

By: Stucky

H.B. No. 4683

Substitute the following for H.B. No. 4683:

By: Rosenthal

C.S.H.B. No. 4683

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Hunter Ranch Improvement District No. 1 of Denton County, Texas; providing authority to impose an assessment, impose a tax, and issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3980 to read as follows:

CHAPTER 3980. HUNTER RANCH IMPROVEMENT DISTRICT NO. 1 OF DENTON COUNTY, TEXAS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3980.0101. DEFINITIONS. In this chapter:

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

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

(3) "County" means Denton County, Texas.

(4) "Developer of property in the district" means a developer of property in the district as determined by the governing body of the city.

(5) "Director" means a board member.

(6) "District" means the Hunter Ranch Improvement District No. 1 of Denton County, Texas.

(7) "Operating agreement" means an agreement that provides for:

(A) a general description of the improvement projects that may be financed by the district; and

1 (B) the terms and conditions of:

2 (i) the financing of the improvement
3 projects described by Paragraph (A); and

4 (ii) the operation of the district.

5 (8) "Project agreement" means an agreement between the
6 city and a developer of property in the district that relates to any
7 aspect of the development of property in or outside the district.
8 The governing body of the city may determine whether an agreement
9 constitutes a project agreement for purposes of this chapter.

10 Sec. 3980.0102. NATURE OF DISTRICT. The Hunter Ranch
11 Improvement District No. 1 of Denton County, Texas, is a special
12 district created under Section 59, Article XVI, Texas Constitution.

13 Sec. 3980.0103. PURPOSE; DECLARATION OF INTENT. (a) The
14 creation of the district is essential to accomplish the purposes of
15 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
16 Texas Constitution, and other public purposes stated in this
17 chapter.

18 (b) By creating the district and in authorizing the city,
19 the county, and other political subdivisions to contract with the
20 district, the legislature has established a program to accomplish
21 the public purposes set out in Section 52-a, Article III, Texas
22 Constitution.

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

1 (d) This chapter and the creation of the district may not be
2 interpreted to relieve the city and the county from providing the
3 level of services provided as of the effective date of the Act
4 enacting this chapter to the area in the district. The district is
5 created to supplement and not to supplant city or county services
6 provided in the district.

7 Sec. 3980.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

8 (a) All land and other property included in the district will
9 benefit from the improvements and services to be provided by the
10 district under powers conferred by Sections 52 and 52-a, Article
11 III, and Section 59, Article XVI, Texas Constitution, and other
12 powers granted under this chapter.

13 (b) The district is created to serve a public use and
14 benefit.

15 (c) The creation of the district is in the public interest
16 and is essential to further the public purposes of:

17 (1) developing and diversifying the economy of the
18 state;

19 (2) eliminating unemployment and underemployment;

20 (3) promoting the affordability of housing; and

21 (4) developing or expanding transportation and
22 commerce.

23 (d) The district will:

24 (1) promote the health, safety, and general welfare of
25 residents, employers, potential employees, employees, visitors,
26 and consumers in the district, and of the public;

27 (2) provide needed funding for the district to

1 preserve, maintain, and enhance the economic health and vitality of
2 the district territory as a community and business center;

3 (3) promote the health, safety, welfare, and enjoyment
4 of the public by providing pedestrian ways and by landscaping and
5 developing certain areas in the district, which are necessary for
6 the restoration, preservation, and enhancement of scenic beauty;
7 and

8 (4) provide for water, wastewater, drainage, road, and
9 recreational facilities for the district.

10 (e) Pedestrian ways along or across a street, whether at
11 grade or above or below the surface, and street lighting, street
12 landscaping, parking, and street art objects are parts of and
13 necessary components of a street and are considered to be a street
14 or road improvement.

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

18 Sec. 3980.0105. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

26 (2) right to issue any type of bonds for the purposes
27 for which the district is created or to pay the principal of and

1 interest on the bonds;

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

3 (4) legality or operation.

4 Sec. 3980.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

5 All or any part of the area of the district is eligible to be
6 included in:

7 (1) a tax increment reinvestment zone created by the
8 city under Chapter 311, Tax Code; or

9 (2) a tax abatement reinvestment zone created by the
10 city under Chapter 312, Tax Code.

