

1-1 By: West S.B. No. 2244  
 1-2 (In the Senate - Filed March 15, 2017; April 3, 2017, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; May 2, 2017, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 0, 1  
 1-6 present not voting; May 2, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
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. 2244 By: Bettencourt

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

1-19 relating to the creation of the University Hills Municipal  
 1-20 Management District; providing authority to issue bonds; providing  
 1-21 authority to impose assessments or fees.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-24 Code, is amended by adding Chapter 3947 to read as follows:

1-25 CHAPTER 3947. UNIVERSITY HILLS MUNICIPAL MANAGEMENT DISTRICT  
 1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3947.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "City" means the City of Dallas, Texas.

1-30 (3) "Commission" means the Texas Commission on  
 1-31 Environmental Quality.

1-32 (4) "County" means Dallas County, Texas.

1-33 (5) "Director" means a board member.

1-34 (6) "District" means the University Hills Municipal  
 1-35 Management District.

1-36 Sec. 3947.002. CREATION AND NATURE OF DISTRICT. The  
 1-37 University Hills Municipal Management District is a special  
 1-38 district created under Sections 52 and 52-a, Article III, and  
 1-39 Section 59, Article XVI, Texas Constitution.

1-40 Sec. 3947.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The  
 1-41 creation of the district is essential to accomplish the purposes of  
 1-42 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-43 Texas Constitution, and other public purposes stated in this  
 1-44 chapter. By creating the district and in authorizing the city and  
 1-45 other political subdivisions to contract with the district, the  
 1-46 legislature has established a program to accomplish the public  
 1-47 purposes set out in Section 52-a, Article III, Texas Constitution.

1-48 (b) The creation of the district is necessary to promote,  
 1-49 develop, encourage, and maintain employment, commerce,  
 1-50 transportation, housing, tourism, recreation, the arts,  
 1-51 entertainment, economic development, safety, and the public  
 1-52 welfare in the district.

1-53 Sec. 3947.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 1-54 The district is created to serve a public use and benefit.

1-55 (b) All land and other property included in the district  
 1-56 will benefit from the improvements and services to be provided by  
 1-57 the district under powers conferred by Sections 52 and 52-a,  
 1-58 Article III, and Section 59, Article XVI, Texas Constitution, and  
 1-59 other powers granted under this chapter.

1-60 (c) The district is created to accomplish the purposes of a

2-1 municipal management district as provided by general law and  
2-2 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
2-3 Texas Constitution.

2-4 (d) The creation of the district is in the public interest  
2-5 and is essential to:

2-6 (1) further the public purposes of developing and  
2-7 diversifying the economy of the state;

2-8 (2) eliminate unemployment and underemployment; and

2-9 (3) develop or expand transportation and commerce.

2-10 (e) The district will:

2-11 (1) promote the health, safety, and general welfare of  
2-12 residents, employers, potential employees, employees, visitors,  
2-13 and consumers in the district, and of the public;

2-14 (2) provide needed funding for the district to  
2-15 preserve, maintain, and enhance the economic health and vitality of  
2-16 the district territory as a community and business center; and

2-17 (3) promote the health, safety, welfare, and enjoyment  
2-18 of the public by providing pedestrian ways and by landscaping and  
2-19 developing certain areas in the district, which are necessary for  
2-20 the restoration, preservation, and enhancement of scenic beauty.

2-21 (f) Pedestrian ways along or across a street, whether at  
2-22 grade or above or below the surface, and street lighting, street  
2-23 landscaping, parking, and street art objects are parts of and  
2-24 necessary components of a street and are considered to be a street  
2-25 or road improvement.

2-26 Sec. 3947.005. INITIAL DISTRICT TERRITORY. (a) The  
2-27 district is initially composed of the territory described by  
2-28 Section 2 of the Act enacting this chapter.

2-29 (b) The boundaries and field notes contained in Section 2 of  
2-30 the Act enacting this chapter form a closure. A mistake in the  
2-31 field notes or in copying the field notes in the legislative process  
2-32 does not affect the district's:

2-33 (1) organization, existence, or validity;

2-34 (2) right to contract;

2-35 (3) authority to borrow money or issue bonds or other  
2-36 obligations described by Section 3947.253 or to pay the principal  
2-37 and interest of the bonds or other obligations;

2-38 (4) right to impose or collect an assessment or  
2-39 collect other revenue; or

2-40 (5) legality or operation.

2-41 Sec. 3947.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-42 (a) All or any part of the area of the district is eligible to be  
2-43 included in:

2-44 (1) a tax increment reinvestment zone created under  
2-45 Chapter 311, Tax Code;

2-46 (2) a tax abatement reinvestment zone created under  
2-47 Chapter 312, Tax Code; or

2-48 (3) an enterprise zone created under Chapter 2303,  
2-49 Government Code.

2-50 (b) If the city creates a tax increment reinvestment zone  
2-51 described by Subsection (a), the city and the board of directors of  
2-52 the zone, by contract with the district, may grant money deposited  
2-53 in the tax increment fund to the district to be used by the district  
2-54 for:

2-55 (1) the purposes permitted for money granted to a  
2-56 corporation under Section 380.002(b), Local Government Code; and

2-57 (2) any other district purpose, including the right to  
2-58 pledge the money as security for any bonds or other obligations  
2-59 issued by the district under Section 3947.253.

2-60 (c) If the city creates a tax increment reinvestment zone  
2-61 described by Subsection (a), the city may determine the percentage  
2-62 of the property in the zone that may be used for residential  
2-63 purposes and is not subject to the limitations provided by Section  
2-64 311.006, Tax Code.

2-65 Sec. 3947.007. CONFIRMATION AND DIRECTORS' ELECTION  
2-66 REQUIRED. On receipt of a petition signed by the owners of a  
2-67 majority of the acreage and the assessed value of real property in  
2-68 the district according to the most recent certified tax appraisal  
2-69 roll for the county, the initial directors shall hold an election to

3-1 confirm the creation of the district and to elect five permanent  
3-2 directors as provided by Section 49.102, Water Code.

3-3 Sec. 3947.008. APPLICABILITY OF MUNICIPAL MANAGEMENT  
3-4 DISTRICT LAW. (a) Except as provided by this chapter, Chapter 375,  
3-5 Local Government Code, applies to the district.

3-6 (b) Subchapters B and O, Chapter 375, Local Government Code,  
3-7 do not apply to the district.

3-8 Sec. 3947.009. CONSTRUCTION OF CHAPTER. This chapter shall  
3-9 be construed in conformity with the findings and purposes stated in  
3-10 this chapter.

3-11 Sec. 3947.010. CONCURRENCE ON ADDITIONAL POWERS. If the  
3-12 legislature grants the district a power that is in addition to the  
3-13 powers approved by the initial resolution of the governing body of  
3-14 the city consenting to the creation of the district, the district  
3-15 may not exercise that power unless the governing body of the city  
3-16 consents to that change by ordinance or resolution.

3-17 SUBCHAPTER B. BOARD OF DIRECTORS

3-18 Sec. 3947.051. GOVERNING BODY; TERMS. (a) The district is  
3-19 governed by a board of five elected directors.

3-20 (b) Except as provided by Section 3947.054, directors serve  
3-21 staggered four-year terms, with two or three directors' terms  
3-22 expiring June 1 of each odd-numbered year.

3-23 Sec. 3947.052. BOARD MEETINGS. The board shall hold  
3-24 meetings at a place accessible to the public.

3-25 Sec. 3947.053. REMOVAL OF DIRECTORS. (a) The board may  
3-26 remove a director by unanimous vote of the other directors if the  
3-27 director has missed at least half of the meetings scheduled during  
3-28 the preceding 12 months.

3-29 (b) A director removed under this section may file a written  
3-30 appeal with the commission not later than the 30th day after the  
3-31 date the director receives written notice of the board action. The  
3-32 commission may reinstate the director if the commission finds that  
3-33 the removal was unwarranted under the circumstances after  
3-34 considering the reasons for the absences, the time and place of the  
3-35 meetings, the business conducted at the meetings missed, and any  
3-36 other relevant circumstances.

3-37 Sec. 3947.054. INITIAL DIRECTORS. (a) The initial board  
3-38 consists of:

	<u>Pos. No.</u>	<u>Name of Director</u>
3-39	<u>1</u>	<u>Michael Beaty</u>
3-40	<u>2</u>	<u>Curtis Clinesmith</u>
3-41	<u>3</u>	<u>Susan Larson</u>
3-42	<u>4</u>	<u>Alan Michlin</u>
3-43	<u>5</u>	<u>Michael Warner</u>

3-44 (b) Initial directors serve until the earlier of:  
3-45 (1) the date permanent directors are elected under  
3-46 Section 3947.007; or  
3-47 (2) the fourth anniversary of the effective date of  
3-48 the Act enacting this chapter.

3-49 (c) If permanent directors have not been elected under  
3-50 Section 3947.007 and the terms of the initial directors have  
3-51 expired, successor initial directors shall be appointed or  
3-52 reappointed as provided by Subsection (d) to serve terms that  
3-53 expire on the earlier of:

3-54 (1) the date permanent directors are elected under  
3-55 Section 3947.007; or  
3-56 (2) the fourth anniversary of the date of the  
3-57 appointment or reappointment.

3-58 (d) If Subsection (c) applies, the owner or owners of a  
3-59 majority of the assessed value of the real property in the district  
3-60 according to the most recent certified tax appraisal rolls for the  
3-61 county may submit a petition to the commission requesting that the  
3-62 commission appoint as successor initial directors the five persons  
3-63 named in the petition. The commission shall appoint as successor  
3-64 initial directors the five persons named in the petition.

3-65 SUBCHAPTER C. POWERS AND DUTIES

3-66 Sec. 3947.101. GENERAL POWERS AND DUTIES. The district has  
3-67 the powers and duties necessary to accomplish the purposes for  
3-68 which the district is created.  
3-69

4-1 Sec. 3947.102. IMPROVEMENT PROJECTS. The district may  
 4-2 provide, or it may enter into contracts with a governmental or  
 4-3 private entity to provide, the improvement projects described by  
 4-4 Subchapter C-1 or activities in support of or incidental to those  
 4-5 projects.

4-6 Sec. 3947.103. WATER DISTRICT POWERS. The district has the  
 4-7 powers provided by the general laws relating to conservation and  
 4-8 reclamation districts created under Section 59, Article XVI, Texas  
 4-9 Constitution, including Chapters 49 and 54, Water Code.

4-10 Sec. 3947.104. AUTHORITY FOR ROAD PROJECTS. Under Section  
 4-11 52, Article III, Texas Constitution, the district may design,  
 4-12 acquire, construct, finance, issue bonds for, improve, operate,  
 4-13 maintain, and convey to this state, a county, or a municipality for  
 4-14 operation and maintenance macadamized, graveled, or paved roads or  
 4-15 improvements, including storm drainage, in aid of those roads.

4-16 Sec. 3947.105. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 4-17 road project must meet all applicable construction standards,  
 4-18 zoning and subdivision requirements, and regulations of each  
 4-19 municipality in whose corporate limits or extraterritorial  
 4-20 jurisdiction the road project is located.

4-21 (b) If a road project is not located in the corporate limits  
 4-22 or extraterritorial jurisdiction of a municipality, the road  
 4-23 project must meet all applicable construction standards,  
 4-24 subdivision requirements, and regulations of each county in which  
 4-25 the road project is located.

4-26 (c) If the state will maintain and operate the road, the  
 4-27 Texas Transportation Commission must approve the plans and  
 4-28 specifications of the road project.

4-29 Sec. 3947.106. NO TOLL ROADS. The district may not  
 4-30 construct, acquire, maintain, or operate a toll road.

4-31 Sec. 3947.107. PUBLIC IMPROVEMENT DISTRICT POWERS. The  
 4-32 district has the powers provided by Chapter 372, Local Government  
 4-33 Code, to a municipality or county.

4-34 Sec. 3947.108. CONTRACT POWERS. The district may contract  
 4-35 with a governmental or private entity, on terms determined by the  
 4-36 board, to carry out a power or duty authorized by this chapter or to  
 4-37 accomplish a purpose for which the district is created.

4-38 Sec. 3947.109. AD VALOREM TAXATION. The district may not  
 4-39 impose an ad valorem tax.

4-40 Sec. 3947.110. LIMITATIONS ON EMERGENCY SERVICES POWERS.  
 4-41 The district may not establish, operate, maintain, or finance a  
 4-42 police or fire department without the consent of the city by  
 4-43 ordinance or resolution.

4-44 Sec. 3947.111. ADDING OR REMOVING TERRITORY. As provided  
 4-45 by Subchapter J, Chapter 49, Water Code, the board may add territory  
 4-46 inside the corporate boundaries or the extraterritorial  
 4-47 jurisdiction of the city to the district or remove territory inside  
 4-48 the corporate boundaries or the extraterritorial jurisdiction of  
 4-49 the city from the district, except that:

4-50 (1) the addition or removal of the territory must be  
 4-51 approved by the city;

4-52 (2) the addition or removal may not occur without  
 4-53 petition by the owners of the territory being added or removed; and

4-54 (3) territory may not be removed from the district if  
 4-55 bonds or other obligations of the district payable wholly or partly  
 4-56 from assessments assessed on the territory are outstanding.

4-57 Sec. 3947.112. ENFORCEMENT OF REAL PROPERTY RESTRICTIONS.  
 4-58 The district may enforce a real property restriction in the manner  
 4-59 provided by Section 54.237, Water Code, if, in the reasonable  
 4-60 judgment of the board, the enforcement of the restriction is  
 4-61 necessary.

4-62 Sec. 3947.113. NO EMINENT DOMAIN POWER. The district may  
 4-63 not exercise the power of eminent domain.

#### 4-64 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

4-65 Sec. 3947.151. IMPROVEMENT PROJECTS AND SERVICES. The  
 4-66 district may provide, design, construct, acquire, improve,  
 4-67 relocate, operate, maintain, or finance an improvement project or  
 4-68 service, including water, wastewater, drainage, and roadway  
 4-69 projects or services, using any money available to the district, or

5-1 contract with a governmental or private entity and reimburse that  
5-2 entity for the provision, design, construction, acquisition,  
5-3 improvement, relocation, operation, maintenance, or financing of  
5-4 an improvement project, service, or cost, for the provision of  
5-5 credit enhancement, or for any cost of operating or maintaining the  
5-6 district or the issuance of district obligations authorized under  
5-7 this chapter, Chapter 372 or 375, Local Government Code, or Chapter  
5-8 49 or 54, Water Code.

5-9 Sec. 3947.152. BOARD DETERMINATION REQUIRED. The district  
5-10 may not undertake an improvement project unless the board  
5-11 determines the project is necessary to accomplish a public purpose  
5-12 of the district.

5-13 Sec. 3947.153. LOCATION OF IMPROVEMENT PROJECT. An  
5-14 improvement project may be located or provide service inside or  
5-15 outside the district.

5-16 Sec. 3947.154. CITY REQUIREMENTS. An improvement project  
5-17 in the district must comply with any applicable requirements of the  
5-18 city, including codes and ordinances, unless specifically waived or  
5-19 superseded by agreement with the city.

5-20 Sec. 3947.155. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE  
5-21 AREA; BENEFIT BASIS. The district may undertake an improvement  
5-22 project or service that confers a special benefit on a definable  
5-23 area in the district and levy and collect a special assessment on  
5-24 benefited property in the district in accordance with:

5-25 (1) Chapter 372, Local Government Code; or

5-26 (2) Chapter 375, Local Government Code.

5-27 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

5-28 Sec. 3947.201. DIVISION OF DISTRICT; PREREQUISITES. (a)  
5-29 Subject to Subsection (b), the district, including territory added  
5-30 to the district under Section 3947.111, may be divided into two or  
5-31 more new districts only if the district has no outstanding bonded  
5-32 debt. Territory previously added to the district under Section  
5-33 3947.111 may be included in a new district.

5-34 (b) If the board adds territory inside the corporate  
5-35 boundaries or the extraterritorial jurisdiction of the city or any  
5-36 other municipality to the district under Section 3947.111, the  
5-37 district may be divided under Subsection (a) only with the consent  
5-38 by ordinance or resolution of the city and any other municipality  
5-39 whose territory or extraterritorial jurisdiction is included in the  
5-40 district.

5-41 Sec. 3947.202. LAW APPLICABLE TO NEW DISTRICT. This  
5-42 chapter applies to any new district created by division of the  
5-43 district, and a new district has all the powers and duties of the  
5-44 district.

5-45 Sec. 3947.203. DIVISION PROCEDURES. (a) The board, on its  
5-46 own motion or on receipt of a petition signed by an owner of real  
5-47 property in the district, may adopt an order proposing to divide the  
5-48 district.

5-49 (b) If the board decides to divide the district, the board  
5-50 shall:

5-51 (1) set the terms of the division, including names for  
5-52 the new districts and a plan for the payment or performance of any  
5-53 outstanding district obligations;

5-54 (2) prepare a metes and bounds description for each  
5-55 proposed district; and

5-56 (3) appoint initial directors for each new district.

5-57 Sec. 3947.204. NOTICE AND RECORDING OF ORDER. Not later  
5-58 than the 30th day after the date of an order dividing the district,  
5-59 the district shall:

5-60 (1) file the order with the commission; and

5-61 (2) record the order in the real property records of  
5-62 the county.

5-63 Sec. 3947.205. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
5-64 new districts may contract with each other for any matter the boards  
5-65 of the new districts consider appropriate, including the joint  
5-66 construction or financing of an improvement project and the joint  
5-67 financing of a maintenance obligation.

5-68 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5-69 Sec. 3947.251. DISBURSEMENTS AND TRANSFERS OF MONEY. The

6-1 board by resolution shall establish the number of directors'  
6-2 signatures and the procedure required for a disbursement or  
6-3 transfer of the district's money.

6-4 Sec. 3947.252. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
6-5 The district may undertake and provide an improvement project or  
6-6 service authorized by this chapter using any money available to the  
6-7 district.

6-8 Sec. 3947.253. BORROWING MONEY; OBLIGATIONS. (a) The  
6-9 district may borrow money for a district purpose, including the  
6-10 acquisition or construction of improvement projects authorized by  
6-11 this chapter and the reimbursement of a person who develops or owns  
6-12 an improvement project authorized by this chapter, by issuing  
6-13 bonds, notes, time warrants, or other obligations, or by entering  
6-14 into a contract or other agreement payable wholly or partly from an  
6-15 assessment, a contract payment, a grant, revenue from a zone  
6-16 created under Chapter 311 or 312, Tax Code, other district revenue,  
6-17 or a combination of these sources.

6-18 (b) An obligation described by Subsection (a):

6-19 (1) may bear interest at a rate determined by the  
6-20 board; and

6-21 (2) may include a term or condition as determined by  
6-22 the board.

6-23 (c) The board may issue an obligation under this section  
6-24 without an election.

6-25 Sec. 3947.254. ASSESSMENTS. (a) Except as provided by  
6-26 Subsections (b) and (c), the district may impose an assessment on  
6-27 property in the district to pay for an obligation described by  
6-28 Section 3947.253 or an improvement project authorized by Section  
6-29 3947.151 in the manner provided for:

6-30 (1) a district under Subchapters A, E, and F, Chapter  
6-31 375, Local Government Code; or

6-32 (2) a municipality or county under Subchapter A,  
6-33 Chapter 372, Local Government Code.

6-34 (b) The district may not impose an assessment on a  
6-35 municipality, county, or other political subdivision.

6-36 (c) The board may not finance an improvement project or  
6-37 service with assessments unless a written petition requesting that  
6-38 improvement project or service has been filed with the board. The  
6-39 petition must be signed by the owners of a majority of the assessed  
6-40 value of real property in the district subject to assessment  
6-41 according to the most recent certified tax appraisal roll for the  
6-42 county.

6-43 Sec. 3947.255. RESIDENTIAL PROPERTY NOT EXEMPT. Sections  
6-44 375.161 and 375.164, Local Government Code, do not apply to the  
6-45 district.

6-46 Sec. 3947.256. COLLECTION OF ASSESSMENTS. The district may  
6-47 contract as provided by Chapter 791, Government Code, with the  
6-48 commissioners court of the county for the assessment and collection  
6-49 of assessments imposed under this subchapter.

6-50 Sec. 3947.257. RATES, FEES, AND CHARGES. The district may  
6-51 establish, revise, repeal, enforce, and collect rates, fees, and  
6-52 charges for the enjoyment, sale, rental, or other use of:

6-53 (1) an improvement project;

6-54 (2) a product resulting from an improvement project;

6-55 or

6-56 (3) another district facility, service, or property.

6-57 SUBCHAPTER F. DISSOLUTION

6-58 Sec. 3947.301. DISSOLUTION BY BOARD. The board may  
6-59 dissolve the district in the manner provided by Section 375.261,  
6-60 Local Government Code, subject to Section 375.264, Local Government  
6-61 Code.

6-62 Sec. 3947.302. DISSOLUTION BY CITY. (a) The city may  
6-63 dissolve the district by ordinance.

6-64 (b) The city may not dissolve the district until:

6-65 (1) the district's outstanding debt or contractual  
6-66 obligations have been repaid or discharged; or

6-67 (2) the city agrees to succeed to the rights and  
6-68 obligations of the district, including an obligation described by  
6-69 Section 3947.304.

7-1 Sec. 3947.303. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.  
7-2 (a) If the dissolved district has bonds or other obligations  
7-3 outstanding secured by and payable from assessments or other  
7-4 revenue, the city succeeds to the rights and obligations of the  
7-5 district regarding enforcement and collection of the assessments or  
7-6 other revenue.

7-7 (b) The city shall have and exercise all district powers to  
7-8 enforce and collect the assessments or other revenue to pay:

7-9 (1) the bonds or other obligations when due and  
7-10 payable according to their terms; or

7-11 (2) revenue or assessment bonds or other obligations  
7-12 issued by the city to refund the outstanding bonds or obligations of  
7-13 the district.

7-14 Sec. 3947.304. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
7-15 After the city dissolves the district, the city assumes the  
7-16 obligations of the district, including any contractual obligations  
7-17 or bonds or other debt payable from assessments or other district  
7-18 revenue.

7-19 (b) If the city dissolves the district, the board shall  
7-20 transfer ownership of all district property to the city.

7-21 Sec. 3947.305. NO DISSOLUTION BY PETITION. Section  
7-22 375.262, Local Government Code, does not apply to the district.

7-23 SUBCHAPTER Z. SPECIAL BOND PROVISIONS

7-24 Sec. 3947.901. APPLICABILITY. This subchapter applies only  
7-25 to bonds payable wholly or partly from revenue derived from  
7-26 assessments on real property in the district.

7-27 Sec. 3947.902. CONFLICT OF LAWS. In the event of a conflict  
7-28 between this subchapter and any other law, this subchapter  
7-29 prevails.

7-30 Sec. 3947.903. WRITTEN AGREEMENT REGARDING SPECIAL  
7-31 APPRAISALS. Before the district may issue bonds, the district and  
7-32 any person to whom the board intends that proceeds of the bonds be  
7-33 distributed, including the developer, another owner of land in the  
7-34 district, and any entity acting as a lender to the developer or  
7-35 other landowner for the purpose of a project relating to the  
7-36 district, must enter into a written agreement that:

7-37 (1) waives for the term of the agreement the right to a  
7-38 special appraisal with respect to taxation by the district under  
7-39 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

7-40 (2) remains in effect for 30 years and is binding on  
7-41 the parties, on entities related to or affiliated with the parties,  
7-42 and on their successors and assignees.

7-43 Sec. 3947.904. REQUIREMENTS FOR ADVERTISING BOND ISSUE. A  
7-44 district may not advertise for an issuance of bonds until the  
7-45 completion of at least 25 percent of the projected value of the  
7-46 improvements, including houses and other buildings, that are liable  
7-47 for district assessments and necessary to support the district  
7-48 bonds.

7-49 Sec. 3947.905. REQUIREMENTS FOR BOND ISSUE. The district  
7-50 may not issue bonds until:

7-51 (1) the district submits to the commission:

7-52 (A) an engineer's report describing the project  
7-53 for which the bonds will provide funding, including data, profiles,  
7-54 maps, plans, and specifications related to the project; and

7-55 (B) a cash flow analysis to determine the  
7-56 projected rate of assessment, which includes the following  
7-57 assumptions:

7-58 (i) each ending balance for debt service in  
7-59 the analysis is not less than 25 percent of the following year's  
7-60 debt service requirement;

7-61 (ii) interest income is only shown on the  
7-62 ending balance for debt service for the first two years; and

7-63 (iii) the projected rate of assessment is  
7-64 level or decreasing for the life of the bonds issued by the  
7-65 district;

7-66 (2) the completion of at least 75 percent of the  
7-67 projected value of the improvements, including houses and other  
7-68 buildings, that are liable for district assessments and necessary  
7-69 to support the district bonds; and

8-1 (3) the district has obtained an independent market  
8-2 study from a firm recognized in the area of real estate market  
8-3 analysis supporting the development projects for the real property  
8-4 that is liable for district assessments and necessary to support  
8-5 the district bonds.

8-6 Sec. 3947.906. REQUIREMENTS FOR COLLECTION OF REVENUE TO  
8-7 PAY BONDS. The district may not collect an assessment to be used  
8-8 for the payment of bonds until:

8-9 (1) the completion of at least 95 percent of the  
8-10 underground water, wastewater, and drainage facilities financed  
8-11 from bond proceeds that are necessary to serve the projected  
8-12 build-out, as certified by the district's engineer;

8-13 (2) the district or other appropriate party has  
8-14 secured the groundwater, surface water, and water discharge permits  
8-15 that are necessary to secure capacity to support the projected  
8-16 build-out;

8-17 (3) the completion of at least 95 percent of lift  
8-18 station, water plant, and sewage treatment plant capacity  
8-19 sufficient to serve the connections constructed in the project for  
8-20 a period of not less than 18 months, as certified by the district's  
8-21 engineer; and

8-22 (4) the completion of at least 95 percent of the  
8-23 streets and roads that are necessary to provide access to the areas  
8-24 served by utilities and financed by the proceeds of bonds issued by  
8-25 the district, as certified by the district's engineer and  
8-26 constructed in accordance with municipal or county standards.

8-27 SECTION 2. The University Hills Municipal Management  
8-28 District initially includes all the territory contained in the  
8-29 following area:

8-30 BEING a 281.112-acres tract or parcel of land out of Abstract  
8-31 Number 1277, Abstract Number 0014 and Abstract Number 0380 situated  
8-32 in the City of Dallas, Dallas County, Texas; and being part of that  
8-33 tract of land conveyed to Patriot Real Estate Holdings RS10 by Deed  
8-34 recorded in Instrument Number 201200385008, Deed Records, Dallas  
8-35 County Texas, and being part of that tract of land conveyed to CADG  
8-36 Property Holdings I, LLC by deed recorded in Instrument Number  
8-37 201600055916, Deed Records, Dallas County, Texas, and being part of  
8-38 that tract of land conveyed to CADG Property Holdings I, LLC by deed  
8-39 recorded in Instrument Number 201500029116, Deed Records, Dallas  
8-40 County, and being part of that tract of land conveyed to CADG  
8-41 Property Holdings SPV, LLC by deed recorded in Instrument Number  
8-42 201400314231, Deed Recorded, Dallas County, Texas, and being part  
8-43 of that tract of land conveyed to St. Marks Believers Temple by deed  
8-44 recorded in Volume 81014, Page 976, Deed Records, Dallas County,  
8-45 Texas; and being more particularly described as follows:

8-46 COMMENCING at the northeast corner of a tract of land  
8-47 conveyed to Patriot Real Estate Holdings RS10 by deed recorded in  
8-48 Instrument Number 201200385008, Deed Records, Dallas County,  
8-49 Texas, said point being in the west right-of-way line of Lancaster  
8-50 Road (variable width right-of-way);

8-51 THENCE South 07 degrees 07 minutes 07 seconds East along the  
8-52 easterly line of said Patriot Real Estate Holdings RS10 tract and  
8-53 along the westerly right-of-way line of said Lancaster Road a  
8-54 distance of 433.04 feet to the POINT OF BEGINNING;

8-55 THENCE South 07 degrees 25 minutes 01 seconds East,  
8-56 continuing along the easterly line of said Instrument Number  
8-57 201600198606 tract and the westerly right-of-way line of said  
8-58 Lancaster Road, a total distance of 734.79 feet to a point for  
8-59 corner;

8-60 THENCE South 07 degrees 25 minutes 18 seconds East, following  
8-61 the easterly line of said Instrument Number 201600055154 and the  
8-62 westerly right-of-way line of Lancaster Road, a total distance of  
8-63 583.17 feet to a point for corner;

8-64 THENCE South 06 degrees 24 minutes 46 seconds East,  
8-65 continuing along said westerly right-of-way line, a total distance  
8-66 of 105.30 feet to a point for corner;

8-67 THENCE South 07 degrees 54 minutes 14 seconds East,  
8-68 continuing along said westerly right-of-way line, a total distance  
8-69 of 193.87 feet to a point for corner;



9-1           THENCE South 07 degrees 27 minutes 10 seconds East,  
9-2 continuing along said westerly right-of-way line and following the  
9-3 easterly line of said Instrument Number 201600055916a total  
9-4 distance of 401.82 feet to a point for corner, said point being the  
9-5 northeast corner of a tract of land conveyed to Yvonne Simmons by  
9-6 deed recorded in Volume 2005121, Page 3183, Deed Records, Dallas  
9-7 County, Texas;  
9-8           THENCE South 82 degrees 29 minutes 50 seconds West,  
9-9 continuing along the easterly line of said Instrument Number  
9-10 201600055916 tract and the northerly line of said Simmons tract, a  
9-11 total distance of 150.00 feet to a point for corner; said point  
9-12 being the northwesterly corner of said Simmons tract;  
9-13           THENCE South 07 degrees 27 minutes 10 seconds East,  
9-14 continuing along the easterly line of said Instrument Number  
9-15 201600055916 tract and the westerly line of said Simmons tract, a  
9-16 total distance of 68.00 feet to a point for corner, said point being  
9-17 the southwest corner of said Simmons tract;  
9-18           THENCE North 82 degrees 29 minutes 50 seconds East,  
9-19 continuing along the easterly line of said Instrument Number  
9-20 201600055916 tract and the southerly line of said Simmons tract, a  
9-21 total distance of 150.00 feet to a point for corner, said point  
9-22 being the southeast corner of said Simmons tract;  
9-23           THENCE South 07 degrees 27 minutes 10 seconds East, following  
9-24 said westerly right-of-way line of Lancaster Road, a total distance  
9-25 of 251.73 feet to a point for corner, said point being the beginning  
9-26 of a tangent curve to the left;  
9-27           THENCE in a southeasterly direction along a curve to the  
9-28 left, having a central angle of 00 degrees 23 minutes 50 seconds, a  
9-29 radius of 8654.40 feet, and a chord bearing and distance of South 07  
9-30 degrees 39 minutes 05 seconds East, 60.00 feet, a total arc length  
9-31 of 60.00 feet to a point for corner, said point being in an easterly  
9-32 corner of a tract of land conveyed to King E. Rhodes, by deed  
9-33 recorded in Volume 2002187, Page 0125, Deed Records, Dallas County,  
9-34 Texas;  
9-35           THENCE South 77 degrees 25 minutes 31 seconds West, along the  
9-36 southerly line of said Instrument Number 201600055916 tract and the  
9-37 easterly line of said Rhodes tract, a total distance of 323.66 feet  
9-38 to a point for corner, said point being the southwest corner of said  
9-39 Instrument Number 201600055916 tract, said point also being a  
9-40 easterly corner of said Rhodes tract;  
9-41           THENCE North 07 degrees 22 minutes 14 seconds West, along the  
9-42 westerly line of said Instrument Number 201600055916 tract and the  
9-43 easterly line of said Rhodes tract, a total distance of 890.11 feet,  
9-44 to a point for corner, said point being the northwest corner of said  
9-45 Instrument Number 201600055916 tract and the northeast corner of  
9-46 said Rhodes tract, said point also being in a call centerline of  
9-47 Wheatland Road;  
9-48           THENCE South 58 degrees 38 minutes 34 seconds West, following  
9-49 the centerline of said Wheatland Road, a total distance of 287.40  
9-50 feet to a point for corner;  
9-51           THENCE South 58 degrees 50 minutes 23 seconds West,  
9-52 continuing along the centerline of said Wheatland Road, a total  
9-53 distance of 834.11 feet to a point for corner, said point being the  
9-54 northwest corner of said Rhodes tract;  
9-55           THENCE South 37 degrees 05 minutes 08 seconds East, following  
9-56 the westerly line of said Rhodes tract and the easterly line of said  
9-57 Instrument Number 201400314231, a total distance of 1206.46 feet to  
9-58 a point for corner, said point being the southwest corner of said  
9-59 Rhodes tract;  
9-60           THENCE North 52 degrees 54 minutes 29 seconds East, following  
9-61 the southerly line of said Rhodes tract, a total distance of 492.84  
9-62 feet to a point for corner;  
9-63           THENCE North 07 degrees 22 minutes 14 seconds West, following  
9-64 the southeasterly line of said Rhodes tract, a total distance of  
9-65 235.91 feet to a point for corner;  
9-66           THENCE North 77 degrees 25 minutes 15 seconds East,  
9-67 continuing along said southeasterly line of said Rhodes tract, a  
9-68 total distance of 323.99 feet to a point for corner, said point  
9-69 being in said westerly right-of-way line of Lancaster Road, said

10-1 point also being the beginning of a non-tangent curve to the left;  
10-2 THENCE in a southeasterly direction along said curve to the  
10-3 left and following said westerly right-of-way line, having a  
10-4 central angle of 05 degrees 25 minutes 56 seconds, a radius of  
10-5 8654.40 feet, and a chord bearing and distance of South 11 degrees  
10-6 25 minutes 46 seconds East, 820.22 feet, a total arc length of  
10-7 820.53 feet, to a point for corner, said point being in the  
10-8 southerly line of said Instrument Number 201600055916 tract, said  
10-9 point also being the most northeasterly corner of a tract of land  
10-10 conveyed to DFW Oil Inc. as recorded in Instrument #2008038074,  
10-11 Deed Records, Dallas County, Texas;  
10-12 THENCE South 75 degrees 57 minutes 36 seconds West, along the  
10-13 southerly line of said Instrument Number 201600055916 tract and the  
10-14 northerly line of said DFW Oil Inc. tract, a total distance of  
10-15 225.00 feet to a point for corner;  
10-16 THENCE South 15 degrees 36 minutes 40 seconds East,  
10-17 continuing along the southerly line of Instrument Number  
10-18 201600055916 tract and the northerly line of said DFW Oil Inc.  
10-19 tract, a total distance of 385.17 feet, to a point for corner, said  
10-20 point being the northeast corner of a tract of land conveyed to All  
10-21 Saints Inc., as recorded Instrument Number 200900059010, Deed  
10-22 Records, Dallas County, Texas, said point being in the southerly  
10-23 line of said Instrument Number 201600055916 tract;  
10-24 THENCE South 69 degrees 59 minutes 35 seconds West, along the  
10-25 southerly line of said Instrument Number 201600055916 tract and the  
10-26 northerly line of said All Saints Inc. tract, a total distance of  
10-27 295.42 feet, a point for corner, said point being in the southerly  
10-28 line of said Instrument #201600055916 tract and the northwesterly  
10-29 corner of said All Saints Inc. tract;  
10-30 THENCE South 20 degrees 24 minutes 03 seconds East, along the  
10-31 southerly line of said Instrument Number 201600055916 tract and the  
10-32 westerly line of said All Saints Inc. tract a total distance of  
10-33 231.52 feet to a point for corner, said point being the southwest  
10-34 corner of said All Saints Inc. tract and the southerly line of said  
10-35 Instrument Number 201600055916 tract and the northerly line of said  
10-36 DFW Oil Inc. tract;  
10-37 THENCE South 69 degrees 51 minutes 21 seconds West, along the  
10-38 southerly line of said Instrument Number 201600055916 tract and the  
10-39 northerly line of said DFW Oil Inc. tract a total distance of 221.74  
10-40 feet to a point for corner, said point being the southerly line of  
10-41 said Instrument Number 201600055916 tract and the northwest corner  
10-42 of said DFW Oil Inc. tract;  
10-43 THENCE South 20 degrees 08 minutes 39 seconds East, along the  
10-44 southerly line of said Instrument Number 201600055916 tract and the  
10-45 west line of said DFW Oil Inc. tract, a total distance of 250.00  
10-46 feet to a point for corner, said point being the most southerly  
10-47 corner of said Instrument Number 201600055916 tract and being the  
10-48 southwest corner of said DFW Oil Inc. tract, said point also being  
10-49 in the northerly line of Interstate Highway 20 (LBJ Freeway a  
10-50 variable width right-of-way);  
10-51 THENCE South 69 degrees 51 minutes 21 seconds West, along the  
10-52 southerly line of said Instrument Number 201600055916 tract and the  
10-53 northerly right-of-way line of said Interstate Highway 20, a total  
10-54 distance of 315.04 feet;  
10-55 THENCE South 71 degrees 39 minutes 35 seconds West,  
10-56 continuing along the southerly line of said Instrument Number  
10-57 201600055916 tract with the northerly line of said Interstate  
10-58 Highway 20, a total distance of 1338.56 feet;  
10-59 THENCE South 55 degrees 12 minutes 20 seconds West,  
10-60 continuing along the southerly line of said Instrument Number  
10-61 201600055916 tract with the northerly line of said Interstate  
10-62 Highway 20, a total distance of 39.62 feet said point being the  
10-63 southwest corner of said Instrument #201600055916 tract and the  
10-64 southeast corner of a tract of land conveyed to Susan Wright Key, by  
10-65 deed recorded in Volume 88021, Page 1852, Deed Records, Dallas  
10-66 County, Texas;  
10-67 THENCE North 30 degrees 14 minutes 08 seconds West, along the  
10-68 westerly line of said Instrument Number 201600055916 tract and  
10-69 along the easterly line of said Susan Wright Key tract and the

11-1 easterly line of a tract of land conveyed to Wycliff Bible  
11-2 Translators, Inc. as recorded in Volume 74198, Page 104, Deed  
11-3 Records, Dallas County, Texas and the easterly line of a tract of  
11-4 land conveyed to George P. Shropulos Family Limited Partnership as  
11-5 recorded in Volume 94043, Page 2846, Deed Records, Dallas County,  
11-6 Texas, a total distance of 2132.27 feet to a point for corner, said  
11-7 point being in the south right-of-way line of Wheatland Road (a  
11-8 variable width right-of-way), said point being the northwest corner  
11-9 of said Instrument Number 201600055916 tract;

11-10       THENCE with the westerly line of said Instrument  
11-11 #201500029116 tract and the easterly line of said RKCJ LLC tract the  
11-12 following courses and distances:

11-13             South 58 degrees 50 minutes 23 seconds West, a total  
11-14 distance of 22.99 feet to a point for corner;

11-15             North 30 degrees 26 minutes 17 seconds West, a total  
11-16 distance of 472.69 feet to a point for corner;

11-17             North 62 degrees 56 minutes 00 seconds East, a total  
11-18 distance of 17.96 feet to a point for corner;

11-19             North 31 degrees 11 minutes 24 seconds West, a total  
11-20 distance of 1205.27 feet to a point for corner, said point being  
11-21 approximately the center line of a creek;

11-22       THENCE along said approximately centerline of creek the  
11-23 following courses and distances;

11-24             North 18 degrees 56 minutes 06 seconds East, a total  
11-25 distance of 154.49 feet to a point for corner;

11-26             North 53 degrees 46 minutes 06 seconds East, a total  
11-27 distance of 203.00 feet to a point for corner;

11-28             South 68 degrees 22 minutes 54 seconds East, a total  
11-29 distance of 133.72 feet to a point for corner;

11-30             North 86 degrees 02 minutes 06 seconds East, a total  
11-31 distance of 111.50 feet to a point for corner;

11-32             North 10 degrees 48 minutes 06 seconds East, a total  
11-33 distance of 107.15 feet to a point for corner;

11-34             North 35 degrees 39 minutes 06 seconds East, a total  
11-35 distance of 141.00 feet to a point for corner;

11-36             North 78 degrees 20 minutes 06 seconds East, a total  
11-37 distance of 97.05 feet to a point for corner;

11-38             North 28 degrees 27 minutes 54 seconds West, a total  
11-39 distance of 140.57 feet to a point for corner;

11-40             North 47 degrees 08 minutes 06 seconds East, a total  
11-41 distance of 150.88 feet to a point for corner;

11-42             North 31 degrees 12 minutes 06 seconds East, a total  
11-43 distance of 130.56 feet to a point for corner;

11-44             North 63 degrees 34 minutes 36 seconds East, a total  
11-45 distance of 134.95 feet to a point for corner;

11-46             North 87 degrees 41 minutes 36 seconds East, a total  
11-47 distance of 129.10 feet to a point for corner;

11-48             North 03 degrees 13 minutes 36 seconds East, a total  
11-49 distance of 132.20 feet to a point for corner;

11-50             North 34 degrees 51 minutes 36 seconds East, a total  
11-51 distance of 164.10 feet to a point for corner;

11-52             North 11 degrees 51 minutes 36 seconds East, a total  
11-53 distance of 124.70 feet to a point for corner;

11-54       THENCE North 23 degrees 47 minutes 24 seconds West, a total  
11-55 distance of 139.58 feet to a point for corner, said point being in  
11-56 the northerly line of said Instrument Number 201500029116 tract and  
11-57 the southerly line of a tract of land conveyed to the City of Dallas  
11-58 as recorded in Volume 95095, Page 5779, Deed Records, Dallas  
11-59 County, Texas;

11-60       THENCE North 54 degrees 24 minutes 43 seconds East, along the  
11-61 northerly line of said Instrument Number 201500029116 tract and  
11-62 along the southerly line of said City of Dallas tract a total  
11-63 distance of 537.89 feet to a point for corner;

11-64       THENCE North 32 degrees 43 minutes 59 seconds West,  
11-65 continuing along said common line a total distance of 1.62 feet;

11-66       THENCE North 58 degrees 51 minutes 51 seconds East,  
11-67 continuing along said common line and passing along the southerly  
11-68 line of a tract of land conveyed to 154 Lancaster Ltd., as recorded  
11-69 in Volume 98055, Page 0435, Deed Records, Dallas County, Texas, a

12-1 total distance of 471.29 feet to a point for corner, said point  
12-2 being the northeasterly corner of said Instrument #201500029116  
12-3 tract;

12-4 THENCE South 31 degrees 05 minutes 57 seconds East, departing  
12-5 the southerly line of said 154 Lancaster Ltd. tract along the  
12-6 easterly line of said Instrument Number 201500029116 tract passing  
12-7 along the westerly line of a tract of land conveyed to Camplanc  
12-8 Investments as recorded in Instrument Number 201100097436, Deed  
12-9 Records, Dallas County, Texas and passing along the westerly line  
12-10 of said Proton Properties LLC tract, a total distance of 634.03 feet  
12-11 to a point for corner, said point being the southwesterly corner of  
12-12 said Proton Properties LLC tract, and being a northerly corner of  
12-13 said Instrument Number 201500029116 tract;

12-14 THENCE along the northerly line of said Instrument Number  
12-15 201500029116 tract and the southerly line of said Proton Properties  
12-16 LLC tract the following courses and distances:

12-17 North 58 degrees 57 minutes 36 seconds East, a total  
12-18 distance of 894.69 feet to a point for corner;

12-19 South 07 degrees 25 minutes 01 seconds East, a total  
12-20 distance of 277.11 feet to a point for corner;

12-21 North 82 degrees 34 minutes 59 seconds East, a total  
12-22 distance of 439.00 feet to the POINT OF BEGINNING and containing a  
12-23 total area of 12,245,246.54 square feet, or 281.112 acres of land,  
12-24 more or less.

12-25 SECTION 3. (a) The legal notice of the intention to  
12-26 introduce this Act, setting forth the general substance of this  
12-27 Act, has been published as provided by law, and the notice and a  
12-28 copy of this Act have been furnished to all persons, agencies,  
12-29 officials, or entities to which they are required to be furnished  
12-30 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
12-31 Government Code.

12-32 (b) The governor, one of the required recipients, has  
12-33 submitted the notice and Act to the Texas Commission on  
12-34 Environmental Quality.

12-35 (c) The Texas Commission on Environmental Quality has filed  
12-36 its recommendations relating to this Act with the governor,  
12-37 lieutenant governor, and speaker of the house of representatives  
12-38 within the required time.

12-39 (d) The general law relating to consent by political  
12-40 subdivisions to the creation of districts with conservation,  
12-41 reclamation, and road powers and the inclusion of land in those  
12-42 districts has been complied with.

12-43 (e) All requirements of the constitution and laws of this  
12-44 state and the rules and procedures of the legislature with respect  
12-45 to the notice, introduction, and passage of this Act have been  
12-46 fulfilled and accomplished.

12-47 SECTION 4. This Act takes effect immediately if it receives  
12-48 a vote of two-thirds of all the members elected to each house, as  
12-49 provided by Section 39, Article III, Texas Constitution. If this  
12-50 Act does not receive the vote necessary for immediate effect, this  
12-51 Act takes effect September 1, 2017.

12-52 \* \* \* \* \*