

House Bill 5398
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3942 to read as follows:
CHAPTER 3942. WEST LAKE RANCH MUNICIPAL MANAGEMENT DISTRICT
SUBCHAPTER A. GENERAL PROVISIONS
Sec. 3942.0101. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "City" means the City of Corsicana.
(3) "County" means Navarro County.
(4) "Director" means a board member.
(5) "District" means the West Lake Ranch Municipal Management District.
Sec. 3942.0102. NATURE OF DISTRICT. The West Lake Ranch Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution.
Sec. 3942.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.
(b) By creating the district and in authorizing the county, the city, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.
(c) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.
(d) This chapter and the creation of the district may not be interpreted to relieve the county or the city from providing

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the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant county or city services provided in the district.

Sec. 3942.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

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

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, and recreational facilities for the district.

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(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 3942.0105. 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 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 bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3942.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code; or

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code.

Sec. 3942.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

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Sec. 3942.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3942.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

(b) Directors are elected in the manner provided by Subchapter D, Chapter 49, Water Code.

Sec. 3942.0202. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3942.0203. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal roll for the county may submit a petition to the Texas Commission on Environmental Quality 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) The temporary or successor temporary directors shall hold an election to elect five permanent directors as provided by Section 49.102, Water Code.

(c) Temporary directors serve until the earlier of:

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(1) the date permanent directors are elected under Subsection (b); or

(2) the fourth anniversary of the effective date of the Act creating this chapter.

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

(1) the date permanent directors are elected under Subsection (b); or

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

(e) If Subsection (d) applies, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal roll for the county may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3942.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3942.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

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(1) the date permanent directors are elected under Subsection (b); or

(2) the fourth anniversary of the effective date of the Act creating this chapter.

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(1) the date permanent directors are elected under Subsection (b); or

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(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 3942.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 3942.0304. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or the city, to provide additional law enforcement services in the district for a fee.

Sec. 3942.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

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Sec. 3942.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

(1) make loans and grants of public money; and

(2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

(1) Chapter 380, Local Government Code; and

(2) Subchapter A, Chapter 1509, Government Code.

Sec. 3942.0307. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

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(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

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<p><u>Sec. 3942.0308. ADDING OR EXCLUDING LAND. The district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.</u></p> <p><u>Sec. 3942.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.</u></p> <p><u>Sec. 3942.0310. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.</u></p> <p><u>Sec. 3942.0311. EMINENT DOMAIN. The district may exercise the power of eminent domain in the manner provided by Section 49.222, Water Code.</u></p> <p><u>Sec. 3942.0312. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:</u></p> <p><u>(1) has no outstanding bonded debt; and</u></p> <p><u>(2) is not imposing ad valorem taxes.</u></p> <p><u>(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.</u></p> <p><u>(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act enacting this chapter.</u></p> <p><u>(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.</u></p> <p><u>(e) An order dividing the district must:</u></p> <p><u>(1) name each new district;</u></p>	<p><u>Sec. 3942.0307. ADDING OR EXCLUDING LAND. The district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.</u></p> <p><u>Sec. 3942.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.</u></p> <p><u>Sec. 3942.0309. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.</u></p>	

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

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

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

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

(g) 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.

(h) Municipal or county consent to the creation of the district and to the inclusion of land in the district granted under Section 3942.0506 acts as municipal or county 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. ASSESSMENTS

Sec. 3942.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

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Sec. 3942.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3942.0501. TAX ELECTION REQUIRED. (a) The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

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(b) Section 375.243, Local Government Code, does not apply to the district.

Sec. 3942.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 3942.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

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

Sec. 3942.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

(a) The district may borrow money on terms determined by the board.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

(c) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from assessments in the manner provided by Subchapter A, Chapter 372, Local Government Code, if the improvements financed by an obligation issued under this section will be conveyed to or operated and maintained by a municipality or other retail utility provider pursuant to an agreement with the district entered into before the issuance of the obligation.

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Sec. 3942.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

(1) revenue other than ad valorem taxes, including contract revenues; or

(2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 3942.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 3942.0501, the district may issue bonds payable from ad valorem taxes.

(b) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 3942.0506. CONSENT OF CITY OR COUNTY REQUIRED. (a) The board may not issue bonds until the governing body of either the city or county has consented by ordinance, resolution, or order to the creation of the district and to the inclusion of land in the district.

(b) This section applies only to the district's first issuance of bonds payable from ad valorem taxes.

SUBCHAPTER I. DISSOLUTION

SENATE VERSION (CS)

Sec. 3942.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

(1) revenue other than ad valorem taxes, including contract revenues; or

(2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 3942.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 3942.0501, the district may issue bonds payable from ad valorem taxes.

(b) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(c) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 3942.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds 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.

(b) This section applies only to the district's first issuance of bonds payable from ad valorem taxes.

SUBCHAPTER I. DISSOLUTION

CONFERENCE

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HOUSE VERSION

Sec. 3942.0901. DISSOLUTION. (a) Except as limited by Section 375.264, Local Government Code, the board shall dissolve the district on written petition filed with the board by the owners of:

- (1) a simple majority of the assessed value subject to assessment by the district of the property in the district based on the most recent certified county property tax rolls; or
- (2) a simple majority of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The district may not be dissolved if the district:

- (1) has any outstanding bonded or other indebtedness until that bonded or other indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonded or other indebtedness;
 - (2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or
 - (3) owns, operates, or maintains public works, facilities, or improvements unless the district has contracted with another party for the ownership and operation or maintenance of the public works, facilities, or improvements.
- (c) Section 375.262, Local Government Code, does not apply to the district.

