

1-1 By: Isaac, Cyrier (Senate Sponsor - Zaffirini) H.B. No. 1372
 1-2 (In the Senate - Received from the House May 6, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on
 1-4 Administration; May 13, 2015, reported favorably by the following
 1-5 vote: Yeas 5, Nays 0; May 13, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Uresti	X			
1-9 Campbell	X			
1-10 Eltife			X	
1-11 Huffines	X			
1-12 Schwertner			X	
1-13 West	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the creation of the Cotton Center Municipal Utility
 1-18 District No. 1; granting a limited power of eminent domain;
 1-19 providing authority to issue bonds; providing authority to impose
 1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-23 Code, is amended by adding Chapter 8492 to read as follows:

1-24 CHAPTER 8492. COTTON CENTER MUNICIPAL UTILITY DISTRICT NO. 1

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8492.001. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on
 1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Cotton Center Municipal
 1-32 Utility District No. 1.

1-33 Sec. 8492.002. NATURE OF DISTRICT. The district is a
 1-34 municipal utility district created under Section 59, Article XVI,
 1-35 Texas Constitution.

1-36 Sec. 8492.003. CONFIRMATION AND DIRECTORS' ELECTION
 1-37 REQUIRED. The temporary directors shall hold an election to
 1-38 confirm the creation of the district and to elect five permanent
 1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8492.004. CONSENT OF MUNICIPALITY REQUIRED. The
 1-41 temporary directors may not hold an election under Section 8492.003
 1-42 until each municipality in whose corporate limits or
 1-43 extraterritorial jurisdiction the district is located has
 1-44 consented by ordinance or resolution to the creation of the
 1-45 district and to the inclusion of land in the district.

1-46 Sec. 8492.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
 1-47 The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
 1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
 1-52 relate to the construction, acquisition, improvement, operation,
 1-53 or maintenance of macadamized, graveled, or paved roads, or
 1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8492.006. INITIAL DISTRICT TERRITORY. (a) The
 1-56 district is initially composed of the territory described by
 1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
 1-59 the Act enacting this chapter form a closure. A mistake made in the
 1-60 field notes or in copying the field notes in the legislative process
 1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8492.051. GOVERNING BODY; TERMS. (a) The district is
 2-9 governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 8492.052, directors serve
 2-11 staggered four-year terms.

2-12 Sec. 8492.052. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Angela Fulcher;
- 2-15 (2) Julie Dolby Casner;
- 2-16 (3) Laurie Gosda;
- 2-17 (4) Sandra Wood; and
- 2-18 (5) Cheri D. Hisaw.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 8492.003; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8492.003 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 8492.003; or
- 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8492.101. GENERAL POWERS AND DUTIES. The district has
 2-42 the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8492.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8492.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8492.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 2-56 project must meet all applicable construction standards, zoning and
 2-57 subdivision requirements, and regulations of each municipality in
 2-58 whose corporate limits or extraterritorial jurisdiction the road
 2-59 project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards, zoning and
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8492.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 2-69 OR RESOLUTION. The district shall comply with all applicable

3-1 requirements of any ordinance or resolution that is adopted under
 3-2 Section 54.016 or 54.0165, Water Code, and that consents to the
 3-3 creation of the district or to the inclusion of land in the
 3-4 district.

3-5 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

3-6 Sec. 8492.151. DIVISION OF DISTRICT; PREREQUISITES. The
 3-7 district may be divided into two or more new districts only if the
 3-8 district:

- 3-9 (1) has never issued any bonds; and
- 3-10 (2) is not imposing ad valorem taxes.

3-11 Sec. 8492.152. LAW APPLICABLE TO NEW DISTRICT. This
 3-12 chapter applies to any new district created by division of the
 3-13 district, and a new district has all the powers and duties of the
 3-14 district.

3-15 Sec. 8492.153. LIMITATION ON AREA OF NEW DISTRICT. A new
 3-16 district created by the division of the district may not, at the
 3-17 time the new district is created, contain any land outside the area
 3-18 described by Section 2 of the Act enacting this chapter.

3-19 Sec. 8492.154. DIVISION PROCEDURES. (a) The board, on its
 3-20 own motion or on receipt of a petition signed by the owner or owners
 3-21 of a majority of the assessed value of the real property in the
 3-22 district, may adopt an order dividing the district.

3-23 (b) The board may adopt an order dividing the district
 3-24 before or after the date the board holds an election under Section
 3-25 8492.003 to confirm the district's creation.

3-26 (c) An order dividing the district must:

- 3-27 (1) name each new district;
- 3-28 (2) include the metes and bounds description of the
 3-29 territory of each new district;
- 3-30 (3) appoint temporary directors for each new district;

3-31 and

- 3-32 (4) provide for the division of assets and liabilities
 3-33 between the new districts.

3-34 (d) On or before the 30th day after the date of adoption of
 3-35 an order dividing the district, the district shall file the order
 3-36 with the commission and record the order in the real property
 3-37 records of each county in which the district is located.

3-38 Sec. 8492.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
 3-39 A new district created by the division of the district shall hold a
 3-40 confirmation and directors' election as required by Section
 3-41 8492.003.

3-42 (b) If the creation of the new district is confirmed, the
 3-43 new district shall provide the election date and results to the
 3-44 commission.

3-45 Sec. 8492.156. TAX OR BOND ELECTION. Before a new district
 3-46 created by the division of the district may impose a maintenance tax
 3-47 or issue bonds payable wholly or partly from ad valorem taxes, the
 3-48 new district must hold an election as required by this chapter to
 3-49 obtain voter approval.

3-50 Sec. 8492.157. MUNICIPAL CONSENT. Municipal consent to the
 3-51 creation of the district and to the inclusion of land in the
 3-52 district granted under Section 8492.004 acts as municipal consent
 3-53 to the creation of any new district created by the division of the
 3-54 district and to the inclusion of land in the new district.

3-55 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

3-56 Sec. 8492.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 3-57 district may issue, without an election, bonds and other
 3-58 obligations secured by:

- 3-59 (1) revenue other than ad valorem taxes; or
- 3-60 (2) contract payments described by Section 8492.203.

3-61 (b) The district must hold an election in the manner
 3-62 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-63 before the district may impose an ad valorem tax or issue bonds
 3-64 payable from ad valorem taxes.

3-65 (c) The district may not issue bonds payable from ad valorem
 3-66 taxes to finance a road project unless the issuance is approved by a
 3-67 vote of a two-thirds majority of the district voters voting at an
 3-68 election held for that purpose.

3-69 Sec. 8492.202. OPERATION AND MAINTENANCE TAX. (a) If

4-1 authorized at an election held under Section 8492.201, the district
4-2 may impose an operation and maintenance tax on taxable property in
4-3 the district in accordance with Section 49.107, Water Code.

4-4 (b) The board shall determine the tax rate. The rate may not
4-5 exceed the rate approved at the election.

4-6 Sec. 8492.203. CONTRACT TAXES. (a) In accordance with
4-7 Section 49.108, Water Code, the district may impose a tax other than
4-8 an operation and maintenance tax and use the revenue derived from
4-9 the tax to make payments under a contract after the provisions of
4-10 the contract have been approved by a majority of the district voters
4-11 voting at an election held for that purpose.

