

House Bill 4742
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3963 to read as follows:

CHAPTER 3963. SOGOOD CEDARS MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3963.0101. 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 SoGood Cedars Municipal Management District.
- (5) "Exempt property" means property owned by a governmental entity, including the city.

Sec. 3963.0102. NATURE OF DISTRICT. The SoGood Cedars Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3963.0103. 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 other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

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SUBCHAPTER A. GENERAL PROVISIONS

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

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

Sec. 3963.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

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

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

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

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

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

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

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

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

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

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

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

Sec. 3963.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

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

(4) legality or operation.

Sec. 3963.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

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

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

Sec. 3963.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise

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provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3963.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3963.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

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

Sec. 3963.0202. EX OFFICIO DIRECTORS. (a) The city manager, city auditor, and city attorney serve as nonvoting ex officio directors.

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

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

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

Sec. 3963.0203. MEETINGS; NOTICE. (a) The board shall hold meetings at a place accessible to the public.

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

Sec. 3963.0204. COMPENSATION; EXPENSES. (a) The district may compensate each voting director in an amount not to exceed \$150 for each board meeting. The total amount

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

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

Sec. 3963.0202. EX OFFICIO DIRECTORS. (a) The city manager, city auditor, and city attorney serve as nonvoting ex officio directors.

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

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of compensation for each director in one year may not exceed \$7,200.

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

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

Sec. 3963.0205. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

Pos. No.Name of Director

1Madeleine Mitchell

2Nataly V. Elberg

3Stephen Wohn

4Caitlin Simmons

5Taylor McDonald

(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. 3963.0301. GENERAL POWERS AND DUTIES. (a) The district has the powers and duties necessary to accomplish the purposes for which the district is created.

(b) The board may not take any action or exercise any power granted under this chapter other than to hold an initial organizational meeting until the development agreement described by Section 3963.0302 is approved by the city and executed by the parties to the agreement.

Sec. 3963.0302. DEVELOPMENT AGREEMENT. (a) The city, the district, and any other entities the city determines

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of compensation for each director in one year may not exceed \$7,200.

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Sec. 3963.0205. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

Pos. No.Name of Director

1Harrison Blair

2Jason Brown

3Stephen Wohn

4Caitlin Simmons

5Taylor McDonald

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are necessary to the agreement may execute a development agreement if approved by the city.

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

Sec. 3963.0303. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

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

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

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

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

(2) city codes and ordinances.

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

Sec. 3963.0304. NONPROFIT CORPORATION. (a) The board by resolution may, with the consent of the governing body of the city by resolution, authorize the creation of a nonprofit corporation to assist and act for the district in

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implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

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

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

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

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

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

Sec. 3963.0305. LAW ENFORCEMENT SERVICES. To protect the public interest, with the consent of the governing body of the city by resolution, the district may contract with a qualified party, including the city, to provide law enforcement services in the district for a fee.

Sec. 3963.0306. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

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Sec. 3963.0307. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

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

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

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

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

Sec. 3963.0308. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

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

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Sec. 3963.0307. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district, with the consent of the governing body of the city by resolution, may engage in activities that accomplish the economic development purposes of the district.

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- (1) make loans and grants of public money; and
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(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

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

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

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Sec. 3963.0309. ADDING OR EXCLUDING LAND. With the consent of the governing body of the city by resolution, the district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. 3963.0310. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3963.0311. EXEMPT PROPERTY. The district may not impose an assessment, fee, tax, or other charge on an exempt property.

Sec. 3963.0312. CERTAIN RESIDENTIAL PROPERTY. (a) Section 375.161, Local Government Code, does not apply to the district.

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

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

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

Sec. 3963.0313. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. 3963.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter

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

Sec. 3963.0313. NO AD VALOREM TAX. The district may not impose an ad valorem tax.

Sec. 3963.0314. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. 3963.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter

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unless a written petition requesting that service or improvement has been filed with the board.

