

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

1 field notes or in copying the field notes in the legislative process
2 does not affect the district's:

- 3 (1) organization, existence, or validity;
4 (2) right to contract;
5 (3) authority to borrow money or issue bonds or other
6 obligations described by Section 3954.251 or to pay the principal
7 and interest of the bonds or other obligations;
8 (4) right to impose or collect an assessment or
9 collect other revenue; or
10 (5) legality or operation.

11 Sec. 3954.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

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

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

- 25 (1) the purposes permitted for money granted to a
26 corporation under Section 380.002(b), Local Government Code; and
27 (2) any other district purpose, including the right to

1 pledge the money as security for any bonds or other obligations
2 issued by the district under Section 3954.251.

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

8 Sec. 3954.007. CONFIRMATION AND DIRECTORS' ELECTION
9 REQUIRED. The initial directors shall hold an election to confirm
10 the creation of the district and to elect five permanent directors
11 as provided by Section 49.102, Water Code.

12 Sec. 3954.008. APPLICABILITY OF MUNICIPAL MANAGEMENT
13 DISTRICT LAW. (a) Except as provided by this chapter, Chapter 375,
14 Local Government Code, applies to the district.

15 (b) Subchapters B and O, Chapter 375, Local Government Code,
16 do not apply to the district.

17 Sec. 3954.009. CONSTRUCTION OF CHAPTER. This chapter shall
18 be liberally construed in conformity with the findings and purposes
19 stated in this chapter.

20 SUBCHAPTER B. BOARD OF DIRECTORS

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

23 (b) Except as provided by Section 3954.052, directors serve
24 staggered four-year terms.

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

27 Pos. No. Name of Director

- 1 1 _____
- 2 2 _____
- 3 3 _____
- 4 4 _____
- 5 5 _____

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

7 (1) the date permanent directors are elected under
8 Section 3954.007; or

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

11 (c) If permanent directors have not been elected under
12 Section 3954.007 and the terms of the initial directors have
13 expired, successor initial directors shall be appointed or
14 reappointed as provided by Subsection (d) to serve terms that
15 expire on the earlier of:

16 (1) the date permanent directors are elected under
17 Section 3954.007; or

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

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

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 3954.101. GENERAL POWERS AND DUTIES. The district has
3 the powers and duties necessary to accomplish the purposes for
4 which the district is created.

5 Sec. 3954.102. IMPROVEMENT PROJECTS AND SERVICES. (a) The
6 district may provide, design, construct, acquire, improve,
7 relocate, operate, maintain, or finance an improvement project or
8 service using any money available to the district, or contract with
9 a governmental or private entity for the provision, design,
10 construction, acquisition, improvement, relocation, operation,
11 maintenance, or financing of an improvement project or service
12 authorized under this chapter or Chapter 372 or 375, Local
13 Government Code.

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

16 Sec. 3954.103. PUBLIC IMPROVEMENT DISTRICT POWERS. The
17 district has the powers provided by Chapter 372, Local Government
18 Code, to a municipality or county.

19 Sec. 3954.104. RETAIL WATER AND SEWER SERVICES PROHIBITED.
20 The district may not provide retail water or sewer services.

21 Sec. 3954.105. ADDING OR REMOVING TERRITORY. (a) Subject
22 to Subsection (b), the board may add or remove territory as provided
23 by Subchapter J, Chapter 49, Water Code.

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

27 Sec. 3954.106. EMINENT DOMAIN. The district may exercise

1 the power of eminent domain in the manner and for the purposes
2 provided by Section 49.222, Water Code.

3 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

4 Sec. 3954.151. DIVISION OF DISTRICT; PREREQUISITES. The
5 district, including territory added to the district under Section
6 3954.105, may be divided into two or more new districts only if the
7 district has no outstanding bonded debt. Territory previously
8 added to the district under Section 3954.105 may be included in a
9 new district.

10 Sec. 3954.152. LAW APPLICABLE TO NEW DISTRICT. This
11 chapter applies to any new district created by division of the
12 district, and a new district has all the powers and duties of the
13 district.

14 Sec. 3954.153. DIVISION PROCEDURES. (a) The board, on its
15 own motion or on receipt of a petition signed by an owner of real
16 property in the district, may adopt an order proposing to divide the
17 district.

