

By: Springer

S.B. No. 2249

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Uptown Municipal Utility District No. 1 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 7909A to read as follows:

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

SUBCHAPTER A. GENERAL PROVISIONS

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

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

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

(3) "Director" means a board member.

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

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

Sec. 7909A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

directors as provided by Section 49.102, Water Code.

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

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

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

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

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

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

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

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

(1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

10 (1) Caleb Lavey;

11 (2) Cole Talley;

12 (3) Luke Brown;

13 (4) Zack Schneider; and

14 (5) Ben Hangartner.

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

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

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

20 (c) If permanent directors have not been elected under
21 Section 7909A.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 7909A.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. 7909A.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. 7909A.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. 7909A.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. 7909A.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

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

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

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

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

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

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

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

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

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

5 (e) The board may adopt an order dividing the district
6 before or after the date the board holds an election under Section
7 7909A.0103 to confirm the district's creation.

8 (f) An order dividing the district shall:

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

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

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

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

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

26 (i) Municipal consent to the creation of the district and to
27 the inclusion of land in the district granted under Section

7909A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7909A.0403.

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

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

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

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

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

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

12 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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

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

25 Sec. 7909A.0503. BONDS FOR ROAD PROJECTS. At the time of
26 issuance, the total principal amount of bonds or other obligations
27 issued or incurred to finance road projects and payable from ad

valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Uptown Municipal Utility District No. 1 of Collin County initially includes all the territory contained in the following area:

Kiran Tract - 49.594 acres:

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

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

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

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

1 CORNER;
2 THENCE NORTH 89°21'36" EAST, CONTINUING ALONG SAID COMMON LINE, A
3 DISTANCE OF 1,299.36 FEET TO A 1/2-INCH IRON ROD FOUND IN THE WEST
4 LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA
5 STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED
6 IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T., AT THE EAST
7 COMMON CORNER OF SAID KIRAN TRACT AND SAID MOODY RHINOCEROS TRACT;
8 THENCE SOUTH 00°42'34" EAST, ALONG THE COMMON LINE OF SAID KIRAN
9 TRACTS AND SAID STELZER TRACT, A DISTANCE OF 831.54 FEET TO A
10 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN
11 TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND
12 WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441,
13 O.P.R.C.C.T.;
14 THENCE SOUTH 89°19'06" WEST, ALONG THE COMMON LINE OF SAID KIRAN
15 TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 900.24 FEET TO A
16 3/8-INCH IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID HACKNEY
17 TRACT AND SAID JOHNSON TRACT;
18 THENCE SOUTH 89°18'26" WEST, ALONG THE COMMON LINE OF SAID KIRAN
19 TRACT AND SAID JOHNSON TRACT, A DISTANCE OF 1,714.40 FEET TO THE
20 POINT OF BEGINNING AND CONTAINING 2,175,983 SQUARE FEET OR 49.954
21 ACRES OF LAND, MORE OR LESS.

22 Crown Tract - 143 acres:

23 All that certain 143.93 acre tract or parcel of land situated in the
24 Collin County School Land Survey, Abstract Number 168, Thomas
25 Stayton Survey, Abstract Number 804 and the Henry Bentley Survey,
26 Abstract Number 124, County of Collin, State of Texas, said tract
27 being part of a called 26.030 acre tract as described in deed to

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1 Crown S. Ltd., filed 14 December 2001, and recorded in volume 5066
2 page 4447 of the Official Public Records of said Collin County,
3 Texas, and said tract being part of Exhibit A, a called 193.825 acre
4 tract as described in deed to Crown S. Ltd., filed 31 July 1997, and
5 recorded in volume 3966 page 2598 of said official public records,
6 and being more particularly described as follows;