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

Sec. 3963.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

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

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

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

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

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

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

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of

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

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

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

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

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of

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assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3963.0501. TAX ELECTION REQUIRED. The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

Sec. 3963.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 3963.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

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

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

Sec. 3963.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

(a) The district may borrow money on terms determined by the board.

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

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Sec. 3963.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

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

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

Sec. 3963.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 3963.0501, the district may issue bonds payable from ad valorem taxes.

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

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

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

Sec. 3963.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT UNDER AGREEMENT. If the improvements financed by an obligation will be conveyed to or operated and maintained by a municipality or retail utility provider pursuant to an agreement between the district and the municipality or retail utility provider entered into before the issuance of the obligation, the obligation may be in the form of bonds, notes, or other obligations payable wholly or

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Sec. 3963.0502. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

(1) revenue, including contract revenues; or

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

Sec. 3963.0503. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT UNDER AGREEMENT. If the improvements financed by an obligation will be conveyed to or operated and maintained by a municipality or retail utility provider pursuant to an agreement between the district and the municipality or retail utility provider entered into before the issuance of the obligation, the obligation may be in the form of bonds, notes, or other obligations payable wholly or

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partly from ad valorem taxes or assessments, issued by public or private sale, in the manner provided by Subchapter A, Chapter 372, Local Government Code.

Sec. 3963.0507. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds or hold an election to authorize the imposition of an ad valorem tax until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

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

SUBCHAPTER I. DISSOLUTION

Sec. 3963.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

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

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

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

(c) The city by resolution may dissolve the district at any time.

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partly from assessments, issued by public or private sale, in the manner provided by Subchapter A, Chapter 372, Local Government Code.

Sec. 3963.0504. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

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

SUBCHAPTER I. DISSOLUTION

Sec. 3963.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

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

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

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

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

(1) the development agreement has been executed; and

(2) the district's performance under the agreement has been fulfilled, including any right or obligation the district has to

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- (d) The district may not be dissolved under Subsection (a), (b), or (c) if the district:
- (1) has any outstanding debt until that debt has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the debt;
- (2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or
- (3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership and operation or maintenance of the public works, facilities, or improvements.
- (e) Subchapter M, Chapter 375, Local Government Code, does not apply to the district.

SECTION 2. The SoGood Cedars Municipal Management District initially includes all territory contained in the following area:

TRACT 1:

Being a 57.225 square feet tract or parcel of land in the M. Main Survey, Abstract No. 995, situated in the City of Dallas, Dallas County, Texas, and being part of Lot 5 and Lots 13 through 17, all of lots 1 through 4, and all of an abandoned alley located in Block A/873 of HUGHES BROTHERS SUBDIVISION, an addition to the City of Dallas according to the plat thereof recorded in Volume 93, Page 43, Map Records, Dallas County, Texas, said 57,225

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reimburse a developer or owner for the costs of an improvement project.

- (d) If the district is dissolved, the board shall transfer ownership of all district property to the city.
- (e) The district may not be dissolved under Subsection (a), (b), or (c) if the district:
- (1) has any outstanding debt until that debt has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the debt;
- (2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or
- (3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership and operation or maintenance of the public works, facilities, or improvements.
- (f) Subchapter M, Chapter 375, Local Government Code, does not apply to the district.

SECTION 2. Same as House version.

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square foot tract of land being the same property as described in that certain tract of land described in a warranty deed to Pilgrim's Pride Corporation and recorded in Volume 2000163, Page 5582, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the north right of way of Clarence Street (a 50 foot right of way) and the east right of way line of S. Cesar Chavez Boulevard (at this point a 95-foot right of way) said corner also being the southwest corner of Lot 17, Block A/873 of the aforementioned subdivision.

THENCE North 36 degrees 00 minutes 00 seconds West, along, said easterly right of way line of said S. Cesar Chavez Boulevard, distance of 250.00 feet to a found 1/2 inch iron rod in the south right of way line of Coombs Street, and being the northwest corner of Lot 13, Block A/873, for the northwest corner of the herein described tract;

THENCE North 53 degrees 43 minutes 56 seconds East, departing said Chavez Boulevard and along the southerly right of way line of Coombs Street, a distance of 228.57 to a 1/2 inch iron rod found for the northeast corner of the herein described tract and the west line of a 100-foot right of way-line of the T. & N.O. Railroad right-of-way (formerly the H. & T.C. Railroad).

