

Amend **CSHB 4627** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7907A to read as follows:

CHAPTER 7907A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO.

232

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7907A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Fort Bend County Municipal Utility District No. 232.

Sec. 7907A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7907A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7907A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7907A.0103 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.

Sec. 7907A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

Sec. 7907A.0106. INITIAL DISTRICT TERRITORY. (a) The

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

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7907A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7907A.0202, directors serve staggered four-year terms.

Sec. 7907A.0202. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7907A.0103; or

(2) the fourth anniversary of the effective date of the section enacting this chapter.

(c) If permanent directors have not been elected under Section 7907A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7907A.0103; or

(2) the fourth anniversary of the date of the

appointment or reappointment.

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7907A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7907A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7907A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7907A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7907A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7907A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7907A.0403.

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

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

Sec. 7907A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7907A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7907A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7907A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7907A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7907A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Fort Bend County Municipal Utility District No. 232 initially includes all the territory contained in the following area:

Being a 100.5 acre tract of land located in the R.H. Earnest Survey, A-388, said 100.5 acre tract being all of a called 100.5 acre tract of land conveyed to Jason Noah and Benjamin Adam Danziger in Clerk's File No. 2012117049 of the Official Public Records of Fort Bend County, Texas (O.R.F.B.C.); said 100.5 acre tract being more particularly described by metes and bounds as follows: (All bearings reference to the Texas State Plane Coordinate System, South Central Zone).

COMMENCING at a 1-1/4" iron pipe found for the east corner of a called 55.048 acre tract described in the deed to LGI Homes-Sunrise Meadow, LTD. in Clerk's File No. 2005048299 of the O.R.F.B.C., common to the south corner of a called 136.6 acre tract described in the deed to Sabas Cortez in Volume 216, Page 322, of the Deed Records of Fort Bend County, Texas;

Thence North 47° 56' 48" West - 2,057.42' along the north line of said 55.048 acre tract, the north line of a called 55.06295 acre

tract described in the deed to Bruce Mahlmann in Clerk's File No. 9780631 of the O.R.F.B.C. and the northwest line of a called 89.24 acre tract described in the deed to R. W. Lindsey in Volume 469, Page 284, of the Deed Records of Fort Bend County, Texas, common to the southwest line of said 136.6 acre tract, to a 3/4" iron rod set for the south corner and POINT OF BEGINNING of the herein described tract, common to the south corner of said 100.5 acre tract and the west corner of said 136.6 acre tract, from which a found 1-1/4" iron pip bears North 23° 51' 01" East - 0.71';

THENCE North 47° 56' 48" West - 1,522.95' (called North 44° 48' 38" West), along the southwest line of said 100.5 acre tract, common to the northeast line of said 89.24 acre tract and the northeast line of a called 89.011 acre tract described in the deed to Paul Nelson Danzinger recorded in Clerk's File No. 200125881 of the O.R.F.B.C., to the west corner of the herein described tract, common to the west corner of said 100.5 acre tract and the south corner of a called 17.99 acre tract described in the deed to Willie Drabek recorded in Volume 1011, Page 841, of the Deed Records of Fort Bend County, Texas, from which a found 3/4" iron pipe bears South 42° 01' 12" West - 0.35'

THENCE North 42° 01' 12" East - 2,871.04' (called North 45° 11' 37" East), along the northwest line of said 100.5 acre tract, common to the southeast line of said 17.99 acre tract, at 2,210.59' passing a found 1" iron pipe (in concrete) on the south side of Koeblen Road, continuing in Koeblen Road to a 1/2" iron pipe found for the north corner of said 100.5 acre tract in Koeblen Road;

THENCE South 48° 10' 25" East - 1,524.25' (called South 45° 00' East), along the northeast line of said 100.5 acre tract in Koeblen Road to a PK nail found for the east corner of the herein described tract;

THENCE South 42° 02' 45" West - 2,877.08' (called South 45° 13' 10" West - 2,876.08') along the northeast line of said 100.5 acre tract, at 31.70' passing a 5/8" steel rod, continuing to the POINT OF BEGINNING of the herein described tract and containing 100.5 acres of land, more or less.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7907A, Special

District Local Laws Code, as added by Section 1(a) of this Act, is amended by adding Section 7907A.0306 to read as follows:

Sec. 7907A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 1(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 2. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7909A to read as follows:

CHAPTER 7909A. UPTOWN MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN

COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7909A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Uptown Municipal Utility District No. 1 of Collin County.

Sec. 7909A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7909A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7909A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7909A.0103 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.

Sec. 7909A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

Sec. 7909A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7909A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7909A.0202, directors serve staggered four-year terms.

Sec. 7909A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Caleb Lavey;

(2) Cole Talley;

(3) Luke Brown;

(4) Zack Schneider; and

(5) Ben Hangartner.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7909A.0103; or

(2) September 1, 2025.

(c) If permanent directors have not been elected under Section 7909A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that

expire on the earlier of:

(1) the date permanent directors are elected under Section 7909A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7909A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7909A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7909A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7909A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

the road project is located.

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

Sec. 7909A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7909A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

(c) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2(b) of the Act enacting this chapter.

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7909A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

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

(3) appoint temporary directors for each new district;

and

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

(g) On or before the 30th day after the date of adoption of

an order dividing the district, the district shall file the order with the commission and record the order in the real property records of each county in which the district is located.

(h) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Section 7909A.0103. If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to the original district.

(i) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7909A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7909A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or
(2) contract payments described by Section 7909A.0403.

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

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

Sec. 7909A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7909A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water

Code.

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

Sec. 7909A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7909A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7909A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7909A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Uptown Municipal Utility District No. 1 of Collin County initially includes all the territory contained in the following area:

Tract 1

BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT NO. 124 AND THE BENJAMIN BREWTON SURVEY, ABSTRACT NO. 125, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO

MATTHEW D. KIRAN, RECORDED IN INSTRUMENT NO. 20070418000520430, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS (O.P.R.C.C.T.) AND ALL OF A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW DILLON KIRAN, RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD 455, A 90-FOOT RIGHT-OF-WAY, AT THE WEST COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MARK A. JOHNSON, RECORDED IN VOLUME 5038, PAGE 7629, DEED RECORDS, COLLIN COUNTY, TEXAS;

THENCE NORTH 00°45'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 831.92 FEET TO A 5/8-INCH IRON WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE WEST COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MOODY RHINOCEROS, LLC, RECORDED IN INSTRUMENT NO. 20140606000572850, O.P.R.C.C.T.;

THENCE NORTH 89°16'45" EAST, ALONG THE COMMON LINE OF SAID KIRAN TRACT AND SAID MOODY RHINOCEROS TRACT, A DISTANCE OF 1,315.87 FEET TO A 5/8-INCH IRON WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER;

THENCE NORTH 89°21'36" EAST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 1,299.36 FEET TO A 1/2-INCH IRON ROD FOUND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T., AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND SAID MOODY RHINOCEROS TRACT;

THENCE SOUTH 00°42'34" EAST, ALONG THE COMMON LINE OF SAID KIRAN TRACTS AND SAID STELZER TRACT, A DISTANCE OF 831.54 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441, O.P.R.C.C.T.;

THENCE SOUTH 89°19'06" WEST, ALONG THE COMMON LINE OF SAID KIRAN TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 900.24 FEET TO A 3/8-INCH IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID HACKNEY TRACT AND SAID JOHNSON TRACT;

THENCE SOUTH 89°18'26" WEST, ALONG THE COMMON LINE OF SAID KIRAN TRACT AND SAID JOHNSON TRACT, A DISTANCE OF 1,714.40 FEET TO THE

POINT OF BEGINNING AND CONTAINING 2,175,983 SQUARE FEET OR 49.954 ACRES OF LAND, MORE OR LESS.

Tract 2

BEING A TRACT OF LAND LOCATED IN THE T. & P. RAILWAY CO. SURVEY, ABSTRACT NO. 932, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST, RECORDED IN INSTRUMENT NO. 20141006001089690, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS (O.P.R.C.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN 8-INCH WOOD FENCE POST FOUND IN THE EAST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA, LTD., RECORDED IN INSTRUMENT NO. 20180323000355690, O.P.R.C.C.T., AT THE SOUTHWEST CORNER OF SAID STELZER TRACT AND THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO JARRELL DWAIN GRAY, RECORDED IN INSTRUMENT NO. 20090105000007700, O.P.R.C.C.T.;

THENCE NORTH 00°04'16" WEST, A DISTANCE OF 319.32 FEET TO A 3/8-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID OLD CELINA TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441, O.P.R.C.C.T.;

THENCE NORTH 00°31'51" WEST, A DISTANCE OF 479.09 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW D. KIRAN, RECORDED IN INSTRUMENT NO. 20070418000520430, O.P.R.C.C.T.;

THENCE NORTH 00°42'34" WEST, ALONG THE EAST LINE OF SAID KIRAN TRACT AND ANOTHER TRACT DESCRIBED IN DEED TO MATTHEW DILLON KIRAN, RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T., A DISTANCE OF 831.54 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MOODY RHINOCEROS, LLC, RECORDED IN INSTRUMENT NO. 20140606000572850, D.R.C.C.T.;

THENCE NORTH 00°07'00" EAST, ALONG THE EAST LINE OF SAID MOODY RHINOCEROS TRACT, PASSING AT A DISTANCE OF 1,107.23 FEET A 3/4-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO KIM CANNADY LEE, RECORDED IN VOLUME 4840, PAGE 1743, DEED RECORDS, COLLIN COUNTY, TEXAS (D.R.C.C.T.), AND CONTINUING FOR A

TOTAL DISTANCE OF 1,120.03 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET NEAR THE SOUTHWEST EDGE OF PAVING OF COUNTY ROAD 57 AT THE NORTHWEST CORNER OF SAID STELZER TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA, LTD., RECORDED IN INSTRUMENT NO. 20140501000426500, O.P.R.C.C.T., FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LEE TRACT BEARS NORTH 01°02'23" WEST, A DISTANCE OF 570.99 FEET; THENCE NORTH 89°35'24" EAST, ALONG SAID COUNTY ROAD 57 AND THE NORTH LINE OF SAID STELZER TRACT, A DISTANCE OF 2,631.96 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR CORNER IN THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA , LTD., RECORDED IN INSTRUMENT NO. 20060815001168150, O.P.R.C.C.T., AT THE NORTH COMMON CORNER OF SAID STELZER TRACT AND A TRACT OF LAND DESCRIBED AS TRACT III IN DEED TO G BAR 7, LTD., RECORDED IN VOLUME 5850, PAGE 990, D.R.C.C.T., FROM WHICH A 3/8-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID OLD CELINA TRACT BEARS NORTH 89°35'24" EAST, A DISTANCE OF 682.05 FEET; THENCE SOUTH 00°12'44" EAST, LEAVING THE SOUTH LINE OF SAID OLD CELINA TRACT AND ALONG SAID COUNTY ROAD 57 AND THE EAST LINE OF SAID STELZER TRACT, A DISTANCE OF 852.17 FEET TO A MAG NAIL SET AT THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF CELINA, TEXAS, RECORDED IN VOLUME 481, PAGE 230, D.R.C.C.T.; THENCE NORTH 87°15'44" WEST, LEAVING SAID COUNTY ROAD 57 AND SAID EAST LINE OF THE STELZER TRACT, A DISTANCE OF 450.00 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE NORTHWEST CORNER OF SAID CITY OF CELINA TRACT; THENCE SOUTH 00°12'44" EAST, A DISTANCE OF 485.30 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST CORNER OF SAID CITY OF CELINA TRACT; THENCE SOUTH 87°15'44" EAST, A DISTANCE OF 450.00 FEET TO A MAG NAIL SET IN SAID COUNTY ROAD 57 AND SAID EAST LINE OF THE STELZER TRACT AT THE SOUTHEAST CORNER OF SAID CITY OF CELINA TRACT; THENCE SOUTH 00°12'44" EAST, ALONG SAID COUNTY ROAD 57 AND SAID EAST LINE OF THE STELZER TRACT, A DISTANCE OF 1,420.00 FEET TO A MAG NAIL SET AT THE SOUTHEAST CORNER OF SAID STELZER TRACT; THENCE SOUTH 89°56'13" WEST, LEAVING SAID COUNTY ROAD 57, PASSING AT A DISTANCE OF 205.83 FEET A 5/8-INCH IRON ROD FOUND AT THE NORTH

COMMON CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO J.B. STELZER AND WIFE FRANCES B. STELZER, RECORDED IN INSTRUMENT NO. 19710125077403730, D.R.C.C.T., AND LOT 23 OF WILLOCK HILL ADDITION AMENDED PLAT, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE 160, MAP RECORDS, COLLIN COUNTY, TEXAS, AND CONTINUING FOR A TOTAL DISTANCE OF 605.83 FEET TO THE NORTH COMMON CORNER OF LOTS 11 AND 23 OF SAID ADDITION, FROM WHICH A 1/2-INCH IRON ROD FOUND WITH A CAP STAMPED "RPLS 2818" BEARS SOUTH 09°19'53" EAST, A DISTANCE OF 0.46 FEET;

THENCE SOUTH 89°51'02" WEST, A DISTANCE OF 358.80 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE NORTH COMMON CORNER OF LOTS 10 AND 11 OF SAID ADDITION;

THENCE SOUTH 89°41'02" WEST, A DISTANCE OF 380.00 FEET TO A 1/2-INCH IRON ROD WITH CAP STAMPED "RPLS 2818" FOUND AT THE NORTH COMMON CORNER OF SAID ADDITION AND SAID GRAY TRACT;

THENCE SOUTH 89°39'42" WEST, A DISTANCE OF 1,284.65 FEET TO THE POINT OF BEGINNING AND CONTAINING 7,029,841 SQUARE FEET OR 161.383 ACRES OF LAND, MORE OR LESS.

