

By: Richardson

H.B. No. 5682

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Colmena Ranch Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments and fees.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4019 to read as follows:

CHAPTER 4019. COLMENA RANCH MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4019.0101. DEFINITIONS. In this chapter:

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

(2) "County" means Collin County.

(3) "Director" means a board member.

(4) "District" means the Colmena Ranch Municipal Management District No. 1.

Sec. 4019.0102. NATURE OF DISTRICT. The Colmena Ranch Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 4019.0103. 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.

1 (b) By creating the district and in authorizing political
2 subdivisions to contract with the district, the legislature has
3 established a program to accomplish the public purposes set out in
4 Section 52-a, Article III, Texas Constitution.

5 (c) The creation of the district is necessary to promote,
6 develop, encourage, and maintain employment, commerce,
7 transportation, housing, tourism, recreation, the arts,
8 entertainment, economic development, safety, and the public
9 welfare in the district.

10 (d) This chapter and the creation of the district may not be
11 interpreted to relieve the county from providing the level of
12 services provided as of the effective date of the Act enacting this
13 chapter to the area in the district. The district is created to
14 supplement and not to supplant county services provided in the
15 district.

16 Sec. 4019.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) All land and other property included in the district will
18 benefit from the improvements and services to be provided by the
19 district under powers conferred by Sections 52 and 52-a, Article
20 III, and Section 59, Article XVI, Texas Constitution, and other
21 powers granted under this chapter.

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

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

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

1 (2) eliminating unemployment and underemployment; and
2 (3) developing or expanding transportation and
3 commerce.

4 (d) The district will:

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

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

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

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

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

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

26 Sec. 4019.0105. INITIAL DISTRICT TERRITORY. (a) The
27 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

(4) legality or operation.

Sec. 4019.0106. 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. 4019.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4019.0108. 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. 4019.0201. 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. 4019.0202. 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.

(c) Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 4019.0203. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

| <u>Pos. No.</u> | <u>Name of Director</u> |
|-----------------|-------------------------|
| <u>1</u> | <u>Eric Burton</u> |
| <u>2</u> | <u>Mike Alley</u> |
| <u>3</u> | <u>Jacob Thompson</u> |
| <u>4</u> | <u>Rodney Price</u> |
| <u>5</u> | <u>David Medis</u> |

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2027, and the terms of directors appointed for positions four and five expire June 1, 2029.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 4019.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for

which the district is created.

Sec. 4019.0302. 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.

(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. 4019.0303. 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. 4019.0304. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or a municipality with territory in the district, to provide law enforcement services in the district for a fee.

Sec. 4019.0305. 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.

Sec. 4019.0306. 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. 4019.0307. 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

1 facilities, including lots, garages, parking terminals, or other
2 structures or accommodations for parking motor vehicles off the
3 streets and related appurtenances.

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

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

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

13 Sec. 4019.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The
14 board by resolution shall establish the number of directors'
15 signatures and the procedure required for a disbursement or
16 transfer of district money.

17 Sec. 4019.0309. ADDING OR EXCLUDING LAND. Except as
18 provided by Section 4019.0310, the district may add or exclude land
19 in the manner provided by Subchapter J, Chapter 49, Water Code, or
20 by Subchapter H, Chapter 54, Water Code.

21 Sec. 4019.0310. DIVISION OF DISTRICT. (a) The district may
22 be divided into two or more new districts only if the district has
23 no outstanding bonded debt.

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

27 (c) Any new district created by the division of the district

1 may not, at the time the new district is created, contain any land
2 outside the area described by Section 2 of the Act enacting this
3 chapter.

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

8 (e) An order dividing the district must:

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 initial directors for each new district;

13 and

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

16 (f) 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 Texas Commission on Environmental Quality and record the
19 order in the real property records of each county in which the
20 district is located.

21 Sec. 4019.0311. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
22 Section [375.161](#), Local Government Code, does not apply to the
23 district.

24 Sec. 4019.0312. NO AD VALOREM TAX. The district may not
25 impose an ad valorem tax.

26 Sec. 4019.0313. EMINENT DOMAIN. The district may exercise
27 the power of eminent domain in the manner provided by Section

1 49.222, Water Code.

2 SUBCHAPTER D. ASSESSMENTS

3 Sec. 4019.0401. PETITION REQUIRED FOR FINANCING SERVICES
4 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5 service or improvement project with assessments under this chapter
6 unless a written petition requesting that service or improvement
7 has been filed with the board.

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

12 Sec. 4019.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
13 The board by resolution may impose and collect an assessment for any
14 purpose authorized by this chapter in all or any part of the
15 district.

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

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

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

26 (3) are the personal liability of and a charge against
27 the owners of the property even if the owners are not named in the

1 assessment proceedings.