THENCE South 35 Degrees 58 minutes 46 seconds East, departing the south right-of-way line of Coombs Street a distance of 208.74 feet to a 1/2 inch iron rod found for corner in the said west right of way line of said Railroad.

THENCE South 16 degrees 33 minutes 42 seconds East, departing said Railroad right of way line and along the westerly right of way line of Interstate Highway 45, a distance of 47.74 feet to a found 1/2 inch iron rod in the

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aforementioned northerly right of way line of said Clarence Street, for the southeast corner of the herein described tract; THENCE South 54 degrees 43 minutes 27 seconds West, along the northerly right of way line of said Clarence Street, a distance of 212.62 to the POINT of BEGINNING and containing 57,225 square feet or 1.314 acres of land.

TRACT 2:

BEING a 385,249 square feet or 8.848 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, said tract being all of Lot 1B of Block A/472 of Pilgrim's Prepared Foods Addition, an addition to the City of Dallas, Dallas County, Texas according to the Map thereof recorded in Volume 97045, Page 2998, Deed Records of Dallas County, Texas, all of Lots 23, 24, 25, 26 & 27, Block 466 of Ferris Park Addition, an addition to the City of Dallas, Dallas County, Texas according to the Map thereof recorded in Volume 239, Page 72, Deed Records of Dallas County, Texas, a 1.198 acre tract and a 1.670 acre tract of land and a 0.294 acre tract of land in Block 466, said Lot 1B conveyed to Pilgrim's Pride Corporation by deeds recorded in Volume 88172, Page 2136 and Volume 91041, Page 5004, Deed Records of Dallas, Texas, said Lots 23-27, Block 466 conveyed to Pilgrim's Pride Corporation by deed recorded in Volume 97088, Page 2738, Deed Records of Dallas County, Texas, said 1.198 acre tract in Block 466 conveyed to Pilgrim's Pride Corporation by deed recorded in Volume 95250, Page 3603 Deed Records of Dallas County, Texas, and said 1.670 acre tract and 0.294 acre tract in Block 466 conveyed to Pilgrim's Pride Corporation by deed recorded in Instrument Number 200600105781, Official Public Records of Dallas County, Texas, and being more particularly described as follows:

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BEGINNING at a set "x" in concrete for a corner at the intersection of the southeast line of Hickory Street (a 50 foot right of way) and the southwest line of S. Good Latimer Expressway (a 90 foot right of way), said point being the north corner of said Lot 1B;

THENCE, S 36°18'00" E, with the southwest line of S. Good Latimer Expressway, a distance of 477.87 feet to a set 5/8 iron rod for a corner at the intersection of the southwest line of S. Good Latimer Expressway with the northwest line of a variable width Alley right of way;

THENCE, S 53°21'15" W, departing S. Good Latimer Expressway and with the southeast line of Pilgrim's Prepared Food Addition and the northwest line of the said Alley right of way, a distance of 439.94 feet to a set 5/8 iron rod for a corner, said point being in the northeast line of the said 1.198 acre tract;

THENCE, the following courses and distances with the northeast, southeast and southwest line of the said 1.198 acre tract;

- S 36°18'00" E, a distance of 10.00 feet to a set 5/8 inch iron rod for a corner;
- S 53°21'15" W, a distance of 64.89 feet to a set 5/8 inch iron rod for a corner;
- S 30°15'00" E, a distance of 90.38 feet to a set 5/8 inch iron rod for a corner,
- S 53°08'53" W, a distance of 25.59 feet to a set 5/8 inch iron rod for a corner on the southeast line of Corinth Street (a 40 feet right of way), said point being the north corner of a 1.39 acre tract conveyed to Gustava Alvarado by deed records in Instrument Number 201300058241, Official Public Records of Dallas County, Texas;

