

SENATE AMENDMENTS

2nd Printing

By: Burns

H.B. No. 4303

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

9 CHAPTER 3954. PRAIRIE RIDGE MUNICIPAL MANAGEMENT DISTRICT NO. 1

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 3954.001. DEFINITIONS. In this chapter:

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

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

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

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

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

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

22 Sec. 3954.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
23 creation of the district is essential to accomplish the purposes of
24 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 3954.201 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 3954.201.

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

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

21 Sec. 3954.010. CONSTRUCTION OF CHAPTER. This chapter shall
22 be liberally construed in conformity with the findings and purposes
23 stated in this chapter.

24 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

1 staggered four-year terms.

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

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

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

11 (1) the date permanent directors are elected under
12 Section 3954.007; or

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

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

20 (1) the date permanent directors are elected under
21 Section 3954.007; or

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

24 (d) If Subsection (c) applies, the owner or owners of a
25 majority of the assessed value of the real property in the district
26 according to the most recent certified tax appraisal rolls for the
27 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

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

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

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

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

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

14 Sec. 3954.105. DIVISION OF DISTRICT. (a) The district may
15 be divided into two or more new districts only if the district:

16 (1) has no outstanding bonded debt; and

17 (2) is not imposing ad valorem taxes.

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

21 (c) Any new district created by the division of the district
22 may not, at the time the new district is created, contain any land
23 outside the area described by Section 2 of the Act enacting this
24 chapter.

25 (d) The board, on its own motion or on receipt of a petition
26 signed by the owner or owners of a majority of the assessed value of
27 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

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

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

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

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

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

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

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

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

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"

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;

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

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;

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.

ADOPTED

MAY 24 2017

Atty Gen
Secretary of the Senate

Burns/

By:

Simon Sindwell

H.B. No. 4303

Substitute the following for H.B. No. 4303:

By:

Campbell

C.S. H.B. No. 4303

A BILL TO BE ENTITLED

1

AN ACT

2

relating to the creation of the Prairie Ridge Municipal Management

3

District No. 1 and to the correction of defined terms in the law

4

governing the Joshua Farms Municipal Management District No. 1 and

5

the law governing the Joshua Farms Municipal Management District

6

No. 2; providing authority to issue bonds; providing authority to

7

impose assessments, fees, or taxes; granting a limited power of

8

eminent domain.

9

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

10

SECTION 1. Section 3926.001(2), Special District Local Laws

11

Code, is amended to read as follows:

12

(2) "City" means the City of Cleburne [~~Burleson~~],

13

Texas.

14

SECTION 2. Section 3929.001(2), Special District Local Laws

15

Code, is amended to read as follows:

16

(2) "City" means the City of Burleson [~~Cleburne~~],

17

Texas.

18

SECTION 3. Subtitle C, Title 4, Special District Local Laws

19

Code, is amended by adding Chapter 3954 to read as follows:

20

CHAPTER 3954. PRAIRIE RIDGE MUNICIPAL MANAGEMENT DISTRICT NO. 1

21

SUBCHAPTER A. GENERAL PROVISIONS

22

Sec. 3954.001. DEFINITIONS. In this chapter:

23

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

24

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

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

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

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

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

9 Sec. 3954.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
10 creation of the district is essential to accomplish the purposes of
11 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
12 Texas Constitution, and other public purposes stated in this
13 chapter. By creating the district and in authorizing the city and
14 other political subdivisions to contract with the district, the
15 legislature has established a program to accomplish the public
16 purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

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

1 other powers granted under this chapter.

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

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

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

10 (2) eliminating unemployment and underemployment;

11 (3) developing or expanding transportation and
12 commerce; and

13 (4) providing quality residential housing.

14 (e) The district will:

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

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

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

26 (f) Pedestrian ways along or across a street, whether at
27 grade or above or below the surface, and street lighting, street

1 landscaping, parking, and street art objects are parts of and
2 necessary components of a street and are considered to be a street
3 or road improvement.

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

7 Sec. 3954.005. INITIAL DISTRICT TERRITORY. (a) The
8 district is initially composed of the territory described by
9 Section 4 of the Act enacting this chapter.

10 (b) The boundaries and field notes contained in Section 4 of
11 the Act enacting this chapter form a closure. A mistake in the
12 field notes or in copying the field notes in the legislative process
13 does not affect the district's:

14 (1) organization, existence, or validity;

15 (2) right to contract;

16 (3) authority to borrow money or issue bonds or other
17 obligations described by Section 3954.201 or to pay the principal
18 and interest of the bonds or other obligations;

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

21 (5) legality or operation.

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

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

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

27 (2) a tax abatement reinvestment zone created under

1 Chapter 312, Tax Code; or

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

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

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

11 (2) any other district purpose, including the right to
12 pledge the money as security for any bonds or other obligations
13 issued by the district under Section 3954.201.

14 (c) If the city creates a tax increment reinvestment zone
15 described by Subsection (a), the city may determine the percentage
16 of the property in the zone that may be used for residential
17 purposes and is not subject to the limitations provided by Section
18 311.006, Tax Code.

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

23 Sec. 3954.008. CITY CONSENT AND DEVELOPMENT AGREEMENT
24 EXECUTION REQUIRED. The initial directors may not hold an election
25 under Section 3954.007 until the city has:

26 (1) consented by ordinance or resolution to the
27 creation of the district and to the inclusion of land in the

1 district; and

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

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

8 Sec. 3954.010. CONSTRUCTION OF CHAPTER. This chapter shall
9 be liberally construed in conformity with the findings and purposes
10 stated in this chapter.

11 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

	<u>Pos. No.</u>	<u>Name of Director</u>
18		
19	<u>1</u>	<u>Murphy Short</u>
20	<u>2</u>	<u>Johnny Catalano</u>
21	<u>3</u>	<u>Reid Halverson</u>
22	<u>4</u>	<u>Riley Standridge</u>
23	<u>5</u>	<u>Brian Tomich</u>

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

25 (1) the date permanent directors are elected under
26 Section 3954.007; or

27 (2) the fourth anniversary of the effective date of

1 the Act enacting this chapter.

2 (c) If permanent directors have not been elected under
3 Section 3954.007 and the terms of the initial directors have
4 expired, successor initial directors shall be appointed or
5 reappointed as provided by Subsection (d) to serve terms that
6 expire on the earlier of:

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

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

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

18 Sec. 3954.053. COMPENSATION. A director is entitled to
19 receive fees of office and reimbursement for actual expenses in the
20 manner provided by Section 49.060, Water Code. Sections 375.069 and
21 375.070, Local Government Code, do not apply to the board.

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 3954.101. GENERAL POWERS AND DUTIES. The district has
24 the powers and duties necessary to accomplish the purposes for
25 which the district is created.

26 Sec. 3954.102. IMPROVEMENT PROJECTS AND SERVICES. (a) The
27 district may provide, design, construct, acquire, improve,

1 relocate, operate, maintain, or finance an improvement project or
2 service using any money available to the district, or contract with
3 a governmental or private entity for the provision, design,
4 construction, acquisition, improvement, relocation, operation,
5 maintenance, or financing of an improvement project or service
6 authorized under this chapter or Chapter 372 or 375, Local
7 Government Code.

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

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

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

16 Sec. 3954.104. EMINENT DOMAIN. The district may exercise
17 the power of eminent domain in the manner and for the purposes
18 provided by Section 49.222, Water Code, except that the district
19 may not acquire by condemnation a property interest or facility
20 owned or controlled by a public entity.

21 Sec. 3954.105. DIVISION OF DISTRICT. (a) The district may
22 be divided into two or more new districts only if the district:

- 23 (1) has no outstanding bonded debt; and
24 (2) is not imposing ad valorem taxes.

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

1 (c) Any new district created by the division of the district
2 may not, at the time the new district is created, contain any land
3 outside the area described by Section 4 of the Act enacting this
4 chapter.

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

9 (e) The board may adopt an order dividing the district
10 before or after the date the board holds an election under Section
11 3954.007 to confirm the creation of the district.

12 (f) An order dividing the district must:

13 (1) name each new district;

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

16 (3) appoint initial directors for each new district;

17 and

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

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

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

27 (i) If the creation of the new district is confirmed, the

1 new district shall provide the election date and results to the
2 commission.

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

7 (k) Municipal consent to the creation of the district and to
8 the inclusion of land in the district granted under Section
9 3954.008 acts as municipal consent to the creation of any new
10 district created by the division of the district and to the
11 inclusion of land in the new district.

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

13 Sec. 3954.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
14 board by resolution shall establish the number of directors'
15 signatures and the procedure required for a disbursement or
16 transfer of the district's money.

17 Sec. 3954.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
18 The district may acquire, construct, finance, maintain, or operate
19 an improvement project or service authorized by this chapter or
20 Chapter 372 or 375, Local Government Code, using any money
21 available to the district.

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

26 Sec. 3954.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
27 The board by resolution may impose and collect an assessment for any

1 purpose authorized by this chapter in all or any part of the
2 district.

