 Sec. 3954.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

19 (a) If the dissolved district has bonds or other obligations
20 outstanding secured by and payable from assessments or other
21 revenue, other than revenue from ad valorem taxes, the city shall
22 succeed to the rights and obligations of the district regarding
23 enforcement and collection of the assessments or other revenue.

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

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

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

4 Sec. 3954.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
5 After the city dissolves the district, the city assumes the
6 obligations of the district, including any bonds or other debt
7 payable from assessments or other district revenue.

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

10 SECTION 2. The Prairie Ridge Municipal Management District
11 No. 1 initially includes all the territory contained in the
12 following area:

13 TRACT 1:

14 BEING a part of a tract or parcel of land situated in the Joseph
15 Stewart Survey, Abstract No. 754, Heirs of Allen Larsen, Survey
16 No. 497, T. Stanbury Survey, Abstract 762, and the J. H. Working
17 Survey, Abstract No. 897, Johnson County, Texas, and being part of
18 that same tract of land from Karal Kay Cannon, as described in
19 Volume 02111, Page 0850, Deed Records, Ellis County, Texas, and as
20 described in Book 3500, Page 0941, Official Public Records of
21 Johnson County, Texas, and all of a tract from Billy D. Cannon and
22 Michelle Cannon, to PRA Prairie Ridge, L.P. as described in Book
23 3500, Page 0941, Official Public Records of Johnson County, Texas,
24 and a tract of land from Phillip Nabors Smauder and Jennie Smauder
25 Pope, to PRA Prairie Ridge, L.P. as described in County Clerk File
26 No. 2104-00248, Official Public Records of Johnson County, Texas,
27 and being more particularly described as follows:

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1 BEGINNING at a point in County Road 506 at an intersection with the
2 Ellis County and Johnson County limits line along with the
3 intersection of the Joseph Stewart Survey, Abstract No. 961, the
4 Joseph Stewart Survey, Abstract No. 754, and the John H. Working
5 Survey, Abstract No. 897;
6 THENCE South 00°47'39" East, departing from said county road and
7 along the said Johnson and Ellis County lines, a distance of 5474.77
8 feet to a 1/2" iron rod found;
9 THENCE South 59°47'49" West, along a north line of Bennett W. Cervin
10 tract one as described in Volume 2001, Page 0749, Deed Records,
11 Ellis County, Texas, a distance of 537.29 feet to a 1/2" iron rod
12 found;
13 THENCE North 30°19'12" West, along an east line of a Jeniffer
14 N. Sweeney tract described in Book 0608, Page 830, Deed Records,
15 Johnson County, Texas, a distance of 767.82 feet to a 1/2" iron rod
16 found;
17 THENCE South 59°32'27" West, along a north line of said Jeniffer
18 N. Sweeney tract, a distance of 5401.00 feet to a 1/2" iron rod
19 found;
20 THENCE North 30°44'12" West, along County Road 619, a distance of
21 1053.81 feet to a 1/2" iron rod found;
22 THENCE North 59°59'51" East, leaving said county road, along a north
23 line of a tract of land from Phillip Nabors Smauder and Jennie
24 Smauder Pope, to PRA Prairie Ridge, L.P. as described in County
25 Clerk File No. 2104-00248, Official Public Records of Johnson
26 County, Texas a distance of 291.69 feet;
27 THENCE North 30°44'47" West, along a west line of said Smauder

1 tract, a distance of 150.00 feet to a 1/2" iron rod found;
2 THENCE South 59°59'52" West, along a south line of Smauder tract, to
3 County Road 619, a distance of 291.67 feet to a 1/2" iron rod found;
4 THENCE North 30°44'12" West, along a west line of said Smauder tract
5 a distance of 2672.24 feet to a 1/2" iron rod found;
6 THENCE North 59°59'42" East, along a north line of said Smauder
7 tract, a distance of 888.13 feet to a 1/2" iron rod found;
8 THENCE North 60°06'44" East, along a north line of said Smauder
9 tract, a distance of 1077.88 feet to a 1/2" iron rod found;
10 THENCE North 59°33'36" East, along a north line of said Smauder
11 tract, a distance of 1233.53 feet to a 1/2" iron rod found;
12 THENCE North 60°12'38" East, along a north line of said Smauder
13 tract, a distance of 2229.85 feet to a 1/2" iron rod found;
14 THENCE North 56°47'57" East, reaching a northeasterly 90° elbow in
15 County Road 506, along a south line of tract described in Book 3256,
16 Page 0733, Deed Records, Johnson County, Texas, a distance of
17 3239.36 feet to the POINT OF BEGINNING, containing 678.614 acres,
18 more or less.

