

By: Smith

H.B. No. 5392

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Highland Park Municipal Utility District of Grayson 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 8000A to read as follows:

CHAPTER 8000A. HIGHLAND PARK MUNICIPAL UTILITY DISTRICT OF GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8000A.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 Highland Park Municipal Utility District of Grayson County.

Sec. 8000A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8000A.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. 8000A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8000A.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 as required by applicable law.

Sec. 8000A.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. 8000A.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;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8000A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8000A.0202, directors serve staggered four-year terms.

Sec. 8000A.0202. TEMPORARY DIRECTORS. (a) On or after September 1, 2023, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8000A.0103; or

(2) September 1, 2027.

(c) If permanent directors have not been elected under Section 8000A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8000A.0103; or

(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. 8000A.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. 8000A.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. 8000A.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. 8000A.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. 8000A.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. 8000A.0306. DIVISION OF DISTRICT. (a) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(b) An order dividing a district may create one or more new districts and may provide for the continuation of the district.

(c) An order dividing the district shall:

- (1) name any new district;
- (2) include the metes and bounds description of the territory of each of the districts;
- (3) appoint temporary directors for any new district;

1 and

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

4 (d) The board may adopt an order dividing the district  
5 before or after the date the board holds an election to confirm the  
6 district's creation.

7 (e) The district may be divided only if the district:

8 (1) has no outstanding bonded debt; and

9 (2) is not imposing ad valorem taxes.

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

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

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

21 (i) A new district created by the division of the district  
22 shall hold a confirmation and directors' election.

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

26 (k) A new district created by the division of the district  
27 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.

(1) The district may continue to rely on confirmation, directors', bond, or tax elections held prior to the division.

(m) Municipal consent to the creation of the district and to the inclusion of land in the district acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8000A.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 8000A.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. 8000A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8000A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water

1 Code.

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

4 Sec. 8000A.0403. CONTRACT TAXES. (a) In accordance with  
5 Section 49.108, Water Code, the district may impose a tax other than  
6 an operation and maintenance tax and use the revenue derived from  
7 the tax to make payments under a contract after the provisions of  
8 the contract have been approved by a majority of the district voters  
9 voting at an election held for that purpose.

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

13 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

14 Sec. 8000A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
15 OBLIGATIONS. The district may issue bonds or other obligations  
16 payable wholly or partly from ad valorem taxes, impact fees,  
17 revenue, contract payments, grants, or other district money, or any  
18 combination of those sources, to pay for any authorized district  
19 purpose.

20 Sec. 8000A.0502. TAXES FOR BONDS. At the time the district  
21 issues bonds payable wholly or partly from ad valorem taxes, the  
22 board shall provide for the annual imposition of a continuing  
23 direct ad valorem tax, without limit as to rate or amount, while all  
24 or part of the bonds are outstanding as required and in the manner  
25 provided by Sections 54.601 and 54.602, Water Code.

26 Sec. 8000A.0503. BONDS FOR ROAD PROJECTS. At the time of  
27 issuance, the total principal amount of bonds or other obligations



1 issued or incurred to finance road projects and payable from ad  
2 valorem taxes may not exceed one-fourth of the assessed value of the  
3 real property in the district.

4 SECTION 2. The Highland Park Municipal Utility District of  
5 Grayson County initially includes all the territory contained in  
6 the following area:

7 NORTH TRACT:

8 BEING all that certain tract of land situated in the ROBERT THOMPSON  
9 SURVEY, ABSTRACT NO. 1199, the ELIZABETH JONES SURVEY, ABSTRACT NO.  
10 625, the THOMAS JONES SURVEY, ABSTRACT NO. 635, and the WILLIAM  
11 MARTIN SURVEY, Abstract NO. 765, Grayson County, Texas, and being  
12 all that certain tract conveyed as North Tract to TLS Investments,  
13 L.P., by deed recorded in 2017-27776, Official Public Records,  
14 Grayson County, Texas, and being all that certain tract of land  
15 conveyed to TLS Investments. L.P., by deeds recorded in Instrument  
16 No. 2017-27771 and 2017- 27765, said Official Public Records, and  
17 being more particularly described as follows:

18 BEGINNING at a 1/2 inch iron rod with yellow cap found for the  
19 Northeast corner of the herein described tract, same being the  
20 Northeast corner of said TLS tract (2017-27771), same being in the  
21 intersection of OB Groner Road (prescriptive right-of-way) and  
22 Bradley Road (prescriptive right-of-way), same being the Southeast  
23 corner of that certain tract of land conveyed to Huy Quach and  
24 Charles Shao Wu, by deed recorded in Volume 3260, Page 62, said Deed  
25 Records, same being in the Westerly line of that certain tract of  
26 land conveyed to Munson Realty Co., by deed (no recording  
27 information found);

1 THENCE South 14 deg. 18 min. 06 sec. East, along the common line of  
2 said TLS tract (2017-27771) and said Munson tract, same being the  
3 approximate centerline of said Bradley Road, a distance of 3060.97  
4 feet to a railroad spike found for internal corner, same being in  
5 the intersection of said Bradley Road and Old Dorchester Road  
6 (prescriptive right-of-way), same being the Southwest corner of  
7 said Munson tract;

8 THENCE continuing along the common line of said TLS tract  
9 (2017-27771) and said Munson tract, same being the approximate  
10 centerline of said Old Dorchester Road as follows:

11 North 55 deg. 30 min. 26 sec. East, a distance of 98.77 feet to a 1/2  
12 inch iron rod with yellow "RPLS 4709" cap found for angle point;

13 North 83 deg. 18 min. 49 sec. East, a distance of 764.38 feet to a  
14 nail set with shiner for corner, same being the most Northerly  
15 Northwest corner of that certain tract of land conveyed to Trinidad  
16 Ranch, LLC, by deed recorded in Instrument No. 2016- 26898, said  
17 Official Public Records;

18 THENCE along the common line of said TLS tract (2017-27771) and said  
19 Trinidad tract as follows:

20 South 21 deg. 07 min. 44 sec. West, a distance of 229.00 feet to an  
21 angle point;

22 South 09 deg. 44 min. 43 sec. West, a distance of 117.88 feet to an  
23 angle point;

24 South 76 deg. 29 min. 42 sec. West, a distance of 65.94 feet to an  
25 angle point;

26 South 81 deg. 19 min. 47 sec. West, a distance of 60.87 feet to an  
27 angle point;

H.B. No. 5392

1 South 69 deg. 58 min. 43 sec. West, a distance of 259.82 feet to an  
2 angle point;  
3 South 05 deg. 47 min. 15 sec. East, a distance of 235.24 feet to an  
4 angle point;  
5 South 79 deg. 01 min. 46 sec. West, a distance of 26.33 feet to an  
6 angle point;  
7 South 39 deg. 40 min. 43 sec. West, a distance of 81.98 feet to an  
8 angle point;  
9 South 53 deg. 03 min. 44 sec. West, a distance of 136.31 feet to a 4  
10 inch Bois D'Arc fence post found for corner;  
11 South 15 deg. 10 min. 32 sec. East, passing the Southwest corner of  
12 said Trinidad tract, same being the Northwest corner of that  
13 certain tract of land conveyed to Paul Wayne Griffin and wife,  
14 Debbie A. Griffin, by deed recorded in Volume 4844, Page 892, Deed  
15 Records, Grayson County, Texas, and continuing along the common  
16 line of said TLS tract (2017-27771) and said Griffin tract, a total  
17 distance of 1,833.15 feet to a 12 inch Bois D'Arc fence post found  
18 for internal corner;  
19 THENCE continuing along the common line of said TLS tract  
20 (2017-27771) and said Paul Griffin tract as follows:  
21 North 89 deg. 22 min. 07 sec. East, a distance of 427.41 feet to a  
22 5/8 inch iron rod with yellow "COX 4577" cap found for corner;  
23 South 11 deg. 02 min. 02 sec. East, a distance of 469.42 feet to a  
24 5/8 inch iron rod with yellow "COX 4577" cap found for the Southwest  
25 corner of said Paul Griffin tract, same being the Northwest corner  
26 of that certain tract of land conveyed to Larry Ford Griffin and  
27 Cindy Griffin, by deed recorded in Volume 4844, Page 887, said Deed