3 (b) An assessment, a reassessment, or an assessment
4 resulting from an addition to or correction of the assessment roll
5 by the district, penalties and interest on an assessment or
6 reassessment, an expense of collection, and reasonable attorney's
7 fees incurred by the district are:

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

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

13 (3) the personal liability of and a charge against the
14 owners of the property even if the owners are not named in the
15 assessment proceedings.

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

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

24 Sec. 3954.155. RESIDENTIAL PROPERTY NOT EXEMPT. Sections
25 375.161 and 375.164, Local Government Code, do not apply to the
26 district.

1 SUBCHAPTER E. TAXES AND BONDS

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

7 (b) If the improvements financed by an obligation will be
8 conveyed to or operated and maintained by a municipality or retail
9 utility provider pursuant to an agreement between the district and
10 the municipality or retail utility provider entered into before the
11 issuance of the obligation, the obligation may be issued in the
12 manner provided by Subchapter A, Chapter 372, Local Government
13 Code.

14 (c) In exercising the district's borrowing power, the
15 district may issue a bond or other obligation in the form of a bond,
16 note, certificate of participation or other instrument evidencing a
17 proportionate interest in payments to be made by the district, or
18 other type of obligation.

19 (d) In addition to the sources of money described by
20 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
21 Government Code, district bonds may be secured and made payable
22 wholly or partly by a pledge of any part of the money the district
23 receives from improvement revenue, receives under Section
24 3954.006(b), or receives from any other source.

25 (e) The district may issue bonds, notes, or other
26 obligations to maintain or repair an existing improvement project
27 only if the district obtains written consent from the governing

1 body of the city.

2 Sec. 3954.202. ELECTIONS REGARDING TAXES AND BONDS. (a)

3 The district may issue, without an election, bonds, notes, and
4 other obligations secured by:

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

6 (2) contract payments described by Section 3954.205.

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

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

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

17 Sec. 3954.203. TAXES FOR BONDS. At the time the district

18 issues bonds payable wholly or partly from ad valorem taxes, the
19 board shall provide for the annual imposition of a continuing
20 direct ad valorem tax, without limit as to rate or amount, while all
21 or part of the bonds are outstanding as required and in the manner
22 provided by Sections 54.601 and 54.602, Water Code.

23 Sec. 3954.204. OPERATION AND MAINTENANCE TAX. (a) If

24 authorized by a majority of the district voters voting at an
25 election held under Section 3954.202, the district may impose an
26 operation and maintenance tax on taxable property in the district
27 in accordance with Section 49.107, Water Code.

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

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

5 Sec. 3954.205. CONTRACT TAXES. (a) In accordance with
6 Section 49.108, Water Code, the district may impose a tax other than
7 an operation and maintenance tax and use the revenue derived from
8 the tax to make payments under a contract after the provisions of
9 the contract have been approved by a majority of the district voters
10 voting at an election held for that purpose.

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

14 SUBCHAPTER F. DISSOLUTION

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

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

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

21 (2) the district has reimbursed each party that has an
22 agreement with the district for all costs advanced to or on behalf
23 of the district.

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

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

27 (a) If the dissolved district has bonds or other obligations

1 outstanding secured by and payable from assessments or other
2 revenue, other than revenue from ad valorem taxes, the city shall
3 succeed to the rights and obligations of the district regarding
4 enforcement and collection of the assessments or other revenue.

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

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

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

12 Sec. 3954.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
13 After the city dissolves the district, the city assumes the
14 obligations of the district, including any bonds or other debt
15 payable from assessments or other district revenue.

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

18 SECTION 4. The Prairie Ridge Municipal Management District
19 No. 1 initially includes all the territory contained in the
20 following area:

21 TRACT 1:

22 BEING a part of a tract or parcel of land situated in the Joseph
23 Stewart Survey, Abstract No. 754, Heirs of Allen Larsen, Survey
24 No. 497, T. Stanbury Survey, Abstract 762, and the J. H. Working
25 Survey, Abstract No. 897, Johnson County, Texas, and being part of
26 that same tract of land from Karal Kay Cannon, as described in
27 Volume 02111, Page 0850, Deed Records, Ellis County, Texas, and as

1 described in Book 3500, Page 0941, Official Public Records of
2 Johnson County, Texas, and all of a tract from Billy D. Cannon and
3 Michelle Cannon, to PRA Prairie Ridge, L.P. as described in Book
4 3500, Page 0941, Official Public Records of Johnson County, Texas,
5 and a tract of land from Phillip Nabors Smauder and Jennie Smauder
6 Pope, to PRA Prairie Ridge, L.P. as described in County Clerk File
7 No. 2104-00248, Official Public Records of Johnson County, Texas,
8 and being more particularly described as follows:
9 BEGINNING at a point in County Road 506 at an intersection with the
10 Ellis County and Johnson County limits line along with the
11 intersection of the Joseph Stewart Survey, Abstract No. 961, the
12 Joseph Stewart Survey, Abstract No. 754, and the John H. Working
13 Survey, Abstract No. 897;
14 THENCE South 00°47'39" East, departing from said county road and
15 along the said Johnson and Ellis County lines, a distance of 5474.77
16 feet to a 1/2" iron rod found;
17 THENCE South 59°47'49" West, along a north line of Bennett W. Cervin
18 tract one as described in Volume 2001, Page 0749, Deed Records,
19 Ellis County, Texas, a distance of 537.29 feet to a 1/2" iron rod
20 found;
21 THENCE North 30°19'12" West, along an east line of a Jeniffer
22 N. Sweeney tract described in Book 0608, Page 830, Deed Records,
23 Johnson County, Texas, a distance of 767.82 feet to a 1/2" iron rod
24 found;
25 THENCE South 59°32'27" West, along a north line of said Jeniffer
26 N. Sweeney tract, a distance of 5401.00 feet to a 1/2" iron rod
27 found;

1 THENCE North 30°44'12" West, along County Road 619, a distance of
2 1053.81 feet to a 1/2" iron rod found;
3 THENCE North 59°59'51" East, leaving said county road, along a north
4 line of a tract of land from Phillip Nabors Smauder and Jennie
5 Smauder Pope, to PRA Prairie Ridge, L.P. as described in County
6 Clerk File No. 2104-00248, Official Public Records of Johnson
7 County, Texas a distance of 291.69 feet;
8 THENCE North 30°44'47" West, along a west line of said Smauder
9 tract, a distance of 150.00 feet to a 1/2" iron rod found;
10 THENCE South 59°59'52" West, along a south line of Smauder tract, to
11 County Road 619, a distance of 291.67 feet to a 1/2" iron rod found;
12 THENCE North 30°44'12" West, along a west line of said Smauder tract
13 a distance of 2672.24 feet to a 1/2" iron rod found;
14 THENCE North 59°59'42" East, along a north line of said Smauder
15 tract, a distance of 888.13 feet to a 1/2" iron rod found;
16 THENCE North 60°06'44" East, along a north line of said Smauder
17 tract, a distance of 1077.88 feet to a 1/2" iron rod found;
18 THENCE North 59°33'36" East, along a north line of said Smauder
19 tract, a distance of 1233.53 feet to a 1/2" iron rod found;
20 THENCE North 60°12'38" East, along a north line of said Smauder
21 tract, a distance of 2229.85 feet to a 1/2" iron rod found;
22 THENCE North 56°47'57" East, reaching a northeasterly 90° elbow in
23 County Road 506, along a south line of tract described in Book 3256,
24 Page 0733, Deed Records, Johnson County, Texas, a distance of
25 3239.36 feet to the POINT OF BEGINNING, containing 678.614 acres,
26 more or less.
27 TRACT 2:

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

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

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

24 Thence S 01°22'20" E, along the common line of said Vang, Hang, Moua
25 tract, passing a found 1/2-inch iron rod with a yellow plastic cap
26 stamped "RPLS 4466" at 1,372.08 continuing for a total distance of
27 1,406.52 feet to a found 1/2-inch iron rod with a yellow plastic cap

1 stamped "RPLS 4466" in the centerline of County Road 506 Greasy Road
2 (Lakeview Road);
3 Thence S 59°39'02" W, along the centerline of said County Road, a
4 distance of 1,015.46 feet to a found 5/8-inch iron rod with a yellow
5 plastic cap stamped "Cotton Surveying" (hereinafter referred to as
6 set iron rod) for corner;
7 Thence S 59°43'42" W, continuing along the centerline of said County
8 Road, a distance of 402.48 feet to a found railroad spike at the
9 intersection of said County Road and Cypress Road, said point being
10 the South corner of said Sunset Park Addition and the South corner
11 of this herein described tract of land;
12 Thence N 00°14'22" W, along the centerline of Cypress Road, the West
13 line of said Sunset Park Addition, a distance of 865.02 feet to a
14 found 1/2-inch iron rod for corner;
15 Thence N 59°30'57" E, passing a 1/2-inch iron rod at 37.40 at the
16 Southwest corner of the Sunset Park, Phase 2 Addition, according to
17 the plat thereof recorded in Cabinet "C", Slide 438, plat records,
18 Ellis County, Texas, continuing for a total distance of 417.09 feet
19 to a found 1/2-inch iron rod with a yellow plastic cap at the
20 Southeast Corner of said Sunset Park Phase 2 Addition and the West
21 line of said Brumbeloe tract for corner;
22 Thence N 03°03'40" E, along the East line of said Sunset Park Phase 2
23 Addition tract and the West line of said Brumbeloe tract, a distance
24 of 103.80 feet to a found 1/2-inch iron rod;
25 Thence N 00°31'47" W, along the East line of said Sunset Park Phase 2
26 Addition tract and the West line of said Brumbeloe tract, a distance
27 of 60.37 feet to a found 1/2-inch iron rod for corner;