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- N 36°17'26" W, with the northeast line of Corinth Street, a distance of 40.00 feet to a set 5/8 inch iron rod for a corner, said point being the southeast corner of the said 0.294 acre tract and the north corner of Corinth Street;
THENCE, S 53°17'04" W, with the northwest line of Corinth Street, a distance of 211.57 feet to a found 1 inch iron rod at the intersection of the northwest line of Corinth Street and the northeast line of Cesar Chavez Boulevard (Central Expressway a variable width right of way) for a corner;
THENCE, N 36°18'00" W, with the northeast line of Cesar Chavez Boulevard, a distance of 582.00 feet to a set "x" in concrete for a corner at the intersection of the northeast line of Cesar Chavez Boulevard with Hickory Street, said point being the west corner of said Lot 23, Block 466;
THENCE, the following courses and distances with the southeast line of Hickory Street;
- N 53°07'43" E, a distance of 211.57 feet to a set mag nail at the beginning of a non-tangent curve to the right with a central angle of 52°42'31", a radius of 62.50 feet, a chord bearing of N 79°23'57" E and a chord distance of 55.49 feet, said point being the north corner of said Lot 23, Block 466 and the west corner of the said 1.198 acre tract;
- Northeasterly, along said curve, an arc distance of 57.50 feet to a set mag nail at the beginning of a non-tangent curve to the left with a central angle of 53°07'49", a radius of 62.50 feet, a chord bearing of N 80°15'54" E and a chord distance of 55.90 feet, said point being the west corner of said Lot 1B, Block A/472;
THENCE, the following courses and distances with the southeast line of Hickory Street and the northwest line of said Lot 1B, A/472;

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- Northeasterly, along said curve, an arc distance of 57.96 feet to a set mag nail for a corner;
- N 52°43'10" E, a distance of 50.35 feet to a set mag nail for a corner;
- S 36°18'00" E, a distance of 3.00 feet to a set mag nail for a corner;
- N 52°43'10" E, a distance of 149.36 feet to a set mag nail for a corner;
- N 36°18'00" W, a distance of 3.00 feet to a set mag nail for a corner;
- N 52°43'10" E, a distance of 240.29 feet to the Point of Beginning.

TRACT 3:

BEING a 13,298 square feet or 0.305 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas said tract being all of Lot 2 and a part of Lot 3 of Block B/473 of Middleton Brothers Central Avenue Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 96, Page 476, Deed Records of Dallas County, Texas, said tract conveyed to Pilgrim's Pride Corporation by deed recorded in Volume 95099, Page 840, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a found 100D nail in the northwest line of Hickory Street (a 50 foot right of way), said point being the south corner of said Lot 2 and the east corner of Lot 1 of Block B/473 of the said Middleton Brothers Central Avenue Addition;

THENCE, N 36°24'15" W, departing said northwest line of Hickory Street and with the common line of said Lot 1 and Lot 2, a distance of 140.00 feet to a set 5/8 inch iron rod for

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a corner in the southeast line of a 20 foot Alley right of way, said point being the west corner of said Lot 2;

THENCE, N 52°43'10" E, with the southeast line of the said Alley right of way, a distance of 95.00 feet to a set 5/8 inch iron rod for a corner;

THENCE, S 36°24'15" E, departing the southeast line of the said Alley right of way, a distance of 140.00 feet to a set 5/8 inch iron rod for a corner in the northwest line of Hickory Street;

THENCE, S 52°43'10" W, with the northwest line of Hickory Street a distance of 95.00 feet to the Point of Beginning.