19 TRACT 2:

20 Being all those certain Lots, Tracts or Parcels of Land situated in
21 the R.K. Wines Survey, Abstract 1178, Ellis County, Texas, and
22 being part of that certain contract of land conveyed to John
23 W. Brumbeloe, Sr. (referred to as Tract III) as recorded in Volume
24 558, Page 209, Deed Records, Ellis County, Texas and being known as
25 designated at Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Sunset Park
26 (referred to as Tract II), an addition to Ellis County, Texas,
27 according to the plat filed of record in Cabinet "B", Slide 13, plat

records, Ellis County, Texas, and being more particularly described as follows:

Commencing at a found 1-inch iron pipe from the southeast corner of a tract of land conveyed to Edward J. Kilchenstein, as recorded in Volume 710, Page 627, Deed Records, Ellis County, Texas and the north line of a tract of land conveyed to Lia Vang and wife, Xia Vang, Jeff V. Hang and wife, Melissa S. Hang, Chue Moua and wife, Maikoulap Moura as recorded in Volume 1832, Page 2002, Deed Records, Ellis County, Texas;

Thence S 59°29'25" W, along the common line of said Kilchenstein tract and the Vang, Hang, Moua tract, a distance of 339.40 feet to a found 3/8-inch iron rod with a yellow plastic cap stamped "RPLS 446" at the Northwest corner of said Vang, Hang, Moua tract and the Northeast corner of said Brumbeloe tract, said point being the place of Beginning of this herein described tract of land;

Thence S 01°22'20" E, along the common line of said Vang, Hang, Moua tract, passing a found 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 4466" at 1,372.08 continuing for a total distance of 1,406.52 feet to a found 1/2-inch iron rod with a yellow plastic cap stamped "RPLS 4466" in the centerline of County Road 506 Greasy Road (Lakeview Road);

Thence S 59°39'02" W, along the centerline of said County Road, a distance of 1,015.46 feet to a found 5/8-inch iron rod with a yellow plastic cap stamped "Cotton Surveying" (hereinafter referred to as set iron rod) for corner;

Thence S 59°43'42" W, continuing along the centerline of said County Road, a distance of 402.48 feet to a found railroad spike at the

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1 intersection of said County Road and Cypress Road, said point being
2 the South corner of said Sunset Park Addition and the South corner
3 of this herein described tract of land;
4 Thence N 00°14'22" W, along the centerline of Cypress Road, the West
5 line of said Sunset Park Addition, a distance of 865.02 feet to a
6 found 1/2-inch iron rod for corner;
7 Thence N 59°30'57" E, passing a 1/2-inch iron rod at 37.40 at the
8 Southwest corner of the Sunset Park, Phase 2 Addition, according to
9 the plat thereof recorded in Cabinet "C", Slide 438, plat records,
10 Ellis County, Texas, continuing for a total distance of 417.09 feet
11 to a found 1/2-inch iron rod with a yellow plastic cap at the
12 Southeast Corner of said Sunset Park Phase 2 Addition and the West
13 line of said Brumbeloe tract for corner;
14 Thence N 03°03'40" E, along the East line of said Sunset Park Phase 2
15 Addition tract and the West line of said Brumbeloe tract, a distance
16 of 103.80 feet to a found 1/2-inch iron rod;
17 Thence N 00°31'47" W, along the East line of said Sunset Park Phase 2
18 Addition tract and the West line of said Brumbeloe tract, a distance
19 of 60.37 feet to a found 1/2-inch iron rod for corner;
20 Thence N 00°05'09" W, along the East line of said Sunset Park Phase 2
21 Addition tract and the West line of said Brumbeloe tract, a distance
22 of 129.83 feet to a 2-inch iron pipe for corner;
23 Thence N 01°06'07" W, along the East line of said Sunset Park Phase 2
24 Addition tract and the West line of said Brumbeloe tract, a distance
25 of 130.88 feet to a found 1-inch iron pipe for corner;
26 Thence N 01°03'32" W, along the East line of said Sunset Park Phase 2
27 Addition tract and the West line of said Brumbeloe tract, a distance

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1 of 129.92 feet to a found 1-inch iron pipe in the South line of said
2 Kilchenstein tract and Northwest corner of said Brumbeloe tract,
3 said point being Northeasterly corner of said Sunset Park Phase 2
4 Addition;

5 Thence N 59°32'07" E, along the South line of said Kilchenstein
6 tract, a distance of 968.19 feet to the Place of Beginning and
7 having an area of 1,521,385 square feet, or 34.926 acres of land,
8 more or less.