SENATE VERSION (CS)

Sec. 3942.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

- (1) at least two-thirds of the assessed value of the property subject to assessment by the district based on the most recent certified county property tax rolls; or
- (2) at least two-thirds of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The board by majority vote may dissolve the district at any time.

(c) The district may not be dissolved by its board under Subsection (a) or (b) if the district:

- (1) has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds;
 - (2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or
 - (3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership, operation, or maintenance of the public works, facilities, or improvements.
- (d) Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the district.

CONFERENCE

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<p>SECTION 2. The West Lake Ranch Municipal Management District initially includes all territory contained in the following area:</p> <p>Tract 1</p> <p>BEING A TRACT OF LAND SITUATED IN THE JOSEPH BUNCH SURVEY, ABSTRACT NO. 130; THE RADFORD ELLIS SURVEY, ABSTRACT NO. 252; THE JACOB ALLBRACHET SURVEY, ABSTRACT NO. 39; THE ELIJAH SANDERS SURVEY, ABSTRACT NO. 755; THE RICHARD SANDERS SURVEY, ABSTRACT NO. 754; THE JONAS DEARMAN SURVEY, ABSTRACT NO. 212; THE HICKMAN M. SHULTS SURVEY, ABSTRACT NO. 756; THE WILLIAM HAGGARD SURVEY, ABSTRACT NO. 370; THE EVAN LOWERY SURVEY, ABSTRACT NO. 476; THE JEREMIAH DAY SURVEY, ABSTRACT NO. 202; THE ROBERT B. LONGBOTHAM SURVEY, ABSTRACT NO. 79; AND THE FENWICK R. KENDALL SURVEY, ABSTRACT NO. 460, NAVARRO COUNTY, TEXAS, BEING A PORTION OF A CALLED 2,220.14 ACRE TRACT (PART 1), ALL OF A CALLED 355.06 ACRE TRACT (PART 2), ALL OF A CALLED 798.583 ACRE TRACT (PART 3), AND ALL OF A CALLED 45.147 ACRE TRACT (PART 7) DESCRIBED IN THE DEED TO WP LEGACY, LTD. RECORDED IN DOCUMENT NO. 2009-004255 OF THE OFFICIAL RECORDS OF NAVARRO COUNTY, TEXAS (O.R.N.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE EAST CORNER OF A CALLED 121.29 ACRE TRACT DESCRIBED IN THE DEED TO JUAN F. ALVARADO RECORDED IN DOCUMENT NO. 2007-002345 (AND CORRECTED BY DOCUMENT NO.</p>	<p>SECTION 2. Same as House version.</p>	

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<p>2015-006151) O.R.N.C.T., AND THE EASTERLY NORTH CORNER OF SAID PART 3, IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE B.N.S.F. RAILROAD;</p> <p>THENCE SOUTH 43° 06' 25" EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE B.N.S.F. RAILROAD AND A NORTHEASTERLY LINE OF SAID PART 3, 451.15 FEET;</p> <p>THENCE SOUTH 33° 09' 22" EAST, CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE B.N.S.F. RAILROAD AND A NORTHEASTERLY LINE OF SAID PART 3, 1829.65 FEET TO THE NORTH CORNER OF A CALLED 2.14 ACRE TRACT DESCRIBED IN THE DEED TO VERNON WESLEY ECK ET AL. RECORDED IN DOCUMENT NO. 2021-004994 O.R.N.C.T. AND A NORTHERLY EAST CORNER OF SAID PART 3;</p> <p>THENCE SOUTH 56° 50' 38" WEST, ALONG THE NORTHWEST LINE OF SAID 2.14 ACRE TRACT AND A SOUTHEASTERLY LINE OF SAID PART 3, 80.00 FEET TO THE WEST CORNER OF SAID 2.14 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 3;</p> <p>THENCE SOUTH 33° 09' 22" EAST, ALONG THE SOUTHWEST LINE OF SAID 2.14 ACRE TRACT AND A NORTHEASTERLY LINE OF SAID PART 3, 637.02 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;</p> <p>THENCE WITH SAID CURVE TO THE LEFT, CONTINUING ALONG THE SOUTHWEST LINE OF SAID 2.14 ACRE TRACT AND A NORTHEASTERLY LINE OF SAID PART 3, AN ARC DISTANCE OF 609.12</p>		

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<p>FEET, THROUGH A CENTRAL ANGLE OF 16° 46' 44", HAVING A RADIUS OF 2080.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 41° 32' 44" EAST, 606.95 FEET, TO THE SOUTH CORNER OF SAID 2.14 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 3;</p> <p>THENCE NORTH 63° 34' 43" EAST, ALONG THE SOUTHEAST LINE OF SAID 2.14 ACRE TRACT AND A NORTHWESTERLY LINE OF SAID PART 3, 30.35 FEET TO A NORTHERLY CORNER OF SAID PART 3 IN THE SOUTHWESTERLY MARGIN OF NW COUNTY ROAD 1060;</p> <p>THENCE ALONG THE SOUTHWESTERLY MARGIN OF NW COUNTY ROAD 1060, NORTHEASTERLY LINES OF SAID PART 3 AND NORTHEASTERLY LINES OF SAID PART 1, THE FOLLOWING COURSES AND DISTANCES:</p> <p>SOUTH 56° 05' 45" EAST, 338.56 FEET;</p> <p>SOUTH 61° 34' 26" EAST, 381.78 FEET;</p> <p>SOUTH 70° 56' 09" EAST, 259.08 FEET;</p> <p>SOUTH 74° 02' 24" EAST, 663.90 FEET;</p> <p>SOUTH 73° 46' 32" EAST, 1180.00 FEET;</p> <p>SOUTH 74° 20' 22" EAST, 1010.01 FEET;</p> <p>SOUTH 73° 25' 24" EAST, 299.21 FEET;</p> <p>SOUTH 67° 10' 16" EAST, 455.76 FEET;</p> <p>SOUTH 64° 53' 55" EAST, 1546.40 FEET;</p> <p>SOUTH 60° 09' 18" EAST, 299.69 FEET;</p> <p>THENCE SOUTH 47° 51' 02" EAST, CONTINUING ALONG A NORTHEASTERLY LINE OF SAID PART 1, 315.41 FEET;</p> <p>THENCE SOUTH 45° 13' 51" EAST, CONTINUING ALONG A NORTHEASTERLY LINE OF SAID PART 1,</p>		