TRACT 4:

BEING a 19,498 square feet or 0.448 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, said tract being all of Lots 5, 6, and 7 of Block C/181 of Middleton Brothers Central Avenue Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 96, Page 476, Deed Records of Dallas County, Texas, said tract conveyed to Pilgrim Industries, Inc. by deed recorded in Volume 81185, Page 3346, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a set 5/8 inch iron rod at the intersection of the southwest line of Lincoln Street (a 50 foot right of way) and the southeast line of Dawson Street (a 50 foot right of way), said point being the north corner a Lot 7 of Block C/181 of the said Middleton Brothers Central Avenue Addition;

THENCE, S 36°24'15" E, with the southwest line of Lincoln Street, a distance of 150.00 feet to a set 5/8 inch iron rod for

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a corner, said point being the east corner of Lot 5 and the north corner of Lot 4, Block C/181 of the said Middleton Brothers Central Avenue Addition;

THENCE, S 52°43'10" W, departing the southwest line of Lincoln Street and with the common line of said Lot 4 and Lot 5, a distance of 130.00 feet to a set 5/8 inch iron rod for a corner, said point being the south corner of Lot 5, said corner also being in the northeast line of a tract of land conveyed to Dallas Area Rapid Transit (DART) by deed recorded in Volume 88083, Page 4905, Deed Records of Dallas County, Texas;

THENCE, N 36°24'15" W, with the southwest line of Block C/181 and the northeast line of DART, a distance of 150.00 feet to a 5/8 inch iron rod in the southeast line of Dawson Street, said point also be the west corner of Lot 7;

THENCE, N 52°43'10" E, with the southeast line of Dawson Street .a distance of 130.00 feet to the Point of Beginning.

TRACT 5:

BEING a 19,498 square feet or 0.448 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, said tract being all of Lots 7, 8, and 9 of Block B/473 of Middleton Brothers Central Avenue Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 96, Page 476, Deed Records of Dallas County, Texas, said tract conveyed to Pilgrim Pride Corporation by deeds recorded in Volume 95099, Page 840 and Volume 97074, Page 1537, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a found monument in the northeast line of Lincoln Street (a 50 foot right of way), said point also being the west corner of Lot 9 of Block B/473 and the south corner

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of said Lot 10, Block B/473 of said Middleton Brothers Central Avenue Addition;

THENCE, N 52°43'10" E, departing the northeast line of Lincoln Street and along the common line of said Lot 9 and Lot 10, a distance of 130.00 feet to a set 5/8 inch iron rod for a corner, said point being the north corner of Lot 9 and the west corner of Lot 12, Block B/473 of the said Middleton Brothers Central Avenue Addition;

THENCE, S 36°24'15" E, with the common line of said Lot 9 and Lot 12, passing at a distance of 50.0 feet the west corner of Lot 13A, Block B/473 of Unique Electric Addition as recorded in Instrument Number 20070460539, Official Public Records of Dallas County, Texas, passing at a distance of 111.0 feet the south corner of said Lot 13A and in the southwest line of Lot 124, Block B/473 of the said Middleton Brothers Central Avenue Addition, continuing in all a distance of 150.00 to a set 5/8 iron rod for a corner, said point being the east corner of Lot 7 and the north corner of Lot 6, Block B/473 of the said Middleton Brothers Central Avenue Addition;

THENCE, S 52°43'10" W, with the common line of Lot 6 and Lot 7, a distance of 130.00 feet to a set 5/8 inch iron rod in the northeast line of Lincoln Street, said point also being the south corner of said Lot 7;

THENCE, N 36°24'15" W, with the northeast line of Lincoln Street, a distance of 150.00 feet to the Point of Beginning.

TRACT 6:

BEING a 33,796 square feet or 0.776 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas, said tract being all of Lots 1, 2, 3 and 4 of Block C/181 of Middleton Brothers Central Avenue Addition, an addition to the City of Dallas, Dallas

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County, Texas according to the map thereof recorded in Volume 96, Page 476, Deed Records of Dallas County, Texas, said tract conveyed to Pilgrim Industries, Inc. by deed recorded in Volume 81185, Page 3346, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point for a corner at the intersection of the southwest line of Lincoln Street (a 50 foot right of way) with the northwest line of Hickory Street (a 50 foot right of way), said point being the east corner of said Lot 2 of Block C/181 of the said Middleton Brothers Central Avenue Addition;

THENCE, S 52°43'10" W, with the northwest line of Hickory Street, a distance of 130.00 feet to a point for a corner, said point being the south corner of said Lot 1, Block C/181 of the said Middleton Brothers Central Avenue Addition and said point at the intersection of the northwest line of Hickory Street with the northeast line of a tract of land conveyed to DART by deed recorded in volume 88083. Page 4905, Deed Records of Dallas County, Texas;