1 Thence N 00°05'09" W, along the East line of said Sunset Park Phase 2
2 Addition tract and the West line of said Brumbeloe tract, a distance
3 of 129.83 feet to a 2-inch iron pipe for corner;

4 Thence N 01°06'07" W, along the East line of said Sunset Park Phase 2
5 Addition tract and the West line of said Brumbeloe tract, a distance
6 of 130.88 feet to a found 1-inch iron pipe for corner;

7 Thence N 01°03'32" W, along the East line of said Sunset Park Phase 2
8 Addition tract and the West line of said Brumbeloe tract, a distance
9 of 129.92 feet to a found 1-inch iron pipe in the South line of said
10 Kilchenstein tract and Northwest corner of said Brumbeloe tract,
11 said point being Northeasterly corner of said Sunset Park Phase 2
12 Addition;

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

17 TRACT 3:

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

23 POINT OF BEGINNING at a 1/2-inch iron rod found for the west corner
24 of a tract of land conveyed to Tom Lamon, and wife, Crystal Lamon,
25 as recorded in Volume 924, Page 46, Deed Records, Ellis County,
26 Texas, said point being on the Southeast edge of County Road
27 506/Greasy Road (Lakeview Road);

1 THENCE South $31^{\circ}46'30''$ East, along the Southwest line of said Lamon
2 tract, a distance of 609.38 feet to a 3/4-inch pipe found on the
3 North line of a tract of land conveyed to Waltmore, L.L.C. DBA
4 Lakeside Ranch (described as Tract 1), as recorded in Volume 1607,
5 Page 392, Deed Records, Ellis County, Texas, the Southwest corner
6 of said Lamon tract and an exterior ell corner of this herein
7 described tract of land;
8 THENCE South $58^{\circ}10'54''$ West, along the Northwest line of said
9 Waltmore tract, a distance of 419.44 feet to a rod nail found for
10 the West corner of said Waltmore tract and an interior ell corner of
11 this herein described tract of land;
12 THENCE South $25^{\circ}14'30''$ East, continuing along the Northwest line of
13 said Waltmore tract, a distance of 849.17 feet to a set 5/8-inch
14 iron rod with yellow plastic cap stamped "Cotton Surveying"
15 (hereinafter referred to as set iron rod) for corner;
16 THENCE across land described in Volume 02111, Page 0866, Deed
17 Records of Ellis County, Texas, the following course and distances:
18 Southwesterly along a curve to the right having a central angle of
19 $43^{\circ}44'52''$, a radius of 1000.00 feet, whose chord bears South
20 $55^{\circ}28'14''$ West, a chord distance of 745.13 feet, and an arc length of
21 763.54 feet to a set iron rod for corner;
22 South $77^{\circ}20'40''$ West a distance of 437.24 feet to a set iron rod for
23 corner;
24 Westerly along a curve to the right having a central angle of
25 $11^{\circ}17'25''$, a radius of 1350.00 feet, whose chord bears South
26 $82^{\circ}59'23''$ West, a chord distance of 265.59 feet, and an arc length of
27 266.02 feet to a set iron rod for corner;

1 South 88°38'05" West a distance of 288.43 feet to a set iron rod for
2 corner;
3 South 88°38'05" West a distance of 33.98 feet to a set iron rod for
4 corner;
5 North 01°21'55" West a distance of 180.00 feet to a point for corner;
6 South 88°38'05" West a distance of 15.94 feet to a point for corner;
7 Northerly along a curve to the left having a central angle of
8 15°26'09", a radius of 231.08 feet, whose chord bears North 14°21'12"
9 West, a chord distance of 62.07 feet, and an arc length of 62.26
10 feet to a set iron rod for corner;
11 North 22°05'57" West a distance of 73.92 feet to a set iron rod for
12 corner;
13 Northerly along a curve to the right having a central angle of
14 20°45'58", a radius of 325.00 feet, whose chord bears North 11°42'58"
15 West, a chord distance of 117.15 feet, and an arc length of 117.79
16 feet to a set iron rod for corner;
17 North 01°19'06" West a distance of 125.01 feet to a point for corner;
18 Northerly along a curve to the right having a central angle of
19 22°31'56", a radius of 15.50 feet, whose chord bears North 09°56'52"
20 East, a chord distance of 6.06 feet, and an arc length of 6.10 feet
21 to a set iron rod for corner;
22 Northwesterly along said curve to the left having a central angle of
23 71°14'05", a radius of 50.00 feet, whose chord bears North 14°24'13"
24 West, a chord distance of 58.24 feet, and an arc length of 62.16
25 feet to a set iron rod for corner;
26 North 01°21'55" West, a distance of 113.61 feet to a set iron rod for
27 corner;

1 THENCE North 60°04'57" East, along the Southeast line of a tract
2 described to Robert A. Willis and wife, Lonnie L. Willis, as
3 recorded in Volume 1298, Page 646, Deed Records of Ellis County,
4 Texas, a distance of 205.36 feet to a found 1/2-inch iron rod for
5 corner;

6 THENCE North 25°47'09" West, along the Northeast line of said Willis
7 tract, a distance of 450.38 feet to a found 1/2-inch iron rod for
8 the North corner of said Willis tract;

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

12 TRACT 4:

13 BEING a tract of land situated in the Joseph Stewart Survey,
14 Abstract No. 961, in Ellis County, Texas, said tract being all of a
15 called 17.119 acre tract of land described in a deed to Texas
16 Midstream Gas Services, L.L.C., recorded in Volume 2342, Page 136,
17 Deed Records, Ellis County, Texas, and being more particularly
18 described as follows:

19 BEGINNING and a 1/2-inch iron rod found in the approximate center of
20 Lakeview Drive for the most westerly corner of said 17.119 acre
21 tract, the north corner of a called 213.7845 acre tract of land
22 described in a deed to PRA Prairie Ridge, L.P., recorded in Volume
23 2111, Page 866 of said Deed Records and on the southeasterly
24 boundary of a called 198.758 acre tract described in a deed to
25 Harper Cattle Company, recorded in Volume 1205, Page 47 of said Deed
26 Records;

27 THENCE North 59 degrees 35 minutes 08 seconds East, along the

1 approximate center of Lakeview Drive, a distance of 1,186.71 feet
2 to a 1/2-inch iron rod found for the most northerly corner of said
3 17.119 acre tract and the west corner of a called 0.057 acre tract
4 described in a deed to the State of Texas, recorded in Volume 340,
5 Page 390 of said Deed Records;

6 THENCE South 29 degrees 53 minutes 02 seconds East, along the common
7 boundary between said 17.119 acre tract and said 0.057 acre tract, a
8 distance of 49.83 feet to a 1/2-inch iron rod found for an interior
9 ell corner of said 17.119 acre tract and the south corner of said
10 0.057 acre tract;

11 THENCE North 59 degrees 29 minutes 07 seconds East, continuing
12 along the common boundary between said 17.119 acre tract and said
13 0.057 acre tract, a distance of 50.09 feet to a 1/2-inch iron rod
14 found for the northerly northeast corner of said 17.119 acre tract
15 and the east corner of said 0.057 acre tract, and on the
16 southwesterly boundary of a called 10 acre tract described as Tract
17 6 in a deed to Bennett W. Cervin recorded in Volume 2001, Page 749
18 of said Deed Records;

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

26 THENCE South 59 degrees 35 minutes 41 seconds West, along the common
27 boundary between said 17.119 acre tract and said 461.178 acre

1 tract, a distance of 1,219.26 feet to a 1-inch iron pipe found for
2 the most easterly northeast corner of said 213.7845 acre tract, an
3 exterior ell corner of said 461.178 acre tract and the most
4 southerly corner of said 17.119 acre tract;
5 THENCE North 31 degrees 46 minutes 05 seconds West, along the common
6 boundary between said 17.119 acre tract and said 213.7845 acre
7 tract, a distance of 609.38 feet to the POINT OF BEGINNING and
8 containing 745,700 square feet, or 17.119 acres of land, more or
9 less.