9 TRACT 3:

10 BEING all those certain lots, tracts, or parcels of land situated in
11 the Joseph Stewart Survey, Abstract No. 961, Ellis County, Texas
12 and being those same tracts of land conveyed to PRA Prairie Ridge,
13 L.P. as recorded in Volume 2111, Page 0866, Deed Records, Ellis
14 County, Texas and being more particularly described as follows:

15 POINT OF BEGINNING at a 1/2-inch iron rod found for the west corner
16 of a tract of land conveyed to Tom Lamon, and wife, Crystal Lamon,
17 as recorded in Volume 924, Page 46, Deed Records, Ellis County,
18 Texas, said point being on the Southeast edge of County Road
19 506/Greasy Road (Lakeview Road);

20 THENCE South 31°46'30" East, along the Southwest line of said Lamon
21 tract, a distance of 609.38 feet to a 3/4-inch pipe found on the
22 North line of a tract of land conveyed to Waltmore, L.L.C. DBA
23 Lakeside Ranch (described as Tract 1), as recorded in Volume 1607,
24 Page 392, Deed Records, Ellis County, Texas, the Southwest corner
25 of said Lamon tract and an exterior ell corner of this herein
26 described tract of land;

27 THENCE South 58°10'54" West, along the Northwest line of said

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1 Waltmore tract, a distance of 419.44 feet to a rod nail found for
2 the West corner of said Waltmore tract and an interior ell corner of
3 this herein described tract of land;
4 THENCE South 25°14'30" East, continuing along the Northwest line of
5 said Waltmore tract, a distance of 849.17 feet to a set 5/8-inch
6 iron rod with yellow plastic cap stamped "Cotton Surveying"
7 (hereinafter referred to as set iron rod) for corner;
8 THENCE across land described in Volume 02111, Page 0866, Deed
9 Records of Ellis County, Texas, the following course and distances:
10 Southwesterly along a curve to the right having a central angle of
11 43°44'52", a radius of 1000.00 feet, whose chord bears South
12 55°28'14" West, a chord distance of 745.13 feet, and an arc length of
13 763.54 feet to a set iron rod for corner;
14 South 77°20'40" West a distance of 437.24 feet to a set iron rod for
15 corner;
16 Westerly along a curve to the right having a central angle of
17 11°17'25", a radius of 1350.00 feet, whose chord bears South
18 82°59'23" West, a chord distance of 265.59 feet, and an arc length of
19 266.02 feet to a set iron rod for corner;
20 South 88°38'05" West a distance of 288.43 feet to a set iron rod for
21 corner;
22 South 88°38'05" West a distance of 33.98 feet to a set iron rod for
23 corner;
24 North 01°21'55" West a distance of 180.00 feet to a point for corner;
25 South 88°38'05" West a distance of 15.94 feet to a point for corner;
26 Northerly along a curve to the left having a central angle of
27 15°26'09", a radius of 231.08 feet, whose chord bears North 14°21'12"

