

1 AN ACT

2 relating to the creation of certain municipal utility districts;
3 granting a limited power of eminent domain; providing authority to
4 issue bonds; providing authority to impose assessments, fees, and
5 taxes.

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

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

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

10 232

11 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

16 (3) "Director" means a board member.

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

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

22 Sec. 7907A.0103. CONFIRMATION AND DIRECTOR ELECTION
23 REQUIRED. The temporary directors shall hold an election to
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7907A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 7907A.0103 until each municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located has
6 consented by ordinance or resolution to the creation of the
7 district and to the inclusion of land in the district.

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

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

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

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

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

17 Sec. 7907A.0106. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 1(b) of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

15 (b) Temporary directors serve until the earlier of:

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

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

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

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

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

25 Sec. 7907A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
26 road project must meet all applicable construction standards,
27 zoning and subdivision requirements, and regulations of each

1 municipality in whose corporate limits or extraterritorial
2 jurisdiction the road project is located.

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

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

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

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

21 (1) revenue other than ad valorem taxes; or
22 (2) contract payments described by Section
23 7907A.0403.

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

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

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

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

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

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

21 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

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

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

1 Records of Fort Bend County, Texas;
2 Thence North 47° 56' 48" West - 2,057.42' along the north line of
3 said 55.048 acre tract, the north line of a called 55.06295 acre
4 tract described in the deed to Bruce Mahlmann in Clerk's File No.
5 9780631 of the O.R.F.B.C. and the northwest line of a called 89.24
6 acre tract described in the deed to R. W. Lindsey in Volume 469,
7 Page 284, of the Deed Records of Fort Bend County, Texas, common to
8 the southwest line of said 136.6 acre tract, to a 3/4" iron rod set
9 for the south corner and POINT OF BEGINNING of the herein described
10 tract, common to the south corner of said 100.5 acre tract and the
11 west corner of said 136.6 acre tract, from which a found 1-1/4" iron
12 pip bears North 23° 51' 01" East - 0.71';
13 THENCE North 47° 56' 48" West - 1,522.95' (called North 44° 48' 38"
14 West), along the southwest line of said 100.5 acre tract, common to
15 the northeast line of said 89.24 acre tract and the northeast line
16 of a called 89.011 acre tract described in the deed to Paul Nelson
17 Danzinger recorded in Clerk's File No. 200125881 of the O.R.F.B.C.,
18 to the west corner of the herein described tract, common to the west
19 corner of said 100.5 acre tract and the south corner of a called
20 17.99 acre tract described in the deed to Willie Drabek recorded in
21 Volume 1011, Page 841, of the Deed Records of Fort Bend County,
22 Texas, from which a found 3/4" iron pipe bears South 42° 01' 12" West
23 - 0.35'
24 THENCE North 42° 01' 12" East - 2,871.04' (called North 45° 11' 37"
25 East), along the northwest line of said 100.5 acre tract, common to
26 the southeast line of said 17.99 acre tract, at 2,210.59' passing a
27 found 1" iron pipe (in concrete) on the south side of Koeblen Road,

1 continuing in Koeblen Road to a 1/2" iron pipe found for the north
2 corner of said 100.5 acre tract in Koeblen Road;
3 THENCE South 48° 10' 25" East - 1,524.25' (called South 45° 00'
4 East), along the northeast line of said 100.5 acre tract in Koeblen
5 Road to a PK nail found for the east corner of the herein described
6 tract;
7 THENCE South 42° 02' 45" West - 2,877.08' (called South 45° 13' 10"
8 West - 2,876.08') along the northeast line of said 100.5 acre tract,
9 at 31.70' passing a 5/8" steel rod, continuing to the POINT OF
10 BEGINNING of the herein described tract and containing 100.5 acres
11 of land, more or less.

12 (c) If this Act does not receive a two-thirds vote of all the
13 members elected to each house, Subchapter C, Chapter 7907A, Special
14 District Local Laws Code, as added by Section 1(a) of this Act, is
15 amended by adding Section 7907A.0306 to read as follows:

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

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

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

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

24 COUNTY

25 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

3 (3) "Director" means a board member.

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

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

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

13 Sec. 7909A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
14 temporary directors may not hold an election under Section
15 7909A.0103 until each municipality in whose corporate limits or
16 extraterritorial jurisdiction the district is located has
17 consented by ordinance or resolution to the creation of the
18 district and to the inclusion of land in the district.

19 Sec. 7909A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
20 (a) The district is created to serve a public purpose and benefit.

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

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

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

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

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

8 (1) organization, existence, or validity;

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

12 (3) right to impose a tax; or

13 (4) legality or operation.

14 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

21 (1) Caleb Lavey;

22 (2) Cole Talley;

23 (3) Luke Brown;

24 (4) Zack Schneider; and

25 (5) Ben Hangartner.

26 (b) Temporary directors serve until the earlier of:

27 (1) the date permanent directors are elected under

1 Section 7909A.0103; or

2 (2) September 1, 2025.

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

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

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

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

19 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

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

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

27 Sec. 7909A.0306. DIVISION OF DISTRICT. (a) The district

1 may be divided into two or more new districts only if the district:

2 (1) has no outstanding bonded debt; and

3 (2) is not imposing ad valorem taxes.

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

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

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

15 (e) The board may adopt an order dividing the district
16 before or after the date the board holds an election under Section
17 7909A.0103 to confirm the district's creation.

18 (f) An order dividing the district shall:

19 (1) name each new district;

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

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

23 and

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

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

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

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

9 (i) Municipal consent to the creation of the district and to
10 the inclusion of land in the district granted under Section
11 7909A.0104 acts as municipal consent to the creation of any new
12 district created by the division of the district and to the
13 inclusion of land in the new district.

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

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

- 22 (1) revenue other than ad valorem taxes; or
23 (2) contract payments described by Section
24 7909A.0403.

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

1 payable from ad valorem taxes.

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

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

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

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

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

22 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

1 purpose.

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

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

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

16 Tract 1

17 BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT
18 NO. 124 AND THE BENJAMIN BREWTON SURVEY, ABSTRACT NO. 125, COLLIN
19 COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO
20 MATTHEW D. KIRAN, RECORDED IN INSTRUMENT NO. 20070418000520430,
21 OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS (O.P.R.C.C.T.) AND
22 ALL OF A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW DILLON KIRAN,
23 RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T. AND
24 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

25 BEGINNING AT A 1/2-INCH IRON ROD FOUND IN THE EAST RIGHT-OF-WAY LINE
26 OF FARM-TO-MARKET ROAD 455, A 90-FOOT RIGHT-OF-WAY, AT THE WEST
27 COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN

1 DEED TO MARK A. JOHNSON, RECORDED IN VOLUME 5038, PAGE 7629, DEED
2 RECORDS, COLLIN COUNTY, TEXAS;
3 THENCE NORTH 00°45'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A
4 DISTANCE OF 831.92 FEET TO A 5/8-INCH IRON WITH A YELLOW CAP STAMPED
5 "RPLS 5674" SET AT THE WEST COMMON CORNER OF SAID KIRAN TRACT AND A
6 TRACT OF LAND DESCRIBED IN DEED TO MOODY RHINOCEROS, LLC, RECORDED
7 IN INSTRUMENT NO. 20140606000572850, O.P.R.C.C.T.;
8 THENCE NORTH 89°16'45" EAST, ALONG THE COMMON LINE OF SAID KIRAN
9 TRACT AND SAID MOODY RHINOCEROS TRACT, A DISTANCE OF 1,315.87 FEET
10 TO A 5/8-INCH IRON WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR
11 CORNER;
12 THENCE NORTH 89°21'36" EAST, CONTINUING ALONG SAID COMMON LINE, A
13 DISTANCE OF 1,299.36 FEET TO A 1/2-INCH IRON ROD FOUND IN THE WEST
14 LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA
15 STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED
16 IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T., AT THE EAST
17 COMMON CORNER OF SAID KIRAN TRACT AND SAID MOODY RHINOCEROS TRACT;
18 THENCE SOUTH 00°42'34" EAST, ALONG THE COMMON LINE OF SAID KIRAN
19 TRACTS AND SAID STELZER TRACT, A DISTANCE OF 831.54 FEET TO A
20 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN
21 TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND
22 WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441,
23 O.P.R.C.C.T.;
24 THENCE SOUTH 89°19'06" WEST, ALONG THE COMMON LINE OF SAID KIRAN
25 TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 900.24 FEET TO A
26 3/8-INCH IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID HACKNEY
27 TRACT AND SAID JOHNSON TRACT;

1 THENCE SOUTH 89°18'26" WEST, ALONG THE COMMON LINE OF SAID KIRAN
2 TRACT AND SAID JOHNSON TRACT, A DISTANCE OF 1,714.40 FEET TO THE
3 POINT OF BEGINNING AND CONTAINING 2,175,983 SQUARE FEET OR 49.954
4 ACRES OF LAND, MORE OR LESS.

5 Tract 2

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

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

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

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

1 THENCE NORTH 00°42'34" WEST, ALONG THE EAST LINE OF SAID KIRAN TRACT
2 AND ANOTHER TRACT DESCRIBED IN DEED TO MATTHEW DILLON KIRAN,
3 RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T., A
4 DISTANCE OF 831.54 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST
5 COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN
6 DEED TO MOODY RHINOCEROS, LLC, RECORDED IN INSTRUMENT NO.
7 20140606000572850, D.R.C.C.T.;

8 THENCE NORTH 00°07'00" EAST, ALONG THE EAST LINE OF SAID MOODY
9 RHINOCEROS TRACT, PASSING AT A DISTANCE OF 1,107.23 FEET A 3/4-INCH
10 IRON ROD FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED
11 IN DEED TO KIM CANNADY LEE, RECORDED IN VOLUME 4840, PAGE 1743, DEED
12 RECORDS, COLLIN COUNTY, TEXAS (D.R.C.C.T.), AND CONTINUING FOR A
13 TOTAL DISTANCE OF 1,120.03 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW
14 CAP STAMPED "RPLS 5674" SET NEAR THE SOUTHWEST EDGE OF PAVING OF
15 COUNTY ROAD 57 AT THE NORTHWEST CORNER OF SAID STELZER TRACT AND THE
16 SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA,
17 LTD., RECORDED IN INSTRUMENT NO. 20140501000426500, O.P.R.C.C.T.,
18 FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID
19 LEE TRACT BEARS NORTH 01°02'23" WEST, A DISTANCE OF 570.99 FEET;

20 THENCE NORTH 89°35'24" EAST, ALONG SAID COUNTY ROAD 57 AND THE NORTH
21 LINE OF SAID STELZER TRACT, A DISTANCE OF 2,631.96 FEET TO A
22 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR
23 CORNER IN THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD
24 CELINA , LTD., RECORDED IN INSTRUMENT NO. 20060815001168150,
25 O.P.R.C.C.T., AT THE NORTH COMMON CORNER OF SAID STELZER TRACT AND A
26 TRACT OF LAND DESCRIBED AS TRACT III IN DEED TO G BAR 7, LTD.,
27 RECORDED IN VOLUME 5850, PAGE 990, D.R.C.C.T., FROM WHICH A

1 3/8-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID OLD CELINA
2 TRACT BEARS NORTH 89°35'24" EAST, A DISTANCE OF 682.05 FEET;
3 THENCE SOUTH 00°12'44" EAST, LEAVING THE SOUTH LINE OF SAID OLD
4 CELINA TRACT AND ALONG SAID COUNTY ROAD 57 AND THE EAST LINE OF SAID
5 STELZER TRACT, A DISTANCE OF 852.17 FEET TO A MAG NAIL SET AT THE
6 NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF
7 CELINA, TEXAS, RECORDED IN VOLUME 481, PAGE 230, D.R.C.C.T.;
8 THENCE NORTH 87°15'44" WEST, LEAVING SAID COUNTY ROAD 57 AND SAID
9 EAST LINE OF THE STELZER TRACT, A DISTANCE OF 450.00 FEET TO A
10 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE
11 NORTHWEST CORNER OF SAID CITY OF CELINA TRACT;
12 THENCE SOUTH 00°12'44" EAST, A DISTANCE OF 485.30 FEET TO A 5/8-INCH
13 IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST
14 CORNER OF SAID CITY OF CELINA TRACT;
15 THENCE SOUTH 87°15'44" EAST, A DISTANCE OF 450.00 FEET TO A MAG NAIL
16 SET IN SAID COUNTY ROAD 57 AND SAID EAST LINE OF THE STELZER TRACT AT
17 THE SOUTHEAST CORNER OF SAID CITY OF CELINA TRACT;
18 THENCE SOUTH 00°12'44" EAST, ALONG SAID COUNTY ROAD 57 AND SAID EAST
19 LINE OF THE STELZER TRACT, A DISTANCE OF 1,420.00 FEET TO A MAG NAIL
20 SET AT THE SOUTHEAST CORNER OF SAID STELZER TRACT;
21 THENCE SOUTH 89°56'13" WEST, LEAVING SAID COUNTY ROAD 57, PASSING AT
22 A DISTANCE OF 205.83 FEET A 5/8-INCH IRON ROD FOUND AT THE NORTH
23 COMMON CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO J.B. STELZER
24 AND WIFE FRANCES B. STELZER, RECORDED IN INSTRUMENT NO.
25 19710125077403730, D.R.C.C.T., AND LOT 23 OF WILLOCK HILL ADDITION
26 AMENDED PLAT, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY,
27 TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE

1 160, MAP RECORDS, COLLIN COUNTY, TEXAS, AND CONTINUING FOR A TOTAL
2 DISTANCE OF 605.83 FEET TO THE NORTH COMMON CORNER OF LOTS 11 AND 23
3 OF SAID ADDITION, FROM WHICH A 1/2-INCH IRON ROD FOUND WITH A CAP
4 STAMPED "RPLS 2818" BEARS SOUTH 09°19'53" EAST, A DISTANCE OF 0.46
5 FEET;
6 THENCE SOUTH 89°51'02" WEST, A DISTANCE OF 358.80 FEET TO A 5/8-INCH
7 IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE NORTH
8 COMMON CORNER OF LOTS 10 AND 11 OF SAID ADDITION;
9 THENCE SOUTH 89°41'02" WEST, A DISTANCE OF 380.00 FEET TO A 1/2-INCH
10 IRON ROD WITH CAP STAMPED "RPLS 2818" FOUND AT THE NORTH COMMON
11 CORNER OF SAID ADDITION AND SAID GRAY TRACT;
12 THENCE SOUTH 89°39'42" WEST, A DISTANCE OF 1,284.65 FEET TO THE
13 POINT OF BEGINNING AND CONTAINING 7,029,841 SQUARE FEET OR 161.383
14 ACRES OF LAND, MORE OR LESS.