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<p>THE SOUTHEAST LINE OF NORTHVIEW ADDITION PHASE IV, AN ADDITION TO THE CITY OF CORSICANA AS SHOWN ON THE PLAT RECORDED IN VOLUME 6, PAGE 110 OF THE PLAT RECORDS OF NAVARRO COUNTY, TEXAS (P.R.N.C.T.), THE SOUTHEAST LINE OF NORTHVIEW ADDITION PHASE III, AN ADDITION TO THE CITY OF CORSICANA AS SHOWN ON THE PLAT RECORDED IN VOLUME 6, PAGE 4 P.R.N.C.T., AND THE SOUTHEAST LINE OF NORTHVIEW ADDITION PHASE I & II, AN ADDITION TO THE CITY OF CORSICANA AS SHOWN ON THE PLAT RECORDED IN VOLUME 6, PAGE 4 P.R.N.C.T., 3987.26 FEET TO THE NORTH CORNER OF A CALLED 9.93 ACRE TRACT DESCRIBED IN THE DEED TO JEFFREY J. DREES AND MARISSA D. DREES RECORDED IN DOCUMENT NO. 2017-003183 O.R.N.C.T. AND THE NORTHERLY EAST CORNER OF SAID PART 1; THENCE SOUTH 61° 04' 29" WEST, ALONG THE NORTHWEST LINE OF SAID 9.93 ACRE TRACT, THE NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN THE DEED TO RONALD A. WILLIS RECORDED IN VOLUME 1067, PAGE 102 O.R.N.C.T., AND A SOUTHEASTERLY LINE OF SAID PART 1, 587.80 FEET TO AN INTERIOR CORNER OF SAID PART 1; THENCE SOUTH 30° 02' 02" EAST, ALONG A SOUTHWEST LINE OF SAID WILLIS TRACT AND A NORTHEASTERLY LINE OF SAID PART 1, 1733.93 FEET TO THE NORTH CORNER OF DOBBINS CROSSING, AN ADDITION TO THE CITY OF CORSICANA AS SHOWN ON THE PLAT RECORDED</p>		

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<p>IN VOLUME 7, PAGE 281 P.R.N.C.T. AND THE SOUTHERLY EAST CORNER OF SAID PART 1; THENCE SOUTH 61° 01' 50" WEST, ALONG THE NORTHWEST LINE OF DOBBINS CROSSING AND A SOUTHEASTERLY LINE OF SAID PART 1, AT 271.79 FEET PASSING THE NORTHWEST CORNER OF DOBBINS CROSSING AND AN INTERIOR CORNER OF SAID PART 1, CONTINUING ACROSS SAID PART 1, A TOTAL DISTANCE OF 579.91 FEET TO A POINT 500- FEET OFFSET FROM THE NORTHWESTERLY RIGHT- OF-WAY LINE OF DOBBINS ROAD, AS SHOWN ON A MAP OF ANNEXATION FOR THE CITY OF CORSICANA, DATED MAY 2006; THENCE CONTINUING ACROSS SAID PART 1, 500 FEET OFFSET FROM AND PARALLEL TO THE NORTHWESTERLY RIGHT-OF-WAY LINES OF DOBBINS ROAD, AS SHOWN ON SAID MAP OF ANNEXATION, THE FOLLOWING COURSES AND DISTANCES: SOUTH 31° 55' 42" WEST, 852.28 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 4.13 FEET, THROUGH A CENTRAL ANGLE OF 11° 54' 24", HAVING A RADIUS OF 19.85 FEET, AND A LONG CHORD WHICH BEARS SOUTH 37° 52' 54" WEST, 4.12 FEET; SOUTH 43° 50' 06" WEST, 430.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 352.80 FEET, THROUGH A CENTRAL ANGLE OF 18° 00' 00", HAVING A RADIUS OF 1123.00</p>		