18 (b) If the board decides to divide the district, the board
19 shall:

20 (1) set the terms of the division, including names for
21 the new districts and a plan for the payment or performance of any
22 outstanding district obligations;

23 (2) prepare a metes and bounds description for each
24 proposed district; and

25 (3) appoint five initial directors for each new
26 district.

27 Sec. 3954.154. CONTRACT AUTHORITY OF NEW DISTRICTS. The

1 new districts may contract with each other for any matter the boards
2 of the new districts consider appropriate, including the joint
3 construction or financing of an improvement project, the joint
4 financing of a maintenance obligation, or the provision of water
5 and wastewater services.

6 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

7 Sec. 3954.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
8 board by resolution shall establish the number of directors'
9 signatures and the procedure required for a disbursement or
10 transfer of the district's money.

11 Sec. 3954.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
12 The district may acquire, construct, finance, maintain, or operate
13 an improvement project or service authorized by this chapter or
14 Chapter 372 or Chapter 375, Local Government Code, using any money
15 available to the district.

16 Sec. 3954.203. METHOD OF NOTICE FOR HEARING. The district
17 may mail the notice required by Section 375.115(c), Local
18 Government Code, by certified or first class United States mail.
19 The board shall determine the method of notice.

20 Sec. 3954.204. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
21 The board by resolution may impose and collect an assessment for any
22 purpose authorized by this chapter in all or any part of the
23 district.

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

1 fees incurred by the district are:

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

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

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

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

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

18 Sec. 3954.205. RESIDENTIAL PROPERTY NOT EXEMPT. Sections
19 375.161 and 375.164, Local Government Code, do not apply to the
20 district.

21 SUBCHAPTER F. TAXES AND BONDS

22 Sec. 3954.251. BONDS AND OTHER OBLIGATIONS. (a) The
23 district may issue, by public or private sale, bonds, notes, or
24 other obligations payable wholly or partly from ad valorem taxes or
25 assessments in the manner provided by Subchapter A, Chapter 372, or
26 Subchapter J, Chapter 375, Local Government Code. Sections
27 375.207(a) and (b), Local Government Code, do not apply to the

1 district. Section 375.208, Local Government Code, does not apply
2 to a bond, note, or other obligation of the district payable from
3 assessments.

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

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

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

19 Sec. 3954.252. ELECTIONS REGARDING TAXES AND BONDS. (a)
20 The district may issue, without an election, bonds, notes, and
21 other obligations secured by:

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

23 (2) contract payments described by Section 3954.255.

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

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

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

7 Sec. 3954.253. TAXES FOR BONDS. At the time the district
8 issues bonds payable wholly or partly from ad valorem taxes, the
9 board shall provide for the annual imposition of a continuing
10 direct ad valorem tax, without limit as to rate or amount, while all
11 or part of the bonds are outstanding as required and in the manner
12 provided by Sections 54.601 and 54.602, Water Code.

13 Sec. 3954.254. OPERATION AND MAINTENANCE TAX. (a) If
14 authorized by a majority of the district voters voting at an
15 election held under Section 3954.252, the district may impose an
16 operation and maintenance tax on taxable property in the district
17 in accordance with Section 49.107, Water Code.

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

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

22 Sec. 3954.255. CONTRACT TAXES. (a) In accordance with
23 Section 49.108, Water Code, the district may impose a tax other than
24 an operation and maintenance tax and use the revenue derived from
25 the tax to make payments under a contract after the provisions of
26 the contract have been approved by a majority of the district voters
27 voting at an election held for that purpose.

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

4 SUBCHAPTER G. DISSOLUTION

5 Sec. 3954.301. DISSOLUTION BY CITY ORDINANCE. (a) The
6 governing body of the city may dissolve the district by ordinance.

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

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

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

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

16 Sec. 3954.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

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

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

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

26 (2) special revenue or assessment bonds or other
27 obligations issued by the city to refund the outstanding bonds or

1 obligations.

2 Sec. 3954.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
3 After the city dissolves the district, the city assumes the
4 obligations of the district, including any bonds or other debt
5 payable from assessments or other district revenue.

