

1-1 By: Stucky (Senate Sponsor - Parker) H.B. No. 5376  
 1-2 (In the Senate - Received from the House May 15, 2023;  
 1-3 May 16, 2023, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2023, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
 1-6 May 22, 2023, 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	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 5376 By: Springer

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the creation of the Tabor Ranch Municipal Management  
 1-22 District; providing authority to issue bonds; providing authority  
 1-23 to impose assessments, fees, and taxes; granting a limited power of  
 1-24 eminent domain.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-26 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-27 Code, is amended by adding Chapter 4000 to read as follows:

1-28 CHAPTER 4000. TABOR RANCH MUNICIPAL MANAGEMENT DISTRICT

1-29 SUBCHAPTER A. GENERAL PROVISIONS

1-30 Sec. 4000.0101. DEFINITIONS. In this chapter:

1-31 (1) "Board" means the district's board of directors.

1-32 (2) "City" means the City of Denton.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Tabor Ranch Municipal  
 1-35 Management District.

1-36 Sec. 4000.0102. NATURE OF DISTRICT. The Tabor Ranch  
 1-37 Municipal Management District is a special district created under  
 1-38 Section 59, Article XVI, Texas Constitution.

1-39 Sec. 4000.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-40 creation of the district is essential to accomplish the purposes of  
 1-41 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-42 Texas Constitution, and other public purposes stated in this  
 1-43 chapter.

1-44 (b) 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 (c) 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 (d) This chapter and the creation of the district may not be  
 1-54 interpreted to relieve the city from providing the level of  
 1-55 services provided as of the effective date of the Act enacting this  
 1-56 chapter to the area in the district. The district is created to  
 1-57 supplement and not to supplant city services provided in the  
 1-58 district.

1-59 Sec. 4000.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-60 (a) All land and other property included in the district will

2-1 benefit from the improvements and services to be provided by the  
2-2 district under powers conferred by Sections 52 and 52-a, Article  
2-3 III, and Section 59, Article XVI, Texas Constitution, and other  
2-4 powers granted under this chapter.

2-5 (b) The district is created to serve a public use and  
2-6 benefit.

2-7 (c) The creation of the district is in the public interest  
2-8 and is essential to further the public purposes of:

2-9 (1) developing and diversifying the economy of the  
2-10 state;

2-11 (2) eliminating unemployment and underemployment; and

2-12 (3) developing or expanding transportation and  
2-13 commerce.

2-14 (d) The district will:

2-15 (1) promote the health, safety, and general welfare of  
2-16 residents, employers, potential employees, employees, visitors,  
2-17 and consumers in the district, and of the public;

2-18 (2) provide needed funding for the district to  
2-19 preserve, maintain, and enhance the economic health and vitality of  
2-20 the district territory as a community and business center;

2-21 (3) promote the health, safety, welfare, and enjoyment  
2-22 of the public by providing pedestrian ways and by landscaping and  
2-23 developing certain areas in the district, which are necessary for  
2-24 the restoration, preservation, and enhancement of scenic beauty;  
2-25 and

2-26 (4) provide for water, wastewater, drainage, road, and  
2-27 recreational facilities for the district.

2-28 (e) Pedestrian ways along or across a street, whether at  
2-29 grade or above or below the surface, and street lighting, street  
2-30 landscaping, parking, and street art objects are parts of and  
2-31 necessary components of a street and are considered to be a street  
2-32 or road improvement.

2-33 (f) The district will not act as the agent or  
2-34 instrumentality of any private interest even though the district  
2-35 will benefit many private interests as well as the public.

2-36 Sec. 4000.0105. INITIAL DISTRICT TERRITORY. (a) The  
2-37 district is initially composed of the territory described by  
2-38 Section 2 of the Act enacting this chapter.

2-39 (b) The boundaries and field notes contained in Section 2 of  
2-40 the Act enacting this chapter form a closure. A mistake in the  
2-41 field notes or in copying the field notes in the legislative process  
2-42 does not affect the district's:

2-43 (1) organization, existence, or validity;

2-44 (2) right to issue any type of bonds for the purposes  
2-45 for which the district is created or to pay the principal of and  
2-46 interest on the bonds;

2-47 (3) right to impose or collect an assessment; or

2-48 (4) legality or operation.

2-49 Sec. 4000.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-50 All or any part of the area of the district is eligible to be  
2-51 included in:

2-52 (1) a tax increment reinvestment zone created under  
2-53 Chapter 311, Tax Code; or

2-54 (2) a tax abatement reinvestment zone created under  
2-55 Chapter 312, Tax Code.

2-56 Sec. 4000.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-57 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-58 Chapter 375, Local Government Code, applies to the district.

2-59 Sec. 4000.0108. PRECONDITION. (a) The district may not  
2-60 exercise any powers granted to the district by this chapter or other  
2-61 law unless a development agreement between the city and the primary  
2-62 landowner in the district that establishes the standards that apply  
2-63 to development in the district, in addition to those contained in  
2-64 zoning, subdivision, and other applicable ordinances of the city,  
2-65 has been executed.

2-66 (b) If a development agreement described by Subsection (a)  
2-67 has not been executed before September 1, 2025, the board shall  
2-68 dissolve the district in the manner provided by Subchapter I as soon  
2-69 as possible after September 1, 2025.

3-1 Sec. 4000.0109. CONSTRUCTION OF CHAPTER. This chapter  
3-2 shall be liberally construed in conformity with the findings and  
3-3 purposes stated in this chapter.

3-4 SUBCHAPTER B. BOARD OF DIRECTORS

3-5 Sec. 4000.0201. GOVERNING BODY; TERMS. (a) The district is  
3-6 governed by a board of five elected directors who serve staggered  
3-7 terms of four years.

3-8 (b) Directors are elected in the manner provided by  
3-9 Subchapter D, Chapter 49, Water Code.

3-10 Sec. 4000.0202. COMPENSATION; EXPENSES. (a) The district  
3-11 may compensate each director in an amount not to exceed \$150 for  
3-12 each board meeting. The total amount of compensation for each  
3-13 director in one year may not exceed \$7,200.

3-14 (b) A director is entitled to reimbursement for necessary  
3-15 and reasonable expenses incurred in carrying out the duties and  
3-16 responsibilities of the board.

3-17 Sec. 4000.0203. INITIAL DIRECTORS. (a) The initial board  
3-18 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
3-19 <u>1</u>	<u>James Johnston</u>
3-20 <u>2</u>	<u>Felix Wong</u>
3-21 <u>3</u>	<u>Damian Perez</u>
3-22 <u>4</u>	<u>Buck Nguyen</u>
3-23 <u>5</u>	<u>Anna Stewart</u>

3-24 (b) Of the initial directors, the terms of directors  
3-25 appointed for positions one through three expire June 1, 2025, and  
3-26 the terms of directors appointed for positions four and five expire  
3-27 June 1, 2027.

3-28 SUBCHAPTER C. POWERS AND DUTIES

3-29 Sec. 4000.0301. GENERAL POWERS AND DUTIES. The district  
3-30 has the powers and duties necessary to accomplish the purposes for  
3-31 which the district is created.

3-32 Sec. 4000.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The  
3-33 district, using any money available to the district for the  
3-34 purpose, may provide, design, construct, acquire, improve,  
3-35 relocate, operate, maintain, or finance an improvement project or  
3-36 service authorized under this chapter or under Chapter 375, Local  
3-37 Government Code.

3-38 (b) The district may contract with a governmental or private  
3-39 entity to carry out an action under Subsection (a).

3-40 (c) The implementation of a district project or service is a  
3-41 governmental function or service for the purposes of Chapter 791,  
3-42 Government Code.

3-43 Sec. 4000.0303. NONPROFIT CORPORATION. (a) The board by  
3-44 resolution may authorize the creation of a nonprofit corporation to  
3-45 assist and act for the district in implementing a project or  
3-46 providing a service authorized by this chapter.

3-47 (b) The nonprofit corporation:  
3-48 (1) has each power of and is considered to be a local  
3-49 government corporation created under Subchapter D, Chapter 431,  
3-50 Transportation Code; and

3-51 (2) may implement any project and provide any service  
3-52 authorized by this chapter.

3-53 (c) The board shall appoint the board of directors of the  
3-54 nonprofit corporation. The board of directors of the nonprofit  
3-55 corporation shall serve in the same manner as the board of directors  
3-56 of a local government corporation created under Subchapter D,  
3-57 Chapter 431, Transportation Code, except that a board member is not  
3-58 required to reside in the district.

3-59 Sec. 4000.0304. LAW ENFORCEMENT SERVICES. To protect the  
3-60 public interest, the district may contract with a qualified party,  
3-61 including the city, to provide law enforcement services in the  
3-62 district for a fee.

3-63 Sec. 4000.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.  
3-64 The district may join and pay dues to a charitable or nonprofit  
3-65 organization that performs a service or provides an activity  
3-66 consistent with the furtherance of a district purpose.

3-67 Sec. 4000.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
3-68 district may engage in activities that accomplish the economic  
3-69

4-1 development purposes of the district.  
4-2 (b) The district may establish and provide for the  
4-3 administration of one or more programs to promote state or local  
4-4 economic development and to stimulate business and commercial  
4-5 activity in the district, including programs to:  
4-6 (1) make loans and grants of public money; and  
4-7 (2) provide district personnel and services.  
4-8 (c) The district may create economic development programs  
4-9 and exercise the economic development powers provided to  
4-10 municipalities by:  
4-11 (1) Chapter 380, Local Government Code; and  
4-12 (2) Subchapter A, Chapter 1509, Government Code.  
4-13 Sec. 4000.0307. PARKING FACILITIES. (a) The district may  
4-14 acquire, lease as lessor or lessee, construct, develop, own,  
4-15 operate, and maintain parking facilities or a system of parking  
4-16 facilities, including lots, garages, parking terminals, or other  
4-17 structures or accommodations for parking motor vehicles off the  
4-18 streets and related appurtenances.  
4-19 (b) The district's parking facilities serve the public  
4-20 purposes of the district and are owned, used, and held for a public  
4-21 purpose even if leased or operated by a private entity for a term of  
4-22 years.  
4-23 (c) The district's parking facilities are parts of and  
4-24 necessary components of a street and are considered to be a street  
4-25 or road improvement.  
4-26 (d) The development and operation of the district's parking  
4-27 facilities may be considered an economic development program.  
4-28 Sec. 4000.0308. ADDING OR EXCLUDING LAND. The district may  
4-29 add or exclude land in the manner provided by Subchapter J, Chapter  
4-30 49, Water Code, or by Subchapter H, Chapter 54, Water Code.  
4-31 Sec. 4000.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
4-32 board by resolution shall establish the number of directors'  
4-33 signatures and the procedure required for a disbursement or  
4-34 transfer of district money.  
4-35 Sec. 4000.0310. DIVISION OF DISTRICT. (a) The district may  
4-36 be divided into two or more new districts only if the district:  
4-37 (1) has no outstanding bonded debt; and  
4-38 (2) is not imposing ad valorem taxes.  
4-39 (b) This chapter applies to any new district created by the  
4-40 division of the district, and a new district has all the powers and  
4-41 duties of the district.  
4-42 (c) Any new district created by the division of the district  
4-43 may not, at the time the new district is created, contain any land  
4-44 outside the area described by Section 2 of the Act enacting this  
4-45 chapter.  
4-46 (d) The board, on its own motion or on receipt of a petition  
4-47 signed by the owner or owners of a majority of the assessed value of  
4-48 the real property in the district, may adopt an order dividing the  
4-49 district.  
4-50 (e) An order dividing the district must:  
4-51 (1) name each new district;  
4-52 (2) include the metes and bounds description of the  
4-53 territory of each new district;  
4-54 (3) appoint initial directors for each new district;  
4-55 and  
4-56 (4) provide for the division of assets and liabilities  
4-57 between or among the new districts.  
4-58 (f) On or before the 30th day after the date of adoption of  
4-59 an order dividing the district, the district shall file the order  
4-60 with the Texas Commission on Environmental Quality and record the  
4-61 order in the real property records of each county in which the  
4-62 district is located.  
4-63 (g) Any new district created by the division of the district  
4-64 must hold an election as required by this chapter to obtain voter  
4-65 approval before the district may impose a maintenance tax or issue  
4-66 bonds payable wholly or partly from ad valorem taxes.  
4-67 (h) Municipal consent to the creation of the district and to  
4-68 the inclusion of land in the district granted under Section  
4-69 4000.0506 acts as municipal consent to the creation of any new

5-1 district created by the division of the district and to the  
5-2 inclusion of land in the new district.

5-3 Sec. 4000.0311. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.  
5-4 Section 375.161, Local Government Code, does not apply to the  
5-5 district.

5-6 Sec. 4000.0312. EMINENT DOMAIN. The district may exercise  
5-7 the power of eminent domain in the manner provided by Section  
5-8 49.222, Water Code.

5-9 SUBCHAPTER D. ASSESSMENTS

5-10 Sec. 4000.0401. PETITION REQUIRED FOR FINANCING SERVICES  
5-11 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
5-12 service or improvement project with assessments under this chapter  
5-13 unless a written petition requesting that service or improvement  
5-14 has been filed with the board.

5-15 (b) A petition filed under Subsection (a) must be signed by  
5-16 the owners of a majority of the assessed value of real property in  
5-17 the district subject to assessment according to the most recent  
5-18 certified tax appraisal roll for the county.

5-19 Sec. 4000.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
5-20 The board by resolution may impose and collect an assessment for any  
5-21 purpose authorized by this chapter in all or any part of the  
5-22 district.

5-23 (b) An assessment, a reassessment, or an assessment  
5-24 resulting from an addition to or correction of the assessment roll  
5-25 by the district, penalties and interest on an assessment or  
5-26 reassessment, an expense of collection, and reasonable attorney's  
5-27 fees incurred by the district:

5-28 (1) are a first and prior lien against the property  
5-29 assessed;

5-30 (2) are superior to any other lien or claim other than  
5-31 a lien or claim for county, school district, or municipal ad valorem  
5-32 taxes; and

5-33 (3) are the personal liability of and a charge against  
5-34 the owners of the property even if the owners are not named in the  
5-35 assessment proceedings.

5-36 (c) The lien is effective from the date of the board's  
5-37 resolution imposing the assessment until the date the assessment is  
5-38 paid. The board may enforce the lien in the same manner that the  
5-39 board may enforce an ad valorem tax lien against real property.

5-40 (d) The board may make a correction to or deletion from the  
5-41 assessment roll that does not increase the amount of assessment of  
5-42 any parcel of land without providing notice and holding a hearing in  
5-43 the manner required for additional assessments.

5-44 SUBCHAPTER E. TAXES AND BONDS

5-45 Sec. 4000.0501. TAX ELECTION REQUIRED. (a) The district  
5-46 must hold an election in the manner provided by Chapter 49, Water  
5-47 Code, or, if applicable, Chapter 375, Local Government Code, to  
5-48 obtain voter approval before the district may impose an ad valorem  
5-49 tax.

5-50 (b) Section 375.243, Local Government Code, does not apply  
5-51 to the district.

5-52 Sec. 4000.0502. OPERATION AND MAINTENANCE TAX. (a) If  
5-53 authorized by a majority of the district voters voting at an  
5-54 election under Section 4000.0501, the district may impose an  
5-55 operation and maintenance tax on taxable property in the district  
5-56 in the manner provided by Section 49.107, Water Code, for any  
5-57 district purpose, including to:

5-58 (1) maintain and operate the district;

5-59 (2) construct or acquire improvements; or

5-60 (3) provide a service.

5-61 (b) The board shall determine the operation and maintenance  
5-62 tax rate. The rate may not exceed the rate approved at the  
5-63 election.

5-64 Sec. 4000.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE  
5-65 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
5-66 terms determined by the board.

5-67 (b) The district may issue bonds, notes, or other  
5-68 obligations payable wholly or partly from ad valorem taxes,  
5-69 assessments, impact fees, revenue, contract payments, grants, or

6-1 other district money, or any combination of those sources of money,  
6-2 to pay for any authorized district purpose.

6-3 (c) The district may issue, by public or private sale,  
6-4 bonds, notes, or other obligations payable wholly or partly from  
6-5 assessments in the manner provided by Subchapter A, Chapter 372,  
6-6 Local Government Code, if the improvement financed by the  
6-7 obligation issued under this section will be conveyed to or  
6-8 operated and maintained by a municipality or other retail utility  
6-9 provider pursuant to an agreement with the district entered into  
6-10 before the issuance of the obligation.

6-11 Sec. 4000.0504. BONDS SECURED BY REVENUE OR CONTRACT  
6-12 PAYMENTS. The district may issue, without an election, bonds  
6-13 secured by:

6-14 (1) revenue other than ad valorem taxes, including  
6-15 contract revenues; or

6-16 (2) contract payments, provided that the requirements  
6-17 of Section 49.108, Water Code, have been met.

6-18 Sec. 4000.0505. BONDS SECURED BY AD VALOREM TAXES;  
6-19 ELECTIONS. (a) If authorized at an election under Section  
6-20 4000.0501, the district may issue bonds payable from ad valorem  
6-21 taxes.

6-22 (b) At the time the district issues bonds payable wholly or  
6-23 partly from ad valorem taxes, the board shall provide for the annual  
6-24 imposition of a continuing direct annual ad valorem tax, without  
6-25 limit as to rate or amount, for each year that all or part of the  
6-26 bonds are outstanding as required and in the manner provided by  
6-27 Sections 54.601 and 54.602, Water Code.

6-28 (c) All or any part of any facilities or improvements that  
6-29 may be acquired by a district by the issuance of its bonds may be  
6-30 submitted as a single proposition or as several propositions to be  
6-31 voted on at the election.

6-32 Sec. 4000.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The  
6-33 board may not issue bonds until each municipality in whose  
6-34 corporate limits or extraterritorial jurisdiction the district is  
6-35 located has consented by ordinance or resolution to the creation of  
6-36 the district and to the inclusion of land in the district.

6-37 (b) This section applies only to the district's first  
6-38 issuance of bonds payable from ad valorem taxes.

6-39 SUBCHAPTER I. DISSOLUTION

6-40 Sec. 4000.0901. DISSOLUTION. (a) The board shall dissolve  
6-41 the district on written petition filed with the board by the owners  
6-42 of:

6-43 (1) 66 percent or more of the assessed value subject to  
6-44 assessment by the district of the property in the district based on  
6-45 the most recent certified county property tax rolls; or

6-46 (2) 66 percent or more of the surface area of the  
6-47 district, excluding roads, streets, highways, utility  
6-48 rights-of-way, other public areas, and other property exempt from  
6-49 assessment by the district according to the most recent certified  
6-50 county property tax rolls.

6-51 (b) The district may not be dissolved if the district:

6-52 (1) has any outstanding bonded or other indebtedness  
6-53 until that bonded or other indebtedness has been repaid or defeased  
6-54 in accordance with the order or resolution authorizing the issuance  
6-55 of the bonded or other indebtedness;

6-56 (2) has a contractual obligation to pay money until  
6-57 that obligation has been fully paid in accordance with the  
6-58 contract; or

6-59 (3) owns, operates, or maintains public works,  
6-60 facilities, or improvements unless the district has contracted with  
6-61 another party for the ownership and operation or maintenance of the  
6-62 public works, facilities, or improvements.

6-63 (c) Section 375.262, Local Government Code, does not apply  
6-64 to the district.

6-65 SECTION 2. The Tabor Ranch Municipal Management District  
6-66 initially includes all territory contained in the following area:  
6-67 BEING, 599.392 ACRES OF LAND LOCATED IN THE S. WINFREY SURVEY,  
6-68 ABSTRACT NUMBER 1319, DENTON COUNTY, TEXAS, BEING ALL OF THE TABOR  
6-69 RANCH, LLC. CALLED 105.888 ACRE TRACT, ALL OF THE TABOR RANCH, LLC.

7-1 CALLED 21 ACRE TRACT, ALL OF THE TABOR RANCH, LLC. CALLED 52.437  
7-2 ACRE TRACT, ALL OF THE TABOR RANCH, LLC. CALLED 177-1/2 ACRE TRACT  
7-3 AND ALL OF THE TABOR RANCH, LLC. CALLED 173.93 ACRE TRACT AS  
7-4 DESCRIBED IN DOCUMENT NUMBER 2010-12029 DEED RECORDS DENTON COUNTY,  
7-5 TEXAS (D.R.D.C.T.), AND BEING A PART OF THE CALLED 70.892 ACRE  
7-6 TRACT, DESCRIBED IN A DEED TO BEALL LEGACY PARTNERS, LP, RECORDED IN  
7-7 INSTRUMENT NUMBER 148598, (D.R.D.C.T.) AND BEING MORE PARTICULARLY  
7-8 DESCRIBED AS FOLLOWS BY METES AND BOUNDS:  
7-9 BEGINNING AT A 1/2" IRON ROD FOUND IN THE APPROXIMATE INTERSECTION  
7-10 OF THE CENTERLINE OF GEORGE OWENS (NO RECORD FOUND BY SURVEYOR) AND  
7-11 THE SOUTH LINE OF OLD STONEY ROAD (NO RECORD FOUND BY SURVEYOR), IN  
7-12 THE NORTH LINE OF THE BRYAN ANDERSON CALLED 125 ACRE TRACT RECORDED  
7-13 IN VOLUME 358, PAGE 88 (D.R.D.C.T.) AND AT THE SOUTHEAST CORNER OF  
7-14 SAID 52.437 ACRE TRACT);  
7-15 THENCE SOUTH 89 DEGREES 53 MINUTES 21 SECONDS WEST, AT A DISTANCE OF  
7-16 1710.80 FEET PASS A 1/2" IRON ROD FOUND IN THE SOUTH LINE OF SAID OLD  
7-17 STONEY ROAD, AT THE NORTHWEST CORNER OF SAID 125 ACRE TRACT AND  
7-18 BEING THE COMMON NORTHEAST CORNER OF THE FRED E. KENNEDY AND MARSHA  
7-19 A. KENNEDY, CALLED 5.322 ACRE TRACT RECORDED IN INSTRUMENT NUMBER  
7-20 1993-42458 (D.R.D.C.T.) CONTINUING ALONG THE SOUTH LINE OF OLD  
7-21 STONEY ROAD AND THE NORTH LINE OF SAID 5.322 A TOTAL DISTANCE OF  
7-22 1792.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT  
7-23 THE SOUTHWEST CORNER OF SAID 52.437 ACRE TRACT SAME BEING THE COMMON  
7-24 SOUTHEAST CORNER OF SAID 177-1/2 ACRE TRACT;  
7-25 THENCE SOUTH 89 DEGREES 48 MINUTES 14 SECONDS WEST CONTINUING ALONG  
7-26 THE SOUTH LINE OF SAID OLD STONEY ROAD, THE NORTH LINE OF SAID 5.322  
7-27 ACRE TRACT, THE NORTH LINE OF THE MORADI ADDITION, AN ADDITION  
7-28 RECORDED IN CABINET D, PAGE 69 PLAT RECORDS DENTON COUNTY, TEXAS,  
7-29 THE NORTH LINE OF THE ANDREA BENNINGTON CALLED 5.286 ACRE TRACT  
7-30 RECORDED IN VOLUME 5166, PAGE 3845 (D.R.D.C.T.), AND THE NORTH LINE  
7-31 OF THE CAROL THOMAS CALLED 100 ACRE TRACT RECORDED IN DOCUMENT  
7-32 NUMBER 95-0027698 (D.R.D.C.T.), A DISTANCE OF 1780.41 FEET TO A  
7-33 1/2" IRON ROD WITH CAP STAMPED "ONEAL 6570" SET AT THE SOUTHWEST  
7-34 CORNER OF SAID 177-1/2 ACRE TRACT FROM WHICH AN AXLE FOUND IN THE  
7-35 SOUTH LINE OF SAID OLD STONEY ROAD, AT THE NORTHWEST CORNER OF SAID  
7-36 100 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF THE PAUL S. NULL  
7-37 AND JULIE K. NULL CALLED 4.005 ACRE TRACT RECORDED IN VOLUME 4186,  
7-38 PAGE 315, (D.R.D.C.T.) BEARS SOUTH 89 DEGREES 48 MINUTES 14 SECONDS  
7-39 WEST, A DISTANCE OF 1018.37 FEET;  
7-40 THENCE NORTH 00 DEGREES 11 MINUTES 46 SECONDS WEST, ALONG THE WEST  
7-41 LINE OF SAID 177-1/2 ACRE TRACT A DISTANCE OF 50.33 FEET TO A 3/8  
7-42 IRON ROD FOUND (SLICK) IN THE NORTH LINE OF SAID OLD STONEY ROAD AND  
7-43 AT THE SOUTHEAST CORNER OF SAID 173.93 ACRE TRACT;  
7-44 THENCE SOUTH 89 DEGREES 55 MINUTES 21 SECONDS WEST ALONG THE SAID  
7-45 NORTH LINE OF OLD STONEY ROAD A DISTANCE OF 1819.38 FEET TO A PIPE  
7-46 FENCE CORNER (WITH FLAGGING) FOUND AT THE SOUTHWEST CORNER OF SAID  
7-47 173.93 ACRE TRACT, SAME BEING THE COMMON SOUTHEAST CORNER OF THE J.  
7-48 YOUNG LAND & CATTLE, LTD CALLED 153.86 ACRE TRACT RECORDED IN  
7-49 INSTRUMENT NUMBER 2003-203076 (D.R.D.C.T.);  
7-50 THENCE NORTH 00 DEGREES 02 MINUTES 53 SECONDS EAST, A DISTANCE OF  
7-51 4165.36 FEET TO A 60D NAIL (FLAGGED) FOUND IN THE SOUTH LINE OF THE  
7-52 DANIEL ROBERSON BYPASS TRUST SCHOOLFIELD CALLED 174.14 AC TRACT  
7-53 RECORDED IN VOLUME 297, PG. 412 AT THE NORTHWEST CORNER OF SAID  
7-54 173.93 ACRE TRACT SAME BEING THE COMMON NORTHEAST CORNER OF SAID  
7-55 153.86 ACRE TRACT;  
7-56 THENCE NORTH 89 DEGREES 45 MINUTES 22 SECONDS EAST, A DISTANCE OF  
7-57 1818.76 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "ONEAL 6570" SET IN  
7-58 THE WEST LINE OF SAID 177-1/2 ACRE TRACT AT THE NORTHEAST CORNER OF  
7-59 SAID 173.93 ACRE TRACT SAME BEING THE COMMON SOUTHEAST CORNER OF  
7-60 SAID 174.14 ACRE TRACT;  
7-61 THENCE NORTH 00 DEGREES 12 MINUTES 29 SECONDS EAST, A DISTANCE OF  
7-62 153.04 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "ONEAL 6570" SET IN  
7-63 THE EAST LINE OF SAID 174.14 ACRE TRACT AT THE NORTHWEST CORNER OF  
7-64 SAID 177-1/2 ACRE TRACT, AND BEING THE COMMON SOUTHWEST CORNER OF  
7-65 THE RK & RK INVESTMENTS, INC. CALLED 79 ACRE TRACT RECORDED IN  
7-66 INSTRUMENT NUMBER 2018-99798 (D.R.D.C.T.);  
7-67 THENCE SOUTH 89 DEGREES 47 MINUTES 31 SECONDS EAST, A DISTANCE OF  
7-68 1793.00 FEET TO A 5/8" IRON ROD FOUND AT THE SOUTHEAST CORNER OF  
7-69 SAID 79 ACRE TRACT, SAME BEING THE COMMON NORTHEAST CORNER OF SAID

8-1 177-1/2 ACRE TRACT, THE COMMON NORTHWEST CORNER OF SAID 105.888  
8-2 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID 70.892 ACRE  
8-3 TRACT;  
8-4 THENCE NORTH 00 DEGREES 11 MINUTES 14 SECONDS EAST ALONG THE WEST  
8-5 LINE OF SAID 70.892 ACRE TRACT AND THE COMMON EAST LINE OF SAID 79  
8-6 ACRE TRACT, A DISTANCE OF 1670.02 FEET TO A 1/2" IRON ROD WITH CAP  
8-7 STAMPED "ONEAL 6570" SET AT THE SOUTHWEST CORNER OF A CALLED 4.4425  
8-8 ACRE TRACT DESCRIBED IN A DEED TO THE STATE OF TEXAS, RECORDED IN  
8-9 INSTRUMENT NUMBER 2008-33229, (D.R.D.C.T.), AND BEING THE SOUTH  
8-10 RIGHT-OF-WAY LINE OF US HIGHWAY 380;  
8-11 THENCE SOUTH 87 DEGREES 16 MINUTES 24 SECONDS EAST, ALONG THE SOUTH  
8-12 RIGHT-OF-WAY LINE, A DISTANCE OF 1798.32 FEET TO A PK NAIL SET AT  
8-13 THE SOUTHEAST CORNER OF SAID 4.4425 ACRE TRACT AND BEING IN THE EAST  
8-14 LINE OF SAID 70.892 ACRE TRACT, AND BEING WITHIN GEORGE OWENS ROAD.  
8-15 THENCE SOUTH 00 DEGREES 58 MINUTES 08 SECONDS WEST, ALONG THE EAST  
8-16 LINE OF SAID 70.892 ACRE TRACT, A DISTANCE OF 1592.60 FEET TO 1/2"  
8-17 IRON ROD WITH YELLOW CAP STAMPED "METROPLEX 1849" FOUND AT THE  
8-18 SOUTHEAST CORNER OF SAID 70.892 ACRE TRACT, AND BEING INN THE NORTH  
8-19 LINE OF SAID 105.888 ACRE TRACT;  
8-20 THENCE SOUTH 89 DEGREES 44 MINUTES 46 SECONDS EAST, ALONG THE NORTH  
8-21 LINE OF SAID 105.888 ACRE TRACT, A DISTANCE OF 19.16 FEET TO A 1/2"  
8-22 IRON ROD WITH CAP STAMPED "ONEAL 6570" SET IN THE APPROXIMATE  
8-23 CENTERLINE OF SAID GEORGE OWENS ROAD, SAME BEING THE WEST LINE OF  
8-24 THE FONDER PROPERTIES, LLC CALLED 104.290 ACRE TRACT RECORDED IN  
8-25 INSTRUMENT NUMBER 12243 (D.R.D.C.T.) AND BEING AT THE NORTHEAST  
8-26 CORNER OF SAID 105.888 ACRE TRACT;  
8-27 THENCE SOUTH 00 DEGREES 14 MINUTES 19 SECONDS WEST ALONG THE EAST  
8-28 LINE OF SAID 105.888 ACRE TRACT SAME BEING THE COMMON WEST LINE OF  
8-29 SAID 104.290 ACRE TRACT AND THE COMMON WEST LINE OF THE JOE B.  
8-30 TINDLE AND WIFE ORLAN TINDLE CALLED 272.67 ACRE TRACT RECORDED IN  
8-31 VOLUME 616, PAGE 338, (D.R.D.C.T.), A DISTANCE OF 3075.71 FEET TO A  
8-32 1/2" IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID 105.888 ACRE  
8-33 TRACT SAME BEING THE COMMON NORTHEAST CORNER OF THE SAID 52.437 ACRE  
8-34 TRACT;  
8-35 THENCE SOUTH 00 DEGREES 13 MINUTES 28 SECONDS WEST, CONTINUING  
8-36 ALONG THE EAST LINE OF SAID 52.437 ACRE TRACT AND THE COMMON WEST  
8-37 LINE OF SAID 272.67 ACRE TRACT, A DISTANCE OF 1274.32 FEET TO THE  
8-38 POINT OF BEGINNING AND CONTAINING 599.392 ACRES OF LAND, MORE OF  
8-39 LESS BEARINGS RECITED HEREIN ARE BASED UPON THE TEXAS COORDINATE  
8-40 SYSTEM OF 1983 (2011), NORTH CENTRAL ZONE (4202).  
8-41 SECTION 3. (a) The legal notice of the intention to  
8-42 introduce this Act, setting forth the general substance of this  
8-43 Act, has been published as provided by law, and the notice and a  
8-44 copy of this Act have been furnished to all persons, agencies,  
8-45 officials, or entities to which they are required to be furnished  
8-46 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-47 Government Code.  
8-48 (b) The governor, one of the required recipients, has  
8-49 submitted the notice and Act to the Texas Commission on  
8-50 Environmental Quality.  
8-51 (c) The Texas Commission on Environmental Quality has filed  
8-52 its recommendations relating to this Act with the governor,  
8-53 lieutenant governor, and speaker of the house of representatives  
8-54 within the required time.  
8-55 (d) All requirements of the constitution and laws of this  
8-56 state and the rules and procedures of the legislature with respect  
8-57 to the notice, introduction, and passage of this Act have been  
8-58 fulfilled and accomplished.  
8-59 SECTION 4. (a) Section 4000.0312, Special District Local  
8-60 Laws Code, as added by Section 1 of this Act, takes effect only if  
8-61 this Act receives a two-thirds vote of all the members elected to  
8-62 each house.  
8-63 (b) If this Act does not receive a two-thirds vote of all the  
8-64 members elected to each house, Subchapter C, Chapter 4000, Special  
8-65 District Local Laws Code, as added by Section 1 of this Act, is  
8-66 amended by adding Section 4000.0312 to read as follows:  
8-67 Sec. 4000.0312. NO EMINENT DOMAIN POWER. The district may  
8-68 not exercise the power of eminent domain.  
8-69 SECTION 5. This Act takes effect immediately if it receives



9-1 a vote of two-thirds of all the members elected to each house, as  
9-2 provided by Section 39, Article III, Texas Constitution. If this  
9-3 Act does not receive the vote necessary for immediate effect, this  
9-4 Act takes effect September 1, 2023.

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