

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, fees, and taxes.

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.

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 chapter.

(b) By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the
2 legislature has established a program to accomplish the public
3 purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

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

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

21 (b) The district is created to serve a public use and
22 benefit.

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

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

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

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

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

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

25 Sec. 3966.0105. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

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

5 (1) organization, existence, or validity;

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

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

10 (4) legality or operation.

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

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

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

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

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

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

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 3966.0201. GOVERNING BODY; TERMS. (a) The district is
26 governed by a board of five elected directors who serve staggered
27 terms of four years.

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

Sec. 3966.0202. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3966.0203. INITIAL DIRECTORS. (a) The initial board 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>

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3966.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3966.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the

1 purpose, may provide, design, construct, acquire, improve,
2 relocate, operate, maintain, or finance an improvement project or
3 service authorized under this chapter or Chapter 375, Local
4 Government Code.

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

7 (c) The implementation of a district project or service is a
8 governmental function or service for the purposes of Chapter 791,
9 Government Code.

10 Sec. 3966.0303. NONPROFIT CORPORATION. (a) The board by
11 resolution may authorize the creation of a nonprofit corporation to
12 assist and act for the district in implementing a project or
13 providing a service authorized by this chapter.

14 (b) The nonprofit corporation:

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

18 (2) may implement any project and provide any service
19 authorized by this chapter.

20 (c) The board shall appoint the board of directors of the
21 nonprofit corporation. The board of directors of the nonprofit
22 corporation shall serve in the same manner as the board of directors
23 of a local government corporation created under Subchapter D,
24 Chapter 431, Transportation Code, except that a board member is not
25 required to reside in the district.

26 Sec. 3966.0304. LAW ENFORCEMENT SERVICES. To protect the
27 public interest, the district may contract with a qualified party,

1 including the city, to provide law enforcement services in the
2 district for a fee.

3 Sec. 3966.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

4 The district may join and pay dues to a charitable or nonprofit
5 organization that performs a service or provides an activity
6 consistent with the furtherance of a district purpose.

7 Sec. 3966.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
8 district may engage in activities that accomplish the economic
9 development purposes of the district.

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

14 (1) make loans and grants of public money; and

15 (2) provide district personnel and services.

16 (c) The district may create economic development programs
17 and exercise the economic development powers provided to
18 municipalities by:

19 (1) Chapter 380, Local Government Code; and

20 (2) Subchapter A, Chapter 1509, Government Code.

21 Sec. 3966.0307. PARKING FACILITIES. (a) The district may
22 acquire, lease as lessor or lessee, construct, develop, own,
23 operate, and maintain parking facilities or a system of parking
24 facilities, including lots, garages, parking terminals, or other
25 structures or accommodations for parking motor vehicles off the
26 streets and related appurtenances.

27 (b) The district's parking facilities serve the public

1 purposes of the district and are owned, used, and held for a public
2 purpose even if leased or operated by a private entity for a term of
3 years.

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

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

9 Sec. 3966.0308. ADDING OR EXCLUDING LAND. The district may
10 add or exclude land in the manner provided by Subchapter J, Chapter
11 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

12 Sec. 3966.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
13 board by resolution shall establish the number of directors'
14 signatures and the procedure required for a disbursement or
15 transfer of district money.

16 Sec. 3966.0310. NO EMINENT DOMAIN POWER. The district may
17 not exercise the power of eminent domain.

18 SUBCHAPTER D. ASSESSMENTS

19 Sec. 3966.0401. PETITION REQUIRED FOR FINANCING SERVICES
20 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
21 service or improvement project with assessments under this chapter
22 unless a written petition requesting that service or improvement
23 has been filed with the board.

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

1 Sec. 3966.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)

2 The board by resolution may impose and collect an assessment for any
3 purpose authorized by this chapter in all or any part of the
4 district.

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

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

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

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

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

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

26 SUBCHAPTER E. TAXES AND BONDS

27 Sec. 3966.0501. TAX ELECTION REQUIRED. The district must

1 hold an election in the manner provided by Chapter 49, Water Code,
2 or, if applicable, Chapter 375, Local Government Code, to obtain
3 voter approval before the district may impose an ad valorem tax.

4 Sec. 3966.0502. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized by a majority of the district voters voting at an
6 election under Section 3966.0501, the district may impose an
7 operation and maintenance tax on taxable property in the district
8 in the manner provided by Section 49.107, Water Code, for any
9 district purpose, including to:

10 (1) maintain and operate the district;

11 (2) construct or acquire improvements; or

12 (3) provide a service.

