

By: West

S.B. No. 2445

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the New Park Municipal Management District; providing authority to issue bonds; providing authority to impose assessments and fees.

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 3966 to read as follows:

CHAPTER 3966. NEW PARK MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3966.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Dallas.

(3) "Director" means a board member.

(4) "District" means the New Park Municipal Management District.

(5) "Exempt property" means property owned by a governmental entity, including the city.

Sec. 3966.0102. NATURE OF DISTRICT. The New Park Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3966.0103. PURPOSE; DECLARATION OF INTENT. (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

1 chapter.

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

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

11 (d) This chapter and the creation of the district may not be
12 interpreted to relieve the city from providing the level of
13 services provided as of the effective date of the Act enacting this
14 chapter to the area in the district. The district is created to
15 supplement and not to supplant city services provided in the
16 district.

17 Sec. 3966.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

18 (a) All land and other property included in the district will
19 benefit from the improvements and services to be provided by the
20 district under powers conferred by Sections 52 and 52-a, Article
21 III, and Section 59, Article XVI, Texas Constitution, and other
22 powers granted under this chapter.

23 (b) The district is created to serve a public use and
24 benefit.

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

27 (1) developing and diversifying the economy of the

1 state;

2 (2) eliminating unemployment and underemployment; and

3 (3) developing or expanding transportation and

4 commerce.

5 (d) The district will:

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

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

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

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

19 (e) Pedestrian ways along or across a street, whether at
20 grade or above or below the surface, and street lighting, street
21 landscaping, parking, and street art objects are parts of and
22 necessary components of a street and are considered to be a street
23 or road improvement.

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

27 Sec. 3966.0105. INITIAL DISTRICT TERRITORY. (a) The

1 district is initially composed of the territory described by
2 Section 2 of the Act enacting this chapter.

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

7 (1) organization, existence, or validity;

8 (2) right to issue any type of bonds for the purposes
9 for which the district is created or to pay the principal of and
10 interest on the bonds;

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

12 (4) legality or operation.

13 Sec. 3966.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 All or any part of the area of the district is eligible to be
15 included in:

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

18 (2) a tax abatement reinvestment zone created under
19 Chapter 312, Tax Code.

20 Sec. 3966.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 3966.0108. CONSTRUCTION OF CHAPTER. This chapter
24 shall be liberally construed in conformity with the findings and
25 purposes stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3966.0201. GOVERNING BODY; TERMS. (a) The district

1 is governed by a board of five elected directors who serve staggered
2 terms of four years.

3 (b) Directors are elected in the manner provided by
4 Subchapter D, Chapter 49, Water Code.

5 (c) The board may not create an executive committee to
6 exercise the powers of the board.

7 Sec. 3966.0202. EX OFFICIO DIRECTORS. (a) The city
8 manager, city auditor, and city attorney serve as nonvoting ex
9 officio directors.

10 (b) The city manager, city auditor, or city attorney may
11 appoint a designee to serve as an ex officio director in place of
12 that person.

13 (c) An ex officio director is entitled to speak on any
14 matter before the board.

15 (d) An ex officio director is not counted as a director for
16 purposes of establishing a quorum.

17 Sec. 3966.0203. MEETINGS; NOTICE. (a) The board shall
18 hold meetings at a place accessible to the public.

19 (b) The board must post notice of each meeting with the city
20 secretary not later than 72 hours before the scheduled time of the
21 meeting.

22 Sec. 3966.0204. COMPENSATION; EXPENSES. (a) The district
23 may compensate each voting director in an amount not to exceed \$150
24 for each board meeting. The total amount of compensation for each
25 director in one year may not exceed \$7,200.

26 (b) An ex officio director is not entitled to receive
27 compensation from the district.

1 (c) A voting director or an ex officio director is entitled
2 to reimbursement for necessary and reasonable expenses incurred in
3 carrying out the duties and responsibilities of the board.

4 Sec. 3966.0205. INITIAL DIRECTORS. (a) The initial board
5 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Edward Cox</u>
<u>2</u>	<u>Rodney Haire</u>
<u>3</u>	<u>Cami Hobbs</u>
<u>4</u>	<u>Varvara K. Brown</u>
<u>5</u>	<u>Nick Wohr</u>

12 (b) Of the initial directors, the terms of directors
13 appointed for positions one through three expire June 1, 2021, and
14 the terms of directors appointed for positions four and five expire
15 June 1, 2023.