15 Tract 3

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

27 COMMENCING at a found iron rod by a pipe fence corner post, said rod

1 being the southwest corner of said Exhibit A, same being the
2 northwest corner of a called 35.286 acre tract as described in deed
3 to Sutton Field Investments, LLC, filed 10 February 2015, and
4 recorded in Collin County Clerks #D20150210000147450 of said
5 official public records, and said rod being on the east line of
6 Tract One a called 14.88 acre tract as described in deed to Dwight
7 Shewchuck et ux, Rebecca Shewchuk, 26 June 1998, and recorded in
8 Collin County Clerks #D98-0067003 of said official public records,
9 said rod also having NAD83 NCTZ grid coordinates of N-7169022.23,
10 E-2482005.62

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

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

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

13 THENCE: North 00 degrees 31 minutes 54 seconds East, with the west
14 line of said 26.030 acre tract, and generally along and near a
15 barbed wire fence, a distance of 439.87 feet to a found capped iron
16 rod by a pipe fence corner post for the northwest corner of said
17 26.030 acre tract, same being the southwest corner of a called
18 16.090 acre tract as described in deed to Scot H. McDonald et ux,
19 Jill C. McDonald, filed 14 December 2001, and recorded in Collin
20 County Clerks #D2001-0161490 of said official public records;

21 THENCE: North 88 degrees 46 minutes 33 seconds East, with the north
22 line of said 26.030 acre tract, and with a barbed wire fence, and
23 passing at 2595.47 feet a pipe fence corner post on the west side of
24 Farm to Market Road Number 455, and continuing on said course a
25 total distance of 2597.47 feet to a found capped iron rod with a
26 plastic cap marked RPLS 1849 on the west right of way line of said
27 road for the northeast corner of this tract, same being the

1 northeast corner of said 26.030 acre tract, and said rod being the
2 southeast corner of a called 10.037 acre tract as described in deed
3 to Raju Gadirajy and Feng-Tzu Tsai, filed 14 June 2004, and recorded
4 in Collin County Clerks #D2004-0086243 of said official public
5 records;

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

9 THENCE: South 88 degrees 50 minutes 08 seconds West, and passing at
10 450.61 feet a set 1/2 inch rebar, and continuing on said course a
11 total distance of 633.56 feet to a set 1/2 inch rebar for an ell
12 corner of this tract;

13 THENCE: South 00 degrees 44 minutes 17 seconds East, a distance of
14 817.09 feet to a set 1/2 inch rebar for an ell corner of this tract;

15 THENCE: South 88 degrees 45 minutes 36 seconds East, and passing at
16 120.6 feet a set 1/2 inch rebar, and continuing on said course, and
17 passing at 140.6 feet a pipe fence corner post, and continuing on
18 said course with a pipe fence, and passing at 631.77 feet a pipe
19 fence corner post on the west side of said road, and continuing on
20 said course a total distance of 633.07 feet to a set 1/2 inch rebar
21 on the west right of way line of said road for a corner of this
22 tract;

23 THENCE: South 00 degrees 44 minutes 17 seconds East, with the west
24 line of said road, a distance of 719.40 feet to a found concrete
25 highway monument for a corner of this tract, said monument being the
26 north corner of a called 0.5112 acre tract as described in deed to
27 State of Texas, filed 03 April 2017, and recorded in Collin County

1 Clerks #D2017043000416890 of said official public records;
2 THENCE: South 06 degrees 53 minutes 35 seconds West, with the west
3 line of said road, and with the west line of said State of Texas
4 tract, a distance of 55.53 feet to a set 1/2 inch rebar for the most
5 easterly southeast corner of this tract, from said rebar a found
6 capped iron rod bears North 89 degrees 59 minutes 15 seconds East, a
7 distance of 7.4 feet;
8 THENCE: North 89 degrees 46 minutes 54 seconds West, and passing at
9 0.9 feet a pipe fence corner post, and continuing on said course,
10 with a barbed wire fence, a total distance of 571.78 feet to a pipe
11 fence corner post of an inner ell corner of this tract;
12 THENCE: South 05 degrees 25 minutes 28 seconds West, with a barbed
13 wire fence, a distance of 562.01 feet to a pipe fence corner post
14 for the most southerly southeast corner of this tract;
15 THENCE: South 73 degrees 44 minutes 30 seconds West, with a barbed
16 wire fence, a distance of 982.13 feet to a pipe fence corner post
17 for an angle point of this tract;
18 THENCE: South 84 degrees 56 minutes 30 seconds West, with a barbed
19 wire fence, a distance of 804.70 feet to a pipe fence corner post
20 for an angle point of this tract;
21 THENCE: North 85 degrees 09 minutes 45 seconds West, with a barbed
22 wire fence, and passing at 221.95 feet a pipe fence corner post, and
23 continuing on said course a total distance of 224.41 feet to the
24 POINT OF BEGINNING and containing 143.93 acres of land.

25 Tract 4

26 LEGAL DESCRIPTION

27 BEING a tract of land situated in the Thomas Stayton Survey,

1 Abstract No. 805 Collin county, Texas and being part of a called
2 54.809 acre tract conveyed to Lewis Dickerson as recorded in County
3 Clerks No. 2010051000463340, Land Records of Collin County, Texas,
4 and being more particularly described by metes and bounds as
5 follows:

6 BEGINNING at a 1/2" iron rod with yellow plastic capped
7 stamped "4613" set for corner in the west line of said 54.809 acre
8 tract, said iron rod being S 00°02'11" W a distance of 185.72' from a
9 1/2" iron rod found for the northwest corner of said 54.809 acres;

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

13 THENCE S 00°44'54" W veering west from the road a distance of
14 1770.34' to a point for corner;

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

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

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

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

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

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

27 THENCE N 00°10'07" W a distance of 262.10' to a 1/2" iron rod

1 with yellow plastic capped stamped "4613" set for corner;

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

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

7 Tract 5

8 Being a tract of land situated in the Thomas Stayton Survey,
9 Abstract No. 805, Collin County, Texas and being the remainder of a
10 called 79 acre tract of land (Tract III) described in Deed to G Bar
11 7, LTD. as recorded in Document No. 2005-0015684 of the Official
12 Public Real Property Records of Collin County, Texas, and being
13 more particularly described herein as follows:

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

19 THENCE North 00 degrees 01 minutes 22 seconds East, with the West
20 line of said Tract III, along said County Road 57, passing the
21 Southeast corner of a called 5.00 acres tract of land described in
22 Deed to the City of Celina as recorded in Volume 481, Page 230 of
23 said Deed Records, continuing with the West line of said Tract III
24 and the East line of said City of Celina tract, passing the
25 Northeast corner thereof and continuing for a total distance of
26 2,484.46 feet to a 5/8 inch iron rod with plastic cap stamped "PLS,
27 INC" (typical) set on the Northeast side of a bend in said County

1 Road 57 for the Northwest corner of said Tract III, and being in the
2 South line of a called 52.039 acre tract of land described in Deed
3 to Old Celina, LTD. as recorded in Instrument No. 20060815001168150
4 of said Official Public Records;

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

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

19 South 00 degrees 39 minutes 47 seconds East, a distance of
20 174.67 feet to a 5/8 inch iron rod set for corner;

21 South 02 degrees 33 minutes 05 seconds West, a distance of
22 145.60 feet to a 5/8 inch iron rod set for corner;

23 South 02 degrees 09 minutes 55 seconds East, a distance of
24 198.50 feet to a 5/8 inch iron rod set for corner;

25 South 00 degrees 24 minutes 55 seconds East, a distance of
26 725.00 feet to a 5/8 inch iron rod set for corner;

27 South 00 degrees 09 minutes 55 seconds East, a distance of

1 262.10 feet to a cross-tie fence corner post found for the Southwest
2 corner of said Stambough tract and the Northwest corner of Lot 1,
3 Block A of Celina 22 Addition recorded in Instrument
4 20200128010000450 of said Official Public Records;

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

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

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

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

27 THENCE South 89 degrees 20 minutes 47 seconds West, with the North

1 line of said Elliot tract, a distance of 414.83 feet to a 5/8 inch
2 iron rod set for the Northwest corner of said Elliot tract;
3 THENCE South 00 degrees 31 minutes 41 seconds East, with the West
4 line of said Elliot tract, a distance of 314.99 feet to a 5/8 inch
5 iron rod set in the South line of said Tract III and the North line
6 of said 30 foot alleyway for the Southwest corner of said Elliot
7 tract;
8 THENCE South 89 degrees 21 minutes 57 seconds West, with the South
9 line of said Tract III, a distance of 879.59 feet to the POINT OF
10 BEGINNING and containing, within the metes and bounds herein
11 recited, 76.224 acres of land, more or less.

12 Tract 6

13 BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT
14 NO. 124, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND
15 DESCRIBED IN DEED TO MARK S. JOHNSON, RECORDED IN VOLUME 5038, PAGE
16 7629, DEED RECORDS, COLLIN COUNTY, TEXAS AND BEING MORE
17 PARTICULARLY DESCRIBED AS FOLLOWS:

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

24 THENCE NORTH 89°18'26" EAST, LEAVING SAID EAST RIGHT-OF-WAY LINE AND
25 ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID KIRAN TRACT, A
26 DISTANCE OF 1,714.40 FEET TO A 3/8-INCH IRON ROD FOUND AT THE NORTH
27 COMMON CORNER OF SAID JOHNSON TRACT AND A TRACT OF LAND DESCRIBED IN

1 DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY, RECORDED IN
2 INSTRUMENT NO. 96-0063441, O.P.R.C.C.T., FROM WHICH A 1/2-INCH IRON
3 ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND SAID
4 HACKNEY TRACT BEARS NORTH 89°19'06" EAST, A DISTANCE OF 900.24 FEET;
5 THENCE SOUTH 00°39'47" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
6 TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 476.67 FEET TO A
7 1/2-INCH IRON ROD FOUND IN THE NORTH LINE OF A TRACT OF LAND
8 DESCRIBED IN DEED TO OLD CELINA, LTD., RECORDED IN INSTRUMENT NO.
9 20180323000355690, O.P.R.C.C.T., AT THE SOUTH COMMON CORNER OF SAID
10 JOHNSON TRACT AND SAID HACKNEY TRACT, FROM WHICH A 3/8-INCH IRON ROD
11 FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND SAID OLD
12 CELINA TRACT BEARS NORTH 89°28'43" EAST, A DISTANCE OF 910.17 FEET;
13 THENCE SOUTH 87°38'51" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
14 TRACT AND THE OLD CELINA TRACT, A DISTANCE OF 58.03 FEET TO A
15 1/2-IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID OLD CELINA
16 TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO CELINA 428, L.P.,
17 RECORDED IN INSTRUMENT NO. 20070222000245920, O.P.R.C.C.T. ;
18 THENCE SOUTH 88°35'59" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
19 TRACT AND SAID CELINA 428 TRACT, A DISTANCE OF 589.16 FEET TO A
20 1/2-INCH IRON ROD WITH A YELLOW CAP (ILLEGIBLE) FOUND AT THE NORTH
21 COMMON CORNER OF SAID CELINA 428 TRACT AND TRACT OF LAND DESCRIBED
22 IN DEED TO JC GOODMA NINVESTMENT GROUP, INC., RECORDED IN
23 INSTRUMENT NO. 20200115000063450, O.P.R.C.C.T. ;
24 THENCE SOUTH 88°39'24" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
25 TRACT AND SAID JC GOODMAN INVESTMENT GROUP TRACT, A DISTANCE OF
26 1,015.89 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC CAP STAMPED
27 "TXDOT" FOUND IN THE NEW EAST RIGHT-OF-WAY LINE OF SAID FM 455 AS

1 ESTABLISHED BY DEED TO THE STATE OF TEXAS, RECORDED IN INSTRUMENT
2 NO. 2017013000470220, O.P.R.C.C.T.;
3 THENCE NORTH 06°44'04" WEST, ALONG SAID NEW EAST RIGHT-OF-WAY LINE,
4 A DISTANCE OF 381.29 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC
5 CAP STAMPED "TXDOT" FOUND FOR CORNER IN THE EXISTING EAST
6 RIGHT-OF-WAY LINE OF SAID FM 544;
7 THENCE NORTH 00°43'02" WEST, ALONG SAID EXISTING EAST RIGHT-OF-WAY
8 LINE, A DISTANCE OF 117.86 FEET TO THE POINT OF BEGINNING AND
9 CONTAINING 825,624 SQUARE FEET OR 18.954 ACRES OF LAND, MORE OR
10 LESS.