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

16 Sec. 3966.0503. 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 ad valorem taxes,
21 assessments, impact fees, revenue, contract payments, grants, or
22 other district money, or any combination of those sources of money,
23 to pay for any authorized district purpose.

24 Sec. 3966.0504. BONDS SECURED BY REVENUE OR CONTRACT
25 PAYMENTS. The district may issue, without an election, bonds
26 secured by:

27 (1) revenue other than ad valorem taxes, including

1 contract revenues; or

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

4 Sec. 3966.0505. BONDS SECURED BY AD VALOREM TAXES;
5 ELECTIONS. (a) If authorized at an election under Section
6 3966.0501, the district may issue bonds payable from ad valorem
7 taxes.

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

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

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

20 Sec. 3966.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
21 UNDER AGREEMENT. If the improvements financed by an obligation
22 will be conveyed to or operated and maintained by a municipality or
23 retail utility provider pursuant to an agreement between the
24 district and the municipality or retail utility provider entered
25 into before the issuance of the obligation, the obligation may be in
26 the form of bonds, notes, or other obligations payable wholly or
27 partly from ad valorem taxes or assessments, issued by public or

1 private sale, in the manner provided by Subchapter A, Chapter 372,
2 Local Government Code.

3 Sec. 3966.0507. CONSENT OF MUNICIPALITY REQUIRED. (a) The
4 board may not issue bonds until each municipality in whose
5 corporate limits or extraterritorial jurisdiction the district is
6 located has consented by ordinance or resolution to the creation of
7 the district and to the inclusion of land in the district.

8 (b) This section applies only to the district's first
9 issuance of bonds payable from ad valorem taxes.

10 SUBCHAPTER I. DISSOLUTION

11 Sec. 3966.0901. DISSOLUTION. (a) The board shall dissolve
12 the district on written petition filed with the board by the owners
13 of:

14 (1) 66 percent or more of the assessed value of the
15 property subject to assessment by the district based on the most
16 recent certified county property tax rolls; or

17 (2) 66 percent or more of the surface area of the
18 district, excluding roads, streets, highways, utility
19 rights-of-way, other public areas, and other property exempt from
20 assessment by the district according to the most recent certified
21 county property tax rolls.

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

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

26 (1) has any outstanding debt until that debt has been
27 repaid or defeased in accordance with the order or resolution

1 authorizing the issuance of the debt;

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

5 (3) owns, operates, or maintains public works,
6 facilities, or improvements unless the district contracts with
7 another person for the ownership and operation or maintenance of
8 the public works, facilities, or improvements.

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

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

13 TRACT 1:

14 BEING a tract of land situated in the John Grigsby Survey, Abstract
15 No. 495, City of Dallas, Dallas County, Texas, and being the same
16 tract of land conveyed to Janice C. Pastor and Stanley Pastor,
17 Co-Trustees of the Janice C. Pastor 1995 Revocable Trust recorded
18 in Volume 98035, Page 01773, Deed Records, Dallas County, Texas and
19 being the same tract of land conveyed to Janice C. Pastor and
20 Constance C. Tolmas by probate recorded in Probate No. 89-3123,
21 Probate Minutes, Dallas County, Texas, and being more particularly
22 described by metes and bounds as follows:

23 Beginning at an "x" cut set in concrete at the intersection of the
24 South right-of-way line of Marilla Street (53 foot right- of-way)
25 and the East right-of-way line of S. Ervay Street (variable width
26 right-of-way);

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

1 Southeast right-of-way line of said Marilla Street, a distance of
2 185.86 feet to a 1 inch iron pipe found at the West corner of a tract
3 of land conveyed to Dallas Power & Light Company recorded in Volume
4 3343, Page 598, Deed Records, Dallas County, Texas;

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

11 Thence South 45 degrees 29 minutes 32 seconds West, along the
12 Northwest property line of said Dallas Power & Light Company
13 (Volume 3352, Page 287) tract, passing the North corner of a tract
14 of land conveyed to Dallas Power & Light Company by deed recorded in
15 Volume 3320, Page 488, Deed Records, Dallas County, Texas, at a
16 distance of 8.67 feet and continuing along the Northwest property
17 line of said Dallas Power & Light Company (Volume 3320, Page 488)
18 tract, for a total distance of 193.67 feet to an "X" cut set in
19 concrete in the Northeast right-of-way line of said S. Ervay
20 Street;