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1 West, a chord distance of 62.07 feet, and an arc length of 62.26
2 feet to a set iron rod for corner;
3 North 22°05'57" West a distance of 73.92 feet to a set iron rod for
4 corner;
5 Northerly along a curve to the right having a central angle of
6 20°45'58", a radius of 325.00 feet, whose chord bears North 11°42'58"
7 West, a chord distance of 117.15 feet, and an arc length of 117.79
8 feet to a set iron rod for corner;
9 North 01°19'06" West a distance of 125.01 feet to a point for corner;
10 Northerly along a curve to the right having a central angle of
11 22°31'56", a radius of 15.50 feet, whose chord bears North 09°56'52"
12 East, a chord distance of 6.06 feet, and an arc length of 6.10 feet
13 to a set iron rod for corner;
14 Northwesterly along said curve to the left having a central angle of
15 71°14'05", a radius of 50.00 feet, whose chord bears North 14°24'13"
16 West, a chord distance of 58.24 feet, and an arc length of 62.16
17 feet to a set iron rod for corner;
18 North 01°21'55" West, a distance of 113.61 feet to a set iron rod for
19 corner;
20 THENCE North 60°04'57" East, along the Southeast line of a tract
21 described to Robert A. Willis and wife, Lonnie L. Willis, as
22 recorded in Volume 1298, Page 646, Deed Records of Ellis County,
23 Texas, a distance of 205.36 feet to a found 1/2-inch iron rod for
24 corner;
25 THENCE North 25°47'09" West, along the Northeast line of said Willis
26 tract, a distance of 450.38 feet to a found 1/2-inch iron rod for
27 the North corner of said Willis tract;

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1 THENCE North 59°39'02" East, a distance of 1,650.09 feet to the
2 POINT OF BEGINNING and containing 55.967 acres of land, more or
3 less.

4 TRACT 4:

5 BEING a tract of land situated in the Joseph Stewart Survey,
6 Abstract No. 961, in Ellis County, Texas, said tract being all of a
7 called 17.119 acre tract of land described in a deed to Texas
8 Midstream Gas Services, L.L.C., recorded in Volume 2342, Page 136,
9 Deed Records, Ellis County, Texas, and being more particularly
10 described as follows:

11 BEGINNING and a 1/2-inch iron rod found in the approximate center of
12 Lakeview Drive for the most westerly corner of said 17.119 acre
13 tract, the north corner of a called 213.7845 acre tract of land
14 described in a deed to PRA Prairie Ridge, L.P., recorded in Volume
15 2111, Page 866 of said Deed Records and on the southeasterly
16 boundary of a called 198.758 acre tract described in a deed to
17 Harper Cattle Company, recorded in Volume 1205, Page 47 of said Deed
18 Records;

19 THENCE North 59 degrees 35 minutes 08 seconds East, along the
20 approximate center of Lakeview Drive, a distance of 1,186.71 feet
21 to a 1/2-inch iron rod found for the most northerly corner of said
22 17.119 acre tract and the west corner of a called 0.057 acre tract
23 described in a deed to the State of Texas, recorded in Volume 340,
24 Page 390 of said Deed Records;

25 THENCE South 29 degrees 53 minutes 02 seconds East, along the common
26 boundary between said 17.119 acre tract and said 0.057 acre tract, a
27 distance of 49.83 feet to a 1/2-inch iron rod found for an interior

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1 ell corner of said 17.119 acre tract and the south corner of said
2 0.057 acre tract;
3 THENCE North 59 degrees 29 minutes 07 seconds East, continuing
4 along the common boundary between said 17.119 acre tract and said
5 0.057 acre tract, a distance of 50.09 feet to a 1/2-inch iron rod
6 found for the northerly northeast corner of said 17.119 acre tract
7 and the east corner of said 0.057 acre tract, and on the
8 southwesterly boundary of a called 10 acre tract described as Tract
9 6 in a deed to Bennett W. Cervin recorded in Volume 2001, Page 749
10 of said Deed Records;
11 THENCE South 30 degrees 08 minutes 24 seconds East, along the common
12 boundary between said 17.119 acre tract and said 10 acre tract, a
13 distance of 559.67 feet to a 5/8-inch iron rod with cap marked
14 "PETITT - RPLS 4087" set for the most easterly corner of said 17.119
15 acre tract and the most northerly corner of a called 461.178 acre
16 tract described in a deed to PRA Prairie Ridge Development Corp.,
17 recorded in Volume 2325, Page 470 of said Deed Records;
18 THENCE South 59 degrees 35 minutes 41 seconds West, along the common
19 boundary between said 17.119 acre tract and said 461.178 acre
20 tract, a distance of 1,219.26 feet to a 1-inch iron pipe found for
21 the most easterly northeast corner of said 213.7845 acre tract, an
22 exterior ell corner of said 461.178 acre tract and the most
23 southerly corner of said 17.119 acre tract;
24 THENCE North 31 degrees 46 minutes 05 seconds West, along the common
25 boundary between said 17.119 acre tract and said 213.7845 acre
26 tract, a distance of 609.38 feet to the POINT OF BEGINNING and
27 containing 745,700 square feet, or 17.119 acres of land, more or

1 less.