Tract 3

All that certain 143.93 acre tract or parcel of land situated in the Collin County School Land Survey, Abstract Number 168, Thomas Stayton Survey, Abstract Number 804 and the Henry Bentley Survey, Abstract Number 124, County of Collin, State of Texas, said tract being part of a called 26.030 acre tract as described in deed to Crown S. Ltd., filed 14 December 2001, and recorded in volume 5066 page 4447 of the Official Public Records of said Collin County, Texas, and said tract being part of Exhibit A, a called 193.825 acre tract as described in deed to Crown S. Ltd., filed 31 July 1997, and recorded in volume 3966 page 2598 of said official public records, and being more particularly described as follows;

COMMENCING at a found iron rod by a pipe fence corner post, said rod being the southwest corner of said Exhibit A, same being the northwest corner of a called 35.286 acre tract as described in deed to Sutton Field Investments, LLC, filed 10 February 2015, and recorded in Collin County Clerks #D20150210000147450 of said official public records, and said rod being on the east line of

Tract One a called 14.88 acre tract as described in deed to Dwight Shewchuck et ux, Rebecca Shewchuk, 26 June 1998, and recorded in Collin County Clerks #D98-0067003 of said official public records, said rod also having NAD83 NCTZ grid coordinates of N-7169022.23, E-2482005.62

THENCE: North 00 degrees 30 minutes 58 seconds West, with the west line of said Exhibit A, and with the east line of said Shewchuk tract, a distance of 852.21 feet a set 1/2 inch rebar for the POINT OF BEGINNING and being the southwest corner of the tract being described herein:

THENCE: North 00 degrees 30 minutes 58 seconds West, with the west line of said Exhibit A, and generally along and near a barbed wire fence, a distance of 690.83 feet to a found iron rod by a wood fence corner post for an angle point in the west line of said Exhibit A, same being the northeast corner of a called 10.253 acre tract as described in deed to Jimmy D. Bennett and Katheleen J. Bennett, filed 06 May 1997, and recorded in Collin County Clerks #D97-0035479 of said official public records, same being the southeast corner of Tract II, a called 7.605 acre tract as described in deed to Glenn E. Hansen, filed 15 May 2008, and recorded in Collin County Clerks #D20080515000592770 of said official public records;

THENCE: North 00 degrees 32 minutes 00 seconds West, with the west line of said Exhibit A, and generally along and near a barbed wire fence, a distance of 1734.10 feet to a found 5/8 inch rebar by a pipe fence corner post for the northwest corner of said Exhibit A, same being the occupied southwest corner of said 26.030 acre tract, and said rebar being the northeast corner of a called 7.004 acre tract as described in deed to Greg Mims and Pam Mims, filed 04 June 2015, and recorded in Collin County Clerks #D20150604000659940 of said official public records, same being the southeast corner of a called 10.012 acre tract as described in deed to W. G. Cullum & Company Ltd. filed 15 December 2015, and recorded in Collin County Clerks #D20151215001560240 of said official public records;

THENCE: North 00 degrees 31 minutes 54 seconds East, with the west line of said 26.030 acre tract, and generally along and near a barbed wire fence, a distance of 439.87 feet to a found capped iron

rod by a pipe fence corner post for the northwest corner of said 26.030 acre tract, same being the southwest corner of a called 16.090 acre tract as described in deed to Scot H. McDonald et ux, Jill C. McDonald, filed 14 December 2001, and recorded in Collin County Clerks #D2001-0161490 of said official public records;

THENCE: North 88 degrees 46 minutes 33 seconds East, with the north line of said 26.030 acre tract, and with a barbed wire fence, and passing at 2595.47 feet a pipe fence corner post on the west side of Farm to Market Road Number 455, and continuing on said course a total distance of 2597.47 feet to a found capped iron rod with a plastic cap marked RPLS 1849 on the west right of way line of said road for the northeast corner of this tract, same being the northeast corner of said 26.030 acre tract, and said rod being the southeast corner of a called 10.037 acre tract as described in deed to Raju Gadirajy and Feng-Tzu Tsai, filed 14 June 2004, and recorded in Collin County Clerks #D2004-0086243 of said official public records;

THENCE: South 00 degrees 14 minutes 10 seconds East, with the west line of said road, a distance of 417.70 feet to a set 1/2 inch rebar for a corner of this tract;

THENCE: South 88 degrees 50 minutes 08 seconds West, and passing at 450.61 feet a set 1/2 inch rebar, and continuing on said course a total distance of 633.56 feet to a set 1/2 inch rebar for an ell corner of this tract;

THENCE: South 00 degrees 44 minutes 17 seconds East, a distance of 817.09 feet to a set 1/2 inch rebar for an ell corner of this tract;

THENCE: South 88 degrees 45 minutes 36 seconds East, and passing at 120.6 feet a set 1/2 inch rebar, and continuing on said course, and passing at 140.6 feet a pipe fence corner post, and continuing on said course with a pipe fence, and passing at 631.77 feet a pipe fence corner post on the west side of said road, and continuing on said course a total distance of 633.07 feet to a set 1/2 inch rebar on the west right of way line of said road for a corner of this tract;

THENCE: South 00 degrees 44 minutes 17 seconds East, with the west line of said road, a distance of 719.40 feet to a found concrete highway monument for a corner of this tract, said monument being the

north corner of a called 0.5112 acre tract as described in deed to State of Texas, filed 03 April 2017, and recorded in Collin County Clerks #D2017043000416890 of said official public records;

THENCE: South 06 degrees 53 minutes 35 seconds West, with the west line of said road, and with the west line of said State of Texas tract, a distance of 55.53 feet to a set 1/2 inch rebar for the most easterly southeast corner of this tract, from said rebar a found capped iron rod bears North 89 degrees 59 minutes 15 seconds East, a distance of 7.4 feet;

THENCE: North 89 degrees 46 minutes 54 seconds West, and passing at 0.9 feet a pipe fence corner post, and continuing on said course, with a barbed wire fence, a total distance of 571.78 feet to a pipe fence corner post of an inner ell corner of this tract;

THENCE: South 05 degrees 25 minutes 28 seconds West, with a barbed wire fence, a distance of 562.01 feet to a pipe fence corner post for the most southerly southeast corner of this tract;

THENCE: South 73 degrees 44 minutes 30 seconds West, with a barbed wire fence, a distance of 982.13 feet to a pipe fence corner post for an angle point of this tract;

THENCE: South 84 degrees 56 minutes 30 seconds West, with a barbed wire fence, a distance of 804.70 feet to a pipe fence corner post for an angle point of this tract;

THENCE: North 85 degrees 09 minutes 45 seconds West, with a barbed wire fence, and passing at 221.95 feet a pipe fence corner post, and continuing on said course a total distance of 224.41 feet to the POINT OF BEGINNING and containing 143.93 acres of land.

Tract 4

LEGAL DESCRIPTION

BEING a tract of land situated in the Thomas Stayton Survey, Abstract No. 805 Collin county, Texas and being part of a called 54.809 acre tract conveyed to Lewis Dickerson as recorded in County Clerks No. 2010051000463340, Land Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic capped stamped "4613" set for corner in the west line of said 54.809 acre tract, said iron rod being S 00°02'11" W a distance of 185.72' from a

1/2" iron rod found for the northwest corner of said 54.809 acres;

THENCE N 89°04'55" E a distance of 1400.14' to a mag nail set for corner in the east line of said 54.809 acre tract, said nail being in Business No. 289;

THENCE S 00°44'54" W veering west from the road a distance of 1770.34' to a point for corner;

THENCE S 11°19'55" W a distance of 534.39' to a point for corner;

THENCE S 89°34'57" W a distance of 28.22' to a point for corner;

THENCE N 10°32'31" E a distance of 695.27' to a point for corner;

THENCE N 01°09'28" E a distance of 121.00' to a wood fence post found for corner;

THENCE S 89°10'28" W a distance of 1110.80' to a wood fence post found for corner;

THENCE N 57°00'00" W a distance of 300.66' to a wood fence post found for corner;

THENCE N 00°10'07" W a distance of 262.10' to a 1/2" iron rod with yellow plastic capped stamped "4613" set for corner;

THENCE N 00°39'54" W a distance of 843.67' to a wood fence post found for corner;

THENCE N 00°02'11" E a distance of 213.97' to the POINT OF BEGINNING and containing 2,060,807 Square Feet or 47.310 Acres of land.

Tract 5

Being a tract of land situated in the Thomas Stayton Survey, Abstract No. 805, Collin County, Texas and being the remainder of a called 79 acre tract of land (Tract III) described in Deed to G Bar 7, LTD. as recorded in Document No. 2005-0015684 of the Official Public Real Property Records of Collin County, Texas, and being more particularly described herein as follows:

BEGINNING at a "Mag" spike set in County Road 57 (a public road) and in the East line of a called 160 acres tract of land described in Deed to Billy Stelzer and Julia Stelzer as recorded in Instrument No. 20141006001089690 of the Official Public Records of Collin County, Texas for the Southwest corner of said Tract III;

THENCE North 00 degrees 01 minutes 22 seconds East, with the West line of said Tract III, along said County Road 57, passing the Southeast corner of a called 5.00 acres tract of land described in Deed to the City of Celina as recorded in Volume 481, Page 230 of said Deed Records, continuing with the West line of said Tract III and the East line of said City of Celina tract, passing the Northeast corner thereof and continuing for a total distance of 2,484.46 feet to a 5/8 inch iron rod with plastic cap stamped "PLS, INC" (typical) set on the Northeast side of a bend in said County Road 57 for the Northwest corner of said Tract III, and being in the South line of a called 52.039 acre tract of land described in Deed to Old Celina, LTD. as recorded in Instrument No. 20060815001168150 of said Official Public Records;

THENCE North 89 degrees 45 minutes 53 seconds East, with the North line of said Tract III, passing the Southeast corner of said 52.039 acre tract and the Southwest corner of a called 50.363 acres tract of land described in Deed to Celina 50, LLC as recorded in Instrument No. 20190610000659920 of said Official Public Records, and continuing for a total distance of 1,385.31 feet to a 3/8 inch iron rod found for the Northeast corner of said Tract III and the Northwest corner of a called 54.804 acres tract of land (Tract Two) described in Deed to Dorothy Stambaugh and Lewis Dickerson as recorded in Instrument No. 20100510000463340 of said Official Public Records;

THENCE with the East line of said Tract III and the West line of said Stambough tract, along and near an established fence line, the following courses and distances:

South 00 degrees 39 minutes 47 seconds East, a distance of 174.67 feet to a 5/8 inch iron rod set for corner;

South 02 degrees 33 minutes 05 seconds West, a distance of 145.60 feet to a 5/8 inch iron rod set for corner;

South 02 degrees 09 minutes 55 seconds East, a distance of 198.50 feet to a 5/8 inch iron rod set for corner;

South 00 degrees 24 minutes 55 seconds East, a distance of 725.00 feet to a 5/8 inch iron rod set for corner;

South 00 degrees 09 minutes 55 seconds East, a distance of 262.10 feet to a cross-tie fence corner post found for the Southwest

corner of said Stambough tract and the Northwest corner of Lot 1, Block A of Celina 22 Addition recorded in Instrument 20200128010000450 of said Official Public Records;

THENCE South 00 degrees 01 minutes 02 seconds West, with the East line of said Tract III and the West line of Lot 1, passing the Southwest corner of said Lot 1 and the Northwest corner of Lot 2, Block A of said Celina 22 Addition, and continuing for a total distance of 672.08 feet to a 1/2 inch iron rod found for the Southwest corner of said Lot 2 and the Northwest corner of Lot 1, Block 1 of Snyder Addition as recorded in Instrument No. 20060511010001920 of said Official Public Records;

THENCE South 00 degrees 08 minutes 55 seconds West, with the East line of said Tract III and the West line of said Snyder Addition, a distance of 297.31 feet to a 1/2 inch iron rod found in the North line of a 30 foot alleyway for the Southeast corner of said Tract III and the Southwest corner of said Snyder Addition;

THENCE South 89 degrees 29 minutes 39 seconds West, with the South line of said Tract III and the North line of said 30 foot alleyway, a distance of 100.03 feet to a 1/2 inch iron rod found for the Southeast corner of a called 3.00 acres tract of land described in Deed to Whitney Elliot and Marc Elliot as recorded in Instrument No. 20181228001576130 of said Official Public Records;

THENCE North 00 degrees 31 minutes 41 seconds West, with the East line of said Elliot tract, a distance of 315.13 feet to a 1/2 inch capped iron rod found for the Northeast corner of said Elliot tract;

THENCE South 89 degrees 20 minutes 47 seconds West, with the North line of said Elliot tract, a distance of 414.83 feet to a 5/8 inch iron rod set for the Northwest corner of said Elliot tract;

THENCE South 00 degrees 31 minutes 41 seconds East, with the West line of said Elliot tract, a distance of 314.99 feet to a 5/8 inch iron rod set in the South line of said Tract III and the North line of said 30 foot alleyway for the Southwest corner of said Elliot tract;

THENCE South 89 degrees 21 minutes 57 seconds West, with the South line of said Tract III, a distance of 879.59 feet to the POINT OF BEGINNING and containing, within the metes and bounds herein recited, 76.224 acres of land, more or less.