21 Thence North 44 degrees 18 minutes 25 seconds West, along the
22 Northeast right-of-way line of said S. Ervay Street, a distance of
23 47.50 feet to an "X" cut set in concrete for corner;

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

27 Thence North 18 degrees 52 minutes 07 seconds West, and continuing

1 along the East right-of-way line of said S. Ervay Street, a distance
2 of 41.50 feet to the Point of Beginning and containing 17,324.67
3 square feet or 0.3977 acres of land.

4 TRACT 2:

5 Being all of Lots 6, 7 and 8 and a portion of Lots 1, 2, 3, in Block
6 2/102 of Browder's Addition, an Addition to the City of Dallas,
7 Dallas County, Texas, according to the map thereof recorded in
8 Volume U, Page 492, Real Property Records, Dallas County, Texas,
9 and being the same tracts of land conveyed to Dallas Power & Light
10 Company, a Texas corporation, by deeds recorded in Volume 3301,
11 Page 165, Volume 3320, Page 488, Volume 3343, Page 598 and Volume
12 3352, Page 287, Deed Records, Dallas County, Texas, and being more
13 particularly described as follows:

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

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

24 THENCE North 44 degrees 18 minutes 25 seconds West, along the
25 Northeast line of said S. Ervay Street, a distance of 221.50 feet to
26 an "X" found in concrete for corner, said corner being the South
27 corner of a tract of land conveyed to 702 S. Ervay, L.P., by deed

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1 recorded in Volume 2003099, Page 3909, Deed Records, Dallas County,
2 Texas;

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

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

10 THENCE North 75 degrees 00 minutes 00 seconds East, along the
11 Southeast line of said Marilla Street, a distance of 107.57 feet to
12 a 60D nail found for corner, said corner being the West corner of
13 said City of Dallas tract;

14 THENCE South 44 degrees 30 minutes 42 seconds East, along the
15 Southwest line of said City of Dallas tract, a distance of 211.17
16 feet to the POINT OF BEGINNING and containing 65,228 square feet or
17 1.50 acre tract of land.

18 TRACT 3:

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

26 BEGINNING at a found PK nail for a corner in the southwest line of
27 Browder Street (a 58 foot right of way), said point being N 45°00'00"

1 W, a distance of 82.00 feet from the intersection of the southwest
2 line of Browder Street with the northwest line of Cadiz Street (a 60
3 foot right of way), said point being the north corner of a called
4 11,200 square feet tract of land conveyed to Paul K. and Colleen F.
5 Tyler by deed recorded in Volume 97183, Page 5144, Deed Records of
6 Dallas County, Texas;

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

10 THENCE, N 45°18'10" W, with the northeast line of the said Alley
11 right of way, a distance of 50.85 feet to a point for a corner, said
12 point being the most westerly corner of the herein described tract
13 and the most southerly corner of a called 8,296 square feet tract
14 land described in deed to City Park A Lot, L.P. as recorded in
15 Instrument Number 20070146779, Official Public Records of Dallas
16 County, Texas;

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

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

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

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

25 TRACT 4:

26 BEING a 106,266 square feet or a 2.4395 acre tract of land situated
27 in the John Grigsby Survey, Abstract No. 495, City of Dallas,

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1 Dallas County, Texas, said tract being all of Lots 1 through 8,
2 Block 6/89 1/2 of Browder's Addition, an addition to the City of
3 Dallas, Dallas County, Texas according to the map thereof recorded
4 in Volume U, Page 492, Deed Records of Dallas County, Texas, said
5 tract conveyed to C. P. Canton/Patterson Street Limited Partnership
6 by deed recorded in Volume 94222, Page 2920, Deed Records of Dallas
7 County, Texas, and being more particularly described as follows:

8 BEGINNING at a found 1/2 inch iron rod for a corner at the
9 intersection of the northeast line of Browder Street (a 58 foot
10 right of way) with the southeast line of Canton Street (a 66 foot
11 right of way), said point being the west corner of said Lot 1, Block
12 6/89 1/2;