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 3966.0301. GENERAL POWERS AND DUTIES. (a) The
18 district has the powers and duties necessary to accomplish the
19 purposes for which the district is created.

20 (b) The board may not take any action or exercise any power
21 granted under this chapter other than to hold an initial
22 organizational meeting until the development agreement described
23 by Section 3966.0302 is approved by the city and executed by the
24 parties to the agreement.

25 Sec. 3966.0302. DEVELOPMENT AGREEMENT. (a) The city, the
26 district, and any other entities the city determines are necessary
27 to the agreement may execute a development agreement if approved by

1 the city.

2 (b) This chapter expires on the fourth anniversary of the
3 effective date of the Act enacting this chapter if the development
4 agreement under Subsection (a) is not executed before that date.

5 Sec. 3966.0303. IMPROVEMENT PROJECTS AND SERVICES.

6 (a) The district, using any money available to the district for
7 the purpose, may provide, design, construct, acquire, improve,
8 relocate, operate, maintain, or finance an improvement project or
9 service authorized under this chapter or Chapter 375, Local
10 Government Code.

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

13 (c) The implementation of a district project or service is a
14 governmental function or service for the purposes of Chapter 791,
15 Government Code.

16 (d) A district improvement project or service must comply
17 with:

18 (1) the city charter and any city zoning and
19 subdivision requirements; and

20 (2) city codes and ordinances.

21 (e) The district may not provide, conduct, or authorize an
22 improvement project on any street, highway, right-of-way, or
23 easement owned or controlled by the city unless the governing body
24 of the city by resolution consents to the improvement.

25 Sec. 3966.0304. NONPROFIT CORPORATION. (a) The board by
26 resolution may, with the consent of the governing body of the city
27 by resolution, authorize the creation of a nonprofit corporation to

1 assist and act for the district in implementing a project or
2 providing a service authorized by this chapter.

3 (b) The nonprofit corporation:

4 (1) has each power of and is considered to be a local
5 government corporation created under Subchapter D, Chapter 431,
6 Transportation Code; and

7 (2) may implement any project and provide any service
8 authorized by this chapter.

9 (c) The board shall appoint the board of directors of the
10 nonprofit corporation. The board of directors of the nonprofit
11 corporation shall serve in the same manner as the board of directors
12 of a local government corporation created under Subchapter D,
13 Chapter 431, Transportation Code, except that a board member is not
14 required to reside in the district.

15 (d) The board of the nonprofit corporation shall hold
16 meetings at a place accessible to the public.

17 (e) The board of the nonprofit corporation must post notice
18 of each meeting with the city secretary not later than 72 hours
19 before the scheduled time of the meeting.

20 Sec. 3966.0305. LAW ENFORCEMENT SERVICES. To protect the
21 public interest, with the consent of the governing body of the city
22 by resolution, the district may contract with a qualified party,
23 including the city, to provide law enforcement services in the
24 district for a fee.

25 Sec. 3966.0306. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
26 The district, with the consent of the governing body of the city by
27 resolution, may join and pay dues to a charitable or nonprofit

1 organization that performs a service or provides an activity
2 consistent with the furtherance of a district purpose.

3 Sec. 3966.0307. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
4 district, with the consent of the governing body of the city by
5 resolution, may engage in activities that accomplish the economic
6 development purposes of the district.

7 (b) The district may establish and provide for the
8 administration of one or more programs to promote state or local
9 economic development and to stimulate business and commercial
10 activity in the district, including programs to:

- 11 (1) make loans and grants of public money; and
12 (2) provide district personnel and services.

13 (c) The district may create economic development programs
14 and exercise the economic development powers provided to
15 municipalities by:

- 16 (1) Chapter 380, Local Government Code; and
17 (2) Subchapter A, Chapter 1509, Government Code.

18 Sec. 3966.0308. PARKING FACILITIES. (a) The district may
19 acquire, lease as lessor or lessee, construct, develop, own,
20 operate, and maintain parking facilities or a system of parking
21 facilities, including lots, garages, parking terminals, or other
22 structures or accommodations for parking motor vehicles off the
23 streets and related appurtenances.

24 (b) The district's parking facilities serve the public
25 purposes of the district and are owned, used, and held for a public
26 purpose even if leased or operated by a private entity for a term of
27 years.