7 COMMENCING at a found iron rod by a pipe fence corner post, said rod
8 being the southwest corner of said Exhibit A, same being the
9 northwest corner of a called 35.286 acre tract as described in deed
10 to Sutton Field Investments, LLC, filed 10 February 2015, and
11 recorded in Collin County Clerks #D20150210000147450 of said
12 official public records, and said rod being on the east line of
13 Tract One a called 14.88 acre tract as described in deed to Dwight
14 Shewchuck et ux, Rebecca Shewchuk, 26 June 1998, and recorded in
15 Collin County Clerks #D98-0067003 of said official public records,
16 said rod also having NAD83 NCTZ grid coordinates of N-7169022.23,
17 E-2482005.62

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

23 THENCE: North 00 degrees 30 minutes 58 seconds West, with the west
24 line of said Exhibit A, and generally along and near a barbed wire
25 fence, a distance of 690.83 feet to a found iron rod by a wood fence
26 corner post for an angle point in the west line of said Exhibit A,
27 same being the northeast corner of a called 10.253 acre tract as

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1 described in deed to Jimmy D. Bennett and Katheleen J. Bennett,
2 filed 06 May 1997, and recorded in Collin County Clerks
3 #D97-0035479 of said official public records, same being the
4 southeast corner of Tract II, a called 7.605 acre tract as described
5 in deed to Glenn E. Hansen, filed 15 May 2008, and recorded in
6 Collin County Clerks #D20080515000592770 of said official public
7 records;

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

20 THENCE: North 00 degrees 31 minutes 54 seconds East, with the west
21 line of said 26.030 acre tract, and generally along and near a
22 barbed wire fence, a distance of 439.87 feet to a found capped iron
23 rod by a pipe fence corner post for the northwest corner of said
24 26.030 acre tract, same being the southwest corner of a called
25 16.090 acre tract as described in deed to Scot H. McDonald et ux,
26 Jill C. McDonald, filed 14 December 2001, and recorded in Collin
27 County Clerks #D2001-0161490 of said official public records;

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

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

16 THENCE: South 88 degrees 50 minutes 08 seconds West, and passing at
17 450.61 feet a set 1/2 inch rebar, and continuing on said course a
18 total distance of 633.56 feet to a set 1/2 inch rebar for an ell
19 corner of this tract;

20 THENCE: South 00 degrees 44 minutes 17 seconds East, a distance of
21 817.09 feet to a set 1/2 inch rebar for an ell corner of this tract;

22 THENCE: South 88 degrees 45 minutes 36 seconds East, and passing at
23 120.6 feet a set 1/2 inch rebar, and continuing on said course, and
24 passing at 140.6 feet a pipe fence corner post, and continuing on
25 said course with a pipe fence, and passing at 631.77 feet a pipe
26 fence corner post on the west side of said road, and continuing on
27 said course a total distance of 633.07 feet to a set 1/2 inch rebar

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1 on the west right of way line of said road for a corner of this
2 tract;

3 THENCE: South 00 degrees 44 minutes 17 seconds East, with the west
4 line of said road, a distance of 719.40 feet to a found concrete
5 highway monument for a corner of this tract, said monument being the
6 north corner of a called 0.5112 acre tract as described in deed to
7 State of Texas, filed 03 April 2017, and recorded in Collin County
8 Clerks #D2017043000416890 of said official public records;

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

15 THENCE: North 89 degrees 46 minutes 54 seconds West, and passing at
16 0.9 feet a pipe fence corner post, and continuing on said course,
17 with a barbed wire fence, a total distance of 571.78 feet to a pipe
18 fence corner post of an inner ell corner of this tract;

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

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

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

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

5 Dickerson Tract:

6 BEING a tract of land situated in the Thomas Stayton Survey,
7 Abstract No. 805 Collin County, Texas and being part of a called
8 54.809 acre tract conveyed to Lewis Dickerson as recorded in County
9 Clerks No. 2010051000463340, Land Records of Collin County, Texas,
10 and being more particularly described in metes and bounds as
11 follows:

12 BEGINNING at a 1/2" iron rod with yellow plastic capped
13 stamped "4613" set for corner in the west line of said 54.809 acre
14 tract, said iron rod being S 00°02'11" W a distance of 185.72' from a
15 1/2" iron rod found for the northwest corner of said 54.809 acres;