13 THENCE, N 45°14'00" E, with the southeast line of Canton Street, a
14 distance of 398.00 feet to a set punch mark on a metal plate for a
15 corner at the intersection of the southeast line of Canton Street
16 with the southwest lie of South Ervay Street (a 60 foot right of
17 way, said point being the north corner of said Lot 4, Block 6/89
18 1/2;

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

25 THENCE, S 45°14'00" W, with the northwest line of Cadiz Street, a
26 distance of 398.00 feet to a found "x" cut on concrete pavement for
27 a corner at the intersection of the northwest line of Cadiz Street

1 with the northeast line of Browder Street, said point being the
2 south corner of said Lot 8, Block 6/89 1/2;

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

5 TRACT 5:

6 BEING a 102,929 square feet or a 2.3629 acre tract of land situated
7 in the John Grigsby Survey, Abstract No. 495, City of Dallas,
8 Dallas County, Texas, said tract being all of Lots 1 through 8,
9 Block 5/103 of Browder's Addition, an addition to the City of
10 Dallas, Dallas County, Texas according to the map thereof recorded
11 in Volume U, Page 492, Deed Records of Dallas County, Texas, said
12 tract conveyed to C. P. Canton/Patterson Street Limited Partnership
13 by deed recorded in Volume 94183, Page 450, Deed Records of Dallas
14 County, Texas, and being more particularly described as follows:

15 BEGINNING at a set "v" cut on concrete pavement for a corner at the
16 intersection of the northeast line of South Ervay Street (a 66 foot
17 right of way) with the southeast line of Canton Street (a 66 foot
18 right of way), said point being the west corner of said Lot 1, Block
19 5/103;

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

25 THENCE, S 44°46'00" E, with the southwest line of St. Paul Street, a
26 distance of 267.00 feet to a found PK nail for a corner at the
27 intersection of the southwest line of St. Paul Street with the

1 northwest line of Cadiz Street (a 60 foot right of way), said point
2 being the east corner of said Lot 5, Block 5/103;

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

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

10 TRACT 6:

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

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

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

27 Thence N 44°45'11" E along the said Southeast line of Canton Street,

1 at 92.98 feet passing a building corner at the North corner of Lot
2 1, same being the West corner of Lot 2, at 132.98 feet passing a
3 building corner in all a total distance of 142.98 feet to a 1/2"
4 iron pipe found for corner at the West corner of a tract conveyed to
5 Salamander Group LLC, by deed as recorded under Clerk's
6 #201300206750 in the Official Public Records of Dallas County,
7 Texas;

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

11 Thence N 44°03'55" E along the said Northwest line of Lot 7, and the
12 Southeast line of the said Salamander Group tract, a distance of
13 44.00 feet to a 1/2" iron pipe found at the North corner of Lot 7,
14 same being the West corner of Lot 6 at the most Southerly Southwest
15 corner of a tract conveyed to Mintex Development LLC, by deed as
16 recorded under Clerk's #20075044996, Official Public Records,
17 Dallas County, Texas;

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

22 Thence S 45°00'00" W along the said Northwest line of Cadiz Street
23 same being the Southeast line of Lot 7, at 94.00 feet passing a 1/2
24 inch iron pipe found at the South corner of Lot 7, same being the
25 East corner of Lot 8, at 114.52 feet passing a building corner, at
26 171.95 feet passing another building corner, in all a total
27 distance of 188.00 feet to the Place of Beginning and containing

1 44,371.8 square feet or 1.02 acres of calculated land.

2 TRACT 7:

3 BEING a 0.183 acres tract of land situated in the John Grigsby
4 Survey, Abstract No. 495, in the City of Dallas, Dallas County,
5 Texas, being a portion of City Block 122, being that same tract of
6 land described in deed to Steven J. Rodgers, Steven Rodgers
7 Trustee, recorded in Instrument Number 201700099097, of the Deed
8 Records of Dallas County, Texas and being more particularly
9 described by metes and bounds as follows:

10 BEGINNING at a nail with washer found for the common corner of said
11 Rodgers tract, and a called 0.5200 acre tract of land described in a
12 deed to Sam Harrington, recorded in Volume 92189, Page 0467, Deed
13 Records, Dallas County, Texas, and being in the southerly
14 right-of-way line of S Harwood Street (a variable width public
15 right-of-way);

16 THENCE S 44'48'29" W, along the common line between said Rodgers
17 tract, and said called 0.5200 acre tract, a distance of 150.00 feet
18 to an "X" cut in concrete found for the common corner of said
19 Rodgers tract, and said called 0.5200 acre tract, and being in the
20 north line of a tract of land described in a deed to Sam Harrington
21 recorded in Volume 78044, Page 3901, Deed Records, Dallas County,
22 Texas;

