

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

CONFERENCE

SECTION \_\_. (a) Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3959 to read as follows:

CHAPTER 3959. NORTH CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3959.001. DEFINITIONS. In this chapter:

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

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

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

(4) "Director" means a board member.

(5) "District" means the North Celina Municipal Management District No. 3.

Sec. 3959.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3959.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c) The district is created to supplement and not to supplant city services provided in the district.  
Sec. 3959.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.  
(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.  
(c) The creation of the district is in the public interest and is essential to further the public purposes of:  
(1) developing and diversifying the economy of the state;  
(2) eliminating unemployment and underemployment;  
(3) developing or expanding transportation and commerce;  
and  
(4) providing quality residential housing.  
(d) The district will:  
(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;  
(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a residential community and business center; and  
(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty.  
(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

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

Sec. 3959.005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section (b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3959.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICT LAW. Except as provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3959.007. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The initial directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 3959.008. CONSENT OF MUNICIPALITY REQUIRED. The initial directors may not hold an election under Section 3959.007 until each municipality in whose

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 3959.009. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. (a) All or any part of the area of the district is eligible to be included in:

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

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code; or

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

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

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

(2) any other district purpose, including the right to pledge the money as security for any bonds or other obligations issued by the district under Section 3959.201.

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

Sec. 3959.010. EFFECT OF ANNEXATION. Notwithstanding any other law, if all of the territory of the district is annexed by the city into the city's corporate limits, the district:

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) retains all of the district's outstanding debt and obligations;  
(2) is not dissolved; and  
(3) continues to operate under this chapter until the district is dissolved under Subchapter F.  
Sec. 3959.011. CONSTRUCTION OF CHAPTER. This chapter shall be construed liberally in conformity with the findings and purposes stated in this chapter.  
SUBCHAPTER B. BOARD OF DIRECTORS  
Sec. 3959.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.  
(b) Except as provided by Section 3959.054, directors serve staggered four-year terms, with two or three directors' terms expiring June 1 of each odd-numbered year.  
Sec. 3959.052. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public and located in the city.  
Sec. 3959.053. REMOVAL OF DIRECTORS. (a) The board may remove a director by unanimous vote of the other directors if the director has missed at least half of the meetings scheduled during the preceding 12 months.  
(b) A director removed under this section may file a written appeal with the commission not later than the 30th day after the date the director receives written notice of the board action. The commission may reinstate the director if the commission finds that the removal was unwarranted under the circumstances after considering the reasons for the absences, the time and place of the meetings, the business conducted at the meetings missed, and any other relevant circumstances.  
Sec. 3959.054. INITIAL DIRECTORS. (a) The initial board consists of:  
Pos. No. Name of Director

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

1 John Peavy  
2 Charles Taylor  
3 Steve Cook  
4 Paul Schlosberg  
5 Russell Miller  
(b) Initial directors serve until the earlier of:  
(1) the date permanent directors are elected under Section  
3959.007; or  
(2) the fourth anniversary of the effective date of the Act  
enacting this chapter.  
(c) If permanent directors have not been elected under  
Section 3959.007 and the terms of the initial directors have  
expired, successor initial directors shall be appointed or  
reappointed as provided by Subsection (d) to serve terms that  
expire on the earlier of:  
(1) the date permanent directors are elected under Section  
3959.007; or  
(2) the fourth anniversary of the date of the appointment or  
reappointment.  
(d) If Subsection (c) applies, the owner or owners of a  
majority of the assessed value of the real property in the  
district according to the most recent certified tax appraisal  
rolls for the county may submit a petition to the commission  
requesting that the commission appoint as successor initial  
directors the five persons named in the petition. The  
commission shall appoint as successor initial directors the five  
persons named in the petition.  
SUBCHAPTER C. POWERS AND DUTIES  
Sec. 3959.101. GENERAL POWERS AND DUTIES. The  
district has the powers and duties necessary to accomplish the  
purposes for which the district is created.  
Sec. 3959.102. PUBLIC IMPROVEMENT DISTRICT

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

Sec. 3959.103. IMPROVEMENT PROJECTS AND SERVICES. (a) Subject to Subsection (c), the district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

(b) The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with:

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

(c) The district may not construct or finance an improvement project, other than a water, sewer, or drainage facility or road, without obtaining the written consent of the city's governing body.

Sec. 3959.104. LOCATION OF IMPROVEMENT PROJECT. A district improvement project may be located inside or outside of the district.

Sec. 3959.105. OWNERSHIP OF IMPROVEMENT PROJECTS. (a) Before a district improvement project may be put into operation, the district must transfer ownership of the project to the city.

(b) The transfer of ownership is complete on the city's acceptance of ownership.

Sec. 3959.106. RETAIL WATER AND SEWER SERVICES PROHIBITED. The district may not provide retail water or

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

sewer services.

Sec. 3959.107. ADDING OR REMOVING TERRITORY.

(a) Subject to Subsections (b) and (c), the board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code.

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

(c) The district and any district created under Section 3959.108 may not add a total area of more than 100 acres.

Sec. 3959.108. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

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

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 3959.007 to confirm the creation of the district.

(f) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory



**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

of each new district;

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

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

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

(h) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Section 3959.007.

(i) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 3959.008 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

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

Sec. 3959.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3959.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 3959.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, operate, maintain, or finance an improvement project or service authorized by this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3959.153. METHOD OF NOTICE FOR HEARING. The district may mail the notice required by Section 375.115(c), Local Government Code, by certified or first class United States mail. The board shall determine the method of notice.

