

AN ACT

relating to the creation, powers, management, and boundaries of certain utility districts and a water control and improvement district in Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

ARTICLE 1. CREATION OF KAUFMAN COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

SECTION 1.01. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9002 to read as follows:

CHAPTER 9002. KAUFMAN COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9002.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means Kaufman County Water Control and Improvement District No. 1.

Sec. 9002.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Kaufman County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9002.003. CONFIRMATION ELECTION REQUIRED. If the

1 creation of the district is not confirmed at a confirmation
2 election held under Section 9002.023 before September 1, 2007:

3 (1) the district is dissolved September 1, 2007,
4 except that:

5 (A) any debts incurred shall be paid;

6 (B) any assets that remain after the payment of
7 debts shall be transferred to Kaufman County; and

8 (C) the organization of the district shall be
9 maintained until all debts are paid and remaining assets are
10 transferred; and

11 (2) this chapter expires September 1, 2010.

12 Sec. 9002.004. INITIAL DISTRICT TERRITORY. (a) The
13 district is initially composed of the territory described by
14 Section 1.02 of the Act creating this chapter.

15 (b) The boundaries and field notes contained in Section 1.02
16 of the Act creating this chapter form a closure. A mistake made in
17 the field notes or in copying the field notes in the legislative
18 process does not affect:

19 (1) the organization, existence, or validity of the
20 district;

21 (2) the right of the district to impose taxes; or

22 (3) the legality or operation of the district or the
23 board.

24 Sec. 9002.005. APPLICABILITY OF OTHER LAW. Except as
25 otherwise provided by this chapter, Chapters 49 and 51, Water Code,
26 apply to the district.

27 [Sections 9002.006-9002.020 reserved for expansion]

SUBCHAPTER A1. TEMPORARY PROVISIONS

Sec. 9002.021. TEMPORARY DIRECTORS. (a) The temporary board consists of:

- (1) David G. Chaney;
- (2) Rick Ellis;
- (3) Jim Lee;
- (4) Ronald H. Linam; and
- (5) Max W. Lindsay.

(b) If a temporary director fails to qualify for office, the Texas Commission on Environmental Quality shall appoint a person to fill the vacancy.

(c) Temporary directors serve until the earlier of:

- (1) the date directors are elected under Section 9002.023; or
- (2) the date this chapter expires under Section 9002.003.

Sec. 9002.022. ORGANIZATIONAL MEETING OF TEMPORARY DIRECTORS. As soon as practicable after all the temporary directors have qualified under Section 49.055, Water Code, the temporary directors shall convene the organizational meeting of the district at a location in the district agreeable to a majority of the directors. If a location cannot be agreed upon, the organizational meeting shall be at the Kaufman County Courthouse. At the meeting, the temporary directors shall elect officers from among the temporary directors and conduct any other district business.

Sec. 9002.023. CONFIRMATION AND INITIAL DIRECTORS'

1 ELECTION. The temporary directors shall hold an election to
2 confirm the creation of the district and to elect five directors as
3 provided by Section 49.102, Water Code.

4 Sec. 9002.024. INITIAL ELECTED DIRECTORS; TERMS. The
5 directors elected under Section 9002.023 shall draw lots to
6 determine which two shall serve until the first regularly scheduled
7 election of directors under Section 9002.052 and which three shall
8 serve until the second regularly scheduled election of directors.

9 Sec. 9002.025. EXPIRATION OF SUBCHAPTER. This subchapter
10 expires September 1, 2010.

11 [Sections 9002.026-9002.050 reserved for expansion]

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 9002.051. DIRECTORS; TERMS. (a) The district is
14 governed by a board of five directors.

15 (b) Directors serve staggered four-year terms.

16 Sec. 9002.052. ELECTION OF DIRECTORS. On the uniform
17 election date in May of each even-numbered year, the appropriate
18 number of directors shall be elected.

19 [Sections 9002.053-9002.100 reserved for expansion]

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 9002.101. ROAD PROJECTS. (a) To the extent
22 authorized by Section 52, Article III, Texas Constitution, the
23 district may construct, acquire, improve, maintain, or operate
24 macadamized, graveled, or paved roads or turnpikes, or improvements
25 in aid of those roads or turnpikes, inside the district.

26 (b) A road project must meet all applicable construction
27 standards, zoning and subdivision requirements, and regulatory

1 ordinances of the municipality or county in whose jurisdiction the
2 district is located.

3 (c) The district may not undertake a road project unless
4 each municipality or county in whose jurisdiction the district is
5 located consents by ordinance or resolution.

6 Sec. 9002.102. LIMITATION ON USE OF EMINENT DOMAIN. The
7 district may exercise the power of eminent domain outside the
8 district only to acquire an easement necessary for a pipeline that
9 serves the district.

10 Sec. 9002.103. AUTHORITY TO PROVIDE SERVICES. The district
11 may provide water, sanitary sewer, drainage, and road services to
12 any part of the district not receiving those services on the
13 effective date of the Act creating this chapter.

14 Sec. 9002.104. AUTHORITY TO CONTRACT. The district may
15 enter into a contract with an owner of real property in the district
16 to construct, acquire, finance, own, maintain, or operate works or
17 projects authorized by Section 9002.103.