1 Records;  
2 THENCE along the common line of said TLS tract (2017-27771) and said  
3 Larry Griffin tract as follows:  
4 South 11 deg. 04 min. 24 sec. East, a distance of 1,036.52 feet to a  
5 5/8 inch iron rod with yellow "COX 4577" cap found for corner;  
6 South 66 deg. 30 min. 49 sec. West, a distance of 305.14 feet to a  
7 5/8 inch iron rod with yellow "COX 4577" cap found for corner;  
8 South 13 deg. 19 min. 12 sec. East, passing a Southeast corner of  
9 said TLS tract (2017-27771), same being that certain tract of land  
10 conveyed as "North Tract" to TLS Investments, L.P., by deed  
11 recorded in Instrument Number 2017-27776, said Official Public  
12 Records, and continuing along the common line of said North Tract  
13 and said Larry Griffin tract, a total distance of 535.64 feet to a  
14 5/8 inch iron rod with yellow "COX 4577" cap found for corner;  
15 THENCE North 86 deg. 45 min. 56 sec. East, continuing along the  
16 common line of said North Tract and said Larry Griffin tract,  
17 passing a 5/8 inch iron rod with yellow "COX 4577" cap found for the  
18 most Southerly Southeast corner of said Larry Griffin tract, same  
19 being the most Westerly corner of that certain tract of land  
20 conveyed to Andrew Ford Griffin and Kimberly Griffin, by deed  
21 recorded in Volume 5178, Page 408, said Deed Records, and  
22 continuing along the common line of said North Tract, a total  
23 distance of 1,278.43 feet to a 1/2 inch square pipe found for  
24 corner;  
25 THENCE along the common line of said North Tract and said Andrew  
26 Griffin tract as follows:  
27 South 15 deg. 22 min. 45 sec. East, a distance of 238.74 feet to a

1 1/2 inch square pipe found for corner;  
2 North 88 deg. 40 min. 47 sec. East, a distance of 415.09 feet to a  
3 cotton spindle found for the most Easterly corner of said North  
4 Tract;  
5 South 22 deg. 39 min. 03 sec. West, passing the most Southerly  
6 corner of said Andrew Griffin tract, same being the Northwest  
7 corner of that certain tract of land conveyed to Fort Dallas, LLC,  
8 by deed recorded in Volume 5401, Page 745, said Deed Records, and  
9 continuing along the common line of said North Tract and said Fort  
10 tract, a total distance of 473.96 feet to an 'X' cut found on bridge  
11 for corner;  
12 THENCE South 16 deg. 47 min. 39 sec. West, continuing along the  
13 common line of said North Tract and said Fort tract, a distance of  
14 244.73 feet to a 5/8 inch iron rod found for the Southeast corner of  
15 said North Tract, same being the Southwest corner of said Fort  
16 tract, same being in the Northerly right-of-way line of Red River,  
17 Texas & Southern Railway Co., as described in deed recorded in  
18 Volume 136, Page 531, Deed Records, Grayson County;  
19 THENCE along the common line of said North Tract and said Railroad  
20 as follows:  
21 North 84 deg. 47 min. 46 sec. West, a distance of 1,878.81 feet to a  
22 T-post found for the beginning of a curve to the left, having a  
23 radius of 3148.25 feet and a central angle of 23 deg. 46 min. 40  
24 sec.;  
25 Along said curve to the left, an arc distance of 1306.53 feet and a  
26 chord bearing and distance of South 83 deg. 18 min. 54 sec. West,  
27 1297.17 feet to an angle point;