11 Tract 7

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

18 BEGINNING AT A 5/8-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674"
19 FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD 455, A
20 90-FOOT RIGHT-OF-WAY, AT THE WEST COMMON CORNER OF SAID MOODY TRACT
21 AND A TRACT OF LAND DESCRIBED IN DEED TO MATTHEW DILLON KIRAN,
22 RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T., FROM
23 WHICH A WOOD RIGHT-OF-WAY MARKER BEARS NORTH 58°16'44" WEST, A
24 DISTANCE OF 1.45 FEET;

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

1 RIGHT-OF-WAY MARKER BEARS NORTH 02°35'45" WEST, A DISTANCE OF 26.41
2 FEET;
3 THENCE NORTH 00°13'52" WEST, CONTINUING ALONG SAID EAST
4 RIGHT-OF-WAY LINE, A DISTANCE OF 720.60 FEET TO A POINT FOR CORNER
5 FROM WHICH A 3/4-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A
6 TRACT OF LAND DESCRIBED IN DEED TO KIM CANNADY LEE, RECORDED IN
7 VOLUME 4840, PAGE 1743, DEED RECORDS, COLLIN COUNTY, TEXAS, BEARS
8 SOUTH 88°14'15" EAST, A DISTANCE OF 0.59 FEET AND FROM WHICH A
9 3/8-INCH IRON ROD FOUND NEAR THE NORTHWEST CORNER OF SAID MOODY
10 TRACT BEARS SOUTH 01°58'05" WEST, A DISTANCE OF 8.20 FEET AND FROM
11 WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LEE
12 TRACT BEARS NORTH 00°13'02" WEST, A DISTANCE OF 546.05 FEET;
13 THENCE SOUTH 88°14'15" EAST, ALONG THE SOUTH LINE OF SAID LEE TRACT,
14 A DISTANCE OF 2,627.99 FEET TO A 3/4-INCH IRON ROD FOUND IN THE WEST
15 LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA
16 STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED
17 IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T. AT THE SOUTHEAST
18 CORNER OF SAID LEE TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND NEAR
19 THE NORTHEAST CORNER OF SAID MOODY TRACT BEARS NORTH 00°39'40" WEST,
20 A DISTANCE OF 7.67 FEET AND FROM WHICH A 5/8-INCH IRON ROD WITH A CAP
21 (ILLEGIBLE) FOUND AT THE NORTHEAST CORNER OF SAID LEE TRACT BEARS
22 NORTH 01°00'52" WEST, A DISTANCE OF 583.77 FEET;
23 THENCE SOUTH 00°07'00" WEST, ALONG THE COMMON LINE OF SAID MOODY
24 TRACT AND SAID STELZER TRACT, A DISTANCE OF 1,107.25 FEET TO A
25 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID MOODY
26 TRACT AND SAID KIRAN TRACT;
27 THENCE SOUTH 89°21'36" WEST, ALONG THE COMMON LINE OF SAID MOODY

1 TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,299.36 FEET TO A
2 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674"
3 FOUND FOR CORNER;
4 THENCE SOUTH 89°16'45" WEST, CONTINUING ALONG THE COMMON LINE OF
5 SAID MOODY TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,315.87 FEET
6 TO THE POINT OF BEGINNING AND CONTAINING 3,048,952 SQUARE FEET OR
7 69.994 ACRES OF LAND, MORE OR LESS.

8 Tract 8

9 LEGAL DESCRIPTION

10 108.175 ACRES

11 BEING a tract of land in the J. HEATH SURVEY, ABSTRACT NO. 387 and
12 the J. RAGDALE SURVEY, ABSTRACT NO. 735, Collin County, Texas, and
13 being that tract of land conveyed in Deed to JASC Investments Inc.,
14 according to the document of record filed in Document Number
15 20160610000730460, Official Public Records, Collin County, Texas,
16 and being more particularly described as follows;

17 BEGINNING at a wooden fence post found for the common northwest
18 corner of said JASC Investments Inc. tract and the southwest corner
19 of that tract of land conveyed in Deed to Pair Of Dice Properties,
20 LLC, according to the document of record filed in Document Number
21 20181102001367960, Official Public Records, Collin County, Texas,
22 and being in the east line of that tract of land conveyed in Deed to
23 Dynavest Joint Venture, according to the document of record filed
24 in Book 2288, Page 114, Deed Records, Collin County, Texas;

25 THENCE N 89° 42' 34" E, with the common north line of said JASC
26 Investments Inc. tract and the south line of said Pair Of Dice
27 Properties, LLC tract, a distance of 1147.28 feet to a 1/2" iron rod

1 found for the common southeast corner of said Pair Of Dice
2 Properties, LLC tract and the southwest corner of that tract of land
3 conveyed in Deed to Charles Ray Huddleston and Sherry Lynn
4 Huddleston, according to the document filed of record in Volume
5 1368, Page 368, Deed Records, Collin County, Texas;

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

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

25 THENCE N 89° 35' 00" E, with the common north line said JASC
26 Investments Inc. tract and the south line of said Tommie S. Steed
27 and Rodney L. Steed tract, a distance of 220.01 feet to a 1/2" iron

1 rod found for the common southeast corner of said Tommie S. Steed
2 and Rodney L. Steed tract and the southwest corner of that tract of
3 land described as Steed Tract I as conveyed in Deed to Frances L.
4 Steed, according to the documents of record filed in Document
5 Number 20160323000342400, in Document Number 20151124001478820,
6 and in Document Number 20150924001214890, Official Public Records,
7 Collin County, Texas;

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

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

26 THENCE N 89° 28' 39" E, with the common north line said JASC
27 Investments Inc. tract and the south line of said Celina Parkway 28

1 Partners, LTD, a distance of 161.26 feet to a 4" metal fence post
2 found for the common northeast of said JASC Investments Inc. tract
3 and the most southern southeast corner of said Celina Parkway 28
4 Partners, LTD and being in the west line of that tract of land
5 conveyed in Deed to Leslie C. Hall and Spouse, Barbara P. Hall,
6 according to the document of record filed in Document Number
7 19920408000221690, Official Public Records, Collin County, Texas,
8 from which a wooden fence post found for the common northwest corner
9 of said Leslie C. Hall and Spouse, Barbara P. Hall tract and an
10 interior ell corner of said Celina Parkway 28 Partners, LTD tract,
11 bears N 01 01' 07" W, 145.26';

12 THENCE S 01° 00' 02" E, with the common east line of said JASC
13 Investments Inc. tract and the west line of said Leslie C. Hall and
14 Spouse, Barbara P. Hall tract, a distance of 199.15 feet to an 8"
15 wooden fence post found for the common southwest corner of said
16 Leslie C. Hall and Spouse, Barbara P. Hall tract and the northwest
17 corner of that tract of land conveyed in Deed to Jerry David Oaks,
18 according to the document of record filed in Document Number
19 20110217000181560, Official Public Records, Collin County, Texas,
20 from which a 1/2" iron rod found bears S 84° 26' 38" W, 2.58';

21 THENCE S 00° 23' 10" E, with the common east line of said JASC
22 Investments Inc. tract and the west line of said Jerry David Oaks
23 tract, a distance of 552.10 feet to a 1/2" iron rod found for the
24 common southwest corner of said Jerry David Oaks tract and the
25 northwest corner of that tract of land conveyed in Deed to Laddie
26 Garner and wife, Joan Garner, according to the document of record
27 filed in Book 3969, Page 3021, Official Public Records, Collin

1 County, Texas, from which a metal fence post bears S 89° 54' 43" E,
2 6.51';
3 THENCE S 00° 30' 47" E, with the common east line of said JASC
4 Investments Inc. tract and the west line of said to Laddie Garner
5 and wife, Joan Garner tract, a distance of 573.65 feet to a 1/2"
6 iron rod with a yellow plastic cap stamped "DAA" set for the common
7 interior ell corner of said JASC Investments Inc. tract and the
8 southwest corner of said to Laddie Garner and wife, Joan Garner
9 tract, from which a 1/2" iron pipe found bears S 88° 47' 55" W,
10 2.61';
11 THENCE N 88° 47' 55" E, with the common north line said JASC
12 Investments Inc. tract and the south line of said Laddie Garner and
13 wife, Joan Garner tract a distance of 756.71 feet to a 1/2" iron rod
14 found;
15 THENCE S 89° 25' 38" E, continuing with the common line of said JASC
16 Investments Inc. tract and said Laddie Garner and wife, Joan Garner
17 tract, a distance of 447.04 feet to a 6" wooden fence post found;
18 THENCE S 51° 55' 44" E, a distance of 65.81 feet to a wooden fence
19 post found for the most easterly northeast corner of said JASC
20 Investments Inc. tract and being in the west line of Farm-to-Market
21 Road (FM) 455, a 90' right-of-way;
22 THENCE S 00° 17' 07" E, with the common east line of said JASC
23 Investments Inc. tract and west line of said Farm-to-Market Road
24 (FM) 455, a distance of 945.84 feet to a 1/2" iron rod with a yellow
25 plastic cap stamped "DAA" set for the southeast corner of said JASC
26 Investments Inc. tract, said being the intersection of the west
27 line of said FM 455 and the north line of County Road (CR) 9, from

1 which a 6" wooden fence post bears S 89° 16' 10" W, 2.65';
2 THENCE S 89° 16' 10" W, with the common south line of said JASC
3 Investments Inc. tract and the north line of said County Road (CR)
4 9, a distance of 2,532.41 feet to a wooden fence post found for the
5 southwest corner of said JASC Investments Inc. tract, said being in
6 the east line of the above mentioned Dynavest Joint Venture tract;
7 THENCE N 01° 29' 13" W, with the common west line of said JASC
8 Investments Inc. tract and the east line of said Dynavest Joint
9 Venture tract, a distance of 1,940.30 feet to a 1/2" iron rod with a
10 red plastic cap stamped "PEISER-MANKIN" found for the common
11 interior ell corner of said JASC Investments Inc. tract and the most
12 easterly northeast corner of said Dynavest Joint Venture tract;
13 THENCE S 88° 23' 39" W, with the common south line of said JASC
14 Investments Inc. tract and the north line of said Dynavest Joint
15 Venture tract, a distance of 1,140.47 feet to a 5/8" iron rod found
16 the common most westerly southwest corner of said JASC Investments
17 Inc. tract and an interior ell corner of said Dynavest Joint Venture
18 tract;
19 THENCE N 01° 16' 34" W, with the common west line of said JASC
20 Investments Inc. tract and the east line of said Dynavest Joint
21 Venture tract, a distance of 409.06 feet to the POINT OF BEGINNING,
22 and containing 108.175 acres of land, more or less.

23 Tract 9

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

1 RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332040
2 of the Official Public Records of Collin County, Texas, being all of
3 a called 11.202 acre tract of land described in a Special Warranty
4 Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in
5 Instrument No. 20200306000332150 of the Official Public Records of
6 Collin County, Texas, being all of a called 2.932 acre tract of land
7 described in a General Warranty Deed with Vendor's Lien to
8 RCI-Celina 115 LP, as recorded in Instrument No. 20200306000332120
9 of the Official Public Records of Collin County, Texas, being all of
10 a called 0.479 acre tract of land described in a General Warranty
11 Deed with Vendor's Lien to RCI-Celina 115 LP, as recorded in
12 Instrument No. 20200306000332180 of the Official Public Records of
13 Collin County, Texas, and also being all of a called 0.868 acre
14 tract of land described as Tract 1 and all of a called 0.438 acre
15 tract of land described as Tract 2 in a General Warranty Deed with
16 Vendor's Lien to RCI-Celina 115 LP, as recorded in Instrument
17 No. 20200306000332190 of the Official Public Records of Collin
18 County, Texas, and also being all of Lots 1 through 5, Block 1, Lots
19 1 and 2, Block 2, and Lot 1, Block 4 of Malone Addition, an
20 unrecorded plat, and being more particularly described as follows:
21 BEGINNING at the southeast corner of said 114.889 acre tract on the
22 northerly right-of-way line of Malone Street, a variable width
23 right-of-way, no record found;
24 THENCE South 88°50'41" West, along the southerly line of said
25 114.889 acre tract and the northerly right-of-way line of said
26 Malone Street, a distance of 1212.59 feet to the southerly
27 southwest corner of said 114.889 acre tract;

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

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

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

8 THENCE South 1°11'25" West, departing the southerly line of said
9 114.889 acre tract and along the easterly line of said 0.479 acre
10 tract, a distance of 208.88 feet to the southeast corner of said
11 0.479 acre tract, being on the northerly right-of-way line of said
12 Malone Street;

13 THENCE North 89°56'31" West, along the southerly line of said 0.479
14 acre tract and the northerly right-of-way line of said Malone
15 Street, a distance of 100.00 feet to the southwest corner of said
16 0.479 acre tract;

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

22 THENCE North 89°57'33" West, along the southerly line of said
23 114.889 acre tract, a distance of 234.93 feet to the northeast
24 corner of said Tract 1;

25 THENCE South 1°15'19" West, departing the southerly line of said
26 114.889 acre tract and along the easterly line of said Tract 1, a
27 distance of 187.69 feet to the southeast corner of said Tract 1,

1 being on the northerly right-of-way line of said Malone Street;
2 THENCE North 89°29'53" West, along the southerly line of said Tract
3 1 and the northerly right-of-way line of said Malone Street, a
4 distance of 200.00 feet to the southwest corner of said Tract 1,
5 being on the easterly right-of-way line of a 20 foot wide alley;
6 THENCE North 1°15'01" East, departing the northerly right-of-way
7 line of said Malone Street, along the westerly line of said Tract 1
8 and the easterly right-of-way line of said 20 foot wide alley, a
9 distance of 190.37 feet to the northwest corner of said Tract 1,
10 common to the east end of the northerly terminus of said 20 foot
11 wide alley, being on southerly line of aforesaid 2.932 acre tract;
12 THENCE North 88°42'26" West, along the northerly terminus of said 20
13 foot wide alley and the southerly line of said 2.932 acre tract, a
14 distance of 20.00 feet to the west end of said terminus, common to
15 the northeast corner of aforesaid Tract 2;
16 THENCE South 1°15'01" West, departing the southerly line of said
17 2.932 acre tract, along the easterly line of said Tract 2 and the
18 westerly right-of-way line of said 20 foot wide alley, a distance of
19 190.64 feet to the southeast corner of said Tract 2, being on the
20 northerly right-of-way line of said Malone Street;
21 THENCE North 89°29'53" West, departing the westerly right-of-way
22 line of said 20 foot wide alley, along the southerly line of said
23 Tract 2 and the northerly right-of-way line of said Malone Street, a
24 distance of 99.86 feet to the southwest corner of said Tract 2,
25 being on the easterly line of said 2.932 acre tract;
26 THENCE South 1°16'58" West, continuing along the northerly
27 right-of-way line of said Malone Street and along the easterly line