1 (c) The district's parking facilities are parts of and
2 necessary components of a street and are considered to be a street
3 or road improvement.

4 (d) The development and operation of the district's parking
5 facilities may be considered an economic development program.

6 Sec. 3966.0309. ADDING OR EXCLUDING LAND. With the consent
7 of the governing body of the city by resolution, the district may
8 add or exclude land in the manner provided by Subchapter J, Chapter
9 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

10 Sec. 3966.0310. DISBURSEMENTS AND TRANSFERS OF MONEY. The
11 board by resolution shall establish the number of directors'
12 signatures and the procedure required for a disbursement or
13 transfer of district money.

14 Sec. 3966.0311. EXEMPT PROPERTY. The district may not
15 impose an assessment, fee, tax, or other charge on an exempt
16 property.

17 Sec. 3966.0312. CERTAIN RESIDENTIAL PROPERTY.

18 (a) Section 375.161, Local Government Code, does not apply to the
19 district.

20 (b) Notwithstanding Subsection (a), the district may not
21 impose an assessment on property if the owner qualifies the
22 property for a homestead exemption under Section 11.13, Tax Code:

23 (1) for the tax year in which the Act enacting this
24 chapter takes effect; or

25 (2) for the tax year in which the assessment is
26 imposed.

27 Sec. 3966.0313. NO AD VALOREM TAX. The district may not

1 impose an ad valorem tax.

2 Sec. 3966.0314. NO EMINENT DOMAIN POWER. The district may
3 not exercise the power of eminent domain.

4 SUBCHAPTER D. ASSESSMENTS

5 Sec. 3966.0401. PETITION REQUIRED FOR FINANCING SERVICES
6 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance
7 a service or improvement project with assessments under this
8 chapter unless a written petition requesting that service or
9 improvement has been filed with the board.

10 (b) A petition filed under Subsection (a) must be signed by
11 the owners of a majority of the assessed value of real property in
12 the district subject to assessment according to the most recent
13 certified tax appraisal roll for the county.

14 Sec. 3966.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS.

15 (a) The board by resolution may impose and collect an assessment
16 for any purpose authorized by this chapter in all or any part of the
17 district.

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

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

25 (2) are superior to any other lien or claim other than:

26 (A) a lien or claim for county, school district,
27 or municipal ad valorem taxes; or

1 (B) a lien filed by the city or securing an
2 obligation owed to the city; and

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

6 (c) The lien is effective from the date of the board's
7 resolution imposing the assessment until the date the assessment is
8 paid. The board may enforce the lien in the same manner that a
9 taxing unit, as that term is defined by Section 1.04, Tax Code, may
10 enforce an ad valorem tax lien against real property.

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

15 SUBCHAPTER E. BONDS

16 Sec. 3966.0501. AUTHORITY TO BORROW MONEY AND TO ISSUE
17 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
18 terms determined by the board.

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

24 Sec. 3966.0502. BONDS SECURED BY REVENUE OR CONTRACT
25 PAYMENTS. The district may issue, without an election, bonds
26 secured by:

27 (1) revenue, including contract revenues; or

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

3 Sec. 3966.0503. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
4 UNDER AGREEMENT. If the improvements financed by an obligation
5 will be conveyed to or operated and maintained by a municipality or
6 retail utility provider pursuant to an agreement between the
7 district and the municipality or retail utility provider entered
8 into before the issuance of the obligation, the obligation may be in
9 the form of bonds, notes, or other obligations payable wholly or
10 partly from assessments, issued by public or private sale, in the
11 manner provided by Subchapter A, Chapter 372, Local Government
12 Code.

13 Sec. 3966.0504. CONSENT OF MUNICIPALITY REQUIRED. (a) The
14 board may not issue bonds until each municipality in whose
15 corporate limits or extraterritorial jurisdiction the district is
16 located has consented by ordinance or resolution to the creation of
17 the district and to the inclusion of land in the district.

18 (b) This section applies only to the district's first
19 issuance of bonds.

20 SUBCHAPTER I. DISSOLUTION

21 Sec. 3966.0901. DISSOLUTION. (a) The board shall dissolve
22 the district on written petition filed with the board by the owners
23 of:

24 (1) 66 percent or more of the assessed value of the
25 property subject to assessment by the district based on the most
26 recent certified county property tax rolls; or

27 (2) 66 percent or more of the surface area of the

1 district, excluding roads, streets, highways, utility
2 rights-of-way, other public areas, and other property exempt from
3 assessment by the district according to the most recent certified
4 county property tax rolls.

