

1-1 By: Zaffirini S.B. No. 305  
1-2 (In the Senate - Filed January 15, 2015; February 2, 2015,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; April 29, 2015, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-6 April 29, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 305 By: Garcia

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the creation of the Cotton Center Municipal Utility  
1-20 District No. 1; granting a limited power of eminent domain;  
1-21 providing authority to issue bonds; providing authority to impose  
1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-25 Code, is amended by adding Chapter 8492 to read as follows:

1-26 CHAPTER 8492. COTTON CENTER MUNICIPAL UTILITY DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8492.001. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "Commission" means the Texas Commission on  
1-31 Environmental Quality.

1-32 (3) "Director" means a board member.

1-33 (4) "District" means the Cotton Center Municipal  
1-34 Utility District No. 1.

1-35 Sec. 8492.002. NATURE OF DISTRICT. The district is a  
1-36 municipal utility district created under Section 59, Article XVI,  
1-37 Texas Constitution.

1-38 Sec. 8492.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-39 REQUIRED. The temporary directors shall hold an election to  
1-40 confirm the creation of the district and to elect five permanent  
1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 8492.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-43 temporary directors may not hold an election under Section 8492.003  
1-44 until each municipality in whose corporate limits or  
1-45 extraterritorial jurisdiction the district is located has  
1-46 consented by ordinance or resolution to the creation of the  
1-47 district and to the inclusion of land in the district.

1-48 Sec. 8492.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.  
1-49 (a) The district is created to serve a public purpose and benefit.

1-50 (b) The district is created to accomplish the purposes of:

1-51 (1) a municipal utility district as provided by  
1-52 general law and Section 59, Article XVI, Texas Constitution; and

1-53 (2) Section 52, Article III, Texas Constitution, that  
1-54 relate to the construction, acquisition, improvement, operation,  
1-55 or maintenance of macadamized, graveled, or paved roads, or  
1-56 improvements, including storm drainage, in aid of those roads.

1-57 Sec. 8492.006. INITIAL DISTRICT TERRITORY. (a) The  
1-58 district is initially composed of the territory described by  
1-59 Section 2 of the Act enacting this chapter.

1-60 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the  
 2-2 field notes or in copying the field notes in the legislative process  
 2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes  
 2-6 for which the district is created or to pay the principal of and  
 2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 8492.051. GOVERNING BODY; TERMS. (a) The district is  
 2-12 governed by a board of five elected directors.

2-13 (b) Except as provided by Section 8492.052, directors serve  
 2-14 staggered four-year terms.

2-15 Sec. 8492.052. TEMPORARY DIRECTORS. (a) The temporary  
 2-16 board consists of:

- 2-17 (1) Angela Fulcher;
- 2-18 (2) Julie Dolby Casner;
- 2-19 (3) Laurie Gosda;
- 2-20 (4) Sandra Wood; and
- 2-21 (5) Cheri D. Hisaw.

2-22 (b) Temporary directors serve until the earlier of:

- 2-23 (1) the date permanent directors are elected under  
 2-24 Section 8492.003; or
- 2-25 (2) the fourth anniversary of the effective date of  
 2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under  
 2-28 Section 8492.003 and the terms of the temporary directors have  
 2-29 expired, successor temporary directors shall be appointed or  
 2-30 reappointed as provided by Subsection (d) to serve terms that  
 2-31 expire on the earlier of:

- 2-32 (1) the date permanent directors are elected under  
 2-33 Section 8492.003; or
- 2-34 (2) the fourth anniversary of the date of the  
 2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a  
 2-37 majority of the assessed value of the real property in the district  
 2-38 may submit a petition to the commission requesting that the  
 2-39 commission appoint as successor temporary directors the five  
 2-40 persons named in the petition. The commission shall appoint as  
 2-41 successor temporary directors the five persons named in the  
 2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 8492.101. GENERAL POWERS AND DUTIES. The district has  
 2-45 the powers and duties necessary to accomplish the purposes for  
 2-46 which the district is created.

2-47 Sec. 8492.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-48 DUTIES. The district has the powers and duties provided by the  
 2-49 general law of this state, including Chapters 49 and 54, Water Code,  
 2-50 applicable to municipal utility districts created under Section 59,  
 2-51 Article XVI, Texas Constitution.

2-52 Sec. 8492.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-53 52, Article III, Texas Constitution, the district may design,  
 2-54 acquire, construct, finance, issue bonds for, improve, operate,  
 2-55 maintain, and convey to this state, a county, or a municipality for  
 2-56 operation and maintenance macadamized, graveled, or paved roads, or  
 2-57 improvements, including storm drainage, in aid of those roads.

2-58 Sec. 8492.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-59 road project must meet all applicable construction standards,  
 2-60 zoning and subdivision requirements, and regulations of each  
 2-61 municipality in whose corporate limits or extraterritorial  
 2-62 jurisdiction the road project is located.

2-63 (b) If a road project is not located in the corporate limits  
 2-64 or extraterritorial jurisdiction of a municipality, the road  
 2-65 project must meet all applicable construction standards, zoning and  
 2-66 subdivision requirements, and regulations of each county in which  
 2-67 the road project is located.

2-68 (c) If the state will maintain and operate the road, the  
 2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.  
 3-2 Sec. 8492.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 3-3 OR RESOLUTION. The district shall comply with all applicable  
 3-4 requirements of any ordinance or resolution that is adopted under  
 3-5 Section 54.016 or 54.0165, Water Code, and that consents to the  
 3-6 creation of the district or to the inclusion of land in the  
 3-7 district.  
 3-8 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS  
 3-9 Sec. 8492.151. DIVISION OF DISTRICT; PREREQUISITES. The  
 3-10 district may be divided into two or more new districts only if the  
 3-11 district:  
 3-12 (1) has never issued any bonds; and  
 3-13 (2) is not imposing ad valorem taxes.  
 3-14 Sec. 8492.152. LAW APPLICABLE TO NEW DISTRICT. This  
 3-15 chapter applies to any new district created by division of the  
 3-16 district, and a new district has all the powers and duties of the  
 3-17 district.  
 3-18 Sec. 8492.153. LIMITATION ON AREA OF NEW DISTRICT. A new  
 3-19 district created by the division of the district may not, at the  
 3-20 time the new district is created, contain any land outside the area  
 3-21 described by Section 2 of the Act enacting this chapter.  
 3-22 Sec. 8492.154. DIVISION PROCEDURES. (a) The board, on its  
 3-23 own motion or on receipt of a petition signed by the owner or owners  
 3-24 of a majority of the assessed value of the real property in the  
 3-25 district, may adopt an order dividing the district.  
 3-26 (b) The board may adopt an order dividing the district  
 3-27 before or after the date the board holds an election under Section  
 3-28 8492.003 to confirm the district's creation.  
 3-29 (c) An order dividing the district must:  
 3-30 (1) name each new district;  
 3-31 (2) include the metes and bounds description of the  
 3-32 territory of each new district;  
 3-33 (3) appoint temporary directors for each new district;  
 3-34 and  
 3-35 (4) provide for the division of assets and liabilities  
 3-36 between the new districts.  
 3-37 (d) On or before the 30th day after the date of adoption of  
 3-38 an order dividing the district, the district shall file the order  
 3-39 with the commission and record the order in the real property  
 3-40 records of each county in which the district is located.  
 3-41 Sec. 8492.155. CONFIRMATION ELECTION FOR NEW DISTRICT.  
 3-42 (a) A new district created by the division of the district shall  
 3-43 hold a confirmation and directors' election as required by Section  
 3-44 8492.003.  
 3-45 (b) If the creation of the new district is confirmed, the  
 3-46 new district shall provide the election date and results to the  
 3-47 commission.  
 3-48 Sec. 8492.156. TAX OR BOND ELECTION. Before a new district  
 3-49 created by the division of the district may impose a maintenance tax  
 3-50 or issue bonds payable wholly or partly from ad valorem taxes, the  
 3-51 new district must hold an election as required by this chapter to  
 3-52 obtain voter approval.  
 3-53 Sec. 8492.157. MUNICIPAL CONSENT. Municipal consent to the  
 3-54 creation of the district and to the inclusion of land in the  
 3-55 district granted under Section 8492.004 acts as municipal consent  
 3-56 to the creation of any new district created by the division of the  
 3-57 district and to the inclusion of land in the new district.  
 3-58 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
 3-59 Sec. 8492.201. ELECTIONS REGARDING TAXES OR BONDS.  
 3-60 (a) The district may issue, without an election, bonds and other  
 3-61 obligations secured by:  
 3-62 (1) revenue other than ad valorem taxes; or  
 3-63 (2) contract payments described by Section 8492.203.  
 3-64 (b) The district must hold an election in the manner  
 3-65 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-66 before the district may impose an ad valorem tax or issue bonds  
 3-67 payable from ad valorem taxes.  
 3-68 (c) The district may not issue bonds payable from ad valorem  
 3-69 taxes to finance a road project unless the issuance is approved by a