Tract 6

BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT NO. 124, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO MARK S. JOHNSON, RECORDED IN VOLUME 5038, PAGE 7629, DEED RECORDS, COLLIN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND IN THE EXISTING EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD (FM) 455, A VARIABLE WIDTH RIGHT-OF-WAY, AT THE WEST COMMON CORNER OF SAID JOHNSON TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW D. KIRAN, RECORDED IN INSTRUMENT NO. 20070418000520430, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS (O.P.R.C.C.T.);

THENCE NORTH 89°18'26" EAST, LEAVING SAID EAST RIGHT-OF-WAY LINE AND ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,714.40 FEET TO A 3/8-INCH IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID JOHNSON TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441, O.P.R.C.C.T., FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND SAID HACKNEY TRACT BEARS NORTH 89°19'06" EAST, A DISTANCE OF 900.24 FEET; THENCE SOUTH 00°39'47" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 476.67 FEET TO A 1/2-INCH IRON ROD FOUND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA, LTD., RECORDED IN INSTRUMENT NO. 20180323000355690, O.P.R.C.C.T., AT THE SOUTH COMMON CORNER OF SAID JOHNSON TRACT AND SAID HACKNEY TRACT, FROM WHICH A 3/8-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND SAID OLD CELINA TRACT BEARS NORTH 89°28'43" EAST, A DISTANCE OF 910.17 FEET; THENCE SOUTH 87°38'51" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND THE OLD CELINA TRACT, A DISTANCE OF 58.03 FEET TO A 1/2-IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID OLD CELINA TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO CELINA 428, L.P., RECORDED IN INSTRUMENT NO. 20070222000245920, O.P.R.C.C.T.;

THENCE SOUTH 88°35'59" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID CELINA 428 TRACT, A DISTANCE OF 589.16 FEET TO A 1/2-INCH IRON ROD WITH A YELLOW CAP (ILLEGIBLE) FOUND AT THE NORTH COMMON CORNER OF SAID CELINA 428 TRACT AND TRACT OF LAND DESCRIBED

IN DEED TO JC GOODMAN INVESTMENT GROUP, INC., RECORDED IN INSTRUMENT NO. 20200115000063450, O.P.R.C.C.T.;

THENCE SOUTH 88°39'24" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID JC GOODMAN INVESTMENT GROUP TRACT, A DISTANCE OF 1,015.89 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC CAP STAMPED "TXDOT" FOUND IN THE NEW EAST RIGHT-OF-WAY LINE OF SAID FM 455 AS ESTABLISHED BY DEED TO THE STATE OF TEXAS, RECORDED IN INSTRUMENT NO. 2017013000470220, O.P.R.C.C.T.;

THENCE NORTH 06°44'04" WEST, ALONG SAID NEW EAST RIGHT-OF-WAY LINE, A DISTANCE OF 381.29 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC CAP STAMPED "TXDOT" FOUND FOR CORNER IN THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID FM 544;

THENCE NORTH 00°43'02" WEST, ALONG SAID EXISTING EAST RIGHT-OF-WAY LINE, A DISTANCE OF 117.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 825,624 SQUARE FEET OR 18.954 ACRES OF LAND, MORE OR LESS.

Tract 7

BEING A TRACT OF LAND LOCATED IN THE BENJAMIN BREWTON SURVEY, ABSTRACT NO. 125, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO MOODY RHINOCEROS, LLC, RECORDED IN INSTRUMENT NO. 20140606000572850, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS (O.P.R.C.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD 455, A 90-FOOT RIGHT-OF-WAY, AT THE WEST COMMON CORNER OF SAID MOODY TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW DILLON KIRAN, RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T., FROM WHICH A WOOD RIGHT-OF-WAY MARKER BEARS NORTH 58°16'44" WEST, A DISTANCE OF 1.45 FEET;

THENCE NORTH 00°45'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 498.59 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" SET FOR CORNER, FROM WHICH A WOOD RIGHT-OF-WAY MARKER BEARS NORTH 02°35'45" WEST, A DISTANCE OF 26.41 FEET;

THENCE NORTH 00°13'52" WEST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 720.60 FEET TO A POINT FOR CORNER

FROM WHICH A 3/4-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO KIM CANNADY LEE, RECORDED IN VOLUME 4840, PAGE 1743, DEED RECORDS, COLLIN COUNTY, TEXAS, BEARS SOUTH 88°14'15" EAST, A DISTANCE OF 0.59 FEET AND FROM WHICH A 3/8-INCH IRON ROD FOUND NEAR THE NORTHWEST CORNER OF SAID MOODY TRACT BEARS SOUTH 01°58'05" WEST, A DISTANCE OF 8.20 FEET AND FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LEE TRACT BEARS NORTH 00°13'02" WEST, A DISTANCE OF 546.05 FEET; THENCE SOUTH 88°14'15" EAST, ALONG THE SOUTH LINE OF SAID LEE TRACT, A DISTANCE OF 2,627.99 FEET TO A 3/4-INCH IRON ROD FOUND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T. AT THE SOUTHEAST CORNER OF SAID LEE TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND NEAR THE NORTHEAST CORNER OF SAID MOODY TRACT BEARS NORTH 00°39'40" WEST, A DISTANCE OF 7.67 FEET AND FROM WHICH A 5/8-INCH IRON ROD WITH A CAP (ILLEGIBLE) FOUND AT THE NORTHEAST CORNER OF SAID LEE TRACT BEARS NORTH 01°00'52" WEST, A DISTANCE OF 583.77 FEET; THENCE SOUTH 00°07'00" WEST, ALONG THE COMMON LINE OF SAID MOODY TRACT AND SAID STELZER TRACT, A DISTANCE OF 1,107.25 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID MOODY TRACT AND SAID KIRAN TRACT; THENCE SOUTH 89°21'36" WEST, ALONG THE COMMON LINE OF SAID MOODY TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,299.36 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674" FOUND FOR CORNER; THENCE SOUTH 89°16'45" WEST, CONTINUING ALONG THE COMMON LINE OF SAID MOODY TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,315.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,048,952 SQUARE FEET OR 69.994 ACRES OF LAND, MORE OR LESS.

Tract 8

LEGAL DESCRIPTION

108.175 ACRES

BEING a tract of land in the J. HEATH SURVEY, ABSTRACT NO. 387 and the J. RAGDALE SURVEY, ABSTRACT NO. 735, Collin County, Texas, and being that tract of land conveyed in Deed to JASC Investments Inc., according to the document of record filed in Document Number

20160610000730460, Official Public Records, Collin County, Texas, and being more particularly described as follows;

BEGINNING at a wooden fence post found for the common northwest corner of said JASC Investments Inc. tract and the southwest corner of that tract of land conveyed in Deed to Pair Of Dice Properties, LLC, according to the document of record filed in Document Number 20181102001367960, Official Public Records, Collin County, Texas, and being in the east line of that tract of land conveyed in Deed to Dynavest Joint Venture, according to the document of record filed in Book 2288, Page 114, Deed Records, Collin County, Texas;

THENCE N 89° 42' 34" E, with the common north line of said JASC Investments Inc. tract and the south line of said Pair Of Dice Properties, LLC tract, a distance of 1147.28 feet to a 1/2" iron rod found for the common southeast corner of said Pair Of Dice Properties, LLC tract and the southwest corner of that tract of land conveyed in Deed to Charles Ray Huddleston and Sherry Lynn Huddleston, according to the document filed of record in Volume 1368, Page 368, Deed Records, Collin County, Texas;

THENCE N 89° 56' 49" E, with the common north line said JASC Investments Inc. tract and the south line of said Charles Ray Huddleston and Sherry Lynn Huddleston tract, a distance of 269.47 feet to a 3/8" iron rod found for the common southeast corner of said Charles Ray Huddleston and Sherry Lynn Huddleston tract and the southwest corner of that tract of land described as Tract I as conveyed in Deed to Rodney L. Steed and wife, Tommie S. Steed, according to the document of record filed in Book 4393. Page 0942, Official Public Records, Collin County, Texas, from which a 5/8" iron rod found bears N 05° 19' 33" W, 1.19';

THENCE N 89° 06' 37" E, with the common north line said JASC Investments Inc. tract and the south line of said Rodney L. Steed and wife, Tommie S. Steed tract, a distance of 220.24 feet to a 1/2" iron rod found for the common southeast corner of said Rodney L. Steed and wife, Tommie S. Steed tract and the southwest corner of that tract of land described as Tract I as conveyed in Deed to Tommie S. Steed and Rodney L. Steed, according to the document of record filed in Document Number 20071011001400330, Official Public Records, Collin County, Texas;

THENCE N 89° 35' 00" E, with the common north line said JASC Investments Inc. tract and the south line of said Tommie S. Steed and Rodney L. Steed tract, a distance of 220.01 feet to a 1/2" iron rod found for the common southeast corner of said Tommie S. Steed and Rodney L. Steed tract and the southwest corner of that tract of land described as Steed Tract I as conveyed in Deed to Frances L. Steed, according to the documents of record filed in Document Number 20160323000342400, in Document Number 20151124001478820, and in Document Number 20150924001214890, Official Public Records, Collin County, Texas;

THENCE N 89° 29' 11" E, with the common north line said JASC Investments Inc. tract and the south line of said Frances L. Steed tract, a distance of 220.84 feet to a 1/2" iron rod found for the common southeast corner of said Frances L. Steed tract and the southwest corner of that tract of land conveyed in Deed to Jacki Cantrell, Co-Trustee of the Cantrell Family Trust; Kenny Cantrell, Co-Trustee of the Cantrell Family Trust; and Debbie Cantrell, Co-Trustee of the Cantrell Family Trust, according to the document of record filed in Document Number 20071205001624610, Official Public Records, Collin County, Texas;

THENCE N 89° 45' 20" E, with the common north line said JASC Investments Inc. tract and the south line of said Cantrell Family Trust tract, distance of 220.24 feet to a 1/2" iron rod found for the common southeast corner of said Cantrell Family Trust tract and the southwest corner of that tract of land conveyed in Deed to Celina Parkway 28 Partners, LTD, according to the document of record filed in Document Number 20170616000786060, Official Public Records, Collin County, Texas;

THENCE N 89° 28' 39" E, with the common north line said JASC Investments Inc. tract and the south line of said Celina Parkway 28 Partners, LTD, a distance of 161.26 feet to a 4" metal fence post found for the common northeast of said JASC Investments Inc. tract and the most southern southeast corner of said Celina Parkway 28 Partners, LTD and being in the west line of that tract of land conveyed in Deed to Leslie C. Hall and Spouse, Barbara P. Hall, according to the document of record filed in Document Number 19920408000221690, Official Public Records, Collin County, Texas,

from which a wooden fence post found for the common northwest corner of said Leslie C. Hall and Spouse, Barbara P. Hall tract and an interior ell corner of said Celina Parkway 28 Partners, LTD tract, bears N 01° 01' 07" W, 145.26';

THENCE S 01° 00' 02" E, with the common east line of said JASC Investments Inc. tract and the west line of said Leslie C. Hall and Spouse, Barbara P. Hall tract, a distance of 199.15 feet to an 8" wooden fence post found for the common southwest corner of said Leslie C. Hall and Spouse, Barbara P. Hall tract and the northwest corner of that tract of land conveyed in Deed to Jerry David Oaks, according to the document of record filed in Document Number 20110217000181560, Official Public Records, Collin County, Texas, from which a 1/2" iron rod found bears S 84° 26' 38" W, 2.58';

THENCE S 00° 23' 10" E, with the common east line of said JASC Investments Inc. tract and the west line of said Jerry David Oaks tract, a distance of 552.10 feet to a 1/2" iron rod found for the common southwest corner of said Jerry David Oaks tract and the northwest corner of that tract of land conveyed in Deed to Laddie Garner and wife, Joan Garner, according to the document of record filed in Book 3969, Page 3021, Official Public Records, Collin County, Texas, from which a metal fence post bears S 89° 54' 43" E, 6.51';

THENCE S 00° 30' 47" E, with the common east line of said JASC Investments Inc. tract and the west line of said to Laddie Garner and wife, Joan Garner tract, a distance of 573.65 feet to a 1/2" iron rod with a yellow plastic cap stamped "DAA" set for the common interior ell corner of said JASC Investments Inc. tract and the southwest corner of said to Laddie Garner and wife, Joan Garner tract, from which a 1/2" iron pipe found bears S 88° 47' 55" W, 2.61';

THENCE N 88° 47' 55" E, with the common north line said JASC Investments Inc. tract and the south line of said Laddie Garner and wife, Joan Garner tract a distance of 756.71 feet to a 1/2" iron rod found;

THENCE S 89° 25' 38" E, continuing with the common line of said JASC Investments Inc. tract and said Laddie Garner and wife, Joan Garner tract, a distance of 447.04 feet to a 6" wooden fence post found;

THENCE S 51° 55' 44" E, a distance of 65.81 feet to a wooden fence post found for the most easterly northeast corner of said JASC Investments Inc. tract and being in the west line of Farm-to-Market Road (FM) 455, a 90' right-of-way;

THENCE S 00° 17' 07" E, with the common east line of said JASC Investments Inc. tract and west line of said Farm-to-Market Road (FM) 455, a distance of 945.84 feet to a 1/2" iron rod with a yellow plastic cap stamped "DAA" set for the southeast corner of said JASC Investments Inc. tract, said being the intersection of the west line of said FM 455 and the north line of County Road (CR) 9, from which a 6" wooden fence post bears S 89° 16' 10" W, 2.65';

THENCE S 89° 16' 10" W, with the common south line of said JASC Investments Inc. tract and the north line of said County Road (CR) 9, a distance of 2,532.41 feet to a wooden fence post found for the southwest corner of said JASC Investments Inc. tract, said being in the east line of the above mentioned Dynavest Joint Venture tract;

THENCE N 01° 29' 13" W, with the common west line of said JASC Investments Inc. tract and the east line of said Dynavest Joint Venture tract, a distance of 1,940.30 feet to a 1/2" iron rod with a red plastic cap stamped "PEISER-MANKIN" found for the common interior ell corner of said JASC Investments Inc. tract and the most easterly northeast corner of said Dynavest Joint Venture tract;

THENCE S 88° 23' 39" W, with the common south line of said JASC Investments Inc. tract and the north line of said Dynavest Joint Venture tract, a distance of 1,140.47 feet to a 5/8" iron rod found the common most westerly southwest corner of said JASC Investments Inc. tract and an interior ell corner of said Dynavest Joint Venture tract;

THENCE N 01° 16' 34" W, with the common west line of said JASC Investments Inc. tract and the east line of said Dynavest Joint Venture tract, a distance of 409.06 feet to the POINT OF BEGINNING, and containing 108.175 acres of land, more or less.