2 (c) The lien is effective from the date of the board's
3 resolution imposing the assessment until the date the assessment is
4 paid. The board may enforce the lien in the same manner that a
5 taxing unit, as that term is defined by Section 1.04, Tax Code, may
6 enforce an ad valorem tax lien against real property.

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

11 SUBCHAPTER E. BONDS

12 Sec. 4019.0501. AUTHORITY TO BORROW MONEY AND TO ISSUE
13 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
14 terms determined by the board.

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

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

1 Sec. 4019.0502. BONDS SECURED BY REVENUE OR CONTRACT
2 PAYMENTS. The district may issue, without an election, bonds
3 secured by:

4 (1) revenue, including contract revenues; or
5 (2) contract payments, provided that the requirements
6 of Section 49.108, Water Code, have been met.

7 Sec. 4019.0503. CONDITION PRECEDENT TO ISSUING
8 OBLIGATIONS. (a) The district may not issue bonds, notes, or other
9 obligations under this subchapter unless the district has entered
10 into a contract with a municipality, the county, or another entity
11 that:

12 (1) provides for adequate supplemental police, fire,
13 and emergency services for the district; and

14 (2) is approved by the commissioners court of the
15 county under Subsection (c).

16 (b) A contract under Subsection (a) may include a provision
17 that the contract takes effect only on the approval of the
18 commissioners court of the county and the voters in the district
19 voting in an election held for that purpose.

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

SUBCHAPTER I. DISSOLUTION

Sec. 4019.0901. 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

1 Government Code, do not apply to the district.

2 SECTION 2. The Colmena Ranch Municipal Management District
3 No. 1 initially includes all territory contained in the following
4 area:

5 METES AND BOUNDS DESCRIPTION

6 Tract 1

7 BEING a tract of land situated in the J. Wilson Survey, Abstract
8 No. 994 in Collin County, Texas, being part of a tract conveyed to
9 BFJ Land, LLC, by deed recorded in Document No. 20130913001293160
10 of the Official Public Records, Collin County, Texas (OPRCCT), with
11 the subject tract being more particularly described as follows:

12 BEGINNING at a PK nail set at the intersection of the east line of
13 Farm to Market Road 543, a variable width public right-of-way, with
14 the approximate center of County Road 205, a public road;

15 THENCE along County Road 205, the following:

16 N 89°26'47" E, 1169.87 feet to a MAG nail found;

17 N 89°20'19" E, 788.96 feet to a MAG nail found;

18 N 89°36'12" E, 904.70 feet;

19 N 88°40'44" E, 1224.72 feet to a MAG nail found;

20 And N 89°18'20" E, 1177.86 feet to a 1/2" iron rod with plastic cap
21 found at the intersection of County Road 205 and County Road 204;

22 THENCE S 00°04'46" E, 822.78 feet along said road to a 5/8" iron rod
23 found at the intersection thereof with the north line of the Collin
24 County Outer Loop, conveyed as Parcel No. 56 to Collin County,
25 Texas, recorded in Document No. 20201228002329490 OPRCCT;

26 THENCE along the north line of Parcel No. 56, the following:

27 S 65°15'29" W, 131.00 feet;

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1 A tangent curve to the right having a central angle of 24°08'07", a
2 radius of 2800.00 feet, a chord of S 77°19'32" W - 1170.77 feet, an
3 arc length of 1179.47 feet to a 5/8" iron rod found;
4 S 89°23'36" W, 1506.29 feet;
5 N 45°37'27" W, 49.51 feet;
6 S 89°23'36" W, 77.70 feet;
7 S 54°39'17" W, 61.42 feet;
8 And S 89°23'36" W, 2336.13 feet to the east line of Farm to Market
9 Road 543;
10 THENCE N 00°00'17" W, 1107.71 feet along the east line thereof to the
11 POINT OF BEGINNING with the subject tract containing 5,722,211
12 square feet or 131.364 acres of land.

13 Tract 2

14 BEING a tract of land situated in the J. Wilson Survey, Abstract
15 No. 994 in Collin County, Texas, being part of a tract conveyed to
16 BFJ Land, LLC, by deed recorded in Document No. 20130913001293160
17 of the Official Public Records, Collin County, Texas (OPRCCT), with
18 the subject tract being more particularly described as follows:

19 BEGINNING at a 1/2" iron rod with plastic cap found on the east line
20 of Farm to Market Road 543, a variable width public right-of-way,
21 for the northwest corner of a tract conveyed to Bitted H, LLC,
22 recorded in Document No. 20150617000723180 OPRCCT;