23 THENCE N 45'18'16" W, along the common line between said Rodgers
24 tract, and said Harrington tract, a distance of 52.99 feet to an "X"
25 cut in concrete found for the common corner of said Rodgers tract,
26 and said Harrington tract, and being in the easterly right-of-way
27 line of Saint Louis Street (a 66 foot wide public right-of-way);

1 THENCE N 44'48'29" E, along the west line of said Rodgers tract, and
2 along the easterly right-of-way line of said Saint Louis Street, a
3 distance of 150.00 feet to an "X" cut in concrete set for the
4 northwest corner of said Rodgers tract, and being the southeast
5 right-of-way line of said Saint Louis Street, and said S Harwood
6 Street;

7 THENCE S 45'18'16" E, along the northerly line of said Rodgers
8 tract, and along the southerly right-of-way line of said S. Harwood
9 Street, a distance of 52.99 feet to the POINT OF BEGINNING and
10 containing 7,948 square feet or 0.183 acres of land more or less.

11 TRACT 8:

12 Being a tract of land situated in the J. Grigsby Survey, Abstract
13 No. 495, being a part of Block 122 of the City of Dallas, Dallas
14 County, Texas, being those tracts of land conveyed to Sam
15 Harrington, by deeds recorded in Volume 92189, Page 467, Vol.
16 76148, Pg. 815, Vol. 80013, Pg. 3319 Vol. 78044, Page 3901, Vol.
17 78044, Pg. 3817, Deed Records, Dallas County, Texas and, Official
18 Public Records, Dallas County, Texas and being more particularly
19 described by metes and bounds as follows:

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

27 THENCE South 45 degrees 45 minutes 44 seconds East, along the

1 Southwest line of said Steven Rodgers tract, a distance of 53.10
2 feet to a point for corner, said corner being the South corner of
3 said Steven Rodgers tract, from which a "X" found bears South 45
4 degrees 45 minutes 47 seconds East, a distance of 0.51 feet for
5 witness;

6 THENCE North 44 degrees 45 minutes 33 seconds East, along the
7 Southeast line of said Steven Rodgers tract, a distance of 150.20
8 feet to a point for corner, said corner being the East corner of
9 said Steven Rodgers tract and being in the Southwest line of S.
10 Hardwood Street (public right-of-way), from which a 50d nail found
11 bears South 45 degrees 15 minutes 38 seconds West, a distance of
12 0.62 feet for witness;

13 THENCE South 45 degrees 45 minutes 44 seconds East, along the said
14 Southwest line of S. Hardwood Street a distance of 302.75 feet to a
15 point for corner, said corner being in the Northwest line of E. R.L.
16 Thornton Freeway (variable width right-of-way);

17 THENCE along the Southwest line the following bearing and distances
18 along the Northwest line of said E. R.L. Thornton Freeway:

19 South 44 degrees 50 minutes 52 seconds West, a distance of 67.50
20 feet to a TX Dot monument found for corner;

21 South 88 degrees 33 minutes 21 seconds West, a distance of 73.38
22 feet to a point for corner;

23 South 86 degrees 57 minutes 33 seconds West, a distance of 74.17
24 feet to a TX Dot monument found for corner;

25 South 76 degrees 11 minutes 37 seconds West, a distance of 205.42
26 feet to a point for corner, said corner being in the Northeast line
27 of Park Avenue (public right-of-way);

1 THENCE North 45 degrees 34 minutes 00 seconds West, along the said
2 Northeast line of Park Avenue, a distance of 148.00 feet to a point
3 for corner, said corner being in the Southeast line of aforesaid
4 St. Louis Street;

5 THENCE North 44 degrees 45 minutes 33 seconds East, along the
6 Southeast line of said St. Louis Street, a distance of 198.08 feet
7 to the POINT OF BEGINNING and containing 83,737 square feet or 1.92
8 acres of land.

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

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

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

23 (d) All requirements of the constitution and laws of this
24 state and the rules and procedures of the legislature with respect
25 to the notice, introduction, and passage of this Act have been
26 fulfilled and accomplished.

27 SECTION 4. This Act takes effect immediately if it receives

S.B. No. 2445

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2019.