11 Sec. 3980.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
12 DISTRICTS LAW. Except as otherwise provided by this chapter,
13 Chapter 375, Local Government Code, applies to the district.

14 Sec. 3980.0108. CONSTRUCTION OF CHAPTER. This chapter
15 shall be liberally construed in conformity with the findings and
16 purposes stated in this chapter.

17 Sec. 3980.0109. CITY CONSENT; OPERATING AGREEMENT AND
18 PROJECT AGREEMENT REQUIRED. (a) Except as provided in Subsection
19 (c), before the district may exercise any powers under this
20 chapter:

21 (1) the city must adopt an ordinance or resolution
22 consenting to the creation of the district and to the inclusion of
23 land in the district;

24 (2) the city and the district must negotiate and
25 execute a mutually approved and accepted operating agreement; and

26 (3) the city and each developer of property in the
27 district must negotiate and execute a project agreement.

1 (b) This chapter expires December 31, 2020, if:

2 (1) the city and the district have not executed the
3 operating agreement required by Subsection (a)(2); or

4 (2) the city and each developer of property in the
5 district have not executed a project agreement as required by
6 Subsection (a)(3).

7 (c) The board has the powers necessary, convenient, or
8 desirable to negotiate and execute a mutually approved and accepted
9 operating agreement.

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 3980.0201. GOVERNING BODY; TERMS. (a) The district is
12 governed by a board of directors as provided in this section.

13 (b) Five directors are elected in the manner provided by
14 Subchapter D, Chapter 49, Water Code.

15 (c) The city may appoint one additional director to the
16 board.

17 (d) Section 375.063, Local Government Code, does not apply
18 to a director appointed by the city.

19 (e) If the city exercises its right to appoint a director
20 under Subsection (c), the board consists of six directors while the
21 appointed director serves on the board. If the city does not
22 exercise its right to appoint or reappoint a director under
23 Subsection (c), the board consists of five directors.

24 (f) Except as provided by Section 3980.0204, directors
25 serve staggered four-year terms.

26 Sec. 3980.0202. QUORUM. (a) Three members of the board
27 constitute a quorum regardless of whether the board has five or six

1 members.

2 (b) A majority vote of a quorum of the board is required for
3 official action.

4 (c) For purposes of determining the requirements for a
5 quorum of the board, the following are not counted:

6 (1) a board position vacant for any reason, including
7 death, resignation, or disqualification; or

8 (2) a director who is abstaining from participation in
9 a vote because of a conflict of interest.

10 Sec. 3980.0203. COMPENSATION. A director is entitled to
11 receive fees of office and reimbursement for actual expenses as
12 provided by Section 49.060, Water Code. Sections 375.069 and
13 375.070, Local Government Code, do not apply to the board.

14 Sec. 3980.0204. TEMPORARY DIRECTORS. (a) The temporary
15 board consists of:

16 (1) Matt Edgemon;

17 (2) Mike Brady;

18 (3) David Davidson Jr.;

19 (4) Amanda Green;

20 (5) Alan Hoffman; and

21 (6) a temporary director appointed by the city if the
22 city appoints a temporary director under Section 3980.0201(c).

23 (b) The temporary or successor temporary directors shall
24 hold an election as provided by Section 49.102, Water Code, to elect
25 the five permanent elected directors.

26 (c) Except for a temporary director appointed by the city,
27 temporary directors serve until the earlier of:

1 (1) the date the permanent elected directors are
2 elected under Subsection (b); or

3 (2) the fourth anniversary of the effective date of
4 the Act enacting this chapter.

5 (d) If the permanent elected directors have not been elected
6 under Subsection (b) and the terms of the temporary directors have
7 expired, successor temporary directors, other than a temporary
8 director appointed by the city, shall be appointed or reappointed
9 as provided by Subsection (e) to serve terms that expire on the
10 earlier of:

11 (1) the date the permanent elected directors are
12 elected under Subsection (b); or

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

15 (e) If Subsection (d) applies, the owner or owners of a
16 majority of the assessed value of the real property in the district
17 may submit a petition to the Texas Commission on Environmental
18 Quality requesting that the commission appoint as successor
19 temporary directors the five persons named in the petition. The
20 commission shall appoint as successor temporary directors the five
21 persons named in the petition.