4-12 (b) A contract approved by the district voters may contain a
4-13 provision stating that the contract may be modified or amended by
4-14 the board without further voter approval.

4-15 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-16 Sec. 8492.251. AUTHORITY TO ISSUE BONDS AND OTHER
4-17 OBLIGATIONS. The district may issue bonds or other obligations
4-18 payable wholly or partly from ad valorem taxes, impact fees,
4-19 revenue, contract payments, grants, or other district money, or any
4-20 combination of those sources, to pay for any authorized district
4-21 purpose.

4-22 Sec. 8492.252. TAXES FOR BONDS. At the time the district
4-23 issues bonds payable wholly or partly from ad valorem taxes, the
4-24 board shall provide for the annual imposition of a continuing
4-25 direct ad valorem tax, without limit as to rate or amount, while all
4-26 or part of the bonds are outstanding as required and in the manner
4-27 provided by Sections 54.601 and 54.602, Water Code.

4-28 Sec. 8492.253. BONDS FOR ROAD PROJECTS. At the time of
4-29 issuance, the total principal amount of bonds or other obligations
4-30 issued or incurred to finance road projects and payable from ad
4-31 valorem taxes may not exceed one-fourth of the assessed value of the
4-32 real property in the district.

4-33 SECTION 2. The Cotton Center Municipal Utility District No.
4-34 1 initially includes all the territory contained in the following
4-35 area:

4-36 DESCRIPTION

4-37 OF A 2357.9 ACRE TRACT OF LAND OUT OF THE WILLIAM PETTUS LEAGUE,
4-38 ABSTRACT NO. 21, THE THOMAS MAXWELL LEAGUE, ABSTRACT NO. 188, AND
4-39 THE THOMAS YATES LEAGUE, ABSTRACT NO. 313, SITUATED IN CALDWELL
4-40 COUNTY, TEXAS, BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO
4-41 WALTON TEXAS, LP. BY THE FOLLOWING DEEDS OF RECORD IN THE OFFICIAL
4-42 PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS:

- 4-43 A) 91.99 ACRES (PARCEL 1) AND 4.56 ACRES (PARCEL 2) OF
- 4-44 RECORD IN VOLUME 643, PAGE 69;
- 4-45 B) 87.92 ACRES OF RECORD IN DOCUMENT NO. 113576;
- 4-46 C) 99.03 ACRES OF RECORD IN DOCUMENT NO. 122695;
- 4-47 D) 358.07 ACRES PORTION OF 573.65 ACRES (TRACT 1) OF RECORD
- 4-48 IN VOLUME 524, PAGE 599;
- 4-49 E) 224.83 ACRES OF RECORD IN VOLUME 556, PAGE 729,
- 4-50 F) 339.31 ACRES OF RECORD IN VOLUME 556, PAGE 246;
- 4-51 G) 120.75 ACRES OF RECORD IN DOCUMENT NO. 123755;
- 4-52 H) 69.19 ACRES OF RECORD IN DOCUMENT NO. 132453;
- 4-53 I) 47.271 ACRES, 49.330 ACRES, AND 49.325 ACRES OF RECORD IN
- 4-54 DOCUMENT NO. 126556;
- 4-55 J) 70.540 ACRES OF RECORD IN DOCUMENT NO. 131493;
- 4-56 K) 55.669 ACRES OF RECORD IN DOCUMENT NO. 131492;
- 4-57 L) 239.035 ACRES OF RECORD IN DOCUMENT NO. 125890;
- 4-58 M) 59.828 ACRES OF RECORD IN DOCUMENT NO. 126555;
- 4-59 N) 252.85 ACRES OF RECORD IN DOCUMENT NO. 124324;
- 4-60 O) 133.84 ACRES OF RECORD IN DOCUMENT NO. 132453;

4-61 SAID 2357.9 ACRES OF LAND ALSO INCLUDES ALL THE AREA WITHIN THE
4-62 EXISTING RIGHTS-OF-WAY OF CALDWELL COUNTY ROAD NO. 238 (VALLEY WAY
4-63 DRIVE) AND FARM-TO-MARKET ROAD 1984 AS USED ON-THE-GROUND WHICH ARE
4-64 CONTAINED WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION; SAVE
4-65 AND EXCEPT THEREFROM THAT CERTAIN 1.790 ACRE TRACT OF LAND CONVEYED
4-66 TO BARBARA KINKADE BY DEED OF RECORD IN VOLUME 206, PAGE 238 AND
4-67 THAT CERTAIN 15.354 ACRE REMAINDER OF A 129 ACRE (FIRST TRACT) AND
4-68 120 ACRE (SECOND TRACT) OF LAND CONVEYED TO ROBERT W. SHANNON, KAREN
4-69 S. MORELAND, DONNA S. ANDREW AND PAUL B. SHANNON BY DEEDS OF RECORD

5-1 IN VOLUME 255, PAGE 169, VOLUME 256, PAGE 261, VOLUME 335, PAGE 768,
5-2 AND VOLUME 371, PAGE 837, ALL OF SAID OFFICIAL PUBLIC RECORDS; SAID
5-3 2357.9 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED IN TWO (2)
5-4 PARTS BY METES AND BOUNDS AS FOLLOWS:
5-5 PART 1 - 1206.6 ACRES
5-6 BEGINNING, at a 5/8 in iron rod at the intersection of the southerly
5-7 right-of-way line of the Union Pacific Railroad and the
5-8 southwesterly right-of-way line of Valley Way Drive (R.O.W.
5-9 varies), being the northeasterly corner of said 91.99 acre tract,
5-10 for the northeasterly corner hereof;
5-11 THENCE, S41°17'23"E, leaving the southerly right-of-way line of the
5-12 Union Pacific Railroad, along the southwesterly right-of-way line
5-13 of Valley Way Drive, being the northeasterly line of said 91.99 acre
5-14 tract, for the northeasterly line hereof, a distance of 2788.12
5-15 feet to a 5/8 inch iron rod in the northwesterly line of a 130.59
5-16 acre tract of land, conveyed to David Matthew Best by Deed of record
5-17 in Volume 269, Page 127 of said Official Public Records, being the
5-18 easterly corner of said 91.99 acre tract and hereof;
5-19 THENCE, S48°21'22"W, leaving the southwesterly right-of-way line of
5-20 Valley Way Drive, along the northwesterly line of said 130.59 acre
5-21 tract, being the southeasterly line of said 91.99 acre tract, for a
5-22 portion of the southeasterly line hereof, a distance of 1361.88
5-23 feet to the southerly corner of said 91.99 acre tract and the
5-24 northerly corner of said 4.56 acre tract, for an angle point hereof;
5-25 THENCE, leaving the southerly corner of said 91.99 acre tract,
5-26 along the northeasterly and southeasterly lines of said 4.56 acre
5-27 tract, for a portion of the southeasterly line hereof, the
5-28 following two (2) courses and distances:
5-29 1) S41°07'40"E, a distance of 322.45 feet to a 5/8 inch iron
5-30 rod for the easterly corner of said 4.56 acre tract, and an angle
5-31 point hereof;
5-32 2) S48°22'55"W, a distance of 616.59 feet to the southerly
5-33 corner of said 4.56 acre tract, being a northwesterly corner of said
5-34 130.59 acre tract, in the northeasterly line of an eight (8) yard by
5-35 one-hundred ten (110) yard Strip of land reserved to O.M. Hoffman by
5-36 Deed of record in Volume 229, Page 244 of said Official Public
5-37 Records, said Strip also being described as part of Tract II, in a
5-38 Deed to Hoffman Family Trust 1994, of record in Volume 127, Page 436
5-39 of said Official Public Records, for an angle point hereof;
5-40 THENCE, along a portion of the northeasterly, northwesterly, and
5-41 southwesterly lines of said Strip, being a portion of the
5-42 southwesterly line of said 4.56 acre tract, and a portion of the
5-43 southeasterly line of said 87.92 acre tract, for a portion of the
5-44 southeasterly line hereof, the following three (3) courses and
5-45 distances:
5-46 1) N41°10'09"W, a distance of 11.86 feet to the northerly
5-47 corner of said Strip, for an angle point hereof;
5-48 2) S48°19'26"W, a distance of 23.99 feet to the westerly
5-49 corner of said Strip, for an angle point hereof;
5-50 3) S41°19'42"E, a distance of 329.93 feet to an iron rod with
5-51 "UDG" cap in the northwesterly line of a 111.482 acre tract of land
5-52 conveyed to Henry E. McCulloch, Jr. and wife, Barbara J. McCulloch
5-53 by Deed of record in Volume 504, Page 634 of said Official Public
5-54 Records, being the southerly corner of said Strip and the most
5-55 southeasterly corner of said 87.92 acre tract, for an angle point
5-56 hereof;
5-57 THENCE, S48°20'39"W, leaving the southwesterly line of said Strip,
5-58 along a portion of the southeasterly line of said 87.92 acre tract,
5-59 and the southeasterly line of said 99.03 acre tract, being a portion
5-60 of the northwesterly line of said 111.482 acre tract and a portion
5-61 of the northwesterly line of a 9.41 acre tract of land conveyed to
5-62 Henry E. McCulloch, Jr. and wife, Barbara J. McCulloch by Deed of
5-63 record in Volume 511, Page 13 of said Official Public Records, for a
5-64 portion of the southeasterly line hereof, a distance of 3046.71
5-65 feet to the southerly corner of said 99.03 acre tract being in the
5-66 northeasterly line of said 573.65 acre tract, and the northwesterly
5-67 corner of said 9.41 acre tract, for an angle point hereof;
5-68 THENCE, leaving the southeasterly line of said 99.03 acre tract,
5-69 along a portion of the northwesterly and southwesterly lines of