Tract 9

BEING a tract of land situated in the Collin County School Land Survey, Abstract No. 170, Collin County, Texas, Collin County, Texas, and being all of a called 114.889 acre tract of land described in a Special Warranty Deed with Vendor's Lien to

RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332040 of the Official Public Records of Collin County, Texas, being all of a called 11.202 acre tract of land described in a Special Warranty Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332150 of the Official Public Records of Collin County, Texas, being all of a called 2.932 acre tract of land described in a General Warranty Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332120 of the Official Public Records of Collin County, Texas, being all of a called 0.479 acre tract of land described in a General Warranty Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332180 of the Official Public Records of Collin County, Texas, and also being all of a called 0.868 acre tract of land described as Tract 1 and all of a called 0.438 acre tract of land described as Tract 2 in a General Warranty Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332190 of the Official Public Records of Collin County, Texas, and also being all of Lots 1 through 5, Block 1, Lots 1 and 2, Block 2, and Lot 1, Block 4 of Malone Addition, an unrecorded plat, and being more particularly described as follows:

BEGINNING at the southeast corner of said 114.889 acre tract on the northerly right-of-way line of Malone Street, a variable width right-of-way, no record found;

THENCE South 88°50'41" West, along the southerly line of said 114.889 acre tract and the northerly right-of-way line of said Malone Street, a distance of 1212.59 feet to the southerly southwest corner of said 114.889 acre tract;

THENCE departing the northerly right-of-way line of said Malone Street and continuing along the southerly line of said 114.889 acre tract, the following:

North 2°00'20" West, a distance of 155.16 feet to an ell corner of said 114.889 acre tract;

North 89°57'33" West, a distance of 457.72 feet to the northeast corner of said 0.479 acre tract;

THENCE South 1°11'25" West, departing the southerly line of said 114.889 acre tract and along the easterly line of said 0.479 acre tract, a distance of 208.88 feet to the southeast corner of said

0.479 acre tract, being on the northerly right-of-way line of said Malone Street;

THENCE North 89°56'31" West, along the southerly line of said 0.479 acre tract and the northerly right-of-way line of said Malone Street, a distance of 100.00 feet to the southwest corner of said 0.479 acre tract;

THENCE North 1°11'25" East, departing the northerly right-of-way line of said Malone Street and along the westerly line of said 0.479 acre tract, a distance of 208.85 feet to the northwest corner of said 0.479 acre tract, being on the southerly line of said 114.889 acre tract;

THENCE North 89°57'33" West, along the southerly line of said 114.889 acre tract, a distance of 234.93 feet to the northeast corner of said Tract 1;

THENCE South 1°15'19" West, departing the southerly line of said 114.889 acre tract and along the easterly line of said Tract 1, a distance of 187.69 feet to the southeast corner of said Tract 1, being on the northerly right-of-way line of said Malone Street;

THENCE North 89°29'53" West, along the southerly line of said Tract 1 and the northerly right-of-way line of said Malone Street, a distance of 200.00 feet to the southwest corner of said Tract 1, being on the easterly right-of-way line of a 20 foot wide alley;

THENCE North 1°15'01" East, departing the northerly right-of-way line of said Malone Street, along the westerly line of said Tract 1 and the easterly right-of-way line of said 20 foot wide alley, a distance of 190.37 feet to the northwest corner of said Tract 1, common to the east end of the northerly terminus of said 20 foot wide alley, being on southerly line of aforesaid 2.932 acre tract;

THENCE North 88°42'26" West, along the northerly terminus of said 20 foot wide alley and the southerly line of said 2.932 acre tract, a distance of 20.00 feet to the west end of said terminus, common to the northeast corner of aforesaid Tract 2;

THENCE South 1°15'01" West, departing the southerly line of said 2.932 acre tract, along the easterly line of said Tract 2 and the westerly right-of-way line of said 20 foot wide alley, a distance of 190.64 feet to the southeast corner of said Tract 2, being on the northerly right-of-way line of said Malone Street;

THENCE North 89°29'53" West, departing the westerly right-of-way line of said 20 foot wide alley, along the southerly line of said Tract 2 and the northerly right-of-way line of said Malone Street, a distance of 99.86 feet to the southwest corner of said Tract 2, being on the easterly line of said 2.932 acre tract;

THENCE South 1°16'58" West, continuing along the northerly right-of-way line of said Malone Street and along the easterly line of said 2.932 acre tract, a distance of 17.01 feet to the southerly southeast corner of said 2.932 acre tract;

THENCE North 88°45'14" West, continuing along the northerly right-of-way line of said Malone Street and along the southerly line of said 2.932 acre tract, a distance of 230.05 feet to the southwest corner of said 2.932 acre tract, being on the easterly right-of-way line of the St. Louis and San Francisco Railroad, a 100 foot wide right-of-way;

THENCE North 12°26'44" East, departing the northerly right-of-way line of said Malone Street, along the westerly line of said 2.932 acre tract and the easterly right-of-way line of said St. Louis and San Francisco Railroad, a distance of 387.82 feet to the northwest corner of said 2.932 acre tract, common to the northerly southwest corner of said 114.889 acre tract;

THENCE North 12°26'19" East, along the westerly line of aforesaid 114.889 acre tract and continuing along the easterly right-of-way line of said St. Louis and San Francisco Railroad, a distance of 2792.89 feet to the northwest corner of said 114.889 acre tract;

THENCE North 88°55'09" East, departing the easterly right-of-way line of said St. Louis and San Francisco Railroad and along the northerly line of said 114.889 acre tract, a distance of 1315.73 feet to the northeast corner of said 114.889 acre tract;

THENCE along the easterly line of said 114.889 acre tract, the following:

South 0°14'01" East, a distance of 915.38 feet to a point for corner;

North 89°52'46" East, a distance of 70.06 feet to a point for corner;

South 0°21'08" East, a distance of 416.20 feet to a point for corner;

South 89°36'42" West, a distance of 133.06 feet to a point for corner;

South 0°18'12" East, a distance of 245.29 feet to the northwest corner of aforesaid 11.202 acre tract;

THENCE North 89°21'01" East, departing the easterly line of said 114.889 acre tract and along the northerly line of said 11.202 acre tract, a distance of 321.10 feet to the northeast corner of said 11.202 acre tract;

THENCE along the easterly line of said 11.202 acre tract and the easterly line of said 114.889 acre tract, the following:

South 1°16'12" East, a distance of 530.89 feet to a point for corner;

North 88°43'48" East, a distance of 269.14 feet to a point for corner;

South 2°04'32" East, a distance of 564.22 feet to a point for corner;

South 0°24'08" West, a distance of 402.60 feet to the POINT OF BEGINNING and containing 130.809 acres (5,698,027 square feet) of land, more or less.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7909A, Special District Local Laws Code, as added by Section 2(a) of this Act, is amended by adding Section 7909A.0307 to read as follows:

Sec. 7909A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 2(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect September 1, 2021.

SECTION 3. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7913A to read as follows:

CHAPTER 7913A. AUSTIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7913A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Austin County Municipal Utility District No. 1.

Sec. 7913A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7913A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7913A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7913A.0103 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.

Sec. 7913A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
(a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7913A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 3(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7913A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7913A.0202, directors serve staggered four-year terms.

Sec. 7913A.0202. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7913A.0103; or

(2) January 1, 2026.

(c) If permanent directors have not been elected under Section 7913A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7913A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7913A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7913A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7913A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7913A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7913A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7913A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section

7913A.0403.

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

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

Sec. 7913A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7913A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7913A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7913A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7913A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner

provided by Sections 54.601 and 54.602, Water Code.

Sec. 7913A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Austin County Municipal Utility District No. 1 initially includes all the territory contained in the following area:

A 38.118 acre, or 1,660,419 square feet more or less, tract of land, being a portion of that residue of called 38.143 acre tract of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 153921 of the Official Records of Austin County, Texas, situated in the San Felipe de Austin Survey, Abstract 5, in the City of Sealy, Austin County, Texas. Said 38.118 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System of 1983, South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At an iron rod with aluminum cap found in the centerline of Harrison Road (30 feet wide) as recorded under Volume Y, Page 318 of the Deed Records of Austin County, Texas and the northeast corner of said 38.143 acre tract and for the northeast corner of the herein described tract and being on the west right-of-way line of Schmidt Road (60 feet wide) a called 3.946 acres of land as conveyed to the City of Sealy as recorded under Clerk's File No. 025841 of the official Records of Austin County, Texas;

THENCE: S 42°42'31" W, along and with the said west right-of-way line, a distance of 2,864.13 feet to a point to a 1/2 inch iron pipe with cap stamped "Brown & Gay" found for the southeast corner of the herein described tract and being on the northeast line of a called 237.88 acre tract as described in a deed to Wal-Mart Stores East, LP recorded under Clerk's File No. 031749 of the Official Records of Austin County, Texas;

THENCE: N 47°18'41" W, along and with said northeast line, a distance of 578.43 feet to an iron rod with a yellow cap stamped "Pate-Dawson" to be set for the southwest corner of the herein

described tract and the southeast corner of a called 70.00 acres of land conveyed to David Cryan as recorded in Clerk's File No. 126232 of the Official Records of Austin County, Texas;

THENCE: N 42°39'39" E, along with said north line, a distance of a distance of 2,865.17 feet to a 1/2 inch iron rod found in the said centerline of Harrison Road and for the northwest corner of the herein described tract and the northeast corner of said 70.00 acres;

THENCE: S 47°12'30" E, along said centerline of Harrison Road, a distance of 580.82 feet to the POINT OF BEGINNING, and containing 38.118 acres in the City of Houston, Harris County, Texas.

A 118.535 acre, or 5,163,385 square feet more or less, tract of land, being a portion of that residue of called 140.000 acre tract of land conveyed to Ranch County of Texas, Inc. as described in a deed recorded in Clerk's File No. 081189 of the Official Records of Austin County, Texas, and a portion of Tract 1, a residue of a called 55.3 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 164420 of the Official Records of Austin County, Texas, and all of Tract 2, a called 28.172 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 153921 of the Official Records of Austin County, Texas, and all of Tract 5, a called 6.1259 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 164420 of the Official Records of Austin County, Texas, and all of Tract 4, a called 6.1259 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 164420 of the Official Records of Austin County, Texas, and all of Tract 3, a called 6.1259 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 164420 of the Official Records of Austin County, Texas, and all of Tract 2, a called 6.1259 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 164420 of the Official Records of Austin County, Texas, and all of Parcel 1, a called 5.452 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 191010 of the Official Records of Austin County, Texas, and all of Parcel 2, a called 5.350 acres of land conveyed to David Cryan as described in a deed recorded in Clerk's File No. 191010 of the

Official Records of Austin County, Texas, situated in the San Felipe de Austin Survey, Abstract 5, in the City of Sealy, Austin County, Texas. Said 118.535 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System of 1983, South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At an iron rod with aluminum cap found on the west right-of-way line of F.M. Highway No. 3013 (width varies) and the northeast corner of a called 38.69 acre tract of land conveyed to Jinsung T.E.C. Texas, L.L.C. Texas, L.L.C. as described in a deed recorded in Clerk's File No. 126413 of the Official Records of Austin County, Texas, and for the most northerly southeast corner of the herein described tract;

THENCE: N 47°17'47" W, a distance of 950.10 feet to a 5/8 inch iron rod found for an interior corner of the herein described tract and being the northwest corner of said 38.69 acres and on the east line of said Tract 1, a residue of a called 55.3 acres;

THENCE: S 42°39'37" W, along the common line of said Tract 1, a residue of a called 55.3 acres and said 38.69 acres, a distance of 1,774.20 feet to an iron rod with aluminum cap found for the southeast corner of said Tract 1, a residue of a called 55.3 acres and the southwest corner of said 38.69 acres and for the most southerly southeast corner of the herein described tract and on the northerly line of a called 6.362 acres of land conveyed to the City of Sealy, Texas as recorded in Clerk's File No. 031750 of the Official Records of Austin County, Texas;

THENCE: N 47°18'41" W, along with said north line, a distance of 1,607.38 feet to an iron rod with aluminum cap found on the east right-of-way line to Schmidt Road (60 feet wide) a called 3.946 acres of land as conveyed to the City of Sealy as recorded under Clerk's File No. 025841 of the official Records of Austin County, Texas, and the southwest corner said Tract 2 of called 28.172 acres and the southwest corner of the herein described tract;

THENCE: N 42°42'31" E, along the said east right-of-way line and along said Tract 2 of called 28.172 acres, a distance of 2,864.02 feet to an iron rod with aluminum cap found in the centerline of Harrison Road (30 feet wide) as recorded under Volume Y, Page 318 of

Deed Records of Austin County, Texas and the northwest corner of said Tract 2 of called 28.172 acres and the northwest corner of the herein described tract;

THENCE: S 47°12'30" E, along and with said centerline of Harrison Road, a distance of 1,921.18 feet to a Mag Nail found for the most northerly northeast corner of the herein described tract and for the northeast corner of said Parcel 2 and the northwest corner of said Residue of called 140.000 acres;

THENCE: S 42°38'14" W, along and with the east line of said Parcel 2, a distance of 736.53 feet to an iron rod with aluminum cap found for an interior corner of the herein described tract and for the southeast corner of said Parcel 2;

THENCE: S 47°18'33" E, departing said east line and along and with the north line of said Parcel 1, a distance of 633.63 feet to an iron rod with aluminum cap found on the west right-of-way line of said F.M. No. 3013 and the most southerly northeast corner of the herein described tract;

THENCE: S 42°39'57" W, a distance of 350.05 feet to the POINT OF BEGINNING, and containing 118.535 acres in the City of Houston, Harris County, Texas.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7913A, Special District Local Laws Code, as added by Section 3(a) of this Act, is amended by adding Section 7913A.0306 to read as follows:

Sec. 7913A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 3(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect August 1, 2022.