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

19 THENCE S 00°44'54" W veering west from the road a distance of
20 1770.34' to a point for corner;

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

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

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

27 THENCE N 01°09'28" a distance of 121.00' to a wood fence post

1 found for corner;

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

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

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

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

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

13 Stelzer Tract - 161.383 acres:

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

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

27 THENCE NORTH 00°04'16" WEST, A DISTANCE OF 319.32 FEET TO A 3/8-INCH

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1 IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID OLD CELINA TRACT
2 AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE,
3 HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441,
4 O.P.R.C.C.T.;
5 THENCE NORTH 00°31'51" WEST, A DISTANCE OF 479.09 FEET TO A 1/2-INCH
6 IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND A
7 TRACT OF LAND DESCRIBED IN DEED TO MATTHEW D. KIRAN, RECORDED IN
8 INSTRUMENT NO. 20070418000520430, O.P.R.C.C.T.;
9 THENCE NORTH 00°42'34" WEST, ALONG THE EAST LINE OF SAID KIRAN TRACT
10 AND ANOTHER TRACT DESCRIBED IN DEED TO MATTHEW DILLON KIRAN,
11 RECORDED IN INSTRUMENT NO. 20070418000524700, O.P.R.C.C.T., A
12 DISTANCE OF 831.54 FEET TO A 1/2-INCH IRON ROD FOUND AT THE EAST
13 COMMON CORNER OF SAID KIRAN TRACT AND A TRACT OF LAND DESCRIBED IN
14 DEED TO MOODY RHINOCEROS, LLC, RECORDED IN INSTRUMENT NO.
15 20140606000572850, D.R.C.C.T.;
16 THENCE NORTH 00°07'00" EAST, ALONG THE EAST LINE OF SAID MOODY
17 RHINOCEROS TRACT, PASSING AT A DISTANCE OF 1,107.23 FEET A 3/4-INCH
18 IRON ROD FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED
19 IN DEED TO KIM CANNADY LEE, RECORDED IN VOLUME 4840, PAGE 1743, DEED
20 RECORDS, COLLIN COUNTY, TEXAS (D.R.C.C.T.), AND CONTINUING FOR A
21 TOTAL DISTANCE OF 1,120.03 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW
22 CAP STAMPED "RPLS 5674" SET NEAR THE SOUTHWEST EDGE OF PAVING OF
23 COUNTY ROAD 57 AT THE NORTHWEST CORNER OF SAID STELZER TRACT AND THE
24 SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA,
25 LTD., RECORDED IN INSTRUMENT NO. 20140501000426500, O.P.R.C.C.T.,
26 FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID
27 LEE TRACT BEARS NORTH 01°02'23" WEST, A DISTANCE OF 570.99 FEET;