1 of said 2.932 acre tract, a distance of 17.01 feet to the southerly
2 southeast corner of said 2.932 acre tract;

3 THENCE North 88°45'14" West, continuing along the northerly
4 right-of-way line of said Malone Street and along the southerly
5 line of said 2.932 acre tract, a distance of 230.05 feet to the
6 southwest corner of said 2.932 acre tract, being on the easterly
7 right-of-way line of the St. Louis and San Francisco Railroad, a
8 100 foot wide right-of-way;

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

15 THENCE North 12°26'19" East, along the westerly line of aforesaid
16 114.889 acre tract and continuing along the easterly right-of-way
17 line of said St. Louis and San Francisco Railroad, a distance of
18 2792.89 feet to the northwest corner of said 114.889 acre tract;

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

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

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

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

1 corner;
2 South 0°21'08" East, a distance of 416.20 feet to a point for
3 corner;
4 South 89°36'42" West, a distance of 133.06 feet to a point for
5 corner;
6 South 0°18'12" East, a distance of 245.29 feet to the
7 northwest corner of aforesaid 11.202 acre tract;
8 THENCE North 89°21'01" East, departing the easterly line of said
9 114.889 acre tract and along the northerly line of said 11.202 acre
10 tract, a distance of 321.10 feet to the northeast corner of said
11 11.202 acre tract;
12 THENCE along the easterly line of said 11.202 acre tract and the
13 easterly line of said 114.889 acre tract, the following:
14 South 1°16'12" East, a distance of 530.89 feet to a point for
15 corner;
16 North 88°43'48" East, a distance of 269.14 feet to a point for
17 corner;
18 South 2°04'32" East, a distance of 564.22 feet to a point for
19 corner;
20 South 0°24'08" West, a distance of 402.60 feet to the POINT OF
21 BEGINNING and containing 130.809 acres (5,698,027 square feet) of
22 land, more or less.

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

27 Sec. 7909A.0307. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

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

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

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

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

9 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

14 (3) "Director" means a board member.

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

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

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

24 Sec. 7913A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
25 temporary directors may not hold an election under Section
26 7913A.0103 until each municipality in whose corporate limits or
27 extraterritorial jurisdiction the district is located has

1 consented by ordinance or resolution to the creation of the
2 district and to the inclusion of land in the district.

3 Sec. 7913A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

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

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

19 (1) organization, existence, or validity;

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

23 (3) right to impose a tax; or

24 (4) legality or operation.

25 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

3 Sec. 7913A.0202. TEMPORARY DIRECTORS. (a) The temporary
4 board consists of:

5 (1) Aaron Horvitz;

6 (2) Onyinyechi Muilenburg;

7 (3) Christine Harris;

8 (4) Regan John O'Connor; and

9 (5) Carol J Wooldridge.

10 (b) Temporary directors serve until the earlier of:

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

13 (2) the fourth anniversary of the effective date of
14 the Act enacting this chapter.

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

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

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

24 (d) If Subsection (c) applies, the owner or owners of a
25 majority of the assessed value of the real property in the district
26 may submit a petition to the commission requesting that the
27 commission appoint as successor temporary directors the five

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

4 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

25 (b) If a road project is not located in the corporate limits
26 or extraterritorial jurisdiction of a municipality, the road
27 project must meet all applicable construction standards,

1 subdivision requirements, and regulations of each county in which
2 the road project is located.

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

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

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

- 16 (1) revenue other than ad valorem taxes; or
17 (2) contract payments described by Section
18 7913A.0403.

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

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

27 Sec. 7913A.0402. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized at an election held under Section 7913A.0401, the
2 district may impose an operation and maintenance tax on taxable
3 property in the district in accordance with Section 49.107, Water
4 Code.

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

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

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

16 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

1 provided by Sections 54.601 and 54.602, Water Code.

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

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

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

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

1 THENCE: S 42°42'31" W, along and with the said west right-of-way
2 line, a distance of 2,864.13 feet to a point to a 1/2 inch iron pipe
3 with cap stamped "Brown & Gay" found for the southeast corner of the
4 herein described tract and being on the northeast line of a called
5 237.88 acre tract as described in a deed to Wal-Mart Stores East, LP
6 recorded under Clerk's File No. 031749 of the Official Records of
7 Austin County, Texas;

8 THENCE: N 47°18'41" W, along and with said northeast line, a
9 distance of 578.43 feet to an iron rod with a yellow cap stamped
10 "Pate-Dawson" to be set for the southwest corner of the herein
11 described tract and the southeast corner of a called 70.00 acres of
12 land conveyed to David Cryan as recorded in Clerk's File No. 126232
13 of the Official Records of Austin County, Texas;

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

19 THENCE: S 47°12'30" E, along said centerline of Harrison Road, a
20 distance of 580.82 feet to the POINT OF BEGINNING, and containing
21 38.118 acres in the City of Houston, Harris County, Texas.

22 A 118.535 acre, or 5,163,385 square feet more or less, tract of
23 land, being a portion of that residue of called 140.000 acre tract
24 of land conveyed to Ranch County of Texas, Inc. as described in a
25 deed recorded in Clerk's File No. 081189 of the Official Records of
26 Austin County, Texas, and a portion of Tract 1, a residue of a
27 called 55.3 acres of land conveyed to David Cryan as described in a

1 deed recorded in Clerk's File No. 164420 of the Official Records of
2 Austin County, Texas, and all of Tract 2, a called 28.172 acres of
3 land conveyed to David Cryan as described in a deed recorded in
4 Clerk's File No. 153921 of the Official Records of Austin County,
5 Texas, and all of Tract 5, a called 6.1259 acres of land conveyed to
6 David Cryan as described in a deed recorded in Clerk's File
7 No. 164420 of the Official Records of Austin County, Texas, and all
8 of Tract 4, a called 6.1259 acres of land conveyed to David Cryan as
9 described in a deed recorded in Clerk's File No. 164420 of the
10 Official Records of Austin County, Texas, and all of Tract 3, a
11 called 6.1259 acres of land conveyed to David Cryan as described in
12 a deed recorded in Clerk's File No. 164420 of the Official Records
13 of Austin County, Texas, and all of Tract 2, a called 6.1259 acres
14 of land conveyed to David Cryan as described in a deed recorded in
15 Clerk's File No. 164420 of the Official Records of Austin County,
16 Texas, and all of Parcel 1, a called 5.452 acres of land conveyed to
17 David Cryan as described in a deed recorded in Clerk's File
18 No. 191010 of the Official Records of Austin County, Texas, and all
19 of Parcel 2, a called 5.350 acres of land conveyed to David Cryan as
20 described in a deed recorded in Clerk's File No. 191010 of the
21 Official Records of Austin County, Texas, situated in the San
22 Felipe de Austin Survey, Abstract 5, in the City of Sealy, Austin
23 County, Texas. Said 118.535 acre tract being more fully described
24 as follows, with bearings based on the Texas Coordinate System of
25 1983, South Central Zone from the North American Datum of 1983
26 (NA2011) epoch 2010.00:

27 BEGINNING: At an iron rod with aluminum cap found on the west

1 right-of-way line of F.M. Highway No. 3013 (width varies) and the
2 northeast corner of a called 38.69 acre tract of land conveyed to
3 Jinsung T.E.C. Texas, L.L.C. Texas, L.L.C. as described in a deed
4 recorded in Clerk's File No. 126413 of the Official Records of
5 Austin County, Texas, and for the most northerly southeast corner
6 of the herein described tract;

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

11 THENCE: S 42°39'37" W, along the common line of said Tract 1, a
12 residue of a called 55.3 acres and said 38.69 acres, a distance of
13 1,774.20 feet to an iron rod with aluminum cap found for the
14 southeast corner of said Tract 1, a residue of a called 55.3 acres
15 and the southwest corner of said 38.69 acres and for the most
16 southerly southeast corner of the herein described tract and on the
17 northerly line of a called 6.362 acres of land conveyed to the City
18 of Sealy, Texas as recorded in Clerk's File No. 031750 of the
19 Official Records of Austin County, Texas;

20 THENCE: N 47°18'41" W, along with said north line, a distance of
21 1,607.38 feet to an iron rod with aluminum cap found on the east
22 right-of-way line to Schmidt Road (60 feet wide) a called 3.946
23 acres of land as conveyed to the City of Sealy as recorded under
24 Clerk's File No. 025841 of the official Records of Austin County,
25 Texas, and the southwest corner said Tract 2 of called 28.172 acres
26 and the southwest corner of the herein described tract;

27 THENCE: N 42°42'31" E, along the said east right-of-way line and

1 along said Tract 2 of called 28.172 acres, a distance of 2,864.02
2 feet to an iron rod with aluminum cap found in the centerline of
3 Harrison Road (30 feet wide) as recorded under Volume Y, Page 318 of
4 Deed Records of Austin County, Texas and the northwest corner of
5 said Tract 2 of called 28.172 acres and the northwest corner of the
6 herein described tract;

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

12 THENCE: S 42°38'14" W, along and with the east line of said Parcel
13 2, a distance of 736.53 feet to an iron rod with aluminum cap found
14 for an interior corner of the herein described tract and for the
15 southeast corner of said Parcel 2;

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

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

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

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

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

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

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

9 OF DENTON COUNTY

10 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

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

16 (4) "Director" means a board member.

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

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

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

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

1 7919A.0103 until each municipality in whose corporate limits or
2 extraterritorial jurisdiction the district is located has
3 consented by ordinance or resolution to the creation of the
4 district and to the inclusion of land in the district.

5 Sec. 7919A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

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

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

21 (1) organization, existence, or validity;

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

25 (3) right to impose a tax; or

26 (4) legality or operation.

27 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

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

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

16 (1) at least 18 years of age;

17 (2) an owner of property in the district;

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

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

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

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

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

4 Sec. 7919A.0204. INITIAL DIRECTORS. (a) The initial
5 directors that will be replaced by appointment by the commission
6 are as follows:

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

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

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

16 (d) This section expires March 31, 2026.

17 SUBCHAPTER C. POWERS AND DUTIES

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

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

26 Sec. 7919A.0303. AUTHORITY FOR ROAD PROJECTS. Under
27 Section 52, Article III, Texas Constitution, the district may

1 design, acquire, construct, finance, issue bonds for, improve,
2 operate, maintain, and convey to this state, a county, or a
3 municipality for operation and maintenance macadamized, graveled,
4 or paved roads, or improvements, including storm drainage, in aid
5 of those roads.

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

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

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

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

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

27 (1) has no outstanding bonded debt; and

1 (2) is not imposing ad valorem taxes.

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

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

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

13 (e) The board may adopt an order dividing the district
14 before or after the date the board holds an election under Section
15 7919A.0103 to confirm the district's creation.

16 (f) An order dividing the district shall:

17 (1) name each new district;

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

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

21 and

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

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

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

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

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

14 (k) Municipal consent to the creation of the district and to
15 the inclusion of land in the district granted under Section
16 7919A.0104 acts as municipal consent to the creation of any new
17 district created by the division of the district and to the
18 inclusion of land in the new district.

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

23 (1) revenue other than ad valorem taxes; or

24 (2) contract payments described by Section
25 7919A.0403.

26 (b) The district must hold an election in the manner
27 provided by Chapters 49 and 54, Water Code, to obtain voter approval

1 before the district may impose an ad valorem tax or issue bonds
2 payable from ad valorem taxes.

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

7 Sec. 7919A.0402. OPERATION AND MAINTENANCE TAX. (a) If
8 authorized at an election held under Section 7919A.0401, the
9 district may impose an operation and maintenance tax on taxable
10 property in the district in accordance with Section 49.107, Water
11 Code.

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

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

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

23 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

24 Sec. 7919A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
25 OBLIGATIONS. The district may issue bonds or other obligations
26 payable wholly or partly from ad valorem taxes, impact fees,
27 revenue, contract payments, grants, or other district money, or any

1 combination of those sources, to pay for any authorized district
2 purpose.

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

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

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

17 HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 1
18 OF a 357.445 acres tract of land out of the Francisco Trevino
19 Survey, Abstract No. 1243, Denton County, Texas; being all of a
20 certain 229.479 acres tract (Tract 1), a 32.8 acres tract (Tract 2)
21 and a 29.885 acres tract (Tract 3), all described in Volume 4257,
22 Page 1101, Document No. 99-0004597 of the Deed Records of Denton
23 County, Texas; also being all of a certain 6.874 acres tract
24 described in Volume 4574, Page 1528, Document No. 00-000036697 and
25 all of a certain 57.6071 acres tract described in Volume 4483, Page
26 133, Document No. 99-000123273, both in the Deed Records of Denton
27 County, Texas; and being further described by metes and bounds as

1 follows:

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

9 THENCE South 87°12'41" East at 60.40 feet pass a "PK" nail at the
10 southwest corner of a certain 6.164 acres tract (Tract 5) described
11 in said Volume 4257, Page 1101 and in all 1160.06 feet along said
12 Blackjack Road to a found "PK" nail at the southeast corner of said
13 6.164 acres tract for a corner of this tract.