SECTION 4. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7919A to read as follows:

CHAPTER 7919A. HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1

OF DENTON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7919A.0101. DEFINITIONS. In this chapter:

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

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

(3) "City" means the City of Aubrey, Texas.

(4) "Director" means a board member.

(5) "District" means the High Pointe Ranch Municipal Utility District No. 1 of Denton County.

Sec. 7919A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7919A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district as provided by Section 49.102, Water Code.

Sec. 7919A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7919A.0103 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.

Sec. 7919A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 7919A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 4(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes

for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7919A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors who serve staggered terms of four years, with two or three directors' terms expiring June 1 of each even-numbered year.

(b) The governing body of the city, by a majority vote, shall appoint one member of the board.

(c) The commission shall appoint four members of the board in the manner provided by Section 7919A.0202.

Sec. 7919A.0202. APPOINTMENT BY COMMISSION. (a) Before the term of a director appointed by the commission expires, the board shall recommend to the commission a person to serve as a successor director. The commission shall appoint as director the person recommended by the board.

(b) A person recommended by the board under Subsection (a) must be:

(1) at least 18 years of age;

(2) an owner of property in the district;

(3) an owner of stock, whether beneficial or otherwise, of a corporate owner of property in the district;

(4) an owner of a beneficial interest in a trust that owns property in the district; or

(5) an agent, employee, or tenant of a person described by Subdivision (2), (3), or (4).

Sec. 7919A.0203. VACANCY. (a) Except as provided by Subsection (b), if a vacancy occurs on the board, the remaining directors shall appoint a director for the remainder of the unexpired term.

(b) If a vacancy occurs in the position of the board member appointed by the city, the city shall appoint a director for the remainder of the unexpired term.

Sec. 7919A.0204. INITIAL DIRECTORS. (a) The initial directors that will be replaced by appointment by the commission

are as follows:

- (1) Clark Overlander;
- (2) Justin Morse;
- (3) Zach Stateson; and
- (4) Michelle Dobson.

(b) The initial director that will be replaced by appointment by the governing body of the city is Mark Kaiser.

(c) The initial directors shall determine by lot which two positions expire after two years, and which three positions expire after four years.

(d) This section expires March 31, 2026.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7919A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7919A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7919A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7919A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7919A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7919A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

(c) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 4(b) of the Act enacting this chapter.

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7919A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

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

(3) appoint temporary directors for each new district;

and

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

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order

with the commission and record the order in the real property records of each county in which the district is located.

(h) A new district created by the division of the district shall hold a confirmation and directors' election as required by Section 7919A.0103. If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to the original district.

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

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

(k) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7919A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7919A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7919A.0403.

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

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

Sec. 7919A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7919A.0401, the

district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7919A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7919A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7919A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7919A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The High Pointe Ranch Municipal Utility District No. 1 of Denton County initially includes all the territory contained in the following area:

HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 1

OF a 357.445 acres tract of land out of the Francisco Trevino

Survey, Abstract No. 1243, Denton County, Texas; being all of a certain 229.479 acres tract (Tract 1), a 32.8 acres tract (Tract 2) and a 29.885 acres tract (Tract 3), all described in Volume 4257, Page 1101, Document No. 99-0004597 of the Deed Records of Denton County, Texas; also being all of a certain 6.874 acres tract described in Volume 4574, Page 1528, Document No. 00-000036697 and all of a certain 57.6071 acres tract described in Volume 4483, Page 133, Document No. 99-000123273, both in the Deed Records of Denton County, Texas; and being further described by metes and bounds as follows:

BEGINNING at a set "PK" nail in Blackjack Road (paved) and in the southeast right of way line of U.S. Highway No. 377 and in the recognized north line of said Francisco Trevino Survey and at the northwest corner of said 32.8 acres tract for the most northerly northwest and beginning corner of this tract. Whence the recognized southwest corner of the Thomas Chambers Survey, Abstract No. 223 bears South 87°12'41" East 60.40 feet.

THENCE South 87°12'41" East at 60.40 feet pass a "PK" nail at the southwest corner of a certain 6.164 acres tract (Tract 5) described in said Volume 4257, Page 1101 and in all 1160.06 feet along said Blackjack Road to a found "PK" nail at the southeast corner of said 6.164 acres tract for a corner of this tract.

THENCE South 88°09'42" East 505.03 feet to a set "PK" nail in said Blackjack Road for a corner of this tract.

THENCE South 89°21'04" East 1356.90 feet to a set "PK" nail in said Blackjack Road for the northeast corner of this tract.

THENCE South 01°40'27" West at 20.69 feet pass a 4" steel post in the south line of said Blackjack Road and in all 2322.77 feet to a set capped 1/2" iron rod for the most easterly southeast corner of this tract.

THENCE South 89°35'01" West at 250.28 feet pass a found capped 1/2" iron rod at the northeast corner of a certain 27.104 acres tract described in Document No. 96-000070599 and in all 1539.46 feet to a found 1/2" iron pipe at the northwest corner of a certain 27.600 acres tract described in Document No. 96-000070600 for an ell corner of this tract.

THENCE South 00°10'39" East 956.88 feet to a set capped 1/2" iron rod

in the west line of said 27.600 acres tract for a corner of this tract.

THENCE South 00°56'07" West 1132.15 feet to a set capped 1/2" iron rod in the north right of way line of F.M. Highway No. 428 and at the southwest corner of said 27.600 acres tract for the most southerly southeast corner of this tract.

THENCE along the north right of way line of said F.M. Highway No. 428 the following courses and distances:

⊙ South 71°34'50" West 144.40 feet to a set capped 1/2" iron rod;

⊙ Westerly along the arc of a 07 deg. 21 min. 35 sec. non-tangent curve to the right having a radius of 778.51 feet, a central angle of 18 deg. 46 min. 14 sec., a chord of South 82°46'29" West 253.91 feet and an arc length of 255.05 feet to a set capped 1/2" iron rod;

⊙ South 88°45'46" West 378.48 feet to a set capped 1/2" iron rod;

⊙ South 89°36'06" West 1349.02 feet to a set capped 1/2" iron rod;

⊙ And South 89°52'21" West 1364.91 feet to a set capped 1/2" iron rod in the southeast right of way line of said U.S. Highway No. 377 for the most southerly southwest corner of this tract;

THENCE North 32°23'53" West 213.57 feet along the southeast right of way line of said U.S. Highway 377 to a wood right of way marker for the most westerly southwest corner of this tract.

THENCE North 25°19'53" East 4804.08 feet along the southeast right of way line of said U.S. Highway No. 377 to a set capped 1/2" iron rod for the most westerly northwest corner of this tract.

THENCE North 59°03'36" East at 101.21 feet pass a set 1/2" iron rod and in all 166.34 feet to the POINT OF BEGINNING and containing 357.445 acres of land, more or less.

HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 2

BEING a tract of land situated in the F. Trevino Survey, Abstract No. 1243, Denton County, Texas, and being all of a called 61.667 acre tract of land described in a General Warranty Deed to Betsy Turner, as recorded in Instrument No. 97-0010270 of the Official Records of Denton County, Texas, and being more particularly

described as follows:

BEGINNING at a mag nail set for the northeast corner of said 61.667 acre tract, common to the northwest corner of a called 41.640 acre tract of land described in a deed to Michael Ray Self and spouse, Hannah Carter Self, as recorded in Instrument No. 2020-72317 of the Official Records of Denton County, Texas, being on the southerly line of Tract I described in a deed to LTR Dressage, LLC, as recorded in Instrument No. 2012-60776 of the Official Records of Denton County, Texas, and in the centerline of Black Jack Road, a variable width right-of-way, no record found;

THENCE South 0°37'22" West, departing the southerly line of said Tract I and the centerline of said Black Jack Road, along the easterly line of said 61.667 acre tract and the westerly line of said 41.640 acre tract, a distance of 2297.48 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said 61.667 acre tract, common to the southwest corner of said 41.640 acre tract, being on the northerly line of a called 94.58 acre tract of land described in a deed to Robert J. Houlihan, Trustee of the Jacqueline A. Houlihan Family Trust, as recorded in Instrument No. 2015-75670 of the Official Records of Denton County, Texas;

THENCE South 89°33'30" West, along the southerly line of said 61.667 acre tract, the northerly line of said 94.58 acre tract and the northerly line of a called 5.000 acre tract of land described in a deed to Robert J. Houlihan, as recorded in Instrument No. 2015-75669 of the Official Records of Denton County, Texas, a distance of 1184.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 61.667 acre tract, being on the easterly line of a called 166.34 acre tract of land described in a deed to ALW 377, LLC, as recorded in Instrument No. 2018-78707 of the Official Records of Denton County, Texas;

THENCE North 1°40'23" East, departing the northerly line of said 94.58 acre tract, along the westerly line of said 61.667 acre tract and the easterly line of said 166.34 acre tract, a distance of 2319.56 feet to a 1 inch iron pipe found for the northwest corner of said 61.667 acre tract, common to the northeast corner of said 166.34 acre tract, being on the southerly line of a called 37.115

acre tract of land described in a deed to Calvin Paul Redfearn, as recorded in Instrument No. 2014-96676 of the Official Records of Denton County, Texas, and in the middle of Black Jack Road;
THENCE South 89°23'35" East, along the northerly line of said 61.667 acre tract, the southerly line of said 37.115 acre tract, the southerly line of a called 20.236 acre tract of land described in a deed to Gary Conway and Debbie Conway, as recorded in Instrument No. 2019-158825 of the Official Records of Denton County, Texas, and the southerly line of said Tract I, a distance of 1141.49 feet to the POINT OF BEGINNING and containing 61.611 acres (2,683,778 square feet) of land, more or less.

HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 3

BEING a tract of land situated in the F. Trevino Survey, Abstract No. 1243, Denton County, Texas, and being all of a called 41.640 acre tract of land described in a Warranty Deed with Vendor's Lien to Michael Ray Self and spouse, Hannah Carter Self, as recorded in Instrument No. 2020-72317 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a mag nail set for the northwest corner of said 41.640 acre tract, common to the northeast corner of a called 61.667 acre tract of land described in a deed to Betsy Turner, as recorded in Instrument No. 97-0010270 of the Official Records of Denton County, Texas, being on the southerly line of Tract I described in a deed to LTR Dressage, LLC, as recorded in Instrument No. 2012-60776 of the Official Records of Denton County, Texas, and in the centerline of Black Jack Road, a variable width right-of-way, no record found;

THENCE South 89°10'02" East, along a northerly line of said 41.640 acre tract, the southerly line of said Tract I, the southerly line of a called 22.380 acre tract of land described as Tract II in said deed recorded in Instrument No. 2012-60776 of the Official Records of Denton County, Texas, and the centerline of said Black Jack Road, a distance of 570.47 feet to a 1 inch iron pipe found for the northerly northeast corner of said 41.640 acre tract, common to the northwest corner of a called 14.975 acre tract of land described in a deed to K & T Swan Family Limited Partnership, L.P., as recorded in Instrument No. 2017-78524 of the Official Records of Denton County, Texas;

THENCE South 1°07'20" East, departing the southerly line of said Tract II and the centerline of said Black Jack Road, along an easterly line of said 41.640 acre tract and the westerly line of said 14.975 acre tract, a distance of 1528.04 feet to a 1/2 inch iron rod found for the southwest corner of said 14.975 acre tract, common to an ell corner of said 41.640 acre tract;

THENCE South 89°22'10" East, along a northerly line of said 41.640 acre tract and the southerly line of said 14.975 acre tract, a distance of 570.06 feet to a 3/8 inch iron rod found for the southerly northeast corner of said 41.640 acre tract, common to the southeast corner of said 14.975 acre tract;

THENCE South 1°04'44" East, along an easterly line of said 41.640 acre tract, a distance of 745.84 feet to a 1/2 inch iron pipe found for the southeast corner of said 41.640 acre tract, common to the northeast corner of a called 16.597 acre tract of land described in a deed to Phillip J. Anton and wife, Karen M. Anton, as recorded in Instrument No. 95-65740 of the Official Records of Denton County, Texas;

THENCE South 89°33'30" West, along the southerly line of said 41.640 acre tract, the northerly line of said 16.597 acre tract, the northerly line of a called 6.703 acre tract of land described in a deed to Phillip John Anton and wife, Karen Marie Anton, as recorded in Instrument No. 2005-92268 of the Official Records of Denton County, Texas, and the northerly line of a called 94.58 acre tract of land described in a deed to Robert J. Houlihan, Trustee of the Jacqueline A. Houlihan Family Trust, as recorded in Instrument No. 2015-75670 of the Official Records of Denton County, Texas, a distance of 1209.41 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 41.640 acre tract, common to the southeast corner of aforesaid 61.667 acre tract;

THENCE North 0°37'22" East, departing the northerly line of said 94.58 acre tract, along the westerly line of said 41.640 acre tract and the easterly line of said 61.667 acre tract, a distance of 2297.48 feet to the POINT OF BEGINNING and containing 41.650 acres (1,814,290 square feet) of land, more or less.

(c) If this Act does not receive a two-thirds vote of all the

members elected to each house, Subchapter C, Chapter 7919A, Special District Local Laws Code, as added by Section 4(a) of this Act, is amended by adding Section 7919A.0307 to read as follows:

Sec. 7919A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 4(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect March 31, 2022.

SECTION 5. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7933A to read as follows:

CHAPTER 7933A. NORTHWEST DENTON COUNTY MUNICIPAL UTILITY DISTRICT

NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7933A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Northwest Denton County Municipal Utility District No. 1.

Sec. 7933A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7933A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7933A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7933A.0103 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.

Sec. 7933A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

Sec. 7933A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 5(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7933A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7933A.0202, directors serve staggered four-year terms.