6-1 said 9.41 acre tract, and a portion of the northeasterly line of
6-2 said 573.65 acre tract, for a portion of the southeasterly line
6-3 hereof, the following three (3) courses and distances:
6-4 1) S41°34'50"E, a distance of 19.14 feet to an angle point
6-5 hereof;
6-6 2) S48°56'20"W, a distance of 161.89 feet to an iron rod with
6-7 "carter & burgess" cap for an angle point hereof;
6-8 3) S41°36'05"E, a distance of 1522.35 feet to the southerly
6-9 corner of said 9.41 acre tract in the northwesterly right-of-way
6-10 line of State Highway 142 (R.O.W. varies), for the easterly corner
6-11 of said 573.65 acre tract, and an angle point hereof;
6-12 THENCE, leaving the southwesterly line of said 9.41 acre tract,
6-13 along the northwesterly right-of-way line of State Highway 142,
6-14 along a portion of the southeasterly line of said 573.65 acre tract,
6-15 for a portion of the southeasterly line hereof, the following six
6-16 (6) courses and distances:
6-17 1) S48°50'36"W, a distance of 1342.09 feet to the point of
6-18 curvature of a non-tangent curve to the left;
6-19 2) Along said curve, having a radius of 11535.16 feet, a
6-20 central angle of 02°03'00", an arc length of 412.72 feet and a chord
6-21 which bears, S47°48'06'W, a distance of 412.70 feet to the end of
6-22 said curve;
6-23 3) S46°50'18"W, a distance of 148.55 feet to the point of
6-24 curvature of a non-tangent curve to the right;
6-25 4) Along said curve, having a radius of 11393.65 feet, a
6-26 central angle of 02°03'02", an arc length of 407.78 feet and a chord
6-27 which bears, S47°48'07'W, a distance of 407.76 feet to the end of
6-28 said curve;
6-29 5) S48°51'00"W, a distance of 1315.11 feet to the point of
6-30 curvature of a non-tangent curve to the right;
6-31 6) Along said curve, having a radius of 11,389.16 feet, a
6-32 central angle of 00°37'29", an arc length of 124.18 feet and a chord
6-33 which bears, S49°09'26'W, a distance of 124.18 feet to the point of
6-34 curvature of a non-tangent curve to the left, for the most southerly
6-35 corner hereof;
6-36 THENCE, leaving said northwesterly right-of-way line of State
6-37 Highway 142, over and across said 573.65 acre tract, for a portion
6-38 of the southwesterly line hereof, along the approximate Martindale
6-39 City Limit Line, the following four (4) courses and distances:
6-40 1) Along said curve, having a radius of 2746.11 feet, a
6-41 central angle of 26°52'25", an arc length of 1288.01 feet and a chord
6-42 which bears, N53°46'19'W, a distance of 1276.24 feet to the end of
6-43 said curve;
6-44 2) N69°22'30"W, a distance of 631.48 feet to an angle point
6-45 hereof;
6-46 3) S69°38'20"W, a distance of 374.12 feet to an angle point
6-47 hereof;
6-48 4) N65°05'35"W, a distance of 871.31 feet to a point in the
6-49 southeasterly line of a 137 acre tract of land conveyed to John Mac
6-50 Mauldin by Deed of record in Volume 359, Page 673 of said Official
6-51 Public Records, and the northwesterly line of said 573.65 acre
6-52 tract, for an angle point hereof;
6-53 THENCE, along a portion of the southeasterly line and the
6-54 northeasterly line of said 137 acre tract, and the northwesterly
6-55 line of said 573.65 acre tract, for a portion of the southwesterly
6-56 line hereof, the following two (2) courses and distances:
6-57 1) N49°05'19"E, a distance of 1820.68 feet to an iron pipe
6-58 for the easterly corner of said 137 acre tract, the westerly corner
6-59 of said 573.65 acre tract, and an angle point hereof;
6-60 2) N40°56'06"W, a distance of 1177.53 feet to a point in the
6-61 southeasterly line of a 167.96 acre tract of land conveyed to
6-62 Conrads Herbert Inc. by Deed of record in Volume 346, Page 76 of
6-63 said Official Public Records, being the northerly corner of said
6-64 137 acre tract, the northwesterly corner of said 573.65 acre tract,
6-65 and an angle point hereof;
6-66 THENCE, N48°54'41"E, leaving the northeasterly line of said 137 acre
6-67 tract, along a portion of the common southeasterly line of said
6-68 167.96 acre tract and a portion of the northwesterly line of said
6-69 573.65 acre tract, for a portion of the southwesterly line hereof, a