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

7 (c) The city may dissolve the district at any time if:

8 (1) the development agreement has been executed; and

9 (2) the district's performance under the agreement has
10 been fulfilled, including any right or obligation the district has
11 to reimburse a developer or owner for the costs of an improvement
12 project.

13 (d) If the district is dissolved, the board shall transfer
14 ownership of all district property to the city.

15 (e) The district may not be dissolved if the district:

16 (1) has any outstanding debt until that debt has been
17 repaid or defeased in accordance with the order or resolution
18 authorizing the issuance of the debt;

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

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

26 (f) Subchapter M, Chapter 375, Local Government Code, does
27 not apply to the district.

1 SECTION 2. The New Park Municipal Management District
2 initially includes all territory contained in the following area:

3 TRACT 1:

4 BEING a tract of land situated in the John Grigsby Survey, Abstract
5 No. 495, City of Dallas, Dallas County, Texas, and being the same
6 tract of land conveyed to Janice C. Pastor and Stanley Pastor,
7 Co-Trustees of the Janice C. Pastor 1995 Revocable Trust recorded
8 in Volume 98035, Page 01773, Deed Records, Dallas County, Texas and
9 being the same tract of land conveyed to Janice C. Pastor and
10 Constance C. Tolmas by probate recorded in Probate No. 89-3123,
11 Probate Minutes, Dallas County, Texas, and being more particularly
12 described by metes and bounds as follows:

13 Beginning at an "x" cut set in concrete at the intersection of the
14 South right-of-way line of Marilla Street (53 foot right- of-way)
15 and the East right-of-way line of S. Ervay Street (variable width
16 right-of-way);

17 Thence North 75 degrees 00 minutes 00 seconds East, along the
18 Southeast right-of-way line of said Marilla Street, a distance of
19 185.86 feet to a 1 inch iron pipe found at the West corner of a tract
20 of land conveyed to Dallas Power & Light Company recorded in Volume
21 3343, Page 598, Deed Records, Dallas County, Texas;

22 Thence South 44 degrees 37 minutes 15 seconds East, along the
23 Southwest property line of said Dallas Power & Light Company tract,
24 a distance of 42.40 feet to a P.K. nail set at the North corner of a
25 tract of land conveyed to Dallas Power & Light Company by deed
26 recorded in Volume 3352, Page 287, Deed Records, Dallas County,
27 Texas;

1 Thence South 45 degrees 29 minutes 32 seconds West, along the
2 Northwest property line of said Dallas Power & Light Company
3 (Volume 3352, Page 287) tract, passing the North corner of a tract
4 of land conveyed to Dallas Power & Light Company by deed recorded in
5 Volume 3320, Page 488, Deed Records, Dallas County, Texas, at a
6 distance of 8.67 feet and continuing along the Northwest property
7 line of said Dallas Power & Light Company (Volume 3320, Page 488)
8 tract, for a total distance of 193.67 feet to an "X" cut set in
9 concrete in the Northeast right-of-way line of said S. Ervay
10 Street;

11 Thence North 44 degrees 18 minutes 25 seconds West, along the
12 Northeast right-of-way line of said S. Ervay Street, a distance of
13 47.50 feet to an "X" cut set in concrete for corner;

14 Thence North 28 degrees 52 minutes 46 seconds West, and continuing
15 along the Northeast right-of-way line of said S. Ervay Street, a
16 distance of 50.91 feet to an "X" cut set in concrete for corner;

17 Thence North 18 degrees 52 minutes 07 seconds West, and continuing
18 along the East right-of-way line of said S. Ervay Street, a distance
19 of 41.50 feet to the Point of Beginning and containing 17,324.67
20 square feet or 0.3977 acres of land.