Sec. 7933A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Lance Martin;

(2) Jason Tuberville;

(3) Zach Stateson;

(4) Clarke Overlander; and

(5) Michelle Dobson.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7933A.0103; or

(2) the fourth anniversary of the effective date of the section enacting this chapter.

(c) If permanent directors have not been elected under

Section 7933A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7933A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7933A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7933A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7933A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7933A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits

or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

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

Sec. 7933A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7933A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

- (1) has no outstanding bond debt; and
- (2) is not imposing ad valorem taxes.

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

(c) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 5(b) of the Act enacting this chapter.

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7933A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;

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

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

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

(h) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Section 7933A.0103. If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to the original district.

(i) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7933A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7933A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7933A.0403.

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

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

Sec. 7933A.0402. OPERATION AND MAINTENANCE TAX. (a) If

authorized at an election held under Section 7933A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7933A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7933A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7933A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7933A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Northwest Denton County Municipal Utility District No. 1 initially includes all the territory contained in the following area:

BEING a tract of land situated in the William Mason Survey, Abstract

No. 801, the B.B.B. & C.R.R. Co. Survey, Abstract No. 199, and the B.B.B. & C.R.R. Co. Survey, Abstract No. 1457, Denton County, Texas, and being a portion of a called 55.27 acre tract of land described in a Warranty Deed to Wilbur Clarence Hoehn, as recorded in Instrument No. 1994-69063 of the Official Records of Denton County, Texas, and also being all of Lots 1 thru 6, Block A of Saddle Ridge Estates, according to the Final Plat thereof recorded in Cabinet M, Page 241 of the Plat Records of Denton County, Texas, and being all of a called 100.00 acre tract of land described as First Tract and all of a called 76.691 acre tract of land described as Second Tract in a Conveyance, Assignment and Deed to MER Energy, LTD., as recorded in Instrument No. 2011- 110535 of the Official Records of Denton County, Texas, in a Conveyance, Assignment and Deed to Rudco Land, LLC, as recorded in Instrument No. 2017-16370 of the Official Records of Denton County, Texas, and in Conveyance, Assignment and Deed of Correction to Ira W. Silverman, Trustee of the Tachina Rudman Trust, as recorded in Instrument No. 2019-142385 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a mag nail set for the northwest corner of said 55.27 acre tract, common to the northeast corner of a 30 foot road dedication shown on the Final Plat of said Saddle Ridge Estates, being in the centerline of Hoehn Road, a variable width right of way, and on the southerly line of a called 160.27 acre tract of land described in a deed to Earthland Farms, LLC, as recorded in Instrument No. 2017-144271 of the Official Records of Denton County, Texas;

THENCE South 89°36'45" East, along the northerly line of said 55.27 acre tract, the southerly line of said 160.27 acre tract, the southerly line of a called 10.01 acre tract of land described in a deed to Miguel Del Rosario Vinales and Souvanna Del Rosario Vinales, as recorded in Instrument No. 2018-84116 of the Official Records of Denton County, Texas, the southerly line of a called 10.01 acre tract of land described in a deed to Christopher M. Conely and Dawn M. Conely, as recorded in Instrument No. 2019-65759 of the Official Records of Denton County, Texas, the southerly line of a called 10.01 acre tract of land described in a deed to Yadira

Alvarado, as recorded in Instrument No. 2019-903 of the Official Records of Denton County, Texas, the southerly line of a called 10.01 acre tract of land described in a deed to Armando Olvera, Isidro Olvera and Olivia Olvera, as recorded in Instrument No. 2018-111054 of the Official Records of Denton County, Texas, and the centerline of said Hoehn Road, a distance of 2056.33 feet to a point for corner;

THENCE South 0°29'54" West, departing the centerline of said Hoehn Road, and crossing said 55.27 acre tract, a distance of 826.73 feet to a point for corner on the southerly line of said 55.27 acre tract and on the northerly line of a called 104.5051 acre tract of land described in a deed to Charles E. Stobaugh, as recorded in Volume 2827, Page 965 of the Deed Records of Denton County, Texas;

THENCE along the common line of said 55.27 acre tract and said 104.5051 acre tract, the following courses and distances:

South 87°03'58" West, a distance of 359.14 feet to a metal fence post found for an ell corner of said 55.27 acre tract, common to the northerly northwest corner of said 104.5051 acre tract;

South 2°15'37" West, a distance of 183.36 feet to a 1/2 inch iron rod for the southerly southeast corner of said 55.27 acre tract, common to an ell corner of said 104.5051 acre tract;

North 89°56'04" West, a distance of 1688.00 feet to a 1/2 inch iron rod with plastic cap stamped "RPLS 4561" found for the southwest corner of said 55.27 acre tract, common to the southerly northwest corner of said 104.5051 acre tract, being on the easterly line of said Lot 6;

THENCE South 0°15'53" West, along the easterly line of said Lot 6 and the westerly line of said 104.5051 acre tract, a distance of 1736.32 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 6, common to the southwest corner of said 104.5051 acre tract, the northwest corner of a called 145.493 acre tract of land described in a deed to FFILP Land Holdings, LLC, as recorded in Instrument No. 2019-51911 of the Official Records of Denton County, Texas, and the northeast corner of a called 26.008 acre tract of land described in a deed to Dale P. McCurley, as recorded in Volume

1041, Page 494 of the Deed Records of Denton County, Texas;
THENCE North 89°57'58" West, along the southerly lines of said Lots 1 thru 6, the northerly line of said 26.008 acre tract, the northerly line of a tract of land described in a deed to Carl McCurley, Henry Thompson and V.H. Ward, Jr., as recorded in Volume 663, Page 80 of the Deed Records of Denton County, Texas, the northerly line of a called 13.004 acre tract of land described in a deed to McCurley Ranch, Ltd., as recorded in Instrument No. 1999-126276 of the Official Records of Denton County, Texas, the northerly line of a called 26.008 acre tract of land described as Tract 1 in a deed to McCurley Ranch, Ltd., as recorded in Instrument No. 1999- 126276 of the Official Records of Denton County, Texas, and the northerly line of a called 78.473 acre tract of land described in a deed to Ray Sullivan Carson, as recorded in Volume 478, Page 599 of the Deed Records of Denton County, Texas, a distance of 2531.49 feet to a metal post found for the southwest corner of said Lot 1, common to the northwest corner of said 78.473 acre tract, being on the easterly line of a called 100 acre tract of land described in a deed to Adrian J. Butler, Jr., and Margaret J. Butler, as recorded in Instrument No. 1995-47603 of the Official Records of Denton County, Texas;

THENCE North 0°14'24" East, along the westerly line of said Lot 1 and the easterly line of said 100 acre tract, a distance of 226.41 feet to the northeast corner of said 100 acre tract, common to the southeast corner of aforesaid Second Tract;

THENCE North 89°29'36" West, departing the westerly line of said Saddle Ridge Estates, along the southerly line of said Second Tract and the northerly line of said 100 acre tract, a distance of 2983.73 feet to a mag nail set for corner the southwest corner of said Second Tract, common to the northwest corner of said 100 acre tract, being in Lois Road, a variable width right-of-way, and on the easterly line of a called 84.23 acre tract of land described in a deed to Earthland Farms, LLC, as recorded in Instrument No. 2018-88474 of the Official Records of Denton County, Texas;

THENCE North 0°14'24" East, along the westerly lines of said First and Second Tract, the easterly line of said 84.23 acre tract, and said Lois Road, a distance of 2577.69 feet to a mag nail set for

northwest corner of said First Tract, being on the northerly right-of-way line of aforesaid Hoehn Road;

THENCE South 89°55'36" East, departing said Lois Road, along the northerly line of said First Tract and the northerly right-of-way line of said Hoehn Road, a distance of 2983.71 feet to a 60D Nail found for the northeast corner of said First Tract, being on the northerly right-of-way line of Hoehn Road, a variable width right-of-way;

THENCE South 0°14'24" West, departing the northerly right-of-way line of said Hoehn Road, crossing said Hoehn Road and along the easterly line of said First Tract, a distance of 50.84 feet to the northwest corner of said Lot 1, same being on the southerly right-of-way line of said Hoehn Road;

THENCE South 89°18'18" East, departing the easterly line of said First Tract, along northerly lines of said Lots 1 thru 6, the southerly line of said 30 foot wide road dedication and the southerly right-of-way line of said Hoehn Road, a distance of 2532.73 feet to the northeast corner of said Lot 6, being on the westerly line of aforesaid 55.27 acre tract;

THENCE North 0°15'53" East, along the easterly line of said 30 foot wide road dedication, the easterly right-of-way line of said Hoehn Road, and the westerly line of said 55.27 acre tract, a distance of 30.00 feet to the POINT OF BEGINNING and containing 385.028 acres (16,771,817 square feet) of land, more or less.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7933A, Special District Local Laws Code, as added by Section 5(a) of this Act, is amended by adding Section 7933A.0307 to read as follows:

Sec. 7933A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 5(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 6. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7938A to read as follows:

CHAPTER 7938A. EAST COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7938A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the East Collin County Municipal Utility District No. 1.

Sec. 7938A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7938A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7938A.0104. CONDITIONS PRECEDENT TO CONFIRMATION ELECTION. (a) The temporary directors may not hold an election under Section 7938A.0103 until:

(1) 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; and

(2) the district has entered into a contract with a municipality, Collin County, or another entity:

(A) for adequate supplemental police, fire, emergency, and animal control services for the district; and

(B) that is approved by the Commissioners Court of Collin County under Subsection (c).

(b) A contract under Subsection (a) may include a provision that the contract takes effect only on the approval of the Commissioners Court of Collin County and the voters in the district voting in an election held for that purpose.

(c) The Commissioners Court of Collin County shall review a contract under Subsection (a) and evaluate the supplemental police, fire, emergency, and animal control services provided in the contract. If the commissioners court determines that the contract

provides adequate services, the commissioners court shall adopt a resolution stating that the contract has met the requirements of Subsection (a).

Sec. 7938A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

Sec. 7938A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 6(b) of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7938A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7938A.0202, directors serve staggered four-year terms.

Sec. 7938A.0202. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7938A.0103; or

(2) the fourth anniversary of the effective date of the section enacting this chapter.

(c) If permanent directors have not been elected under Section 7938A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7938A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7938A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7938A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7938A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7938A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

(d) The district shall maintain all roads that the district constructs except for roads constructed by the district that another governmental entity agrees to maintain.

Sec. 7938A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7938A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7938A.0403.

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

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

Sec. 7938A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7938A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7938A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7938A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7938A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7938A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The East Collin County Municipal Utility District No. 1 initially includes all the territory contained in the following area:

TRACT 1 PROPERTY DESCRIPTION:

BEING 183.834 acres of land situated in the H. Walters Survey, Abstract No. 958, Collin County, Texas and being all of a 183.753 acre tract of land described in a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded in Volume 2292, Page 279 of the Deed Records of Collin County, Texas (DRCCT) and this tract being more particularly described as follows:

BEGINNING at a point for corner in a Bois D'Arc tree in the south line of a 73.279 acre tract described in a Deed to Marilyn Rice, recorded in Volume 1732, Page 369 (DRCCT), at the northwest corner of said 183.753 acre tract common to the northeast corner of a 43.635 acre tract of land described in a Deed to Raymon Webb Montgomery and Christa Carol Montgomery, recorded as Instrument No. 20131125001578440 (DRCCT), from which a steel fence post found for reference bears South 02°54'15" East a distance of 3.23 feet;

THENCE South 89°54'18" East, along the north line of said 183.753 acre tract common to the south line of said 73.279 acre tract, a distance of 372.95 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set at an angle point thereof;

THENCE South 89°57'56" East, along the north line of said 183.753 acre tract common to the south lines of said 73.279 acre tract and the south line of a 33.279 acre tract of land described in a Deed to Amy Warren, recorded as Instrument No. 20080812000981780 (DRCCT), a distance of 1003.73 feet, to a 5/8" iron rod found for corner near the center of a creek at an exterior ell corner of said 183.753 acre tract common to an interior ell corner of said 33.279 acre tract;

THENCE Southeasterly, along the common lines of said 183.753 acre tract and 33.279 acre tract, the following courses:

South 00°09'50" West, a distance of 65.91 feet, to a 5/8" iron rod found for corner;

South 75°09'08" East, a distance of 718.73 feet, to a point for corner in a west line of a 36.1891 acre tract described in a Deed to Gene Doc Sohn and Sun Young Choi, husband and wife, and Kyoungjoon Cho and Eun Young Choi, husband and wife, recorded as Instrument No. 20141113001243240 (DRCCT) at the northeast corner

of said 183.753 acre tract common to a south corner of said 33.279 acre tract, from which a 60D Nail, set for reference bears South 13°38'28" East a distance of 26.03 feet;

THENCE along the common lines of said 183.753 acre tract and said 36.1891 acre tract, the following courses:

South 00°53'07" West, a distance of 32.60 feet, to a 5/8" iron rod found for corner;

South 82°38'52" West, a distance of 22.40 feet, to a 5/8" iron rod found for corner;

THENCE South 00°12'03" West, along an east line of said 183.753 acre tract common to the west lines of said 36.1891 acre tract, a 50.001 acre tract described in a Deed to David Reeder and wife, Becky Reeder, recorded as Instrument No. 92-0071701 (DRCCT), and Spencers Estates Addition, an Addition to Collin County, Texas, recorded in Cabinet H, Slide 622 of the Plat Records of Collin County, Texas (PRCCT), respectively, a distance of 3528.84 feet, to a 1/2" iron rod found for corner in the north right-of-way line of FM 1778 (a 90' a right-of-way) at the southeast corner of said 183.753 acre tract common to the southwest corner of last mentioned Addition;

THENCE South 86°40'47" West, along a south line of said 183.753 acre tract common to the north right-of-way line of said FM 1778, a distance of distance of 430.99 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at an exterior ell corner of said 183.753 acre tract common to the southeast corner of a 2.00 acre tract described in a Deed to Raymon W. Montgomery, recorded in Volume 2990, Page 495 (DRCCT);