7-1 distance of 42.46 feet to the most easterly corner of said 167.96
7-2 acre tract, and the southerly corner of said 224.83 acre tract, for
7-3 an angle point hereof;
7-4 THENCE, leaving the northwesterly line of said 573.65 acre tract,
7-5 along the common line of said 167.96 acre tract and said 224.83 acre
7-6 tract, for a portion of the southwesterly line hereof, the
7-7 following eight (8) courses and distances:
7-8 1) N12°19'50"W, a distance of 294.36 feet to an angle point;
7-9 2) N00°34'24"E, a distance of 227.61 feet to an angle point;
7-10 3) N36°30'21"W, a distance of 285.03 feet to an angle point;
7-11 4) N56°28'57"W, a distance of 234.92 feet to an angle point;
7-12 5) N50°20'48"W, a distance of 99.62 feet to an angle point;
7-13 6) N27°15'48"W, a distance of 102.46 feet to an angle point;
7-14 7) N22°50'14"W, a distance of 255.49 feet to the westerly
7-15 corner of said 224.83 acre tract, for an angle point hereof;
7-16 8) N43°45'31"E, a distance of 190.62 feet to the southerly
7-17 corner of said 339.31 acre tract, for an angle point hereof;
7-18 THENCE, leaving the northwesterly line of said 224.83 acre tract,
7-19 along the common line of said 167.96 acre tract and said 339.31 acre
7-20 tract, for a portion of the southwesterly line hereof, the
7-21 following two (2) courses and distances:
7-22 1) N39°23'33"W, a distance of 241.44 feet to an angle point;
7-23 2) N26°29'00"W, a distance of 668.42 feet to the easterly
7-24 corner of a 213.451 acre tract of land conveyed to Curby Ohnheiser
7-25 by Deed of record in Volume 178, Page 184 of said Official Public
7-26 Records, for an angle point hereof;
7-27 THENCE, along a portion of the common northeasterly line of said
7-28 213.451 acre tract and the southwesterly line of said 339.31 acre
7-29 tract, for a portion of the southwesterly line hereof, the
7-30 following three (3) courses and distances:
7-31 1) N16°07'11"W, a distance of 819.56 feet to an angle point;
7-32 2) N13°49'18"W, a distance of 655.20 feet to an angle point;
7-33 3) N09°25'58"W, a distance of 163.84 feet to the southerly
7-34 corner of a 49.82 acre tract of land conveyed to David J. Huffman by
7-35 Deed of record in Volume 527, Page 292 of said Official Public
7-36 Records, for the most westerly corner of said 339.31 acre tract and
7-37 hereof;
7-38 THENCE, along the southeasterly and northeasterly lines of said
7-39 49.82 acre tract and the northwesterly line of said 339.31 acre
7-40 tract, for the northwesterly line hereof, the following four (4)
7-41 courses and distances:
7-42 1) N48°42'42"E, a distance of 1780.59 feet to a pk nail in a
7-43 fence post;
7-44 2) N41°04'53"W, a distance of 664.10 feet to a pk nail in a
7-45 fence post;
7-46 3) N48°44'06"E, a distance of 1261.08 feet to the most
7-47 easterly corner of said 49.82 acre tract;
7-48 4) N42°14'20"W, a distance of 275.49 feet to the
7-49 northeasterly corner of said 49.82 acre tract and northwesterly
7-50 corner of said 339.31 acre tract, in the southerly right-of-way
7-51 line of the Union Pacific Railroad, for the northwesterly corner
7-52 hereof;
7-53 THENCE, leaving the northeasterly line of said 49.82 acre tract,
7-54 along a portion of the southerly right-of-way line of the Union
7-55 Pacific Railroad, and a portion of the northerly line and
7-56 northeasterly line of said 339.31 acre tract, for a portion of the
7-57 northerly line hereof, the following two (2) courses and distances:
7-58 1) S87°55'54"E, a distance of 3775.29 feet to an iron rod for
7-59 the northeasterly corner of said 339.31 acre tract, and an angle
7-60 point hereof;
7-61 2) S41°18'02"E, a distance of 62.32 feet to an iron rod for
7-62 the northwesterly corner of said 91.99 acre tract, and an angle
7-63 point hereof;
7-64 THENCE, leaving the northeasterly line of said 339.31 acre tract,
7-65 along a portion of the southerly right-of-way line of the Union
7-66 Pacific Railroad, the southerly right-of-way line of said Valley
7-67 Way Drive, and the northerly line of said 91.99 acre tract, for a
7-68 portion of the northerly line hereof, the following three (3)
7-69 courses and distances:

8-1 1) S88°18'23"E, a distance of 870.54 feet to an iron rod for
8-2 an angle point hereof;
8-3 2) N82°39'41"E, a distance of 454.88 feet to an angle point
8-4 hereof;
8-5 3) N81°46'58"E, a distance of 126.52 feet to the POINT OF
8-6 BEGINNING, and containing an area of 1206.6 acres of land, more or
8-7 less, within these metes and bounds.
8-8 PART 2 - 1151.3 ACRES
8-9 BEGINNING, at an iron rod with "UDG" cap found in the southwesterly
8-10 right-of-way line of Valley Way Drive (R.O.W. varies) for the
8-11 northerly corner of a 1.82 acre tract of land conveyed to Jethery
8-12 Bohannon Et. Ux. By deed of record in Volume 240, Page 435 of said
8-13 Official Public Records, the southeasterly corner of said 133.84
8-14 acre tract, and an angle point hereof;
8-15 THENCE, S49°38'37"W, leaving the southwesterly right-of-way line of
8-16 Valley Way Drive, along the common line of said 1.82 acre tract and
8-17 said 133.84 acre tract, a distance of 409.77 feet to a point in the
8-18 northerly right-of-way line of the Union Pacific Railroad (100'
8-19 R.O.W.);
8-20 THENCE, N87°55'45"W, along the northerly right-of-way of said
8-21 Railroad, a distance of 1952.56 feet to a point for the
8-22 southwesterly corner of said 133.84 acre tract and the
8-23 southeasterly corner of a 22.1 acre tract of land conveyed to Abel
8-24 Garza Et. Ux. By deed of record in Volume 96, Page 683 of said
8-25 Official Public Records;
8-26 THENCE, leaving the northerly right-of-way of said Railroad, along
8-27 the common line of said 133.84 acre tract and said 22.1 acre tract,
8-28 the following two (2) courses and distances:
8-29 1) N01°23'47"E, a distance of 217.61 feet to and iron rod for
8-30 an angle point hereof;
8-31 2) N41°22'34"W, a distance of 2440.88 feet to a fence corner
8-32 post in the southeasterly right-of-way line of F.M. 1984 (80'
8-33 R.O.W.) for the northerly corner of said 22.1 acre tract, the
8-34 easterly corner of said 133.84 acre tract, and an angle point
8-35 hereof;
8-36 THENCE, N41°36'44"W, leaving the northerly corner of said 22.1 acre
8-37 tract, over and across F.M. 1984, a distance of 80.09 feet to a
8-38 point in the northwesterly right-of-way line of F.M. 1984, and the
8-39 southeasterly line of said 252.85 acre tract, for an angle point
8-40 hereof;
8-41 THENCE, S48°23'16"W, a distance of 1345.17 feet to an iron rod with
8-42 "LENZ" cap in the southeasterly line of said 252.85 acre tract and
8-43 the easterly corner of a 40.0 acre tract of land conveyed to Myrna
8-44 Lopez by deed of record in Document No. 122023 of said Official
8-45 Public Records, for an angle point hereof;
8-46 THENCE, leaving the northerly right-of-way line of F.M. 1984, along
8-47 the common line of said 252.85 acre tract and said 40.0 acre tract,
8-48 the following sixteen (16) courses and distances:
8-49 1) N34°21'01"W, a distance of 110.36 feet to an iron rod with
8-50 "LENZ" cap;
8-51 2) N19°39'31"W, a distance of 293.22 feet to an iron rod with
8-52 "LENZ" cap;
8-53 3) N03°15'11"W, a distance of 82.66 feet to an angle point;
8-54 4) N36°52'22"E, a distance of 33.25 feet to an angle point;
8-55 5) N03°46'05"W, a distance of 515.85 feet to an angle point;
8-56 6) N09°53'30"W, a distance of 29.53 feet to an angle point;
8-57 7) N42°29'18"E, a distance of 23.22 feet to an angle point;
8-58 8) N09°28'01"E, a distance of 66.25 feet to an angle point;
8-59 9) N07°00'01"W, a distance of 164.91 feet to an angle point;
8-60 10) N13°52'24"W, a distance of 144.68 feet to an angle point;
8-61 11) N21°57'50"W, a distance of 90.39 feet to an angle point;
8-62 12) N10°37'25"W, a distance of 153.12 feet to an angle point;
8-63 13) N23°21'47"W, a distance of 161.89 feet to an iron rod
8-64 with "LENZ" cap;
8-65 14) N41°34'57"W, a distance of 172.18 feet to an iron rod
8-66 with "LENZ" cap for the northerly corner of said 40.0 acre tract;
8-67 15) S48°21'01"W, a distance of 1431.20 feet to an iron rod
8-68 with "LENZ" cap for the westerly corner of said 40.0 acre tract;
8-69 16) S41°38'18"E, a distance of 1735.64 feet to an iron rod