21 TRACT 2:

22 Being all of Lots 6, 7 and 8 and a portion of Lots 1, 2, 3, in Block
23 2/102 of Browder's Addition, an Addition to the City of Dallas,
24 Dallas County, Texas, according to the map thereof recorded in
25 Volume U, Page 492, Real Property Records, Dallas County, Texas,
26 and being the same tracts of land conveyed to Dallas Power & Light
27 Company, a Texas corporation, by deeds recorded in Volume 3301,

1 Page 165, Volume 3320, Page 488, Volume 3343, Page 598 and Volume
2 3352, Page 287, Deed Records, Dallas County, Texas, and being more
3 particularly described as follows:

4 BEGINNING at a monument found for corner, said corner being in the
5 Northwest line of Canton Street (66 foot right-of-way) and being
6 the South corner of a tract of land conveyed to City of Dallas, by
7 deed recorded in Volume 87165, Page 4821, Deed Records, Dallas
8 County, Texas;

9 THENCE South 45 degrees 32 minutes 35 seconds West, along the
10 Northwest line of said Canton Street, a distance of 288.00 feet to
11 an "X" found in concrete for corner, said corner being in the
12 intersection of the Northwest line of said Canton Street and the
13 Northeast line of S. Ervay Street (variable width right-of-way);

14 THENCE North 44 degrees 18 minutes 25 seconds West, along the
15 Northeast line of said S. Ervay Street, a distance of 221.50 feet to
16 an "X" found in concrete for corner, said corner being the South
17 corner of a tract of land conveyed to 702 S. Ervay, L.P., by deed
18 recorded in Volume 2003099, Page 3909, Deed Records, Dallas County,
19 Texas;

20 THENCE North 45 degrees 29 minutes 32 seconds East, along the
21 Southeast line of said 702 S. Ervay tract, a distance of 193.67 feet
22 to a 5/8 inch iron rod found for corner;

23 THENCE North 44 degrees 37 minutes 15 seconds West, along the
24 Northeast line of said 702 S. Ervay tract, a distance of 42.40 feet
25 to a 3/4 inch iron pipe found for corner, said corner being in the
26 Southeast line of Marilla Street (53 foot right-of-way);

27 THENCE North 75 degrees 00 minutes 00 seconds East, along the

1 Southeast line of said Marilla Street, a distance of 107.57 feet to
2 a 60D nail found for corner, said corner being the West corner of
3 said City of Dallas tract;

4 THENCE South 44 degrees 30 minutes 42 seconds East, along the
5 Southwest line of said City of Dallas tract, a distance of 211.17
6 feet to the POINT OF BEGINNING and containing 65,228 square feet or
7 1.50 acre tract of land.

8 TRACT 3:

9 BEING a 7,725 square feet or a 0.177 acre tract of land situated in
10 the John Grigsby Survey, Abstract No. 495, Dallas County, said
11 tract being part of City Block 83-1/4, and being all of a tract of
12 land conveyed to the heirs and devisees under the Estate of Edna
13 Kahn Flaxman; Betty Kahn Dreyfus and Alan Linz Kahn by Probate
14 #PR-66-02038-A-CO-DC, and being more particularly described as
15 follows:

16 BEGINNING at a found PK nail for a corner in the southwest line of
17 Browder Street (a 58 foot right of way), said point being N 45°00'00"
18 W, a distance of 82.00 feet from the intersection of the southwest
19 line of Browder Street with the northwest line of Cadiz Street (a 60
20 foot right of way), said point being the north corner of a called
21 11,200 square feet tract of land conveyed to Paul K. and Colleen F.
22 Tyler by deed recorded in Volume 97183, Page 5144, Deed Records of
23 Dallas County, Texas;

24 THENCE, S 45°21'00" W, departing the southwest line of Browder
25 Street, a distance of 136.54 feet to a point or a corner in the
26 northeast line of a 10 foot Alley right of way;

27 THENCE, N 45°18'10" W, with the northeast line of the said Alley

1 right of way, a distance of 50.85 feet to a point for a corner, said
2 point being the most westerly corner of the herein described tract
3 and the most southerly corner of a called 8,296 square feet tract
4 land described in deed to City Park A Lot, L.P. as recorded in
5 Instrument Number 20070146779, Official Public Records of Dallas
6 County, Texas;

7 THENCE, N 45°00'00" E, departing the northeast line of the said
8 Alley right of way, a distance of 16.77 feet to a point for a corner;

9 THENCE, N 45°00'00" W, a distance of 6.00 feet to a point for a
10 corner;

11 THENCE, N 45°00'00" E, a distance of 120.00 feet to a point for a
12 corner in the southwest line of Browder Street;

13 THENCE, S 45°00'00" E, with the southwest line of Browder Street, a
14 distance of 57.68 feet to the Point of Beginning.