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

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

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

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

1 THENCE South 00°10'39" East 956.88 feet to a set capped 1/2" iron rod
2 in the west line of said 27.600 acres tract for a corner of this
3 tract.

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

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

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

12 • Westerly along the arc of a 07 deg. 21 min. 35 sec.
13 non-tangent curve to the right having a radius of 778.51 feet, a
14 central angle of 18 deg. 46 min. 14 sec., a chord of South 82°46'29"
15 West 253.91 feet and an arc length of 255.05 feet to a set capped
16 1/2" iron rod;

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

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

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

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

27 THENCE North 25°19'53" East 4804.08 feet along the southeast right

H.B. No. 4627

1 of way line of said U.S. Highway No. 377 to a set capped 1/2" iron
2 rod for the most westerly northwest corner of this tract.

3 THENCE North 59°03'36" East at 101.21 feet pass a set 1/2" iron rod
4 and in all 166.34 feet to the POINT OF BEGINNING and containing
5 357.445 acres of land, more or less.

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

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

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

22 THENCE South 0°37'22" West, departing the southerly line of said
23 Tract I and the centerline of said Black Jack Road, along the
24 easterly line of said 61.667 acre tract and the westerly line of
25 said 41.640 acre tract, a distance of 2297.48 feet to a 5/8 inch
26 iron rod with plastic cap stamped "KHA" set for the southeast corner
27 of said 61.667 acre tract, common to the southwest corner of said

H.B. No. 4627

1 41.640 acre tract, being on the northerly line of a called 94.58
2 acre tract of land described in a deed to Robert J. Houlihan,
3 Trustee of the Jacqueline A. Houlihan Family Trust, as recorded in
4 Instrument No. 2015-75670 of the Official Records of Denton County,
5 Texas;

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

16 THENCE North 1°40'23" East, departing the northerly line of said
17 94.58 acre tract, along the westerly line of said 61.667 acre tract
18 and the easterly line of said 166.34 acre tract, a distance of
19 2319.56 feet to a 1 inch iron pipe found for the northwest corner of
20 said 61.667 acre tract, common to the northeast corner of said
21 166.34 acre tract, being on the southerly line of a called 37.115
22 acre tract of land described in a deed to Calvin Paul Redfearn, as
23 recorded in Instrument No. 2014-96676 of the Official Records of
24 Denton County, Texas, and in the middle of Black Jack Road;

25 THENCE South 89°23'35" East, along the northerly line of said 61.667
26 acre tract, the southerly line of said 37.115 acre tract, the
27 southerly line of a called 20.236 acre tract of land described in a

1 deed to Gary Conway and Debbie Conway, as recorded in Instrument
2 No. 2019-158825 of the Official Records of Denton County, Texas,
3 and the southerly line of said Tract I, a distance of 1141.49 feet
4 to the POINT OF BEGINNING and containing 61.611 acres (2,683,778
5 square feet) of land, more or less.

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

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

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

21 THENCE South 89°10'02" East, along a northerly line of said 41.640
22 acre tract, the southerly line of said Tract I, the southerly line
23 of a called 22.380 acre tract of land described as Tract II in said
24 deed recorded in Instrument No. 2012-60776 of the Official Records
25 of Denton County, Texas, and the centerline of said Black Jack Road,
26 a distance of 570.47 feet to a 1 inch iron pipe found for the
27 northerly northeast corner of said 41.640 acre tract, common to the

1 northwest corner of a called 14.975 acre tract of land described in
2 a deed to K & T Swan Family Limited Partnership, L.P., as recorded
3 in Instrument No. 2017-78524 of the Official Records of Denton
4 County, Texas;

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

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

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

23 THENCE South 89°33'30" West, along the southerly line of said 41.640
24 acre tract, the northerly line of said 16.597 acre tract, the
25 northerly line of a called 6.703 acre tract of land described in a
26 deed to Phillip John Anton and wife, Karen Marie Anton, as recorded
27 in Instrument No. 2005-92268 of the Official Records of Denton

1 County, Texas, and the northerly line of a called 94.58 acre tract
2 of land described in a deed to Robert J. Houlihan, Trustee of the
3 Jacqueline A. Houlihan Family Trust, as recorded in Instrument
4 No. 2015-75670 of the Official Records of Denton County, Texas, a
5 distance of 1209.41 feet to a 5/8 inch iron rod with plastic cap
6 stamped "KHA" set for the southwest corner of said 41.640 acre
7 tract, common to the southeast corner of aforesaid 61.667 acre
8 tract;

9 THENCE North 0°37'22" East, departing the northerly line of said
10 94.58 acre tract, along the westerly line of said 41.640 acre tract
11 and the easterly line of said 61.667 acre tract, a distance of
12 2297.48 feet to the POINT OF BEGINNING and containing 41.650 acres
13 (1,814,290 square feet) of land, more or less.

14 (c) If this Act does not receive a two-thirds vote of all the
15 members elected to each house, Subchapter C, Chapter 7919A, Special
16 District Local Laws Code, as added by Section 4(a) of this Act, is
17 amended by adding Section 7919A.0307 to read as follows:

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

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

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

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

1 CHAPTER 7933A. NORTHWEST DENTON COUNTY MUNICIPAL UTILITY DISTRICT

2 NO. 1

3 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

8 (3) "Director" means a board member.

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

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

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

18 Sec. 7933A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
19 temporary directors may not hold an election under Section
20 7933A.0103 until each municipality in whose corporate limits or
21 extraterritorial jurisdiction the district is located has
22 consented by ordinance or resolution to the creation of the
23 district and to the inclusion of land in the district.

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

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

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

27 (1) a municipal utility district as provided by

1 general law and Section 59, Article XVI, Texas Constitution; and
2 (2) Section 52, Article III, Texas Constitution, that
3 relate to the construction, acquisition, improvement, operation,
4 or maintenance of macadamized, graveled, or paved roads, or
5 improvements, including storm drainage, in aid of those roads.

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

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

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

19 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

- 26 (1) Lance Martin;
27 (2) Jason Tuberville;

- 1 (3) Zach Stateson;
- 2 (4) Clarke Overlander; and
- 3 (5) Michelle Dobson.

4 (b) Temporary directors serve until the earlier of:

- 5 (1) the date permanent directors are elected under
- 6 Section 7933A.0103; or
- 7 (2) the fourth anniversary of the effective date of
- 8 the section enacting this chapter.

9 (c) If permanent directors have not been elected under

10 Section 7933A.0103 and the terms of the temporary directors have

11 expired, successor temporary directors shall be appointed or

12 reappointed as provided by Subsection (d) to serve terms that

13 expire on the earlier of:

- 14 (1) the date permanent directors are elected under
- 15 Section 7933A.0103; or
- 16 (2) the fourth anniversary of the date of the
- 17 appointment or reappointment.

18 (d) If Subsection (c) applies, the owner or owners of a

19 majority of the assessed value of the real property in the district

20 may submit a petition to the commission requesting that the

21 commission appoint as successor temporary directors the five

22 persons named in the petition. The commission shall appoint as

23 successor temporary directors the five persons named in the

24 petition.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 7933A.0301. GENERAL POWERS AND DUTIES. The district

27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

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

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

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

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

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

27 Sec. 7933A.0305. COMPLIANCE WITH MUNICIPAL CONSENT

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

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

8 (1) has no outstanding bond debt; and

9 (2) is not imposing ad valorem taxes.

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

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

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

21 (e) The board may adopt an order dividing the district
22 before or after the date the board holds an election under Section
23 7933A.0103 to confirm the district's creation.

24 (f) An order dividing the district shall:

25 (1) name each new district;

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

1 (3) appoint temporary directors for each new district;
2 and
3 (4) provide for the division of assets and liabilities
4 between the new districts.

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

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

15 (i) Municipal consent to the creation of the district and to
16 the inclusion of land in the district granted under Section
17 7933A.0104 acts as municipal consent to the creation of any new
18 district created by the division of the district and to the
19 inclusion of land in the new district.

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

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

1 (1) revenue other than ad valorem taxes; or
2 (2) contract payments described by Section
3 7933A.0403.

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

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

12 Sec. 7933A.0402. OPERATION AND MAINTENANCE TAX. (a) If
13 authorized at an election held under Section 7933A.0401, the
14 district may impose an operation and maintenance tax on taxable
15 property in the district in accordance with Section 49.107, Water
16 Code.

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

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

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

1 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

22 NORTHWEST DENTON COUNTY MUNICIPAL UTILITY DISTRICT NO.1

23 TRACT 1

24 BEING a tract of land situated in the William Mason Survey, Abstract
25 No. 801, Denton County, Texas, and being all of Lots 1 thru 4 and
26 portions of Lots 5 and 6, Block A of Saddle Ridge Estates, according
27 to the Final Plat thereof recorded in Cabinet M, Page 241 of the

1 Plat Records of Denton County, Texas, and being more particularly
2 described as follows:

3 BEGINNING at a 1/2 inch iron rod found for the southeast corner of
4 said Lot 6, common to the southwest corner of a called 104.5051 acre
5 tract of land described in a deed to Charles E. Stobaugh, as
6 recorded in Volume 2827, Page 965 of the Deed Records of Denton
7 County, Texas, the northwest corner of a called 145.493 acre tract
8 of land described in a deed to FFILP Land Holdings, LLC, as recorded
9 in Instrument No. 2019-51911 of the Official Records of Denton
10 County, Texas, and the northeast corner of a called 26.008 acre
11 tract of land described in a deed to Dale P. McCurley, as recorded
12 in Volume 1041, Page 494 of the Deed Records of Denton County,
13 Texas;

14 THENCE North 89°57'58" West, along the southerly lines of said Lots
15 1 thru 6, the northerly line of said 26.008 acre tract, the
16 northerly line of a tract of land described in a deed to Carl
17 McCurley, Henry Thompson and V.H. Ward, Jr., as recorded in Volume
18 663, Page 80 of the Deed Records of Denton County, Texas, the
19 northerly line of a called 13.004 acre tract of land described in a
20 deed to McCurley Ranch, Ltd., as recorded in Instrument
21 No. 1999-126276 of the Official Records of Denton County, Texas,
22 the northerly line of a called 26.008 acre tract of land described
23 as Tract 1 in a deed to McCurley Ranch, Ltd., as recorded in
24 Instrument No. 1999-126276 of the Official Records of Denton
25 County, Texas, and the northerly line of a called 78.473 acre tract
26 of land described in a deed to Ray Sullivan Carson, as recorded in
27 Volume 478, Page 599 of the Deed Records of Denton County, Texas, a

1 distance of 2531.49 feet to a metal post found for the southwest
2 corner of said Lot 1, common to the northwest corner of said 78.473
3 acre tract, being on the easterly line of a called 100 acre tract of
4 land described in a deed to Adrian J. Butler, Jr., and Margaret J.
5 Butler, as recorded in Instrument No. 1995-47603 of the Official
6 Records of Denton County, Texas;

7 THENCE North 0°14'24" East, along the westerly line of said Lot 1,
8 the easterly line of said 100 acre tract, and the easterly lines of
9 a called 100.00 acre tract of land described as First Tract and a
10 called 76.691 acre tract of land described as Second Tract in a deed
11 to M.B. Rudman and Alvrone Sater Trust No. 3, as recorded in Volume
12 963, Page 78 of the Deed Records of Denton County, Texas, a distance
13 of 2775.82 feet to the northwest corner of said Lot 1, common to the
14 southwest corner of a 30 foot wide road dedication as shown on the
15 Final Plat of aforesaid Saddle Ridge Estates, same being on the
16 southerly right-of-way line of Hoehn Road, a variable width
17 right-of-way;

18 THENCE South 89°18'18" East, departing the easterly line of said
19 First Tract, along northerly lines of said Lots 1 thru 5, the
20 southerly line of said 30 foot wide road dedication and the
21 southerly right-of-way line of said Hoehn Road, a distance of
22 1879.75 feet to a point for corner on the westerly line of the City
23 of Sanger ETJ as shown on its GIS Map as of May 6, 2021;

24 THENCE South, departing the northerly line of said Lot 5, the
25 southerly line of said 30 foot wide road dedication and the
26 southerly right-of-way line of said Hoehn Road, and crossing said
27 Lot 5 and along the westerly line of said City of Sanger ETJ, a

1 distance of 389.56 feet to a point at the beginning of a non-tangent
2 curve to the left having a central angle of 24°26'28", a radius of
3 5350.00 feet, a chord bearing and distance of South 16°26'37" East,
4 2264.92 feet;

5 THENCE in a southeasterly direction continuing across said Lot 5
6 and along the westerly line of said City of Sanger ETJ, and crossing
7 said Lot 6 and with said curve to the left, an arc distance of
8 2282.21 feet to a point for corner on the easterly line of said Lot 6
9 and the westerly line of said 104.5051 acre tract;

10 THENCE South 0°15'53" West, along the easterly line of said Lot 6 and
11 the westerly line of said 104.5051 acre tract, a distance of 192.66
12 feet to the POINT OF BEGINNING and containing 134.280 acres
13 (5,849,251 square feet) of land, more or less.