23 THENCE along the east line of Farm to Market Road 543, the
24 following:

25 N 00°25'17" W, 1227.59 feet;

26 N 00°16'17" W, 922.58 feet;

27 And N 01°21'17" W, 370.16 feet to a 5/8" iron rod with plastic cap

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1 found for the intersection thereof with the south line of the Collin
2 County Outer Loop, conveyed as Parcel No. 56 to Collin County,
3 Texas, recorded in Document No. 20201228002329490 OPRCCT;
4 THENCE along the south line of Parcel No. 56, the following:
5 N 89°23'36" E, 1920.31 feet;
6 S 45°38'15" E, 28.30 feet to a 5/8" iron rod with plastic cap found;
7 N 89°23'36" E, 254.67 feet;
8 N 44°21'45" E, 28.27 feet;
9 And N 89°23'36" E, 1362.93 feet to the intersection thereof with the
10 west line of a tract conveyed to RMWD Limited Partnership, recorded
11 in Volume 5579, Page 4415, Deed Records, Collin County, Texas
12 (DRCCT);
13 THENCE along the west line thereof, the following:
14 S 13°35'50" W, 260.67 feet;
15 S 07°06'13" W, 1157.12 feet to a 3/8" iron rod found;
16 And S 89°51'29" E, 34.00 feet to a point being the northwest corner
17 of a tract conveyed to William Donald West and James Edwin West,
18 recorded in Volume 3291, Page 864 DRCCT;
19 THENCE S 08°28'41" W, 349.66 feet along the west line thereof;
20 THENCE S 00°31'19" E, 191.99 feet continuing along the west line of
21 said West tract to a 3/8" iron rod found for the northeast corner of
22 Honey Creek Country Estates, an addition recorded in Cabinet F,
23 Page 261, Plat Records, Collin County, Texas;
24 THENCE along the common line thereof, the following:
25 S 89°48'07" W, 842.55 feet to a 60d nail found;
26 S 89°42'02" W, 805.11 feet to a 1" iron pipe found;
27 S 03°11'09" E, 165.88 feet;

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1 S 00°13'13" W, 548.06 feet to a 1/2" iron rod found;
2 And N 86°15'57" W, 619.60 feet to a 1/2" iron rod found for the
3 northeast corner of said Bitted H tract;
4 THENCE N 86°42'36" W, 1078.33 feet along the north line thereof to
5 the POINT OF BEGINNING with the subject tract containing 7,713,276
6 square feet or 177.072 acres of land.

7 Tract 3

8 BEING a tract of land situated in the J. Wilson Survey, Abstract
9 No. 994, the E.S. Burge Survey, Abstract No. 1082, the W. Wilhite
10 Survey, Abstract No. 1003, the W. Clement Survey, Abstract No. 225,
11 the G. Key Survey, Abstract No. 507, the W. Smith Survey, Abstract
12 No. 844, and the J. Brown Survey, Abstract No. 101, in Collin
13 County, Texas, being part of a tract conveyed to BFJ Land, LLC, by
14 deed recorded in Document No. 20130913001293160 of the Official
15 Public Records, Collin County, Texas (OPRCCT), with the subject
16 tract being more particularly described as follows:

17 BEGINNING at a MAG nail found in County Road 167, a public road, for
18 the northeast corner of a tract conveyed to Stanley Eugene Partee,
19 recorded in Document No. 20160314000302020 OPRCCT;

20 THENCE S 89°54'50" W, 1242.43 feet along the north line thereof;

21 THENCE S 89°35'36" W, 367.48 feet continuing along the north line of
22 said Partee tract to a 1/2" iron rod found for the northeast corner
23 of a tract conveyed to Back Nine Partners, L.P., recorded in
24 Document No. 20201109001983980 OPRCCT;