15 TRACT 4:

16 BEING a 106,266 square feet or a 2.4395 acre tract of land situated
17 in the John Grigsby Survey, Abstract No. 495, City of Dallas,
18 Dallas County, Texas, said tract being all of Lots 1 through 8,
19 Block 6/89 1/2 of Browder's Addition, an addition to the City of
20 Dallas, Dallas County, Texas according to the map thereof recorded
21 in Volume U, Page 492, Deed Records of Dallas County, Texas, said
22 tract conveyed to C. P. Canton/Patterson Street Limited Partnership
23 by deed recorded in Volume 94222, Page 2920, Deed Records of Dallas
24 County, Texas, and being more particularly described as follows:

25 BEGINNING at a found 1/2 inch iron rod for a corner at the
26 intersection of the northeast line of Browder Street (a 58 foot
27 right of way) with the southeast line of Canton Street (a 66 foot

1 right of way), said point being the west corner of said Lot 1, Block
2 6/89 1/2;

3 THENCE, N 45°14'00" E, with the southeast line of Canton Street, a
4 distance of 398.00 feet to a set punch mark on a metal plate for a
5 corner at the intersection of the southeast line of Canton Street
6 with the southwest line of South Ervay Street (a 60 foot right of
7 way, said point being the north corner of said Lot 4, Block 6/89
8 1/2;

9 THENCE, S 44°46'00" E, with the southwest line of South Ervay
10 Street, a distance of 267.00 feet to a set "crows foot" cut on
11 concrete pavement for a corner at the intersection of the southwest
12 line of South Ervay Street with the northwest line of Cadiz Street
13 (a 66 foot right of way), said point being the east corner of said
14 Lot 5, Block 6/89 1/2;

15 THENCE, S 45°14'00" W, with the northwest line of Cadiz Street, a
16 distance of 398.00 feet to a found "x" cut on concrete pavement for
17 a corner at the intersection of the northwest line of Cadiz Street
18 with the northeast line of Browder Street, said point being the
19 south corner of said Lot 8, Block 6/89 1/2;

20 THENCE, N 44°46'00" W, with the northeast line of Browder Street, a
21 distance of 267.00 feet to the Point of Beginning.

22 TRACT 5:

23 BEING a 102,929 square feet or a 2.3629 acre tract of land situated
24 in the John Grigsby Survey, Abstract No. 495, City of Dallas,
25 Dallas County, Texas, said tract being all of Lots 1 through 8,
26 Block 5/103 of Browder's Addition, an addition to the City of
27 Dallas, Dallas County, Texas according to the map thereof recorded

1 in Volume U, Page 492, Deed Records of Dallas County, Texas, said
2 tract conveyed to C. P. Canton/Patterson Street Limited Partnership
3 by deed recorded in Volume 94183, Page 450, Deed Records of Dallas
4 County, Texas, and being more particularly described as follows:

5 BEGINNING at a set "v" cut on concrete pavement for a corner at the
6 intersection of the northeast line of South Ervay Street (a 66 foot
7 right of way) with the southeast line of Canton Street (a 66 foot
8 right of way), said point being the west corner of said Lot 1, Block
9 5/103;

10 THENCE, N 45°14'00" E, with the southeast line of Canton Street, a
11 distance of 385.50 feet to a found "x" cut on concrete pavement for
12 a corner at the intersection of the southeast line of Canton Street
13 with the southwest lie of St. Paul Street (a 66 foot right of way,
14 said point being the north corner of said Lot 4, Block 5/103;

15 THENCE, S 44°46'00" E, with the southwest line of St. Paul Street, a
16 distance of 267.00 feet to a found PK nail for a corner at the
17 intersection of the southwest line of St. Paul Street with the
18 northwest line of Cadiz Street (a 60 foot right of way), said point
19 being the east corner of said Lot 5, Block 5/103;

20 THENCE, S 45°14'00" W, with the northwest line of Cadiz Street, a
21 distance of 385.50 feet to a set "crows foot" cut on concrete
22 pavement for a corner at the intersection of the northwest line of
23 Cadiz Street with the northeast line of South Ervay Street, said
24 point being the south corner of said Lot 8, Block 5/103;

25 THENCE, N 44°46'00" W, with the northeast line of South Ervay
26 Street, a distance of 267.00 feet to the Point of Beginning.