4-1 vote of a two-thirds majority of the district voters voting at an  
4-2 election held for that purpose.

4-3 Sec. 8492.202. OPERATION AND MAINTENANCE TAX. (a) If  
4-4 authorized at an election held under Section 8492.201, the district  
4-5 may impose an operation and maintenance tax on taxable property in  
4-6 the district in accordance with Section 49.107, Water Code.

4-7 (b) The board shall determine the tax rate. The rate may not  
4-8 exceed the rate approved at the election.

4-9 Sec. 8492.203. CONTRACT TAXES. (a) In accordance with  
4-10 Section 49.108, Water Code, the district may impose a tax other than  
4-11 an operation and maintenance tax and use the revenue derived from  
4-12 the tax to make payments under a contract after the provisions of  
4-13 the contract have been approved by a majority of the district voters  
4-14 voting at an election held for that purpose.

4-15 (b) A contract approved by the district voters may contain a  
4-16 provision stating that the contract may be modified or amended by  
4-17 the board without further voter approval.

4-18 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-19 Sec. 8492.251. AUTHORITY TO ISSUE BONDS AND OTHER  
4-20 OBLIGATIONS. The district may issue bonds or other obligations  
4-21 payable wholly or partly from ad valorem taxes, impact fees,  
4-22 revenue, contract payments, grants, or other district money, or any  
4-23 combination of those sources, to pay for any authorized district  
4-24 purpose.

4-25 Sec. 8492.252. TAXES FOR BONDS. At the time the district  
4-26 issues bonds payable wholly or partly from ad valorem taxes, the  
4-27 board shall provide for the annual imposition of a continuing  
4-28 direct ad valorem tax, without limit as to rate or amount, while all  
4-29 or part of the bonds are outstanding as required and in the manner  
4-30 provided by Sections 54.601 and 54.602, Water Code.

4-31 Sec. 8492.253. BONDS FOR ROAD PROJECTS. At the time of  
4-32 issuance, the total principal amount of bonds or other obligations  
4-33 issued or incurred to finance road projects and payable from ad  
4-34 valorem taxes may not exceed one-fourth of the assessed value of the  
4-35 real property in the district.

4-36 SECTION 2. The Cotton Center Municipal Utility District No.  
4-37 1 initially includes all the territory contained in the following  
4-38 area:

4-39 DESCRIPTION

4-40 OF A 2357.9 ACRE TRACT OF LAND OUT OF THE WILLIAM PETTUS LEAGUE,  
4-41 ABSTRACT NO. 21, THE THOMAS MAXWELL LEAGUE, ABSTRACT NO. 188, AND  
4-42 THE THOMAS YATES LEAGUE, ABSTRACT NO. 313, SITUATED IN CALDWELL  
4-43 COUNTY, TEXAS, BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO  
4-44 WALTON TEXAS, LP. BY THE FOLLOWING DEEDS OF RECORD IN THE OFFICIAL  
4-45 PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS:

- 4-46 A) 91.99 ACRES (PARCEL 1) AND 4.56 ACRES (PARCEL 2) OF
- 4-47 RECORD IN VOLUME 643, PAGE 69;
- 4-48 B) 87.92 ACRES OF RECORD IN DOCUMENT NO. 113576;
- 4-49 C) 99.03 ACRES OF RECORD IN DOCUMENT NO. 122695;
- 4-50 D) 358.07 ACRES PORTION OF 573.65 ACRES (TRACT 1) OF RECORD
- 4-51 IN VOLUME 524, PAGE 599;
- 4-52 E) 224.83 ACRES OF RECORD IN VOLUME 556, PAGE 729,
- 4-53 F) 339.31 ACRES OF RECORD IN VOLUME 556, PAGE 246;
- 4-54 G) 120.75 ACRES OF RECORD IN DOCUMENT NO. 123755;
- 4-55 H) 69.19 ACRES OF RECORD IN DOCUMENT NO. 132453;
- 4-56 I) 47.271 ACRES, 49.330 ACRES, AND 49.325 ACRES OF RECORD IN
- 4-57 DOCUMENT NO. 126556;
- 4-58 J) 70.540 ACRES OF RECORD IN DOCUMENT NO. 131493;
- 4-59 K) 55.669 ACRES OF RECORD IN DOCUMENT NO. 131492;
- 4-60 L) 239.035 ACRES OF RECORD IN DOCUMENT NO. 125890;
- 4-61 M) 59.828 ACRES OF RECORD IN DOCUMENT NO. 126555;
- 4-62 N) 252.85 ACRES OF RECORD IN DOCUMENT NO. 124324;
- 4-63 O) 133.84 ACRES OF RECORD IN DOCUMENT NO. 132453;

4-64 SAID 2357.9 ACRES OF LAND ALSO INCLUDES ALL THE AREA WITHIN THE  
4-65 EXISTING RIGHTS-OF-WAY OF CALDWELL COUNTY ROAD NO. 238 (VALLEY WAY  
4-66 DRIVE) AND FARM-TO-MARKET ROAD 1984 AS USED ON-THE-GROUND WHICH ARE  
4-67 CONTAINED WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION; SAVE  
4-68 AND EXCEPT THEREFROM THAT CERTAIN 1.790 ACRE TRACT OF LAND CONVEYED  
4-69 TO BARBARA KINKADE BY DEED OF RECORD IN VOLUME 206, PAGE 238 AND