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

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

11 TRACT 1:

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

26 BEGINNING at a point in County Road 506 at an intersection with the
27 Ellis County and Johnson County limits line along with the

1 intersection of the Joseph Stewart Survey, Abstract No. 961, the
2 Joseph Stewart Survey, Abstract No. 754, and the John H. Working
3 Survey, Abstract No. 897;

4 THENCE South 00°47'39" East, departing from said county road and
5 along the said Johnson and Ellis County lines, a distance of 5474.77
6 feet to a 1/2" iron rod found;

7 THENCE South 59°47'49" West, along a north line of Bennett W. Cervin
8 tract one as described in Volume 2001, Page 0749, Deed Records,
9 Ellis County, Texas, a distance of 537.29 feet to a 1/2" iron rod
10 found;

11 THENCE North 30°19'12" West, along an east line of a Jeniffer
12 N. Sweeney tract described in Book 0608, Page 830, Deed Records,
13 Johnson County, Texas, a distance of 767.82 feet to a 1/2" iron rod
14 found;

15 THENCE South 59°32'27" West, along a north line of said Jeniffer
16 N. Sweeney tract, a distance of 5401.00 feet to a 1/2" iron rod
17 found;

18 THENCE North 30°44'12" West, along County Road 619, a distance of
19 1053.81 feet to a 1/2" iron rod found;

20 THENCE North 59°59'51" East, leaving said county road, along a north
21 line of a tract of land from Phillip Nabors Smauder and Jennie
22 Smauder Pope, to PRA Prairie Ridge, L.P. as described in County
23 Clerk File No. 2104-00248, Official Public Records of Johnson
24 County, Texas a distance of 291.69 feet;

25 THENCE North 30°44'47" West, along a west line of said Smauder
26 tract, a distance of 150.00 feet to a 1/2" iron rod found;

27 THENCE South 59°59'52" West, along a south line of Smauder tract, to

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

17 TRACT 2:

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

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

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

14 Thence S 01°22'20" E, along the common line of said Vang, Hang, Moua
15 tract, passing a found 1/2-inch iron rod with a yellow plastic cap
16 stamped "RPLS 4466" at 1,372.08 continuing for a total distance of
17 1,406.52 feet to a found 1/2-inch iron rod with a yellow plastic cap
18 stamped "RPLS 4466" in the centerline of County Road 506 Greasy Road
19 (Lakeview Road);

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

24 Thence S 59°43'42" W, continuing along the centerline of said County
25 Road, a distance of 402.48 feet to a found railroad spike at the
26 intersection of said County Road and Cypress Road, said point being
27 the South corner of said Sunset Park Addition and the South corner

1 of this herein described tract of land;
2 Thence N 00°14'22" W, along the centerline of Cypress Road, the West
3 line of said Sunset Park Addition, a distance of 865.02 feet to a
4 found 1/2-inch iron rod for corner;
5 Thence N 59°30'57" E, passing a 1/2-inch iron rod at 37.40 at the
6 Southwest corner of the Sunset Park, Phase 2 Addition, according to
7 the plat thereof recorded in Cabinet "C", Slide 438, plat records,
8 Ellis County, Texas, continuing for a total distance of 417.09 feet
9 to a found 1/2-inch iron rod with a yellow plastic cap at the
10 Southeast Corner of said Sunset Park Phase 2 Addition and the West
11 line of said Brumbeloe tract for corner;
12 Thence N 03°03'40" E, along the East line of said Sunset Park Phase 2
13 Addition tract and the West line of said Brumbeloe tract, a distance
14 of 103.80 feet to a found 1/2-inch iron rod;
15 Thence N 00°31'47" W, along the East line of said Sunset Park Phase 2
16 Addition tract and the West line of said Brumbeloe tract, a distance
17 of 60.37 feet to a found 1/2-inch iron rod for corner;
18 Thence N 00°05'09" W, along the East line of said Sunset Park Phase 2
19 Addition tract and the West line of said Brumbeloe tract, a distance
20 of 129.83 feet to a 2-inch iron pipe for corner;
21 Thence N 01°06'07" W, along the East line of said Sunset Park Phase 2
22 Addition tract and the West line of said Brumbeloe tract, a distance
23 of 130.88 feet to a found 1-inch iron pipe for corner;
24 Thence N 01°03'32" W, along the East line of said Sunset Park Phase 2
25 Addition tract and the West line of said Brumbeloe tract, a distance
26 of 129.92 feet to a found 1-inch iron pipe in the South line of said
27 Kilchenstein tract and Northwest corner of said Brumbeloe tract,

1 said point being Northeasterly corner of said Sunset Park Phase 2
2 Addition;
3 Thence N 59°32'07" E, along the South line of said Kilchenstein
4 tract, a distance of 968.19 feet to the Place of Beginning and
5 having an area of 1,521,385 square feet, or 34.926 acres of land,
6 more or less.