THENCE, N 36°24'15" W, departing the northwest line of Hickory Street and with the northeast line of DART, a distance of 260.00 feet to a set 5/8 inch iron rod for a corner, said point being the common corner of said Lot 4 and Lot 5, Block C/181 of the said Middleton Brothers Central Avenue Addition;

THENCE, N 52°43'10"E, departing the northeast line of DART and with the common line of Lot 4 and Lot 5, a distance of 130.00 feet to a 5/8 inch iron rod in the southwest line of Lincoln Street;

THENCE, S 36°24'15" E, with the southwest line of Lincoln Street a distance of 260.00 feet to the Point of Beginning.

TRACT 7:

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Being situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, and being part of City of Dallas Block No. 471 and Block No. 160, and being a resurvey of a called 2.0230 acre tract of land described by a deed to W&D Holden 1 Family Limited Partnership of record in Volume 99249, Page 5930, Deed Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found for corner at the intersection of the southeast right-of-way line of R.L. Thornton Freeway (a variable width right-of-way) with the northeast right-of-way line of South Central Expressway (a variable width right-of-way), said point being the most western corner of said 2.0230 acre tract;

THENCE North 46°45'00" east along the southeast right-of-way line of said R.L. Thornton Freeway, a distance of 258.36 feet to a 1/2 iron rod found for corner at the most northern corner of said 2.0230 acre tract;

THENCE South 36°04'04" east along a northeast line of said 2.0230 acre tract, a distance of 55.77 feet to a 1/2 iron rod found for corner at an interior corner thereof;

THENCE North 51°59'25" east along a northwest line of said 2.0230 acre tract, a distance of 43.18 feet to a 1/2" iron rod found for corner at a northern corner thereof and being in the southwest right-of-way line of T. & N. O. Railroad (a variable width right-of-way);

THENCE South 36°17'33" East along the southwest right-of-way line of said T. & N. O. Railroad, a distance of 407.22 feet to a 1/2" iron rod found for corner at the most eastern corner of said 2.0230 acre tract and being in the northerly right-of-way line of Bluebell Street (a variable width right-of-way);

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THENCE South 84°17'19" West along the northerly right-of-way line of said Bluebell Street, a distance of 13.15 feet to a 1/2" iron rod found for corner;

THENCE North 77°09'39" West continuing along the northerly right-of-way line of said Bluebell Street, a distance of 100.09 feet to a 1/2" iron rod found for corner;

THENCE North 74°09'26" West continuing along the northerly right-of-way line of said Bluebell Street, a distance of 37.18 feet to a 1/2" iron rod found for corner at the beginning of a non-tangent curve to the left having a radius of 102.00 feet, a central angle of 80°52'26", and a chord which bears South 76°21'04" West, a distance of 103.34 feet;

THENCE in a westerly direction along the curving north right-of-way line of said Bluebell Street, an arc distance of 108.37 feet to a 1/2" iron rod found for corner;

THENCE South 45°55'00" West along the northwest right-of-way line of said Bluebell Street, a distance of 42.11 feet to a chainlink fence post found for corner at the most southern corner of said 2.0230 acre tract and being in the northeast right-of-way line of said South Central Expressway, said point also being the beginning of a non-tangent curve to the left having a radius of 2339.33 feet, a central angle of 06°25'54" and a chord which bears north 45°22'36" West, a distance of 202.46 feet;

THENCE in a northwesterly direction along the curving northeast right-of-way line of said South Central Expressway, an arc distance of 262.60 feet to a 1/2" iron rod found for corner;

THENCE North 51°43'12" West continuing along the northeast right-of-way line of said South Central Expressway, a distance of 28.99 feet to the PLACE OF

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BEGINNING and containing 88,017 square feet or 2.021 acres of land.

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

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

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

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

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

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SECTION 3. Same as House version.

SECTION 4. Same as House version.

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