27 TRACT 6:

S.B. No. 2445

1 Being 806 & 810 South St. Paul, 1808 Canton and 1809-1811 Cadiz
2 Street in the City of Dallas and being all of Lots 1, 7 and 8 and
3 part of Lot 2, Block 4/112 of Browder's Addition, an addition to the
4 City of Dallas, Texas according to the plat thereof recorded in
5 Volume U, Page 492, Deed Records, Dallas County, Texas and being
6 more particularly described as follows:

7 Beginning at a capped 1/2 inch iron rod set at the intersection of
8 the Northeast line of South St. Paul Street and the Northwest line
9 of Cadiz Street at the South corner of Lot 8, Block 4/112;

10 Thence N 45°05'36" W along the Northeast line of South St. Paul
11 Street, at 0.7 feet, passing a building corner, at 101.78 feet
12 passing another building corner, at 132.26 feet passing a 1/2 inch
13 iron pipe found at the West corner of Lot 8, same being the South
14 corner of Lot 1, in all a total distance of 267.17 feet to an X cut
15 found at the west corner of Lot 1 at the intersection with the
16 Southeast line of Canton Street;

17 Thence N 44°45'11" E along the said Southeast line of Canton Street,
18 at 92.98 feet passing a building corner at the North corner of Lot
19 1, same being the West corner of Lot 2, at 132.98 feet passing a
20 building corner in all a total distance of 142.98 feet to a 1/2"
21 iron pipe found for corner at the West corner of a tract conveyed to
22 Salamander Group LLC, by deed as recorded under Clerk's
23 #201300206750 in the Official Public Records of Dallas County,
24 Texas;

25 Thence S 45°29'10" E along the said Southwest line of the Salamander
26 Group tract, a distance of 133.18 feet to a fence corner post found
27 in the Northwest line of Lot 7, block 4/112;

1 Thence N 44°03'55" E along the said Northwest line of Lot 7, and the
2 Southeast line of the said Salamander Group tract, a distance of
3 44.00 feet to a 1/2" iron pipe found at the North corner of Lot 7,
4 same being the West corner of Lot 6 at the most Southerly Southwest
5 corner of a tract conveyed to Mintex Development LLC, by deed as
6 recorded under Clerk's #20075044996, Official Public Records,
7 Dallas County, Texas;

8 Thence S 45°08'32" E along the said Southwest line of the Mintex
9 Development tract, a distance of 135.33 feet to a capped 1/2" iron
10 rod set at the East corner of Lot 7 in the Northwest line of Cadiz
11 Street;

12 Thence S 45°00'00" W along the said Northwest line of Cadiz Street
13 same being the Southeast line of Lot 7, at 94.00 feet passing a 1/2
14 inch iron pipe found at the South corner of Lot 7, same being the
15 East corner of Lot 8, at 114.52 feet passing a building corner, at
16 171.95 feet passing another building corner, in all a total
17 distance of 188.00 feet to the Place of Beginning and containing
18 44,371.8 square feet or 1.02 acres of calculated land.

19 TRACT 7:

20 BEING a 0.183 acres tract of land situated in the John Grigsby
21 Survey, Abstract No. 495, in the City of Dallas, Dallas County,
22 Texas, being a portion of City Block 122, being that same tract of
23 land described in deed to Steven J. Rodgers, Steven Rodgers
24 Trustee, recorded in Instrument Number 201700099097, of the Deed
25 Records of Dallas County, Texas and being more particularly
26 described by metes and bounds as follows:

27 BEGINNING at a nail with washer found for the common corner of said

1 Rodgers tract, and a called 0.5200 acre tract of land described in a
2 deed to Sam Harrington, recorded in Volume 92189, Page 0467, Deed
3 Records, Dallas County, Texas, and being in the southerly
4 right-of-way line of S Harwood Street (a variable width public
5 right-of-way);
6 THENCE S 44'48'29" W, along the common line between said Rodgers
7 tract, and said called 0.5200 acre tract, a distance of 150.00 feet
8 to an "X" cut in concrete found for the common corner of said
9 Rodgers tract, and said called 0.5200 acre tract, and being in the
10 north line of a tract of land described in a deed to Sam Harrington
11 recorded in Volume 78044, Page 3901, Deed Records, Dallas County,
12 Texas;
13 THENCE N 45'18'16" W, along the common line between said Rodgers
14 tract, and said Harrington tract, a distance of 52.99 feet to an "X"
15 cut in concrete found for the common corner of said Rodgers tract,
16 and said Harrington tract, and being in the easterly right-of-way
17 line of Saint Louis Street (a 66 foot wide public right-of-way);
18 THENCE N 44'48'29" E, along the west line of said Rodgers tract, and
19 along the easterly right-of-way line of said Saint Louis Street, a
20 distance of 150.00 feet to an "X" cut in concrete set for the
21 northwest corner of said Rodgers tract, and being the southeast
22 right-of-way line of said Saint Louis Street, and said S Harwood
23 Street;
24 THENCE S 45'18'16" E, along the northerly line of said Rodgers
25 tract, and along the southerly right-of-way line of said S. Harwood
26 Street, a distance of 52.99 feet to the POINT OF BEGINNING and
27 containing 7,948 square feet or 0.183 acres of land more or less.