5-1 THAT CERTAIN 15.354 ACRE REMAINDER OF A 129 ACRE (FIRST TRACT) AND  
5-2 120 ACRE (SECOND TRACT) OF LAND CONVEYED TO ROBERT W. SHANNON, KAREN  
5-3 S. MORELAND, DONNA S. ANDREW AND PAUL B. SHANNON BY DEEDS OF RECORD  
5-4 IN VOLUME 255, PAGE 169, VOLUME 256, PAGE 261, VOLUME 335, PAGE 768,  
5-5 AND VOLUME 371, PAGE 837, ALL OF SAID OFFICIAL PUBLIC RECORDS; SAID  
5-6 2357.9 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED IN TWO (2)  
5-7 PARTS BY METES AND BOUNDS AS FOLLOWS:  
5-8 PART 1 - 1206.6 ACRES  
5-9 BEGINNING, at a 5/8 in iron rod at the intersection of the southerly  
5-10 right-of-way line of the Union Pacific Railroad and the  
5-11 southwesterly right-of-way line of Valley Way Drive (R.O.W.  
5-12 varies), being the northeasterly corner of said 91.99 acre tract,  
5-13 for the northeasterly corner hereof;  
5-14 THENCE, S41°17'23"E, leaving the southerly right-of-way line of the  
5-15 Union Pacific Railroad, along the southwesterly right-of-way line  
5-16 of Valley Way Drive, being the northeasterly line of said 91.99 acre  
5-17 tract, for the northeasterly line hereof, a distance of 2788.12  
5-18 feet to a 5/8 inch iron rod in the northwesterly line of a 130.59  
5-19 acre tract of land, conveyed to David Matthew Best by Deed of record  
5-20 in Volume 269, Page 127 of said Official Public Records, being the  
5-21 easterly corner of said 91.99 acre tract and hereof;  
5-22 THENCE, S48°21'22"W, leaving the southwesterly right-of-way line of  
5-23 Valley Way Drive, along the northwesterly line of said 130.59 acre  
5-24 tract, being the southeasterly line of said 91.99 acre tract, for a  
5-25 portion of the southeasterly line hereof, a distance of 1361.88  
5-26 feet to the southerly corner of said 91.99 acre tract and the  
5-27 northerly corner of said 4.56 acre tract, for an angle point hereof;  
5-28 THENCE, leaving the southerly corner of said 91.99 acre tract,  
5-29 along the northeasterly and southeasterly lines of said 4.56 acre  
5-30 tract, for a portion of the southeasterly line hereof, the  
5-31 following two (2) courses and distances:  
5-32 1) S41°07'40"E, a distance of 322.45 feet to a 5/8 inch iron  
5-33 rod for the easterly corner of said 4.56 acre tract, and an angle  
5-34 point hereof;  
5-35 2) S48°22'55"W, a distance of 616.59 feet to the southerly  
5-36 corner of said 4.56 acre tract, being a northwesterly corner of said  
5-37 130.59 acre tract, in the northeasterly line of an eight (8) yard by  
5-38 one-hundred ten (110) yard Strip of land reserved to O.M. Hoffman by  
5-39 Deed of record in Volume 229, Page 244 of said Official Public  
5-40 Records, said Strip also being described as part of Tract II, in a  
5-41 Deed to Hoffman Family Trust 1994, of record in Volume 127, Page 436  
5-42 of said Official Public Records, for an angle point hereof;  
5-43 THENCE, along a portion of the northeasterly, northwesterly, and  
5-44 southwesterly lines of said Strip, being a portion of the  
5-45 southwesterly line of said 4.56 acre tract, and a portion of the  
5-46 southeasterly line of said 87.92 acre tract, for a portion of the  
5-47 southeasterly line hereof, the following three (3) courses and  
5-48 distances:  
5-49 1) N41°10'09"W, a distance of 11.86 feet to the northerly  
5-50 corner of said Strip, for an angle point hereof;  
5-51 2) S48°19'26"W, a distance of 23.99 feet to the westerly  
5-52 corner of said Strip, for an angle point hereof;  
5-53 3) S41°19'42"E, a distance of 329.93 feet to an iron rod with  
5-54 "UDG" cap in the northwesterly line of a 111.482 acre tract of land  
5-55 conveyed to Henry E. McCulloch, Jr. and wife, Barbara J. McCulloch  
5-56 by Deed of record in Volume 504, Page 634 of said Official Public  
5-57 Records, being the southerly corner of said Strip and the most  
5-58 southeasterly corner of said 87.92 acre tract, for an angle point  
5-59 hereof;  
5-60 THENCE, S48°20'39"W, leaving the southwesterly line of said Strip,  
5-61 along a portion of the southeasterly line of said 87.92 acre tract,  
5-62 and the southeasterly line of said 99.03 acre tract, being a portion  
5-63 of the northwesterly line of said 111.482 acre tract and a portion  
5-64 of the northwesterly line of a 9.41 acre tract of land conveyed to  
5-65 Henry E. McCulloch, Jr. and wife, Barbara J. McCulloch by Deed of  
5-66 record in Volume 511, Page 13 of said Official Public Records, for a  
5-67 portion of the southeasterly line hereof, a distance of 3046.71  
5-68 feet to the southerly corner of said 99.03 acre tract being in the  
5-69 northeasterly line of said 573.65 acre tract, and the northwesterly