H.B. No. 5392

1 South 71 deg. 54 min. 14 sec. West, passing a Southwest corner of  
2 said North Tract, same being the most Southerly Southeast corner of  
3 aforesaid TLS tract (2017-27765), and continuing along the common  
4 line of said TLS tract (2017-27765) and said Railroad, a total  
5 distance of 4,608.36 feet to a point for the Southwest corner of  
6 said TLS tract (2017-27765), same being the Southeast corner of  
7 that certain tract of land conveyed to Hayden Head, by deed recorded  
8 in Volume 364, Page 641, said Deed Records, same being in the  
9 approximate centerline of aforesaid Old Dorchester Road;  
10 THENCE North 14 deg. 25 min. 48 sec. West, along the common line of  
11 said TLS tract (2017-27765) and said Head tract, same being the  
12 approximate centerline of said Old Dorchester Road, passing the  
13 Northeast corner of said Head tract, same being the Southeast  
14 corner of that certain tract of land conveyed to Greg A. Akins, by  
15 deed recorded in Volume 2263, Page 966, said Deed Records, and  
16 continuing along the common line of said TLS tract (2017-27765) and  
17 said Akins tract (Volume 2263, Page 966), same being in the  
18 approximate centerline of said Old Dorchester Road, a total  
19 distance of 1,472.90 feet to a 1/2 inch iron rod found for corner,  
20 same being the Southerly corner of that certain tract of land  
21 conveyed to Greg A. Akins and wife, J. Sue Akins, by deed recorded  
22 in Volume 2792, Page 423, said Deed Records;  
23 THENCE North 31 deg. 18 min. 57 sec. East, along the common line of  
24 said TLS tract (2017-27765) and said Akins tract (Volume 2792, Page  
25 423), same being the approximate centerline of said Old Dorchester  
26 Road, a distance of 330.93 feet to a nail found for corner, same  
27 being in the West corner of that certain tract of land conveyed to

1 Travis W. Norris and wife, Tammy Norris, by deed recorded in Volume  
2 5622, Page 745, said Deed Records;  
3 THENCE along the common line of said TLS tract (2017-27765) and said  
4 Norris tract as follows:  
5 South 58 deg. 39 min. 44 sec. East, a distance of 725.99 feet to a  
6 1/2 inch iron rod with yellow cap found for internal corner, same  
7 being the South corner of said Norris tract;  
8 North 31 deg. 17 min. 15 sec. East, a distance of 299.88 feet to a  
9 1/2 inch iron rod with yellow cap found for internal corner, same  
10 being the East corner of said Norris tract;  
11 North 58 deg. 39 min. 31 sec. West, a distance of 725.79 feet to a  
12 nail found for corner, same being the North corner of said Norris  
13 tract, same being in the approximate centerline of said Old  
14 Dorchester Road, same being in the Southeasterly line of aforesaid  
15 Akins tract (Volume 2792, Page 423);  
16 THENCE North 31 deg. 18 min. 16 sec. East, along the common line of  
17 said TLS tract (2017-27765) and said Akins tract (Volume 2792, Page  
18 423), same being the approximate centerline of said Old Dorchester  
19 Road, a distance of 324.82 feet to a nail found for internal corner,  
20 same being the Easterly corner of said Akins tract (Volume 2792,  
21 Page 423), same being in the intersection of said Old Dorchester  
22 Road and Rockport Road (prescriptive right-of-way);  
23 THENCE North 81 deg. 18 min. 50 sec. West, along the common line of  
24 said TLS tract (2017-27765) and said Akins tract (Volume 2792, Page  
25 423), same being the approximate centerline of said Rockport Road,  
26 a distance of 185.87 feet to a point for corner, same being a  
27 Southerly corner of that certain tract of land conveyed to Oscar