2 TRACT 5:

3 BEING a part of a tract or parcel of land situated in the Joseph
4 Stewart Survey, Abstract No. 961, Ellis County, Texas and, and
5 being part of that same tract of land from Karal Kay Cannon, to PRA
6 Prairie Ridge, L.P. as recorded in Book 3500, Page 0941, Volume
7 02111, Page 0873, Volume 02111, Page 0866, official public records
8 of Johnson county, texas and Volume 02111, Page 0850, Deed Records,
9 Ellis County, Texas, and all of a tract from Chris D. Cannon and
10 Deanna G. Cannon to PRA Prairie Ridge L.P., as described in Volume
11 02111, Page 0860, Deed Records of Ellis County, Texas, and Book
12 3500, Page 0958, of the Official Public Records of Johnson County,
13 Texas, and being more particularly described as follows:

14 POINT OF BEGINNING at a found 1/2-inch iron rod in County Road 506
15 at an intersection with the Ellis County and Johnson County limits
16 line along with the intersection of the Joseph Stewart Survey,
17 Abstract No. 961, the Joseph Steward Survey, Abstract No. 754, and
18 the John H. Working Survey, Abstract No. 897;

19 THENCE North 56°14'52" East, along County Road 506, also known as
20 Lakeview Road, a distance of 892.63 feet to a set 5/8-inch iron rod
21 with yellow plastic cap stamped "Cotton Surveying" (hereinafter
22 referred to as set iron rod) for corner;

23 THENCE North 59°39'02" East, along said road, a distance of 4140.12
24 feet to a found 1/2-inch iron rod for corner;

25 THENCE South 25°48'57" East, leaving said road and along the west
26 line of a tract described to Robert A. Willis and wife, Lonnie
27 L. Willis in Volume 1298, Page 646, Deed Records of Ellis County

1 Texas, a distance of 448.65 feet to a found 1/2-inch iron rod for
2 corner;
3 THENCE North 60°04'57" East, along a South line of above described
4 tract, a distance of 2039 feet to a set iron rod for corner;
5 THENCE South 01°21'55" East, along a west line of a tract from
6 Richard J. Bantke and wife, Sandra Sue Bantke, to PRA Prairie Ridge
7 L.P., as described in Volume 02111, Page 0866, Deed Records of Ellis
8 County, Texas, a distance of 113.61 feet to a set iron rod for
9 corner;
10 THENCE along west line of said property, with a curve right having a
11 radius of 50.00 feet and a central angle of 71°14'05" and being
12 subtended by a chord which bears South 14°24'13" East, 58.24 feet;
13 THENCE southeasterly and southerly along said curve, a distance of
14 52.16 feet to a point of reverse curve, to a set iron rod for corner;
15 THENCE along west line of said property, with a curve left having a
16 radius of 15.50 feet and a central angle of 22°31'56" and being
17 subtended by a chord which bears South 09°56'52" West 6.06 feet;
18 THENCE southerly along said curve, a distance of 6.10 feet to a set
19 iron rod for corner;
20 THENCE South 01°19'06" East, along west line of said property,
21 tangent to said curve, a distance of 125.01 feet to a set iron rod
22 for corner;
23 THENCE along west line of said property, with a curve left having a
24 radius of 325.00 feet and a central angle of 20°45'58" and being
25 subtended by a chord which bears South 11°42'58" East, 117.15 feet;
26 THENCE southerly along said curve, along west line of said
27 property, a distance of 117.79 feet to a set iron rod for corner;