6-1 corner of said 9.41 acre tract, for an angle point hereof;  
6-2 THENCE, leaving the southeasterly line of said 99.03 acre tract,  
6-3 along a portion of the northwesterly and southwesterly lines of  
6-4 said 9.41 acre tract, and a portion of the northeasterly line of  
6-5 said 573.65 acre tract, for a portion of the southeasterly line  
6-6 hereof, the following three (3) courses and distances:  
6-7 1) S41°34'50"E, a distance of 19.14 feet to an angle point  
6-8 hereof;  
6-9 2) S48°56'20"W, a distance of 161.89 feet to an iron rod with  
6-10 "carter & burgess" cap for an angle point hereof;  
6-11 3) S41°36'05"E, a distance of 1522.35 feet to the southerly  
6-12 corner of said 9.41 acre tract in the northwesterly right-of-way  
6-13 line of State Highway 142 (R.O.W. varies), for the easterly corner  
6-14 of said 573.65 acre tract, and an angle point hereof;  
6-15 THENCE, leaving the southwesterly line of said 9.41 acre tract,  
6-16 along the northwesterly right-of-way line of State Highway 142,  
6-17 along a portion of the southeasterly line of said 573.65 acre tract,  
6-18 for a portion of the southeasterly line hereof, the following six  
6-19 (6) courses and distances:  
6-20 1) S48°50'36"W, a distance of 1342.09 feet to the point of  
6-21 curvature of a non-tangent curve to the left;  
6-22 2) Along said curve, having a radius of 11535.16 feet, a  
6-23 central angle of 02°03'00", an arc length of 412.72 feet and a chord  
6-24 which bears, S47°48'06'W, a distance of 412.70 feet to the end of  
6-25 said curve;  
6-26 3) S46°50'18"W, a distance of 148.55 feet to the point of  
6-27 curvature of a non-tangent curve to the right;  
6-28 4) Along said curve, having a radius of 11393.65 feet, a  
6-29 central angle of 02°03'02", an arc length of 407.78 feet and a chord  
6-30 which bears, S47°48'07'W, a distance of 407.76 feet to the end of  
6-31 said curve;  
6-32 5) S48°51'00"W, a distance of 1315.11 feet to the point of  
6-33 curvature of a non-tangent curve to the right;  
6-34 6) Along said curve, having a radius of 11,389.16 feet, a  
6-35 central angle of 00°37'29", an arc length of 124.18 feet and a chord  
6-36 which bears, S49°09'26'W, a distance of 124.18 feet to the point of  
6-37 curvature of a non-tangent curve to the left, for the most southerly  
6-38 corner hereof;  
6-39 THENCE, leaving said northwesterly right-of-way line of State  
6-40 Highway 142, over and across said 573.65 acre tract, for a portion  
6-41 of the southwesterly line hereof, along the approximate Martindale  
6-42 City Limit Line, the following four (4) courses and distances:  
6-43 1) Along said curve, having a radius of 2746.11 feet, a  
6-44 central angle of 26°52'25", an arc length of 1288.01 feet and a chord  
6-45 which bears, N53°46'19'W, a distance of 1276.24 feet to the end of  
6-46 said curve;  
6-47 2) N69°22'30"W, a distance of 631.48 feet to an angle point  
6-48 hereof;  
6-49 3) S69°38'20"W, a distance of 374.12 feet to an angle point  
6-50 hereof;  
6-51 4) N65°05'35"W, a distance of 871.31 feet to a point in the  
6-52 southeasterly line of a 137 acre tract of land conveyed to John Mac  
6-53 Mauldin by Deed of record in Volume 359, Page 673 of said Official  
6-54 Public Records, and the northwesterly line of said 573.65 acre  
6-55 tract, for an angle point hereof;  
6-56 THENCE, along a portion of the southeasterly line and the  
6-57 northeasterly line of said 137 acre tract, and the northwesterly  
6-58 line of said 573.65 acre tract, for a portion of the southwesterly  
6-59 line hereof, the following two (2) courses and distances:  
6-60 1) N49°05'19"E, a distance of 1820.68 feet to an iron pipe  
6-61 for the easterly corner of said 137 acre tract, the westerly corner  
6-62 of said 573.65 acre tract, and an angle point hereof;  
6-63 2) N40°56'06"W, a distance of 1177.53 feet to a point in the  
6-64 southeasterly line of a 167.96 acre tract of land conveyed to  
6-65 Conrads Herbert Inc. by Deed of record in Volume 346, Page 76 of  
6-66 said Official Public Records, being the northerly corner of said  
6-67 137 acre tract, the northwesterly corner of said 573.65 acre tract,  
6-68 and an angle point hereof;  
6-69 THENCE, N48°54'41"E, leaving the northeasterly line of said 137 acre

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

8-1 Way Drive, and the northerly line of said 91.99 acre tract, for a  
8-2 portion of the northerly line hereof, the following three (3)  
8-3 courses and distances:  
8-4 1) S88°18'23"E, a distance of 870.54 feet to an iron rod for  
8-5 an angle point hereof;  
8-6 2) N82°39'41"E, a distance of 454.88 feet to an angle point  
8-7 hereof;  
8-8 3) N81°46'58"E, a distance of 126.52 feet to the POINT OF  
8-9 BEGINNING, and containing an area of 1206.6 acres of land, more or  
8-10 less, within these metes and bounds.  
8-11 PART 2 - 1151.3 ACRES  
8-12 BEGINNING, at an iron rod with "UDG" cap found in the southwesterly  
8-13 right-of-way line of Valley Way Drive (R.O.W. varies) for the  
8-14 northerly corner of a 1.82 acre tract of land conveyed to Jethery  
8-15 Bohannon Et. Ux. By deed of record in Volume 240, Page 435 of said  
8-16 Official Public Records, the southeasterly corner of said 133.84  
8-17 acre tract, and an angle point hereof;  
8-18 THENCE, S49°38'37"W, leaving the southwesterly right-of-way line of  
8-19 Valley Way Drive, along the common line of said 1.82 acre tract and  
8-20 said 133.84 acre tract, a distance of 409.77 feet to a point in the  
8-21 northerly right-of-way line of the Union Pacific Railroad (100'  
8-22 R.O.W.);  
8-23 THENCE, N87°55'45"W, along the northerly right-of-way of said  
8-24 Railroad, a distance of 1952.56 feet to a point for the  
8-25 southwesterly corner of said 133.84 acre tract and the  
8-26 southeasterly corner of a 22.1 acre tract of land conveyed to Abel  
8-27 Garza Et. Ux. By deed of record in Volume 96, Page 683 of said  
8-28 Official Public Records;  
8-29 THENCE, leaving the northerly right-of-way of said Railroad, along  
8-30 the common line of said 133.84 acre tract and said 22.1 acre tract,  
8-31 the following two (2) courses and distances:  
8-32 1) N01°23'47"E, a distance of 217.61 feet to and iron rod for  
8-33 an angle point hereof;  
8-34 2) N41°22'34"W, a distance of 2440.88 feet to a fence corner  
8-35 post in the southeasterly right-of-way line of F.M. 1984 (80'  
8-36 R.O.W.) for the northerly corner of said 22.1 acre tract, the  
8-37 easterly corner of said 133.84 acre tract, and an angle point  
8-38 hereof;  
8-39 THENCE, N41°36'44"W, leaving the northerly corner of said 22.1 acre  
8-40 tract, over and across F.M. 1984, a distance of 80.09 feet to a  
8-41 point in the northwesterly right-of-way line of F.M. 1984, and the  
8-42 southeasterly line of said 252.85 acre tract, for an angle point  
8-43 hereof;  
8-44 THENCE, S48°23'16"W, a distance of 1345.17 feet to an iron rod with  
8-45 "LENZ" cap in the southeasterly line of said 252.85 acre tract and  
8-46 the easterly corner of a 40.0 acre tract of land conveyed to Myrna  
8-47 Lopez by deed of record in Document No. 122023 of said Official  
8-48 Public Records, for an angle point hereof;  
8-49 THENCE, leaving the northerly right-of-way line of F.M. 1984, along  
8-50 the common line of said 252.85 acre tract and said 40.0 acre tract,  
8-51 the following sixteen (16) courses and distances:  
8-52 1) N34°21'01"W, a distance of 110.36 feet to an iron rod with  
8-53 "LENZ" cap;  
8-54 2) N19°39'31"W, a distance of 293.22 feet to an iron rod with  
8-55 "LENZ" cap;  
8-56 3) N03°15'11"W, a distance of 82.66 feet to an angle point;  
8-57 4) N36°52'22"E, a distance of 33.25 feet to an angle point;  
8-58 5) N03°46'05"W, a distance of 515.85 feet to an angle point;  
8-59 6) N09°53'30"W, a distance of 29.53 feet to an angle point;  
8-60 7) N42°29'18"E, a distance of 23.22 feet to an angle point;  
8-61 8) N09°28'01"E, a distance of 66.25 feet to an angle point;  
8-62 9) N07°00'01"W, a distance of 164.91 feet to an angle point;  
8-63 10) N13°52'24"W, a distance of 144.68 feet to an angle point;  
8-64 11) N21°57'50"W, a distance of 90.39 feet to an angle point;  
8-65 12) N10°37'25"W, a distance of 153.12 feet to an angle point;  
8-66 13) N23°21'47"W, a distance of 161.89 feet to an iron rod  
8-67 with "LENZ" cap;  
8-68 14) N41°34'57"W, a distance of 172.18 feet to an iron rod  
8-69 with "LENZ" cap for the northerly corner of said 40.0 acre tract;