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1 THENCE NORTH 89°35'24" EAST, ALONG SAID COUNTY ROAD 57 AND THE NORTH
2 LINE OF SAID STELZER TRACT, A DISTANCE OF 2,631.96 FEET TO A
3 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR
4 CORNER IN THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD
5 CELINA , LTD., RECORDED IN INSTRUMENT NO. 20060815001168150,
6 O.P.R.C.C.T., AT THE NORTH COMMON CORNER OF SAID STELZER TRACT AND A
7 TRACT OF LAND DESCRIBED AS TRACT III IN DEED TO G BAR 7, LTD.,
8 RECORDED IN VOLUME 5850, PAGE 990, D.R.C.C.T., FROM WHICH A
9 3/8-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID OLD CELINA
10 TRACT BEARS NORTH 89°35'24" EAST, A DISTANCE OF 682.05 FEET;
11 THENCE SOUTH 00°12'44" EAST, LEAVING THE SOUTH LINE OF SAID OLD
12 CELINA TRACT AND ALONG SAID COUNTY ROAD 57 AND THE EAST LINE OF SAID
13 STELZER TRACT, A DISTANCE OF 852.17 FEET TO A MAG NAIL SET AT THE
14 NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF
15 CELINA, TEXAS, RECORDED IN VOLUME 481, PAGE 230, D.R.C.C.T.;
16 THENCE NORTH 87°15'44" WEST, LEAVING SAID COUNTY ROAD 57 AND SAID
17 EAST LINE OF THE STELZER TRACT, A DISTANCE OF 450.00 FEET TO A
18 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE
19 NORTHWEST CORNER OF SAID CITY OF CELINA TRACT;
20 THENCE SOUTH 00°12'44" EAST, A DISTANCE OF 485.30 FEET TO A 5/8-INCH
21 IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE SOUTHWEST
22 CORNER OF SAID CITY OF CELINA TRACT;
23 THENCE SOUTH 87°15'44" EAST, A DISTANCE OF 450.00 FEET TO A MAG NAIL
24 SET IN SAID COUNTY ROAD 57 AND SAID EAST LINE OF THE STELZER TRACT AT
25 THE SOUTHEAST CORNER OF SAID CITY OF CELINA TRACT;
26 THENCE SOUTH 00°12'44" EAST, ALONG SAID COUNTY ROAD 57 AND SAID EAST
27 LINE OF THE STELZER TRACT, A DISTANCE OF 1,420.00 FEET TO A MAG NAIL

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1 SET AT THE SOUTHEAST CORNER OF SAID STELZER TRACT;
2 THENCE SOUTH 89°56'13" WEST, LEAVING SAID COUNTY ROAD 57, PASSING AT
3 A DISTANCE OF 205.83 FEET A 5/8-INCH IRON ROD FOUND AT THE NORTH
4 COMMON CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO J.B. STELZER
5 AND WIFE FRANCES B. STELZER, RECORDED IN INSTRUMENT NO.
6 19710125077403730, D.R.C.C.T., AND LOT 23 OF WILLOCK HILL ADDITION
7 AMENDED PLAT, AN ADDITION TO THE CITY OF CELINA, COLLIN COUNTY,
8 TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET H, SLIDE
9 160, MAP RECORDS, COLLIN COUNTY, TEXAS, AND CONTINUING FOR A TOTAL
10 DISTANCE OF 605.83 FEET TO THE NORTH COMMON CORNER OF LOTS 11 AND 23
11 OF SAID ADDITION, FROM WHICH A 1/2-INCH IRON ROD FOUND WITH A CAP
12 STAMPED "RPLS 2818" BEARS SOUTH 09°19'53" EAST, A DISTANCE OF 0.46
13 FEET;
14 THENCE SOUTH 89°51'02" WEST, A DISTANCE OF 358.80 FEET TO A 5/8-INCH
15 IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE NORTH
16 COMMON CORNER OF LOTS 10 AND 11 OF SAID ADDITION;
17 THENCE SOUTH 89°41'02" WEST, A DISTANCE OF 380.00 FEET TO A 1/2-INCH
18 IRON ROD WITH CAP STAMPED "RPLS 2818" FOUND AT THE NORTH COMMON
19 CORNER OF SAID ADDITION AND SAID GRAY TRACT;
20 THENCE SOUTH 89°39'42" WEST, A DISTANCE OF 1,284.65 FEET TO THE
21 POINT OF BEGINNING AND CONTAINING 7,029,841 SQUARE FEET OR 161.383
22 ACRES OF LAND, MORE OR LESS.