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<p>FEET, AND A LONG CHORD WHICH BEARS SOUTH 34° 50' 06" WEST, 351.35 FEET; SOUTH 25° 50' 06" WEST, 2649.09 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 92.36 FEET, THROUGH A CENTRAL ANGLE OF 17° 38' 22", HAVING A RADIUS OF 300.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 34° 25' 04" WEST, 92.00 FEET TO A POINT IN THE NORTHEAST LINE OF A CALLED 5 ACRE TRACT 2 DESCRIBED IN THE DEED TO INDUSTRIAL OIL, GAS & DEVELOPMENT, INC. RECORDED IN VOLUME 1187, PAGE 27 O.R.N.C.T. AND A SOUTHWESTERLY LINE OF SAID PART 1; THENCE NORTH 28° 41' 37" WEST, ALONG A NORTHEASTERLY LINE OF SAID TRACT 2 AND THE NORTHEAST LINE OF A CALLED 43.156 ACRE TRACT 1 DESCRIBED IN THE DEED TO INDUSTRIAL OIL, GAS & DEVELOPMENT, INC. RECORDED IN VOLUME 1187, PAGE 27 O.R.N.C.T., 1013.53 FEET TO AN INTERIOR CORNER OF SAID TRACT 1 AND A WESTERLY CORNER OF SAID PART 1; THENCE NORTH 23° 55' 00" EAST, ALONG A NORTHERLY SOUTHEAST LINE OF SAID TRACT 1 AND A NORTHWESTERLY LINE OF SAID PART 1, 621.58 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1 AND AN INTERIOR CORNER OF SAID PART 1; THENCE SOUTH 59° 48' 37" WEST, ALONG A NORTHWESTERLY LINE OF SAID TRACT 1 AND A</p>		

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<p>SOUTHEASTERLY LINE OF SAID PART 1, 2089.72 FEET TO A POINT; THENCE SOUTH 83° 34' 56" WEST, ALONG A WESTERLY NORTH LINE OF SAID TRACT 1, A NORTHERLY LINE OF A CALLED 16.50 ACRE TRACT DESCRIBED IN THE DEED TO SCOTT BUTLER RECORDED IN DOCUMENT NO. 2007-005269 O.R.N.C.T. AND A SOUTHERLY LINE OF SAID PART 1, 515.92 FEET TO AN INTERIOR CORNER OF SAID PART 1 AND AN EASTERLY NORTHWEST CORNER OF SAID 16.50 ACRE TRACT; THENCE SOUTH 30° 00' 00" EAST, ALONG AN EASTERLY LINE OF SAID PART 1 AND A WESTERLY LINE OF SAID 16.50 ACRE TRACT, 27.80 FEET TO AN INTERIOR CORNER OF SAID 16.50 ACRE TRACT AND A SOUTHEASTERLY CORNER OF SAID PART 1; THENCE SOUTH 85° 57' 50" WEST, ALONG A NORTHERLY LINE OF SAID 16.50 ACRE TRACT, A NORTHERLY LINE OF A CALLED 17.63 ACRE TRACT DESCRIBED IN THE DEED TO NAEEM UDDIN MOHAMMED RECORDED IN DOCUMENT NO. 2021-007061 O.R.N.C.T., A NORTHERLY LINE OF A CALLED 10.525 ACRE TRACT DESCRIBED IN THE DEED TO BILLYE JANE HICKS RECORDED IN VOLUME 1501, PAGE 8 O.R.N.C.T., AND A SOUTHERLY LINE OF SAID PART 1, 1999.34 FEET TO THE SOUTHEAST CORNER OF A CALLED 51.829 ACRE TRACT DESCRIBED IN THE DEED TO JODY MCSPADDEN AND CHRISTOPHER MCSPADDEN RECORDED IN DOCUMENT NO. 2018-000887 O.R.N.C.T. AND A SOUTHWESTERLY CORNER OF SAID PART 1;</p>		

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<p>THENCE NORTH 29° 47' 33" WEST, ALONG THE NORTHEAST LINE OF SAID 51.829 ACRE TRACT AND A SOUTHWESTERLY LINE OF SAID PART 1, 2349.84 FEET TO THE NORTH CORNER OF SAID 51.829 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 1;</p> <p>THENCE SOUTH 60° 47' 43" WEST, ALONG THE NORTHERLY NORTHWEST LINE OF SAID 51.829 ACRE TRACT AND A SOUTHEASTERLY LINE OF SAID PART 1, 710.97 FEET;</p> <p>THENCE SOUTH 59° 19' 31" WEST, CONTINUING ALONG THE NORTHERLY NORTHWEST LINE OF SAID 51.829 ACRE TRACT AND A SOUTHEASTERLY LINE OF SAID PART 1, 88.09 FEET TO THE NORTH CORNER OF SAID PART 7 AND THE NORTHERLY WEST CORNER OF SAID 51.829 ACRE TRACT;</p> <p>THENCE SOUTH 31° 15' 35" EAST, ALONG THE NORTHERLY SOUTHWEST LINE OF SAID 51.829 ACRE TRACT AND THE NORTHEAST LINE OF SAID PART 7, 1010.43 FEET TO THE EAST CORNER OF SAID PART 7 AND AN INTERIOR CORNER OF SAID 51.829 ACRE TRACT;</p> <p>THENCE SOUTH 57° 56' 58" WEST, ALONG THE SOUTHERLY NORTHWEST LINE OF SAID 51.829 ACRE TRACT AND A SOUTHEAST LINE OF SAID PART 7, 523.43 FEET TO THE NORTH CORNER OF LOT 4 OF THE LUTHER C. BOSWELL SUB DIVISION, AN ADDITION TO NAVARRO COUNTY AS SHOWN ON THE PLAT RECORDED IN VOLUME 4, PAGE 50 P.R.N.C.T. AND THE SOUTHERLY WEST CORNER OF SAID 51.829 ACRE TRACT;</p>		