1 Husky Estate, by deed recorded in Volume 626, Page 473, said Deed  
2 Records;  
3 THENCE along the common line of said TLS tract (2017-27765) and said  
4 Husky tract as follows:  
5 North 05 deg. 26 min. 14 sec. East, a distance of 59.18 feet to an  
6 angle point;  
7 North 52 deg. 03 min. 20 sec. East, a distance of 30.07 feet to an  
8 angle point;  
9 North 11 deg. 38 min. 16 sec. East, a distance of 57.12 feet to an  
10 angle point;  
11 North 70 deg. 04 min. 16 sec. East, a distance of 29.09 feet to an  
12 angle point;  
13 South 48 deg. 46 min. 02 sec. East, a distance of 14.38 feet to an  
14 angle point;  
15 North 31 deg. 17 min. 03 sec. East, a distance of 38.55 feet to an  
16 angle point;  
17 North 07 deg. 25 min. 20 sec. West, a distance of 32.71 feet to an  
18 angle point;  
19 North 68 deg. 01 min. 45 sec. West, a distance of 21.18 feet to an  
20 angle point;  
21 North 26 deg. 16 min. 44 sec. East, a distance of 47.54 feet to an  
22 angle point;  
23 North 03 deg. 32 min. 56 sec. East, a distance of 24.51 feet to an  
24 angle point;  
25 North 31 deg. 32 min. 33 sec. East, a distance of 97.23 feet to an  
26 angle point;  
27 North 11 deg. 07 min. 33 sec. West, a distance of 40.09 feet to an



1 angle point;  
2 North 63 deg. 40 min. 55 sec. East, a distance of 30.81 feet to an  
3 angle point;  
4 South 66 deg. 04 min. 31 sec. East, a distance of 62.82 feet to an  
5 angle point;  
6 North 64 deg. 06 min. 15 sec. East, a distance of 18.57 feet to an  
7 angle point;  
8 North 15 deg. 10 min. 19 sec. East, a distance of 121.76 feet to an  
9 angle point;  
10 North 35 deg. 28 min. 24 sec. West, a distance of 46.86 feet to an  
11 angle point;  
12 North 49 deg. 13 min. 59 sec. East, a distance of 25.57 feet to an  
13 angle point;  
14 North 13 deg. 45 min. 42 sec. West, a distance of 26.92 feet to an  
15 angle point;  
16 North 49 deg. 43 min. 51 sec. East, a distance of 14.26 feet to an  
17 angle point;  
18 North 83 deg. 42 min. 04 sec. East, a distance of 16.90 feet to an  
19 angle point;  
20 North 52 deg. 14 min. 49 sec. East, a distance of 24.84 feet to an  
21 angle point;  
22 North 75 deg. 25 min. 35 sec. East, a distance of 21.34 feet to an  
23 angle point;  
24 North 38 deg. 52 min. 04 sec. East, a distance of 25.64 feet to an  
25 angle point;  
26 North 30 deg. 42 min. 08 sec. West, a distance of 36.25 feet to an  
27 angle point;

1 North 13 deg. 04 min. 20 sec. East, a distance of 15.83 feet to an  
2 angle point;  
3 North 67 deg. 57 min. 13 sec. East, a distance of 28.93 feet to an  
4 angle point;  
5 North 14 deg. 29 min. 10 sec. East, a distance of 22.99 feet to an  
6 angle point;  
7 North 30 deg. 44 min. 13 sec. West, a distance of 62.60 feet to an  
8 angle point;  
9 North 44 deg. 11 min. 04 sec. East, a distance of 17.39 feet to an  
10 angle point;  
11 North 87 deg. 21 min. 15 sec. East, a distance of 52.43 feet to an  
12 angle point;  
13 North 47 deg. 25 min. 46 sec. East, a distance of 66.28 feet to an  
14 angle point;  
15 North 31 deg. 13 min. 07 sec. East, a distance of 47.82 feet to an  
16 angle point;  
17 North 09 deg. 07 min. 01 sec. East, a distance of 80.54 feet to an  
18 angle point;  
19 South 72 deg. 04 min. 44 sec. East, a distance of 29.73 feet to an  
20 angle point;  
21 North 52 deg. 20 min. 27 sec. East, a distance of 39.02 feet to a  
22 point for corner, same being the Southwest corner of that certain  
23 tract of land conveyed as Tract 1 to Reginald B. Smith, Sr., by deed  
24 recorded in Instrument No. 2018-7027, aforesaid Official Public  
25 Records;  
26 THENCE South 43 deg. 03 min. 16 sec. East, along the common line of  
27 said TLS tract (2017-27765) and said Tract 1, a distance of 256.95