23 Johnson Tract - 18.954 acres:

24 BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT
25 NO. 124, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND
26 DESCRIBED IN DEED TO MARK S. JOHNSON, RECORDED IN VOLUME 5038, PAGE
27 7629, DEED RECORDS, COLLIN COUNTY, TEXAS AND BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

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

THENCE NORTH 89°18'26" EAST, LEAVING SAID EAST RIGHT-OF-WAY LINE AND ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,714.40 FEET TO A 3/8-INCH IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID JOHNSON TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY, RECORDED IN INSTRUMENT NO. 96-0063441, O.P.R.C.C.T., FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID KIRAN TRACT AND SAID HACKNEY TRACT BEARS NORTH 89°19'06" EAST, A DISTANCE OF 900.24 FEET;

THENCE SOUTH 00°39'47" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND SAID HACKNEY TRACT, A DISTANCE OF 476.67 FEET TO A 1/2-INCH IRON ROD FOUND IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA, LTD., RECORDED IN INSTRUMENT NO. 20180323000355690, O.P.R.C.C.T., AT THE SOUTH COMMON CORNER OF SAID JOHNSON TRACT AND SAID HACKNEY TRACT, FROM WHICH A 3/8-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND SAID OLD CELINA TRACT BEARS NORTH 89°28'43" EAST, A DISTANCE OF 910.17 FEET;

THENCE SOUTH 87°38'51" WEST, ALONG THE COMMON LINE OF SAID JOHNSON TRACT AND THE OLD CELINA TRACT, A DISTANCE OF 58.03 FEET TO A 1/2-IRON ROD FOUND AT THE NORTH COMMON CORNER OF SAID OLD CELINA TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO CELINA 428, L.P.,

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1 RECORDED IN INSTRUMENT NO. 20070222000245920, O.P.R.C.C.T.;
2 THENCE SOUTH 88°35'59" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
3 TRACT AND SAID CELINA 428 TRACT, A DISTANCE OF 589.16 FEET TO A
4 1/2-INCH IRON ROD WITH A YELLOW CAP (ILLEGIBLE) FOUND AT THE NORTH
5 COMMON CORNER OF SAID CELINA 428 TRACT AND TRACT OF LAND DESCRIBED
6 IN DEED TO JC GOODMA NINVESTMENT GROUP, INC., RECORDED IN
7 INSTRUMENT NO. 20200115000063450, O.P.R.C.C.T.;
8 THENCE SOUTH 88°39'24" WEST, ALONG THE COMMON LINE OF SAID JOHNSON
9 TRACT AND SAID JC GOODMAN INVESTMENT GROUP TRACT, A DISTANCE OF
10 1,015.89 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC CAP STAMPED
11 "TXDOT" FOUND IN THE NEW EAST RIGHT-OF-WAY LINE OF SAID FM 455 AS
12 ESTABLISHED BY DEED TO THE STATE OF TEXAS, RECORDED IN INSTRUMENT
13 NO. 2017013000470220, O.P.R.C.C.T.;
14 THENCE NORTH 06°44'04" WEST, ALONG SAID NEW EAST RIGHT-OF-WAY LINE,
15 A DISTANCE OF 381.29 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC
16 CAP STAMPED "TXDOT" FOUND FOR CORNER IN THE EXISTING EAST
17 RIGHT-OF-WAY LINE OF SAID FM 544;
18 THENCE NORTH 00°43'02" WEST, ALONG SAID EXISTING EAST RIGHT-OF-WAY
19 LINE, A DISTANCE OF 117.86 FEET TO THE POINT OF BEGINNING AND
20 CONTAINING 825,624 SQUARE FEET OR 18.954 ACRES OF LAND, MORE OR
21 LESS.

22 GBar Tract - 76.224 acres:

23 Being a tract of land situated in the Thomas Stayton Survey,
24 Abstract No. 805, Collin County, Texas and being the remainder of a
25 called 79 acre tract of land (Tract III) described in Deed to G Bar
26 7, LTD. as recorded in Document No. 2005-0015684 of the Official
27 Public Real Property Records of Collin County, Texas, and being

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1 more particularly described herein as follows:

2 BEGINNING at a "Mag" spike set in County Road 57 (a public road) and
3 in the East line of a called 160 acres tract of land described in
4 Deed to Billy Stelzer and Julia Stelzer as recorded in Instrument
5 No. 20141006001089690 of the Official Public Records of Collin
6 County, Texas for the Southwest corner of said Tract III;
7 THENCE North 00 degrees 01 minutes 22 seconds East, with the West
8 line of said Tract III, along said County Road 57, passing the
9 Southeast corner of a called 5.00 acres tract of land described in
10 Deed to the City of Celina as recorded in Volume 481, Page 230 of
11 said Deed Records, continuing with the West line of said Tract III
12 and the East line of said City of Celina tract, passing the
13 Northeast corner thereof and continuing for a total distance of
14 2,484.46 feet to a 5/8 inch iron rod with plastic cap stamped "PLS,
15 INC" (typical) set on the Northeast side of a bend in said County
16 Road 57 for the Northwest corner of said Tract III, and being in the
17 South line of a called 52.039 acre tract of land described in Deed
18 to Old Celina, LTD. as recorded in Instrument No. 20060815001168150
19 of said Official Public Records;
20 THENCE North 89 degrees 45 minutes 53 seconds East, with the North
21 line of said Tract III, passing the Southeast corner of said 52.039
22 acre tract and the Southwest corner of a called 50.363 acres tract
23 of land described in Deed to Celina 50, LLC as recorded in
24 Instrument No. 20190610000659920 of said Official Public Records,
25 and continuing for a total distance of 1,385.31 feet to a 3/8 inch
26 iron rod found for the Northeast corner of said Tract III and the
27 Northwest corner of a called 54.804 acres tract of land (Tract Two)

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1 described in Deed to Dorothy Stambaugh and Lewis Dickerson as
2 recorded in Instrument No. 20100510000463340 of said Official
3 Public Records;

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

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

9 South 02 degrees 33 minutes 05 seconds West, a distance of
10 145.60 feet to a 5/8 inch iron rod set for corner;

11 South 02 degrees 09 minutes 55 seconds East, a distance of
12 198.50 feet to a 5/8 inch iron rod set for corner;

13 South 00 degrees 24 minutes 55 seconds East, a distance of
14 725.00 feet to a 5/8 inch iron rod set for corner;

15 South 00 degrees 09 minutes 55 seconds East, a distance of
16 262.10 feet to a cross-tie fence corner post found for the Southwest
17 corner of said Stambough tract and the Northwest corner of Lot 1,
18 Block A of Celina 22 Addition recorded in Instrument
19 20200128010000450 of said Official Public Records;

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

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1 THENCE South 00 degrees 08 minutes 55 seconds West, with the East
2 line of said Tract III and the West line of said Snyder Addition, a
3 distance of 297.31 feet to a 1/2 inch iron rod found in the North
4 line of a 30 foot alleyway for the Southeast corner of said Tract
5 III and the Southwest corner of said Snyder Addition;
6 THENCE South 89 degrees 29 minutes 39 seconds West, with the South
7 line of said Tract III and the North line of said 30 foot alleyway, a
8 distance of 100.03 feet to a 1/2 inch iron rod found for the
9 Southeast corner of a called 3.00 acres tract of land described in
10 Deed to Whitney Elliot and Marc Elliot as recorded in Instrument
11 No. 20181228001576130 of said Official Public Records;
12 THENCE North 00 degrees 31 minutes 41 seconds West, with the East
13 line of said Elliot tract, a distance of 315.13 feet to a 1/2 inch
14 capped iron rod found for the Northeast corner of said Elliot tract;
15 THENCE South 89 degrees 20 minutes 47 seconds West, with the North
16 line of said Elliot tract, a distance of 414.83 feet to a 5/8 inch
17 iron rod set for the Northwest corner of said Elliot tract;
18 THENCE South 00 degrees 31 minutes 41 seconds East, with the West
19 line of said Elliot tract, a distance of 314.99 feet to a 5/8 inch
20 iron rod set in the South line of said Tract III and the North line
21 of said 30 foot alleyway for the Southwest corner of said Elliot
22 tract;
23 THENCE South 89 degrees 21 minutes 57 seconds West, with the South
24 line of said Tract III, a distance of 879.59 feet to the POINT OF
25 BEGINNING and containing, within the metes and bounds herein
26 recited, 76.224 acres of land, more or less.
27 HACKNEY TRACT - 9.929 ACRES