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<p>THENCE SOUTH 58° 28' 11" WEST, ALONG THE NORTHWEST LINE OF SAID LOT 4 AND A SOUTHEAST LINE OF SAID PART 7, 356.78 FEET TO THE NORTH CORNER OF A CALLED 4.987 ACRE TRACT DESCRIBED IN THE DEED TO JEFFREY GRAY AND SPOUSE, ALICIA GRAY, RECORDED IN DOCUMENT NO. 2018-005616 O.R.N.C.T., AND THE WEST CORNER OF SAID LOT 4;</p> <p>THENCE SOUTH 59° 41' 23" WEST, ALONG THE NORTHWEST LINE OF SAID 4.987 ACRE TRACT AND A SOUTHEAST LINE OF SAID PART 7, 172.30 FEET TO THE EAST CORNER OF A CALLED 6.073 ACRE TRACT DESCRIBED IN THE DEED TO JOSHUA JONES AND ASHLEY JONES RECORDED IN DOCUMENT NO. 2019-009547 O.R.N.C.T. AND THE EASTERLY SOUTH CORNER OF SAID PART 7;</p> <p>THENCE ALONG NORTHERLY LINES OF SAID 6.073 ACRE TRACT AND SOUTHERLY LINES OF SAID PART 7, THE FOLLOWING COURSES AND DISTANCES:</p> <p>NORTH 29° 17' 17" WEST, 435.74 FEET;</p> <p>SOUTH 59° 41' 23" WEST, 310.12 FEET;</p> <p>SOUTH 03° 02' 38" EAST, 355.13 FEET;</p> <p>SOUTH 59° 41' 23" WEST, 432.64 FEET;</p> <p>SOUTH 74° 07' 01" WEST, 232.95 FEET TO THE WESTERLY SOUTH CORNER OF SAID PART 7, IN THE NORTHEAST LINE OF CHAPEL HILL ESTATES, AN ADDITION TO NAVARRO COUNTY AS SHOWN ON THE PLAT RECORDED IN VOLUME 3, PAGE 28 P.R.N.C.T.;</p> <p>THENCE ALONG THE NORTHEAST LINE OF CHAPEL HILL ESTATES, THE NORTHEAST LINES OF CHAPEL</p>		

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<p>HILL ESTATES NO. 2, AN ADDITION TO NAVARRO COUNTY, AS SHOWN ON THE PLAT RECORDED IN VOLUME 4, PAGE 9 P.R.N.C.T., AND SOUTHWEST LINES OF SAID PART 7, THE FOLLOWING COURSES AND DISTANCES:</p> <p>NORTH 30° 29' 33" WEST, 662.98 FEET; NORTH 72° 18' 34" WEST, 178.38 FEET; NORTH 33° 28' 34" WEST, 45.75 FEET TO THE WEST CORNER OF SAID PART 7 IN A SOUTHEASTERLY LINE OF SAID PART 1; THENCE SOUTH 59° 19' 31" WEST, ALONG THE NORTHWEST LINE OF CHAPEL HILL ESTATES NO. 2 AND A SOUTHEASTERLY LINE OF SAID PART 1, 2444.53 FEET TO THE WESTERLY SOUTH CORNER OF SAID PART 1 IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 1839; THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 1839, SOUTHWESTERLY LINES OF SAID PART 1 AND THE SOUTHWEST LINE OF SAID PART 2, THE FOLLOWING COURSES AND DISTANCES:</p> <p>NORTH 27° 15' 54" WEST, 242.41 FEET; NORTH 24° 53' 37" WEST, 168.57 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 462.72 FEET, THROUGH A CENTRAL ANGLE OF 09° 05' 44", HAVING A RADIUS OF 2914.79 FEET, AND A LONG CHORD WHICH BEARS NORTH 25° 10' 36" WEST, 462.23 FEET; NORTH 28° 59' 27" WEST, 2864.67 FEET;</p>		

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<p>NORTH 30° 36' 08" WEST, 2434.75 FEET TO THE SOUTH CORNER OF A CALLED 19.99 ACRE TRACT DESCRIBED IN THE DEED TO JOSE LUNA AND LETICIA LOPEZ RECORDED IN DOCUMENT NO. 2017-004693 O.R.N.C.T. AND THE WEST CORNER OF SAID PART 2;</p> <p>THENCE NORTH 61° 07' 09" EAST, ALONG THE SOUTHEAST LINE OF SAID 19.99 ACRE TRACT AND THE WESTERLY NORTHWEST LINE OF SAID PART 2, 1322.71 FEET TO THE EAST CORNER OF SAID 19.99 ACRE TRACT AND THE WESTERLY NORTH CORNER OF SAID PART 2, IN A SOUTHWESTERLY LINE OF SAID PART 1;</p> <p>THENCE NORTH 29° 36' 24" WEST, ALONG THE NORTHEAST LINE OF SAID 19.99 ACRE TRACT, THE NORTHEAST LINE OF A CALLED 14.844 ACRE TRACT DESCRIBED IN THE DEED TO KEVIN PETTY AND WIFE, TRACY L. PETTY, RECORDED IN DOCUMENT NO. 2013-003151 O.R.N.C.T., AND A SOUTHWESTERLY LINE OF SAID PART 1, 1148.06 FEET TO THE NORTH CORNER OF SAID 14.844 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 1;</p> <p>THENCE SOUTH 60° 58' 59" WEST, ALONG THE NORTHWEST LINE OF SAID 14.844 ACRE TRACT AND A SOUTHEASTERLY LINE OF SAID PART 1, 1319.09 FEET TO A POINT IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 1839, FOR THE WEST CORNER OF SAID 14.844 ACRE TRACT AND A NORTHERLY SOUTH CORNER OF SAID PART 1;</p> <p>THENCE ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINES OF F.M. 1839 AND SOUTHWESTERLY</p>		