7 TRACT 3:

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

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

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

25 THENCE South 58°10'54" West, along the Northwest line of said
26 Waltmore tract, a distance of 419.44 feet to a rod nail found for
27 the West corner of said Waltmore tract and an interior ell corner of

1 this herein described tract of land;
2 THENCE South 25°14'30" East, continuing along the Northwest line of
3 said Waltmore tract, a distance of 849.17 feet to a set 5/8-inch
4 iron rod with yellow plastic cap stamped "Cotton Surveying"
5 (hereinafter referred to as set iron rod) for corner;
6 THENCE across land described in Volume 02111, Page 0866, Deed
7 Records of Ellis County, Texas, the following course and distances:
8 Southwesterly along a curve to the right having a central angle of
9 43°44'52", a radius of 1000.00 feet, whose chord bears South
10 55°28'14" West, a chord distance of 745.13 feet, and an arc length of
11 763.54 feet to a set iron rod for corner;
12 South 77°20'40" West a distance of 437.24 feet to a set iron rod for
13 corner;
14 Westerly along a curve to the right having a central angle of
15 11°17'25", a radius of 1350.00 feet, whose chord bears South
16 82°59'23" West, a chord distance of 265.59 feet, and an arc length of
17 266.02 feet to a set iron rod for corner;
18 South 88°38'05" West a distance of 288.43 feet to a set iron rod for
19 corner;
20 South 88°38'05" West a distance of 33.98 feet to a set iron rod for
21 corner;
22 North 01°21'55" West a distance of 180.00 feet to a point for corner;
23 South 88°38'05" West a distance of 15.94 feet to a point for corner;
24 Northerly along a curve to the left having a central angle of
25 15°26'09", a radius of 231.08 feet, whose chord bears North 14°21'12"
26 West, a chord distance of 62.07 feet, and an arc length of 62.26
27 feet to a set iron rod for corner;

1 North 22°05'57" West a distance of 73.92 feet to a set iron rod for
2 corner;
3 Northerly along a curve to the right having a central angle of
4 20°45'58", a radius of 325.00 feet, whose chord bears North 11°42'58"
5 West, a chord distance of 117.15 feet, and an arc length of 117.79
6 feet to a set iron rod for corner;
7 North 01°19'06" West a distance of 125.01 feet to a point for corner;
8 Northerly along a curve to the right having a central angle of
9 22°31'56", a radius of 15.50 feet, whose chord bears North 09°56'52"
10 East, a chord distance of 6.06 feet, and an arc length of 6.10 feet
11 to a set iron rod for corner;
12 Northwesterly along said curve to the left having a central angle of
13 71°14'05", a radius of 50.00 feet, whose chord bears North 14°24'13"
14 West, a chord distance of 58.24 feet, and an arc length of 62.16
15 feet to a set iron rod for corner;
16 North 01°21'55" West, a distance of 113.61 feet to a set iron rod for
17 corner;
18 THENCE North 60°04'57" East, along the Southeast line of a tract
19 described to Robert A. Willis and wife, Lonnie L. Willis, as
20 recorded in Volume 1298, Page 646, Deed Records of Ellis County,
21 Texas, a distance of 205.36 feet to a found 1/2-inch iron rod for
22 corner;
23 THENCE North 25°47'09" West, along the Northeast line of said Willis
24 tract, a distance of 450.38 feet to a found 1/2-inch iron rod for
25 the North corner of said Willis tract;
26 THENCE North 59°39'02" East, a distance of 1,650.09 feet to the
27 POINT OF BEGINNING and containing 55.967 acres of land, more or

1 less.