25 THENCE N 89°39'59" W, 166.01 feet along the north line thereof;

26 THENCE S 89°21'13" W, 1790.64 feet along the north line thereof;

27 THENCE S 89°30'07" W, 1589.20 feet along the north line of said Back

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1 Nine tract to a 1/2" iron rod found on the east line of a tract
2 conveyed to Vakuna, LLC, recorded in Document
3 No. 20131022001448360 OPRCCT;
4 THENCE N 00°24'06" E, along the east line thereof, and of a tract
5 conveyed to Ronald W. Leeper and Diane Inez Sharp, recorded in
6 Volume 5220, Page 3293, Deed Records, Collin County, Texas (DRCCT),
7 and of a tract conveyed to Chad and Rachel Leeper, recorded in
8 Volume 4714, Page 2686 DRCCT, and of the Dahl/Norris Homestead
9 Addition, recorded in Cabinet 2022, Page 569, Plat Records, Collin
10 County, Texas (PRCCT), and of a tract conveyed to Ommid John
11 Ghaemmaghmi, recorded in Document No. 20140814000869570 OPRCCT,
12 and of a tract conveyed to Ommid J. and Courtney Ghaemmaghmi,
13 recorded in Document No. 20110509000475310 OPRCCT, passing at
14 2588.07 feet a MAG nail found for the southeast corner of Parcel
15 No. 55A of the Collin County Outer Loop, conveyed to Collin County,
16 Texas, recorded in Document No. 20201228002329480 OPRCCT, and
17 continuing along the east line of Parcel No. 55A a total distance
18 3171.04 feet to a point for the northeast corner of Parcel No. 55A,
19 being on the south line of Parcel No. 55, Collin County Outer Loop,
20 recorded in Document No. 20201228002329490 OPRCCT;
21 THENCE along the south line of the Collin County Outer Loop, the
22 following:
23 N 89°13'13" E, 210.13 feet;
24 S 79°26'37" E, 203.49 feet;
25 N 89°13'13" E, 150.98 feet;
26 N 75°19'16" E, 166.52 feet to a 5/8" iron rod with plastic cap found;
27 N 89°13'13" E, 1517.28 feet to a 5/8" iron rod with plastic cap

1 found;
2 S 49°42'24" E, 75.55 feet;
3 N 89°13'13" E, 50.84 feet;
4 N 64°17'53" E, 117.79 feet;
5 N 89°13'13" E, 2360.92 feet to a 5/8" iron rod with plastic cap
6 found;
7 A tangent curve to the left having a central angle of 42°35'32", a
8 radius of 3300.00 feet, a chord of N 67°55'27" E - 2397.04 feet, an
9 arc length of 2453.13 feet to a 5/8" iron rod found;
10 N 46°37'41" E, 1578.39 feet;
11 S 43°25'57" E, 47.76 feet;
12 N 46°34'03" E, 33.51 feet;
13 N 36°25'33" E, 269.46 feet;
14 N 46°37'41" E, 223.76 feet;
15 A tangent curve to the right having a central angle of 37°32'15", a
16 radius of 2800.00 feet, a chord of N 65°23'49" E - 1801.80 feet, an
17 arc length of 1834.43 feet;
18 S 48°14'54" E, 40.82 feet to a 5/8" iron rod with plastic cap found;
19 And a non-tangent curve to the right having a central angle of
20 05°26'22", a radius of 2770.00 feet, a chord of N 87°27'17" E - 262.88
21 feet, an arc length of 262.98 feet to a point being the intersection
22 of said Loop with the west line of Farm to Market Road 543, a
23 variable width public right-of-way;
24 THENCE along the west line of said road, the following:
25 S 01°21'17" E, 340.17 feet;
26 S 00°16'17" E, 921.92 feet;
27 S 00°25'17" E, 1490.69 feet to a 5/8" iron rod with plastic cap

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1 found, being the north corner of the right-of-way tract for said
2 road, known as TxDOT Parcel No. P00054369, recorded in Document
3 No. 2022000163906 OPRCCT;
4 S 29°46'59" W, 60.17 feet to a 5/8" iron rod with plastic cap found;
5 S 03°25'17" E, 207.30 feet to a 5/8" iron rod with plastic cap found;
6 S 07°40'22" E, 108.15 feet;
7 S 14°33'57" E, 108.75 feet to a 5/8" iron rod with plastic cap found;
8 And S 26°42'17" E, 51.14 feet to the north northerly corner of Lot 1,
9 Block A, Wild H Cattle Co. Addition, recorded in Cabinet 2020, Page
10 325 PRCCT;
11 THENCE along the west line of Lot 1, the following:
12 S 00°54'03" E, 228.04 feet to a 1/2" iron rod found;
13 S 02°50'39" W, 243.00 feet to a 1/2" iron rod with plastic cap found;
14 S 80°56'23" W, 57.64 feet;
15 And S 01°49'09" E, 594.11 feet to a 1/2" iron rod found on the north
16 line of a tract conveyed to Wild H Cattle Company, recorded in
17 Document No. 20150617000722860 OPRCCT;
18 THENCE S 89°51'08" W, 749.10 feet along the north line thereof to a
19 1/2" iron rod with plastic cap found;
20 THENCE N 89°46'02" W, 547.81 feet continuing along the north line of
21 said Wild H Cattle tract, and of Lot 23, Block A, Hidden Hills, an
22 addition recorded in Cabinet E, Page 83 PRCCT, to a point for a
23 southeast corner of a tract conveyed to John A. and Jill A. Johnson,
24 recorded in Document No. 20070720001003670 OPRCCT, and being in
25 Honey Creek;
26 THENCE along said creek, the following:
27 N 25°50'12" W, 77.44 feet;