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1 BEING A TRACT OF LAND LOCATED IN THE HENRY BENTLEY SURVEY, ABSTRACT
2 NO. 124, COLLIN COUNTY, TEXAS AND BEING ALL OF A TRACT OF LAND
3 DESCRIBED IN DEED TO JOE E. HACKNEY AND WIFE, HAZEL M. HACKNEY,
4 RECORDED IN INSTRUMENT NO. 96-0063441, OFFICIAL PUBLIC RECORDS,
5 COLLIN COUNTY, TEXAS (O.P.R.C.C.T.) AND BEING MORE PARTICULARLY
6 DESCRIBED AS FOLLOWS:

7 BEGINNING AT A 3/8-INCH IRON ROD FOUND IN THE SOUTH LINE OF A TRACT
8 OF LAND DESCRIBED IN DEED TO MATTHEW D. KIRAN, RECORDED IN
9 INSTRUMENT NO. 20070418000520430, O.P.R.C.C.T., AT THE NORTH
10 COMMON CORNER OF SAID HACKNEY TRACT AND A TRACT OF LAND DESCRIBED IN
11 DEED TO MARK A. JOHNSON, RECORDED IN VOLUME 5038, PAGE 7629, DEED
12 RECORDS, COLLIN COUNTY, TEXAS, FROM WHICH A 1/2-INCH IRON ROD FOUND
13 IN THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD 455, A 90-FOOT
14 RIGHT-OF-WAY, AT THE WEST COMMON CORNER OF SAID JOHNSON TRACT AND
15 AND SAID KIRAN TRACT BEARS SOUTH 89°18'26" WEST, A DISTANCE OF
16 1714.40 FEET;

17 THENCE NORTH 89°19'06" EAST, A DISTANCE OF 900.24 FEET TO A 1/2-INCH
18 IRON ROD FOUND IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED
19 TO BILLY STELZER AND JULIA STELZER, CO-TRUSTEES OF THE STELZER
20 REVOCABLE TRUST, RECORDED IN INSTRUMENT NO. 20141006001089690,
21 O.P.R.C.C.T. AT THE EAST COMMON CORNER OF SAID HACKNEY TRACT AND
22 SAID KIRAN TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND AT THE
23 NORTHEAST CORNER OF THE KIRAN TRACT BEARS NORTH 00°42'34" WEST, A
24 DISTANCE OF 831.54 FEET;

25 THENCE SOUTH 00°31'51" EAST, ALONG THE COMMON LINE OF SAID HACKNEY
26 TRACT AND SAID STELZER TRACT, A DISTANCE OF 479.09 FEET TO A
27 3/8-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID HACKNEY

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1 TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO OLD CELINA LTD.,
2 RECORDED IN INSTRUMENT NO. 20180323000355690, O.P.R.C.C.T.;
3 THENCE SOUTH 89°28'43" WEST, A DISTANCE OF 910.17 FEET TO A 3/8-INCH
4 IRON ROD FOUND AT THE WEST COMMON CORNER OF SAID HACKNEY TRACT AND
5 SAID OLD CELINA TRACT, SAME BEING THE SOUTH COMMON CORNER OF SAID
6 HACKNEY TRACT AND SAID JOHNSON TRACT, FROM WHICH A 1/2-INCH IRON ROD
7 FOUND AT THE NORTHWEST CORNER OF THE OLD CELINA TRACT BEARS SOUTH
8 87°38'51" WEST, A DISTANCE OF 58.03 FEET;
9 THENCE NORTH 00°39'47" EAST, A DISTANCE OF 476.67 FEET TO THE POINT
10 OF BEGINNING AND CONTAINING 432,525 SQUARE FEET OR 9.929 ACRES OF
11 LAND, MORE OR LESS.

