

By: Luther

H.B. No. 5694

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fannin County Improvement District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4205 to read as follows:

CHAPTER 4205. FANNIN COUNTY IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4205.0101. DEFINITIONS. In this chapter:

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

(2) "County" means Fannin County.

(3) "Director" means a board member.

(4) "District" means the Fannin County Improvement District No. 1.

Sec. 4205.0102. NATURE OF DISTRICT. The Fannin County Improvement District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 4205.0103. 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

1 and other political subdivisions to contract with the district, the
2 legislature has established a program to accomplish the public
3 purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

15 Sec. 4205.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

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

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

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

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

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

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

25 Sec. 4205.0105. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

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

5 (1) organization, existence, or validity;

6 (2) right to issue any type of bonds for the purposes
7 for which the district is created or to pay the principal of and
8 interest on the bonds;

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

10 (4) legality or operation.

11 Sec. 4205.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
12 All or any part of the area of the district is eligible to be
13 included in:

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

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

18 Sec. 4205.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
19 DISTRICTS LAW. Except as otherwise provided by this chapter,
20 Chapter 375, Local Government Code, applies to the district.

21 Sec. 4205.0108. CONSTRUCTION OF CHAPTER. This chapter
22 shall be liberally construed in conformity with the findings and
23 purposes stated in this chapter.

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 4205.0201. GOVERNING BODY; TERMS. (a) The district is
26 governed by a board of five voting directors elected or appointed as
27 provided by this chapter and Subchapter D, Chapter 49, Water Code.

1 (b) Except as provided by Section 4205.0203, voting
2 directors serve staggered four-year terms.

3 Sec. 4205.0202. COMPENSATION. (a) A director is entitled
4 to receive fees of office and reimbursement for actual expenses as
5 provided by Section 49.060, Water Code.

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

8 Sec. 4205.0203. TEMPORARY DIRECTORS. (a) On or after the
9 effective date of the Act enacting this chapter, the owner or owners
10 of a majority of the assessed value of the real property in the
11 district according to the most recent certified tax appraisal roll
12 for the county may submit a petition to the Texas Commission on
13 Environmental Quality requesting that the commission appoint as
14 temporary voting directors the five persons named in the petition.
15 The commission shall appoint as temporary voting directors the five
16 persons named in the petition.

17 (b) The temporary voting or successor temporary voting
18 directors shall hold an election to elect five permanent voting
19 directors as provided by Section 4205.0201.

20 (c) Temporary voting directors serve until the earlier of:

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

23 (2) the fourth anniversary of the effective date of
24 the Act enacting this chapter.

25 (d) If permanent voting directors have not been elected
26 under Subsection (b) and the terms of the temporary voting
27 directors have expired, successor temporary voting directors shall

1 be appointed or reappointed as provided by Subsection (e) to serve
2 terms that expire on the earlier of:

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

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

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

15 Sec. 4205.0204. NONVOTING DIRECTORS. The board may appoint
16 nonvoting directors to serve at the pleasure of the voting
17 directors.

18 Sec. 4205.0205. QUORUM. For purposes of determining the
19 requirements for a quorum of the board, the following are not
20 counted:

21 (1) a board position vacant for any reason, including
22 death, resignation, or disqualification;

23 (2) a director who is abstaining from participation in
24 a vote because of a conflict of interest; or

25 (3) a nonvoting director.

26 SUBCHAPTER C. POWERS AND DUTIES

27 Sec. 4205.0301. GENERAL POWERS AND DUTIES. The district

1 has the powers and duties necessary to accomplish the purposes for
2 which the district is created.

3 Sec. 4205.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
4 district, using any money available to the district for the
5 purpose, may provide, design, construct, acquire, improve,
6 relocate, operate, maintain, or finance an improvement project or
7 service authorized under this chapter or Chapter 375, Local
8 Government Code.

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

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

14 Sec. 4205.0303. LAW ENFORCEMENT SERVICES. To protect the
15 public interest, the district may contract with a qualified party,
16 including the county, to provide law enforcement services in the
17 district for a fee.

18 Sec. 4205.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
19 The district may join and pay dues to a charitable or nonprofit
20 organization that performs a service or provides an activity
21 consistent with the furtherance of a district purpose.

22 Sec. 4205.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
23 district may engage in activities that accomplish the economic
24 development purposes of the district.

25 (b) The district may establish and provide for the
26 administration of one or more programs to promote state or local
27 economic development and to stimulate business and commercial

1 activity in the district, including programs to:

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

3 (2) provide district personnel and services.

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

7 (1) Chapter 380, Local Government Code; and

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

9 Sec. 4205.0306. PARKING FACILITIES. (a) The district may
10 acquire, lease as lessor or lessee, construct, develop, own,
11 operate, and maintain parking facilities or a system of parking
12 facilities, including lots, garages, parking terminals, or other
13 structures or accommodations for parking motor vehicles off the
14 streets and related appurtenances.

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

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

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

24 Sec. 4205.0307. DISBURSEMENTS AND TRANSFERS OF MONEY. The
25 board by resolution shall establish the number of directors'
26 signatures and the procedure required for a disbursement or
27 transfer of district money.

1 Sec. 4205.0308. ADDING OR EXCLUDING LAND. The district may
2 add or exclude land in the manner provided by Subchapter J, Chapter
3 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

4 Sec. 4205.0309. NAVIGATION DISTRICT POWERS. (a) The
5 district has the powers provided by the general law of this state
6 applicable to navigation districts created under Section 59,
7 Article XVI, Texas Constitution, including Chapters 60 and 62,
8 Water Code.

9 (b) The district may purchase, construct, acquire, own,
10 operate, maintain, improve, or extend, inside and outside the
11 district, a canal, waterway, bulkhead, dock, or other improvement
12 or facility necessary or convenient to accomplish the navigation
13 purposes of the district.

14 Sec. 4205.0310. NO EMINENT DOMAIN POWER. The district may
15 not exercise the power of eminent domain.

16 SUBCHAPTER D. ASSESSMENTS

17 Sec. 4205.0401. PETITION REQUIRED FOR FINANCING SERVICES
18 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
19 service or improvement project with assessments under this chapter
20 unless a written petition requesting that service or improvement
21 has been filed with the board.

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

26 Sec. 4205.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
27 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. 4205.0501. 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

1 obtain voter approval before the district may impose an ad valorem
2 tax.

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

5 Sec. 4205.0502. OPERATION AND MAINTENANCE TAX. (a) If
6 authorized by a majority of the district voters voting at an
7 election under Section 4205.0501, the district may impose an
8 operation and maintenance tax on taxable property in the district
9 in the manner provided by Section 49.107, Water Code, for any
10 district purpose, including to:

11 (1) maintain and operate the district;

12 (2) construct or acquire improvements; or

13 (3) provide a service.

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

17 Sec. 4205.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
18 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
19 terms determined by the board.

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

25 Sec. 4205.0504. BONDS SECURED BY REVENUE OR CONTRACT
26 PAYMENTS. The district may issue, without an election, bonds
27 secured by:

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

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

5 Sec. 4205.0505. BONDS SECURED BY AD VALOREM TAXES;
6 ELECTIONS. (a) If authorized at an election under Section
7 4205.0501, the district may issue bonds payable from ad valorem
8 taxes.

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

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

19 Sec. 4205.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
20 board may not issue bonds until each municipality in whose
21 corporate limits or extraterritorial jurisdiction the district is
22 located has consented by ordinance or resolution to the creation of
23 the district and to the inclusion of land in the district as
24 required by applicable law.

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

SUBCHAPTER I. DISSOLUTION

Sec. 4205.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of at least two-thirds of the assessed value of the property subject to assessment or taxation by the district based on 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.

SECTION 2. The Fannin County Improvement District No. 1 initially includes all territory contained in the following area:

BEING a 337.65 acre (14,707,855 square feet) tract of land, situated in the Daniel Davis Survey, Abstract No. 269, John Nail Survey, Abstract No. 842, William Perrin Survey, Abstract No. 873

H.B. No. 5694

1 and the William Lewis Survey, Abstract No. 649, Fannin County
2 Texas, and being part of a called 56.605 acre tract of land referred
3 to as Johnson Family Trust (Tract Ten "Parcel J"), part of a called
4 57.544 acre tract, (Tract Ten "Parcel I"), part of a called 76 acre
5 tract, (Tract Ten "Parcel A"), all of a called 39.5 acre tract
6 (Tract 10 "Parcel B"), part of a called 66.050 acre tract (Tract 10
7 "Parcel F"), all of a called 55 acre tract (Tract Fourteen), all of
8 a called 52 acre tract, (Tract Twelve "Parcel B"), all of a called
9 50 acre tract (Tract Twelve "Parcel C"), part of a called 50 acre
10 tract (Tract Twelve "Parcel D"), all of a called 2-1/2 acre tract
11 (Tract Twelve "Parcel E"), described in a Warranty Deed to Loyd D.
12 Johnson Family Limited Partnership No. One, a Texas Limited
13 Partnership, as recorded in Volume 1775, Page 129 of the Deed
14 Records of Fannin County, Texas (D.R.F.C.T.), and being more
15 particularly described by metes and bounds as follows:

16 BEGINNING at a 1-1/4-inch steel pipe with a 3-1/4-inch
17 aluminum disk stamped "RPS 2474" found (herein referred to as a pipe
18 monument) for the northeast corner of called 35.178 acre tract of
19 land described in a Warranty Deed to the United States of America
20 (herein referred to as U.S.A.), as recorded in Volume 247, Page 76,
21 D.R.F.C.T., same being an interior Ell corner of said Johnson
22 Family Trust (Tract Ten "Parcel I");

23 THENCE South 88 degrees 52 minutes 16 seconds West, along the
24 south line of said Johnson Family Trust (Tract Ten "Parcel I") and
25 the north line of said 35.178 acre U.S.A. tract, passing at a
26 distance of 88.12 feet the southwest corner of said Johnson Family
27 Trust (Tract Ten "Parcel I"), same being the southeast corner of

1 said Johnson Family Trust (Tract Ten "Parcel J"), continuing for a
2 total distance of 670.00 feet to a 5/8-inch iron rod with yellow
3 plastic cap stamped "CP&Y" found for corner;

4 THENCE North 47 degrees 29 minutes 54 seconds East, departing
5 the north line of said 35.178 acre U.S.A. tract, over and across
6 said Johnson Family Trust (Tract Ten "Parcel J") a distance of
7 756.80 feet to a 5/8-inch iron rod with yellow plastic cap stamped
8 "CP&Y" found for corner;

9 THENCE South 62 degrees 33 minutes 08 seconds East,
10 continuing over and across said Johnson Family Trust (Tract Ten
11 "Parcel J"), passing at a distance of 16.71 feet the common east
12 line of said Johnson Family Trust (Tract Ten "Parcel J") and the
13 west line of said Johnson Family Trust (Tract Ten "Parcel I")
14 continuing for a distance of 1,038.07 feet to a 5/8-inch iron rod
15 with yellow plastic cap stamped "CP&Y" found for corner;

16 THENCE continuing over and across said Johnson Family Trust
17 (Tract Ten "Parcel I"), the following eight (8) courses and
18 distances:

19 1. South 16 degrees 54 minutes 07 seconds East, a distance of
20 244.25 feet to a 5/8-inch iron rod with yellow plastic cap stamped
21 "CP&Y" found for corner;

22 2. South 88 degrees 41 minutes 43 seconds East, a distance of
23 177.59 feet to a 5/8-inch iron rod with yellow plastic cap stamped
24 "CP&Y" found for corner;

25 3. North 41 degrees 45 minutes 40 seconds East, a distance of
26 242.19 feet to a 5/8-inch iron rod with yellow plastic cap stamped
27 "CP&Y" found for corner;

1 4. North 83 degrees 58 minutes 10 seconds East, a distance of 45.49
2 feet to a 5/8-inch iron rod with yellow plastic cap stamped "STV"
3 set for corner;

4 5. South 00 degrees 47 minutes 41 seconds East, a distance of
5 190.22 feet to a 5/8-inch iron rod with yellow plastic cap stamped
6 "STV" set for corner;

7 6. South 06 degrees 53 minutes 05 seconds East, a distance of
8 485.74 feet to a 5/8-inch iron rod with yellow plastic cap stamped
9 "STV" set for corner;

10 7. South 15 degrees 01 minutes 17 seconds East, a distance of
11 216.44 feet to a 5/8-inch iron rod with yellow plastic cap stamped
12 "STV" set for corner;

13 8. South 11 degrees 55 minutes 51 seconds West, a distance of
14 244.03 feet to a 5/8-inch iron rod with yellow plastic cap stamped
15 "STV" set for corner in the south line of said Johnson Family Trust
16 (Tract Ten "Parcel I") and the north line of a called 12.043 acre
17 tract of land described in a Warranty Deed to the United States of
18 America, as recorded in Volume 247, Page 77, D.R.F.C.T;

19 THENCE South 89 degrees 37 minutes 00 seconds West, along the
20 common south line of said Johnson Family Trust (Tract Ten "Parcel
21 I") and the north line of said 12.043 acre U.S.A. tract, a distance
22 of 958.57 feet to a pipe monument found for an Ell corner of said
23 Johnson Family Trust (Tract Ten "Parcel I") and the northwest
24 corner of said 12.043 acre U.S.A. tract, same being in the east line
25 of said Johnson Family Trust (Tract Fourteen);

26 THENCE South 00 degrees 20 minutes 47 seconds West, along the
27 common east line of said Johnson Family Trust (Tract Fourteen) and

1 the west line of said 12.043 acre U.S.A. tract, a distance of 522.81
2 feet to a pipe monument found for the southwest corner of said
3 12.043 acre U.S.A. tract and the most westerly northwest corner of
4 said Johnson Family Trust (Tract Ten "Parcel A");

5 THENCE North 89 degrees 57 minutes 52 seconds East, along the
6 south line of said 12.043 acre U.S.A. tract and the north line of
7 said Johnson Family Trust (Tract Ten "Parcel A"), a distance of
8 929.80 feet to a 5/8-inch iron rod with yellow plastic cap stamped
9 "STV" set for corner;

10 THENCE departing the south line of said 12.043 acre U.S.A.
11 tract, over and across said Johnson Family Trust (Tract Ten "Parcel
12 A"), the following seven (7) courses and distances:

13 1. South 08 degrees 18 minutes 56 seconds West, a distance of
14 514.40 feet to a 5/8-inch iron rod with yellow plastic cap stamped
15 "STV" set for corner at the beginning of a non-tangent curve to the
16 right;

17 2. Along said non-tangent curve to the right, having a central
18 angle of 32 degrees 20 minutes 26 seconds, a radius of 258.84 feet,
19 an arc length of 146.10 feet, and a chord bearing and distance of
20 South 29 degrees 16 minutes 50 seconds West, 144.17 feet to a
21 5/8-inch iron rod with yellow plastic cap stamped "STV" set for
22 corner;

23 3. South 44 degrees 21 minutes 55 seconds West, a distance of
24 290.56 feet to a 5/8-inch iron rod with yellow plastic cap stamped
25 "STV" set for corner;

26 4. South 19 degrees 32 minutes 27 seconds East, a distance of
27 289.64 feet to a 5/8-inch iron rod with yellow plastic cap stamped

1 "STV" set for corner;
2 5. South 02 degrees 32 minutes 06 seconds East, a distance of
3 203.28 feet to a 5/8-inch iron rod with yellow plastic cap stamped
4 "STV" set for corner;
5 6. South 17 degrees 19 minutes 31 seconds East, a distance of
6 454.28 feet to a 5/8-inch iron rod with yellow plastic cap stamped
7 "STV" set for corner;
8 7. South 43 degrees 45 minutes 41 seconds East, a distance of
9 352.24 feet to a 5/8-inch iron rod with yellow plastic cap stamped
10 "STV" set for corner;
11 THENCE South 00 degrees 17 minutes 50 seconds East,
12 continuing over and across said Johnson Family Trust (Tract Ten
13 "Parcel A"), passing at a distance of 10.10 feet the south line of
14 said Johnson Family Trust (Tract Ten "Parcel A") and the north line
15 of said Johnson Family Trust (Tract 10 "Parcel B"), passing at a
16 distance of 881.86 feet the south line of said Johnson Family Trust
17 (Tract 10 "Parcel B") and the north line of said Johnson Family
18 Trust (Tract 10 "Parcel F"), continuing for a total distance of
19 892.05 feet to a 5/8-inch iron rod with yellow plastic cap stamped
20 "STV" set for corner;
21 THENCE continuing over and across said Johnson Family Trust
22 (Tract 10 "Parcel F"), the following four (4) courses and
23 distances:
24 1. South 14 degrees 36 minutes 25 seconds West, a distance of
25 379.78 feet to a 5/8-inch iron rod with yellow plastic cap stamped
26 "STV" set for corner;
27 2. South 23 degrees 58 minutes 53 seconds East, a distance of 64.03

1 feet to a 5/8-inch iron rod with yellow plastic cap stamped "STV"
2 set for corner;

3 3. South 29 degrees 52 minutes 51 seconds West, a distance of
4 313.84 feet to a 5/8-inch iron rod with yellow plastic cap stamped
5 "STV" set for corner;

6 4. South 57 degrees 51 minutes 34 seconds West, a distance of
7 313.21 feet to a 5/8-inch iron rod with yellow plastic cap stamped
8 "STV" set for corner in the south line of said Johnson Family Trust
9 (Tract 10 "Parcel F"), same being in the north line of a called
10 197.621 acre tract of land described in a General Warranty Deed to
11 Upper Trinity Regional Water District (herein referred to as
12 U.T.R.W.D.), as recorded in Volume 2140, Page 177, D.R.F.C.T.;

13 THENCE South 89 degrees 45 minutes 36 seconds West, along the
14 common south line of said Johnson Family Trust (Tract 10 "Parcel F")
15 and the north line of said 197.621 acre U.T.R.W.D. tract, a distance
16 of 1,040.82 feet to a 5/8-inch iron rod with yellow plastic cap
17 stamped "STV" set for the southwest corner of said Johnson Family
18 Trust (Tract 10 "Parcel F"), same being the southeast corner of a
19 called 18.669 acre tract of land described in a Warranty Deed to
20 Chris Johnson, as recorded in Volume 1434, Page 527, D.R.F.C.T.;

21 THENCE North 00 degrees 32 minutes 01 seconds East, along the
22 common west line of said Johnson Family Trust (Tract 10 "Parcel F")
23 and the east line of said 18.669 acre tract, passing at a distance
24 of 870.12 feet the northwest corner of said Johnson Family Trust
25 (Tract 10 "Parcel F") and the southwest corner of said Johnson
26 Family Trust (Tract 10 "Parcel B"), passing at a distance of
27 1,747.90 feet the northwest corner of said Johnson Family Trust

H.B. No. 5694

1 (Tract 10 "Parcel B") and an interior Ell corner of said Johnson
2 Family Trust (Tract Fourteen), continuing for a total distance of
3 1,897.56 feet to a 5/8-inch iron rod with yellow plastic cap stamped
4 "STV" set for the northeast corner of said 18.669 acre tract, same
5 being an interior Ell corner of said Johnson Family Trust (Tract
6 Fourteen);

7 THENCE South 89 degrees 18 minutes 36 seconds West, along the
8 common south line of said Johnson Family Trust (Tract Fourteen) and
9 Johnson Family Trust (Tract Twelve "Parcel B") and the north line of
10 said 18.669 acre tract and a called 18.628 acre tract of land
11 described in a Warranty Deed to the United States of America, as
12 recorded in Volume 244, Page 408, D.R.F.C.T., a distance of 867.49
13 feet to a pipe monument found for the northwest corner of said
14 18.628 acre U.S.A. tract and the northeast corner of a called 9.429
15 acre tract of land described in a Warranty Deed to the United States
16 of America, as recorded in Volume 244, Page 402, D.R.F.C.T.;

17 THENCE North 89 degrees 34 minutes 11 seconds West, along the
18 common south line of said Johnson Family Trust (Tract Twelve
19 "Parcel B") and the north line of said 9.429 acre U.S.A. tract, a
20 distance of 206.43 feet to a pipe monument found for the northwest
21 corner of said 9.429 acre U.S.A. tract and the northeast corner of a
22 called 9.369 acre tract of land described in a Warranty Deed to the
23 United States of America, as recorded in Volume 245, Page 94,
24 D.R.F.C.T.;

25 THENCE North 87 degrees 56 minutes 14 seconds West, along the
26 common south line of said Johnson Family Trust (Tract Twelve
27 "Parcel B") and the north line of said 9.369 acre U.S.A. tract, a

H.B. No. 5694

1 distance of 214.48 feet to a pipe monument found for the northwest
2 corner of said 9.369 acre U.S.A. tract, same being in the east line
3 of a called 26.137 acre tract of land described in a General
4 Warranty Deed to Upper Trinity Regional Water District, as recorded
5 in Instrument Number 2021006457 of the Official Public Records of
6 Fannin County, Texas (O.P.R.F.C.T.);

7 THENCE along the common south line of said Johnson Family
8 Trust (Tract Twelve "Parcel B") and (Tract Twelve "Parcel C"), and
9 the north and east line of said 26.137 acre U.T.R.W.D. tract, the
10 following five (5) courses and distances:

11 1. North 00 degrees 11 minutes 07 seconds East, a distance of 19.00
12 feet to a 5/8-inch iron rod with yellow plastic cap stamped "CP&Y"
13 found for corner;

14 2. North 70 degrees 35 minutes 55 seconds West, a distance of
15 115.00 feet to a 5/8-inch iron rod with yellow plastic cap stamped
16 "CP&Y" found for corner;

17 3. North 60 degrees 35 minutes 55 seconds West, passing at a
18 distance of 69.64 feet the southwest corner of said Johnson Family
19 Trust (Tract Twelve "Parcel B") and the southeast corner of said
20 Johnson Family Trust (Tract Twelve "Parcel C"), continuing for a
21 total distance of a distance of 100.00 feet to a 5/8-inch iron rod
22 with yellow plastic cap stamped "CP&Y" found for corner;

23 4. South 88 degrees 24 minutes 05 seconds West, a distance of
24 440.42 feet to a 5/8-inch iron rod with yellow plastic cap stamped
25 "CP&Y" found for the northwest corner of said 26.137 acre
26 U.T.R.W.D. tract, being in the east line of a called 27.660 acre
27 tract of land described in a Warranty Deed to the United States of

H.B. No. 5694

1 America, as recorded in Volume 246, Page 183, D.R.F.C.T., from
2 which a 4-inch by 4-inch concrete monument with a Brass Disk stamped
3 "U.S. (herein referred to as concrete monument) found bears South
4 12 degrees 25 minutes 17 seconds East, 14.05 feet;

5 THENCE North 09 degrees 43 minutes 03 seconds West, along the
6 common south line of said Johnson Family Trust (Tract Twelve
7 "Parcel C") and the north line of said 27.660 acre U.S.A. tract, a
8 distance of 20.63 feet to a pipe monument found for corner;

9 THENCE North 89 degrees 43 minutes 56 seconds West,
10 continuing along the common south line of said Johnson Family Trust
11 (Tract Twelve "Parcel C") and the north line of said 27.660 acre
12 U.S.A. tract, passing at a distance of 487.89 feet the southwest
13 corner of said Johnson Family Trust (Tract Twelve "Parcel C") and
14 the southeast corner of said Johnson Family Trust (Tract Twelve
15 "Parcel D"), continuing for a total distance of 1,084.46 feet to a
16 5/8-inch iron rod with yellow plastic cap stamped "CP&Y" found for
17 the northwest corner of said 27.660 acre U.T.R.W.D. tract and the
18 northeast corner of a called 48.201 acre tract of land described in
19 a General Warranty Deed to Upper Trinity Regional Water District,
20 as recorded in Volume 2109, Page 234, D.R.F.C.T., a 4-inch by 4-inch
21 concrete monument with a Brass Disk stamped "U.S. (herein referred
22 to as concrete monument) found bears South 10 degrees 37 minutes 16
23 seconds East, 26.95 feet;

24 THENCE WEST, along the common south line of said Johnson
25 Family Trust (Tract Twelve "Parcel D") and the north line of said
26 48.201 acre U.T.R.W.D. tract, a distance of 812.24 feet to a
27 5/8-inch iron rod with yellow plastic cap stamped "CP&Y" found for

1 corner;

2 THENCE departing said common line, over and across said
3 Johnson Family Trust (Tract Twelve "Parcel D"), the following three
4 (3) courses and distances:

5 1. North 21 degrees 37 minutes 15 seconds East, a distance of
6 321.50 feet to a 5/8-inch iron rod with yellow plastic cap stamped
7 "CP&Y" found for corner;

8 2. North 03 degrees 34 minutes 16 seconds West, a distance of
9 417.81 feet to a 5/8-inch iron rod with yellow plastic cap stamped
10 "CP&Y" found for corner;

11 3. North 35 degrees 50 minutes 37 seconds East, a distance of
12 964.58 feet to a 5/8-inch iron rod with yellow plastic cap stamped
13 "CP&Y" found for corner in the north line of said Johnson Family
14 Trust (Tract Twelve "Parcel D") and the south line of a called
15 194.7128 acre tract of land described in a Warranty Deed to the
16 United States of America, as recorded in Volume 248, Page 516,
17 D.R.F.C.T.;

18 THENCE South 87 degrees 28 minutes 55 seconds East, along the
19 common north line of said Johnson Family Trust (Tract Twelve
20 "Parcel D") and the south line of said 194.7128 acre U.S.A. tract, a
21 distance of 760.75 feet to a pipe monument found for the northeast
22 corner of said Johnson Family Trust (Tract Twelve "Parcel D") and
23 the most southerly southeast corner of said 194.7128 acre U.S.A.
24 tract, same being in the west line of said Johnson Family Trust
25 (Tract Twelve "Parcel C");

26 THENCE North 02 degrees 01 minutes 14 seconds East, along the
27 west line of said Johnson Family Trust (Tract Twelve "Parcel C") and

H.B. No. 5694

1 the east line of said 194.7128 acre U.S.A. tract, passing at a
2 distance of 824.76 feet the northwest corner of said Johnson Family
3 Trust (Tract Twelve "Parcel C") and the southwest corner of said
4 Johnson Family Trust (Tract Twelve "Parcel E"), continuing for a
5 total distance of 926.21 feet to a 5/8-inch iron rod with yellow
6 plastic cap stamped "STV" set for the northwest corner of said
7 Johnson Family Trust (Tract Twelve "Parcel E") and an interior Ell
8 corner of said 194.7128 acre
9 U.S.A. tract;

10 THENCE North 89 degrees 37 minutes 25 seconds East, along the
11 common north line of said Johnson Family Trust (Tract Twelve
12 "Parcel E") and the south line of said 194.7128 acre U.S.A. tract,
13 passing at a distance of 927.81 feet the northeast corner of said
14 Johnson Family Trust (Tract Twelve "Parcel E") and the northwest
15 corner of said Johnson Family Trust (Tract Twelve "Parcel B"),
16 continuing for a total distance of 993.32 feet to a pipe monument
17 found for an angle point in said common line;

18 THENCE South 83 degrees 50 minutes 19 seconds East, along the
19 common north line of said Johnson Family Trust (Tract Twelve
20 "Parcel B") and the south line of said 35.178 acre U.S.A. tract, a
21 distance of 850.64 feet to a pipe monument found for the northeast
22 corner of said Johnson Family Trust (Tract Twelve "Parcel B") and
23 the northwest corner of said Johnson Family Trust (Tract Fourteen);

24 THENCE South 89 degrees 28 minutes 35 seconds East, along the
25 north line of said Johnson Family Trust (Tract Fourteen) and the
26 south line of said 35.178 acre U.S.A. tract, a distance of 572.21
27 feet to a pipe monument found for the southeast corner of said

1 35.178 acre U.S.A. tract and the southwest corner of said Johnson
2 Family Trust (Tract Ten "Parcel I");

3 THENCE North 01 degrees 52 minutes 23 seconds East, along the
4 west line of said Johnson Family Trust (Tract Ten "Parcel I") and
5 the east line of said 35.178 acre U.S.A. tract, a distance of
6 1,134.20 feet to the POINT OF BEGINNING, containing within the
7 metes recited, an area of 337.65 acres or (14,707,855 square feet)
8 of land.

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

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

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

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

27 SECTION 4. This Act takes effect immediately if it receives

H.B. No. 5694

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2025.