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<p>LINES OF SAID PART 1, THE FOLLOWING COURSES AND DISTANCES:</p> <p>NORTH 29° 24' 22" WEST, 372.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT;</p> <p>WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 200.33 FEET, THROUGH A CENTRAL ANGLE OF 11° 25' 16", HAVING A RADIUS OF 1005.00 FEET, AND A LONG CHORD WHICH BEARS NORTH 35° 07' 00" WEST, 200.00 FEET;</p> <p>THENCE NORTH 30° 43' 15" WEST, DEPARTING THE NORTHEASTERLY RIGHT-OF-WAY LINE OF F.M. 1839, ALONG THE NORTHEAST LINE OF A CALLED 4.87 ACRE TRACT DESCRIBED IN THE DEED TO HECTOR HUGO GALINDO RECORDED IN DOCUMENT NO. 2017-007014 O.R.N.C.T. AND A SOUTHWESTERLY LINE OF SAID PART 1, 855.93 FEET TO A POINT WITHIN THE MARGINS OF NW COUNTY ROAD 1080, FOR THE NORTHERLY WEST CORNER OF SAID PART 1;</p> <p>THENCE NORTH 61° 22' 58" EAST, WITHIN THE MARGINS OF NW COUNTY ROAD 1080, ALONG A NORTHWEST LINE OF SAID PART 1, 3403.35 FEET TO A POINT IN A SOUTHWESTERLY LINE OF SAID PART 3, FOR THE WESTERLY NORTH CORNER OF SAID PART 1;</p> <p>THENCE NORTH 29° 03' 54" WEST, ALONG THE NORTHEAST LINE OF A CALLED 108.5 ACRE TRACT DESCRIBED IN THE DEED TO DANNY MICHAEL BOOK RECORDED IN VOLUME 1821, PAGE 662 O.R.N.C.T. AND A SOUTHWESTERLY LINE OF SAID PART 3, 2280.90 FEET TO THE SOUTH CORNER OF A CALLED 201.547 ACRE TRACT TWO DESCRIBED IN</p>		

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<p>THE DEED TO ELEAZAR CLEMENTE RECORDED IN DOCUMENT NO. 2016-008256 O.R.N.C.T. AND THE WESTERNMOST WEST CORNER OF SAID PART 3; THENCE NORTH 59° 37' 14" EAST, ALONG THE SOUTHEAST LINE OF SAID 201.547 ACRE TRACT AND A NORTHWESTERLY LINE OF SAID PART 3, 1250.14 FEET TO THE SOUTHERLY EAST CORNER OF SAID 201.547 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 3; THENCE NORTH 30° 22' 46" WEST, ALONG A NORTHEASTERLY LINE OF SAID 201.547 ACRE TRACT AND A SOUTHWESTERLY LINE OF SAID PART 3, 701.00 FEET TO AN INTERIOR CORNER OF SAID 201.547 ACRE TRACT AND A WESTERLY CORNER OF SAID PART 3, ON THE CENTERLINE OF BRIAR CREEK; THENCE ALONG THE CENTERLINE OF BRIAR CREEK, SOUTHEASTERLY LINES OF SAID 201.547 ACRE TRACT, SOUTHEASTERLY LINES OF A CALLED 160.000 ACRE TRACT DESCRIBED IN THE DEED TO ELEAZAR CLEMENTE RECORDED IN DOCUMENT NO. 2016-008256 O.R.N.C.T. AND NORTHWESTERLY LINES OF SAID PART 3, THE FOLLOWING COURSES AND DISTANCES: NORTH 75° 25' 56" EAST, 84.60 FEET; NORTH 52° 42' 43" EAST, 201.04 FEET; SOUTH 55° 32' 21" EAST, 160.88 FEET; SOUTH 26° 26' 14" EAST, 153.06 FEET; SOUTH 86° 19' 12" EAST, 81.97 FEET; NORTH 64° 40' 54" EAST, 75.54 FEET; NORTH 45° 37' 24" EAST, 294.98 FEET; NORTH 02° 17' 57" EAST, 209.19 FEET;</p>		

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<p>NORTH 06° 31' 32" WEST, 209.60 FEET; NORTH 28° 03' 32" WEST, 181.00 FEET; SOUTH 70° 29' 28" WEST, 33.20 FEET; NORTH 52° 57' 32" WEST, 153.18 FEET; NORTH 16° 07' 28" EAST, 189.22 FEET; NORTH 83° 57' 28" EAST, 183.74 FEET; NORTH 23° 04' 28" EAST, 112.50 FEET; NORTH 79° 04' 28" EAST, 211.00 FEET; NORTH 12° 29' 28" EAST, 101.36 FEET; NORTH 29° 44' 22" EAST, 412.02 FEET TO A SOUTHERLY CORNER OF SAID 121.29 ACRE TRACT AND THE WESTERLY NORTH CORNER OF SAID PART 3, IN THE SOUTHWEST LINE OF A CALLED 640 ACRE TRACT DESCRIBED IN THE DEED TO CRH INVESTMENT COMPANY, LTD. RECORDED IN VOLUME 1487, PAGE 833 O.R.N.C.T.; THENCE SOUTH 30° 39' 19" EAST, DEPARTING BRIAR CREEK, ALONG THE SOUTHWEST LINE OF SAID 640 ACRE TRACT AND A NORTHEASTERLY LINE OF SAID PART 3, 602.85 FEET TO THE SOUTH CORNER OF SAID 640 ACRE TRACT AND AN INTERIOR CORNER OF SAID PART 3; THENCE NORTH 59° 44' 13" EAST, ALONG THE SOUTHEAST LINE OF SAID 640 ACRE TRACT, A SOUTHEAST LINE OF SAID 121.29 ACRE TRACT, AND A NORTHWESTERLY LINE OF SAID PART 3, 2141.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,367.49 ACRES OF LAND, MORE OR LESS. TRACT 2 BEING A TRACT OF LAND SITUATED IN THE JEREMIAH DAY SURVEY, ABSTRACT NO. 202, AND</p>		