10 TRACT 5:

11 BEING a part of a tract or parcel of land situated in the Joseph
12 Stewart Survey, Abstract No. 961, Ellis County, Texas and, and
13 being part of that same tract of land from Karal Kay Cannon, to PRA
14 Prairie Ridge, L.P. as recorded in Book 3500, Page 0941, Volume
15 02111, Page 0873, Volume 02111, Page 0866, official public records
16 of Johnson county, texas and Volume 02111, Page 0850, Deed Records,
17 Ellis County, Texas, and all of a tract from Chris D. Cannon and
18 Deanna G. Cannon to PRA Prairie Ridge L.P., as described in Volume
19 02111, Page 0860, Deed Records of Ellis County, Texas, and Book
20 3500, Page 0958, of the Official Public Records of Johnson County,
21 Texas, and being more particularly described as follows:

22 POINT OF BEGINNING at a found 1/2-inch iron rod in County Road 506
23 at an intersection with the Ellis County and Johnson County limits
24 line along with the intersection of the Joseph Stewart Survey,
25 Abstract No. 961, the Joseph Stewart Survey, Abstract No. 754, and
26 the John H. Working Survey, Abstract No. 897;

27 THENCE North 56°14'52" East, along County Road 506, also known as

1 Lakeview Road, a distance of 892.63 feet to a set 5/8-inch iron rod
2 with yellow plastic cap stamped "Cotton Surveying" (hereinafter
3 referred to as set iron rod) for corner;
4 THENCE North 59°39'02" East, along said road, a distance of 4140.12
5 feet to a found 1/2-inch iron rod for corner;
6 THENCE South 25°48'57" East, leaving said road and along the west
7 line of a tract described to Robert A. Willis and wife, Lonnie
8 L. Willis in Volume 1298, Page 646, Deed Records of Ellis County
9 Texas, a distance of 448.65 feet to a found 1/2-inch iron rod for
10 corner;
11 THENCE North 60°04'57" East, along a South line of above described
12 tract, a distance of 2039 feet to a set iron rod for corner;
13 THENCE South 01°21'55" East, along a west line of a tract from
14 Richard J. Bantke and wife, Sandra Sue Bantke, to PRA Prairie Ridge
15 L.P., as described in Volume 02111, Page 0866, Deed Records of Ellis
16 County, Texas, a distance of 113.61 feet to a set iron rod for
17 corner;
18 THENCE along west line of said property, with a curve right having a
19 radius of 50.00 feet and a central angle of 71°14'05" and being
20 subtended by a chord which bears South 14°24'13" East, 58.24 feet;
21 THENCE southeasterly and southerly along said curve, a distance of
22 52.16 feet to a point of reverse curve, to a set iron rod for corner;
23 THENCE along west line of said property, with a curve left having a
24 radius of 15.50 feet and a central angle of 22°31'56" and being
25 subtended by a chord which bears South 09°56'52" West 6.06 feet;
26 THENCE southerly along said curve, a distance of 6.10 feet to a set
27 iron rod for corner;

1 THENCE South 01°19'06" East, along west line of said property,
2 tangent to said curve, a distance of 125.01 feet to a set iron rod
3 for corner;
4 THENCE along west line of said property, with a curve left having a
5 radius of 325.00 feet and a central angle of 20°45'58" and being
6 subtended by a chord which bears South 11°42'58" East, 117.15 feet;
7 THENCE southerly along said curve, along west line of said
8 property, a distance of 117.79 feet to a set iron rod for corner;
9 THENCE South 22°05'57" East, along west line of said property,
10 tangent to said curve, a distance of 73.92 feet to a point for
11 corner;
12 THENCE along west line of said property, with a curve right having a
13 radius of 231.08 feet and a central angle of 15°26'09" and being
14 subtended by a chord which bears South 14°21'12" East 62.07 feet;
15 THENCE southerly along said curve, along west line of said
16 property, a distance of 52.26 feet to a set iron rod for corner;
17 THENCE North 88°38'05" East, along south line of said property, with
18 a distance of 15.94 feet to a set iron rod for corner;
19 THENCE South 01°21'55" East, along west line of said property, a
20 distance of 180.00 feet to a set iron rod for corner;
21 THENCE North 88°38'05" East, along south line of said property, a
22 distance of 322.41 feet to the beginning of a curve tangent to said
23 line to a set iron rod for corner;
24 THENCE easterly, along south line of said property, along the curve
25 left, having a radius of 1350.00 feet and a central angle of
26 11°17'25" and being subtended by a chord which bears North 82°59'23"
27 East, 265.59 feet;

1 THENCE easterly and northeasterly a distance of 266.02 feet along
2 the said curve to a set iron rod for corner;
3 THENCE North 77°20'40" East tangent to said curve, a distance of
4 437.24 feet to the beginning of a curve tangent to said line to a set
5 iron rod for corner;
6 THENCE easterly, along south line of said property, with a curve
7 left, having a radius of 1000.00 feet and a central angle of
8 43°44'52" and being subtended by a chord which bears North 55°28'14"
9 East, 745.13 feet;
10 THENCE easterly and northeasterly a distance of 763.54 feet along
11 the said curve to a set iron rod for corner;
12 THENCE North 25°14'30" West, along east line of said property, a
13 distance of 849.17 feet to a found rod nail for corner;
14 THENCE North 58°10'54" East, along the south line of property of Tom
15 Larnon and wife, Crystal Larnon, as described in Volume 924, Page
16 0046. Deed Records of Ellis County, Texas, a distance of 419.44
17 feet to a found 3/4-inch pipe for corner;
18 THENCE North 59°34'27" East, along said south line, a distance of
19 1219.45 feet to a set iron rod for corner;
20 THENCE South 30°11'50" East, along the west line of the fifth and
21 sixth tracts of Bennett W. Cervin, as described in Volume 2001,
22 Page 0749, Deed Records of Ellis County, Texas, a distance of 823.56
23 feet to a set iron rod for corner;
24 THENCE South 30°19'53" East, along said west line of part of the said
25 fifth tract, a distance of 335.08 feet to a set iron rod for corner;
26 THENCE South 59°31'20" West, along the north line of the first tract
27 of Bennett W. Cervin as described in Volume 2001, Page 0749, Deed

1 Records of Ellis County, Texas, a distance of 1739.27 feet to a
2 found 1/2-inch iron rod for corner;
3 THENCE South 59°35'19" West, along north line of said first tract of
4 Bennett W. Cervin as described in Volume 2001, Page 0749, Ellis
5 County, Texas, a distance of 5098.10 feet to a found 3/4-inch iron
6 rod for corner;
7 THENCE South 30°20'14" East, along the west line of the said second
8 tract, a distance of 2453.47 feet to a set iron rod for corner;
9 THENCE South 59°47'54" West, along a north line of tract one of
10 Bennett W. Cervin, as described in Volume 2001, Page 0749 of the
11 Deed Records of Ellis County, Texas, a distance of 2411.12 feet to a
12 set iron rod for corner;
13 THENCE South 30°12'06" East, along a west line of the said tract one,
14 a distance of 596.60 feet to a set iron rod for corner;
15 THENCE South 59°47'49" West, along a north line of said tract one, a
16 distance of 1589.67 feet to a found 1/2-inch iron rod for corner;
17 THENCE North 00°47'39" West, along the Ellis County and Johnson
18 County limits, a distance of 5474.77 feet to the POINT OF BEGINNING
19 and containing 461.176 acres, more or less.

20 SECTION 5. (a) The legal notice of the intention to
21 introduce a bill to create the Prairie Ridge Municipal Management
22 District No. 1, setting forth the general substance of Sections 3
23 and 4 of this Act, has been published as provided by law, and the
24 notice and a copy of a bill to create the Prairie Ridge Municipal
25 Management District No. 1 have been furnished to all persons,
26 agencies, officials, or entities to which they are required to be
27 furnished under Section 59, Article XVI, Texas Constitution, and

1 Chapter 313, Government Code.

2 (b) The governor, one of the required recipients, has
3 submitted the notice and a bill to create the Prairie Ridge
4 Municipal Management District No. 1 to the Texas Commission on
5 Environmental Quality.

6 (c) The Texas Commission on Environmental Quality has filed
7 its recommendations relating to a bill to create the Prairie Ridge
8 Municipal Management District No. 1 with the governor, lieutenant
9 governor, and speaker of the house of representatives within the
10 required time.

11 (d) The general law relating to consent by political
12 subdivisions to the creation of districts with conservation,
13 reclamation, and road powers and the inclusion of land in those
14 districts has been complied with.

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

19 SECTION 6. (a) Section 3954.104, Special District Local
20 Laws Code, as added by this Act, takes effect only if this Act
21 receives a two-thirds vote of all the members elected to each house.

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

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

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

4 SECTION 7. This Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

Atay Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Bidwell*

1 Amend C.S.H.B. No. 4303 (senate committee report) as
2 follows:

3 (1) In SECTION 3 of the bill, in added Subchapter A, Chapter
4 3954, Special District Local Laws Code (page 3, between lines 27 and
5 28), insert the following:

6 Sec. 3954.010. CONFLICT WITH REGIONAL WATER DISTRICT. To
7 the extent any authority or power granted to the district conflicts
8 with any authority or power granted to the Tarrant Regional Water
9 District, the authority or power granted to the Tarrant Regional
10 Water District supersedes and controls over the authority or power
11 granted to the district, unless the Tarrant Regional Water District
12 consents to the exercise of the authority or power by the district.