Sec. 3959.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by order may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district in the manner provided for:

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

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

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

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

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

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

(c) The lien is effective from the date of the board's resolution

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

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

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

Sec. 3959.155. NOTICE OF ASSESSMENTS. Annually, the board shall file with the secretary of the city written notice that specifies the assessments the district will impose in the district's next fiscal year in sufficient clarity to describe the assessments for the operation and maintenance of the district and the assessments for the payment of debt service of obligations issued or incurred by the district.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3959.201. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes or assessments in the manner provided by:

(1) Subchapter J, Chapter 375, Local Government Code; or  
(2) Subchapter A, Chapter 372, Local Government Code, if the improvements financed by an obligation issued under this section will be conveyed to or operated and maintained by a municipality or other retail utility provider pursuant to an agreement with the district entered into before the issuance of the obligation.

(b) In exercising the district's borrowing power, the district may issue a bond or other obligation in the form of a bond,

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

note, certificate of participation or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation.

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

(d) Not later than the 30th day before the date the district holds a bond sale, the district shall provide the governing body of the city written notice of the sale.

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

SUBCHAPTER F. DISSOLUTION

Sec. 3959.251. DISSOLUTION BY CITY ORDINANCE.

(a) The governing body of the city may dissolve the district by ordinance.

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

(1) water, sanitary, sewer, and drainage improvements and roads have been constructed to serve at least 80 percent of the net developable territory of the district; and

(2) the district has reimbursed a developer in the district for all costs advanced to or on behalf of the district.

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

Sec. 3959.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than revenue from ad

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

valorem taxes:  
(1) the assessments remain in effect; and  
(2) the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.  
(b) The city shall have and exercise all district powers to enforce and collect the assessments or other revenue to pay:  
(1) the bonds or other obligations when due and payable according to their terms; or  
(2) special revenue or assessment bonds or other obligations issued by the city to refund the outstanding bonds or obligations.  
Sec. 3959.253. ASSUMPTION OF ASSETS AND LIABILITIES. After the city dissolves the district, the city assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other debt payable from taxes, assessments, or other district revenue and any assets of the district.  
SUBCHAPTER Z. SPECIAL BOND PROVISIONS  
Sec. 3959.901. APPLICABILITY. This subchapter applies to bonds payable wholly or partly from revenue derived from assessments on real property in the district.  
Sec. 3959.902. CONFLICT OF LAWS. In the event of a conflict between this subchapter and any other law, this subchapter prevails.  
Sec. 3959.903. WRITTEN AGREEMENT REGARDING SPECIAL APPRAISALS. Before an election may be held on the question of issuing bonds, including an election that combines the question of confirming the creation of the district with the question of authorizing the district to issue bonds, the district and any person to whom the governing body of the district intends that proceeds of the bonds be

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

distributed, including the developer, another owner of land in the district, and any entity acting as a lender to the developer or other landowner for the purpose of a project relating to the district, must enter into a written agreement that:

(1) waives for the term of the agreement the right to a special appraisal with respect to taxation by the district under Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

(2) remains in effect for 30 years and is binding on the parties, on entities related to or affiliated with the parties, and on their successors and assignees.

Sec. 3959.904. REQUIREMENTS FOR ADVERTISING BOND ISSUE. A district may not advertise for an issuance of bonds until the completion of at least 25 percent of the projected value of the improvements, including houses and other buildings, that are liable for district assessments and necessary to support the district bonds.

Sec. 3959.905. REQUIREMENTS FOR BOND ISSUE. The district may not issue bonds until:

(1) the issuance of the bonds is approved by a majority of the district voters voting at an election called for that purpose;

(2) the district submits to the commission:

(A) an engineer's report describing the project for which the bonds will provide funding, including data, profiles, maps, plans, and specifications related to the project; and

(B) a cash flow analysis to determine the projected rate of assessment, which includes the following assumptions:

(i) each ending balance for debt service in the analysis is not less than 25 percent of the following year's debt service requirement;

(ii) interest income is only shown on the ending balance for debt service for the first two years; and

(iii) the projected rate of assessment is level or decreasing for

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the life of the bonds issued by the district;  
(3) the completion of at least 75 percent of the projected value of the improvements, including houses and other buildings, that are liable for district assessments and necessary to support the district bonds; and  
(4) the district has obtained an independent market study from a firm recognized in the area of real estate market analysis supporting the development projects for the real property that is liable for district assessments and necessary to support the district bonds.  
Sec. 3959.906. REQUIREMENTS FOR COLLECTION OF REVENUE TO PAY BONDS. The district may not collect an assessment to be used for the payment of bonds until:  
(1) the completion of at least 95 percent of the underground water, wastewater, and drainage facilities financed from bond proceeds that are necessary to serve the projected build-out, as certified by the district's engineer;  
(2) the district or other appropriate party has secured the groundwater, surface water, and water discharge permits that are necessary to secure capacity to support the projected build-out;  
(3) the completion of at least 95 percent of lift station, water plant, and sewage treatment plant capacity sufficient to serve the connections constructed in the project for a period of not less than 18 months, as certified by the district's engineer; and  
(4) the completion of at least 95 percent of the streets and roads that are necessary to provide access to the areas served by utilities and financed by the proceeds of bonds issued by the district, as certified by the district's engineer and constructed in accordance with municipal or county standards.  
(b) The North Celina Municipal Management District No. 3 initially includes all the territory contained in the following