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1 N 46°42'19" W, 88.32 feet;
2 N 10°30'52" E, 70.89 feet;
3 N 06°50'58" E, 561.41 feet;
4 N 13°37'41" E, 45.31 feet;
5 N 20°33'21" W, 30.25 feet;
6 N 48°39'21" W, 243.09 feet;
7 N 18°07'57" W, 175.52 feet;
8 N 47°56'08" W, 87.04 feet;
9 N 84°35'39" W, 71.96 feet;
10 S 21°05'45" W, 73.38 feet;
11 S 68°55'51" W, 49.82 feet;
12 N 55°08'17" W, 54.01 feet;
13 N 66°07'05" W, 167.64 feet;
14 N 35°57'13" W, 106.70 feet;
15 N 00°25'38" E, 213.24 feet;
16 N 33°48'14" W, 78.62 feet;
17 S 87°36'23" E, 37.26 feet;
18 N 65°18'48" W, 66.81 feet;
19 S 68°28'16" W, 167.76 feet;
20 S 58°21'05" W, 121.29 feet;
21 S 69°40'26" W, 65.98 feet;
22 N 63°10'19" W, 122.11 feet;
23 N 49°14'23" W, 117.55 feet;
24 And N 15°30'39" W, 13.23 feet;
25 THENCE N 87°36'23" W, 459.19 feet departing said creek, continuing
26 along the common line of said Johnson tract, to a 1/2" iron rod with
27 plastic cap found;

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1 THENCE S 01°44'48" W, 663.61 feet continuing along the common line
2 thereof to a point in an unnamed creek;
3 THENCE along said creek, the following:
4 N 23°57'03" W, 40.32 feet;
5 N 55°55'46" W, 47.76 feet;
6 S 84°36'26" W, 99.42 feet;
7 S 38°38'28" W, 25.00 feet;
8 S 01°46'17" E, 14.75 feet;
9 S 41°44'49" E, 134.33 feet;
10 S 10°59'20" E, 11.55 feet;
11 S 11°12'25" E, 20.52 feet;
12 S 73°02'42" W, 45.95 feet;
13 N 59°20'41" W, 57.93 feet;
14 S 30°03'36" W, 37.36 feet;
15 S 16°32'48" E, 49.17 feet;
16 S 46°51'57" W, 50.38 feet;
17 N 63°00'21" W, 160.17 feet;
18 S 26°39'55" W, 47.04 feet;
19 S 23°03'17" E, 30.60 feet;
20 S 65°57'23" E, 47.63 feet;
21 S 23°00'56" E, 53.96 feet;
22 S 14°32'15" W, 62.64 feet;
23 S 60°50'12" W, 65.93 feet;
24 S 82°47'26" W, 65.53 feet;
25 N 66°02'45" W, 72.17 feet;
26 S 89°11'57" W, 47.00 feet;
27 S 55°07'38" W, 90.07 feet;

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1 S 22°33'42" E, 41.09 feet;
2 And S 14°03'27" W, 121.64 feet to a point in said creek, being a
3 northerly corner of a tract conveyed to Javier R. and Margaret E.
4 Villareal, recorded in Document No. 20130730001064390 OPRCCT;
5 THENCE N 89°38'12" W, 212.34 feet along the north line thereof to a
6 point being the northeast corner of a tract conveyed to Cielo's Lake
7 Homeowner Association, recorded in Volume 5309, Page 7239 DRCCT;
8 THENCE S 45°35'48" W, 222.00 feet along the north line thereof to a
9 5/8" iron rod found;
10 THENCE S 84°55'46" W, 1251.88 feet continuing along the north line
11 of said Homeowner tract to a point for the northwest corner thereof;
12 THENCE S 01°10'19" W, along the west line thereof, and of a tract
13 conveyed to JPR Land, LLC, recorded in Document
14 No. 20190924001182240 OPRCCT, passing at 188.30 feet a 3/4" iron
15 pipe found for witness, continuing along the west line of said JPR
16 tract, passing into and along County Road 167, a total distance of
17 1138.21;
18 THENCE S 01°09'14" W, 954.03 feet continuing along County Road 167
19 to the POINT OF BEGINNING with the subject tract containing
20 28,563,347 square feet or 655.724 acres of land.