18 Sec. 9002.105. DIVISION OF DISTRICT. The district may
19 divide into two new districts as provided by Section 53.029, Water
20 Code.

21 [Sections 9002.106-9002.150 reserved for expansion]

22 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

23 Sec. 9002.151. TAX TO REPAY BONDS. The district may impose
24 a tax to pay the principal of and interest on bonds issued under
25 Section 9002.201.

26 Sec. 9002.152. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
27 ASSESSMENTS. The district may not impose an impact fee or

1 assessment on the property, including the equipment,
2 rights-of-way, facilities, or improvements, of:

3 (1) an electric utility or a power generation company
4 as defined by Section 31.002, Utilities Code;

5 (2) a gas utility as defined by Section 101.003 or
6 121.001, Utilities Code;

7 (3) a telecommunications provider as defined by
8 Section 51.002, Utilities Code; or

9 (4) a cable operator as defined by 47 U.S.C. Section
10 522.

11 [Sections 9002.153-9002.200 reserved for expansion]

12 SUBCHAPTER E. BONDS

13 Sec. 9002.201. AUTHORITY TO ISSUE BONDS AND OTHER
14 OBLIGATIONS. (a) The district may issue bonds or other
15 obligations as provided by Chapters 49 and 51, Water Code, to
16 finance the construction, maintenance, or operation of projects
17 under Section 9002.101.

18 (b) The district may not issue bonds under Subsection (a)
19 unless the issuance is approved by a vote of a two-thirds majority
20 of the voters of the district voting at an election called for that
21 purpose.

22 (c) Bonds or other obligations issued or incurred to finance
23 projects authorized by Section 9002.101 may not exceed one-fourth
24 of the assessed value of the real property in the district.

25 (d) Sections 49.181 and 49.182, Water Code, do not apply to
26 a project undertaken by the district under Section 9002.101 or to
27 bonds issued by the district to finance the project.

1 Sec. 9002.202. USE OF BOND PROCEEDS. The district may use
2 proceeds from the sale of bonds to acquire from a private water
3 supply corporation facilities or improvements necessary to provide
4 a service authorized by Section 9002.103.

5 SECTION 1.02. Kaufman County Water Control and Improvement
6 District No. 1 initially includes all the territory contained in
7 the following described area:

8 BEING a 150.63 acre tract of land situated in the Lewis Pearce
9 Survey, Abstract No. 373, Enoch Spivey Survey, Abstract No. 495,
10 and Thomas A. Waldrop Survey, Abstract No. 597, Kaufman County,
11 Texas, said tract being a part of Tract 1, Tract 2 and Tract 3, as
12 described in deed to WG&G Investments, Inc., as recorded in Volume
13 1308, Page 428, Deed Records Kaufman County, Texas (D.R.K.C.T.),
14 said tract being more particularly described as follows:

15 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
16 5439" (hereinafter referred to as "with cap") at the southwest
17 corner of said WG&G Tract 3, said corner being the southeast corner
18 of a 14.00 acre tract of land described in deed to Wylie Musser, as
19 recoded in Volume 2390, Page 15, D.R.K.C.T., said corner being the
20 southeast corner of Lot 72, Valley View Estates subdivision, as
21 recorded in Cabinet 1, Envelope 792, Plat Records Kaufman County,
22 Texas (P.R.K.C.T.), said corner being on the north right-of-way
23 line of Interstate Highway 80 (variable width);

24 THENCE North 33 degrees 40 minutes 23 seconds West, along the east
25 line of said Musser tract, a distance of 1608.52 feet to a 1/2-inch
26 found iron rod for corner, said corner being the northwest corner of
27 said WG&G Tract 3; THENCE North 42 degrees 31 minutes 35 seconds

1 West, continuing along said east line, a distance of 2031.97 feet to
2 a 1/2-inch set iron rod with cap for the northwest corner of said
3 WG&G Tract 1, said corner being the southwest corner of a tract
4 (Tract 2) of land described in deed to Wylie Musser, as recorded in
5 Volume 1176, Page 807, D.R.K.C.T.;

6 THENCE North 47 degrees 05 minutes 00 seconds East, along the south
7 line of said Musser Tract 2, a distance of 1021.61 feet to a
8 1/2-inch found iron rod for the northeast corner of said WG&G Tract
9 1, said corner being the northwest corner of Lot 52 of said Valley
10 View Estates;

11 THENCE South 42 degrees 18 minutes 36 seconds East, along the west
12 line of said Valley View Estates, a distance of 1717.55 feet to a
13 1-1/2-inch found iron pipe for the northwest corner of said WG&G
14 Tract 2, said corner being the southwest corner of said Valley View
15 Estates;

16 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
17 line of said Valley View Estates, a distance of 1426.02 feet to a
18 found "T" post for the northeast corner of said WG&G Tract 2, said
19 corner being the northwest corner of a tract of land described in
20 deed to Michael W. Bedrick, as recoded in Volume 2385, Page 203,
21 D.R.K.C.T.;