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

16 NORTHWEST DENTON COUNTY MUNICIPAL UTILITY DISTRICT NO.1

17 TRACT 2

18 BEING a tract of land situated in the B.B.B. & C.R.R. Co. Survey,
19 Abstract No. 199 and the B.B.B. & C.R.R. Co. Survey, Abstract
20 No. 1457, Denton County, Texas, and being all of a called 100.00
21 acre tract of land described as First Tract and all of a called
22 76.691 acre tract of land described as Second Tract in a Conveyance,
23 Assignment and Deed to MER Energy, LTD., as recorded in Instrument
24 No. 2011-110535 of the Official Records of Denton County, Texas, in
25 a Conveyance, Assignment and Deed to Rudco Land, LLC, as recorded in
26 Instrument No. 2017-16370 of the Official Records of Denton County,
27 Texas, and in Conveyance, Assignment and Deed of Correction to Ira

1 W. Silverman, Trustee of the Tachina Rudman Trust, as recorded in
2 Instrument No. 2019-142385 of the Official Records of Denton
3 County, Texas, and being more particularly described as follows:

4 BEGINNING at a 60D Nail found for the northeast corner of said First
5 Tract, being on the northerly right-of-way line of Hoehn Road, a
6 variable width right-of-way;

7 THENCE South 0°14'24" West, departing the northerly right-of-way
8 line of said Hoehn Road, crossing said Hoehn Road and along the
9 easterly line of said First Tract, passing at a distance of 20.84
10 feet a 1/2 inch iron rod found for the northwest corner of Saddle
11 Ridge Estates, according to the plat thereof recorded in Cabinet M,
12 Slide 241 of the Plat Records of Denton County, Texas, and
13 continuing along the same course and along the westerly line of said
14 Saddle Ridge Estates and the easterly line of said Second Tract, for
15 a total distance of 2600.25 feet to 5/8 inch iron rod with plastic
16 cap stamped "KHA" set for the southeast corner of said Second Tract,
17 common to the northeast corner of a called 100 acre tract of land
18 described in a deed to Adrian J. Butler, Jr., and Margaret J.
19 Butler, as recorded in Instrument No. 1995-47603 of the Official
20 Records of Denton County, Texas, from which, a wood post found for
21 witness bears South 87°24' West, 4.7 feet;

22 THENCE North 89°29'36" West, departing the westerly line of said
23 Saddle Ridge Estates, along the southerly line of said Second Tract
24 and the northerly line of said 100 acre tract, a distance of 2983.73
25 feet to a mag nail set for corner the southwest corner of said
26 Second Tract, common to the northwest corner of said 100 acre tract,
27 being in Lois Road, a variable width right-of-way, and on the

1 easterly line of a called 84.23 acre tract of land described in a
2 deed to Earthland Farms, LLC, as recorded in Instrument
3 No. 2018-88474 of the Official Records of Denton County, Texas;
4 THENCE North 0°14'24" East, along the westerly lines of said First
5 and Second Tract, the easterly line of said 84.23 acre tract, and
6 said Lois Road, a distance of 2577.69 feet to a mag nail set for
7 northwest corner of said First Tract, being on the northerly
8 right-of-way line of said Hoehn Road;

9 THENCE South 89°55'36" East, departing said Lois Road, along
10 the northerly line of said First Tract and the northerly
11 right-of-way line of said Hoehn Road, a distance of 2983.71 feet to
12 the POINT OF BEGINNING and containing 177.334 (7,724,689 square
13 feet) of land, more or less.

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

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

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

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

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

26 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

4 (3) "Director" means a board member.

5 (4) "District" means the East Collin County Municipal
6 Utility District No. 1.

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

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

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

17 (1) each municipality in whose corporate limits or
18 extraterritorial jurisdiction the district is located has
19 consented by ordinance or resolution to the creation of the
20 district and to the inclusion of land in the district; and

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

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

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

27 (b) A contract under Subsection (a) may include a provision

1 that the contract takes effect only on the approval of the
2 Commissioners Court of Collin County and the voters in the district
3 voting in an election held for that purpose.

4 (c) The Commissioners Court of Collin County shall review a
5 contract under Subsection (a) and evaluate the supplemental police,
6 fire, emergency, and animal control services provided in the
7 contract. If the commissioners court determines that the contract
8 provides adequate services, the commissioners court shall adopt a
9 resolution stating that the contract has met the requirements of
10 Subsection (a).

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

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

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

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

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

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

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

27 (1) organization, existence, or validity;

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

4 (3) right to impose a tax; or

5 (4) legality or operation.

6 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

18 (b) Temporary directors serve until the earlier of:

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

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

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

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

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

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

12 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

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

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

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

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

27 (1) revenue other than ad valorem taxes; or

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

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

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

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

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

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

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

1 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

22 TRACT 1 PROPERTY DESCRIPTION:

23 BEING 183.834 acres of land situated in the H. Walters
24 Survey, Abstract No. 958, Collin County, Texas and being all of a
25 183.753 acre tract of land described in a Deed of Trust executed by
26 Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul
27 Bennett or James Blakey, trustees, recorded in Volume 2292, Page

1 279 of the Deed Records of Collin County, Texas (DRCCT) and this
2 tract being more particularly described as follows:

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

11 THENCE South 89°54'18" East, along the north line of said
12 183.753 acre tract common to the south line of said 73.279 acre
13 tract, a distance of 372.95 feet, to a 5/8" iron rod with a yellow
14 cap, stamped "RPLS 3963", set at an angle point thereof;

15 THENCE South 89°57'56" East, along the north line of said
16 183.753 acre tract common to the south lines of said 73.279 acre
17 tract and the south line of a 33.279 acre tract of land described in
18 a Deed to Amy Warren, recorded as Instrument No. 20080812000981780
19 (DRCCT), a distance of 1003.73 feet, to a 5/8" iron rod found for
20 corner near the center of a creek at an exterior ell corner of said
21 183.753 acre tract common to an interior ell corner of said 33.279
22 acre tract;

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

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

27 South 75°09'08" East, a distance of 718.73 feet, to a point

1 for corner in a west line of a 36.1891 acre tract described in a Deed
2 to Gene Doc Sohn and Sun Young Choi, husband and wife, and
3 Kyoungjoon Cho and Eun Young Choi, husband and wife, recorded as
4 Instrument No. 20141113001243240 (DRCCT) at the northeast corner
5 of said 183.753 acre tract common to a south corner of said 33.279
6 acre tract, from which a 60D Nail, set for reference bears South
7 13°38'28" East a distance of 26.03 feet;

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

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

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

14 THENCE South 00°12'03" West, along an east line of said
15 183.753 acre tract common to the west lines of said 36.1891 acre
16 tract, a 50.001 acre tract described in a Deed to David Reeder and
17 wife, Becky Reeder, recorded as Instrument No. 92-0071701 (DRCCT),
18 and Spencers Estates Addition, an Addition to Collin County,
19 Texas, recorded in Cabinet H, Slide 622 of the Plat Records of
20 Collin County, Texas (PRCCT), respectively, a distance of 3528.84
21 feet, to a 1/2" iron rod found for corner in the north right-of-way
22 line of FM 1778 (a 90' a right-of-way) at the southeast corner of
23 said 183.753 acre tract common to the southwest corner of last
24 mentioned Addition;

25 THENCE South 86°40'47" West, along a south line of said
26 183.753 acre tract common to the north right-of-way line of said FM
27 1778, a distance of distance of 430.99 feet, to a 5/8" iron rod with

1 a yellow cap, stamped "RPLS 3963", set for corner at an exterior ell
2 corner of said 183.753 acre tract common to the southeast corner of
3 a 2.00 acre tract described in a Deed to Raymon W. Montgomery,
4 recorded in Volume 2990, Page 495 (DRCCT);

5 THENCE along common lines of said 183.753 acre tract and said
6 2.00 acre tract, the following courses:

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

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

11 South 00°43'58" East, a distance of 540.10 feet, to a 5/8"
12 iron rod with a yellow cap, stamped "RPLS 3963", set for corner in
13 the north right-of-way line of said FM 1778 at an exterior ell
14 corner of said 183.753 acre tract common to the southwest corner of
15 said 2.00 acre tract;

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

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

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

25 North 89°38'11" West, a distance of 76.11 feet, to a 5/8" iron
26 rod found for corner at the southeast corner of a tract of land
27 described in a Deed to First Baptist Church of Copeville, recorded

1 in Volume 900, Page 353 (DRCCT);

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

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

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

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

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

16 North 19°42'16" West, a distance of 246.95 feet, to a point
17 for corner from which an iron axle found for reference bears North
18 47°16'17" West, a distance of 4.36 feet;

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

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

24 TRACT 2 PROPERTY DESCRIPTION:

25 BEING 43.704 acres of land situated in the H. Walters Survey,
26 Abstract No. 958, Collin County, Texas and being all of a 43.635
27 acre tract of land described in a Deed to Raymon Webb Montgomery and

1 Christa Carol Montgomery, recorded as Instrument
2 No. 20131125001578440 of the Deed Records of Collin County, Texas
3 (DRCCT) and this tract being more particularly described as
4 follows:

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

10 THENCE South 89°23'59" East, along the north line of said
11 43.635 acre tract common to the south line of said 73.279 acre
12 tract, a distance of 557.73 feet, to a point for corner in a Bois
13 D'Arc tree at the northeast corner of said 43.635 acre tract common
14 to the northwest corner of a 183.753 acre tract of land described in
15 a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda
16 Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded
17 in Volume 2292, Page 279 (DRCCT), from which a steel fence post
18 found for reference bears South 02°54'15" East a distance of 3.23
19 feet;

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

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

24 South 88°17'53" West, a distance of 21.83 feet, to a point for
25 corner from which an iron axle found for reference bears North
26 47°16'17" West a distance of 4.36 feet;

27 South 19°42'16" East, a distance of 246.95 feet, to a 5/8"

1 iron rod found for corner;

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

7 THENCE South 02°37'47" West, along a southeast line of said
8 43.635 acre tract common to the west line of said First Baptist
9 Church of Copeville tract, a distance of 321.86 feet, to a point for
10 corner near the base of a wood highway marker in the north
11 right-of-way line of FM 1778 (a 60' right-of-way at this point going
12 west), at the most southern southeast corner of said 43.635 acre
13 tract;

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

22 THENCE North 20°20'21" West, along a southwest line of said
23 43.635 acre tract common to the northeast line of said 8.22 acre
24 tract, a distance of 860.95 feet, to a wood fence post found at a
25 common corner thereof;

26 THENCE South 89°34'33" West, along a south line of said 43.635
27 acre tract common to the north line of said 8.22 acre tract, a

1 distance of 617.61 feet, to a 5/8" iron rod found for corner at a
2 common west corner thereof and being in the east right-of-way line
3 of said Burlington Northern & SF Rail Road, said point being in a
4 curve to the left, having a radius of 1960.08 feet and a chord which
5 bears North 15°08'31" East a distance of 671.75 feet;

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

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

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

15 TRACT 3 PROPERTY DESCRIPTION:

16 BEING 2.002 acres of land situated in the H. Walters Survey,
17 Abstract No. 958, Collin County, Texas and being all of a 2.00 acre
18 tract of land described in a Deed to Raymon W. Montgomery, recorded
19 in Volume 2990, Page 495 of the Deed Records of Collin County, Texas
20 (DRCCT) and this tract being more particularly described as
21 follows:

22 BEGINNING at a 5/8" iron rod with a yellow cap, stamped "RPLS
23 3963", set for corner in the north right-of-way line of FM 1778 (a
24 90' right-of-way) at the southeast corner of said 2.00 acre tract
25 common to an exterior ell corner of a 183.753 acre tract of land
26 described in a Deed of Trust executed by Carl Raymond Montgomery and
27 wife, Rheda Beth Montgomery to Paul Bennett or James Blakey,

1 trustees, recorded in Volume 2292, Page 279 (DRCCT);

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

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

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

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

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

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

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

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

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

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

1 Article I, Texas Constitution.

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

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

6 SUBCHAPTER A. GENERAL PROVISIONS

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

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

9 (2) "City" means the City of Pilot Point, Texas.

10 (3) "Commission" means the Texas Commission on
11 Environmental Quality.

12 (4) "Director" means a board member.

13 (5) "District" means the Mustang Ranch Municipal
14 Utility District No. 1 of Denton County.

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

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

22 Sec. 7942A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
23 temporary directors may not hold an election under Section
24 7942A.0103 until each municipality in whose corporate limits or
25 extraterritorial jurisdiction the district is located has
26 consented by ordinance or resolution to the creation of the
27 district and to the inclusion of land in the district.

1 Sec. 7942A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

10 Sec. 7942A.0106. INITIAL DISTRICT TERRITORY. (a) The
11 district is initially composed of the territory described by
12 Section 7(b) of the Act enacting this chapter.

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

17 (1) organization, existence, or validity;

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

21 (3) right to impose a tax; or

22 (4) legality or operation.

23 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

8 (b) Temporary directors serve until the earlier of:

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

11 (2) October 1, 2025.

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

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

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

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

1 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

27 (c) If the state will maintain and operate the road, the

1 Texas Transportation Commission must approve the plans and
2 specifications of the road project.

3 Sec. 7942A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
4 ORDINANCE OR RESOLUTION. The district shall comply with all
5 applicable requirements of any ordinance or resolution that is
6 adopted under Section 54.016 or 54.0165, Water Code, and that
7 consents to the creation of the district or to the inclusion of land
8 in the district.

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

11 (1) has no outstanding bonded debt; and

12 (2) is not imposing ad valorem taxes.

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

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

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

24 (e) The board may adopt an order dividing the district
25 before or after the date the board holds an election under Section
26 7942A.0103 to confirm the district's creation.

27 (f) An order dividing the district shall:

- 1 (1) name each new district;
2 (2) include the metes and bounds description of the
3 territory of each new district;
4 (3) appoint temporary directors for each new district;
5 and
6 (4) provide for the division of assets and liabilities
7 between or among the new districts.

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

12 (h) Any new district created by the division of the district
13 shall hold a confirmation and directors' election as required by
14 Section 7942A.0103. If the voters of a new district do not confirm
15 the creation of the new district, the assets, obligations,
16 territory, and governance of the new district revert to the
17 original district.

18 (i) Municipal consent to the creation of the district and to
19 the inclusion of land in the district granted under Section
20 7942A.0104 acts as municipal consent to the creation of any new
21 district created by the division of the district and to the
22 inclusion of land in the new district.

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

27 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.