13 (2) In SECTION 3 of the bill, strike the heading to added
14 Section 3954.010, Special District Local Laws Code (page 3, line
15 28) and substitute "Sec. 3954.011. CONSTRUCTION OF CHAPTER.".

16 (3) In SECTION 3 of the bill, strike added Section
17 3954.103(b), Special District Local Laws Code (page 4, lines 19
18 through 21), and substitute the following:

19 (b) The district may add territory as described by
20 Subsection (a) only if the district obtains written consent from:

21 (1) the governing body of the city; and

22 (2) any public entity that owns facilities for the
23 inter-county transportation of water in the area proposed to be
24 annexed.

25 (4) In SECTION 3 of the bill, in added Section 3954.154,
26 Special District Local Laws Code (page 5, between lines 41 and 42),
27 insert the following:

28 (e) The district may not impose an assessment on property or
29 facilities owned, controlled, or operated by a public entity.

1 (5) Strike the text of SECTION 4 of the bill (page 7, line 8,
2 through page 12, line 39) and substitute the following:

3 (a) TRACT 1:

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

18 BEGINNING at a point in County Road 506 at an intersection with the
19 Ellis County and Johnson County limits line along with the
20 intersection of the Joseph Stewart Survey, Abstract No. 961, the
21 Joseph Stewart Survey, Abstract No. 754, and the John H. Working
22 Survey, Abstract No. 897;

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

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

30 THENCE North 30°19'12" West, along an east line of a Jeniffer
31 N. Sweeney tract described in Book 0608, Page 830, Deed Records,

1 Johnson County, Texas, a distance of 767.82 feet to a 1/2" iron rod
2 found;
3 THENCE South 59°32'27" West, along a north line of said Jeniffer
4 N. Sweeney tract, a distance of 5401.00 feet to a 1/2" iron rod
5 found;
6 THENCE North 30°44'12" West, along County Road 619, a distance of
7 1053.81 feet to a 1/2" iron rod found;
8 THENCE North 59°59'51" East, leaving said county road, along a north
9 line of a tract of land from Phillip Nabors Smauder and Jennie
10 Smauder Pope, to PRA Prairie Ridge, L.P. as described in County
11 Clerk File No. 2104-00248, Official Public Records of Johnson
12 County, Texas a distance of 291.69 feet;
13 THENCE North 30°44'47" West, along a west line of said Smauder
14 tract, a distance of 150.00 feet to a 1/2" iron rod found;
15 THENCE South 59°59'52" West, along a south line of Smauder tract, to
16 County Road 619, a distance of 291.67 feet to a 1/2" iron rod found;
17 THENCE North 30°44'12" West, along a west line of said Smauder tract
18 a distance of 2672.24 feet to a 1/2" iron rod found;
19 THENCE North 59°59'42" East, along a north line of said Smauder
20 tract, a distance of 888.13 feet to a 1/2" iron rod found;
21 THENCE North 60°06'44" East, along a north line of said Smauder
22 tract, a distance of 1077.88 feet to a 1/2" iron rod found;
23 THENCE North 59°33'36" East, along a north line of said Smauder
24 tract, a distance of 1233.53 feet to a 1/2" iron rod found;
25 THENCE North 60°12'38" East, along a north line of said Smauder
26 tract, a distance of 2229.85 feet to a 1/2" iron rod found;
27 THENCE North 56°47'57" East, reaching a northeasterly 90° elbow in
28 County Road 506, along a south line of tract described in Book 3256,
29 Page 0733, Deed Records, Johnson County, Texas, a distance of
30 3239.36 feet to the POINT OF BEGINNING, containing 678.614 acres,
31 more or less.

1 TRACT 2:

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

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

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

25 Thence S 01°22'20" E, along the common line of said Vang, Hang, Moua
26 tract, passing a found 1/2-inch iron rod with a yellow plastic cap
27 stamped "RPLS 4466" at 1,372.08 continuing for a total distance of
28 1,406.52 feet to a found 1/2-inch iron rod with a yellow plastic cap
29 stamped "RPLS 4466" in the centerline of County Road 506 Greasy Road
30 (Lakeview Road);

31 Thence S 59°39'02" W, along the centerline of said County Road, a

1 distance of 1,015.46 feet to a found 5/8-inch iron rod with a yellow
2 plastic cap stamped "Cotton Surveying" (hereinafter referred to as
3 set iron rod) for corner;
4 Thence S 59°43'42" W, continuing along the centerline of said County
5 Road, a distance of 402.48 feet to a found railroad spike at the
6 intersection of said County Road and Cypress Road, said point being
7 the South corner of said Sunset Park Addition and the South corner
8 of this herein described tract of land;
9 Thence N 00°14'22" W, along the centerline of Cypress Road, the West
10 line of said Sunset Park Addition, a distance of 865.02 feet to a
11 found 1/2-inch iron rod for corner;
12 Thence N 59°30'57" E, passing a 1/2-inch iron rod at 37.40 at the
13 Southwest corner of the Sunset Park, Phase 2 Addition, according to
14 the plat thereof recorded in Cabinet "C", Slide 438, plat records,
15 Ellis County, Texas, continuing for a total distance of 417.09 feet
16 to a found 1/2-inch iron rod with a yellow plastic cap at the
17 Southeast Corner of said Sunset Park Phase 2 Addition and the West
18 line of said Brumbeloe tract for corner;
19 Thence N 03°03'40" E, along the East line of said Sunset Park Phase 2
20 Addition tract and the West line of said Brumbeloe tract, a distance
21 of 103.80 feet to a found 1/2-inch iron rod;
22 Thence N 00°31'47" W, along the East line of said Sunset Park Phase 2
23 Addition tract and the West line of said Brumbeloe tract, a distance
24 of 60.37 feet to a found 1/2-inch iron rod for corner;
25 Thence N 00°05'09" W, along the East line of said Sunset Park Phase 2
26 Addition tract and the West line of said Brumbeloe tract, a distance
27 of 129.83 feet to a 2-inch iron pipe for corner;
28 Thence N 01°06'07" W, along the East line of said Sunset Park Phase 2
29 Addition tract and the West line of said Brumbeloe tract, a distance
30 of 130.88 feet to a found 1-inch iron pipe for corner;
31 Thence N 01°03'32" W, along the East line of said Sunset Park Phase 2

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

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

10 TRACT 3:

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

16 POINT OF BEGINNING at a 1/2-inch iron rod found for the west corner
17 of a tract of land conveyed to Tom Lamon, and wife, Crystal Lamon,
18 as recorded in Volume 924, Page 46, Deed Records, Ellis County,
19 Texas, said point being on the Southeast edge of County Road
20 506/Greasy Road (Lakeview Road);

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

28 THENCE South 58°10'54" West, along the Northwest line of said
29 Waltmore tract, a distance of 419.44 feet to a rod nail found for
30 the West corner of said Waltmore tract and an interior ell corner of
31 this herein described tract of land;

1 THENCE South 25°14'30" East, continuing along the Northwest line of
2 said Waltmore tract, a distance of 849.17 feet to a set 5/8-inch
3 iron rod with yellow plastic cap stamped "Cotton Surveying"
4 (hereinafter referred to as set iron rod) for corner;
5 THENCE across land described in Volume 02111, Page 0866, Deed
6 Records of Ellis County, Texas, the following course and distances:
7 Southwesterly along a curve to the right having a central angle of
8 43°44'52", a radius of 1000.00 feet, whose chord bears South
9 55°28'14" West, a chord distance of 745.13 feet, and an arc length of
10 763.54 feet to a set iron rod for corner;
11 South 77°20'40" West a distance of 437.24 feet to a set iron rod for
12 corner;
13 Westerly along a curve to the right having a central angle of
14 11°17'25", a radius of 1350.00 feet, whose chord bears South
15 82°59'23" West, a chord distance of 265.59 feet, and an arc length of
16 266.02 feet to a set iron rod for corner;
17 South 88°38'05" West a distance of 288.43 feet to a set iron rod for
18 corner;
19 South 88°38'05" West a distance of 33.98 feet to a set iron rod for
20 corner;
21 North 01°21'55" West a distance of 180.00 feet to a point for corner;
22 South 88°38'05" West a distance of 15.94 feet to a point for corner;
23 Northerly along a curve to the left having a central angle of
24 15°26'09", a radius of 231.08 feet, whose chord bears North 14°21'12"
25 West, a chord distance of 62.07 feet, and an arc length of 62.26
26 feet to a set iron rod for corner;
27 North 22°05'57" West a distance of 73.92 feet to a set iron rod for
28 corner;
29 Northerly along a curve to the right having a central angle of
30 20°45'58", a radius of 325.00 feet, whose chord bears North 11°42'58"
31 West, a chord distance of 117.15 feet, and an arc length of 117.79