2 TRACT 4:

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

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

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

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

1 THENCE North 59 degrees 29 minutes 07 seconds East, continuing
2 along the common boundary between said 17.119 acre tract and said
3 0.057 acre tract, a distance of 50.09 feet to a 1/2-inch iron rod
4 found for the northerly northeast corner of said 17.119 acre tract
5 and the east corner of said 0.057 acre tract, and on the
6 southwesterly boundary of a called 10 acre tract described as Tract
7 6 in a deed to Bennett W. Cervin recorded in Volume 2001, Page 749
8 of said Deed Records;

9 THENCE South 30 degrees 08 minutes 24 seconds East, along the common
10 boundary between said 17.119 acre tract and said 10 acre tract, a
11 distance of 559.67 feet to a 5/8-inch iron rod with cap marked
12 "PETITT - RPLS 4087" set for the most easterly corner of said 17.119
13 acre tract and the most northerly corner of a called 461.178 acre
14 tract described in a deed to PRA Prairie Ridge Development Corp.,
15 recorded in Volume 2325, Page 470 of said Deed Records;

16 THENCE South 59 degrees 35 minutes 41 seconds West, along the common
17 boundary between said 17.119 acre tract and said 461.178 acre
18 tract, a distance of 1,219.26 feet to a 1-inch iron pipe found for
19 the most easterly northeast corner of said 213.7845 acre tract, an
20 exterior ell corner of said 461.178 acre tract and the most
21 southerly corner of said 17.119 acre tract;

22 THENCE North 31 degrees 46 minutes 05 seconds West, along the common
23 boundary between said 17.119 acre tract and said 213.7845 acre
24 tract, a distance of 609.38 feet to the POINT OF BEGINNING and
25 containing 745,700 square feet, or 17.119 acres of land, more or
26 less.

27 TRACT 5:

H.B. No. 4303

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

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

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

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

23 THENCE South 25°48'57" East, leaving said road and along the west
24 line of a tract described to Robert A. Willis and wife, Lonnie
25 L. Willis in Volume 1298, Page 646, Deed Records of Ellis County
26 Texas, a distance of 448.65 feet to a found 1/2-inch iron rod for
27 corner;

1 THENCE North $60^{\circ}04'57''$ East, along a South line of above described
2 tract, a distance of 2039 feet to a set iron rod for corner;
3 THENCE South $01^{\circ}21'55''$ East, along a west line of a tract from
4 Richard J. Bantke and wife, Sandra Sue Bantke, to PRA Prairie Ridge
5 L.P., as described in Volume 02111, Page 0866, Deed Records of Ellis
6 County, Texas, a distance of 113.61 feet to a set iron rod for
7 corner;
8 THENCE along west line of said property, with a curve right having a
9 radius of 50.00 feet and a central angle of $71^{\circ}14'05''$ and being
10 subtended by a chord which bears South $14^{\circ}24'13''$ East, 58.24 feet;
11 THENCE southeasterly and southerly along said curve, a distance of
12 52.16 feet to a point of reverse curve, to a set iron rod for corner;
13 THENCE along west line of said property, with a curve left having a
14 radius of 15.50 feet and a central angle of $22^{\circ}31'56''$ and being
15 subtended by a chord which bears South $09^{\circ}56'52''$ West 6.06 feet;
16 THENCE southerly along said curve, a distance of 6.10 feet to a set
17 iron rod for corner;
18 THENCE South $01^{\circ}19'06''$ East, along west line of said property,
19 tangent to said curve, a distance of 125.01 feet to a set iron rod
20 for corner;
21 THENCE along west line of said property, with a curve left having a
22 radius of 325.00 feet and a central angle of $20^{\circ}45'58''$ and being
23 subtended by a chord which bears South $11^{\circ}42'58''$ East, 117.15 feet;
24 THENCE southerly along said curve, along west line of said
25 property, a distance of 117.79 feet to a set iron rod for corner;
26 THENCE South $22^{\circ}05'57''$ East, along west line of said property,
27 tangent to said curve, a distance of 73.92 feet to a point for