21 Tract 4

22 BEING a tract of land situated in the J. Brown Survey, Abstract
23 No. 101, the J. Brown Survey, Abstract No. 82, the B. Thayer
24 Survey, Abstract No. 915, the T. & P.R.R. Co. Survey, Abstract
25 No. 930, and the C. Gilman Survey, Abstract No. 345, in Collin
26 County, Texas, being part of a tract conveyed to BFJ Land, LLC, by
27 deed recorded in Document No. 20130913001293160 of the Official

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1 Public Records, Collin County, Texas (OPRCCT), with the subject
2 tract being more particularly described as follows:

3 BEGINNING at a MAG nail found in County Road 125, a public road, for
4 the southeast corner of a tract conveyed to the Larry and Carolyn
5 Smith Irrevocable Trust, recorded in Document
6 No. 20220321000448030 OPRCCT;

7 THENCE N 00°43'02" W, 444.24 feet departing said road, along the
8 east line of said Smith tract to a 5/8" iron rod with plastic cap
9 found for the southwest corner of Parcel No. 55 of the Collin County
10 Outer Loop, conveyed to Collin County, Texas, recorded in Document
11 No. 20201228002329490 OPRCCT;

12 THENCE along the south line of Parcel No. 55, the following:

13 N 89°13'13" E, 1847.93 feet;

14 S 75°42'54" E, 83.36 feet;

15 N 89°29'18" E, 575.84 feet to a 5/8" iron rod with plastic cap found;

16 N 77°50'04" E, 123.39 feet;

17 And N 89°13'13" E, 1179.82 feet to the intersection thereof with
18 Parcel No. 55A, Collin County Outer Loop, recorded in Document
19 No. 20201228002329480 OPRCCT;

20 THENCE along the west line of Parcel No. 55A, the following:

21 S 00°24'06" W, 518.61 feet;

22 S 46°23'53" W, 36.07 feet;

23 And S 00°29'10" W, 36.57 feet to a point in County Road 125, from
24 which a MAG nail found for the southeast corner of Parcel No. 55A
25 bears S 88°36'07" E, 86.01 feet;

26 THENCE generally along County Road 125, the following:

27 N 88°36'07" W, 1021.75 feet;

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1 N 89°21'02" W, 349.12 feet;

2 N 78°33'01" W, 250.03 feet;

3 N 89°09'30" W, 961.79 feet;

4 And S 89°35'13" W, 1191.81 feet to the POINT OF BEGINNING with the
5 subject tract containing 1,865,734 square feet or 42.831 acres of
6 land.

7 Tract 5

8 BEING a tract of land situated in the G. Key Survey, Abstract
9 No. 507, the G. Kenneday Survey, Abstract No. 498, the J. Brown
10 Survey, Abstract No. 101, the J. Brown Survey, Abstract No. 82, the
11 T. & P.R.R. Co. Survey, Abstract No. 930, the C. Gilman Survey,
12 Abstract No. 345, the A. Chandler Survey, Abstract No. 199, and the
13 T. Culwell Survey, Abstract No. 207, in Collin County, Texas, being
14 part of a tract conveyed to BFJ Land, LLC, by deed recorded in
15 Document No. 20130913001293160 of the Official Public Records,
16 Collin County, Texas (OPRCCT), with the subject tract being more
17 particularly described as follows:

18 BEGINNING at a MAG nail found at the intersection of the west line
19 of Farm to Market Road 543, a variable width public right-of-way,
20 with the approximate centerline of County Road 170, a public road;
21 THENCE along the west line of Farm to Market Road 543, the
22 following:

23 S 00°00'17" E, 256.98 feet;

24 S 89°59'43" W, 10.00 feet;

25 And S 00°00'17" E, 810.56 feet to a 5/8" iron rod with plastic cap
26 found for the northeast corner of Parcel No. 55 of the Collin County
27 Outer Loop, conveyed to Collin County, Texas, recorded in Document

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1 No. 20201228002329490 OPRCCT;
2 THENCE along the north line of the Collin County Outer Loop, the
3 following:
4 N 89°53'41" W, 313.33 feet;
5 A non-tangent curve to the left having a central angle of 01°35'48",
6 a radius of 3330.00 feet, a chord of S 83°55'22" W - 92.80 feet, an
7 arc length of 92.80 feet to a 5/8" iron rod with plastic cap found;
8 S 64°20'13" W, 97.13 feet;
9 A non-tangent curve to the left having a central angle of 22°50'56",
10 a radius of 3300.00 feet, a chord of S 70°06'12" W - 1307.30 feet, an
11 arc length of 1316.00 feet;
12 S 63°14'13" W, 196.76 feet;
13 S 56°59'48" W, 309.75 feet to a 5/8" iron rod with plastic cap found;
14 A non-tangent curve to the left having a central angle of 03°21'16",
15 a radius of 3345.00 feet, a chord of S 48°18'19" W - 195.81 feet, an
16 arc length of 195.84 feet;
17 S 46°37'41" W, 121.56 feet;
18 S 43°03'59" E, 45.00 feet;
19 S 46°37'41" W, 1979.12 feet;
20 A tangent curve to the right having a central angle of 32°26'57", a
21 radius of 2800.00 feet, a chord of S 62°51'10" W - 1564.66 feet, an
22 arc length of 1585.77 feet;
23 N 10°55'22" W, 20.00 feet;
24 A non-tangent curve to the right having a central angle of
25 09°45'20", a radius of 2780.00 feet, a chord of S 83°57'18" W - 472.77
26 feet, an arc length of 473.34 feet;
27 S 42°21'15" W, 27.49 feet;