22 (f) A temporary director appointed by the city serves until
23 the fourth anniversary of the effective date of the Act enacting
24 this chapter.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3980.0301. GENERAL POWERS AND DUTIES. The district
27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3980.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
3 district, using any money available to the district for the
4 purpose, may provide, design, construct, acquire, improve,
5 relocate, operate, maintain, or finance an improvement project or
6 service authorized under this chapter or Chapter 375, Local
7 Government Code.

8 (b) The district may contract with a governmental or private
9 entity to carry out an action under Subsection (a).

10 (c) The implementation of a district project or service is a
11 governmental function or service for the purposes of Chapter 791,
12 Government Code.

13 Sec. 3980.0303. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
14 The district may join and pay dues to a charitable or nonprofit
15 organization that performs a service or provides an activity
16 consistent with the furtherance of a district purpose.

17 Sec. 3980.0304. ADDING OR EXCLUDING LAND. (a) The district
18 may add or exclude land in the manner provided by Subchapter J,
19 Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

20 (b) A district may not add or exclude land unless the city
21 consents to the addition or exclusion.

22 Sec. 3980.0305. DISBURSEMENTS AND TRANSFERS OF MONEY. The
23 board by resolution shall establish the number of directors'
24 signatures and the procedure required for a disbursement or
25 transfer of district money.

26 Sec. 3980.0306. APPROVAL BY THE CITY. (a) The district
27 must obtain the approval of the city for:

1 (1) the plans and specifications of an improvement
2 project financed by bonds, notes, or other obligations; and

3 (2) the plans and specifications of an improvement
4 project related to the use of land owned by the city, an easement
5 granted by the city, or a right-of-way of a street, road, or
6 highway.

7 (b) City approval may be by an administrative process that
8 does not involve the city's governing body, unless approval of the
9 city's governing body is required by federal, state, or local law,
10 ordinance, or regulation.

11 (c) Before issuing bonds, the district must:

12 (1) provide to the city the documents authorizing the
13 bonds;

14 (2) provide to the city a certification from each
15 developer of property in the district that the developer is in
16 compliance with the terms and conditions of the developer's project
17 agreement with the city; and

18 (3) certify that the district is in compliance with
19 the terms and conditions of the ordinance or resolution consenting
20 to the creation of the district under Section 3980.0109 and the
21 operating agreement entered into under that section.

22 (d) The city must complete the city's review of the
23 documents and certifications required by Subsection (c) not later
24 than the 30th day after the date the city receives the documents and
25 certifications. The city may object to the issuance of the bonds if
26 the city determines that:

27 (1) the district is not in compliance with the terms

1 and conditions of the ordinance or resolution consenting to the
2 creation of the district under Section 3980.0109;

3 (2) the district is not in compliance with the
4 operating agreement entered into under Section 3980.0109; or

5 (3) a developer of property in the district is not in
6 compliance with the terms and conditions of a project agreement
7 that applies to the developer.

8 (e) If the city objects to the district's issuance of bonds,
9 the district must obtain the consent of the city's governing body to
10 the issuance of the bonds. The city's governing body may not
11 unreasonably withhold consent to the issuance of bonds.

12 (f) Section 375.207, Local Government Code, does not apply
13 to the district.

14 Sec. 3980.0307. NO EMINENT DOMAIN POWER. The district may
15 not exercise the power of eminent domain.

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

17 Sec. 3980.0401. PETITION REQUIRED FOR FINANCING SERVICES
18 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
19 service or improvement project with assessments under this chapter
20 unless a written petition requesting that service or improvement
21 has been filed with the board.

22 (b) A petition filed under Subsection (a) must be signed by
23 the owner or owners of a majority of the assessed value of real
24 property in the district subject to assessment according to the
25 most recent certified tax appraisal roll for the county.