H.B. No. 5392

1 feet to a 1/2 inch iron rod set with "Peiser & Mankin SURV" red  
2 plastic cap (hereinafter referred to as 1/2 inch iron rod set) for  
3 corner, same being the South corner of said Tract 1, same being in  
4 the approximate centerline of aforesaid Old Dorchester Road;  
5 THENCE North 47 deg. 07 min. 49 sec. East, continuing along the  
6 common line of said TLS tract (2017-27765) and said Tract 1, same  
7 being the approximate centerline of said Old Dorchester Road,  
8 passing the approximate centerline of said Old Dorchester Road,  
9 continuing along the common line of said TLS tract (2017-27765) and  
10 said Tract 1, a total distance of 968.76 feet to a 1/2 inch iron rod  
11 found for the most Northerly Northeast corner of said TLS tract  
12 (2017-27765), same being in the Westerly line of aforesaid North  
13 Tract;  
14 THENCE North 16 deg. 06 min. 36 sec. West, continuing along the  
15 common line of said TLS tract (2017-27765) and said Tract 1, passing  
16 the approximate centerline of said Old Dorchester Road, and  
17 continuing along the common line of said TLS tract (2017-27765) and  
18 said Tract 1, a total distance of 573.78 feet to a 1/2 inch iron rod  
19 set for the most Westerly Northwest corner of said North Tract, same  
20 being the Northeast corner of said Smith tract, same being in the  
21 Southerly line of that certain tract of land conveyed as "Tract 2"  
22 to Reginald B. Smith, SR., by said deed recorded in Instrument  
23 No. 2018-7027, said Official Public Records;  
24 THENCE North 75 deg. 41 min. 06 sec. East, along the common line of  
25 said TLS tract (2017-27765) and said Tract 2, passing the  
26 approximate centerline of aforesaid Old Dorchester Road, and  
27 continuing along the common line of said TLS tract (2017- 27765) and

H.B. No. 5392

1 said Tract 2, same being the approximate centerline of aforesaid  
2 Old Dorchester Road, passing the Southeast corner of said Tract 2,  
3 same being the Southwest corner of that certain tract of land  
4 conveyed to Reginald B. Smith, SR., by deed recorded in Volume 1147,  
5 Page 682, said Deed Records, and continuing along the common line of  
6 said TLS tract (2017- 27765) and said Smith tract (Volume 1147, Page  
7 682), same being the approximate centerline of said Old Dorchester  
8 Road, a total distance of 1,736.90 feet to a 1/2 inch iron rod set  
9 for corner, same being a Westerly corner of aforesaid TLS tract  
10 (2017- 27771);

11 THENCE along the common line of said TLS tract (2017-27771) and said  
12 Smith tract (Volume 1147, Page 682), same being the approximate  
13 centerline of said Old Dorchester Road as follows:

14 North 60 deg. 18 min. 29 sec. East, a distance of 25.44 feet to a  
15 point for angle point;

16 North 60 deg. 19 min. 06 sec. East, a distance of 700.00 feet to a  
17 1/2 inch iron rod set for angle point;

18 North 53 deg. 15 min. 03sec. East, a distance of 589.19 feet to an  
19 angle point; North 38 deg. 20 min. 15 sec. East, a distance of  
20 420.18 feet to an angle point; North 08 deg. 03 min. 54 sec. West, a  
21 distance of 641.82 feet to an angle point;