12 MOODY TRACT - 69.994 ACRES

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

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

26 THENCE NORTH 00°45'03" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A
27 DISTANCE OF 498.59 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC

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1 CAP STAMPED "RPLS 5674" SET FOR CORNER, FROM WHICH A WOOD
2 RIGHT-OF-WAY MARKER BEARS NORTH 02°35'45" WEST, A DISTANCE OF 26.41
3 FEET;
4 THENCE NORTH 00°13'52" WEST, CONTINUING ALONG SAID EAST
5 RIGHT-OF-WAY LINE, A DISTANCE OF 720.60 FEET TO A POINT FOR CORNER
6 FROM WHICH A 3/4-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF A
7 TRACT OF LAND DESCRIBED IN DEED TO KIM CANNADY LEE, RECORDED IN
8 VOLUME 4840, PAGE 1743, DEED RECORDS, COLLIN COUNTY, TEXAS, BEARS
9 SOUTH 88°14'15" EAST, A DISTANCE OF 0.59 FEET AND FROM WHICH A
10 3/8-INCH IRON ROD FOUND NEAR THE NORTHWEST CORNER OF SAID MOODY
11 TRACT BEARS SOUTH 01°58'05" WEST, A DISTANCE OF 8.20 FEET AND FROM
12 WHICH A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LEE
13 TRACT BEARS NORTH 00°13'02" WEST, A DISTANCE OF 546.05 FEET;
14 THENCE SOUTH 88°14'15" EAST, ALONG THE SOUTH LINE OF SAID LEE TRACT,
15 A DISTANCE OF 2,627.99 FEET TO A 3/4-INCH IRON ROD FOUND IN THE WEST
16 LINE OF A TRACT OF LAND DESCRIBED IN DEED TO BILLY STELZER AND JULIA
17 STELZER, CO-TRUSTEES OF THE STELZER REVOCABLE TRUST TRACT, RECORDED
18 IN INSTRUMENT NO. 20141006001089690, O.P.R.C.C.T. AT THE SOUTHEAST
19 CORNER OF SAID LEE TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND NEAR
20 THE NORTHEAST CORNER OF SAID MOODY TRACT BEARS NORTH 00°39'40" WEST,
21 A DISTANCE OF 7.67 FEET AND FROM WHICH A 5/8-INCH IRON ROD WITH A CAP
22 (ILLEGIBLE) FOUND AT THE NORTHEAST CORNER OF SAID LEE TRACT BEARS
23 NORTH 01°00'52" WEST, A DISTANCE OF 583.77 FEET;
24 THENCE SOUTH 00°07'00" WEST, ALONG THE COMMON LINE OF SAID MOODY
25 TRACT AND SAID STELZER TRACT, A DISTANCE OF 1,107.25 FEET TO A
26 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF SAID MOODY
27 TRACT AND SAID KIRAN TRACT;

1 THENCE SOUTH 89°21'36" WEST, ALONG THE COMMON LINE OF SAID MOODY
2 TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,299.36 FEET TO A
3 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "RPLS 5674"
4 FOUND FOR CORNER;

5 THENCE SOUTH 89°16'45" WEST, CONTINUING ALONG THE COMMON LINE OF
6 SAID MOODY TRACT AND SAID KIRAN TRACT, A DISTANCE OF 1,315.87 FEET
7 TO THE POINT OF BEGINNING AND CONTAINING 3,048,952 SQUARE FEET OR
8 69.994 ACRES OF LAND, MORE OR LESS.

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

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

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

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

27 SECTION 4. (a) If this Act does not receive a two-thirds

1 vote of all the members elected to each house, Subchapter C, Chapter
2 7909A, Special District Local Laws Code, as added by Section 1 of
3 this Act, is amended by adding Section 7909A.0307 to read as
4 follows:

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

7 (b) This section 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 SECTION 5. This Act takes effect immediately if it receives
11 a 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.