26 Sec. 3980.0402. 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. Section 375.161, Local Government Code, does not apply
3 to an assessment imposed by the district.

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

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

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

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

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

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

25 Sec. 3980.0403. IMPACT FEES PROHIBITED. The district may
26 not adopt or impose an impact fee.

1 SUBCHAPTER E. TAXES AND BONDS

2 Sec. 3980.0501. TAX ELECTION REQUIRED. The district must
3 hold an election in the manner provided by Chapter 49, Water Code,
4 or, if applicable, Chapter 375, Local Government Code, to obtain
5 voter approval before the district may impose an ad valorem tax.

6 Sec. 3980.0502. OPERATION AND MAINTENANCE TAX. (a) If
7 authorized by a majority of the district voters voting at an
8 election under Section 3980.0501, the district may impose an
9 operation and maintenance tax on taxable property in the district
10 in the manner provided by Section 49.107, Water Code, for any
11 district purpose, including to:

- 12 (1) maintain and operate the district;
13 (2) construct or acquire improvements; or
14 (3) provide a service.

15 (b) The board shall determine the operation and maintenance
16 tax rate. The rate may not exceed the rate approved at the
17 election.

18 Sec. 3980.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
19 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
20 terms determined by the board.

21 (b) The district may issue bonds, notes, or other
22 obligations payable wholly or partly from ad valorem taxes,
23 assessments, revenue, contract payments, grants, or other district
24 money, or any combination of those sources of money, to pay for any
25 authorized district purpose.

26 (c) The principal amount of bonds issued by the district in
27 aggregate may not exceed 10 percent of the assessed value of all

1 real property in the district.

2 Sec. 3980.0504. BONDS SECURED BY REVENUE OR CONTRACT
3 PAYMENTS. The district may issue, without an election, bonds
4 secured by:

5 (1) revenue other than ad valorem taxes, including
6 contract revenues; or

7 (2) contract payments, provided that the requirements
8 of Section 49.108, Water Code, have been met.

9 Sec. 3980.0505. BONDS SECURED BY AD VALOREM TAXES;
10 ELECTIONS. (a) If authorized at an election under Section
11 3980.0501, the district may issue bonds payable from ad valorem
12 taxes.

13 (b) Section 375.243, Local Government Code, does not apply
14 to the district.

15 (c) At the time the district issues bonds payable wholly or
16 partly from ad valorem taxes, the board shall provide for the annual
17 imposition of a continuing direct annual ad valorem tax, without
18 limit as to rate or amount, for each year that all or part of the
19 bonds are outstanding as required and in the manner provided by
20 Sections 54.601 and 54.602, Water Code.

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

25 Sec. 3980.0506. CITY NOT REQUIRED TO PAY DISTRICT
26 OBLIGATIONS. Except as provided by Section 375.263, Local
27 Government Code, the city is not required to pay a bond, note, or

1 other obligation of the district.

2 SUBCHAPTER F. DEFINED AREAS

3 Sec. 3980.0601. AUTHORITY TO ESTABLISH DEFINED AREAS OR
4 DESIGNATED PROPERTY. The district may define areas or designate
5 certain property of the district to pay for improvements,
6 facilities, or services that primarily benefit that area or
7 property and do not generally and directly benefit the district as a
8 whole.

9 Sec. 3980.0602. PROCEDURE FOR ELECTION. (a) Before the
10 district may impose an ad valorem tax applicable only to the defined
11 area or designated property or issue bonds payable from ad valorem
12 taxes of the defined area or designated property, the board shall
13 hold an election as provided by Section 3980.0501 in the defined
14 area or designated property only.

15 (b) The board may submit the proposition to the voters on
16 the same ballot to be used in another election.

17 Sec. 3980.0603. DECLARING RESULT AND ISSUING ORDER.

18 (a) If a majority of the voters voting at the election held under
19 Section 3980.0602 approve the proposition or propositions, the
20 board shall declare the results and, by order, shall establish the
21 defined area or designated property and describe it by metes and
22 bounds or designate the specific area or property.

23 (b) The board's order is not subject to judicial review
24 except on the ground of fraud, palpable error, or arbitrary and
25 confiscatory abuse of discretion.