22 North 55 deg. 30 min. 26 sec. East, a distance of 251.79 feet to a  
23 point for corner, same being the most Easterly Southeast corner of  
24 said Smith tract (Volume 1147, Page 682);

25 THENCE North 14 deg. 23 min. 36 sec. West, continuing along the  
26 common line of said TLS tract (2017-27771) and said Smith tract  
27 (Volume 1147, Page 682), a distance of 3,228.79 feet to a point for

H.B. No. 5392

1 the most Northerly Northwest corner of said TLS tract (2017-27771),  
2 same being in the approximate centerline of aforesaid OB Groner  
3 Road, same being in the Southerly line of Western Acres Addition  
4 Installment No. 2, an addition to Grayson County, Texas, according  
5 to the plat thereof recorded in Volume 6, Page 12, Plat Records,  
6 Grayson County, Texas;

7 THENCE North 74 deg. 53 min. 30 sec. East, along the common line of  
8 said TLS tract (2017-27771) and said Western Acres Addition  
9 Installment No. 2, same being the approximate centerline of said OB  
10 Groner Road, passing the Southeast corner of said Western Acres  
11 Addition Installment No. 2, same being the Southwest corner of  
12 aforesaid Quach tract, and continuing along the common line of said  
13 TLS tract (2017-27771) and said Quach tract, same being the  
14 approximate centerline of said OB Groner Road, a total distance of  
15 479.91 feet to the POINT OF BEGINNING and containing 587.056 acres  
16 of computed land, more or less.

17 SOUTH TRACT:

18 BEING all that certain tract of land situated in the ROBERT  
19 THOMPSON SURVEY, ABSTRACT NO. 1199 and the WILLIAM MARTIN SURVEY,  
20 ABSTRACT NO. 765, Grayson County, Texas, and being all that certain  
21 tract of land conveyed as "South Tract" to TLS Investments, L.P., by  
22 deed recorded in Instrument No. 2017-27776, Official Public  
23 Records, Grayson County, Texas, and being more particularly  
24 described as follows:

25 BEGINNING at a railroad spike found for the Northeast corner of said  
26 South Tract, same being in the Southerly right-of-way line of Red  
27 River, Texas & Southern Railway Co., as described in deed recorded

1 in Volume 136, Page 531, Deed Records, Grayson County, Texas, same  
2 being the Northwest corner of that certain tract of land conveyed to  
3 Jeremy Schmitz (no recording information available);  
4 THENCE South 19 deg. 11 min. 10 sec. West, along the common line of  
5 said South Tract and said Schmitz tract, a distance of 1097.06 feet  
6 to a point for the Southeast corner of said South Tract, same being  
7 the most Southerly corner of said Schmitz tract, same being the most  
8 Easterly corner of that certain tract of land conveyed to Sue Talley  
9 Reeves, Trustee of Sue Talley Revocable Trust, by deed recorded in  
10 Volume 4370, Page 447, said Deed Records, same being the  
11 approximate centerline of a creek;  
12 THENCE along the common line of said South Tract and said Reeves  
13 tract as follows:  
14 North 81 deg. 20 min. 09 sec. West, a distance of 284.55 feet to a  
15 point in creek;  
16 South 70 deg. 40 min. 21 sec. West, a distance of 102.27 feet to a  
17 point in creek;  
18 North 75 deg. 11 min. 59 sec. West, a distance of 127.59 feet to a  
19 point in creek;  
20 North 51 deg. 45 min. 23 sec. West, a distance of 220.29 feet to a  
21 point in creek;  
22 North 79 deg. 12 min. 46 sec. West, a distance of 86.47 feet to a  
23 point in creek;  
24 North 41 deg, 30 min. 50 sec. West, a distance of 378.26 feet to a  
25 point in creek;  
26 North 79 deg. 02 min. 33 sec. West, a distance of 214.43 feet to a  
27 point in creek;