9-1 with "LENZ" cap for the southerly corner of said 40.0 acre tract, in
9-2 the northwesterly right-of-way line of F.M. 1984 for an angle point
9-3 of said 252.85 acre tract and hereof;
9-4 THENCE, S48°21'42"W, leaving the southerly corner of said 40.0 acre
9-5 tract, along the northwesterly right-of-way line of F.M. 1984, a
9-6 distance of 592.58 feet to the southerly corner of said 252.85 acre
9-7 tract, in the northeasterly line of Fehlis Revised Addition to
9-8 Reedville, of record in Volume 27, Page 368, of the Deed Records of
9-9 said County, for an angle point;
9-10 THENCE, N41°22'43"W, leaving the northwesterly right-of-way line of
9-11 F.M. 1984, along the southwesterly line of said 252.85 acre tract, a
9-12 portion of the northeasterly line of said Fehlis Revised Addition,
9-13 and a portion of the northeasterly line of a 56.52 acre tract of
9-14 land conveyed to Southern Pecan Plantation Mobile Home Park, Inc.,
9-15 by deed of record in Volume 79, Page 369, of said Official Public
9-16 Records, a distance of 3152.26 feet to an aluminum disk in concrete
9-17 for the northerly corner of said 56.52 acre tract, the westerly
9-18 corner of said 252.85 acre tract and hereof;
9-19 THENCE, N48°46'59"E, along the northwesterly line of said 252.85
9-20 acre tract, a distance of 4120.83 feet to point in the southwesterly
9-21 right-of-way line of William Pettus Road (R.O.W. varies) for the
9-22 northerly corner of said 252.85 acre tract;
9-23 THENCE, S40°53'44"E, along the southwesterly right-of-way line of
9-24 William Pettus Road and northeasterly line of said 252.85 acre
9-25 tract, a distance of 2659.70 feet to the point of curvature of a
9-26 non-tangent curve to the left at the intersection of the
9-27 southwesterly right-of-way line of William Pettus Road and the
9-28 northwesterly right-of-way line of F.M. 1984;
9-29 THENCE, leaving the southwesterly right-of-way line of William
9-30 Pettus Road, along the curving northwesterly right-of-way line of
9-31 F.M. 1984 and southeasterly line of said 252.85 acre tract, the
9-32 following three (3) courses and distances:
9-33 1) Along said curve to the left having a radius of 756.20
9-34 feet, a central angle of 22°14'32", an arc length of 293.56 feet, and
9-35 a chord which bears, S09°41'28"W, a distance of 291.72 feet to the
9-36 end of said curve;
9-37 2) S01°25'48"E, a distance of 53.10 feet to the point of
9-38 curvature of a non-tangent curve to the right;
9-39 3) Along said non-tangent curve to the right having a radius
9-40 of 676.20 feet, a central angle of 49°28'14", an arc length of 583.85
9-41 feet, and a chord which bears, S23°18'19"W, a distance of 565.88
9-42 feet to a TxDOT concrete monument at the end of said curve;
9-43 THENCE, S41°36'44"E, leaving the southeasterly line of said 252.85
9-44 acre tract and northwesterly right-of-way line of F.M. 1984, over
9-45 and across F.M. 1984, a distance of 79.92 feet to an angle point in
9-46 the southeasterly right-of-way line of F.M. 1984, and the
9-47 northwesterly line of said 133.84 acre tract;
9-48 THENCE, N48°22'36"E, along the northwesterly line of said 133.84
9-49 acre tract, being a portion of the southeasterly right-of-way line
9-50 of F.M. 1984 and a portion of the southeasterly right-of-way line of
9-51 Valley Way Drive (50' R.O.W.), a distance of 765.39 feet to
9-52 northerly corner of said 133.84 acre tract in the southwesterly
9-53 right-of-way line of Valley Way Drive (R.O.W. varies);
9-54 THENCE, N48°53'36"E, leaving the northerly corner of said 133.84
9-55 acre tract, over and across said Valley Way Drive, a distance of
9-56 51.66 feet to an angle point in the northeasterly right-of-way line
9-57 of Valley Way Drive and the southwesterly line of said 69.19 acre
9-58 tract;
9-59 THENCE, N41°06'24"W, along the northeasterly right-of-way line of
9-60 Valley Way Drive, a distance of 477.14 feet to an angle point at the
9-61 intersection of the northeasterly right-of-way line of Valley Way
9-62 Drive and the southeasterly right-of-way line of F.M. 1984;
9-63 THENCE, leaving the northeasterly right-of-way line of Valley Way
9-64 Drive, along a portion of southeasterly right-of-way line of F.M.
9-65 1984 and northwesterly line of said 69.19 acre tract, the following
9-66 two (2) courses and distances:
9-67 1) Along a non-tangent curve to the right having a radius of
9-68 676.09 feet, a central angle of 26°42'34", an arc length of 315.17
9-69 feet, and a chord which bears, N35°06'01"E, a distance of 312.33