26 Sec. 3980.0604. TAXES FOR SERVICES, IMPROVEMENTS, AND
27 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter

1 approval and adoption of the order described by Section 3980.0603,
2 the district may apply separately, differently, equitably, and
3 specifically its taxing power and lien authority to the defined
4 area or designated property to provide money to construct,
5 administer, maintain, and operate services, improvements, and
6 facilities that primarily benefit the defined area or designated
7 property.

8 Sec. 3980.0605. ISSUANCE OF BONDS FOR DEFINED AREA OR
9 DESIGNATED PROPERTY. After the order under Section 3980.0603 is
10 adopted, the district may issue bonds to provide for any land,
11 improvements, facilities, plants, equipment, and appliances for
12 the defined area or designated property.

13 SUBCHAPTER G. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

14 Sec. 3980.0701. DIVISION OF DISTRICT; PREREQUISITES. The
15 district may be divided into two or more new districts only if the
16 district:

- 17 (1) has never issued any bonds; and
18 (2) is not imposing ad valorem taxes.

19 Sec. 3980.0702. LAW APPLICABLE TO NEW DISTRICT. This
20 chapter applies to any new district created by division of the
21 district, and a new district has all the powers and duties of the
22 district.

23 Sec. 3980.0703. LIMITATION ON AREA OF NEW DISTRICT. A new
24 district created by the division of the district may not, at the
25 time the new district is created, contain any land outside the area
26 described by Section 2 of the Act enacting this chapter.

27 Sec. 3980.0704. DIVISION PROCEDURES. (a) The board, on its

1 own motion or on receipt of a petition signed by the owner or owners
2 of a majority of the assessed value of the real property in the
3 district, may adopt an order dividing the district.

4 (b) An order dividing the district must:

5 (1) name each new district;

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

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

9 and

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

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

17 Sec. 3980.0705. DIRECTORS' ELECTION FOR NEW DISTRICT. A
18 new district created by the division of the district shall hold a
19 directors' election in the manner provided by Section 3980.0201.

20 Sec. 3980.0706. TAX OR BOND ELECTION. Before a new district
21 created by the division of the district may impose an operation and
22 maintenance tax under Section 3980.0502 or issue bonds payable
23 wholly or partly from ad valorem taxes, the new district must hold
24 an election as required by this chapter to obtain voter approval.

25 Sec. 3980.0707. CITY CONSENT. (a) City consent to the
26 creation of the district and to the inclusion of land in the
27 district granted under Section 3980.0109 acts as municipal consent

1 to the creation of any new district created by the division of the
2 district and to the inclusion of land in the new district.

3 (b) A new district created by division of the district is
4 subject to the terms and conditions contained in the ordinance or
5 resolution consenting to the creation of the district under Section
6 3980.0109.

7 Sec. 3980.0708. OPERATING AGREEMENT AND PROJECT AGREEMENT.

8 (a) Except as provided by Subsection (b), before a new district
9 created by division of the district may exercise any powers under
10 this chapter:

11 (1) the new district must enter into:

12 (A) a joinder to the existing operating agreement
13 between the city and the district; or

14 (B) a separate operating agreement with the city;
15 and

16 (2) each developer of property in the new district
17 must enter into:

18 (A) a joinder to an existing project agreement
19 between the city and a developer of property in the district
20 applicable to the territory in the new district; or

21 (B) a separate project agreement with the city.

22 (b) A new district created by division of the district has
23 the powers necessary, convenient, or desirable to negotiate and
24 execute an agreement described by Subsection (a).

25 SUBCHAPTER H. DISSOLUTION

26 Sec. 3980.0801. DISSOLUTION. (a) The board shall dissolve
27 the district on written petition filed with the board by the owner

1 or owners of:

2 (1) 66 percent or more of the assessed value of the
3 property subject to assessment by the district based on the most
4 recent certified county property tax rolls; or

5 (2) 66 percent or more of the surface area of the
6 district, excluding roads, streets, highways, utility
7 rights-of-way, other public areas, and other property exempt from
8 assessment by the district according to the most recent certified
9 county property tax rolls.