H.B. No. 5392

- 1 North 36 deg. 39 min. 21 sec. East, a distance of 222.74 feet to a
- 2 point in creek;
- 3 North 77 deg. 28 min. 04 sec. West, a distance of 160.13 feet to a
- 4 point in creek;
- 5 North 67 deg. 02 min. 46 sec. West, a distance of 317.96 feet to a
- 6 point in creek;
- 7 North 20 deg. 07 min. 28 sec. West, a distance of 96.72 feet to a
- 8 point in creek;
- 9 South 59 deg. 24 min. 07 sec. West, a distance of 230.86 feet to a
- 10 point in creek;
- 11 North 74 deg. 29 min. 54 sec. West, a distance of 54.23 feet to a
- 12 point in creek;
- 13 North 01 deg. 17 min. 08 sec. East, a distance of 125.00 feet to a
- 14 point in creek;
- 15 North 47 deg. 10 min. 46 sec. West, a distance of 142.35 feet to a
- 16 point in creek;
- 17 South 45 deg. 49 min. 53 sec. West, a distance of 104.40 feet to a
- 18 point in creek;
- 19 North 73 deg. 20 min. 39 sec. West, a distance of 120.57 feet to a
- 20 point in creek;
- 21 South 77 deg. 23 min. 53 sec. West, a distance of 109.21 feet to a
- 22 point in creek;
- 23 South 35 deg. 55 min. 55 sec. West, a distance of 133.45 feet to a
- 24 point in creek;
- 25 South 70 deg. 40 min. 06 sec. West, a distance of 370.67 feet to a
- 26 point in creek;
- 27 North 82 deg. 15 min. 21 sec. West, a distance of 132.27 feet to a

1 point in creek;  
2 South 27 deg. 21 min. 12 sec. West, a distance of 129.88 feet to a  
3 point in creek;  
4 South 85 deg. 44 min. 18 sec. West, a distance of 228.14 feet to a  
5 point in creek;  
6 South 14 deg. 08 min. 19 sec. west, a distance of 58.86 feet to a  
7 point in creek;  
8 South 50 deg. 05 min. 29 sec. West, a distance of 87.89 feet to a  
9 point in creek;  
10 North 83 deg. 09 min. 16 sec. West, a distance of 178.46 feet to a  
11 point in creek;  
12 South 19 deg. 19 min. 45 sec. West, a distance of 103.44 feet to a  
13 point in creek;  
14 South 59 deg. 19 min. 52 sec. West, a distance of 32.75 feet to a  
15 point in creek for the Southwest corner of said South Tract; North  
16 15 deg. 06 min. 19 sec. West, a distance of 373.73 feet to a point  
17 for the Northwest corner of said South Tract, same being a Northeast  
18 corner of said Reeves tract, same being in the Southerly  
19 right-of-way line of aforesaid Railroad;  
20 THENCE along the common line of said South Tract and said Railroad  
21 as follows:  
22 North 71 deg. 54 min. 14 sec. East, a distance of 790.40 feet to a  
23 point for the beginning of a curve to the right, having a radius of  
24 3048.25 feet and a central angle of 23 deg. 46 min. 05 sec.;  
25 Along said curve to the right, an arc distance of 1265.43 feet and a  
26 chord bearing and distance of North 83 deg. 18 min. 40 sec. East,  
27 1256.38 feet to a point for angle point;



1 South 84 deg. 48 min. 11 sec. East, a distance of 1853.44 feet to the  
2 POINT OF BEGINNING and containing 45.755 acres of computed land,  
3 more or less.

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

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

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

18 (d) All requirements of the constitution and laws of this  
19 state and the rules and procedures of the legislature with respect  
20 to the notice, introduction, and passage of this Act are fulfilled  
21 and accomplished.

22 SECTION 4. (a) If this Act does not receive a two-thirds  
23 vote of all the members elected to each house, Subchapter C, Chapter  
24 8000A, Special District Local Laws Code, as added by Section 1 of  
25 this Act, is amended by adding Section 8000A.0307 to read as  
26 follows:

27 Sec. 8000A.0307. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

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

5           SECTION 5. This Act takes effect September 1, 2023.