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

area:  
TRACT 1: 2178 ACRES MORE OR LESS  
LEGAL DESCRIPTION CONSISTING OF 2178.085  
ACRES MORE OR LESS BY COMPILING DEEDS  
DESCRIBED AS TRACT II IN THE DEED TO  
DYNAVEST JOINT VENTURE AS RECORDED IN  
VOLUME 2288, PAGE 119 OF THE DEED RECORDS OF  
COLLIN COUNTY, TEXAS, A 218.360 ACRE TRACT OF  
LAND DESCRIBED AS TRACT NO. 1, A CALLED  
161.910 ACRE TRACT OF LAND DESCRIBED AS TRACT  
NO. 2 IN THE DEED TO DYNAVEST JOINT VENTURE  
AS RECORDED IN VOLUME 2288, PAGE 125 OF THE  
DEED RECORDS OF COLLIN COUNTY, TEXAS AND A  
1215.843 ACRE TRACT DESCRIBED IN THE DEED TO  
DYNAVEST JOINT VENTURE AS RECORDED IN  
VOLUME 2288, PAGE 110, OF THE DEED RECORDS OF  
COLLIN COUNTY, TEXAS.  
BEING ALL THAT CERTAIN TRACT OR PARCEL OF  
LAND SITUATED IN THE J. W. HAYNES SURVEY,  
ABSTRACT # 453, J, CUMBA SURVEY, ABSTRACT #  
242, THE J DAVIS SURVEY, ABSTRACT # 254, THE  
B.B.B. & C.R.R. SURVEY, ABSTRACT # 131, THE H.  
COCHRAN SURVEY, ABSTRACT # 192, THE T & P. RR  
CO. SURVEY, ABSTRACT # 1054, THE J.F. SMILEY  
SURVEY, ABSTRACT 869, THE J. WORRALL SURVEY,  
ABSTRACT # 1036, THE J. QUEEN SURVEY,  
ABSTRACT # 733, THE J. H. BIGGS SURVEY,  
ABSTRACT # 51, THE E. ALEXANDER SURVEY,  
ABSTRACT # 19, THE SA & MG RR CO SURVEY,  
ABSTRACT # 876 AND THE P. NEWSON, SURVEY,  
ABSTRACT # 665 AND BEING ALL OF A CALLED  
579.400 ACRE TRACT OF LAND DESCRIBED AS TRACT



**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

II IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 119 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, ALL OF A CALLED 218.360 ACRE TRACT OF LAND DESCRIBED AS TRACT NO. 1 AND ALL OF A CALLED 161.910 ACRE TRACT OF LAND DESCRIBED AS TRACT NO. 2 IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 125 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND ALL OF A CALLED 1215.843 ACRE TRACT DESCRIBED IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 110, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:  
BEGINNING AT A THE SOUTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT THE SOUTHWEST CORNER OF SAID 579.400 ACRE TRACT IN THE NORTH RIGHT-OF-WAY LINE OF F. M. # 455;  
THENCE NORTH 00 DEGREES 12 MINUTES 53 SECONDS EAST A DISTANCE OF 6447.04 FEET TO A POINT FOR CORNER AT THE NORTHWEST CORNER OF SAID 579.400 ACRE TRACT;  
THENCE SOUTH 89 DEGREES 27 MINUTES 28 SECONDS EAST A DISTANCE OF 2678.28 FEET TO A POINT FOR CORNER;  
THENCE NORTH 00 DEGREES 23 MINUTES 38 SECONDS EAST A DISTANCE OF 1013.53 FEET TO A POINT FOR CORNER AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID 579.400 ACRE TRACT;  
THENCE NORTH 89 DEGREES 27 MINUTES 02 SECONDS EAST A DISTANCE OF 2192.86 FEET TO A POINT FOR CORNER IN ELM CREEK;

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

THENCE NORTH 41 DEGREES 45 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 693.00 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 48 DEGREES 30 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 417.00 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 10 DEGREES 40 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 274.20 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 74 DEGREES 54 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 211.00 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 65 DEGREES 52 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 282.00 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 26 DEGREES 53 MINUTES 00  
SECONDS EAST ALONG THE CENTER OF ELM CREEK  
A DISTANCE OF 1077.50 FEET TO A POINT FOR  
CORNER TO THE MOST NORTHERLY NORTHWEST  
CORNER OF SAID 1215.843 ACRE TRACT;  
THENCE SOUTH 87 DEGREES 54 MINUTES 00  
SECONDS EAST A DISTANCE OF 271.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 54 MINUTES 00  
SECONDS EAST A DISTANCE OF 127.00 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 88 DEGREES 58 MINUTES 00

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

SECONDS EAST A DISTANCE OF 560.00 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 87 DEGREES 46 MINUTES 00  
SECONDS EAST A DISTANCE OF 917.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 86 DEGREES 43 MINUTES 00  
SECONDS EAST A DISTANCE OF 411.00 FEET TO A  
POINT FOR CORNER TO THE MOST NORTHERLY  
NORTHEAST CORNER OF SAID 1215.843 ACRE TRACT  
THENCE SOUTH 01 DEGREES 44 MINUTES 00  
SECONDS EAST A DISTANCE OF 889.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 58 DEGREES 17 MINUTES 00  
SECONDS EAST A DISTANCE OF 675.00 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 89 DEGREES 55 MINUTES 00  
SECONDS EAST A DISTANCE OF 611.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 52 MINUTES 00  
SECONDS WEST A DISTANCE OF 529.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 19 MINUTES 00  
SECONDS WEST A DISTANCE OF 3775.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 03 DEGREES 39 MINUTES 54  
SECONDS WEST A DISTANCE OF 491.83 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 21 MINUTES 00  
SECONDS WEST A DISTANCE OF 271.50 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 02 DEGREES 03 MINUTES 09  
SECONDS EAST A DISTANCE OF 560.34 FEET TO A