9-1 15) S48°21'01"W, a distance of 1431.20 feet to an iron rod  
9-2 with "LENZ" cap for the westerly corner of said 40.0 acre tract;  
9-3 16) S41°38'18"E, a distance of 1735.64 feet to an iron rod  
9-4 with "LENZ" cap for the southerly corner of said 40.0 acre tract, in  
9-5 the northwesterly right-of-way line of F.M. 1984 for an angle point  
9-6 of said 252.85 acre tract and hereof;  
9-7 THENCE, S48°21'42"W, leaving the southerly corner of said 40.0 acre  
9-8 tract, along the northwesterly right-of-way line of F.M. 1984, a  
9-9 distance of 592.58 feet to the southerly corner of said 252.85 acre  
9-10 tract, in the northeasterly line of Fehlis Revised Addition to  
9-11 Reedville, of record in Volume 27, Page 368, of the Deed Records of  
9-12 said County, for an angle point;  
9-13 THENCE, N41°22'43"W, leaving the northwesterly right-of-way line of  
9-14 F.M. 1984, along the southwesterly line of said 252.85 acre tract, a  
9-15 portion of the northeasterly line of said Fehlis Revised Addition,  
9-16 and a portion of the northeasterly line of a 56.52 acre tract of  
9-17 land conveyed to Southern Pecan Plantation Mobile Home Park, Inc.,  
9-18 by deed of record in Volume 79, Page 369, of said Official Public  
9-19 Records, a distance of 3152.26 feet to an aluminum disk in concrete  
9-20 for the northerly corner of said 56.52 acre tract, the westerly  
9-21 corner of said 252.85 acre tract and hereof;  
9-22 THENCE, N48°46'59"E, along the northwesterly line of said 252.85  
9-23 acre tract, a distance of 4120.83 feet to point in the southwesterly  
9-24 right-of-way line of William Pettus Road (R.O.W. varies) for the  
9-25 northerly corner of said 252.85 acre tract;  
9-26 THENCE, S40°53'44"E, along the southwesterly right-of-way line of  
9-27 William Pettus Road and northeasterly line of said 252.85 acre  
9-28 tract, a distance of 2659.70 feet to the point of curvature of a  
9-29 non-tangent curve to the left at the intersection of the  
9-30 southwesterly right-of-way line of William Pettus Road and the  
9-31 northwesterly right-of-way line of F.M. 1984;  
9-32 THENCE, leaving the southwesterly right-of-way line of William  
9-33 Pettus Road, along the curving northwesterly right-of-way line of  
9-34 F.M. 1984 and southeasterly line of said 252.85 acre tract, the  
9-35 following three (3) courses and distances:  
9-36 1) Along said curve to the left having a radius of 756.20  
9-37 feet, a central angle of 22°14'32", an arc length of 293.56 feet, and  
9-38 a chord which bears, S09°41'28"W, a distance of 291.72 feet to the  
9-39 end of said curve;  
9-40 2) S01°25'48"E, a distance of 53.10 feet to the point of  
9-41 curvature of a non-tangent curve to the right;  
9-42 3) Along said non-tangent curve to the right having a radius  
9-43 of 676.20 feet, a central angle of 49°28'14", an arc length of 583.85  
9-44 feet, and a chord which bears, S23°18'19"W, a distance of 565.88  
9-45 feet to a TxDOT concrete monument at the end of said curve;  
9-46 THENCE, S41°36'44"E, leaving the southeasterly line of said 252.85  
9-47 acre tract and northwesterly right-of-way line of F.M. 1984, over  
9-48 and across F.M. 1984, a distance of 79.92 feet to an angle point in  
9-49 the southeasterly right-of-way line of F.M. 1984, and the  
9-50 northwesterly line of said 133.84 acre tract;  
9-51 THENCE, N48°22'36"E, along the northwesterly line of said 133.84  
9-52 acre tract, being a portion of the southeasterly right-of-way line  
9-53 of F.M. 1984 and a portion of the southeasterly right-of-way line of  
9-54 Valley Way Drive (50' R.O.W.), a distance of 765.39 feet to  
9-55 northerly corner of said 133.84 acre tract in the southwesterly  
9-56 right-of-way line of Valley Way Drive (R.O.W. varies);  
9-57 THENCE, N48°53'36"E, leaving the northerly corner of said 133.84  
9-58 acre tract, over and across said Valley Way Drive, a distance of  
9-59 51.66 feet to an angle point in the northeasterly right-of-way line  
9-60 of Valley Way Drive and the southwesterly line of said 69.19 acre  
9-61 tract;  
9-62 THENCE, N41°06'24"W, along the northeasterly right-of-way line of  
9-63 Valley Way Drive, a distance of 477.14 feet to an angle point at the  
9-64 intersection of the northeasterly right-of-way line of Valley Way  
9-65 Drive and the southeasterly right-of-way line of F.M. 1984;  
9-66 THENCE, leaving the northeasterly right-of-way line of Valley Way  
9-67 Drive, along a portion of southeasterly right-of-way line of F.M.  
9-68 1984 and northwesterly line of said 69.19 acre tract, the following  
9-69 two (2) courses and distances:

10-1 1) Along a non-tangent curve to the right having a radius of  
10-2 676.09 feet, a central angle of 26°42'34", an arc length of 315.17  
10-3 feet, and a chord which bears, N35°06'01"E, a distance of 312.33  
10-4 feet to the end of said curve;  
10-5 2) N48°30'35"E, a distance of 2278.26 feet to an angle point  
10-6 hereof;  
10-7 THENCE, N41°29'25"W, leaving the northwesterly line of said 69.19  
10-8 acre tract, over and across F.M. 1984, a distance of 80.30 feet to  
10-9 the southerly corner of said 120.75 acre tract in the northwesterly  
10-10 right-of-way line of F.M. 1984;  
10-11 THENCE, leaving the northwesterly right-of-way line of F.M. 1984,  
10-12 along the irregular southwesterly line of said 120.75 acre tract,  
10-13 the following seven (7) courses and distances:  
10-14 1) N41°29'56"W, a distance of 1298.87 feet to an angle point  
10-15 of said 120.75 acre tract and hereof;  
10-16 2) S48°31'19"W, a distance of 1130.21 feet to an iron rod  
10-17 found for angle point of said 120.75 acre tract and the northerly  
10-18 corner of a 13.02 acre tract of land conveyed to Kristin Kocurek by  
10-19 deed of record in Volume 515, Page 161 of said Official Public  
10-20 Records;  
10-21 3) N41°26'45"W, a distance of 376.48 feet to an iron rod  
10-22 found for angle point of said 120.75 acre tract and hereof;  
10-23 4) N41°04'25"W, a distance of 250.72 feet to an iron rod  
10-24 found for angle point of said 120.75 acre tract and hereof;  
10-25 5) N41°11'04"W, a distance of 250.71 feet to an iron rod  
10-26 found for angle point of said 120.75 acre tract and hereof;  
10-27 6) N41°09'44"W, a distance of 386.22 feet to an iron rod  
10-28 found for angle point of said 120.75 acre tract and hereof;  
10-29 7) N40°53'52"W, a distance of 222.60 feet to a fence post  
10-30 found in the southeasterly line of a 10 acre tract of land conveyed  
10-31 to Tanya Moran by deed of record in Volume 287, Page 564 of said  
10-32 Official Public Records, for the northerly corner of a 1.001 acre  
10-33 tract of land conveyed to Vincent J. Bustos by deed of record in  
10-34 Volume 574, Page 1 of said Official Public Records, and the westerly  
10-35 corner of said 120.75 acre tract;  
10-36 THENCE, N48°47'31"E, along the northwesterly line of said 120.75  
10-37 acre tract, a distance of 2437.59 feet to an iron rod for the  
10-38 easterly corner of a 90.014 acre tract of land conveyed to Kenneth  
10-39 R. Kent by deed of record in Volume 428, Page 79 of the Deed Records  
10-40 of said County, the northerly corner of said 120.75 acre tract, and  
10-41 in the southwesterly line of Lot 9, Block B, Koeglar Hills, a  
10-42 subdivision of record in Cabinet A, Slide 50 of the Plat Records of  
10-43 said County;  
10-44 THENCE, S42°00'07"E, along the northeasterly line of said 120.75  
10-45 acre tract and the southwesterly line of said Koeglar Hills  
10-46 Subdivision, a distance of 895.37 feet to an iron rod for an angle  
10-47 point of said 120.75 acre tract and hereof;  
10-48 THENCE, S41°15'14"E, continuing along the northeasterly line of  
10-49 said 120.75 acre tract and the southwesterly line of said Koeglar  
10-50 Hills Subdivision, a distance of 1663.51 feet to the easterly  
10-51 corner of said 120.75 acre tract, in the southwesterly line of Lot  
10-52 3C of the Replat of Lots 3 and 4, Block B Koeglar Hills Subdivision,  
10-53 of record in Cabinet B, Slide 19 of the Plat Records of said County  
10-54 and the northerly corner of an old cemetery (no recording  
10-55 information found);  
10-56 THENCE, leaving said Lot 3C, along the common line of said 120.75  
10-57 acre tract and said old cemetery, the following four (4) courses and  
10-58 distances:  
10-59 1) S48°44'49"W, a distance of 59.99 feet to an angle point;  
10-60 2) S41°15'11"E, a distance of 29.00 feet to an angle point;  
10-61 3) S48°44'49"W, a distance of 355.50 feet to an angle point;  
10-62 4) S41°15'11"E, a distance of 189.19 feet to the southerly  
10-63 corner of said old cemetery for an angle point of said 120.75 acre  
10-64 tract and hereof in the northwesterly right-of-way line of F.M.  
10-65 1984;  
10-66 THENCE, S48°36'20"W, along the northwesterly right-of-way line of  
10-67 F.M. 1984 and southeasterly line of said 120.75 acre tract, a  
10-68 distance of 592.28 feet to an angle point;  
10-69 THENCE, S41°23'40"E, leaving the southeasterly line of said 120.75

11-1 acre tract, over and across F.M. 1984, a distance of 79.79 feet to  
 11-2 an iron rod for the northerly corner of said 69.19 acre tract and  
 11-3 the westerly corner of a 3.67 acre tract of land conveyed to Arthur  
 11-4 D. Ehrlich and Mary L Ehrlich by deed of record in Volume 179, Page  
 11-5 507 of said Official Public Records;  
 11-6 THENCE, leaving the southeasterly right-of-way line of F.M. 1984,  
 11-7 along the common line of said 69.19 acre tract and said 3.67 acre  
 11-8 tract, the following two (2) courses and distances:  
 11-9 1) S41°22'11"E, a distance of 399.75 feet to steel fence  
 11-10 corner post;  
 11-11 2) N48°31'55"E, a distance of 397.74 feet to an iron rod for  
 11-12 the easterly corner of said 3.67 acre tract;  
 11-13 THENCE, S41°27'50"E, along the northeasterly line of said 69.19 acre  
 11-14 tract, a distance of 568.68 feet to a steel fence post in the  
 11-15 southwesterly line of Lot 6, Block 1 of Castle Hill Subdivision  
 11-16 Phase I, a subdivision of record in Book A, Page 181 of the Plat  
 11-17 Records of said County;  
 11-18 THENCE, leaving the southeasterly line of said Castle Hill  
 11-19 Subdivision, along the southeasterly line of said 69.19 acre tract,  
 11-20 the following eight (8) courses and distances:  
 11-21 1) S48°41'00"W, a distance of 786.26 feet to an angle point;  
 11-22 2) S47°55'14"W, a distance of 85.90 feet to an angle point;  
 11-23 3) S49°18'20"W, a distance of 589.25 feet to an angle point;  
 11-24 4) S48°01'10"W, a distance of 232.56 feet to a fence post;  
 11-25 5) S47°58'05"W, a distance of 345.92 feet to an angle point;  
 11-26 6) S47°46'45"W, a distance of 446.89 feet to an angle point;  
 11-27 7) S48°19'28"W, a distance of 438.49 feet to an angle point;  
 11-28 8) S48°07'05"W, a distance of 367.04 feet to fence corner  
 11-29 post for the southerly corner of said 69.19 acre tract in the  
 11-30 northeasterly right-of-way line of Valley Way Drive;  
 11-31 THENCE, S48°38'56"W, leaving the southerly corner of said 69.19 acre  
 11-32 tract, over and across Valley View Drive, a distance of 49.85 feet  
 11-33 to a point in the northeasterly line of said 133.84 acre tract and  
 11-34 the southwesterly right-of-way line of Valley Way Drive;  
 11-35 THENCE, along the northeasterly line of said 133.84 acre tract and  
 11-36 the southwesterly right-of-way line of Valley Way Drive, the  
 11-37 following two (2) courses and distances;  
 11-38 1) S41°21'04"E, a distance of 1129.59 feet to a fence post;  
 11-39 2) S41°40'38"E, a distance of 1273.02 feet to an angle point;  
 11-40 THENCE, N48°19'22"E, leaving the northeasterly line of said 133.84  
 11-41 acre tract, over and across Valley View Drive, a distance of 61.02  
 11-42 feet to the easterly corner of said 239.035 acre tract in the  
 11-43 northeasterly right-of-way line of Valley View Drive;  
 11-44 THENCE, along a portion of the northwesterly line of said 239.035  
 11-45 acre tract, the following three (3) courses and distances:  
 11-46 1) N48°15'16"E, a distance of 2761.12 feet to an angle point;  
 11-47 2) S41°47'43"E, a distance of 274.43 feet to a fence corner  
 11-48 post;  
 11-49 3) N48°40'03"E, a distance of 976.49 feet to an iron rod for  
 11-50 the southerly corner of said 70.540 acre tract;  
 11-51 THENCE, N40°19'04"W, leaving the northwesterly line of said 239.035  
 11-52 acre tract, along the southwesterly line of said 70.540 acre tract,  
 11-53 a distance of 904.98 feet to an iron rod with "RL Surveying" cap for  
 11-54 the easterly corner of said 70.540 acre tract, in the southeasterly  
 11-55 line of said 49.325 acre tract;  
 11-56 THENCE, S49°05'23"W, leaving the southwesterly line of said 70.540  
 11-57 acre tract, along the southeasterly line of said 49.325 acre tract,  
 11-58 a distance of 500.65 feet to an iron rod with "UDG 2433" cap for the  
 11-59 southerly corner of said 49.325 acre tract;  
 11-60 THENCE, along the southwesterly line of said 49.325 acre tract, the  
 11-61 following two (2) courses and distances:  
 11-62 1) N40°38'48"W, a distance of 400.80 feet to an iron rod with  
 11-63 "UDG 2433" cap;  
 11-64 2) N40°43'42"W, a distance of 1287.69 feet to an iron rod for  
 11-65 the southerly corner of Lot 6 of said Castle Hill Subdivision;  
 11-66 THENCE, N48°32'31"E, along the northwesterly lines of said 49.325  
 11-67 acre tract, said 49.330 acre tract, and said 47.271 acre tract, a  
 11-68 distance of 3425.74 feet to an iron rod for the northwesterly corner  
 11-69 of said 47.271 acre tract;