10-1 feet to the end of said curve;
10-2 2) N48°30'35"E, a distance of 2278.26 feet to an angle point
10-3 hereof;
10-4 THENCE, N41°29'25"W, leaving the northwesterly line of said 69.19
10-5 acre tract, over and across F.M. 1984, a distance of 80.30 feet to
10-6 the southerly corner of said 120.75 acre tract in the northwesterly
10-7 right-of-way line of F.M. 1984;
10-8 THENCE, leaving the northwesterly right-of-way line of F.M. 1984,
10-9 along the irregular southwesterly line of said 120.75 acre tract,
10-10 the following seven (7) courses and distances:
10-11 1) N41°29'56"W, a distance of 1298.87 feet to an angle point
10-12 of said 120.75 acre tract and hereof;
10-13 2) S48°31'19"W, a distance of 1130.21 feet to an iron rod
10-14 found for angle point of said 120.75 acre tract and the northerly
10-15 corner of a 13.02 acre tract of land conveyed to Kristin Kocurek by
10-16 deed of record in Volume 515, Page 161 of said Official Public
10-17 Records;
10-18 3) N41°26'45"W, a distance of 376.48 feet to an iron rod
10-19 found for angle point of said 120.75 acre tract and hereof;
10-20 4) N41°04'25"W, a distance of 250.72 feet to an iron rod
10-21 found for angle point of said 120.75 acre tract and hereof;
10-22 5) N41°11'04"W, a distance of 250.71 feet to an iron rod
10-23 found for angle point of said 120.75 acre tract and hereof;
10-24 6) N41°09'44"W, a distance of 386.22 feet to an iron rod
10-25 found for angle point of said 120.75 acre tract and hereof;
10-26 7) N40°53'52"W, a distance of 222.60 feet to a fence post
10-27 found in the southeasterly line of a 10 acre tract of land conveyed
10-28 to Tanya Moran by deed of record in Volume 287, Page 564 of said
10-29 Official Public Records, for the northerly corner of a 1.001 acre
10-30 tract of land conveyed to Vincent J. Bustos by deed of record in
10-31 Volume 574, Page 1 of said Official Public Records, and the westerly
10-32 corner of said 120.75 acre tract;
10-33 THENCE, N48°47'31"E, along the northwesterly line of said 120.75
10-34 acre tract, a distance of 2437.59 feet to an iron rod for the
10-35 easterly corner of a 90.014 acre tract of land conveyed to Kenneth
10-36 R. Kent by deed of record in Volume 428, Page 79 of the Deed Records
10-37 of said County, the northerly corner of said 120.75 acre tract, and
10-38 in the southwesterly line of Lot 9, Block B, Koeglar Hills, a
10-39 subdivision of record in Cabinet A, Slide 50 of the Plat Records of
10-40 said County;
10-41 THENCE, S42°00'07"E, along the northeasterly line of said 120.75
10-42 acre tract and the southwesterly line of said Koeglar Hills
10-43 Subdivision, a distance of 895.37 feet to an iron rod for an angle
10-44 point of said 120.75 acre tract and hereof;
10-45 THENCE, S41°15'14"E, continuing along the northeasterly line of
10-46 said 120.75 acre tract and the southwesterly line of said Koeglar
10-47 Hills Subdivision, a distance of 1663.51 feet to the easterly
10-48 corner of said 120.75 acre tract, in the southwesterly line of Lot
10-49 3C of the Replat of Lots 3 and 4, Block B Koeglar Hills Subdivision,
10-50 of record in Cabinet B, Slide 19 of the Plat Records of said County
10-51 and the northerly corner of an old cemetery (no recording
10-52 information found);
10-53 THENCE, leaving said Lot 3C, along the common line of said 120.75
10-54 acre tract and said old cemetery, the following four (4) courses and
10-55 distances:
10-56 1) S48°44'49"W, a distance of 59.99 feet to an angle point;
10-57 2) S41°15'11"E, a distance of 29.00 feet to an angle point;
10-58 3) S48°44'49"W, a distance of 355.50 feet to an angle point;
10-59 4) S41°15'11"E, a distance of 189.19 feet to the southerly
10-60 corner of said old cemetery for an angle point of said 120.75 acre
10-61 tract and hereof in the northwesterly right-of-way line of F.M.
10-62 1984;
10-63 THENCE, S48°36'20"W, along the northwesterly right-of-way line of
10-64 F.M. 1984 and southeasterly line of said 120.75 acre tract, a
10-65 distance of 592.28 feet to an angle point;
10-66 THENCE, S41°23'40"E, leaving the southeasterly line of said 120.75
10-67 acre tract, over and across F.M. 1984, a distance of 79.79 feet to
10-68 an iron rod for the northerly corner of said 69.19 acre tract and
10-69 the westerly corner of a 3.67 acre tract of land conveyed to Arthur

11-1 D. Ehrlich and Mary L Ehrlich by deed of record in Volume 179, Page
11-2 507 of said Official Public Records;
11-3 THENCE, leaving the southeasterly right-of-way line of F.M. 1984,
11-4 along the common line of said 69.19 acre tract and said 3.67 acre
11-5 tract, the following two (2) courses and distances:
11-6 1) S41°22'11"E, a distance of 399.75 feet to steel fence
11-7 corner post;
11-8 2) N48°31'55"E, a distance of 397.74 feet to an iron rod for
11-9 the easterly corner of said 3.67 acre tract;
11-10 THENCE, S41°27'50"E, along the northeasterly line of said 69.19 acre
11-11 tract, a distance of 568.68 feet to a steel fence post in the
11-12 southwesterly line of Lot 6, Block 1 of Castle Hill Subdivision
11-13 Phase I, a subdivision of record in Book A, Page 181 of the Plat
11-14 Records of said County;
11-15 THENCE, leaving the southeasterly line of said Castle Hill
11-16 Subdivision, along the southeasterly line of said 69.19 acre tract,
11-17 the following eight (8) courses and distances:
11-18 1) S48°41'00"W, a distance of 786.26 feet to an angle point;
11-19 2) S47°55'14"W, a distance of 85.90 feet to an angle point;
11-20 3) S49°18'20"W, a distance of 589.25 feet to an angle point;
11-21 4) S48°01'10"W, a distance of 232.56 feet to a fence post;
11-22 5) S47°58'05"W, a distance of 345.92 feet to an angle point;
11-23 6) S47°46'45"W, a distance of 446.89 feet to an angle point;
11-24 7) S48°19'28"W, a distance of 438.49 feet to an angle point;
11-25 8) S48°07'05"W, a distance of 367.04 feet to fence corner
11-26 post for the southerly corner of said 69.19 acre tract in the
11-27 northeasterly right-of-way line of Valley Way Drive;
11-28 THENCE, S48°38'56"W, leaving the southerly corner of said 69.19 acre
11-29 tract, over and across Valley View Drive, a distance of 49.85 feet
11-30 to a point in the northeasterly line of said 133.84 acre tract and
11-31 the southwesterly right-of-way line of Valley Way Drive;
11-32 THENCE, along the northeasterly line of said 133.84 acre tract and
11-33 the southwesterly right-of-way line of Valley Way Drive, the
11-34 following two (2) courses and distances;
11-35 1) S41°21'04"E, a distance of 1129.59 feet to a fence post;
11-36 2) S41°40'38"E, a distance of 1273.02 feet to an angle point;
11-37 THENCE, N48°19'22"E, leaving the northeasterly line of said 133.84
11-38 acre tract, over and across Valley View Drive, a distance of 61.02
11-39 feet to the easterly corner of said 239.035 acre tract in the
11-40 northeasterly right-of-way line of Valley View Drive;
11-41 THENCE, along a portion of the northwesterly line of said 239.035
11-42 acre tract, the following three (3) courses and distances:
11-43 1) N48°15'16"E, a distance of 2761.12 feet to an angle point;
11-44 2) S41°47'43"E, a distance of 274.43 feet to a fence corner
11-45 post;
11-46 3) N48°40'03"E, a distance of 976.49 feet to an iron rod for
11-47 the southerly corner of said 70.540 acre tract;
11-48 THENCE, N40°19'04"W, leaving the northwesterly line of said 239.035
11-49 acre tract, along the southwesterly line of said 70.540 acre tract,
11-50 a distance of 904.98 feet to an iron rod with "RL Surveying" cap for
11-51 the easterly corner of said 70.540 acre tract, in the southeasterly
11-52 line of said 49.325 acre tract;
11-53 THENCE, S49°05'23"W, leaving the southwesterly line of said 70.540
11-54 acre tract, along the southeasterly line of said 49.325 acre tract,
11-55 a distance of 500.65 feet to an iron rod with "UDG 2433" cap for the
11-56 southerly corner of said 49.325 acre tract;
11-57 THENCE, along the southwesterly line of said 49.325 acre tract, the
11-58 following two (2) courses and distances:
11-59 1) N40°38'48"W, a distance of 400.80 feet to an iron rod with
11-60 "UDG 2433" cap;
11-61 2) N40°43'42"W, a distance of 1287.69 feet to an iron rod for
11-62 the southerly corner of Lot 6 of said Castle Hill Subdivision;
11-63 THENCE, N48°32'31"E, along the northwesterly lines of said 49.325
11-64 acre tract, said 49.330 acre tract, and said 47.271 acre tract, a
11-65 distance of 3425.74 feet to an iron rod for the northwesterly corner
11-66 of said 47.271 acre tract;
11-67 THENCE, along a portion of the northerly line of said 47.271 acre
11-68 tract, the following three (3) courses and distances:
11-69 1) S41°01'56"E, a distance of 227.58 feet to an iron rod;