10 (b) The board by majority vote may dissolve the district at
11 any time.

12 (c) The district may not be dissolved by its board under
13 Subsection (a) or (b) if the district:

14 (1) has any outstanding bonded indebtedness until that
15 bonded indebtedness has been repaid or defeased in accordance with
16 the order or resolution authorizing the issuance of the bonds;

17 (2) has a contractual obligation to pay money until
18 that obligation has been fully paid in accordance with the
19 contract; or

20 (3) owns, operates, or maintains public works,
21 facilities, or improvements unless the district contracts with
22 another person for the ownership, operation, or maintenance of the
23 public works, facilities, or improvements.

24 (d) Sections 375.261, 375.262, and 375.264, Local
25 Government Code, do not apply to the district.

26 SECTION 2. The Hunter Ranch Improvement District No. 1 of
27 Denton County, Texas, initially includes all territory contained in

1 the following area:

2 TRACT 1:

3 BEING a tract of land situated in the E. Pizano Survey,
4 Abstract Number 994, the G. Pettingale Survey, Abstract Number
5 1041, the J. Taft Survey, Abstract Number 1269, the G. West Survey,
6 Abstract Number 1393, the B.B.B. & C.R.R. CO. Survey, Abstract
7 Number 158, Denton County, Texas, and being all of the remainder of
8 that tract of land described by deed to Petrus Investment, L.P.
9 (tract 1), recorded in Instrument Number 1998-117450, and all of
10 that tract of land described by deed to Hillwood Investment Land,
11 L.P., recorded in Instrument Number 2015-146192, Real Property
12 Records, Denton County, Texas, and being more particularly
13 described by metes and bounds as follows:

14 BEGINNING at the southwest corner of said Tract 1, being in
15 the north right-of-way line of Robson Ranch Road;

16 THENCE N 00°37'44"W, 3285.00 feet, departing said north
17 right-of-way line;

18 THENCE N 00°29'34"W, 3074.88 feet;

19 THENCE S 89°50'59"W, 1215.90 feet;

20 THENCE N 00°07'16"E, 3802.59 feet;

21 THENCE N 89°46'52"E, 5806.39 feet;

22 THENCE N 01°19'45"E, 92.25 feet;

23 THENCE N 89°29'17"E, 5406.54 feet, to the approximate center
24 line of John Paine Road;

25 THENCE N 00°09'21"W, 6119.82 feet, with said approximate
26 center line;

27 THENCE N 44°00'59"E, 231.30 feet, departing said approximate

1 center line, to the south right-of-way line of FM 2449, being the
2 beginning of a curve to the right;

3 THENCE with said south right-of-way line and said curve to
4 the right, an arc distance of 215.79 feet, through a central angle
5 of 11°16'41", having a radius of 1096.28 feet, the long chord which
6 bears S 66°45'34"E, 215.44 feet;

7 THENCE S 61°07'13"E, 2320.45 feet, continuing with said south
8 right-of-way line, to the beginning of a curve to the left;

9 THENCE with said south right-of-way line and said curve to
10 the left, an arc distance of 151.20 feet, through a central angle of
11 01°29'56", having a radius of 5779.65 feet, the long chord which
12 bears S 61°52'12"E, 151.19 feet;