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

POINT FOR CORNER;  
THENCE SOUTH 86 DEGREES 42 MINUTES 28  
SECONDS WEST A DISTANCE OF 66.00 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 01 DEGREES 07 MINUTES 18  
SECONDS EAST A DISTANCE OF 2883.84 FEET TO A  
POINT FOR CORNER AT THE MOST EASTERLY  
SOUTHEAST CORNER OF SAID 1215.843 ACRE TRACT  
AND THE NORTHEAST CORNER OF SAID 161.91 ACRE  
TRACT;  
THENCE SOUTH 01 DEGREES 59 MINUTES 59  
SECONDS EAST A DISTANCE OF 271.54 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 02 DEGREES 49 MINUTES 01  
SECONDS EAST A DISTANCE OF 698.98 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 02 DEGREES 27 MINUTES 24  
SECONDS EAST A DISTANCE OF 849.68 FEET TO A  
POINT FOR CORNER TO THE SOUTHEAST CORNER  
OF SAID 161.91 ACRE TRACT;  
THENCE SOUTH 88 DEGREES 39 MINUTES 30  
SECONDS WEST A DISTANCE OF 2104.21 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 87 DEGREES 44 MINUTES 05  
SECONDS WEST A DISTANCE OF 986.67 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 09 MINUTES 32  
SECONDS WEST A DISTANCE OF 508.11 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 87 DEGREES 55 MINUTES 18  
SECONDS WEST A DISTANCE OF 230.84 FEET TO A  
POINT FOR CORNER;

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

THENCE SOUTH 88 DEGREES 45 MINUTES 02  
SECONDS WEST A DISTANCE OF 285.38 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 74 DEGREES 25 MINUTES 03  
SECONDS WEST A DISTANCE OF 1160.29 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 74 DEGREES 36 MINUTES 18  
SECONDS WEST A DISTANCE OF 404.97 FEET TO A  
POINT FOR CORNER TO A POINT IN THE NORTH  
RIGHT-OF-WAY LINE OF FM # 455;  
THENCE NORTH 15 DEGREES 23 MINUTES 42  
SECONDS EAST WITH SAID RIGHT-OF-WAY LINE A  
DISTANCE OF 40.00 FEET TO A POINT FOR CORNER;  
THENCE NORTH 74 DEGREES 36 MINUTES 18  
SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A  
DISTANCE OF 179.93 FEET TO A POINT FOR CORNER;  
THENCE NORTH 52 DEGREES 06 MINUTES 25  
SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A  
DISTANCE OF 697.67 FEET TO A POINT FOR CORNER;  
THENCE WITH SAID RIGHT-OF-WAY LINE AND WITH  
A CURVE TURNING TO THE LEFT WITH AN ARC  
LENGTH OF 363.14 FEET, WITH A RADIUS OF 986.86  
FEET, WITH A CHORD BEARING OF NORTH 62  
DEGREES 38 MINUTES 55 SECONDS WEST, AND WITH  
A CHORD LENGTH OF 361.09 FEET TO A POINT FOR  
CORNER;  
THENCE NORTH 73 DEGREES 11 MINUTES 25  
SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A  
DISTANCE OF 199.75 FEET TO A POINT FOR CORNER;  
THENCE WITH SAID RIGHT-OF-WAY LINE AND WITH  
A CURVE TURNING TO THE LEFT WITH AN ARC  
LENGTH OF 254.11 FEET, WITH A RADIUS OF 1367.32

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

FEET, WITH A CHORD BEARING OF NORTH 78 DEGREES 37 MINUTES 35 SECONDS WEST, AND WITH A CHORD LENGTH OF 253.75 FEET;  
THENCE NORTH 83 DEGREES 34 MINUTES 06 SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A DISTANCE OF 104.02 FEET TO A POINT FOR CORNER;  
THENCE NORTH 83 DEGREES 34 MINUTES 06 SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A DISTANCE OF 2140.11 FEET TO A POINT FOR CORNER;  
THENCE WITH SAID RIGHT-OF-WAY LINE AND WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 283.92 FEET, WITH A RADIUS OF 528.70 FEET, WITH A CHORD BEARING OF NORTH 68 DEGREES 22 MINUTES 06 SECONDS WEST, AND WITH A CHORD LENGTH OF 280.52 FEET TO A POINT FOR CORNER,;  
THENCE NORTH 53 DEGREES 10 MINUTES 06 SECONDS WEST WITH SAID RIGHT-OF-WAY LINE A DISTANCE OF 766.67 FEET TO THE POINT OF BEGINNING AND ENCLOSING 2178.085 ACRES OF LAND, MORE OR LESS.  
TRACT 2: 100.474 ACRES MORE OR LESS  
LEGAL DESCRIPTION CONSISTING OF 100.474 ACRES MORE OR LESS BY COMPUTING EXHIBIT A IN THE DEED TO THE TRACT OF LAND DESCRIBED AS TRACT I IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 119 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE J. DAVIS SURVEY, ABSTRACT # 254, THE W.P. ALLEN SURVEY,

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

ABSTRACT # 24, AND THE J. HOWARD SURVEY, ABSTRACT # 442 AND BEING ALL OF A CALLED 100.474 ACRE TRACT OF LAND DESCRIBED AS TRACT I IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 119 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT THE INTERSECTION OF THE WEST LINE OF SAID COLLIN COUNTY WITH THE SOUTHWEST CORNER OF SAID 100.474 ACRE TRACT OF LAND;  
THENCE NORTH 00 DEGREES 12 MINUTES 53 SECONDS EAST, A DISTANCE OF 1213.34 FEET TO A POINT FOR CORNER;  
THENCE NORTH 89 DEGREES 57 MINUTES 51 SECONDS EAST, A DISTANCE OF 3608.95 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 56 MINUTES 02 SECONDS EAST, A DISTANCE OF 1192.20 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 11 MINUTES 58 SECONDS WEST, A DISTANCE OF 1594.31 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 2038.77 FEET TO THE POINT OF BEGINNING AND ENCLOSING 100.474 ACRES OF LAND, MORE OR LESS.  
TRACT 3: 958.042 ACRES MORE OR LESS  
LEGAL DESCRIPTION CONSISTING OF 958.042 ACRES MORE OR LESS BY COMPUTING EXHIBIT A IN THE DEED TO THE TRACT OF LAND DESCRIBED IN THE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 114 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS  
BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE J. W. HAYNES SURVEY, ABSTRACT # 453, J, CUMBA SURVEY, ABSTRACT # 242, THE J. QUEEN SURVEY, ABSTRACT # 733, THE J. QUEEN SURVEY, ABSTRACT # 1111, THE A. H. GEE SURVEY, ABSTRACT # 1104, THE H. COCHRAN SURVEY, ABSTRACT # 191, THE J. RAGSDALE SURVEY, ABSTRACT # 735 AND THE GERMAN IMIGRATION CO. SURVEY, ABSTRACT # 356 AND BEING ALL OF A CALLED 957.743 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO DYNAVEST JOINT VENTURE AS RECORDED IN VOLUME 2288, PAGE 144 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT A POINT AT THE NORTHWEST CORNER OF SAID 957.743 ACRE TRACT IN THE SOUTH RIGHT-OF-WAY LINE OF FM # 455;  
THENCE SOUTH 53 DEGREES 10 MINUTES 06 SECONDS EAST WITH SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 699.50 FEET TO A POINT FOR CORNER;  
THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE AND WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 332.25 FEET, WITH A RADIUS OF 618.70 FEET, WITH A CHORD BEARING OF SOUTH 68 DEGREES 22 MINUTES 06 SECONDS EAST, AND WITH



**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

A CHORD LENGTH OF 328.27 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 83 DEGREES 34 MINUTES 06 SECONDS EAST WITH SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 2243.84 FEET TO A POINT FOR CORNER;  
THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE AND WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 237.99 FEET, WITH A RADIUS OF 1277.20 FEET, WITH A CHORD BEARING OF SOUTH 78 DEGREES 38 MINUTES 21 SECONDS EAST, AND WITH A CHORD LENGTH OF 237.64 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 73 DEGREES 11 MINUTES 25 SECONDS EAST WITH SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 131.75 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 16 DEGREES 58 MINUTES 43 SECONDS WEST A DISTANCE OF 103.35 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 40 DEGREES 22 MINUTES 29 SECONDS WEST A DISTANCE OF 414.21 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 50 DEGREES 17 MINUTES 10 SECONDS EAST A DISTANCE OF 174.16 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 04 DEGREES 36 MINUTES 13 SECONDS EAST A DISTANCE OF 103.17 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 53 DEGREES 02 MINUTES 05 SECONDS WEST A DISTANCE OF 256.14 FEET TO A POINT FOR CORNER;

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

THENCE SOUTH 23 DEGREES 11 MINUTES 46  
SECONDS WEST A DISTANCE OF 269.21 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 66 DEGREES 05 MINUTES 31  
SECONDS EAST A DISTANCE OF 178.82 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 04 DEGREES 58 MINUTES 45  
SECONDS EAST A DISTANCE OF 193.80 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 50 DEGREES 28 MINUTES 50  
SECONDS WEST A DISTANCE OF 169.49 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 87 DEGREES 27 MINUTES 53  
SECONDS WEST A DISTANCE OF 174.71 FEET TO A  
POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 14 MINUTES 15  
SECONDS WEST A DISTANCE OF 763.18 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 86 DEGREES 32 MINUTES 52  
SECONDS EAST A DISTANCE OF 1464.77 FEET TO A  
POINT FOR CORNER;  
THENCE NORTH 89 DEGREES 13 MINUTES 02  
SECONDS EAST A DISTANCE OF 524.81 FEET TO A  
POINT FOR CORNER IN THE WEST RIGHT-OF-WAY  
LINE OF FM # 455;  
THENCE SOUTH 03 DEGREES 06 MINUTES 54  
SECONDS WEST WITH SAID WEST RIGHT-OF-WAY  
LINE A DISTANCE OF 37.23 FEET TO A POINT FOR  
CORNER;  
THENCE WITH SAID WEST RIGHT-OF-WAY LINE AND  
WITH A CURVE TURNING TO THE LEFT WITH AN  
ARC LENGTH OF 577.39 FEET, WITH A RADIUS OF

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

1477.38 FEET, WITH A CHORD BEARING OF SOUTH 08 DEGREES 00 MINUTES 36 SECONDS EAST , AND WITH A CHORD LENGTH OF 573.72 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 19 DEGREES 08 MINUTES 06 SECONDS EAST WITH SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 354.02 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 08 MINUTES 02 SECONDS WEST A DISTANCE OF 974.20 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 00 DEGREES 24 MINUTES 13 SECONDS EAST A DISTANCE OF 1724.68 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 01 DEGREES 25 MINUTES 40 SECONDS EAST A DISTANCE OF 2948.48 FEET TO A POINT FOR CORNER;  
THENCE NORTH 88 DEGREES 01 MINUTES 35 SECONDS EAST A DISTANCE OF 1138.15 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 01 DEGREES 46 MINUTES 21 SECONDS EAST A DISTANCE OF 1965.29 FEET TO A POINT FOR CORNER;  
THENCE SOUTH 89 DEGREES 32 MINUTES 30 SECONDS WEST A DISTANCE OF 5389.11 FEET TO A POINT FOR CORNER;  
THENCE NORTH 00 DEGREES 12 MINUTES 53 SECONDS EAST A DISTANCE OF 10550.55 FEET TO A POINT FOR CORNER;  
AND ENCLOSING 958.042 ACRES OF LAND, MORE OR LESS.  
(c) The legal notice of the intention to introduce a bill to

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

create the North Celina Municipal Management District No. 3, setting forth the general substance of this section of this Act, has been published as provided by law, and the notice and a copy of a bill to create the North Celina Municipal Management District No. 3 have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(d) The governor, one of the required recipients, has submitted the notice and a copy of a bill to create the North Celina Municipal Management District No. 3 to the Texas Commission on Environmental Quality.