12-1 2) S85°53'10"E, a distance of 183.60 feet to an angle point;
 12-2 3) N43°11'02"E, a distance of 271.56 feet to the
 12-3 northeasterly corner of said 47.271 acre tract in the southwesterly
 12-4 right-of-way line of F.M. 1966 (80' R.O.W.);
 12-5 THENCE, S40°51'42"E, along the southwesterly right-of-way line of
 12-6 F.M. 1966, a distance of 1367.14 feet to the easterly corner of said
 12-7 47.271 acre tract and northerly corner of a 1.0 acre tract of land
 12-8 conveyed to John M. Salazar Et. Ux. By deed of record in Volume 424,
 12-9 Page 100 of the Deed Records of said County;
 12-10 THENCE, S48°43'20"W, leaving the southwesterly right-of-way line of
 12-11 F.M. 1966, along a portion of the southeasterly line of said 47.271
 12-12 acre tract, a distance of 348.84 feet to an iron rod for the
 12-13 northwesterly corner of said 70.540 acre tract and the westerly
 12-14 corner of a 1.041 acre tract conveyed to Kelly J. Cansler Et. Ux. By
 12-15 deed of record in Volume 64, Page 782 of said Official Public
 12-16 Records;
 12-17 THENCE, along the southerly lines of said 1.041 acre tract and the
 12-18 northerly lines of said 70.540 acre tract, the following two (2)
 12-19 courses and distances:
 12-20 1) S41°01'59"E, a distance of 256.81 feet to an iron rod;
 12-21 2) N47°37'30"E, a distance of 350.89 feet to an iron rod for
 12-22 the easterly corner of said 1.041 acre tract and the northeasterly
 12-23 corner of said 70.540 acre tract in the southwesterly right-of-way
 12-24 line of F.M. 1966;
 12-25 THENCE, S41°14'17"E, along a portion of the southwesterly
 12-26 right-of-way line of F.M. 1966, a distance of 742.57 feet to an iron
 12-27 rod for the easterly corner of said 70.540 acre tract and the
 12-28 northerly corner of said 55.669 acre tract;
 12-29 THENCE, S41°23'23"E, continuing along a portion of the
 12-30 southwesterly right-of-way line of F.M. 1966, a distance of 644.74
 12-31 feet to the easterly corner of said 55.669 acre tract and the
 12-32 northerly corner of the remaining 2.437 acre tract of land conveyed
 12-33 to Barbara Kinkade and Life Estate reserved by Margaret Ann
 12-34 Wackerhagen by deed of record in Volume 507, Page 721 of said
 12-35 Official Public Records;
 12-36 THENCE, leaving the southwesterly right-of-way line of F.M. 1966,
 12-37 along a portion of the irregular easterly line of said 55.669 acre
 12-38 tract and the westerly line of said 2.437 acre tract, the following
 12-39 seven (7) courses and distances:
 12-40 1) S54°55'11"W, a distance of 457.51 feet to an angle point;
 12-41 2) S39°04'07"E, a distance of 26.01 feet to an angle point;
 12-42 3) S21°40'50"E, a distance of 95.81 feet to an angle point;
 12-43 4) S80°14'00"W, a distance of 44.90 feet to an angle point;
 12-44 5) S15°41'02"E, a distance of 84.10 feet to an angle point;
 12-45 6) S27°21'59"E, a distance of 112.74 feet to a 1/2 inch iron
 12-46 rod;
 12-47 7) S28°12'49"E, a distance of 210.26 feet to an 1/2 inch iron
 12-48 rod for the southerly corner of a 3.569 acre tract of land described
 12-49 in a deed to Barbara K. Warrens of record in Volume 232, Page 423 of
 12-50 said Official Public records;
 12-51 THENCE, S48°42'23"W, along the southeasterly line of said 55.669
 12-52 acre tract, a distance of 1852.73 feet to an iron rod in the
 12-53 northeasterly line of said 239.035 acre tract;
 12-54 THENCE, along a portion of the northeasterly line of said 239.035
 12-55 acre tract, the following three (3) courses and distances:
 12-56 1) S41°02'56"E, a distance of 387.22 feet to an iron rod;
 12-57 2) S41°06'40"E, a distance of 312.60 feet to an iron rod;
 12-58 3) S40°42'48"E, a distance of 542.32 feet to a fence corner
 12-59 post for the easterly corner of said 239.035 acre tract and an angle
 12-60 point in the westerly line of said 59.828 acre tract;
 12-61 THENCE, leaving the easterly corner of said 239.035 acre tract,
 12-62 along a portion of the westerly and northerly lines of said 59.828
 12-63 acre tract, the following three (3) courses and distances:
 12-64 1) S41°34'25"E, a distance of 151.16 feet to an iron rod;
 12-65 2) N48°34'31"E, a distance of 610.04 feet to an iron rod for
 12-66 the northerly corner of said 59.828 acre tract;
 12-67 3) S41°33'19"E, a distance of 1565.45 feet to the easterly
 12-68 corner of said 59.828 acre tract, in the curving northerly
 12-69 right-of-way line of the Union Pacific Railroad;