13 THENCE S 00°27'53"E, 1963.20 feet;

14 THENCE S 89°55'28"E, 47.53 feet, to the west right-of-way line
15 of Interstate Highway 35W;

16 THENCE with said west right-of-way line the following
17 bearings and distances:

18 S 26°18'12"W, 1542.25 feet;

19 S 32°02'34"W, 199.99 feet;

20 S 26°18'12"W, 400.06 feet;

21 S 19°10'44"W, 201.57 feet;

22 S 26°18'12"W, 2962.69 feet;

23 N 33°34'41"W, 200.24 feet;

24 N 19°12'37"W, 155.68 feet;

25 N 00°31'13"W, 111.31 feet;

26 N 30°43'14"W, 44.34 feet;

27 N 89°58'11"W, 46.00 feet;

1 S 29°23'22"W, 44.72 feet;
2 S 00°31'13"E, 210.31 feet;
3 S 10°43'27"E, 103.30 feet;
4 S 00°31'13"E, 118.88 feet;
5 S 33°43'52"E, 270.79 feet;
6 S 26°18'12"W, 2560.86 feet;
7 S 27°54'47"W, 605.73 feet;
8 S 29°23'19"W, 2716.37 feet;
9 S 35°04'08"W, 202.07 feet;
10 S 29°23'19"W, 899.62 feet;
11 S 32°15'04"W, 144.34 feet;
12 S 89°59'41"W, 56.40 feet;
13 S 00°37'05"E, 92.68 feet;
14 S 29°23'19"W, 749.32 feet;
15 S 32°50'37"W, 497.80 feet;
16 S 29°18'00"W, 128.98 feet;
17 S 29°23'18"W, 922.23 feet;
18 THENCE S 65°32'46"W, 23.56 feet, to the north right-of-way
19 line of Robson Ranch Road;
20 THENCE with said north right-of-way line the following
21 bearings and distances:
22 S 89°52'13"W, 246.95 feet;
23 N 00°19'14"W, 5.20 feet;
24 S 89°53'26"W, 290.34 feet;
25 S 00°06'34"E, 5.00 feet;
26 S 89°53'26"W, 200.00 feet;
27 S 00°06'34"E, 5.00 feet;

1 S 89°53'26"W, 600.00 feet;
2 S 00°06'34"E, 5.00 feet;
3 THENCE S 89°53'26"W, 4134.86 feet to the Point of Beginning
4 and containing 102,688,371 square feet or 2357.40 acres of land
5 more or less.

6 TRACT 2:

7 BEING a tract of land situated in the B.B.B. & C.R.R. Co.
8 Survey, Abstract Number 158, the J. Taft Survey, Abstract Number
9 1269, the B.B.B & C.R.R. Co. Survey, Abstract Number 159, the G.
10 Pettingale Survey, Abstract Number 1041, the B.B.B. & C.R.R. Co.
11 Survey, Abstract Number 160, the S. Pritchett Survey, Abstract
12 Number 1021 and the G. West Survey, Abstract Number 1393, Denton
13 County, Texas, and being the remainder of that tract of land
14 described by deed to Petrus investment, L.P., recorded in
15 Instrument Number 1998-117450, Real Property Records, Denton
16 County, Texas and being more particularly described by metes and
17 bounds as follows:

18 BEGINNING at the intersection of the of John Paine Road and
19 Johnson Lane;

20 THENCE S 00°30'43"E, 3045.50 feet, with the approximate
21 centerline of said John Paine Road, to the beginning of a curve to
22 the left;

23 THENCE with said approximate centerline and said curve to the
24 left, an arc distance of 179.75 feet, through a central angle of
25 19°11'48", having a radius of 536.50 feet, the long chord which
26 bears S 09°24'16"W, 178.91 feet;

27 THENCE S 00°13'45"E, 426.23 feet, with said approximate

1 centerline;
2 THENCE S 89°53'42"W, 2258.03 feet, departing said approximate
3 centerline;
4 THENCE N 00°26'28"E, 497.90 feet;
5 THENCE S 89°59'41"W, 273.92 feet, to the east right-of-way
6 line of Interstate Highway 35W;
7 THENCE with said east right-of-way line the following
8 bearings and distances:
9 N 29°23'19"E, 847.04 feet;
10 N 23°44'25"E, 203.21 feet;
11 N 29°23'16"E, 2716.06 feet;
12 N 27°54'47"E, 621.79 feet;
13 N 26°18'12"E, 2150.05 feet;
14 N 89°55'52"E, 470.07 feet;
15 S 76°13'57"E, 71.47 feet;
16 N 89°37'20"E, 80.00 feet;
17 N 71°38'56"E, 52.97 feet;
18 N 16°39'41"E, 51.30 feet;
19 N 70°04'44"W, 229.45 feet;
20 N 54°35'05"W, 163.69 feet;
21 N 33°40'57"W, 209.99 feet;
22 N 26°18'12"E, 3164.78 feet;
23 N 36°14'02"E, 202.95 feet;
24 N 26°18'12"E, 399.25 feet;
25 N 32°45'23"E, 400.40 feet;
26 N 26°18'12"E, 399.87 feet;
27 N 14°58'58"E, 305.66 feet;