1 corner;
2 THENCE along west line of said property, with a curve right having a
3 radius of 231.08 feet and a central angle of 15°26'09" and being
4 subtended by a chord which bears South 14°21'12" East 62.07 feet;
5 THENCE southerly along said curve, along west line of said
6 property, a distance of 52.26 feet to a set iron rod for corner;
7 THENCE North 88°38'05" East, along south line of said property, with
8 a distance of 15.94 feet to a set iron rod for corner;
9 THENCE South 01°21'55" East, along west line of said property, a
10 distance of 180.00 feet to a set iron rod for corner;
11 THENCE North 88°38'05" East, along south line of said property, a
12 distance of 322.41 feet to the beginning of a curve tangent to said
13 line to a set iron rod for corner;
14 THENCE easterly, along south line of said property, along the curve
15 left, having a radius of 1350.00 feet and a central angle of
16 11°17'25" and being subtended by a chord which bears North 82°59'23"
17 East, 265.59 feet;
18 THENCE easterly and northeasterly a distance of 266.02 feet along
19 the said curve to a set iron rod for corner;
20 THENCE North 77°20'40" East tangent to said curve, a distance of
21 437.24 feet to the beginning of a curve tangent to said line to a set
22 iron rod for corner;
23 THENCE easterly, along south line of said property, with a curve
24 left, having a radius of 1000.00 feet and a central angle of
25 43°44'52" and being subtended by a chord which bears North 55°28'14"
26 East, 745.13 feet;
27 THENCE easterly and northeasterly a distance of 763.54 feet along

1 the said curve to a set iron rod for corner;
2 THENCE North 25°14'30" West, along east line of said property, a
3 distance of 849.17 feet to a found rod nail for corner;
4 THENCE North 58°10'54" East, along the south line of property of Tom
5 Larnon and wife, Crystal Larnon, as described in Volume 924, Page
6 0046. Deed Records of Ellis County, Texas, a distance of 419.44
7 feet to a found 3/4-inch pipe for corner;
8 THENCE North 59°34'27" East, along said south line, a distance of
9 1219.45 feet to a set iron rod for corner;
10 THENCE South 30°11'50" East, along the west line of the fifth and
11 sixth tracts of Bennett W. Cervin, as described in Volume 2001,
12 Page 0749, Deed Records of Ellis County, Texas, a distance of 823.56
13 feet to a set iron rod for corner;
14 THENCE South 30°19'53" East, along said west line of part of the said
15 fifth tract, a distance of 335.08 feet to a set iron rod for corner;
16 THENCE South 59°31'20" West, along the north line of the first tract
17 of Bennett W. Cervin as described in Volume 2001, Page 0749, Deed
18 Records of Ellis County, Texas, a distance of 1739.27 feet to a
19 found 1/2-inch iron rod for corner;
20 THENCE South 59°35'19" West, along north line of said first tract of
21 Bennett W. Cervin as described in Volume 2001, Page 0749, Ellis
22 County, Texas, a distance of 5098.10 feet to a found 3/4-inch iron
23 rod for corner;
24 THENCE South 30°20'14" East, along the west line of the said second
25 tract, a distance of 2453.47 feet to a set iron rod for corner;
26 THENCE South 59°47'54" West, along a north line of tract one of
27 Bennett W. Cervin, as described in Volume 2001, Page 0749 of the

1 Deed Records of Ellis County, Texas, a distance of 2411.12 feet to a
2 set iron rod for corner;
3 THENCE South 30°12'06" East, along a west line of the said tract one,
4 a distance of 596.60 feet to a set iron rod for corner;
5 THENCE South 59°47'49" West, along a north line of said tract one, a
6 distance of 1589.67 feet to a found 1/2-inch iron rod for corner;
7 THENCE North 00°47'39" West, along the Ellis County and Johnson
8 County limits, a distance of 5474.77 feet to the POINT OF BEGINNING
9 and containing 461.176 acres, more or less.

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

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

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

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

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

5 SECTION 4. (a) Section 3954.106, Special District Local
6 Laws Code, as added by Section 1 of this Act, takes effect only if
7 this Act receives a two-thirds vote of all the members elected to
8 each house.

9 (b) If this Act does not receive a two-thirds vote of all the
10 members elected to each house, Subchapter C, Chapter 3954, Special
11 District Local Laws Code, as added by Section 1 of this Act, is
12 amended by adding Section 3954.106 to read as follows:

13 Sec. 3954.106. NO EMINENT DOMAIN POWER. The district may
14 not exercise the power of eminent domain.

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

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