1 feet to a set iron rod for corner;
2 North 01°19'06" West a distance of 125.01 feet to a point for corner;
3 Northerly along a curve to the right having a central angle of
4 22°31'56", a radius of 15.50 feet, whose chord bears North 09°56'52"
5 East, a chord distance of 6.06 feet, and an arc length of 6.10 feet
6 to a set iron rod for corner;
7 Northwesterly along said curve to the left having a central angle of
8 71°14'05", a radius of 50.00 feet, whose chord bears North 14°24'13"
9 West, a chord distance of 58.24 feet, and an arc length of 62.16
10 feet to a set iron rod for corner;
11 North 01°21'55" West, a distance of 113.61 feet to a set iron rod for
12 corner;
13 THENCE North 60°04'57" East, along the Southeast line of a tract
14 described to Robert A. Willis and wife, Lonnie L. Willis, as
15 recorded in Volume 1298, Page 646, Deed Records of Ellis County,
16 Texas, a distance of 205.36 feet to a found 1/2-inch iron rod for
17 corner;
18 THENCE North 25°47'09" West, along the Northeast line of said Willis
19 tract, a distance of 450.38 feet to a found 1/2-inch iron rod for
20 the North corner of said Willis tract;
21 THENCE North 59°39'02" East, a distance of 1,650.09 feet to the
22 POINT OF BEGINNING and containing 55.967 acres of land, more or
23 less.
24 TRACT 4:
25 BEING a tract of land situated in the Joseph Stewart Survey,
26 Abstract No. 961, in Ellis County, Texas, said tract being all of a
27 called 17.119 acre tract of land described in a deed to Texas
28 Midstream Gas Services, L.L.C., recorded in Volume 2342, Page 136,
29 Deed Records, Ellis County, Texas, and being more particularly
30 described as follows:
31 BEGINNING and a 1/2-inch iron rod found in the approximate center of

1 Lakeview Drive for the most westerly corner of said 17.119 acre
2 tract, the north corner of a called 213.7845 acre tract of land
3 described in a deed to PRA Prairie Ridge, L.P., recorded in Volume
4 2111, Page 866 of said Deed Records and on the southeasterly
5 boundary of a called 198.758 acre tract described in a deed to
6 Harper Cattle Company, recorded in Volume 1205, Page 47 of said Deed
7 Records;

8 THENCE North 59 degrees 35 minutes 08 seconds East, along the
9 approximate center of Lakeview Drive, a distance of 1,186.71 feet
10 to a 1/2-inch iron rod found for the most northerly corner of said
11 17.119 acre tract and the west corner of a called 0.057 acre tract
12 described in a deed to the State of Texas, recorded in Volume 340,
13 Page 390 of said Deed Records;

14 THENCE South 29 degrees 53 minutes 02 seconds East, along the common
15 boundary between said 17.119 acre tract and said 0.057 acre tract, a
16 distance of 49.83 feet to a 1/2-inch iron rod found for an interior
17 ell corner of said 17.119 acre tract and the south corner of said
18 0.057 acre tract;

19 THENCE North 59 degrees 29 minutes 07 seconds East, continuing
20 along the common boundary between said 17.119 acre tract and said
21 0.057 acre tract, a distance of 50.09 feet to a 1/2-inch iron rod
22 found for the northerly northeast corner of said 17.119 acre tract
23 and the east corner of said 0.057 acre tract, and on the
24 southwesterly boundary of a called 10 acre tract described as Tract
25 6 in a deed to Bennett W. Cervin recorded in Volume 2001, Page 749
26 of said Deed Records;

27 THENCE South 30 degrees 08 minutes 24 seconds East, along the common
28 boundary between said 17.119 acre tract and said 10 acre tract, a
29 distance of 559.67 feet to a 5/8-inch iron rod with cap marked
30 "PETITT - RPLS 4087" set for the most easterly corner of said 17.119
31 acre tract and the most northerly corner of a called 461.178 acre

1 tract described in a deed to PRA Prairie Ridge Development Corp.,
2 recorded in Volume 2325, Page 470 of said Deed Records;
3 THENCE South 59 degrees 35 minutes 41 seconds West, along the common
4 boundary between said 17.119 acre tract and said 461.178 acre
5 tract, a distance of 1,219.26 feet to a 1-inch iron pipe found for
6 the most easterly northeast corner of said 213.7845 acre tract, an
7 exterior ell corner of said 461.178 acre tract and the most
8 southerly corner of said 17.119 acre tract;
9 THENCE North 31 degrees 46 minutes 05 seconds West, along the common
10 boundary between said 17.119 acre tract and said 213.7845 acre
11 tract, a distance of 609.38 feet to the POINT OF BEGINNING and
12 containing 745,700 square feet, or 17.119 acres of land, more or
13 less.
14 TRACT 5:
15 BEING a part of a tract or parcel of land situated in the Joseph
16 Stewart Survey, Abstract No. 961, Ellis County, Texas and, and
17 being part of that same tract of land from Karal Kay Cannon, to PRA
18 Prairie Ridge, L.P. as recorded in Book 3500, Page 0941, Volume
19 02111, Page 0873, Volume 02111, Page 0866, official public records
20 of Johnson county, texas and Volume 02111, Page 0850, Deed Records,
21 Ellis County, Texas, and all of a tract from Chris D. Cannon and
22 Deanna G. Cannon to PRA Prairie Ridge L.P., as described in Volume
23 02111, Page 0860, Deed Records of Ellis County, Texas, and Book
24 3500, Page 0958, of the Official Public Records of Johnson County,
25 Texas, and being more particularly described as follows:
26 POINT OF BEGINNING at a found 1/2-inch iron rod in County Road 506
27 at an intersection with the Ellis County and Johnson County limits
28 line along with the intersection of the Joseph Stewart Survey,
29 Abstract No. 961, the Joseph Stewart Survey, Abstract No. 754, and
30 the John H. Working Survey, Abstract No. 897;
31 THENCE North 56°14'52" East, along County Road 506, also known as

1 Lakeview Road, a distance of 892.63 feet to a set 5/8-inch iron rod
2 with yellow plastic cap stamped "Cotton Surveying" (hereinafter
3 referred to as set iron rod) for corner;
4 THENCE North 59°39'02" East, along said road, a distance of 4140.12
5 feet to a found 1/2-inch iron rod for corner;
6 THENCE South 25°48'57" East, leaving said road and along the west
7 line of a tract described to Robert A. Willis and wife, Lonnie
8 L. Willis in Volume 1298, Page 646, Deed Records of Ellis County
9 Texas, a distance of 448.65 feet to a found 1/2-inch iron rod for
10 corner;
11 THENCE North 60°04'57" East, along a South line of above described
12 tract, a distance of 2039 feet to a set iron rod for corner;
13 THENCE South 01°21'55" East, along a west line of a tract from
14 Richard J. Bantke and wife, Sandra Sue Bantke, to PRA Prairie Ridge
15 L.P., as described in Volume 02111, Page 0866, Deed Records of Ellis
16 County, Texas, a distance of 113.61 feet to a set iron rod for
17 corner;
18 THENCE along west line of said property, with a curve right having a
19 radius of 50.00 feet and a central angle of 71°14'05" and being
20 subtended by a chord which bears South 14°24'13" East, 58.24 feet;
21 THENCE southeasterly and southerly along said curve, a distance of
22 52.16 feet to a point of reverse curve, to a set iron rod for corner;
23 THENCE along west line of said property, with a curve left having a
24 radius of 15.50 feet and a central angle of 22°31'56" and being
25 subtended by a chord which bears South 09°56'52" West 6.06 feet;
26 THENCE southerly along said curve, a distance of 6.10 feet to a set
27 iron rod for corner;
28 THENCE South 01°19'06" East, along west line of said property,
29 tangent to said curve, a distance of 125.01 feet to a set iron rod
30 for corner;
31 THENCE along west line of said property, with a curve left having a

1 radius of 325.00 feet and a central angle of 20°45'58" and being
2 subtended by a chord which bears South 11°42'58" East, 117.15 feet;
3 THENCE southerly along said curve, along west line of said
4 property, a distance of 117.79 feet to a set iron rod for corner;
5 THENCE South 22°05'57" East, along west line of said property,
6 tangent to said curve, a distance of 73.92 feet to a point for
7 corner;
8 THENCE along west line of said property, with a curve right having a
9 radius of 231.08 feet and a central angle of 15°26'09" and being
10 subtended by a chord which bears South 14°21'12" East 62.07 feet;
11 THENCE southerly along said curve, along west line of said
12 property, a distance of 52.26 feet to a set iron rod for corner;
13 THENCE North 88°38'05" East, along south line of said property, with
14 a distance of 15.94 feet to a set iron rod for corner;
15 THENCE South 01°21'55" East, along west line of said property, a
16 distance of 180.00 feet to a set iron rod for corner;
17 THENCE North 88°38'05" East, along south line of said property, a
18 distance of 322.41 feet to the beginning of a curve tangent to said
19 line to a set iron rod for corner;
20 THENCE easterly, along south line of said property, along the curve
21 left, having a radius of 1350.00 feet and a central angle of
22 11°17'25" and being subtended by a chord which bears North 82°59'23"
23 East, 265.59 feet;
24 THENCE easterly and northeasterly a distance of 266.02 feet along
25 the said curve to a set iron rod for corner;
26 THENCE North 77°20'40" East tangent to said curve, a distance of
27 437.24 feet to the beginning of a curve tangent to said line to a set
28 iron rod for corner;
29 THENCE easterly, along south line of said property, with a curve
30 left, having a radius of 1000.00 feet and a central angle of
31 43°44'52" and being subtended by a chord which bears North 55°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;
28 THENCE South 59°47'54" West, along a north line of tract one of
29 Bennett W. Cervin, as described in Volume 2001, Page 0749 of the
30 Deed Records of Ellis County, Texas, a distance of 2411.12 feet to a
31 set iron rod for corner;