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<p>THE BENJAMIN BRAGG SURVEY, ABSTRACT NO. 92, NAVARRO COUNTY, TEXAS, BEING PART OF A CALLED 55.516 ACRE TRACT (PART 4 TRACT ONE), ALL OF A CALLED 61.429 ACRE TRACT (PART 4 TRACT TWO), AND ALL OF A CALLED 1.291 ACRE TRACT (PART 5) DESCRIBED IN THE DEED TO WP LEGACY, LTD. RECORDED IN DOCUMENT NO. 2009-004255 OF THE OFFICIAL RECORDS OF NAVARRO COUNTY, TEXAS (O.R.N.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:</p> <p>BEGINNING AT THE SOUTH CORNER OF A CALLED 4.523 ACRE TRACT THREE DESCRIBED IN THE DEED TO SONIA CAROLINA LOPEZ RECORDED IN DOCUMENT NO. 2021-002233 O.R.N.C.T. AND THE WEST CORNER OF SAID PART 4 TRACT ONE, IN THE NORTHEAST LINE OF A CALLED 108.821 ACRE TRACT DESCRIBED IN THE DEED TO FRANKLIN D. NEAL RECORDED IN VOLUME 1786, PAGE 294 O.R.N.C.T.;</p> <p>THENCE NORTH 60° 31' 30" EAST, ALONG THE SOUTHEAST LINE OF SAID 4.523 ACRE TRACT THREE, THE SOUTHEAST LINE OF A CALLED 4.523 ACRE TRACT TWO DESCRIBED IN THE DEED TO JORGE AMAYA AND MARIA E. MELENDEZ AMAYA RECORDED IN DOCUMENT NO. 2019-001141 O.R.N.C.T., AND THE NORTHWEST LINE OF SAID PART 4 TRACT ONE, 1008.90 FEET TO THE SOUTH CORNER OF A CALLED 4.523 ACRE TRACT ONE DESCRIBED IN THE DEED TO MARIANO D. MELENDEZ AND ROSA E. AMAYA MELENDEZ RECORDED IN DOCUMENT NO. 2019-001143</p>		

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<p>O.R.N.C.T. AND THE EAST CORNER OF SAID 4.523 ACRE TRACT TWO;</p> <p>THENCE NORTH 60° 42' 03" EAST, ALONG THE SOUTHEAST LINE OF SAID 4.523 ACRE TRACT ONE AND THE NORTHWEST LINE OF SAID PART 4 TRACT ONE, 344.06 FEET TO THE WEST CORNER OF A CALLED 2.000 ACRE TRACT DESCRIBED IN THE DEED TO JOE TOMAS MEDINA AND WIFE, LETICIA MEDINA, RECORDED IN DOCUMENT NO. 2012-007147 O.R.N.C.T.;</p> <p>THENCE SOUTH 28° 57' 17" EAST, ACROSS SAID PART 4 TRACT ONE, ALONG THE SOUTHWEST LINE OF SAID 2.000 ACRE TRACT, 180.00 FEET TO THE SOUTH CORNER OF SAID 2.000 ACRE TRACT;</p> <p>THENCE NORTH 60° 42' 03" EAST, CONTINUING ACROSS SAID PART 4 TRACT ONE, ALONG THE SOUTHEAST LINE OF SAID 2.000 ACRE TRACT, 484.01 FEET TO THE EAST CORNER OF SAID 2.000 ACRE TRACT, IN THE NORTHEAST LINE OF SAID PART 4 TRACT ONE AND THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF F.M. 1839;</p> <p>THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINES OF F.M. HIGHWAY 1839, AND THE NORTHEASTERLY LINES OF SAID PART 4 TRACT ONE, PART 4 TRACT TWO AND PART 5, THE FOLLOWING COURSES AND DISTANCES:</p> <p>SOUTH 28° 57' 17" EAST, 374.31 FEET;</p> <p>SOUTH 29° 01' 00" EAST, 998.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;</p> <p>WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 449.96 FEET, THROUGH A CENTRAL</p>		

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ANGLE OF 09° 09' 30", HAVING A RADIUS OF 2815.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 24° 28' 38" EAST, 449.48 FEET; SOUTH 20° 00' 07" EAST, 235.22 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT; WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 539.12 FEET, THROUGH A CENTRAL ANGLE OF 10° 35' 48", HAVING A RADIUS OF 2915.00 FEET, AND A LONG CHORD WHICH BEARS SOUTH 24° 38' 16" EAST, 538.35 FEET; SOUTH 30° 31' 00" EAST, 457.50 FEET; SOUTH 30° 00' 44" EAST, 304.40 FEET TO THE EAST CORNER OF SAID PART 5, AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF F.M. 1839 AND THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 22; THENCE NORTH 80° 35' 14" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 22, THE SOUTH LINE OF SAID PART 5 AND THE SOUTH LINE OF SAID PART 4 TRACT TWO, 2276.11 FEET TO THE EAST CORNER OF A CALLED 8.158 ACRE TRACT TWO DESCRIBED IN THE DEED TO JAMES MARK MCCABE EXEMPT TRUST RECORDED IN DOCUMENT NO. 2010-005330 O.R.N.C.T. AND THE SOUTHWEST CORNER OF SAID PART 4 TRACT TWO; THENCE NORTH 30° 22' 40" WEST, ALONG THE NORTHEAST LINE OF SAID 8.158 ACRE TRACT AND THE SOUTHWEST LINE OF SAID PART 4 TRACT TWO, 787.32 FEET TO THE NORTH CORNER OF SAID 8.158 ACRE TRACT, THE WEST CORNER OF SAID		