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

4 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

25 BEING a tract of land situated in the Charles Fliesner
26 Survey, Abstract No. 431 and the Charles Mossenton Survey, Abstract
27 No. 808, Denton County, Texas, and being all of a called

1 669.40-acre tract of land conveyed to Michael Hall Shelby Revocable
2 Family Trust, as evidenced in a Special Warranty Deed, recorded in
3 Instrument No. 2017-35430 of the Official Records of Denton County,
4 Texas, and being more particularly described by metes and bounds as
5 follows:

6 BEGINNING at a 1/2-inch iron rod with an orange cap, stamped
7 "KAZ" found for the northwest corner of said 669.40-acre tract and
8 the northerly, northeast corner of a called 1,028.306-acre tract of
9 land conveyed to Bert Field, Jr., as evidenced in a Warranty Deed,
10 recorded in Volume 729, Page 561 of the Deed Records of Denton
11 County, Texas, same also being on the southerly right of way line of
12 F. M. 455, an 80' wide right of way as described in a deed to the
13 State of Texas, recorded in Volume 334, Page 119 of the Deed Records
14 of Denton County, Texas;

15 THENCE South 88°35'39" East, along the northerly line of said
16 669.40-acre tract and the southerly right of way line of said F. M.
17 455, a distance of 338.12 feet to a 1/2-inch iron rod with an orange
18 cap, stamped "KAZ" found for the beginning of a tangent curve to the
19 right having a central angle of 09°46'00", a radius of 2,824.79
20 feet, a chord bearing and distance of South 83°42'39" East, 480.93
21 feet;

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

26 THENCE South 78°49'39" East, continuing along the northerly
27 line of said 669.40-acre tract and the southerly right of way line

1 of said F. M. 455, a distance of 1,475.57 feet to a 5/8-inch iron rod
2 with a red plastic cap, stamped "KHA" set for corner;

3 THENCE South 78°43'39" East, continuing along the northerly
4 line of said 669.40-acre tract and the southerly right of way line
5 of said F. M. 455, a distance of 1657.57 feet to a 1/2-inch iron rod
6 with an orange cap, stamped "KAZ" found for the beginning of a
7 tangent curve to the right having a central angle of 06°48'00", a
8 radius of 3,779.72 feet, a chord bearing and distance of South
9 75°19'39" East, 448.32 feet;

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

15 THENCE South 71°55'39" East, continuing along the northerly
16 line of said 669.40-acre tract and the southerly right of way line
17 of said F. M. 455, a distance of 888.92 feet to a 5/8-inch iron rod
18 with a red plastic cap, stamped "KHA" set for corner;

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

27 THENCE South 00°00'05" East, departing the southerly right of

1 way line of said F. M. 455, along the easterly line of said
2 669.40-acre tract and the westerly line of said Tract 2
3 (137.91-acres), and generally with a barbed wire fence, a distance
4 of 4,776.49 feet to a 5/8-inch iron rod with a red plastic cap,
5 stamped "KHA" set in an asphalt road, known as Hames Road, for the
6 southeast corner of said 669.40-acre tract and the southwest corner
7 of said Tract 2 (137.91-acres), same being on the northerly line of
8 a called Tract 1 (87.748-acres), conveyed to TLD Willard, Ltd., as
9 evidenced in a Special Warranty Deed, recorded in Instrument
10 No. 2014-111011 of the Official Records of Denton County, Texas;

11 THENCE North 89°56'35" West, along the southerly line of said
12 669.40-acre tract, the northerly line of said Tract 1
13 (87.748-acres), and along said Hames Road, a distance of 116.68
14 feet to a 3/4-inch iron rod found for the northwest corner of said
15 Tract 1 (87.748-acres) and the northeast corner of a called
16 12.095-acre tract of land, conveyed to Jeff D. Kappel, et ux, as
17 evidenced in a Warranty Deed, recorded in Volume 5085, Page 1484 of
18 the Deed Records of Denton County, Texas;

19 THENCE North 89°39'47" West, continuing along the southerly
20 line of said 669.40-acre tract, the northerly line of said
21 12.095-acre tract and said Hames Road, a distance of 705.49 feet to
22 a 5/8-inch iron rod found for the northwest corner of said
23 12.096-acre tract and the northeast corner of a called 6.05-acre
24 tract, conveyed to Elias Loredó, et al, as evidenced in a Warranty
25 Deed, recorded in Instrument No. 2016-92822 of the Official Records
26 of Denton County, Texas;

27 THENCE North 89°35'57" West, continuing along the southerly

1 line of said 669.40-acre tract, the northerly line of said
2 6.05-acre tract and said Hames Road, a distance of 708.43 feet to a
3 3/4-inch iron rod found in a bend of said Hames Road, for the
4 northwest corner of said 6.05-acre tract, same being the northeast
5 corner of a called Tract 2 (146.593-acres), conveyed to TLD
6 Willard, Ltd., as evidenced in a Special Warranty Deed, recorded in
7 Instrument No. 2014-111011 of the Official Records of Denton
8 County, Texas;

9 THENCE North 89°28'39" West, departing said Hames Road,
10 continuing along the southerly line of said 699.40-acre tract and
11 the northerly line of said Tract 2 (146.593-acres), a distance of
12 3,408.99 feet to a 5/8-inch iron rod with a red plastic cap, stamped
13 "KHA" set for an angle point;

14 THENCE North 89°38'21" West, continuing along the southerly
15 line of said 699.40-acre tract and the northerly line of said Tract
16 2 (146.593-acres), passing at a distance of 82.62 feet, a found
17 1/2-inch iron rod, continuing for a total distance of 455.62 feet to
18 a 1/2-inch iron rod found for the southwest corner of said
19 699.40-acre tract and a southeasterly corner of aforesaid
20 1,028.306-acre Bert Fields Jr., tract;

21 THENCE North 00°24'46" East, along the westerly line of said
22 699.40-acre tract, the easterly line of said 1,028.306-acre tract,
23 and along a barbed wire fence, a distance of 5,855.81 feet to the
24 POINT OF BEGINNING and containing 669.396 acres (29,158,886 square
25 feet) of land, more or less.

26 (c) If this Act does not receive a two-thirds vote of all the
27 members elected to each house, Subchapter C, Chapter 7942A, Special

1 District Local Laws Code, as added by Section 7(a) of this Act, is
2 amended by adding Section 7942A.0307 to read as follows:

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

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

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

9 SECTION 8. (a) Subtitle F, Title 6, Special District Local
10 Laws Code, is amended by adding Chapter 7948A to read as follows:

11 CHAPTER 7948A. CLEAR SKY MUNICIPAL UTILITY DISTRICT OF DENTON

12 COUNTY

13 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

18 (3) "Director" means a board member.

19 (4) "District" means the Clear Sky Municipal Utility
20 District of Denton County.

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

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

1 Sec. 7948A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7948A.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7948A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

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

19 (b) The boundaries and field notes contained in Section 8(b)
20 of the Act enacting this chapter form a closure. A mistake made in
21 the field notes or in copying the field notes in the legislative
22 process does not affect the district's:

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

9 (1) Manolo "Manny" Rios;

10 (2) David "Mike" Boswell;

11 (3) Ronald Eric Robbins;

12 (4) Grant Walsh Devlin; and

13 (5) Demerius "Dee" Seals.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 7948A.0103; or

17 (2) September 1, 2025.

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

23 (1) the date permanent directors are elected under
24 Section 7948A.0103; or

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

27 (d) If Subsection (c) applies, the owner or owners of a

1 majority of the assessed value of the real property in the district
2 may submit a petition to the commission requesting that the
3 commission appoint as successor temporary directors the five
4 persons named in the petition. The commission shall appoint as
5 successor temporary directors the five persons named in the
6 petition.

7 SUBCHAPTER C. POWERS AND DUTIES

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

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

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

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

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

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

9 Sec. 7948A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

- 19 (1) revenue other than ad valorem taxes; or
20 (2) contract payments described by Section
21 7948A.0403.

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

26 (c) The district may not issue bonds payable from ad valorem
27 taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

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

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

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

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

19 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

20 Sec. 7948A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
21 OBLIGATIONS. The district may issue bonds or other obligations
22 payable wholly or partly from ad valorem taxes, impact fees,
23 revenue, contract payments, grants, or other district money, or any
24 combination of those sources, to pay for any authorized district
25 purpose.

26 Sec. 7948A.0502. TAXES FOR BONDS. At the time the district
27 issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing
2 direct ad valorem tax, without limit as to rate or amount, while all
3 or part of the bonds are outstanding as required and in the manner
4 provided by Sections 54.601 and 54.602, Water Code.

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

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

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

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

23 THENCE N 88° 35' 50" W, 3237.22 FEET;

24 THENCE N 01° 32' 58" E, 894.59 FEET;

25 THENCE S 88° 39' 54" E, 1967.25 FEET;

26 THENCE S 01° 48' 01" W, 325.45 FEET;

27 THENCE S 87° 02' 21" E, 447.69 FEET;

1 THENCE N 89° 38' 44" E, 718.09 FEET;
2 THENCE S 85° 43' 18" E, 164.97 FEET;
3 THENCE S 01° 38' 33" W, 65.30 FEET;
4 THENCE S 01° 13' 27" E, 100.10 FEET;
5 THENCE S 01° 38' 33" W, 408.13 FEET TO THE POINT OF BEGINNING AND
6 CONTAINING 2,520,613 SQUARE FEET OR 57.865 ACRES OF LAND MORE OR
7 LESS.

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

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

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

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

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

20 CHAPTER 7945A. MUSTANG RIDGE MUNICIPAL UTILITY DISTRICT

21 SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

26 (3) "Director" means a board member.

27 (4) "District" means the Mustang Ridge Municipal

1 Utility District.

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

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

9 Sec. 7945A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
10 temporary directors may not hold an election under Section
11 7945A.0103 until each municipality in whose corporate limits or
12 extraterritorial jurisdiction the district is located has
13 consented by ordinance or resolution to the creation of the
14 district and to the inclusion of land in the district.

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

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

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

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

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

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

27 (b) The boundaries and field notes contained in Section 9(b)

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

4 (1) organization, existence, or validity;

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

8 (3) right to impose a tax; or

9 (4) legality or operation.

10 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

22 (b) Temporary directors serve until the earlier of:

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

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

27 (c) If permanent directors have not been elected under

1 Section 7945A.0103 and the terms of the temporary directors have
2 expired, successor temporary directors shall be appointed or
3 reappointed as provided by Subsection (d) to serve terms that
4 expire on the earlier of:

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

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

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

16 SUBCHAPTER C. POWERS AND DUTIES

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

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

25 Sec. 7945A.0303. AUTHORITY FOR ROAD PROJECTS. Under
26 Section 52, Article III, Texas Constitution, the district may
27 design, acquire, construct, finance, issue bonds for, improve,

1 operate, maintain, and convey to this state, a county, or a
2 municipality for operation and maintenance macadamized, graveled,
3 or paved roads, or improvements, including storm drainage, in aid
4 of those roads.

5 Sec. 7945A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
6 road project must meet all applicable construction standards,
7 zoning and subdivision requirements, and regulations of each
8 municipality in whose corporate limits or extraterritorial
9 jurisdiction the road project is located.

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

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

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

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

1 (1) revenue other than ad valorem taxes; or
2 (2) contract payments described by Section
3 7945A.0403.

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

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

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

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

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

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

1 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

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

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

21 BEING A 303.2 ACRE TRACT OUT OF THE JOSE SEFERINA MORA SURVEY NUMBER
22 6, ABSTRACT NUMBER 522, TRAVIS COUNTY, TEXAS, BEING THE
23 CONSOLIDATION OF SIX TRACTS OF LAND DESCRIBED HEREIN, BEING ALL OF A
24 CALLED 91.81 ACRE TRACT, DESCRIBED TO ALTON BROOKS LAWS, JR. AS
25 RECORDED IN VOLUME 10031, PAGE 431 OF THE REAL PROPERTY RECORDS OF
26 TRAVIS COUNTY, TEXAS [R.P.R.T.C.T.], AND BEING ALL OF A CALLED
27 107.33 ACRE TRACT, CONVEYED TO LAWS FAMILY PARTNERSHIP, LTD., AS

1 RECORDED IN DOCUMENT NUMBER 2008202782 OF THE OFFICIAL PUBLIC
2 RECORDS OF TRAVIS COUNTY, TEXAS [O.P.R.T.C.T.], AND BEING ALL OF A
3 CALLED 92.775 TRACT, CONVEYED TO ALTON B. LAWS JR. AND WIFE, JOYCE
4 KING LAWS, AS RECORDED IN VOLUME 3931, PAGE 2021 OF THE DEED RECORDS
5 OF TRAVIS COUNTY, TEXAS [D.R.T.C.T.], AND BEING ALL OF A CALLED 6.00
6 ACRES, CONVEYED TO ALTON B. LAWS, III, AS RECORDED IN DOCUMENT
7 NUMBER 2001109391 [O.P.R.T.C.T.], AND BEING ALL OF A CALLED 6.00
8 ACRES, CONVEYED TO LARRY L. LAWS AND TERRI R. LAWS, AS RECORDED IN
9 DOCUMENT NUMBER 2000125247 [O.P.R.T.C.T.], AND BEING ALL OF A
10 CALLED 1.00 ACRE TRACT, BEING A PORTION OF THAT 114.34 ACRE TRACT
11 CONVEYED TO ALTON B. LAWS JR. AND WIFE, JOYCE K. LAWS, AS RECORDED
12 IN VOLUME 174, PAGE 214 [D.R.T.C.T.], SAID 303.2 ACRE TRACT BEING
13 MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

14 BEGINNING at a 1/2 inch iron rod found for the west corner of said
15 91.81 acre tract, same being the south corner of a called 91.784
16 acre tract described to MRLH, LLC, recorded in Document Number
17 2020178896 [O.P.R.T.C.T.], same being on the northeast line of a
18 called 223.25 acre tract, described to H. Philip Whitworth, Jr.,
19 described in Volume 12605, Page 836 [O.P.R.T.C.T.],

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

26 THENCE with the common lines of said right-of-way, said 91.81 acre
27 tract, said 6.00 acre Larry L. Laws tract, said 107.33 acre tract,

1 and said 92.775 acre tract, the following three (3) courses and
2 distances:

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

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

7 3) S48°15'17"E, a distance of 2,408.01 feet to a 6 inch cedar
8 fence post, found at the east corner of said 92.775 acre tract and
9 the tract described herein, same being a point on the said southwest
10 right-of-way of Old Lockhart Highway, and being on the northwest
11 right-of-way of Elm Grove Road, a variable width right-of-way,
12 described in Volume 3426, Page 1348 [D.R.T.C.T.];

13 THENCE, S43°03'48"W, along the common line of said 92.775 acre
14 tract, said 6.00 acre Alton B. Laws tract, and the northwest
15 right-of-way of said Elm Grove Road, a distance of 3,469.91 feet to
16 1/2-inch iron rod found for the south corner of said 92.775 acre
17 tract, and the south corner of the tract described herein, same
18 being the northerly southeast corner of Lot 2, Elm Grove Estates, a
19 plat thereof recorded in Volume 92, Pages 263-264 of the Plat
20 Records of Travis County, Texas, [P.R.T.C.T];

21 THENCE, N47°12'40"W, along the common line of said 91.775 acre tract
22 and said 107.33 acre tract, said 91.81 acre tract, said Lot 2, and
23 said 223.25 acre tract, a distance of 3,830.62 feet to the POINT OF
24 BEGINNING of the tract described herein and containing
25 approximately 303.2 acres.