13-1 THENCE, along the easterly line of said 59.828 acre tract and the
13-2 northerly right-of-way line of the Union Pacific Railroad, the
13-3 following three (3) courses and distances:
13-4 1) Along a non-tangent curve to the left having a radius of
13-5 2786.27 feet, a central angle of 17°52'26", an arc length of 869.20
13-6 feet, and a chord which bears, S86°07'28"W, a distance of 865.68
13-7 feet to the end of said curve;
13-8 2) Along a non-tangent curve to the left having a radius of
13-9 3832.81 feet, a central angle of 06°04'35", an arc length of 406.47
13-10 feet, and a chord which bears, S73°32'28"W, a distance of 406.28
13-11 feet to the end of said curve;
13-12 3) S69°58'41"W, a distance of 2776.15 feet to an iron rod for
13-13 the southerly corner of said 59.828 acre tract and an angle point in
13-14 the easterly line of said 239.035 acre tract;
13-15 THENCE, along the easterly line of said 239.035 acre tract and the
13-16 northerly right-of-way line of the Union Pacific Railroad, the
13-17 following four (4) courses and distances:
13-18 1) S69°58'41"W, a distance of 92.94 feet to an angle point;
13-19 2) Along a non-tangent curve to the right having a radius of
13-20 3336.89 feet, a central angle of 06°13'09", an arc length of 362.21
13-21 feet, and a chord which bears, S72°55'53"W, a distance of 362.03
13-22 feet to the end of said curve;
13-23 3) Along a non-tangent curve to the right having a radius of
13-24 2825.30 feet, a central angle of 14°00'59", an arc length of 691.16
13-25 feet, and a chord which bears, S83°18'28"W, a distance of 689.44
13-26 feet to the end of said curve;
13-27 4) Along a non-tangent curve to the right having a radius of
13-28 55687.93 feet, a central angle of 00°48'17", an arc length of 782.17
13-29 feet, and a chord which bears, N88°10'00"W, a distance of 782.15
13-30 feet to the end of said curve at the intersection of the northerly
13-31 right-of-way line of the Union Pacific Railroad and the
13-32 northeasterly right-of-way line of Valley Way Drive;
13-33 THENCE, N41°20'20"W, leaving the northerly right-of-way line of the
13-34 Union Pacific Railroad, along the northeasterly right-of-way line
13-35 of Valley Way Drive and southerly line of said 239.035 acre tract, a
13-36 distance of 429.48 feet to an angle point;
13-37 THENCE, S48°39'40"W, leaving southerly line of said 239.035 acre
13-38 tract, over and across Valley Way Drive a distance of 51.67 feet to
13-39 the POINT OF BEGINNING, containing an area of 1168.438 acres
13-40 (50,897,146 square feet) of land, more or less, within these metes
13-41 and bounds, SAVE AND EXCEPT THEREFROM the aforementioned 15.354
13-42 acre tract of land described as follows:
13-43 COMMENCING, at a 1/2 inch iron rod found in northerly right-of-way
13-44 line of the Union Pacific Railroad for the southerly corner of said
13-45 59.828 acre tract and being in the easterly line of said 239.035
13-46 acre tract;
13-47 THENCE, N45°14'35"W, leaving the northerly right-of-way line of the
13-48 Union Pacific Railroad and the southerly corner of said 59.828 acre
13-49 tract, over and across said 239.035 acre tract, a distance of 944.36
13-50 feet to the POINT OF BEGINNING, being the southerly corner of said
13-51 15.354 acre tract and hereof;
13-52 THENCE, along the common lines of said 239.035 acre tract, said
13-53 15.354 acre tract and hereof, the following four (4) courses and
13-54 distances:
13-55 1) N41°44'44"W, a distance of 760.00 feet to a point for the
13-56 westerly corner of said 15.354 acre tract and hereof;
13-57 2) N48°15'16"E, a distance of 880.00 feet to a point for the
13-58 northerly corner of said 15.354 acre tract and hereof;
13-59 3) S41°44'44"E, a distance of 760.00 feet to a point for the
13-60 easterly corner of said 15.354 acre tract and hereof;
13-61 4) N48°15'16"E, a distance of 880.00 feet to the POINT OF
13-62 BEGINNING, containing an area of 15.354 acres (668,800 square feet)
13-63 of land, more or less, within these metes and bounds and FURTHER
13-64 SAVE AND EXCEPT THEREFROM the aforementioned the 1.790 acre tract
13-65 of land described as follows;
13-66 COMMENCING, at a fence corner post for the northerly corner of said
13-67 239.035 acre tract, being an angle point in the easterly line of
13-68 said 70.540 acre tract;
13-69 THENCE, N31°58'37"W, leaving the northerly corner of said 239.035

14-1 acre tract, over and across said 70.540 acre tract, a distance of
14-2 176.88 feet to a fence corner post for the POINT OF BEGINNING, being
14-3 the easterly corner of said 1.790 acre tract and hereof;
14-4 THENCE, along the common lines of said 70.540 acre tract, said 1.790
14-5 acre tract and hereof, the following four (4) courses and
14-6 distances:

14-7 1) S60°20'34"W, a distance of 237.04 to a fence corner post
14-8 for the southerly corner of said 1.790 acre tract and hereof;

14-9 2) N32°55'40"W, a distance of 267.87 feet to a 1/2 inch iron
14-10 rod for the westerly corner of said 1.790 acre tract and hereof;

14-11 3) N49°02'47"E, a distance of 297.06 feet to a 1/2 inch iron
14-12 rod for the northerly corner of said 1.790 acre tract and hereof;

14-13 4) S22°49'48"E, a distance of 327.95 feet to the POINT OF
14-14 BEGINNING, containing an area of 1.790 acres (77,991 square feet)
14-15 of land, more or less, within these metes and bounds, leaving a
14-16 TOTAL NET AREA of 1151.3 acres of land, more or less, within these
14-17 metes and bounds.

14-18 SECTION 3. (a) The legal notice of the intention to
14-19 introduce this Act, setting forth the general substance of this
14-20 Act, has been published as provided by law, and the notice and a
14-21 copy of this Act have been furnished to all persons, agencies,
14-22 officials, or entities to which they are required to be furnished
14-23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14-24 Government Code.

14-25 (b) The governor, one of the required recipients, has
14-26 submitted the notice and Act to the Texas Commission on
14-27 Environmental Quality.

14-28 (c) The Texas Commission on Environmental Quality has filed
14-29 its recommendations relating to this Act with the governor, the
14-30 lieutenant governor, and the speaker of the house of
14-31 representatives within the required time.

14-32 (d) All requirements of the constitution and laws of this
14-33 state and the rules and procedures of the legislature with respect
14-34 to the notice, introduction, and passage of this Act are fulfilled
14-35 and accomplished.

14-36 SECTION 4. (a) If this Act does not receive a two-thirds
14-37 vote of all the members elected to each house, Subchapter C, Chapter
14-38 8492, Special District Local Laws Code, as added by Section 1 of
14-39 this Act, is amended by adding Section 8492.106 to read as follows:

14-40 Sec. 8492.106. NO EMINENT DOMAIN POWER. The district may
14-41 not exercise the power of eminent domain.

14-42 (b) This section is not intended to be an expression of a
14-43 legislative interpretation of the requirements of Section 17(c),
14-44 Article I, Texas Constitution.

14-45 SECTION 5. This Act takes effect immediately if it receives
14-46 a vote of two-thirds of all the members elected to each house, as
14-47 provided by Section 39, Article III, Texas Constitution. If this
14-48 Act does not receive the vote necessary for immediate effect, this
14-49 Act takes effect September 1, 2015.

14-50 * * * * *