1 TRACT 8:

2 Being a tract of land situated in the J. Grigsby Survey, Abstract
3 No. 495, being a part of Block 122 of the City of Dallas, Dallas
4 County, Texas, being those tracts of land conveyed to Sam
5 Harrington, by deeds recorded in Volume 92189, Page 467, Vol.
6 76148, Pg. 815, Vol. 80013, Pg. 3319 Vol. 78044, Page 3901, Vol.
7 78044, Pg. 3817, Deed Records, Dallas County, Texas and, Official
8 Public Records, Dallas County, Texas and being more particularly
9 described by metes and bounds as follows:

10 BEGINNING at a "X" found for corner, said corner being the West
11 corner of that tract of land conveyed to Steven Rodgers, Trustee of
12 the Steven J. Rodgers Trust, a trust organized under the laws of the
13 State of Texas and a Successor to the Doris Rodgers Children's
14 Trust, by deed recorded in Instrument Number 201700099097, Official
15 Public Records, Dallas County, Texas and being in the Southeast
16 line of St. Louis Street (66 foot right-of-way);

17 THENCE South 45 degrees 45 minutes 44 seconds East, along the
18 Southwest line of said Steven Rodgers tract, a distance of 53.10
19 feet to a point for corner, said corner being the South corner of
20 said Steven Rodgers tract, from which a "X" found bears South 45
21 degrees 45 minutes 47 seconds East, a distance of 0.51 feet for
22 witness;

23 THENCE North 44 degrees 45 minutes 33 seconds East, along the
24 Southeast line of said Steven Rodgers tract, a distance of 150.20
25 feet to a point for corner, said corner being the East corner of
26 said Steven Rodgers tract and being in the Southwest line of S.
27 Hardwood Street (public right-of-way), from which a 50d nail found

1 bears South 45 degrees 15 minutes 38 seconds West, a distance of
2 0.62 feet for witness;
3 THENCE South 45 degrees 45 minutes 44 seconds East, along the said
4 Southwest line of S. Hardwood Street a distance of 302.75 feet to a
5 point for corner, said corner being in the Northwest line of E. R.L.
6 Thornton Freeway (variable width right-of-way);
7 THENCE along the Southwest line the following bearing and distances
8 along the Northwest line of said E. R.L. Thornton Freeway:
9 South 44 degrees 50 minutes 52 seconds West, a distance of 67.50
10 feet to a TX Dot monument found for corner;
11 South 88 degrees 33 minutes 21 seconds West, a distance of 73.38
12 feet to a point for corner;
13 South 86 degrees 57 minutes 33 seconds West, a distance of 74.17
14 feet to a TX Dot monument found for corner;
15 South 76 degrees 11 minutes 37 seconds West, a distance of 205.42
16 feet to a point for corner, said corner being in the Northeast line
17 of Park Avenue (public right-of-way);
18 THENCE North 45 degrees 34 minutes 00 seconds West, along the said
19 Northeast line of Park Avenue, a distance of 148.00 feet to a point
20 for corner, said corner being in the Southeast line of aforesaid
21 St. Louis Street;
22 THENCE North 44 degrees 45 minutes 33 seconds East, along the
23 Southeast line of said St. Louis Street, a distance of 198.08 feet
24 to the POINT OF BEGINNING and containing 83,737 square feet or 1.92
25 acres of land.

26 SECTION 3. (a) The legal notice of the intention to
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a
2 copy of this Act have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

6 (b) The governor, one of the required recipients, has
7 submitted the notice and Act to the Texas Commission on
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed
10 its recommendations relating to this Act with the governor,
11 lieutenant governor, and speaker of the house of representatives
12 within the required time.

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

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