26 Basis of bearing is the Texas Coordinate System, Central Zone
27 [4203], NAD83 (2011), Epoch 2010.

1 (c) If this Act does not receive a two-thirds vote of all the
2 members elected to each house, Subchapter C, Chapter 7945A, Special
3 District Local Laws Code, as added by Section 9(a) of this Act, is
4 amended by adding Section 7945A.0306 to read as follows:

5 Sec. 7945A.0306. NO EMINENT DOMAIN POWER. The district may
6 not exercise the power of eminent domain.

7 (d) Section 9(c) is not intended to be an expression of a
8 legislative interpretation of the requirements of Section 17(c),
9 Article I, Texas Constitution.

10 (e) This section takes effect immediately if it receives a
11 vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.

15 SECTION 10. (a) Subtitle F, Title 6, Special District Local
16 Laws Code, is amended by adding Chapter 7954A to read as follows:

17 CHAPTER 7954A. CLEAR SKY MUNICIPAL UTILITY DISTRICT NO. 1 OF COOKE

18 COUNTY

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 7954A.0101. DEFINITIONS. In this chapter:

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

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

24 (3) "Director" means a board member.

25 (4) "District" means the Clear Sky Municipal Utility
26 District No. 1 of Cooke County.

27 Sec. 7954A.0102. NATURE OF DISTRICT. The district is a

1 municipal utility district created under Section 59, Article XVI,
2 Texas Constitution.

3 Sec. 7954A.0103. CONFIRMATION AND DIRECTOR ELECTION
4 REQUIRED. The temporary directors shall hold an election to
5 confirm the creation of the district and to elect five permanent
6 directors as provided by Section 49.102, Water Code.

7 Sec. 7954A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
8 temporary directors may not hold an election under Section
9 7954A.0103 until each municipality in whose corporate limits or
10 extraterritorial jurisdiction the district is located has
11 consented by ordinance or resolution to the creation of the
12 district and to the inclusion of land in the district.

13 Sec. 7954A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

22 Sec. 7954A.0106. INITIAL DISTRICT TERRITORY. (a) The
23 district is initially composed of the territory described by
24 Section 10(b) of the Act enacting this chapter.

25 (b) The boundaries and field notes contained in Section
26 10(b) of the Act enacting this chapter form a closure. A mistake
27 made in the field notes or in copying the field notes in the

1 legislative process does not affect the district's:

2 (1) organization, existence, or validity;

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

6 (3) right to impose a tax; or

7 (4) legality or operation.

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 7954A.0201. GOVERNING BODY; TERMS. (a) The district
10 is governed by a board of five elected directors.

11 (b) Except as provided by Section 7954A.0202, directors
12 serve staggered four-year terms.

13 Sec. 7954A.0202. TEMPORARY DIRECTORS. (a) On or after
14 September 1, 2021, the owner or owners of a majority of the assessed
15 value of the real property in the district may submit a petition to
16 the commission requesting that the commission appoint as temporary
17 directors the five persons named in the petition. The commission
18 shall appoint as temporary directors the five persons named in the
19 petition.

20 (b) Temporary directors serve until the earlier of:

21 (1) the date permanent directors are elected under
22 Section 7954A.0103; or

23 (2) September 1, 2025.

24 (c) If permanent directors have not been elected under
25 Section 7954A.0103 and the terms of the temporary directors have
26 expired, successor temporary directors shall be appointed or
27 reappointed as provided by Subsection (d) to serve terms that

1 expire on the earlier of:

2 (1) the date permanent directors are elected under
3 Section 7954A.0103; or

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

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

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 7954A.0301. GENERAL POWERS AND DUTIES. The district
15 has the powers and duties necessary to accomplish the purposes for
16 which the district is created.

17 Sec. 7954A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
18 DUTIES. The district has the powers and duties provided by the
19 general law of this state, including Chapters 49 and 54, Water Code,
20 applicable to municipal utility districts created under Section 59,
21 Article XVI, Texas Constitution.

22 Sec. 7954A.0303. AUTHORITY FOR ROAD PROJECTS. Under
23 Section 52, Article III, Texas Constitution, the district may
24 design, acquire, construct, finance, issue bonds for, improve,
25 operate, maintain, and convey to this state, a county, or a
26 municipality for operation and maintenance macadamized, graveled,
27 or paved roads, or improvements, including storm drainage, in aid

1 of those roads.

2 Sec. 7954A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
3 road project must meet all applicable construction standards,
4 zoning and subdivision requirements, and regulations of each
5 municipality in whose corporate limits or extraterritorial
6 jurisdiction the road project is located.

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

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

15 Sec. 7954A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
16 ORDINANCE OR RESOLUTION. The district shall comply with all
17 applicable requirements of any ordinance or resolution that is
18 adopted under Section 54.016 or 54.0165, Water Code, and that
19 consents to the creation of the district or to the inclusion of land
20 in the district.

21 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

22 Sec. 7954A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
23 The district may issue, without an election, bonds and other
24 obligations secured by:

25 (1) revenue other than ad valorem taxes; or

26 (2) contract payments described by Section

27 7954A.0403.

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

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

9 Sec. 7954A.0402. OPERATION AND MAINTENANCE TAX. (a) If
10 authorized at an election held under Section 7954A.0401, the
11 district may impose an operation and maintenance tax on taxable
12 property in the district in accordance with Section 49.107, Water
13 Code.

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

16 Sec. 7954A.0403. CONTRACT TAXES. (a) In accordance with
17 Section 49.108, Water Code, the district may impose a tax other than
18 an operation and maintenance tax and use the revenue derived from
19 the tax to make payments under a contract after the provisions of
20 the contract have been approved by a majority of the district voters
21 voting at an election held for that purpose.

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

25 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

26 Sec. 7954A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
27 OBLIGATIONS. The district may issue bonds or other obligations

1 payable wholly or partly from ad valorem taxes, impact fees,
2 revenue, contract payments, grants, or other district money, or any
3 combination of those sources, to pay for any authorized district
4 purpose.

5 Sec. 7954A.0502. TAXES FOR BONDS. At the time the district
6 issues bonds payable wholly or partly from ad valorem taxes, the
7 board shall provide for the annual imposition of a continuing
8 direct ad valorem tax, without limit as to rate or amount, while all
9 or part of the bonds are outstanding as required and in the manner
10 provided by Sections 54.601 and 54.602, Water Code.

11 Sec. 7954A.0503. BONDS FOR ROAD PROJECTS. At the time of
12 issuance, the total principal amount of bonds or other obligations
13 issued or incurred to finance road projects and payable from ad
14 valorem taxes may not exceed one-fourth of the assessed value of the
15 real property in the district.

16 (b) The Clear Sky Municipal Utility District No. 1 of Cooke
17 County initially includes all the territory contained in the
18 following area:

19 TRACT ONE

20 FIELD NOTES TO 179.94 ACRES IN THE JOHN ADDA SURVEY ABSTRACT 1177,
21 ET AL, COOKE COUNTY, TEXAS

22 All that certain tract or parcel of land situated in the John Adda
23 Survey Abstract 1177 and the E. Bradley Survey Abstract 34, Cooke
24 County, Texas, being part of a 293.56 acre tract conveyed by Rose
25 Marie Strickland, Trustee to Earl L. Bengtston by deed recorded in
26 Volume 1022, page 263, of the Cooke County Official Public Records,
27 and being more particularly described as follows:

1 BEGINNING at a found steel pin at the Northeast corner of said
2 Bengtston tract, common to the Southeast corner of a tract conveyed
3 to Alvrone Sater by deed recorded in Volume 734, page 275 of the
4 Cooke County Deed Records, in County Road 200, on the West line of a
5 tract conveyed to John Porter Farms, Inc. by deed recorded in Volume
6 626, page 123 of said Deed Records, said beginning corner further
7 being South 00 degrees 11 minutes 30 seconds East, a distance of
8 1219.85 feet from the Southwest corner of the J. R. Davis Survey
9 Abstract 334 in Cooke County.

10 THENCE South 00 degrees 11 minutes 30 seconds East, in said County
11 Road 200, crossing the South line of said Adda Survey, common to the
12 North line of said Bradley Survey, continuing a total of 2824.05
13 feet to a found steel pin at the Easternmost Southeast corner of
14 said John Porter Farms tract, on the North line of a tract conveyed
15 to Alvrone Sater, Trustee, by deed recorded in Volume 734, page 271
16 of said Deed Records, at a turn in said County Road 200, on the South
17 line of Cooke County, common to the North line of Denton County as
18 described in said Bengtston deed;

19 THENCE North 89 degrees 51 minutes 52 seconds West, with said North
20 line of said Sater tract, a distance of 40.68 feet to a found steel
21 pin;

22 THENCE South 89 degrees 45 minutes 12 seconds West, a distance of
23 3012.78 feet to a found steel pin at the Southernmost Southeast
24 corner of a tract conveyed to Troy P. Miller, Jr. by deed recorded
25 in Volume 805, page 156 of said Deed Records;

26 THENCE with an old fence line the following courses and distances:

27 North 07 degrees 55 minutes 34 seconds East, crossing the

1 line common to said Adda and Bradley Surveys, a distance of 745.34
2 feet to a found steel pin,

3 North 19 degrees 20 minutes 59 seconds East, a distance of
4 105.60 feet to a found steel pin,

5 North 10 degrees 07 minutes 43 seconds East, a distance of
6 796.69 feet to a found steel pin,

7 North 72 degrees 35 minutes 49 seconds East, a distance of
8 201.96 feet to a found steel pin;

9 THENCE North 00 degrees 20 minutes 42 seconds East, along or near a
10 fence, a distance of 1157.87 feet to a found steel pin at the
11 Southwest corner of said Sater tract;

12 THENCE South 89 degrees 55 minutes 19 seconds East, along or near a
13 fence, passing a found steel pin at a fence corner on the West line
14 of said County Road 200, continuing a total of 2566.42 feet to the
15 point of beginning containing 179.94 acres of land.

16 (c) If this Act does not receive a two-thirds vote of all the
17 members elected to each house, Subchapter C, Chapter 7954A, Special
18 District Local Laws Code, as added by Section 10(a) of this Act, is
19 amended by adding Section 7954A.0306 to read as follows:

20 Sec. 7954A.0306. NO EMINENT DOMAIN POWER. The district may
21 not exercise the power of eminent domain.

22 (d) Section 10(c) is not intended to be an expression of a
23 legislative interpretation of the requirements of Section 17(c),
24 Article I, Texas Constitution.

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

26 SECTION 11. (a) The legal notice of the intention to file
27 bills creating each district described by this Act has been

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

6 (b) The governor, one of the required recipients, has
7 submitted the notice and a copy of a bill to create each district
8 described by this Act to the Texas Commission on Environmental
9 Quality.

10 (c) The Texas Commission on Environmental Quality has filed
11 its recommendations relating to each bill to create each district
12 described by this Act with the governor, the lieutenant governor,
13 and the speaker of the house of representatives within the required
14 time.

15 (d) All requirements of the constitution and laws of this
16 state and the rules and procedures of the legislature with respect
17 to the notice, introduction, and passage of each bill to create each
18 district described by this Act are fulfilled and accomplished.

19 SECTION 12. Except as otherwise provided by this Act, this
20 Act takes effect immediately if it receives a vote of two-thirds of
21 all the members elected to each house, as provided by Section 39,
22 Article III, Texas Constitution. If this Act does not receive the
23 vote necessary for immediate effect, this Act takes effect
24 September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 4627 was passed by the House on May 14, 2021, by the following vote: Yeas 105, Nays 40, 2 present, not voting; that the House concurred in Senate amendments to H.B. No. 4627 on May 28, 2021, by the following vote: Yeas 94, Nays 53, 1 present, not voting; and that the House adopted H.C.R. No. 116 authorizing certain corrections in H.B. No. 4627 on May 31, 2021, by the following vote: Yeas 130, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4627 was passed by the Senate, with amendments, on May 26, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate adopted H.C.R. No. 116 authorizing certain corrections in H.B. No. 4627 on May 31, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor