

By: Springer

S.B. No. 2248

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Mesquoakee Ranch Municipal Utility District of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7909 to read as follows:

CHAPTER 7909. MESQUOAKEE RANCH MUNICIPAL UTILITY DISTRICT OF

COLLIN COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7909.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Mesquoakee Ranch Municipal Utility District of Collin County.

Sec. 7909.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7909.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7909.0104. CONDITIONS PRECEDENT TO CONFIRMATION  
3 ELECTION. (a) The temporary directors may not hold an election  
4 under Section 7909.0103 until:

5 (1) each municipality in whose corporate limits or  
6 extraterritorial jurisdiction the district is located has  
7 consented by ordinance or resolution to the creation of the  
8 district and to the inclusion of land in the district; and

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

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

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

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

19 (c) The Commissioners Court of Collin County shall review a  
20 contract under Subsection (a) and evaluate the supplemental police,  
21 fire, emergency, and animal control services provided in the  
22 contract. If the commissioners court determines that the contract  
23 provides adequate services, the commissioners court shall adopt a  
24 resolution stating that the contract has met the requirements of  
25 Subsection (a).

26 Sec. 7909.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

8 Sec. 7909.0106. INITIAL DISTRICT TERRITORY. (a) The  
9 district is initially composed of the territory described by  
10 Section 2 of the Act enacting this chapter.

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

15 (1) organization, existence, or validity;

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

19 (3) right to impose a tax; or

20 (4) legality or operation.

21 SUBCHAPTER B. BOARD OF DIRECTORS

22 Sec. 7909.0201. GOVERNING BODY; TERMS. (a) The district is  
23 governed by a board of five elected directors.

24 (b) Except as provided by Section 7909.0202, directors  
25 serve staggered four-year terms.

26 Sec. 7909.0202. TEMPORARY DIRECTORS. (a) On or after the  
27 effective date of the Act enacting this chapter, the owner or owners

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

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

7 (1) the date permanent directors are elected under  
8 Section 7909.0103; or

9 (2) the fourth anniversary of the effective date of  
10 the Act enacting this chapter.

11 (c) If permanent directors have not been elected under  
12 Section 7909.0103 and the terms of the temporary directors have  
13 expired, successor temporary directors shall be appointed or  
14 reappointed as provided by Subsection (d) to serve terms that  
15 expire on the earlier of:

16 (1) the date permanent directors are elected under  
17 Section 7909.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7909.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7909.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7909.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7909.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

1 specifications of the road project.

2 Sec. 7909.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3 ORDINANCE OR RESOLUTION. The district shall comply with all  
4 applicable requirements of any ordinance or resolution that is  
5 adopted under Section 54.016 or 54.0165, Water Code, and that  
6 consents to the creation of the district or to the inclusion of land  
7 in the district.

8 Sec. 7909.0306. DIVISION OF DISTRICT. (a) The district may  
9 be divided into two or more new districts only if the district:

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

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

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

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

23 (e) The board may adopt an order dividing the district  
24 before or after the date the board holds an election under Section  
25 7909.0103 to confirm the district's creation.

26 (f) An order dividing the district shall:

- 27 (1) name each new district;

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

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

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

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

11           (h) A new district created by the division of the district  
12 shall hold a confirmation and directors' election as required by  
13 Section 7909.0103. If the voters of a new district do not confirm  
14 the creation of the new district, the assets, obligations,  
15 territory, and governance of the new district revert to the  
16 original district.

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

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           (k) Municipal consent to the creation of the district and to  
25 the inclusion of land in the district granted under Section  
26 7909.0104 acts as municipal consent to the creation of any new  
27 district created by the division of the district and to the

1 inclusion of land in the new district.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 7909.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

4 The district may issue, without an election, bonds and other  
5 obligations secured by:

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

7 (2) contract payments described by Section 7909.0403.

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

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

16 Sec. 7909.0402. OPERATION AND MAINTENANCE TAX. (a) If  
17 authorized at an election held under Section 7909.0401, the  
18 district may impose an operation and maintenance tax on taxable  
19 property in the district in accordance with Section 49.107, Water  
20 Code.

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

23 Sec. 7909.0403. CONTRACT TAXES. (a) In accordance with  
24 Section 49.108, Water Code, the district may impose a tax other than  
25 an operation and maintenance tax and use the revenue derived from  
26 the tax to make payments under a contract after the provisions of  
27 the contract have been approved by a majority of the district voters



1 voting at an election held for that purpose.

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

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 7909.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
7 OBLIGATIONS. The district may issue bonds or other obligations  
8 payable wholly or partly from ad valorem taxes, impact fees,  
9 revenue, contract payments, grants, or other district money, or any  
10 combination of those sources, to pay for any authorized district  
11 purpose.

12 Sec. 7909.0502. TAXES FOR BONDS. At the time the district  
13 issues bonds payable wholly or partly from ad valorem taxes, the  
14 board shall provide for the annual imposition of a continuing  
15 direct ad valorem tax, without limit as to rate or amount, while all  
16 or part of the bonds are outstanding as required and in the manner  
17 provided by Sections 54.601 and 54.602, Water Code.

18 Sec. 7909.0503. BONDS FOR ROAD PROJECTS. At the time of  
19 issuance, the total principal amount of bonds or other obligations  
20 issued or incurred to finance road projects and payable from ad  
21 valorem taxes may not exceed one-fourth of the assessed value of the  
22 real property in the district.

23 SECTION 2. The Mesquoake Ranch Municipal Utility District  
24 of Collin County initially includes all the territory contained in  
25 the following area:

26 Tract 1:

27 BEING a tract or parcel of land situated Collin County, Texas, being

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1 part of the John H. Wilson Survey, Abstract No. 964, being all of a  
2 53.98 (Tract One) acre tract of land, all of a 22.95 (Tract Two)  
3 acre tract of land and all of a 22.63 (Tract Three) acre tract of  
4 land as described in a Warranty Deed from Daniel D. Vick and wife,  
5 Aynja L. Vick to Mesquoakee Ranch, LLC as recorded in/under Clerk's  
6 File No. 20160321000332960 of Collin County, Texas, being all of a  
7 65.553 acre tract of land as described in a General Warranty Deed  
8 from William Brian Sanders, as Independent Executor of the Estate  
9 of James Blair Carter, Deceased to Mesquoakee Ranch, LLC as  
10 recorded in/under Clerk's File No. 20160406000409780 of Collin  
11 County, Texas, also being all of Lot 11 of HONEY CREEK FARMS  
12 ADDITION, an addition to Collin County, Texas, according to the  
13 Plat thereof recorded in Cabinet L on Slide 409 of the Map and Plat  
14 Records of Collin County, Texas and being further described as  
15 follows:

16 BEGINNING at a 1/2 inch iron rod found for a corner at the southeast  
17 corner of said 22.63 acre tract in the center of Collin County Road  
18 No. 136, said Point of Beginning being at the existing northeast  
19 corner of a 562.084 acre tract as conveyed to Thomas and Nancy  
20 Carter as recorded in/under Clerk's File No. 20150827001083840 of  
21 Collin County, Texas;

22 THENCE N 89°59'04" W (bearing basis) along a fence, the south line of  
23 said 22.63 acre tract and the north line of said 562.084 acre tract,  
24 a distance of 1799.06 feet to a fence post for a corner;

25 THENCE S 88°19'11" W along a fence, the south line of said 22.63 acre  
26 tract and the north line of said 562.084 acre tract, a distance of  
27 500.00 feet to a fence post for a corner;

1 THENCE N 89°23'27" W along a fence, the south line of said 22.63 acre  
2 tract and the north line of said 562.084 acre tract, a distance of  
3 677.32 feet to a 1/2 inch iron rod found for a corner at the  
4 southwest corner of said 22.63 acre tract;

5 THENCE N 83°37'59" W along the north line of said 562.084 acre tract,  
6 a distance of 225.15 feet to a point on the east side of Honey Creek;

7 THENCE S 88°28'30" W along the north line of said 562.084 acre tract,  
8 a distance of 152.23 feet to a point in the center of Honey Creek;

9 THENCE in the Northerly direction, along the center of Honey Creek,  
10 the following calls:

11 1.) N 14°49'31" E, 111.76 feet;

12 2.) N 52°22'02" E, 98.25 feet;

13 3.) N 01°09'41" E, 98.08 feet;

14 4.) N 25°42'03" W, 98.28 feet;

15 5.) N 89°43'02" W, 22.92 feet;

16 6.) S 59°35'36" W, 95.25 feet;

17 7.) N 80°45'20" W, 36.01 feet;

18 8.) N 25°05'27" W, 39.32 feet;

19 9.) N 16°39'50" E, 59.70 feet;

20 10.) N 23°26'45" W, 20.94 feet;

21 11.) N 89°43'02" W, 23.40 feet;

22 12.) S 71°50'03" W, 81.49 feet;

23 13.) N 69°48'51" W, 43.99 feet;

24 THENCE N 47°48'39" W along the center of Honey Creek, a distance of  
25 33.34 feet to a point;

26 THENCE S 89°48'00" W joining and along a fence and along the south  
27 line of said 65.554 acre tract, passing a fence post found at a

1 distance of 184.21feet, in all a total distance of 1398.64 feet to a  
2 fence post for a corner at the southwest corner of said 65.554 acre  
3 tract;

4 THENCE N 00°31'42" W along and leaving a fence and along the west  
5 line of said 65.554 acre tract, a distance of 2231.18 feet to a 1/2  
6 inch iron rod found for a corner at the northwest corner of said  
7 65.554 acre tract in the center of Collin County Road No. 138;

8 THENCE N 88°29'17" E along the center of Collin County Road No. 138,  
9 a distance of 233.36 feet to a 1/2 inch iron rod found for a corner;

10 THENCE S 85°49'50" E along the center of Collin County Road No. 138,  
11 a distance of 184.32 feet to a 1/2 inch iron rod found for a corner;

12 THENCE S 63°59'10" E along the center of Collin County Road No. 138,  
13 a distance of 354.06 feet to a 1/2 inch iron rod found for a corner,  
14 said corner being at the existing southeast corner of a 24.432 acre  
15 tract as conveyed to Ronald McCutchin Family Partnership, LTD as  
16 recorded in Volume 5180 at Page 5070 of the Official Records of  
17 Collin County, Texas;

18 THENCE S 19°34'21" W a distance of 80.01 feet to a point in the  
19 center of Honey Creek;

20 THENCE in the Southerly direction, along the center of Honey Creek,  
21 the following calls:

22 1.) S 06°43'24" W, 113.27 feet;

23 2.) S 06°15'22" E, 77.67 feet;

24 3.) S 33°46'10" E, 57.99 feet;

25 4.) N 35°34'59" E, 62.25 feet;

26 5.) N 58°23'22" E, 22.60 feet;

27 6.) S 46°10'29" E, 80.83 feet;

- 1 7.) S 05°27'00" W, 54.43 feet;
- 2 8.) S 45°06'24" E, 63.56 feet;
- 3 9.) S 18°44'24" E, 69.03 feet;
- 4 10.) S 58°47'18" E, 32.12 feet;
- 5 11.) N 52°41'40" E, 47.43 feet;
- 6 12.) N 67°16'00" E, 75.64 feet;
- 7 13.) N 35°12'35" E, 60.00 feet;
- 8 14.) N 60°30'52" E, 50.37 feet;
- 9 15.) S 72°32'58" E, 22.39 feet;
- 10 16.) S 36°49'54" E, 71.23 feet;
- 11 17.) S 41°02'59" W, 27.00 feet;
- 12 18.) S 76°48'04" W, 52.67 feet;
- 13 19.) S 44°55'45" E, 55.00 feet;
- 14 20.) S 16°33'07" W, 57.34 feet;
- 15 21.) S 31°52'47" E, 43.66 feet;
- 16 22.) N 78°09'48" E, 22.33 feet;
- 17 23.) S 51°54'16" E, 28.95 feet;
- 18 24.) S 55°06'38" W, 50.32 feet;
- 19 25.) S 11°16'44" W, 65.59 feet;
- 20 26.) S 03°33'43" E, 78.65 feet;
- 21 27.) S 59°24'41" W, 21.52 feet;
- 22 28.) S 21°27'10" W, 31.72 feet;
- 23 29.) S 34°45'44" E, 33.93 feet;
- 24 30.) S 76°35'46" E, 21.83 feet;
- 25 31.) N 71°41'53" E, 38.07 feet;
- 26 32.) S 55°38'24" E, 24.27 feet;
- 27 33.) S 11°12'23" E, 67.89 feet;

1 34.) S 37°45'21" E, 95.42 feet;  
2 35.) S 84°27'23" E, 53.99 feet;  
3 36.) N 22°38'21" W, 81.34 feet;  
4 37.) N 58°35'43" E, 24.88 feet;  
5 38.) S 64°53'59" E, 66.17 feet;  
6 39.) S 86°23'33" E, 51.46 feet;  
7 40.) S 14°58'26" E, 50.55 feet;  
8 41.) S 57°10'26" W, 131.66 feet;  
9 42.) S 31°56'09" E, 31.26 feet;  
10 43.) S 69°56'55" E, 49.48 feet;  
11 44.) N 70°36'49" E, 61.47 feet;  
12 45.) N 26°59'04" E, 34.49 feet;  
13 46.) N 67°04'32" E, 74.68 feet;  
14 47.) S 77°08'16" E, 111.63 feet;  
15 48.) S 05°51'56" W, 28.26 feet;  
16 49.) S 50°41'16" W, 58.18 feet;  
17 50.) S 20°03'11" W, 35.47 feet;  
18 51.) S 37°26'50" W, 43.57 feet;  
19 THENCE S 05°14'31" E along the center of Honey Creek, a distance of  
20 42.60 feet to a point at the northwest corner of said 53.98 acre  
21 tract in the center of Honey Creek;  
22 THENCE N 89°55'48" E along the north line of said 53.98 acre tract, a  
23 distance of 145.50 feet to a 1/2 inch iron rod found for a corner;  
24 THENCE N 89°55'47" E along a fence and the north line of said 53.98  
25 acre tract, a distance of 2659.19 feet to a 1/2 inch iron rod found  
26 for a corner at the southwest corner of Lot 11;  
27 THENCE N 00°19'55" E along a fence and the west line of Lot 11, a

1 distance of 359.41 feet to a fence post for a corner at the  
2 northwest corner of Lot 11;

3 THENCE S 89°39'45" E along a fence and the north line of Lot 11, a  
4 distance of 604.28 feet to a 1/2 inch iron rod found at the  
5 northeast corner of Lot 11 on the west line of Collin County Road  
6 No. 136;

7 THENCE S 00°18'53" W along a fence, the east line of Lot 11 and the  
8 west line of Collin County Road No. 136, a distance of 361.21 feet  
9 to a 1/2 inch iron rod found for a corner at the southeast corner of  
10 Lot 11;

11 THENCE N 89°55'47" E along the north line of said 53.98 acre tract, a  
12 distance of 29.84 feet to a 1/2 inch iron rod set for a corner at the  
13 northeast corner of said 53.98 acre tract in the center of Collin  
14 County Road No. 136, said corner being at the existing northwest  
15 corner of an 81.321 acre tract as conveyed to Eland Energy, Inc. as  
16 recorded in/under Clerk's File No. 20141002001081560 of Collin  
17 County, Texas;

18 THENCE S 00°17'17" W along the west line of said 81.321 acre tract  
19 and the center of Collin County Road No. 136, a distance of 1295.03  
20 feet returning to the Point of Beginning and containing 170.163  
21 acres of land.

22 Tract 2:

23 BEING a tract or parcel of land situated Collin County, Texas, being  
24 part of the L. Wilson Survey, Abstract No. 974, part of the Richard  
25 Phalen Survey, Abstract No. 693, part of the E. Rightman Survey,  
26 Abstract No. 750, part of the J.W.S. Butler Survey, Abstract  
27 No. 67, part of the A. Stapp Survey, Abstract No. 832, part of the

1 T. Allen Survey, Abstract No. 13, part of the J.G. Douglas Survey,  
2 Abstract No. 263, part of the D. Douglas Survey, Abstract No. 264,  
3 part of the G. McPherson Survey, Abstract No. 574 and part of the  
4 R.B. Harris Survey, Abstract No. 410, being all of a 177.179 acre  
5 tract of land as described in a General Warranty Deed from Monetta  
6 Sample Owen, Donna Sue Whitworth, Tammy L. Shumway, Lauren B. Owen  
7 and Kevin Owen to Mesquoakee Ranch, LLC as recorded in/under  
8 Clerk's File No. 20160322000337270 of Collin County, Texas, being  
9 all of a 25.864 acre tract of land as described in a Warranty Deed  
10 from Michael P. Penick to Mesquoakee Ranch, LLC as recorded  
11 in/under Clerk's File No. 20160322000339650 of Collin County,  
12 Texas, being all of a 347.852 acre tract of land as described in a  
13 General Warranty Deed from William Brian Sanders, as Independent  
14 Executor of the Estate of James Blair Carter, Deceased to  
15 Mesquoakee Ranch, LLC as recorded in/under Clerk's File  
16 No. 20160406000409790 of Collin County, Texas, being all of a 6.000  
17 acre tract of land as described in a Warranty Deed from William A.  
18 Porter to Mesquoakee Ranch, LLC as recorded in/under Clerk's File  
19 No. 20160323000344750 of Collin County, Texas, also being all of a  
20 175.77 acre tract of land as described in a Special Warranty Deed  
21 from Charles E. Bray and wife, Nicki L. Bray to Mesquoakee Ranch,  
22 LLC as recorded in/under Clerk's File No. 20160226000226180 of  
23 Collin County, Texas and being further described as follows:

24 BEGINNING at a 1/2 inch iron rod found for a corner at the northwest  
25 corner of said 347.852 acre tract in the center of Collin County  
26 Road No. 136, said Point of Beginning being at the existing  
27 northeast corner of a 562.084 acre tract as conveyed to Thomas and



1 Nancy Carter as recorded in/under Clerk's File  
2 No. 20150827001083840 of Collin County, Texas, said Point of  
3 Beginning being further marked by a fence post on the east side of  
4 Collin County Road No. 136 bearing S 89°12'24" E at a distance of  
5 20.94 feet;

6 THENCE S 89°12'24" E (bearing basis) joining and along a fence and  
7 along the north line of said 347.852 acre tract, a distance of  
8 2776.82 feet to a 1/2 inch iron rod found for a corner, said corner  
9 being at the existing southeast corner of an 81.321 acre tract as  
10 conveyed to Eland Energy, Inc as recorded in/under Clerk's File  
11 No. 20141002001081560 of Collin County, Texas, said corner also  
12 being at the existing southwest corner of a 57.804 acre tract as  
13 conveyed to Bangs Ranch, LLC as recorded in/under Clerk's File  
14 No. 20181019001305900 of Collin County, Texas;

15 THENCE S 88°08'51" E along the south line of said 57.804 acre tract,  
16 a distance of 174.42 feet to a 1 inch pipe found for a corner in the  
17 center of a creek, said corner being at the existing northwest  
18 corner of a 53.698 acre tract as conveyed to Bangs Ranch, LLC as  
19 recorded in/under Clerk's File No. 20181228001571380 of the Land  
20 Records of Collin County, Texas;

21 THENCE in the Southerly direction, along the center of a creek, the  
22 following calls:

23 S 05°47'50" E, 30.74 feet;

24 S 58°27'10" E, 75.42 feet;

25 S 14°55'10" E, 71.99 feet;

26 S 22°23'00" W, 38.23 feet;

27 S 42°21'21" W, 45.46 feet;

1 S 57°49'32" W, 54.36 feet;  
2 S 10°11'35" W, 163.22 feet;  
3 S 09°06'59" E, 33.18 feet;  
4 S 18°18'08" W, 24.12 feet;  
5 S 32°48'29" W, 45.63 feet;  
6 S 04°16'41" E, 20.12 feet;  
7 S 28°57'34" E, 39.65 feet;  
8 S 28°42'42" W, 52.09 feet;  
9 S 00°31'15" W, 11.19 feet;  
10 S 15°50'06" E, 43.08 feet;  
11 S 71°34'27" W, 60.70 feet;  
12 S 14°42'34" W, 35.31 feet;  
13 S 28°22'54" W, 52.33 feet;  
14 S 00°43'36" W, 44.08 feet;  
15 S 23°25'11" E, 29.95 feet;  
16 S 40°55'59" E, 25.86 feet;  
17 S 11°48'45" W, 121.21 feet;  
18 S 16°50'18" W, 64.29 feet;  
19 S 79°19'15" W, 33.46 feet;  
20 S 04°26'32" W, 18.60 feet;  
21 S 00°19'46" W, 45.83 feet;  
22 S 36°45'42" E, 51.55 feet;  
23 S 20°44'41" E, 49.73 feet;  
24 THENCE S 14°42'57" W along the center of said creek, a distance of  
25 43.49 feet point for a corner, said corner being further marked by a  
26 fence post found on the east side of said creek bearing N 89°34'07" E  
27 at a distance of 21.93 feet;

1 THENCE N 89°34'07" E along a fence, a distance of 324.87 feet to a  
2 fence post for a corner;  
3 THENCE S 00°06'35" E along a fence, a distance of 291.49 feet to a  
4 1/2 inch iron rod found for a corner at the southwest corner of said  
5 53.698 acre tract;  
6 THENCE S 00°43'15" W along a fence, a distance of 536.56 feet to a  
7 1/2 inch iron rod found for a corner, said corner being at the  
8 existing southwest corner of a 61.380 acre tract as conveyed to  
9 Elizabeth Sample as recorded in Volume 6053 at Page 3713 of the  
10 Official Records of Collin County, Texas;  
11 THENCE S 89°46'12" E along the south line of said 61.380 acre tract,  
12 a distance of 2757.64 feet to a 1/2 inch iron rod found for a corner  
13 at the southeast corner of said 61.380 acre tract in the center of  
14 Collin County Road No. 1104;  
15 THENCE S 00°06'29" E along the center of Collin County Road  
16 No. 1104, a distance of 504.09 feet to a 1/2 inch iron rod found for  
17 a corner;  
18 THENCE S 51°43'17" E along the center of Collin County Road  
19 No. 1104, a distance of 128.98 feet to a 1/2 inch iron rod found for  
20 a corner;  
21 THENCE S 66°08'20" E along the center of Collin County Road  
22 No. 1104, a distance of 37.57 feet to a 1/2 inch iron rod set for a  
23 corner;  
24 THENCE S 43°23'25" E along the center of Collin County Road  
25 No. 1104, a distance of 69.91 feet to a 1/2 inch iron rod set for a  
26 corner;  
27 THENCE S 11°30'06" E along the center of Collin County Road

S.B. No. 2248

1 No. 1104, a distance of 123.86 feet to a 1/2 inch iron rod set for a  
2 corner;

3 THENCE S 00°12'25" E along the center of Collin County Road  
4 No. 1104, a distance of 467.62 feet to a 1/2 inch iron rod found for  
5 a corner, said corner being at the existing northwest corner of a  
6 31.734 acre tract as conveyed to Jack and Carol Hays as recorded in  
7 Volume 3903 at Page 2911 of the Official Records of Collin County,  
8 Texas;

9 THENCE S 00°25'25" E along the center of Collin County Road  
10 No. 1104, a distance of 2044.49 feet to a 1/2 inch iron rod found  
11 for a corner, said corner being at the intersection of the center of  
12 Collin County Road No. 1104 and the center of Collin County Road  
13 No. 177, said corner also being at the existing southwest corner of  
14 a 15.000 acre tract as conveyed to Gary Cash as recorded in Volume  
15 5110 at Page 3331 of the Official Records of Collin County, Texas;

16 THENCE S 89°22'27" E along the south line of said 15.000 acre tract  
17 and the center of Collin County Road No. 177, a distance of 154.25  
18 feet to a 1/2 inch iron rod set for a corner, said corner being at  
19 the existing northwest corner of a 19.000 acre tract as conveyed to  
20 Lkruse Properties, LLC as recorded in/under Clerk's File  
21 No. 20140917001009400 of Collin County, Texas, said corner also  
22 being at the intersection of the center of Collin County Road  
23 No. 177 and the center of Collin County Road No. 173;

24 THENCE S 00°12'55" E along Collin County Road No. 173, a distance of  
25 2632.09 feet to a 1/2 inch iron rod found for a corner, said corner  
26 being at the existing southwest corner of a 30.000 acre tract as  
27 conveyed to Clyde and Barbara Butler, Jr. as recorded in/under

1 Clerk's File No. 96-0012846 of Collin County, Texas;  
2 THENCE S 89°16'14" E along the south line of said 30.000 acre tract  
3 and the center of Collin County Road No. 173, a distance of 151.77  
4 feet to a 1/2 inch iron rod found for a corner, said corner being at  
5 the intersection of the Collin County Road No. 173 and the center of  
6 Collin County Road No. 174, said corner also being at the existing  
7 northwest corner of a 64.487 acre tract as conveyed to Rene and  
8 Sheryl Bates as recorded in/under Clerk's File  
9 No. 20120409000410660 of Collin County, Texas;  
10 THENCE S 00°02'01" E along the west line of said 64.487 acre tract  
11 and the center of Collin County Road No. 174, a distance of 2639.95  
12 feet to a 1/2 inch iron rod found for a corner at the southwest  
13 corner of said 64.487 acre tract, on the north line of Collin County  
14 Road No. 134;  
15 THENCE N 89°17'44" W along the south line of said 175.770 acre tract  
16 and the north line of Collin County Road No. 134, a distance of  
17 2527.62 feet to a 1/2 inch iron rod found for a corner at the  
18 southwest corner of said 175.770 acre tract;  
19 THENCE N 05°02'38" E a distance of 507.52 feet to a point in a pond,  
20 said corner being further marked by a 1/2 inch iron rod found  
21 bearing S 05°02'38" W at a distance of 67.01 feet;  
22 THENCE S 86°17'31" E a distance of 111.87 feet to a point;  
23 THENCE N 05°51'57" E a distance of 150.00 feet to a point;  
24 THENCE N 33°06'59" E a distance of 556.03 feet to a point;  
25 THENCE N 16°54'21" E a distance of 1583.98 feet to a fence post for a  
26 corner;  
27 THENCE S 89°15'12" E along a fence, a distance of 586.91 feet to a

1 1/2 inch iron rod found for a corner, said corner being at the  
2 existing southeast corner of a 58.020 acre tract as conveyed to  
3 Chelly and Steve Sandler as recorded in Volume 4407 at Page 3460 of  
4 the Official Records of Collin County, Texas;

5 THENCE N 00°12'54" W along the east line of said 58.020 acre tract, a  
6 distance of 2631.07 feet to a 1/2 inch iron rod set for a corner at  
7 the northeast corner of said 58.020 acre tract in the center of  
8 Collin County Road No. 135;

9 THENCE N 89°22'27" W along the center of Collin County Road No. 135,  
10 a distance of 1031.23 feet to a 1/2 inch iron rod found for a corner;

11 THENCE N 89°09'51" W along the center of Collin County Road No. 135,  
12 a distance of 1409.75 feet to a 1/2 inch iron rod found for a corner,  
13 said corner being at the existing southeast corner of a 6.000 acre  
14 tract as conveyed to Russell and Kayla Verden as recorded in/under  
15 Clerk's File No. 20150406000378640 of Collin County, Texas;

16 THENCE N 00°39'02" E a distance of 626.13 feet to a 1/2 inch iron rod  
17 found for a corner;

18 THENCE N 89°11'43" W a distance of 418.18 feet to a 1/2 inch iron rod  
19 found for a corner, said corner being at the existing northeast  
20 corner of a 6.000 acre tract as conveyed to Russell and Kayla Verden  
21 as recorded in/under Clerk's File No. 20130802001088960 of Collin  
22 County, Texas;

23 THENCE N 89°11'46" W a distance of 419.87 feet to a 1/2 inch iron rod  
24 found for a corner, said corner being at the existing northeast  
25 corner of a 5.998 acre tract as conveyed to 4E Prosper, LLC as  
26 recorded in/under Clerk's File No. 20121005001267230 of Collin  
27 County, Texas;

1 THENCE N 89°11'16" W along the north line of said 5.998 acre tract, a  
2 distance of 420.76 feet to a 1/2 inch iron rod found for a corner at  
3 the northwest corner of said 5.998 acre tract, said corner being at  
4 the existing northeast corner of a 6.000 acre tract as conveyed to  
5 Matthew and Laura Edgemon as recorded in/under Clerk's File  
6 No. 20061117001644590 of Collin County, Texas;

7 THENCE N 89°11'43" W a distance of 420.15 feet to a 1/2 inch iron rod  
8 found for a corner, said corner being at the existing northeast  
9 corner of a 6.000 (Tract Three) acre tract as conveyed to LDJ  
10 Properties, LTD as recorded in/under Clerk's File  
11 No. 20060608000781540 of Collin County, Texas;

12 THENCE N 89°11'41" W a distance of 420.93 feet to a 1/2 inch iron rod  
13 found for a corner, said corner being at the existing northeast  
14 corner of a 6.000 (Tract Two) acre tract as conveyed to LDJ  
15 Properties, LTD as recorded in/under Clerk's File  
16 No. 20060608000781540 of Collin County, Texas;

17 THENCE N 89°11'44" W a distance of 421.28 feet to a 1/2 inch iron rod  
18 found for a corner at the northeast corner of subject 6.000 acre  
19 tract;

20 THENCE S 00°39'02" W along the east line of subject 6.000 acre tract,  
21 a distance of 621.94 feet to a 1/2 inch iron rod found for a corner  
22 at the southeast corner of subject 6.000 acre tract in the center of  
23 Collin County Road No. 135;

24 THENCE N 89°37'19" W along the south line of subject 6.000 acre tract  
25 and the center of Collin County Road No. 135, a distance of 400.52  
26 feet to a 1/2 inch iron rod found for a corner at the southwest  
27 corner of subject 6.000 acre tract, said corner being at the

1 intersection of the center of Collin County Road No. 135 and the  
2 center of Collin County Road No. 136;  
3 THENCE N 02°46'14" W along the west line of subject 6.000 acre tract  
4 and the center of Collin County Road No. 136, a distance of 626.14  
5 feet to a 1/2 inch iron rod found for a corner at the northwest  
6 corner of subject 6.000 acre tract;  
7 THENCE N 04°05'44" W along the center of Collin County Road No. 136,  
8 a distance of 648.96 feet to a 1/2 inch iron rod found for a corner;  
9 THENCE N 00°14'21" W along the center of Collin County Road No. 136,  
10 a distance of 770.86 feet to a 1/2 inch iron rod found for a corner;  
11 THENCE N 07°32'51" E along the center of Collin County Road No. 136,  
12 a distance of 50.97 feet to a 1/2 inch iron rod found for a corner;  
13 THENCE N 20°00'19" E along the center of Collin County Road No. 136,  
14 a distance of 85.29 feet to a 1/2 inch iron rod found for a corner;  
15 THENCE N 02°31'13" E along the center of Collin County Road No. 136,  
16 a distance of 56.53 feet to a 1/2 inch iron rod found for a corner;  
17 THENCE N 00°13'08" E along the center of Collin County Road No. 136,  
18 a distance of 1035.95 feet to a 1/2 inch iron rod found for a corner;  
19 THENCE N 89°04'40" E a distance of 66.00 feet to a 1/2 inch iron rod  
20 found for a corner;  
21 THENCE N 00°23'55" W a distance of 241.11 feet to a 1/2 inch iron rod  
22 found for a corner;  
23 THENCE S 89°00'06" W a distance of 66.00 feet to a 1/2 inch iron rod  
24 found for a corner in the center of Collin County Road No. 136;  
25 THENCE N 00°05'18" E along the center of Collin County Road No. 136,  
26 a distance of 1791.04 feet returning to the Point of Beginning and  
27 containing 732.528 acres of land.



1 Tract No. 3:  
2 BEING a tract of land situated in the Benjamin Haile Survey,  
3 Abstract No. 398. Collin County, Texas, and being all of three  
4 tracts conveyed to J T Nevill Partnership as recorded in Instrument  
5 No. 20160724001035170, Land Records of Collin County, Texas and  
6 being more particularly described by metes and bounds as follows:  
7 BEGINNING at a mag nail set for corner at the northeast corner of  
8 tract 2 of said J T Nevill Partnership Tract, said nail being at the  
9 northwest corner of a tract conveyed to Shelly and Steve Sandler as  
10 recorded in Volume 4407, Page 3460, L.R.C.C.T., said nail being in  
11 County Road No. 135;  
12 THENCE S 00°00'31" E following the west line of said Sandler Tract  
13 passing at 30.32' a 1/2" iron rod found and continuing in all a  
14 distance of 2626.23' to a 1/2" iron rod found for corner in a east -  
15 west fence;  
16 THENCE N 89°21'18" W a distance of 145.24' to a 1/2" iron rod found  
17 for corner;  
18 THENCE S 89°59'08" W following the fence line a distance of 53.94' to  
19 a 1/2" iron rod found for corner;  
20 THENCE N 89°18'49" W following the fence line a distance of 54.06' to  
21 a 1/2" iron rod found for corner;  
22 THENCE N 89°53'42" W following the fence line a distance of 133.44'  
23 to a point for corner;  
24 THENCE N 88°47'48" W following the fence line a distance of 80.29' to  
25 a point for corner;  
26 THENCE S 87°22'47" W following the fence line a distance of 45.08' to  
27 a point for corner;

1 THENCE N 88°24'04" W following the fence line a distance of 64.54' to  
2 a point for corner;  
3 THENCE S 88°35'18" W following the fence line a distance of 193.31'  
4 to a point for corner;  
5 THENCE N 87°28'55" W following the fence line a distance of 93.58' to  
6 a point for corner;  
7 THENCE S 89°28'12" W following the fence line a distance of 138.33'  
8 to a point for corner;  
9 THENCE S 89°59'56" W following the fence line a distance of 344.45'  
10 to a point for corner;  
11 THENCE S 88°43'28" W following the fence line a distance of 233.09'  
12 to a point for corner;  
13 THENCE S 89°12'29" W following the fence line a distance of 119.79'  
14 to a point for corner;  
15 THENCE N 89°33'37" W following the fence line a distance of 134.34'  
16 to a point for corner;  
17 THENCE N 89°19'16" W following the fence line a distance of 81.71' to  
18 a point for corner;  
19 THENCE N 86°52'17" W following the fence line a distance of 111.83'  
20 to a point for corner;  
21 THENCE S 87°26'57" W following the fence line a distance of 89.95' to  
22 a point for corner;  
23 THENCE S 86°33'46" W following the fence line passing at 57.06' a  
24 3/8" iron rod found for a reference corner and continuing in all a  
25 distance of 85.59' to a point for corner in Honey Creek Tributary  
26 14;  
27 THENCE following Honey Creek Tributary 14 the following calls:

1 N 07°58'39" E a distance of 50.94' to a point for corner;  
2 NORTH a distance of 42.58' to a point for corner;  
3 N 10°22'08" W a distance of 56.70' to a point for corner;  
4 N 18°14'25" W a distance of 74.05' to a point for corner;  
5 N 51°50'02" W a distance of 84.87' to a point for corner;  
6 N 28°52'48" W a distance of 149.72' to a point for corner;  
7 N 07°11'54" E a distance of 56.80' to a point for corner;  
8 N 70°43'40" E a distance of 63.72' to a point for corner;  
9 S 75°56'12" E a distance of 44.41' to a point for corner;  
10 N 76°57'20" E a distance of 75.98' to a point for corner;  
11 N 49°49'38" E a distance of 111.08' to a point for corner;  
12 N 12°14'15" E a distance of 117.55' to a point for corner;  
13 N 45°42'04" E a distance of 83.67' to a point for corner;  
14 N 22°03'14" E a distance of 74.48' to a point for corner;  
15 N 08°50'37" W a distance of 181.62' to a point for corner;  
16 N 34°21'35" E a distance of 206.11' to a point for corner;  
17 N 26°50'13" E a distance of 113.87' to a point for corner;  
18 N 63°25'17" W a distance of 192.15' to a point for corner;  
19 N 70°59'23" E a distance of 171.94' to a point for corner;  
20 N 16°03'59" E a distance of 37.44' to a point for corner;  
21 N 15°59'17" W a distance of 45.18' to a point for corner;  
22 N 76°58'28" W a distance of 29.32' to a point for corner;  
23 N 25°52'50" W a distance of 297.74' to a point for corner;  
24 N 44°09'23" W a distance of 75.26' to a point for corner;  
25 N 23°29'30" W a distance of 56.72' to a point for corner;  
26 N 52°48'31" E a distance of 102.97' to a point for corner;  
27 N 24°49'05" E a distance of 131.62' to a point for corner;

1 N 31°13'53" W a distance of 33.86' to a point for corner;  
2 S 70°02'51" W a distance of 36.94' to a point for corner;  
3 S 12°35'40" W a distance of 61.00' to a point for corner;  
4 S 82°34'47" W a distance of 38.69' to a point for corner;  
5 N 63°14'05" W a distance of 114.06' to a point for corner;  
6 N 38°50'14" E a distance of 80.45' to a point for corner;  
7 N 38°06'00" E a distance of 111.06' to a point for corner;  
8 N 05°07'50" E a distance of 108.27' to a point for corner;  
9 N 27°39'30" W a distance of 54.42' to a point for corner;  
10 N 46°56'20" W a distance of 104.90' to a point for corner;  
11 N 10°29'12" W a distance of 60.59' to a point for corner;  
12 N 30°18'05" W a distance of 50.06' to a point for corner;  
13 N 80°48'21" E a distance of 65.28' to a point for corner;  
14 N 54°32'37" E a distance of 74.36' to a point for corner;  
15 N 29°03'50" E a distance of 68.89' to a mag nail set for corner

16 in County Road No. 135;  
17 THENCE S 89°57'36" E following County Road No. 135 a distance of  
18 1911.17' to a mag nail set for corner in County Road No. 135;  
19 THENCE N 89°34'27" E following County Road No. 135 a distance of  
20 98.28' to the POINT OF BEGINNING and containing 5,404,588 Square  
21 Feet or 124.072 Acres of land.

22 Tract No. 4:  
23 BEING a 24.061 acre tract of land situated in the John H. Wilson  
24 Survey, Abstract No. 964 of Collin County, Texas and being all of  
25 the called 24.105 acre tract of land as conveyed in Affidavit of  
26 Heirship to Diana Jean Litchford Herrin in County Clerk  
27 No. 20180926001207030 of the Official Public Records of Collin

1 County, Texas, being more particularly described by metes and  
2 bounds as follows:

3 BEGINNING in County Road 138 at a Mag Nail set for the southeast  
4 earner of the called 24.105 acre tract and said Mag Nail being in  
5 the north line of a 30' public street dedication as shown on the  
6 Honey Creek Forms Addition, an addition to Collin County and  
7 recorded in Volume L, Page 409 of the Map or Plat Records of Collin  
8 County, Texas;

9 THENCE S 89°10'25" W with the north line of the called 30' public  
10 street dedication a distance of 1232.77' to a point for comer in the  
11 center of a creek;

12 THENCE the following calls with the meanderings of the creek;

13 THENCE N 14°18'37" E a distance of 77.28' to a point for corner;

14 THENCE N 42°49'4J" E a distance of 144.96' to a point for corner;

15 THENCE N 52°39'36" E a distance of 80.85' to a point for corner:

16 THENCE N 16"12'06" E a distance of 208.79' to a point for corner;

17 THENCE N 09°34'50" E a distance of 379.02' to a point for corner;

18 THENCE N 20°32'02" E a distance of 143.72' to a point for corner;

19 THENCE N 06°40'20" E o distance of 110.84' to a point for corner in  
20 the south line of a called 90.931 acre tract of as conveyed to the  
21 Ronald McCutchin Family Partnership, LTD., in Volume 3258, Page 442  
22 of the Deed Records of GRAYSON County;

23 THENCE N 88°29'25" E leaving the creek continuing down the south  
24 line of the called 90.931 acre tract and passing a 60D Nail at a  
25 distance of 74.60', and said 60D Nail being north 1.29' from a wire  
26 fence, and continuing for a total distance of 864.56' to an iron  
27 pipe found for the northwest corner of a called 10.001 acres of land

1 of conveyed to Kelly M. Guest in Volume 6061, Page 1427 of the  
2 Official Public Records of Real Property of Coffin County, Texas;  
3 THENCE S 00°05'58" E with the west line of the said 10.001 acre tract  
4 a distance of 1054.14' to the POINT OF BEGINNING, and containing  
5 1,048,126 Square Feet or 24.062 Acres of land.

6 Tract No. 5:

7 BEING a tract of land situated in the Leonidas Wilson Survey,  
8 Abstract No. 974, Collin County, Texas and being all of a called  
9 75.335-acre tract of land described in a deed to E Real Estate, LLC,  
10 recorded in Instrument No. 20200212000196510, Official Public  
11 Records, Collin County, Texas, and being all of a called  
12 81.321-acre tract of land described in a deed to E Real Estate, LLC,  
13 recorded in Instrument No. 20200212000196520, said Official Public  
14 Records, and being more particularly described by metes and bounds  
15 as follows:

16 BEGINNING at a 1/2-inch iron rod found for the southwest corner of  
17 said 81.321-acre tract, said iron rod being on the approximate  
18 centerline of County Road No. 136;

19 THENCE North 0°37'09" West, along the westerly line of said  
20 81.321-acre tract and generally along the centerline of said County  
21 Road No. 136, a distance of 1267.90 feet to a 1/2-inch iron rod  
22 found for the northwest corner of said 81.321-acre tract, common to  
23 the southwest corner of said 75.335-acre tract;

24 THENCE North 0°46'31" West, continuing generally along the  
25 centerline of said County Road No. 136 and along the westerly line  
26 of said 75.335-acre tract, a distance of 1136.92 feet to the  
27 northwest corner of said 75.335-acre tract, said corner being the

1 intersection of the centerline of said County Road No. 136 and the  
2 centerline of County Road No. 138;  
3 THENCE North 89°07'35" East, along the northerly line of said  
4 75.335-acre tract and generally along the centerline of said County  
5 Road No. 138, a distance of 667.88 feet to a point for corner;  
6 THENCE North 88°36'18" East, continuing along the northerly line of  
7 said 75.335-acre tract and generally along the centerline of said  
8 County Road No. 138, a distance of 2155.33 feet to the northeast  
9 corner of said 75.335-acre tract;  
10 THENCE South 0°35'25" East, departing the centerline of said County  
11 Road No. 138 and along the easterly line of said 75.335-acre tract,  
12 a distance of 1188.27 feet to a 12-inch wood fence corner post found  
13 for the southeast corner of said 75.335-acre tract, common to the  
14 northeast corner of said 81.321-acre tract;  
15 THENCE South 1°05'41" West, along the easterly line of said  
16 81.321-acre tract, a distance of 1268.20 feet to a 1/2-inch iron rod  
17 found for the southeast corner of said 81.321-acre tract;  
18 THENCE South 89°46'15" West, along the southerly line of said  
19 81.321-acre tract, a distance of 2781.44 feet to the POINT OF  
20 BEGINNING and containing 156.654 acres (6,823,862 sq. ft.) of land,  
21 more or less.

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

1 Government Code.

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

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

9 (d) All requirements of the constitution and laws of this  
10 state and the rules and procedures of the legislature with respect  
11 to the notice, introduction, and passage of this Act are fulfilled  
12 and accomplished.

13 SECTION 4. (a) If this Act does not receive a two-thirds  
14 vote of all the members elected to each house, Subchapter C, Chapter  
15 7909, Special District Local Laws Code, as added by Section 1 of  
16 this Act, is amended by adding Section 7909.0307 to read as follows:

17 Sec. 7909.0307. NO EMINENT DOMAIN POWER. The district may  
18 not exercise the power of eminent domain.

19 (b) This section is not intended to be an expression of a  
20 legislative interpretation of the requirements of Section 17(c),  
21 Article I, Texas Constitution.

22 SECTION 5. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2021.