12-1 THENCE, along a portion of the northerly line of said 47.271 acre  
12-2 tract, the following three (3) courses and distances:  
12-3 1) S41°01'56"E, a distance of 227.58 feet to an iron rod;  
12-4 2) S85°53'10"E, a distance of 183.60 feet to an angle point;  
12-5 3) N43°11'02"E, a distance of 271.56 feet to the  
12-6 northeasterly corner of said 47.271 acre tract in the southwesterly  
12-7 right-of-way line of F.M. 1966 (80' R.O.W.);  
12-8 THENCE, S40°51'42"E, along the southwesterly right-of-way line of  
12-9 F.M. 1966, a distance of 1367.14 feet to the easterly corner of said  
12-10 47.271 acre tract and northerly corner of a 1.0 acre tract of land  
12-11 conveyed to John M. Salazar Et. Ux. By deed of record in Volume 424,  
12-12 Page 100 of the Deed Records of said County;  
12-13 THENCE, S48°43'20"W, leaving the southwesterly right-of-way line of  
12-14 F.M. 1966, along a portion of the southeasterly line of said 47.271  
12-15 acre tract, a distance of 348.84 feet to an iron rod for the  
12-16 northwesterly corner of said 70.540 acre tract and the westerly  
12-17 corner of a 1.041 acre tract conveyed to Kelly J. Cansler Et. Ux. By  
12-18 deed of record in Volume 64, Page 782 of said Official Public  
12-19 Records;  
12-20 THENCE, along the southerly lines of said 1.041 acre tract and the  
12-21 northerly lines of said 70.540 acre tract, the following two (2)  
12-22 courses and distances:  
12-23 1) S41°01'59"E, a distance of 256.81 feet to an iron rod;  
12-24 2) N47°37'30"E, a distance of 350.89 feet to an iron rod for  
12-25 the easterly corner of said 1.041 acre tract and the northeasterly  
12-26 corner of said 70.540 acre tract in the southwesterly right-of-way  
12-27 line of F.M. 1966;  
12-28 THENCE, S41°14'17"E, along a portion of the southwesterly  
12-29 right-of-way line of F.M. 1966, a distance of 742.57 feet to an iron  
12-30 rod for the easterly corner of said 70.540 acre tract and the  
12-31 northerly corner of said 55.669 acre tract;  
12-32 THENCE, S41°23'23"E, continuing along a portion of the  
12-33 southwesterly right-of-way line of F.M. 1966, a distance of 644.74  
12-34 feet to the easterly corner of said 55.669 acre tract and the  
12-35 northerly corner of the remaining 2.437 acre tract of land conveyed  
12-36 to Barbara Kinkade and Life Estate reserved by Margaret Ann  
12-37 Wackerhagen by deed of record in Volume 507, Page 721 of said  
12-38 Official Public Records;  
12-39 THENCE, leaving the southwesterly right-of-way line of F.M. 1966,  
12-40 along a portion of the irregular easterly line of said 55.669 acre  
12-41 tract and the westerly line of said 2.437 acre tract, the following  
12-42 seven (7) courses and distances:  
12-43 1) S54°55'11"W, a distance of 457.51 feet to an angle point;  
12-44 2) S39°04'07"E, a distance of 26.01 feet to an angle point;  
12-45 3) S21°40'50"E, a distance of 95.81 feet to an angle point;  
12-46 4) S80°14'00"W, a distance of 44.90 feet to an angle point;  
12-47 5) S15°41'02"E, a distance of 84.10 feet to an angle point;  
12-48 6) S27°21'59"E, a distance of 112.74 feet to a 1/2 inch iron  
12-49 rod;  
12-50 7) S28°12'49"E, a distance of 210.26 feet to an 1/2 inch iron  
12-51 rod for the southerly corner of a 3.569 acre tract of land described  
12-52 in a deed to Barbara K. Warrens of record in Volume 232, Page 423 of  
12-53 said Official Public records;  
12-54 THENCE, S48°42'23"W, along the southeasterly line of said 55.669  
12-55 acre tract, a distance of 1852.73 feet to an iron rod in the  
12-56 northeasterly line of said 239.035 acre tract;  
12-57 THENCE, along a portion of the northeasterly line of said 239.035  
12-58 acre tract, the following three (3) courses and distances:  
12-59 1) S41°02'56"E, a distance of 387.22 feet to an iron rod;  
12-60 2) S41°06'40"E, a distance of 312.60 feet to an iron rod;  
12-61 3) S40°42'48"E, a distance of 542.32 feet to a fence corner  
12-62 post for the easterly corner of said 239.035 acre tract and an angle  
12-63 point in the westerly line of said 59.828 acre tract;  
12-64 THENCE, leaving the easterly corner of said 239.035 acre tract,  
12-65 along a portion of the westerly and northerly lines of said 59.828  
12-66 acre tract, the following three (3) courses and distances:  
12-67 1) S41°34'25"E, a distance of 151.16 feet to an iron rod;  
12-68 2) N48°34'31"E, a distance of 610.04 feet to an iron rod for  
12-69 the northerly corner of said 59.828 acre tract;