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

8 (b) There is saved and excepted from the land included
9 within the district, and excluded therefrom, the following tracts:

10 SAVE AND EXCEPT TRACT "A"

11 Property Description

12 Being 7.016-acres (305,615 square feet) of land situated in
13 the Joseph Stewart Survey, Abstract Number 961, Ellis County,
14 Texas, and more particularly that certain 461.178 acre tract
15 conveyed to PRA Prairie Ridge Development Corp., as recorded in
16 Volume 2325, Page 470, Official Public Records, Ellis County,
17 Texas, (O.P.R.E.C.T.), and being further described as follows:

18 COMMENCING at a point at an ell corner of said PRA Prairie
19 Ridge Development Corp. tract and at the Northwest corner of a tract
20 of land to Nita Carol Cervin Miskovitch Trust and Bennett W. Cervin,
21 recorded in Volume 1999, Page 235, O.P.R.E.C.T., from which a found
22 3/4 inch iron pipe bears N 59°35'16" E, 1.92 feet;

23 THENCE N 59°35'16" E, along the South line of said PRA Prairie
24 Ridge Development Corp. tract and the North line of said Cervin
25 tract, a distance of 1,436.81 feet to a set 5/8" iron rod with
26 Transystems cap at the Southwest corner of tract herein described
27 and the POINT OF BEGINNING (N: 6,866,906.023, E: 2,407,278.644
28 Grid);

29 (1) THENCE N 1°15'48" W, along the West line of tract herein
30 described, a distance of 2,037.32 feet to a set PK Nail for the
31 Northwest corner of tract herein described, also being in the

1 centerline of CR 506 (Lakeview Road), a 60 foot Right-of-Way, no
2 deed of record found, and on the South line of a tract of land to
3 Cynthia L. Roe, as recorded in Volume 767, Page 521, D.R.E.C.T.;

4 (2) THENCE N 59°31'17" E, along the North line of tract
5 herein described, the South line of said Roe tract and the
6 centerline of said CR 506, a distance of 171.86 feet to a set PK Nail
7 for the Northeast corner of tract herein described;

8 (3) THENCE S 1°15'48" E, along the East line of tract herein
9 described, a distance of 2,037.55 feet to a set 5/8" iron rod with
10 Transystems cap for the Southeast corner of tract herein described
11 also on the North line of said Cervin tract;

12 (4) THENCE S 59°35'16" W, along the South line of tract
13 herein described and the North line of said Cervin tract, a distance
14 of 64.00 feet to a point, from which a found 5/8 inch iron rod bears
15 S 30°24'17" E, 1.14 feet;

16 (5) THENCE S 59°35'16" W, along the South line of tract
17 herein described and the North line of said Cervin tract, a distance
18 of 107.75 feet to the POINT OF BEGINNING, containing 7.016-acres
19 (305,615 square feet) of land, more or less.

20 SAVE AND EXCEPT TRACT B

21 Property Description

22 Being 2.285-acres (99,535 square feet) of land situated in
23 the Joseph Stewart Survey, Abstract Number 961, Ellis County,
24 Texas, and more particularly that certain 461.178 acre tract
25 conveyed to PRA Prairie Ridge Development Corp., as recorded in
26 Volume 2325, Page 470, Official Public Records, Ellis County,
27 Texas, (O.P.R.E.C.T.), and being further described as follows:

28 COMMENCING at a PK Nail found at the Southwest corner of a
29 tract of land conveyed to Cynthia L. Roe, as recorded in Volume 767,
30 Page 521, D.R.E.C.T.;

31 THENCE N 59°31'17" E, along the South line of said Cynthia L.

1 Roe tract and the North line of said PRA Prairie Ridge Development
2 Corp. tract, also being in the centerline of CR 506 (Lakeview Road),
3 a 60 foot Right-of-Way, no deed of record found, a distance of
4 302.39 feet to a PK Nail set at the Northwest corner of tract herein
5 described and the POINT OF BEGINNING (N: 6,868,884.500, E:
6 2,407,135.005 Grid);

7 (1) THENCE N 59°31'17" E, along the South line of said
8 Cynthia L. Roe tract, on the centerline of said CR 506 (Lakeview
9 Road), the North line of said PRA Prairie Ridge Development Corp.
10 tract, and the North line of tract herein described, a distance of
11 114.57 to a PK Nail set;

12 (2) THENCE S 01°15'48" E, along the East line of tract herein
13 described, a distance of 1,012.01 feet to a set 5/8" iron rod with
14 Transystems cap for the Southeast corner of tract herein described,
15 being on the North line of a 60' Easement and Right-of-Way to Brazos
16 Electric Power Cooperative, Inc., as recorded in Volume 428, Page
17 433, Deed Records, Johnson County Texas;

18 (3) THENCE S 75°59'42" W, along the South line of tract
19 herein described and the North line of said Brazos Electric tract, a
20 distance of 102.52 feet to a set 5/8" iron rod with Transystems cap
21 for the Southwest corner of tract herein described;

22 (4) THENCE N 01°15'48" W, along the West line of tract herein
23 described, a distance of 978.70 feet to the POINT OF BEGINNING,
24 containing 2.285-acres (99,535 square feet) of land, more or less.

25 NOTE: Basis of bearing is the Texas State Plane Coordinate
26 System, North Central Zone (4202), North American Datum 1983 NAD
27 83)(2007) with all distances adjusted to surface by project
28 combined scale factor of 0.9998802448.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 25, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (Relating to the creation of the Prairie Ridge Municipal Management District No. 1 and to the correction of defined terms in the law governing the Joshua Farms Municipal Management District No. 1 and the law governing the Joshua Farms Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Prairie Ridge Municipal Management District No. 1. The district would have authority for improvement projects and services. The district would have authority to issue bonds and other obligations. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 22, 2017

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (Relating to the creation of the Prairie Ridge Municipal Management District No. 1 and to the correction of defined terms in the law governing the Joshua Farms Municipal Management District No. 1 and the law governing the Joshua Farms Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Prairie Ridge Municipal Management District No. 1. The district would have authority for improvement projects and services. The district would have authority to issue bonds and other obligations. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 20, 2017

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (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.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Prairie Ridge Municipal Management District No. 1. The district would have authority for improvement projects and services. The district would have authority to issue bonds and other obligations. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 2, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (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.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Prairie Ridge Municipal Management District No. 1. The district would have authority for improvement projects and services. The district would have authority to issue bonds and other obligations. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 26, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (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.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Prairie Ridge Municipal Management District No. 1. The district would have authority for improvement projects and services. The district would have authority to issue bonds and other obligations. The district would have authority to impose an operation and maintenance tax and a contract tax. The district would have limited power of eminent domain.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

May 22, 2017

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (Relating to the creation of the Prairie Ridge Municipal Management District No. 1 and to the correction of defined terms in the law governing the Joshua Farms Municipal Management District No. 1 and the law governing the Joshua Farms Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.), **Committee Report 2nd House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Prairie Ridge Municipal Management District No. 1 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4303, staff is unable to determine a population estimate.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Johnson County served by small systems or private wells (County-Other) is 14,888. The Johnson County-Other population projections approved for the 2017 State Water Plan projects the population to be 15,131 in 2020, 14,810 in 2030 and 15,224 in 2040.

The 2010 population estimate for areas of Ellis County served by small systems or private wells (County-Other) is 6,012. The Ellis County-Other population projections approved for the 2017 State Water Plan projects the population to be 6,100 in 2020, 6,500 in 2030 and 7,177 in 2040.

Location - The Proposed district's initial boundaries are described with a combination of Original Texas Land Surveys, Johnson County Real Property Records, Ellis County Real Property Records and metes and bounds. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 1.95 square miles on the northern boundary between Johnson and Ellis County. The proposed district is located south of the Cities of Mansfield and Grand Prairie, and west of the City of Midlothian.

Comments on Powers/Duties Different from Similar Types of Districts: House Committee

Substitute 2 adds language to correct defined terms in laws governing Joshua Farms Municipal Management District No. 1 and Joshua Farms Municipal Management District No. 2; House Committee Substitute 2 amends Special Districts Local Laws Code defining "City" to mean City of Cleburne in Section 3926, and defining "City" to mean City of Burleson in Section 3929; House Committee Substitute 2 removes language pertaining to compensation of directors that limited how much a director may be compensated, and replaces it with language that states a director may receive fees for expenses provide by Section 49.060, Water Code; House Committee Substitute 2 adds language that states eminent domain may not acquire by condemnation a property interest or facility owned or controlled by a public entity.

This bill amends the Special District Local Laws Code by adding Chapter 3954 which creates the Prairie Ridge Municipal Management District No. 1 (District) with the powers and duties of a standard municipal management district under Local Government Code Chapter 375 and a standard public improvement district under Local Government Code Chapter 372 with the following specificities; 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; Local Government Code Chapter 375, Subchapter B, relating to the creation of a district, and Subchapter O, relating to defense adjustment management authority, do not apply to the District; The District may not provide retail water or sewer services; The board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code; The District may exercise the power of eminent domain in the manner and for the purposes provided by Section 49.222, Water Code; The bill allows the District to divide; Local Government Code Section 375.161 states that an MMD may not impose an impact fee, assessment, tax, or other requirement for payment, construction, alteration, or dedication under this chapter on single-family detached residential property, duplexes, triplexes, and fourplexes. The bill specifies that this section does not apply to the District; Local Government Code Section 375.164 states that the board may exempt residential property from all or a part of the assessments levied on that property or determine that residential property will not be benefited by the proposed improvement project or services. The bill specifies that this section does not apply to the District; Local Government Code Section 375.207(a) states that a district must obtain approval of the municipality in which it is located for bond issues and plans and specifications for an improvement project before bonds may be issued, and Local Government Code Section 375.207(b) states that instead of approval of bonds by the municipality, a district may obtain approval of a capital improvements budget. The bill specifies that these sections do not apply to the District; Local Government Code Section 375.208 states that a district must obtain approval of the TCEQ if it issues bonds to provide water, sewage, or drainage facilities; The bill specifies that this section does not apply to the District for a bond, note, or other obligation of the District payable from assessments; Local Government Code Section 375.243 states that the board may not call a bond election unless a written petition has been filed with the board requesting an election; The bill specifies that this section does not apply to the District; The City may dissolve the District by ordinance.

If the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use - HB 4303 specifies that the district "may not provide retail water or sewer services"

but has limited powers and duties provided by the general law of the state, including "Subchapter J of Chapter 49 Water Code, applicable to management districts created under Section 59, Article XVI, Texas Constitution".

Within Johnson County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Eighty two percent of all the groundwater pumping was for municipal use.

Within Ellis County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Sixty four percent of all the groundwater pumping was for municipal use.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

May 4, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (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.), **Committee Report 1st House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Prairie Ridge Municipal Management District No. 1 (District) with the powers and duties of a standard municipal management district under Local Government Code Chapter 375 and a standard public improvement district under Local Government Code 372.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4303, staff is unable to determine a population estimate.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Johnson County served by small systems or private wells (County-Other) is 14,888. The Johnson County-Other population projections approved for the 2017 State Water Plan projects the population to be 15,131 in 2020, 14,810 in 2030 and 15,224 in 2040.

The 2010 population estimate for areas of Ellis County served by small systems or private wells (County-Other) is 6,012. The Ellis County-Other population projections approved for the 2017 State Water Plan projects the population to be 6,100 in 2020, 6,500 in 2030 and 7,177 in 2040.

Location - The Proposed district's initial boundaries are described with a combination of Original Texas Land Surveys, Johnson County Real Property Records, Ellis County Real Property Records and metes and bounds. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 1.95 square miles on the northern boundary between Johnson and Ellis County. The proposed district is located south of the Cities of Mansfield and Grand Prairie, and west of the City of Midlothian.

Comments on Powers/Duties Different from Similar Types of Districts: The House Committee Substitute revises language of Special District Local Laws Code by adding language for

requirements of consent of the municipality to hold an election; the House Committee Substitute also adds five names to the Board of Directors to fulfill the positions of initial directors; the House Committee Substitute also removes the language of Subchapter C Powers and Duties that pertained to Public Improvement District powers, and also removes language that prohibited retail water and sewer services; the House Committee Substitute also revises language to the section for Division of District, which describes the prerequisites and procedures for division; the House Committee Substitute also revises language to Subchapter E Taxes and Bonds regarding when issuance of bonds payable by taxes are permitted, specifically pertaining to improvements financed by an obligation and applicability of Subchapter A, Chapter 372.

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; Local Government Code Chapter 375, Subchapter B, relating to the creation of a district, and Subchapter O, relating to defense adjustment management authority, do not apply to the District; the District may not provide retail water or sewer services; the board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code; the District may exercise the power of eminent domain in the manner and for the purposes provided by Section 49.222, Water Code; the bill allows the District to divide; Local Government Code Section 375.161 states that an MMD may not impose an impact fee, assessment, tax, or other requirement for payment, construction, alteration, or dedication under this chapter on single-family detached residential property, duplexes, triplexes, and fourplexes. The bill specifies that this section does not apply to the District; Local Government Code Section 375.164 states that the board may exempt residential property from all or a part of the assessments levied on that property or determine that residential property will not be benefited by the proposed improvement project or services. The bill specifies that this section does not apply to the District; Local Government Code Section 375.207(a) states that a district must obtain approval of the municipality in which it is located for bond issues and plans and specifications for an improvement project before bonds may be issued, and Local Government Code Section 375.207(b) states that instead of approval of bonds by the municipality, a district may obtain approval of a capital improvements budget. The bill specifies that these sections do not apply to the District; Local Government Code Section 375.208 states that a district must obtain approval of the TCEQ if it issues bonds to provide water, sewage, or drainage facilities. The bill specifies that this section does not apply to the District for a bond, note, or other obligation of the District payable from assessments; Local Government Code Section 375.243 states that the board may not call a bond election unless a written petition has been filed with the board requesting an election. The bill specifies that this section does not apply to the District; the City may dissolve the District by ordinance; if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use - HB 4303 specifies that the district "may not provide retail water or sewer services" but has limited powers and duties provided by the general law of the state, including "Subchapter J of Chapter 49 Water Code, applicable to management districts created under Section 59, Article XVI, Texas Constitution".

Within Johnson County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Eighty two percent of all the groundwater pumping was for municipal use.

Within Ellis County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Sixty four percent of all the groundwater pumping was for municipal use.

Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

April 24, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4303 by Burns (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.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Prairie Ridge Municipal Management District No. 1 (District) with the powers and duties of a standard municipal management district under Local Government Code Chapter 375 and a standard public improvement district under Local Government Code 372.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4303, staff is unable to determine a population estimate.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Johnson County served by small systems or private wells (County-Other) is 14,888. The Johnson County-Other population projections approved for the 2017 State Water Plan projects the population to be 15,131 in 2020, 14,810 in 2030 and 15,224 in 2040.

The 2010 population estimate for areas of Ellis County served by small systems or private wells (County-Other) is 6,012. The Ellis County-Other population projections approved for the 2017 State Water Plan projects the population to be 6,100 in 2020, 6,500 in 2030 and 7,177 in 2040.

Location - The Proposed district's initial boundaries are described with a combination of Original Texas Land Surveys, Johnson County Real Property Records, Ellis County Real Property Records and metes and bounds. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 1.95 square miles on the northern boundary between Johnson and Ellis County. The proposed district is located south of the Cities of Mansfield and Grand Prairie, and west of the City of Midlothian.

Comments on Powers/Duties Different from Similar Types of Districts: 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; Local Government Code Chapter 375, Subchapter B,

relating to the creation of a district, and Subchapter O, relating to defense adjustment management authority, do not apply to the District; the District may not provide retail water or sewer services; the board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code; the District may exercise the power of eminent domain in the manner and for the purposes provided by Section 49.222, Water Code; the bill allows the District to divide; Local Government Code Section 375.161 states that an MMD may not impose an impact fee, assessment, tax, or other requirement for payment, construction, alteration, or dedication under this chapter on single-family detached residential property, duplexes, triplexes, and fourplexes. The bill specifies that this section does not apply to the District; Local Government Code Section 375.164 states that the board may exempt residential property from all or a part of the assessments levied on that property or determine that residential property will not be benefited by the proposed improvement project or services. The bill specifies that this section does not apply to the District; Local Government Code Section 375.207(a) states that a district must obtain approval of the municipality in which it is located for bond issues and plans and specifications for an improvement project before bonds may be issued, and Local Government Code Section 375.207(b) states that instead of approval of bonds by the municipality, a district may obtain approval of a capital improvements budget. The bill specifies that these sections do not apply to the District; Local Government Code Section 375.208 states that a district must obtain approval of the TCEQ if it issues bonds to provide water, sewage, or drainage facilities. The bill specifies that this section does not apply to the District for a bond, note, or other obligation of the District payable from assessments; Local Government Code Section 375.243 states that the board may not call a bond election unless a written petition has been filed with the board requesting an election. The bill specifies that this section does not apply to the District; the City may dissolve the District by ordinance; if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use - HB 4303 specifies that the district "may not provide retail water or sewer services" but has limited powers and duties provided by the general law of the state, including "Subchapter J of Chapter 49 Water Code, applicable to management districts created under Section 59, Article XVI, Texas Constitution".

Within Johnson County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Eighty two percent of all the groundwater pumping was for municipal use.

Within Ellis County, 31 percent of the total water use was groundwater (Trinity Aquifer) in 2014. Sixty four percent of all the groundwater pumping was for municipal use.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: UP, SZ