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<p>PART 4 TRACT TWO, IN THE SOUTHEAST LINE OF SAID 108.821 ACRE TRACT; THENCE NORTH 59° 51' 10" EAST, ALONG THE SOUTHEAST LINE OF SAID 108.821 ACRE TRACT AND THE NORTHWEST LINE OF SAID PART 4 TRACT TWO 82.65 FEET TO THE EAST CORNER OF SAID 108.821 ACRE TRACT AND THE SOUTH CORNER OF SAID PART 4 TRACT ONE; THENCE NORTH 29° 55' 43" WEST, ALONG THE NORTHEAST LINE OF SAID 108.821 ACRE TRACT AND THE SOUTHWEST LINE OF SAID PART 4 TRACT ONE, 1316.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 116.25 ACRES OF LAND, MORE OR LESS.</p> <p>TRACT 3 BEING A TRACT OF LAND LOCATED IN THE JEREMIAH DAY SURVEY, ABSTRACT 202, NAVARRO COUNTY, TEXAS, AND BEING ALL OF THE REMAINDER FROM A CALLED 129.656 ACRE TRACT SAVE AND EXCEPT A CALLED 15.000 ACRE TRACT (PART 6) DESCRIBED IN THE DEED TO WP LEGACY, LTD. RECORDED IN DOCUMENT NO. 2009-004255 OF THE OFFICIAL RECORDS OF NAVARRO COUNTY, TEXAS (O.R.N.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT FOR THE EAST CORNER OF A CALLED 114.200 ACRE TRACT DESCRIBED IN THE DEED TO C & C BUILDERS LLC RECORDED IN DOCUMENT NO. 2022-008422 O.R.N.C.T. AND THE SOUTH CORNER OF SAID PART 6, IN THE NORTHWEST LINE OF A CALLED 10.00 ACRE TRACT</p>		

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DESCRIBED IN THE DEED TO SHANNON R. DYER RECORDED IN DOCUMENT NO. 2009-001399 O.R.N.C.T.; THENCE NORTH 29° 59' 05" WEST, ALONG THE NORTHEAST LINE OF SAID 114.200 ACRE TRACT AND THE SOUTHWEST LINE OF SAID PART 6, 1674.75 FEET; THENCE NORTH 30° 22' 40" WEST, CONTINUING ALONG THE NORTHEAST LINE OF SAID 114.200 ACRE TRACT AND THE SOUTHWEST LINE OF SAID PART 6, 693.95 FEET TO THE SOUTH CORNER OF A CALLED 15.000 ACRE TRACT DESCRIBED IN THE DEED TO THE LONE STAR COWBOY CHURCH OF THE NAZARENE OF NAVARRO COUNTY RECORDED IN DOCUMENT NO. 2020-005200 O.R.N.C.T.; THENCE ALONG THE EASTERLY LINES OF SAID 15.000 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES: NORTH 57° 11' 33" EAST, 620.95 FEET; NORTH 40° 31' 51" WEST, 517.13 FEET; NORTH 40° 27' 20" WEST, 293.72 FEET; NORTH 41° 18' 47" WEST, 185.26 FEET; NORTH 43° 45' 18" WEST, 124.77 FEET TO THE NORTHEAST CORNER OF SAID 15.000 ACRE TRACT, IN THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 22; THENCE SOUTH 80° 35' 14" EAST, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 22 AND THE NORTH LINE OF SAID PART 6, 1837.94 FEET TO THE NORTHEAST CORNER OF SAID PART 6, IN THE SOUTHWESTERLY MARGIN OF NW COUNTY ROAD 2010;		

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<p>THENCE SOUTH 30° 04' 25" EAST, ALONG THE SOUTHERLY MARGIN OF NW COUNTY ROAD 2010 AND THE NORTHEAST LINE OF SAID PART 6, 2349.72 FEET TO THE NORTH CORNER OF A CALLED 60.51 ACRE TRACT DESCRIBED IN THE DEED TO STEPHENIE STORY GRUVER RECORDED IN VOLUME 1483, PAGE 265 O.R.N.C.T. AND THE EAST CORNER OF SAID PART 6;</p> <p>THENCE SOUTH 60° 32' 48" WEST, ALONG THE NORTHWEST LINE OF SAID 60.51 ACRE TRACT, THE NORTHWEST LINE OF SAID 10.00 ACRE TRACT AND THE SOUTHEAST LINE OF SAID PART 6, 1825.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 114.66 ACRES OF LAND, MORE OR LESS.</p>		
<p>SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.</p> <p>(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.</p> <p>(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.</p>	<p>SECTION 3. Same as House version.</p>	

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(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. (a) Section 3942.0311, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 3942, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3942.0311 to read as follows:

Sec. 3942.0311. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

No equivalent provision.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

SECTION 4. Same as House version.