13-1 3) S41°33'19"E, a distance of 1565.45 feet to the easterly  
13-2 corner of said 59.828 acre tract, in the curving northerly  
13-3 right-of-way line of the Union Pacific Railroad;  
13-4 THENCE, along the easterly line of said 59.828 acre tract and the  
13-5 northerly right-of-way line of the Union Pacific Railroad, the  
13-6 following three (3) courses and distances:  
13-7 1) Along a non-tangent curve to the left having a radius of  
13-8 2786.27 feet, a central angle of 17°52'26", an arc length of 869.20  
13-9 feet, and a chord which bears, S86°07'28"W, a distance of 865.68  
13-10 feet to the end of said curve;  
13-11 2) Along a non-tangent curve to the left having a radius of  
13-12 3832.81 feet, a central angle of 06°04'35", an arc length of 406.47  
13-13 feet, and a chord which bears, S73°32'28"W, a distance of 406.28  
13-14 feet to the end of said curve;  
13-15 3) S69°58'41"W, a distance of 2776.15 feet to an iron rod for  
13-16 the southerly corner of said 59.828 acre tract and an angle point in  
13-17 the easterly line of said 239.035 acre tract;  
13-18 THENCE, along the easterly line of said 239.035 acre tract and the  
13-19 northerly right-of-way line of the Union Pacific Railroad, the  
13-20 following four (4) courses and distances:  
13-21 1) S69°58'41"W, a distance of 92.94 feet to an angle point;  
13-22 2) Along a non-tangent curve to the right having a radius of  
13-23 3336.89 feet, a central angle of 06°13'09", an arc length of 362.21  
13-24 feet, and a chord which bears, S72°55'53"W, a distance of 362.03  
13-25 feet to the end of said curve;  
13-26 3) Along a non-tangent curve to the right having a radius of  
13-27 2825.30 feet, a central angle of 14°00'59", an arc length of 691.16  
13-28 feet, and a chord which bears, S83°18'28"W, a distance of 689.44  
13-29 feet to the end of said curve;  
13-30 4) Along a non-tangent curve to the right having a radius of  
13-31 55687.93 feet, a central angle of 00°48'17", an arc length of 782.17  
13-32 feet, and a chord which bears, N88°10'00"W, a distance of 782.15  
13-33 feet to the end of said curve at the intersection of the northerly  
13-34 right-of-way line of the Union Pacific Railroad and the  
13-35 northeasterly right-of-way line of Valley Way Drive;  
13-36 THENCE, N41°20'20"W, leaving the northerly right-of-way line of the  
13-37 Union Pacific Railroad, along the northeasterly right-of-way line  
13-38 of Valley Way Drive and southerly line of said 239.035 acre tract, a  
13-39 distance of 429.48 feet to an angle point;  
13-40 THENCE, S48°39'40"W, leaving southerly line of said 239.035 acre  
13-41 tract, over and across Valley Way Drive a distance of 51.67 feet to  
13-42 the POINT OF BEGINNING, containing an area of 1168.438 acres  
13-43 (50,897,146 square feet) of land, more or less, within these metes  
13-44 and bounds, SAVE AND EXCEPT THEREFROM the aforementioned 15.354  
13-45 acre tract of land described as follows:  
13-46 COMMENCING, at a 1/2 inch iron rod found in northerly right-of-way  
13-47 line of the Union Pacific Railroad for the southerly corner of said  
13-48 59.828 acre tract and being in the easterly line of said 239.035  
13-49 acre tract;  
13-50 THENCE, N45°14'35"W, leaving the northerly right-of-way line of the  
13-51 Union Pacific Railroad and the southerly corner of said 59.828 acre  
13-52 tract, over and across said 239.035 acre tract, a distance of 944.36  
13-53 feet to the POINT OF BEGINNING, being the southerly corner of said  
13-54 15.354 acre tract and hereof;  
13-55 THENCE, along the common lines of said 239.035 acre tract, said  
13-56 15.354 acre tract and hereof, the following four (4) courses and  
13-57 distances:  
13-58 1) N41°44'44"W, a distance of 760.00 feet to a point for the  
13-59 westerly corner of said 15.354 acre tract and hereof;  
13-60 2) N48°15'16"E, a distance of 880.00 feet to a point for the  
13-61 northerly corner of said 15.354 acre tract and hereof;  
13-62 3) S41°44'44"E, a distance of 760.00 feet to a point for the  
13-63 easterly corner of said 15.354 acre tract and hereof;  
13-64 4) N48°15'16"E, a distance of 880.00 feet to the POINT OF  
13-65 BEGINNING, containing an area of 15.354 acres (668,800 square feet)  
13-66 of land, more or less, within these metes and bounds and FURTHER  
13-67 SAVE AND EXCEPT THEREFROM the aforementioned the 1.790 acre tract  
13-68 of land described as follows;  
13-69 COMMENCING, at a fence corner post for the northerly corner of said

14-1 239.035 acre tract, being an angle point in the easterly line of  
14-2 said 70.540 acre tract;  
14-3 THENCE, N31°58'37"W, leaving the northerly corner of said 239.035  
14-4 acre tract, over and across said 70.540 acre tract, a distance of  
14-5 176.88 feet to a fence corner post for the POINT OF BEGINNING, being  
14-6 the easterly corner of said 1.790 acre tract and hereof;  
14-7 THENCE, along the common lines of said 70.540 acre tract, said 1.790  
14-8 acre tract and hereof, the following four (4) courses and  
14-9 distances:

14-10 1) S60°20'34"W, a distance of 237.04 to a fence corner post  
14-11 for the southerly corner of said 1.790 acre tract and hereof;

14-12 2) N32°55'40"W, a distance of 267.87 feet to a 1/2 inch iron  
14-13 rod for the westerly corner of said 1.790 acre tract and hereof;

14-14 3) N49°02'47"E, a distance of 297.06 feet to a 1/2 inch iron  
14-15 rod for the northerly corner of said 1.790 acre tract and hereof;

14-16 4) S22°49'48"E, a distance of 327.95 feet to the POINT OF  
14-17 BEGINNING, containing an area of 1.790 acres (77,991 square feet)  
14-18 of land, more or less, within these metes and bounds, leaving a  
14-19 TOTAL NET AREA of 1151.3 acres of land, more or less, within these  
14-20 metes and bounds.

14-21 SECTION 3. (a) The legal notice of the intention to  
14-22 introduce this Act, setting forth the general substance of this  
14-23 Act, has been published as provided by law, and the notice and a  
14-24 copy of this Act have been furnished to all persons, agencies,  
14-25 officials, or entities to which they are required to be furnished  
14-26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
14-27 Government Code.

14-28 (b) The governor, one of the required recipients, has  
14-29 submitted the notice and Act to the Texas Commission on  
14-30 Environmental Quality.

14-31 (c) The Texas Commission on Environmental Quality has filed  
14-32 its recommendations relating to this Act with the governor, the  
14-33 lieutenant governor, and the speaker of the house of  
14-34 representatives within the required time.

14-35 (d) All requirements of the constitution and laws of this  
14-36 state and the rules and procedures of the legislature with respect  
14-37 to the notice, introduction, and passage of this Act are fulfilled  
14-38 and accomplished.

14-39 SECTION 4. (a) If this Act does not receive a two-thirds  
14-40 vote of all the members elected to each house, Subchapter C, Chapter  
14-41 8492, Special District Local Laws Code, as added by Section 1 of  
14-42 this Act, is amended by adding Section 8492.106 to read as follows:

14-43 Sec. 8492.106. NO EMINENT DOMAIN POWER. The district may  
14-44 not exercise the power of eminent domain.

14-45 (b) This section is not intended to be an expression of a  
14-46 legislative interpretation of the requirements of Section 17(c),  
14-47 Article I, Texas Constitution.

14-48 SECTION 5. This Act takes effect immediately if it receives  
14-49 a vote of two-thirds of all the members elected to each house, as  
14-50 provided by Section 39, Article III, Texas Constitution. If this  
14-51 Act does not receive the vote necessary for immediate effect, this  
14-52 Act takes effect September 1, 2015.

14-53 \* \* \* \* \*