THENCE along common lines of said 183.753 acre tract and said 2.00 acre tract, the following courses:

North 00°42'56" West, a distance of 540.84 feet, to a 5/8" iron rod found for corner;

South 85°10'46" West, a distance of 161.95 feet, to a 1/2" iron rod found for corner;

South 00°43'58" East, a distance of 540.10 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the north right-of-way line of said FM 1778 at an exterior ell corner of said 183.753 acre tract common to the southwest corner of

said 2.00 acre tract;

THENCE along the common lines of said 183.753 acre tract and the right-of-way lines of said FM 1778, the following courses:

South 85°09'47" West, a distance of 358.92 feet, to a 5/8" iron rod found for corner at the beginning of a tangent curve to the right, having a radius of 2820.26 feet, and a chord which bears South 87°45'47" West a distance of 255.85 feet;

Southwesterly, along said curve to the right, having a central angle of 05°11'58", an arc distance of 255.94 feet, to a 5/8" iron rod with yellow cap, stamped "RPLS 3963", set for corner;

North 89°38'11" West, a distance of 76.11 feet, to a 5/8" iron rod found for corner at the southeast corner of a tract of land described in a Deed to First Baptist Church of Copeville, recorded in Volume 900, Page 353 (DRCCT);

THENCE along the common lines of said 183.753 acre tract and said First Baptist Church of Copeville tract, the following courses:

North 02°55'02" East, a distance of 307.96 feet, to a 5/8" iron rod with a yellow plastic cap, stamped "RPLS 3963", set for corner;

North 89°45'11" West, a distance of 517.40 feet, to a wooden fence post found for corner at the most eastern southeast corner of said 43.635 acre tract common to the northwest corner of said First Baptist Church of Copeville tract;

THENCE along the common lines of said 183.753 acre tract and said 43.635 acre tract, the following courses;

North 63°55'42" West, a distance of 546.96 feet, to a 5/8" iron rod found for corner;

North 19°42'16" West, a distance of 246.95 feet, to a point for corner from which an iron axle found for reference bears North 47°16'17" West, a distance of 4.36 feet;

North 88°17'53" East, a distance of 21.83 feet, to a 3/4" iron pipe found for corner;

North 05°29'46" East, a distance of 3124.24 feet, to THE POINT OF BEGINNING and containing 8,007,806 square feet, or 183.834 acres of land.

TRACT 2 PROPERTY DESCRIPTION:

BEING 43.704 acres of land situated in the H. Walters Survey, Abstract No. 958, Collin County, Texas and being all of a 43.635 acre tract of land described in a Deed to Raymon Webb Montgomery and Christa Carol Montgomery, recorded as Instrument No. 20131125001578440 of the Deed Records of Collin County, Texas (DRCCT) and this tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod found in the east right-of-way line of Burlington Northern & SF Rail Road at the northwest corner of said 43.635 acre tract common to the southwest corner of a 73.279 acre tract of land described in a Deed to Marilyn Rice, recorded in Volume 1732, Page 369, (DRCCT);

THENCE South 89°23'59" East, along the north line of said 43.635 acre tract common to the south line of said 73.279 acre tract, a distance of 557.73 feet, to a point for corner in a Bois D'Arc tree at the northeast corner of said 43.635 acre tract common to the northwest corner of a 183.753 acre tract of land described in a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded in Volume 2292, Page 279 (DRCCT), from which a steel fence post found for reference bears South 02°54'15" East a distance of 3.23 feet;

THENCE along the common lines of said 43.635 acre tract and said 183.753 acre tract, the following courses:

South 05°29'46" West, a distance of 3124.24 feet, to a 3/4" iron pipe found for corner;

South 88°17'53" West, a distance of 21.83 feet, to a point for corner from which an iron axle found for reference bears North 47°16'17" West a distance of 4.36 feet;

South 19°42'16" East, a distance of 246.95 feet, to a 5/8" iron rod found for corner;

South 63°55'42" East, a distance of 546.96 feet, to a wooden fence post found for corner at the most eastern southeast corner of said 43.635 acre tract common to the northwest corner of a tract of land described in a Deed to First Baptist Church of Copeville, recorded in Volume 900, Page 353 (DRCCT);

THENCE South 02°37'47" West, along a southeast line of said

43.635 acre tract common to the west line of said First Baptist Church of Copeville tract, a distance of 321.86 feet, to a point for corner near the base of a wood highway marker in the north right-of-way line of FM 1778 (a 60' right-of-way at this point going west), at the most southern southeast corner of said 43.635 acre tract;

THENCE North 89°38'13" West, along a south line of said 43.635 acre tract common to the north right-of-way line of said FM 1778, a distance of 282.00 feet, to a point for corner at a south corner of said 43.635 acre tract common to the southeast corner of a 8.22 acre tract of land described in a Deed to Susan Annie Potter and Jon Trace Hailey, recorded as Instrument No. 20101102001194000 (DRCCT), from which a 1/2" iron rod found for reference bears North 20°20'21" West a distance of 1.42 feet;

THENCE North 20°20'21" West, along a southwest line of said 43.635 acre tract common to the northeast line of said 8.22 acre tract, a distance of 860.95 feet, to a wood fence post found at a common corner thereof;

THENCE South 89°34'33" West, along a south line of said 43.635 acre tract common to the north line of said 8.22 acre tract, a distance of 617.61 feet, to a 5/8" iron rod found for corner at a common west corner thereof and being in the east right-of-way line of said Burlington Northern & SF Rail Road, said point being in a curve to the left, having a radius of 1960.08 feet and a chord which bears North 15°08'31" East a distance of 671.75 feet;

THENCE Northeasterly, along the west lines of said 43.635 acre tract common to the east right-of-way lines of said Burlington Northern & SF Rail Road, the following courses:

Northeasterly with said curve to the left, having a central angle of 19°44'01", an arc distance of 675.09 feet, to the point of tangent;

North 05°16'30" East, a distance of 2468.30 feet, to THE POINT OF BEGINNING and containing 1,903,758 square feet, or 43.704 acres of land.

TRACT 3 PROPERTY DESCRIPTION:

BEING 2.002 acres of land situated in the H. Walters Survey, Abstract No. 958, Collin County, Texas and being all of a 2.00 acre

tract of land described in a Deed to Raymon W. Montgomery, recorded in Volume 2990, Page 495 of the Deed Records of Collin County, Texas (DRCCT) and this tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner in the north right-of-way line of FM 1778 (a 90' right-of-way) at the southeast corner of said 2.00 acre tract common to an exterior ell corner of a 183.753 acre tract of land described in a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded in Volume 2292, Page 279 (DRCCT);

THENCE Southwesterly along the south lines of said 2.00 acre tract common to the north right-of-way lines of said FM 1778, the following courses:

South 86°40'47" West, a distance of 29.08 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner;

South 85°09'47" West, a distance of 132.67 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the southwest corner of said 2.00 acre tract common to an exterior ell corner of said 183.753 acre tract;

THENCE along the common lines of said 2.00 acre and 183.753 acre tracts, the following courses:

North 00°43'58" West, a distance of 540.10 feet, to a 1/2" iron rod found for corner;

North 85°10'46" East, a distance of 161.95 feet, to a 5/8" iron rod found for corner;

South 00°42'56" East, a distance of 540.84 feet, to THE POINT OF BEGINNING and containing 87,213 square feet, or 2.002 acres of land.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7938A, Special District Local Laws Code, as added by Section 6(a) of this Act, is amended by adding Section 7938A.0306 to read as follows:

Sec. 7938A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 6(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c),

Article I, Texas Constitution.

SECTION 7. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7942A to read as follows:

CHAPTER 7942A. MUSTANG RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
DENTON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7942A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of Pilot Point, Texas.
- (3) "Commission" means the Texas Commission on Environmental Quality.
- (4) "Director" means a board member.
- (5) "District" means the Mustang Ranch Municipal Utility District No. 1 of Denton County.

Sec. 7942A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7942A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7942A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7942A.0103 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.

- Sec. 7942A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
- (a) The district is created to serve a public purpose and benefit.
 - (b) The district is created to accomplish the purposes of:
 - (1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
 - (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7942A.0106. INITIAL DISTRICT TERRITORY. (a) The

district is initially composed of the territory described by Section 7(b) of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 7(b) of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7942A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7942A.0202, directors serve staggered four-year terms.

Sec. 7942A.0202. TEMPORARY DIRECTORS. (a) On or after October 1, 2021, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7942A.0103; or

(2) October 1, 2025.

(c) If permanent directors have not been elected under Section 7942A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7942A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7942A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7942A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7942A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7942A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7942A.0305. COMPLIANCE WITH MUNICIPAL CONSENT

ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7942A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 7(b) of the Act enacting this chapter.

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7942A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

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

(3) appoint temporary directors for each new district;

and

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

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

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

Section 7942A.0103. If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to the original district.

(i) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7942A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7942A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7942A.0403.

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

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

Sec. 7942A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7942A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7942A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than

an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7942A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7942A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7942A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Mustang Ranch Municipal Utility District No. 1 of Denton County initially includes all the territory contained in the following area:

BEING a tract of land situated in the Charles Fliesner Survey, Abstract No. 431 and the Charles Mossenton Survey, Abstract No. 808, Denton County, Texas, and being all of a called 669.40-acre tract of land conveyed to Michael Hall Shelby Revocable Family Trust, as evidenced in a Special Warranty Deed, recorded in Instrument No. 2017-35430 of the Official Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with an orange cap, stamped

"KAZ" found for the northwest corner of said 669.40-acre tract and the northerly, northeast corner of a called 1,028.306-acre tract of land conveyed to Bert Field, Jr., as evidenced in a Warranty Deed, recorded in Volume 729, Page 561 of the Deed Records of Denton County, Texas, same also being on the southerly right of way line of F. M. 455, an 80' wide right of way as described in a deed to the State of Texas, recorded in Volume 334, Page 119 of the Deed Records of Denton County, Texas;

THENCE South 88°35'39" East, along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, a distance of 338.12 feet to a 1/2-inch iron rod with an orange cap, stamped "KAZ" found for the beginning of a tangent curve to the right having a central angle of 09°46'00", a radius of 2,824.79 feet, a chord bearing and distance of South 83°42'39" East, 480.93 feet;

THENCE in a southeasterly direction, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, along said curve to the right, an arc distance of 481.52 feet to a point for corner;

THENCE South 78°49'39" East, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, a distance of 1,475.57 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 78°43'39" East, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, a distance of 1657.57 feet to a 1/2-inch iron rod with an orange cap, stamped "KAZ" found for the beginning of a tangent curve to the right having a central angle of 06°48'00", a radius of 3,779.72 feet, a chord bearing and distance of South 75°19'39" East, 448.32 feet;

THENCE in a southeasterly direction, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, along said curve to the right, an arc distance of 448.59 feet to a 1/2-inch iron rod with an orange cap, stamped "KAZ" found for corner;

THENCE South 71°55'39" East, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line

of said F. M. 455, a distance of 888.92 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for corner;

THENCE South 71°24'39" East, continuing along the northerly line of said 669.40-acre tract and the southerly right of way line of said F. M. 455, a distance of 194.87 feet to a 1/2-inch iron rod with an orange cap, stamped "KAZ" found for the northeast corner of said 669.40-acre tract, same being the northwest corner of a called Tract 2 (137.91-acres), conveyed to Sharon Anne Shelby, as evidenced in a Partition Deed, recorded in Instrument No. 2016-5887 of the Official Records of Denton County, Texas;

THENCE South 00°00'05" East, departing the southerly right of way line of said F. M. 455, along the easterly line of said 669.40-acre tract and the westerly line of said Tract 2 (137.91-acres), and generally with a barbed wire fence, a distance of 4,776.49 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set in an asphalt road, known as Hames Road, for the southeast corner of said 669.40-acre tract and the southwest corner of said Tract 2 (137.91-acres), same being on the northerly line of a called Tract 1 (87.748-acres), conveyed to TLD Willard, Ltd., as evidenced in a Special Warranty Deed, recorded in Instrument No. 2014-111011 of the Official Records of Denton County, Texas;

THENCE North 89°56'35" West, along the southerly line of said 669.40-acre tract, the northerly line of said Tract 1 (87.748-acres), and along said Hames Road, a distance of 116.68 feet to a 3/4-inch iron rod found for the northwest corner of said Tract 1 (87.748-acres) and the northeast corner of a called 12.095-acre tract of land, conveyed to Jeff D. Kappel, et ux, as evidenced in a Warranty Deed, recorded in Volume 5085, Page 1484 of the Deed Records of Denton County, Texas;

THENCE North 89°39'47" West, continuing along the southerly line of said 669.40-acre tract, the northerly line of said 12.095-acre tract and said Hames Road, a distance of 705.49 feet to a 5/8-inch iron rod found for the northwest corner of said 12.096-acre tract and the northeast corner of a called 6.05-acre tract, conveyed to Elias Loredó, et al, as evidenced in a Warranty Deed, recorded in Instrument No. 2016-92822 of the Official Records of Denton County, Texas;

THENCE North 89°35'57" West, continuing along the southerly line of said 669.40-acre tract, the northerly line of said 6.05-acre tract and said Hames Road, a distance of 708.43 feet to a 3/4-inch iron rod found in a bend of said Hames Road, for the northwest corner of said 6.05-acre tract, same being the northeast corner of a called Tract 2 (146.593-acres), conveyed to TLD Willard, Ltd., as evidenced in a Special Warranty Deed, recorded in Instrument No. 2014-111011 of the Official Records of Denton County, Texas;

THENCE North 89°28'39" West, departing said Hames Road, continuing along the southerly line of said 699.40-acre tract and the northerly line of said Tract 2 (146.593-acres), a distance of 3,408.99 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for an angle point;

THENCE North 89°38'21" West, continuing along the southerly line of said 699.40-acre tract and the northerly line of said Tract 2 (146.593-acres), passing at a distance of 82.62 feet, a found 1/2-inch iron rod, continuing for a total distance of 455.62 feet to a 1/2-inch iron rod found for the southwest corner of said 699.40-acre tract and a southeasterly corner of aforesaid 1,028.306-acre Bert Fields Jr., tract;

THENCE North 00°24'46" East, along the westerly line of said 699.40-acre tract, the easterly line of said 1,028.306-acre tract, and along a barbed wire fence, a distance of 5,855.81 feet to the POINT OF BEGINNING and containing 669.396 acres (29,158,886 square feet) of land, more or less.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7942A, Special District Local Laws Code, as added by Section 7(a) of this Act, is amended by adding Section 7942A.0307 to read as follows:

Sec. 7942A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 7(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect October 1, 2021.