(e) The Texas Commission on Environmental Quality has filed its recommendations relating to a bill to create the North Celina Municipal Management District No. 3 with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(f) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of a bill to create the North Celina Municipal Management District No. 3 have been fulfilled and accomplished. [FA3]

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7987 to read as follows:  
CHAPTER 7987. NEW FAIRVIEW MUNICIPAL UTILITY DISTRICT NO. 1  
SUBCHAPTER A. GENERAL PROVISIONS  
Sec. 7987.001. DEFINITIONS. In this chapter:  
(1) "Board" means the district's board of directors.  
(2) "Commission" means the Texas Commission on

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7987 to read as follows:  
CHAPTER 7987. NEW FAIRVIEW MUNICIPAL UTILITY DISTRICT NO. 1  
SUBCHAPTER A. GENERAL PROVISIONS  
Sec. 7987.001. DEFINITIONS. In this chapter:  
(1) "Board" means the district's board of directors.  
(2) "Commission" means the Texas Commission on

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the New Fairview Municipal Utility District No. 1.

Sec. 7987.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7987.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7987.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED. The temporary directors may not hold an election under Section 7987.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has:

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

(2) entered into a development agreement under Section 212.172, Local Government Code, with an owner of the land described by Section 2 of the Act enacting this chapter.

Sec. 7987.005. FINDINGS OF PUBLIC PURPOSE AND

SENATE VERSION (IE)

Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the New Fairview Municipal Utility District No. 1.

Sec. 7987.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7987.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7987.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED. (a) The temporary directors may not hold an election under Section 7987.003, undertake an improvement project, impose taxes or fees, or issue bonds or otherwise borrow money until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has:

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

(2) entered into a development agreement under Section 212.172, Local Government Code, with an owner or owners of a majority of the land described by Section 2 of the Act enacting this chapter.

(b) If a development agreement described by Subsection (a)(2) has not been executed before March 1, 2019:

(1) the temporary directors may not call a confirmation election under Section 7987.003;

(2) the district is dissolved; and

(3) this chapter expires March 1, 2020.

Sec. 7987.005. FINDINGS OF PUBLIC PURPOSE AND

CONFERENCE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 7987.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7987.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

SENATE VERSION (IE)

BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 7987.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

Sec. 7987.007. AMENDMENT OF CHAPTER. [Deleted by FA1]

Sec. 7987.008. CITY CONSENT TO CREATION OF DISTRICT. The city's consent to the creation of the district is not subject to the limitations on the conditions or other restrictions the city may place on its consent under Section 42.042, Local Government Code.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7987.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

CONFERENCE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

(b) Except as provided by Section 7987.052, directors serve staggered four-year terms.

Sec. 7987.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2017, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7987.003; or

(2) September 1, 2021.

(c) If permanent directors have not been elected under Section 7987.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7987.003; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7987.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the

SENATE VERSION (IE)

(b) Except as provided by Section 7987.052, directors serve staggered four-year terms.

Sec. 7987.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2017, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7987.003; or

(2) September 1, 2021.

(c) If permanent directors have not been elected under Section 7987.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7987.003; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7987.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the

CONFERENCE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p><u>purposes for which the district is created.</u></p> <p><u>Sec. 7987.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.</u></p> <p><u>Sec. 7987.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.</u></p> <p><u>Sec. 7987.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.</u></p> <p><u>(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.</u></p> <p><u>(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.</u></p> <p><u>Sec. 7987.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016</u></p>	<p><u>purposes for which the district is created.</u></p> <p><u>Sec. 7987.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.</u></p> <p><u>Sec. 7987.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.</u></p> <p><u>Sec. 7987.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.</u></p> <p><u>(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.</u></p> <p><u>(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.</u></p> <p><u>Sec. 7987.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016</u></p>	



**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7987.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7987.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting

SENATE VERSION (IE)

or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7987.106. CITY REQUIREMENTS. An improvement project in the district must comply with applicable requirements of the city, including codes and ordinances, unless a requirement is specifically waived or superseded by a development agreement entered into under Section 7987.107 or another agreement with the city applicable to property located in the district.

Sec. 7987.107. DEVELOPMENT AND OPERATING AGREEMENT REQUIRED. After the district's board is organized, but before the district may undertake any improvement project, impose taxes or fees, or issue bonds or otherwise borrow money, the district must become a party to and assume all applicable obligations, requirements, and limitations in the development agreement entered into between the city and the owner or owners of a majority of land in the district, including any limitation imposed by the city.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7987.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7987.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting

CONFERENCE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

at an election held for that purpose.  
Sec. 7987.152. OPERATION AND MAINTENANCE TAX.  
(a) If authorized at an election held under Section 7987.151,  
the district may impose an operation and maintenance tax on  
taxable property in the district in accordance with Section  
49.107, Water Code.  
(b) The board shall determine the tax rate. The rate may not  
exceed the rate approved at the election.  
Sec. 7987.153. CONTRACT TAXES. (a) In accordance  
with Section 49.108, Water Code, the district may impose a  
tax other than an operation and maintenance tax and use the  
revenue derived from the tax to make payments under a  
contract after the provisions of the contract have been  
approved by a majority of the district voters voting at an  
election held for that purpose.  
(b) A contract approved by the district voters may contain a  
provision stating that the contract may be modified or  
amended by the board without further voter approval.  
SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS  
Sec. 7987.201. AUTHORITY TO ISSUE BONDS AND  
OTHER OBLIGATIONS. The district may issue bonds or  
other obligations payable wholly or partly from ad valorem  
taxes, impact fees, revenue, contract payments, grants, or  
other district money, or any combination of those sources, to  
pay for any authorized district purpose.  
Sec. 7987.202. TAXES FOR BONDS. At the time the district  
issues bonds payable wholly or partly from ad valorem taxes,  
the board shall provide for the annual imposition of a  
continuing direct ad valorem tax, without limit as to rate or  
amount, while all or part of the bonds are outstanding as  
required and in the manner provided by Sections 54.601 and  
54.602, Water Code.

SENATE VERSION (IE)

at an election held for that purpose.  
Sec. 7987.152. OPERATION AND MAINTENANCE TAX.  
(a) If authorized at an election held under Section 7987.151,  
the district may impose an operation and maintenance tax on  
taxable property in the district in accordance with Section  
49.107, Water Code.  
(b) The board shall determine the tax rate. The rate may not  
exceed the rate approved at the election.  
Sec. 7987.153. CONTRACT TAXES. (a) In accordance  
with Section 49.108, Water Code, the district may impose a  
tax other than an operation and maintenance tax and use the  
revenue derived from the tax to make payments under a  
contract after the provisions of the contract have been  
approved by a majority of the district voters voting at an  
election held for that purpose.  
(b) A contract approved by the district voters may contain a  
provision stating that the contract may be modified or  
amended by the board without further voter approval.  
SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS  
Sec. 7987.201. AUTHORITY TO ISSUE BONDS AND  
OTHER OBLIGATIONS. The district may issue bonds or  
other obligations payable wholly or partly from ad valorem  
taxes, impact fees, revenue, contract payments, grants, or  
other district money, or any combination of those sources, to  
pay for any authorized district purpose.  
Sec. 7987.202. TAXES FOR BONDS. At the time the district  
issues bonds payable wholly or partly from ad valorem taxes,  
the board shall provide for the annual imposition of a  
continuing direct ad valorem tax, without limit as to rate or  
amount, while all or part of the bonds are outstanding as  
required and in the manner provided by Sections 54.601 and  
54.602, Water Code.

CONFERENCE

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

Sec. 7987.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

No equivalent provision.

SENATE VERSION (IE)

Sec. 7987.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

CONFERENCE

SECTION \_\_. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8011 to read as follows:  
CHAPTER 8011. FAR NORTH FORT WORTH MUNICIPAL UTILITY DISTRICT NO. 1 OF TARRANT AND WISE COUNTIES  
SUBCHAPTER A. GENERAL PROVISIONS  
Sec. 8011.001. DEFINITION. In this chapter, "district" means the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties.  
Sec. 8011.002. NATURE AND PURPOSES OF DISTRICT.  
(a) The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.  
(b) The district is created to accomplish the purposes of:  
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and  
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.  
SUBCHAPTER B. POWERS AND DUTIES  
Sec. 8011.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.  
Sec. 8011.052. MUNICIPAL UTILITY DISTRICT

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

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

Sec. 8011.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8011.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

Sec. 8011.101. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

of those sources, to pay for a road project authorized by Section 8011.053.

(b) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

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

Sec. 8011.102. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the district shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(b) The Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

(c) The legislature validates and confirms all governmental acts and proceedings of the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties that were taken before the effective date of this Act. This subsection does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

(d) The legal notice of the intention to introduce a bill to

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

amend the laws governing the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties, setting forth the general substance of this section of this Act, has been published as provided by law, and the notice and a copy of a bill to amend the laws governing the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(e) The governor, one of the required recipients, has submitted the notice and a copy of a bill to amend the laws governing the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties to the Texas Commission on Environmental Quality.

(f) The Texas Commission on Environmental Quality has filed its recommendations relating to a bill to amend the laws governing the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(g) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of a bill to amend the laws governing the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties have been fulfilled and accomplished. [FA2]

SECTION 2. The New Fairview Municipal Utility District No. 1 initially includes all the territory contained in the following area:

SECTION 2. Same as House version.

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

BEING A 634.507 ACRES TRACT OF LAND CALLED OUT OF THE T. CARPENTER SURVEY, ABSTRACT NO. 172 AND THE W. BRAMLETT SURVEY, ABSTRACT NO. 123, WISE COUNTY, TEXAS: BEING ALL OF THOSE CERTAIN TRACTS OF LAND AS DESCRIBED IN VOLUME 155, PAGE 580, & VOLUME 123, PAGE 290, DEED RECORDS, WISE COUNTY, TEXAS, AND CONTAINING ALL OF THOSE CERTAIN TRACTS OF LAND AS DESCRIBED IN CLERK FILE NO. 201600522 & CLERK FILE NO. 201600523, OFFICIAL RECORDS, WISE COUNTY, TEXAS: BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
BEGINNING AT A SET 1/2"IRON ROD WITH PLASTIC CAP IN THE EAST LINE OF THE FORT WORTH & DENVER CITY RAILROAD RIGHT OF WAY, BEING FIFTY FEET EAST OF & PERPENDICULAR TO THE CENTER OF THE EXISTING RAILROAD LINE, AT THE NORTHWEST CORNER OF THE THIRD TRACT (V. 123, P. 290), SAME BEING THE SOUTHWEST CORNER OF A CALLED 30 ACRES TRACT OF LAND DESCRIBED IN VOLUME 5, PAGE 151, D.R.W.C.T., FOR THE NORTHWEST AND BEGINNING CORNER OF THIS TRACT.  
THENCE ALONG THE SOUTH & EAST LINES OF SAID 30 ACRES AS FOLLOWS:  
1) N 89°35'28" E 2484.06 FEET TO A 4" STEEL FENCE CORNER POST, FOR AN ELL CORNER OF THIS TRACT.  
2) N 01°02'34" W 533.58 FEET TO A FOUND 1" IRON PIPE AT THE SOUTHEAST CORNER OF THAT CALLED 187.08 ACRES AS DESCRIBED IN CLERK FILE NO. 201322567, O.R.W.C.T., FOR A CORNER OF THIS TRACT.

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>3) THENCE N 00°16'14" E 349.12 FEET TO A FOUND 3/8" IRON ROD AT THE SOUTHWEST CORNER OF THOSE CERTAIN TRACTS OF LAND DESCRIBED IN VOLUME 1643, PAGE 644, O.R.W.C.T., FOR THE NORTHWEST CORNER OF THIS TRACT.</p> <p>4) THENCE N 89°40'40" E AT 1203.8 FEET PASS A FOUND 1/2" IRON ROD WITH PLASTIC CAP STAMPED "MANNING" AT THE NORTHWEST CORNER OF THAT CALLED 34.00 ACRES TRACT OF LAND DESCRIBED IN CLERK FILE NO. 201600522, O.R.W.C.T., AT 2609.13 FEET PASS A FOUND 3/8" IRON ROD IN THE FENCED WEST LINE OF PIONEER STREET, A GRAVEL SURFACE, FOR A TOTAL DISTANCE OF 2632.66 FEET TO A POINT, FOR THE NORTHEAST CORNER OF THIS TRACT.</p> <p>5) THENCE S 00°25'18" E 3975.79 FEET WITHIN SAID PIONEER STREET TO A POINT, AT THE NORTHEAST CORNER OF THAT CALLED 3.673 ACRES CONVEYED TO BRAZOS ELECTRIC POWER COOPERATIVE, INC. IN VOLUME 931, PAGE 495, O.R.W.C.T., FOR A CORNER OF THIS TRACT.</p> <p>THENCE ALONG THE NORTH, WEST, &amp; SOUTH LINES OF SAID BRAZOS ELECTRIC TRACT AS FOLLOWS:</p> <p>6) S 89°39'22" W 400.00 FEET TO A FOUND CAPPED 3/4" IRON ROD;</p> <p>7) S 00°20'10" E 399.94 FEET TO A FOUND CAPPED 3/4" IRON ROD;</p> <p>8) N 89°39'51" E 400.01 FEET TO A POINT WITHIN SAID PIONEER STREET, FOR A CORNER OF THIS TRACT.</p> <p>9) THENCE S 00°20'12" E 358.93 FEET WITHIN SAID PIONEER STREET TO A FOUND 3/8" IRON ROD IN THE NORTH LINE OF THAT CALLED 80 ACRES TRACT OF</p>		



**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>LAND DESCRIBED IN VOLUME 1547, PAGE 588, O.R.W.C.T., FOR THE EASTERLY SOUTHEAST CORNER OF THIS TRACT.</p> <p>THENCE ALONG THE COMMON LINE OF SAID FIFTH TRACT (V. 123, P. 290) &amp; SAID 80 ACRES TRACT AS FOLLOWS:</p> <p>10) S 89°16'40" W 2595.51 FEET TO A FOUND 3/8" IRON ROD;</p> <p>11) S 00°41'22" E 1800.91 FEET TO A POINT WITHIN PIONEER STREET, AN ASPHALT SURFACE, AT THE SOUTHEAST CORNER OF THAT CALLED 22.00 ACRES TRACT OF LAND DESCRIBED IN CLERK FILE NO. 201600523, O.R.W.C.T., FOR THE SOUTHERLY SOUTHEAST CORNER OF THIS TRACT.</p> <p>12) THENCE N 89°57'00" W WITHIN SAID PIONEER STREET AT 772.70 FEET PASS A FOUND P.K. NAIL IN ASPHALT AT THE SOUTHWEST CORNER OF SAID 22.00 ACRES, FOR A TOTAL DISTANCE OF 2919.89 FEET TO A POINT IN THE SIMPLE CURVE OF A SPIRAL CURVE, BEING THE EAST LINE OF SAID FORT WORTH &amp; DENVER CITY RAILROAD RIGHT OF WAY, FOR THE SOUTHWEST CORNER OF THIS TRACT. WHENCE A FOUND PK NAIL BEARS S 89°57'00" E 1.58 FEET.</p> <p>THENCE FIFTY FEET EAST OF &amp; PERPENDICULAR TO THE CENTER OF THE EXISTING RAILROAD LINE AS FOLLOWS:</p> <p>SC1) ALONG THE ARC OF A SIMPLE CURVE TO THE RIGHT, HAVING A RADIUS OF 2873.39 FEET, AN ARC LENGTH OF 195.21 FEET, AND WHOSE CHORD BEARS N 01°50'09" W 195.17 FEET TO A SET 1/2" IRON ROD WITH PLASTIC CAP AT THE CURVE TO SPIRAL, A</p>		

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>CHORD BEARS N 02°35'55" E 376.69 FEET TO THE SPIRAL TO TANGENT; 13) N 03°50'04" E 5090.43 FEET TO THE POINT OF BEGINNING. BEARINGS &amp; DISTANCES DERIVED FROM G.P.S. OBSERVATIONS PERFORMED BY CARTER SURVEYING &amp; MAPPING, INC. AND REFLECT SURFACE ADJUSTED, N.A.D. 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, USING TEXAS DEPARTMENT OF TRANSPORTATION SURFACE ADJUSTMENT FACTOR OF 1.00012.</p>		
<p>SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code. (b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality. (c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time. (d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.</p>	<p>SECTION 3. Same as House version.</p>	

**House Bill 2912**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7987, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7987.106 to read as follows:</p> <p><u>Sec. 7987.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.</u></p> <p>(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.</p> <p>SECTION 5. This Act takes effect September 1, 2017.</p>	<p>SECTION 4. Same as House version.</p> <p>SECTION 5. Same as House version.</p>	