1 N 26°18'12"E, 833.31 feet;
2 THENCE N 89°32'14"E, 1998.29 feet, departing said east
3 right-of-way line;
4 THENCE S 00°48'03"E, 5473.72 feet, to the approximate
5 centerline of Allred Road;
6 THENCE S 89°49'27"W, 3048.35 feet, with said approximate
7 centerline;
8 THENCE S 00°27'04"E, 2640.07 feet, departing said approximate
9 centerline;
10 THENCE S 89°59'08"W, 2353.13 feet to the Point of Beginning
11 and containing 31,246,880 square feet or 717.33 acres of land more
12 or less.

13 TRACT 3:

14 BEING a tract of land situated in the S. Pritchett Survey,
15 Abstract Number 1004, the G. West Survey, Abstract Number 1393, the
16 C.W. Byerly Survey, Abstract Number 1458, and the J. Dalton Survey,
17 Abstract Number 353, Denton County, Texas, and being all of the
18 remainder of that tract of land described by deed to Petrus
19 Investment, L.P., (tract 3) recorded in Instrument Number
20 1998-117450, Real Property Records, Denton County, Texas, and being
21 more particularly described by metes and bounds as follows:

22 BEGINNING at an ell corner in the east line of said tract 3,
23 being the northwest corner of that tract of land described by deed
24 to Southwest Denton Venture, recorded in Instrument Number
25 1994-94865, said Real Property Records;

26 THENCE S 00°26'39"E, 996.99 feet, with the east line of said
27 tract 3, to the north right-of-way line of FM 2449, being the

1 beginning of a curve to the right;
2 THENCE with said north right-of-way line and said curve to
3 the right, an arc distance of 95.22 feet, through a central angle of
4 00°57'38", having a radius of 5679.65 feet, the long chord which
5 bears N 61°36'02"W, 95.22 feet;
6 THENCE N 61°07'13"W, 2320.45 feet, with said north
7 right-of-way line;
8 THENCE N 00°16'51"W, 99.92 feet, to the approximate
9 centerline of Underwood Road;
10 THENCE N 89°44'37"E, 986.31 feet, with said approximate
11 centerline;
12 THENCE N 01°13'53"E, 1106.15 feet, continuing with said
13 approximate centerline, to the southwest corner of that tract of
14 land described by deed to W.C. Lynch, recorded in Instrument Number
15 1991-23744, said Real Property Records;
16 THENCE S 89°48'49"E, 1847.04 feet, with the south line of said
17 Lynch tract;
18 THENCE S 00°25'26"E, 427.73 feet, departing said south line,
19 to the approximate centerline of Hickory Creek;
20 THENCE with the approximate centerline of Hickory Creek the
21 following bearings and distances:
22 S 40°20'08"E, 256.75 feet;
23 S 49°08'35"E, 333.56 feet;
24 S 44°58'00"E, 94.76 feet;
25 S 24°00'36"E, 123.31 feet;
26 S 05°41'36"W, 211.41 feet;
27 THENCE S 02°18'34"E, 131.60 feet, to the north line of the

1 aforementioned Southwest Denton JV tract;

2 THENCE S 89°32'45"W, 1271.86 feet, departing said Hickory
3 Creek, to the Point of Beginning and containing 4,050,704 square
4 feet or 92.99 acres of land more or less.

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

12 (b) The governor, one of the required recipients, has
13 submitted the notice and Act to the Texas Commission on
14 Environmental Quality.

15 (c) The Texas Commission on Environmental Quality has filed
16 its recommendations relating to this Act with the governor,
17 lieutenant governor, and speaker of the house of representatives
18 within the required time.

19 (d) All requirements of the constitution and laws of this
20 state and the rules and procedures of the legislature with respect
21 to the notice, introduction, and passage of this Act have been
22 fulfilled and accomplished.

23 SECTION 4. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2019.