SECTION 8. (a) Subtitle F, Title 6, Special District Local

Laws Code, is amended by adding Chapter 7948A to read as follows:

CHAPTER 7948A. CLEAR SKY MUNICIPAL UTILITY DISTRICT OF DENTON

COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7948A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Clear Sky Municipal Utility District of Denton County.

Sec. 7948A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7948A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7948A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7948A.0103 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.

Sec. 7948A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
(a) The district is created to serve a public purpose and benefit.

- (b) The district is created to accomplish the purposes of:
 - (1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
 - (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7948A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 8(b) of the Act enacting this chapter.

- (b) The boundaries and field notes contained in Section 8(b)

of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

- (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
- (3) right to impose a tax; or
- (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7948A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7948A.0202, directors serve staggered four-year terms.

Sec. 7948A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

- (1) Manolo "Manny" Rios;
 - (2) David "Mike" Boswell;
 - (3) Ronald Eric Robbins;
 - (4) Grant Walsh Devlin; and
 - (5) Demerius "Dee" Seals.
- (b) Temporary directors serve until the earlier of:
- (1) the date permanent directors are elected under Section 7948A.0103; or
 - (2) September 1, 2025.

(c) If permanent directors have not been elected under Section 7948A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

- (1) the date permanent directors are elected under Section 7948A.0103; or
- (2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the

commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7948A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7948A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7948A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7948A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7948A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that

consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7948A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 7948A.0403.

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

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

Sec. 7948A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7948A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7948A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7948A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees,

revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7948A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7948A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Clear Sky Municipal Utility District of Denton County initially includes all the territory contained in the following area:

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE T. CHAMBERS, ABSTRACT NUMBER 223, AND BEING A PORTION OF A TRACT OF LAND TO AUBREY 64 NORTH LP, A TEXAS LIMITED PARTNERSHIP, RECORDED IN INSTRUMENT NUMBER 2020-3173 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID AUBREY 64 NORTH TRACT WITH A CURVE TO THE LEFT, AN ARC DISTANCE OF 62.71 FEET, THROUGH A CENTRAL ANGLE OF 00° 40' 50", HAVING A RADIUS OF 5,280.00 FEET, AND A LONG CHORD WHICH BEARS N 88° 15' 25" W, 62.71 FEET;

THENCE N 88° 35' 50" W, 3237.22 FEET;

THENCE N 01° 32' 58" E, 894.59 FEET;

THENCE S 88° 39' 54" E, 1967.25 FEET;

THENCE S 01° 48' 01" W, 325.45 FEET;

THENCE S 87° 02' 21" E, 447.69 FEET;

THENCE N 89° 38' 44" E, 718.09 FEET;

THENCE S 85° 43' 18" E, 164.97 FEET;

THENCE S 01° 38' 33" W, 65.30 FEET;

THENCE S 01° 13' 27" E, 100.10 FEET;

THENCE S 01° 38' 33" W, 408.13 FEET TO THE POINT OF BEGINNING AND

CONTAINING 2,520,613 SQUARE FEET OR 57.865 ACRES OF LAND MORE OR LESS.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7948A, Special District Local Laws Code, as added by Section 8(a) of this Act, is amended by adding Section 7948A.0306 to read as follows:

Sec. 7948A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 8(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect September 1, 2021.

SECTION 9. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7945A to read as follows:

CHAPTER 7945A. MUSTANG RIDGE MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7945A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Mustang Ridge Municipal Utility District.

Sec. 7945A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7945A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7945A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7945A.0103 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.

Sec. 7945A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

Sec. 7945A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 9(b) of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 9(b) of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7945A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7945A.0202, directors serve staggered four-year terms.

Sec. 7945A.0202. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7945A.0103; or

(2) the fourth anniversary of the effective date of

the section enacting this chapter.

(c) If permanent directors have not been elected under Section 7945A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7945A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7945A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7945A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7945A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7945A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial

jurisdiction the road project is located.

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

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

Sec. 7945A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7945A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7945A.0403.

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

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

Sec. 7945A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7945A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7945A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7945A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7945A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7945A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Mustang Ridge Municipal Utility District initially includes all the territory contained in the following area:

BEING A 303.2 ACRE TRACT OUT OF THE JOSE SEFERINA MORA SURVEY NUMBER 6, ABSTRACT NUMBER 522, TRAVIS COUNTY, TEXAS, BEING THE CONSOLIDATION OF SIX TRACTS OF LAND DESCRIBED HEREIN, BEING ALL OF A CALLED 91.81 ACRE TRACT, DESCRIBED TO ALTON BROOKS LAWS, JR. AS RECORDED IN VOLUME 10031, PAGE 431 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS [R.P.R.T.C.T.], AND BEING ALL OF A CALLED 107.33 ACRE TRACT, CONVEYED TO LAWS FAMILY PARTNERSHIP, LTD., AS RECORDED IN DOCUMENT NUMBER 2008202782 OF THE OFFICIAL PUBLIC

RECORDS OF TRAVIS COUNTY, TEXAS [O.P.R.T.C.T.], AND BEING ALL OF A CALLED 92.775 TRACT, CONVEYED TO ALTON B. LAWS JR. AND WIFE, JOYCE KING LAWS, AS RECORDED IN VOLUME 3931, PAGE 2021 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS [D.R.T.C.T.], AND BEING ALL OF A CALLED 6.00 ACRES, CONVEYED TO ALTON B. LAWS, III, AS RECORDED IN DOCUMENT NUMBER 2001109391 [O.P.R.T.C.T.], AND BEING ALL OF A CALLED 6.00 ACRES, CONVEYED TO LARRY L. LAWS AND TERRI R. LAWS, AS RECORDED IN DOCUMENT NUMBER 2000125247 [O.P.R.T.C.T.], AND BEING ALL OF A CALLED 1.00 ACRE TRACT, BEING A PORTION OF THAT 114.34 ACRE TRACT CONVEYED TO ALTON B. LAWS JR. AND WIFE, JOYCE K. LAWS, AS RECORDED IN VOLUME 174, PAGE 214 [D.R.T.C.T.], SAID 303.2 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found for the west corner of said 91.81 acre tract, same being the south corner of a called 91.784 acre tract described to MRLH, LLC, recorded in Document Number 2020178896 [O.P.R.T.C.T.], same being on the northeast line of a called 223.25 acre tract, described to H. Philip Whitworth, Jr., described in Volume 12605, Page 836 [O.P.R.T.C.T.],

THENCE, N42°21'15"E, along the common line of said 91.81 acre tract and said 91.7984 acre tract, a distance of 3,395.26 feet to a 60D nail found for the north corner of said 91.81 acre tract, same being the east corner of said 91.7984 acre tract, also in the southwest right-of-way of Old Lockhart Highway, a 50-foot wide right-of-way, recorded in Document Number 2000125247 [O.P.R.T.C.T.],

THENCE with the common lines of said right-of-way, said 91.81 acre tract, said 6.00 acre Larry L. Laws tract, said 107.33 acre tract, and said 92.775 acre tract, the following three (3) courses and distances:

1) S47°20'14"E, a distance of 1,465.76 feet to an angle point,

2) N42°02'10"E, a distance of 27.63 feet to an angle point, and

3) S48°15'17"E, a distance of 2,408.01 feet to a 6 inch cedar fence post, found at the east corner of said 92.775 acre tract and the tract described herein, same being a point on the said southwest right-of-way of Old Lockhart Highway, and being on the northwest right-of-way of Elm Grove Road, a variable width right-of-way,

described in Volume 3426, Page 1348 [D.R.T.C.T.];
THENCE, S43°03'48"W, along the common line of said 92.775 acre tract, said 6.00 acre Alton B. Laws tract, and the northwest right-of-way of said Elm Grove Road, a distance of 3,469.91 feet to 1/2-inch iron rod found for the south corner of said 92.775 acre tract, and the south corner of the tract described herein, same being the northerly southeast corner of Lot 2, Elm Grove Estates, a plat thereof recorded in Volume 92, Pages 263-264 of the Plat Records of Travis County, Texas, [P.R.T.C.T];
THENCE, N47°12'40"W, along the common line of said 91.775 acre tract and said 107.33 acre tract, said 91.81 acre tract, said Lot 2, and said 223.25 acre tract, a distance of 3,830.62 feet to the POINT OF BEGINNING of the tract described herein and containing approximately 303.2 acres.

Basis of bearing is the Texas Coordinate System, Central Zone [4203], NAD83 (2011), Epoch 2010.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7945A, Special District Local Laws Code, as added by Section 9(a) of this Act, is amended by adding Section 7945A.0306 to read as follows:

Sec. 7945A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 9(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section 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, 2021.

SECTION 10. (a) Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7954A to read as follows:

CHAPTER 7954A. CLEAR SKY MUNICIPAL UTILITY DISTRICT NO. 1 OF COOKE

COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7954A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Clear Sky Municipal Utility District No. 1 of Cooke County.

Sec. 7954A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7954A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7954A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7954A.0103 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.

Sec. 7954A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
(a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7954A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 10(b) of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 10(b) of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and

interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7954A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7954A.0202, directors serve staggered four-year terms.

Sec. 7954A.0202. TEMPORARY DIRECTORS. (a) On or after September 1, 2021, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7954A.0103; or

(2) September 1, 2025.

(c) If permanent directors have not been elected under Section 7954A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7954A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7954A.0301. GENERAL POWERS AND DUTIES. The district

has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7954A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7954A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7954A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7954A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7954A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or
(2) contract payments described by Section
7954A.0403.

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

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

Sec. 7954A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7954A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7954A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7954A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7954A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing

direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7954A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The Clear Sky Municipal Utility District No. 1 of Cooke County initially includes all the territory contained in the following area:

TRACT ONE

FIELD NOTES TO 179.94 ACRES IN THE JOHN ADDA SURVEY ABSTRACT 1177, ET AL, COOKE COUNTY, TEXAS

All that certain tract or parcel of land situated in the John Adda Survey Abstract 1177 and the E. Bradley Survey Abstract 34, Cooke County, Texas, being part of a 293.56 acre tract conveyed by Rose Marie Strickland, Trustee to Earl L. Bengtston by deed recorded in Volume 1022, page 263, of the Cooke County Official Public Records, and being more particularly described as follows:

BEGINNING at a found steel pin at the Northeast corner of said Bengtston tract, common to the Southeast corner of a tract conveyed to Alvrone Sater by deed recorded in Volume 734, page 275 of the Cooke County Deed Records, in County Road 200, on the West line of a tract conveyed to John Porter Farms, Inc. by deed recorded in Volume 626, page 123 of said Deed Records, said beginning corner further being South 00 degrees 11 minutes 30 seconds East, a distance of 1219.85 feet from the Southwest corner of the J. R. Davis Survey Abstract 334 in Cooke County.

THENCE South 00 degrees 11 minutes 30 seconds East, in said County Road 200, crossing the South line of said Adda Survey, common to the North line of said Bradley Survey, continuing a total of 2824.05 feet to a found steel pin at the Easternmost Southeast corner of said John Porter Farms tract, on the North line of a tract conveyed to Alvrone Sater, Trustee, by deed recorded in Volume 734, page 271 of said Deed Records, at a turn in said County Road 200, on the South line of Cooke County, common to the North line of Denton County as

described in said Bengtston deed;

THENCE North 89 degrees 51 minutes 52 seconds West, with said North line of said Sater tract, a distance of 40.68 feet to a found steel pin;

THENCE South 89 degrees 45 minutes 12 seconds West, a distance of 3012.78 feet to a found steel pin at the Southernmost Southeast corner of a tract conveyed to Troy P. Miller, Jr. by deed recorded in Volume 805, page 156 of said Deed Records;

THENCE with an old fence line the following courses and distances:

North 07 degrees 55 minutes 34 seconds East, crossing the line common to said Adda and Bradley Surveys, a distance of 745.34 feet to a found steel pin,

North 19 degrees 20 minutes 59 seconds East, a distance of 105.60 feet to a found steel pin,

North 10 degrees 07 minutes 43 seconds East, a distance of 796.69 feet to a found steel pin,

North 72 degrees 35 minutes 49 seconds East, a distance of 201.96 feet to a found steel pin;

THENCE North 00 degrees 20 minutes 42 seconds East, along or near a fence, a distance of 1157.87 feet to a found steel pin at the Southwest corner of said Sater tract;

THENCE South 89 degrees 55 minutes 19 seconds East, along or near a fence, passing a found steel pin at a fence corner on the West line of said County Road 200, continuing a total of 2566.42 feet to the point of beginning containing 179.94 acres of land.

(c) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7954A, Special District Local Laws Code, as added by Section 10(a) of this Act, is amended by adding Section 7954A.0306 to read as follows:

Sec. 7954A.0306. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(d) Section 10(c) is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

(e) This section takes effect September 1, 2021.

SECTION 11. (a) The legal notice of the intention to file bills creating each district described by 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 a copy of a bill to create each district described by this Act to the Texas Commission on Environmental Quality.

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

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of each bill to create each district described by this Act are fulfilled and accomplished.

SECTION 12. Except as otherwise provided by this Act, 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, 2021.