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1 THENCE South $22^{\circ}05'57''$ East, along west line of said property,
2 tangent to said curve, a distance of 73.92 feet to a point for
3 corner;
4 THENCE along west line of said property, with a curve right having a
5 radius of 231.08 feet and a central angle of $15^{\circ}26'09''$ and being
6 subtended by a chord which bears South $14^{\circ}21'12''$ East 62.07 feet;
7 THENCE southerly along said curve, along west line of said
8 property, a distance of 52.26 feet to a set iron rod for corner;
9 THENCE North $88^{\circ}38'05''$ East, along south line of said property, with
10 a distance of 15.94 feet to a set iron rod for corner;
11 THENCE South $01^{\circ}21'55''$ East, along west line of said property, a
12 distance of 180.00 feet to a set iron rod for corner;
13 THENCE North $88^{\circ}38'05''$ East, along south line of said property, a
14 distance of 322.41 feet to the beginning of a curve tangent to said
15 line to a set iron rod for corner;
16 THENCE easterly, along south line of said property, along the curve
17 left, having a radius of 1350.00 feet and a central angle of
18 $11^{\circ}17'25''$ and being subtended by a chord which bears North $82^{\circ}59'23''$
19 East, 265.59 feet;
20 THENCE easterly and northeasterly a distance of 266.02 feet along
21 the said curve to a set iron rod for corner;
22 THENCE North $77^{\circ}20'40''$ East tangent to said curve, a distance of
23 437.24 feet to the beginning of a curve tangent to said line to a set
24 iron rod for corner;
25 THENCE easterly, along south line of said property, with a curve
26 left, having a radius of 1000.00 feet and a central angle of
27 $43^{\circ}44'52''$ and being subtended by a chord which bears North $55^{\circ}28'14''$

1 East, 745.13 feet;
2 THENCE easterly and northeasterly a distance of 763.54 feet along
3 the said curve to a set iron rod for corner;
4 THENCE North 25°14'30" West, along east line of said property, a
5 distance of 849.17 feet to a found rod nail for corner;
6 THENCE North 58°10'54" East, along the south line of property of Tom
7 Larnon and wife, Crystal Larnon, as described in Volume 924, Page
8 0046. Deed Records of Ellis County, Texas, a distance of 419.44
9 feet to a found 3/4-inch pipe for corner;
10 THENCE North 59°34'27" East, along said south line, a distance of
11 1219.45 feet to a set iron rod for corner;
12 THENCE South 30°11'50" East, along the west line of the fifth and
13 sixth tracts of Bennett W. Cervin, as described in Volume 2001,
14 Page 0749, Deed Records of Ellis County, Texas, a distance of 823.56
15 feet to a set iron rod for corner;
16 THENCE South 30°19'53" East, along said west line of part of the said
17 fifth tract, a distance of 335.08 feet to a set iron rod for corner;
18 THENCE South 59°31'20" West, along the north line of the first tract
19 of Bennett W. Cervin as described in Volume 2001, Page 0749, Deed
20 Records of Ellis County, Texas, a distance of 1739.27 feet to a
21 found 1/2-inch iron rod for corner;
22 THENCE South 59°35'19" West, along north line of said first tract of
23 Bennett W. Cervin as described in Volume 2001, Page 0749, Ellis
24 County, Texas, a distance of 5098.10 feet to a found 3/4-inch iron
25 rod for corner;
26 THENCE South 30°20'14" East, along the west line of the said second
27 tract, a distance of 2453.47 feet to a set iron rod for corner;

1 THENCE South 59°47'54" West, along a north line of tract one of
2 Bennett W. Cervin, as described in Volume 2001, Page 0749 of the
3 Deed Records of Ellis County, Texas, a distance of 2411.12 feet to a
4 set iron rod for corner;

5 THENCE South 30°12'06" East, along a west line of the said tract one,
6 a distance of 596.60 feet to a set iron rod for corner;

7 THENCE South 59°47'49" West, along a north line of said tract one, a
8 distance of 1589.67 feet to a found 1/2-inch iron rod for corner;

9 THENCE North 00°47'39" West, along the Ellis County and Johnson
10 County limits, a distance of 5474.77 feet to the POINT OF BEGINNING
11 and containing 461.176 acres, more or less.

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

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

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

26 (d) The general law relating to consent by political
27 subdivisions to the creation of districts with conservation,

1 reclamation, and road powers and the inclusion of land in those
2 districts has been complied with.

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

7 SECTION 4. (a) Section 3954.104, Special District Local
8 Laws Code, as added by Section 1 of this Act, takes effect only if
9 this Act receives a two-thirds vote of all the members elected to
10 each house.

11 (b) If this Act does not receive a two-thirds vote of all the
12 members elected to each house, Subchapter C, Chapter 3954, Special
13 District Local Laws Code, as added by Section 1 of this Act, is
14 amended by adding Section 3954.104 to read as follows:

15 Sec. 3954.104. NO EMINENT DOMAIN POWER. The district may
16 not exercise the power of eminent domain.

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

20 SECTION 5. This Act takes effect September 1, 2017.