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1 S 89°13'13" W, 714.00 feet to a 5/8" iron rod with plastic cap found;
2 N 76°44'37" W, 82.46 feet;
3 S 89°13'13" W, 280.00 feet;
4 S 75°11'03" W, 82.46 feet;
5 S 89°13'13" W, 307.30 feet;
6 N 82°15'37" W, 202.50 feet;
7 S 89°13'13" W, 246.60 feet;
8 S 75°00'42" W, 122.22 feet to a 5/8" iron rod with plastic cap found;
9 S 89°13'13" W, 1970.64 feet to a 5/8" iron rod with plastic cap
10 found;
11 N 73°27'52" W, 134.40 feet to a 5/8" iron rod with plastic cap found;
12 S 89°13'13" W, 123.90 feet;
13 S 78°50'55" W, 222.18 feet;
14 S 89°13'13" W, 1680.55 feet to a 5/8" iron rod found;
15 N 72°20'58" W, 158.15 feet;
16 S 89°13'13" W, 232.53 feet;
17 S 82°45'07" W, 443.83 feet;
18 And S 89°13'13" W, 1708.36 feet to the east line of a tract conveyed
19 to the Larry and Carolyn Smith Irrevocable Trust, recorded in
20 Document No. 20220321000448030 OPRCCT, and from which a 5/8" iron
21 rod with plastic cap found for the southwest corner of Parcel No. 55
22 bears S 00°49'29" E, 500.00 feet;
23 THENCE along the east line thereof, the following:
24 N 01°07'40" W, 435.57 feet;
25 N 01°18'23" W, 387.98 feet;
26 And N 02°26'05" W, 106.54 feet to the southeast corner of a tract
27 conveyed to Virgil Dean and Patsy Marie Lassiter, recorded in

1 Document No. 19941222001121230 OPRCCT;
2 THENCE N 00°56'54" E, 156.43 feet along the common line thereof to
3 the southeast corner of a tract conveyed to Dewayne L. Connel and
4 Michelle A. Sutherland, recorded in Volume 3812, Page 213 DRCCT;
5 THENCE N 00°10'24" W, 295.02 feet along the common line thereof to
6 the southeast corner of a tract conveyed to Nacid Limited
7 Partnership II, recorded in Document No. 20081016001233460 OPRCCT;
8 THENCE N 01°22'54" W, 646.59 feet along the common line thereof to
9 the southerly southeast corner of a tract conveyed to the Charles
10 and Judith Frisk Revocable Trust, recorded in Document
11 No. 20210311000489230 OPRCCT;
12 THENCE N 01°21'12" E, 20.49 feet along the common line thereof;
13 THENCE N 01°02'06" W, 286.18 feet continuing along the common line
14 thereof to the southeast corner of a tract conveyed to Erik A.
15 Frisk, recorded in Volume 4729, Page 2171 DRCCT;
16 THENCE N 01°03'26" W, 311.32 feet along the common line thereof to
17 the northerly southeast corner of said Charles and Judith Frisk
18 Revocable Trust tract;
19 THENCE N 00°59'52" W, 663.21 feet continuing along the common line
20 thereof to a 1/2" iron rod with plastic cap found on the south line
21 of a private drive, and being the south line of those tracts
22 conveyed to Craig and Amy Teague, recorded in Volume 4877, Page
23 2565, and Volume 5007, Page 3138 DRCCT;
24 THENCE along the south line thereof, the following:
25 N 89°01'36" E, 553.52 feet to a 1/2" iron rod found;
26 N 88°40'13" E, 447.30 feet to a 1/2" iron rod found;
27 N 89°20'48" E, 404.48 feet;

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1 And N 88°30'22" E, 357.82 feet to the southwest corner of a tract
2 conveyed to the William E. and Barbara Vollweiler Revocable Living
3 Trust, recorded in Document No. 20080221000205330 OPRCCT;
4 THENCE S 88°47'05" E, 819.32 feet along the south line thereof;
5 THENCE N 00°18'05" W, 2596.78 feet along the east line of said
6 Vollweiler tract to the northeast corner thereof, being on the
7 south line of County Road 170;
8 THENCE along the south line of County Road 170, the following:
9 S 89°36'52" E, 2265.75 feet to a 5/8" iron rod with plastic cap
10 found;
11 N 84°29'56" E, 595.90 feet;
12 N 53°59'54" E, 105.45 feet to a 5/8" iron rod with plastic cap found;
13 S 88°08'32" E, 1050.49 feet;
14 And N 81°21'01" E, 193.41 feet to a point being the intersection of
15 said road with the south line of the Ninth Tract, conveyed to Frisby
16 Farms, Ltd., recorded in Volume 4944, Page 637 DRCCT;
17 THENCE S 88°17'50" E, 432.78 feet along the south line of said
18 remainder, to a point in the approximate center of Honey Creek;
19 THENCE along said creek, the following:
20 S 04°23'54" E, 66.95 feet;
21 S 31°44'39" E, 101.65 feet;
22 S 87°27'00" E, 152.99 feet;
23 S 77°08'23" E, 101.41 feet;
24 S 64°59'58" E, 180.84 feet;
25 S 59°31'22" E, 186.47 feet;
26 S 87°17'31" E, 118.78 feet;
27 S 68°57'40" E, 84.18 feet;

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1 S 42°05'54" E, 58.19 feet;
2 S 21°37'37" E, 94.16 feet;
3 S 07°01'51" E, 248.93 feet;
4 S 16°21'00" E, 142.80 feet;
5 S 34°20'12" E, 262.52 feet;
6 S 12°27'30" E, 88.32 feet;
7 S 22°55'26" W, 77.02 feet;
8 S 55°47'23" W, 123.79 feet;
9 S 33°58'18" W, 104.89 feet;
10 S 08°33'45" W, 66.59 feet;
11 S 09°33'25" E, 54.44 feet;
12 S 35°06'15" E, 122.33 feet;
13 S 69°27'25" E, 79.39 feet;
14 S 85°59'57" E, 131.66 feet;
15 S 81°05'37" E, 209.83 feet;
16 S 45°06'29" E, 230.63 feet;
17 And S 30°27'32" E, 107.90 feet, a point being the southwest corner of
18 a tract conveyed to Nina Dowell Ringley, recorded in Document
19 No. 20200928001659290 OPRCCT;
20 THENCE S 88°43'17" E, 1048.46 feet along the common line thereof to a
21 1/2" iron rod found;
22 THENCE S 88°40'31" E, 466.85 feet continuing along the common line
23 thereof;
24 THENCE N 01°03'47" E, 1526.96 feet continuing along the common line
25 of said Ringley tract to a 3/8" iron rod found for the southeast
26 corner of a tract conveyed to Corbin Dowell Ringley, recorded in
27 Document No. 20210917001902070 OPRCCT;

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1 THENCE N 01°40'38" E, 838.60 feet along the common line thereof to a
2 1/2" iron rod found on the south line of a tract conveyed to The 58
3 Land Group, LLC, recorded in Document No. 20120419000457790
4 OPRCCT;

5 THENCE S 88°48'30" E, 1065.04 feet along the south line thereof, and
6 of a tract conveyed to Evans McKee Living Trust, recorded in
7 Document No. 2024000027076 OPRCCT;

8 THENCE S 88°34'45" E, 1000.00 feet along the south line thereof;

9 THENCE S 89°32'45" E, 211.00 feet continuing along the south line
10 thereof;

11 THENCE S 89°52'45" E, 342.33 feet continuing along the south line of
12 said McKee tract to a 1/2" iron rod with plastic cap found in County
13 Road 170;

14 THENCE S 01°38'07" W, 1997.66 feet along said road to a 1/2" iron rod
15 with plastic cap found for a bend point thereof;

16 THENCE S 89°52'07" E, 1464.59 feet continuing along County Road 170
17 to the POINT OF BEGINNING with the subject tract containing
18 62,892,029 square feet or 1443.802 acres of land.

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

26 (b) The governor, one of the required recipients, has
27 submitted the notice and Act to the Texas Commission on

1 Environmental Quality.

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

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

10 SECTION 4. (a) Section 4019.0313, Special District Local
11 Laws Code, as added by Section 1 of this Act, takes effect only if
12 this Act receives a two-thirds vote of all the members elected to
13 each house.

14 (b) If this Act does not receive a two-thirds vote of all the
15 members elected to each house, Subchapter C, Chapter 4019, Special
16 District Local Laws Code, as added by Section 1 of this Act, is
17 amended by adding Section 4019.0313 to read as follows:

18 Sec. 4019.0313. NO EMINENT DOMAIN POWER. The district may
19 not exercise the power of eminent domain.

20 SECTION 5. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2025.