22 THENCE South 19 degrees 02 minutes 01 seconds East, along the west
23 line of said Bedrick tract, a distance of 3451.35 feet to a set "X"
24 cut in a concrete flume for the southeast corner of said WG&G Tract
25 2, said corner being the southwest corner of said Bedrick tract,
26 said corner being on the north right-of-way line of the
27 aforementioned Interstate Highway 80;

1 THENCE North 85 degrees 13 minutes 03 feet West, along said north
2 right-of-way line, a distance of 26.12 feet to a found "X" cut in a
3 concrete flume, said corner being the southeast corner of a tract of
4 land described in deed to Kevin Burns, as recorded in Volume 1999,
5 Page 638, D.R.K.C.T.;

6 THENCE North 19 degrees 05 minutes 03 seconds West, departing said
7 north right-of-way line and along the east line of said Burns tract,
8 a distance of 187.33 feet to a 1/2-inch found iron rod with a cap
9 stamped "VANNOY" for the northeast corner of said Burns tract;

10 THENCE North 82 degrees 13 minute 13 seconds West, along the north
11 line of said Burns tract, a distance of 132.14 feet to a 1/2-inch
12 found iron rod with a cap stamped "VANNOY" for the northwest corner
13 of said Burns tract, said corner being on the east line of a tract of
14 land described in deed to Terrell Coachlight Inn Motel, Ltd., as
15 recoded in Volume 560, Page 88, D.R.K.C.T.;

16 THENCE North 07 degrees 45 minutes 24 seconds East, along the east
17 line of said Coachlight Inn tract, a distance of 185.91 feet to a
18 1/2-inch found iron rod with a cap stamped "VANNOY" for the
19 northeast corner of said Coachlight Inn;

20 THENCE North 82 degrees 50 minutes 56 seconds West, along the north
21 line of said Coachlight Inn tract and a tract of land described in
22 deed to Parbhubbhai Thakorbbhai Patel, as recorded in Volume 1270,
23 Page 975, D.R.K.C.T., a distance of 429.89 feet to a 1/2-inch set
24 iron rod with cap for the northwest corner of said Patel tract, said
25 corner being on the east line of a tract of land described in deed to
26 B&P Richards Family, Ltd., as recorded in Volume 1344, Page 970,
27 D.R.K.C.T.;

1 THENCE North 07 degrees 47 minutes 45 seconds East, along the east
2 line of said Richards Family tract, a distance of 133.35 feet to a
3 1/2-inch set iron rod with cap for the northeast corner of Richards
4 family tract;

5 THENCE North 82 degrees 12 minutes 37 seconds West, along the north
6 line of said Richards Family tract, a distance of 275.00 feet to a
7 1/2-inch found iron rod for the northwest corner of said Richards
8 Family tract;

9 THENCE South 07 degrees 47 minutes 23 seconds West, along the west
10 line of said Richards Family tract, a distance of 489.37 feet to a
11 1/2-inch found iron rod for the southwest corner of said Richards
12 Family tract, said corner being on the north right-of-way line of
13 the aforementioned Interstate Highway 80;

14 THENCE South 88 degrees 52 minutes 40 seconds West, along said north
15 right-of-way line, a distance of 336.48 feet to a found aluminum
16 TXDOT disc for corner;

17 THENCE South 82 degrees 25 minutes 49 seconds West, along said north
18 right-of-way line, a distance of 243.88 feet to a 1/2-inch set iron
19 rod with cap for the southeast corner of said WG&G Tract 3;

20 THENCE South 82 degrees 19 minutes 10 seconds West, along said north
21 right-of-way line, a distance of 140.50 feet to a 1/2-inch set iron
22 rod with cap for corner;

23 THENCE South 81 degrees 11 minutes 56 seconds West, continuing
24 along said north right-of-way line, a distance of 159.83 feet to the
25 POINT OF BEGINNING AND CONTAINING 6,561,390 square feet or 150.63
26 acres of land more or less.

27 BEING a 137.22 acre tract of land situated in the Enoch Spivey

1 Survey, Abstract No. 495 and Thomas A. Waldrop Survey, Abstract No.
2 597, Kaufman County, Texas, said tract being a part of tract of land
3 described in deed to Michael W. Bedrick., as recorded in Volume
4 2385, Page 203, Deed Records Kaufman County, Texas (D.R.K.C.T.),
5 said tract being more particularly described as follows:
6 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
7 5439" (hereinafter referred to as "with cap") for the northeast
8 corner of said Bedrick tract, said corner being the southeast
9 corner of Lot 35, Valley View Estates subdivision, as recorded in
10 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
11 (P.R.K.C.T.);
12 THENCE South 42 degrees 56 minutes 52 seconds East, along the east
13 line of said Bedrick tract, a distance of 4413.31 feet to a 1-inch
14 found iron rod for the southeast corner of said Bedrick tract;
15 THENCE South 49 degrees 18 minutes 24 seconds West, along the south
16 line of said Bedrick tract, a distance of 1092.38 feet to a 1/2-inch
17 set iron rod with cap for corner;
18 THENCE North 41 degrees 29 minutes 54 seconds West, along said
19 Bedrick tract, a distance of 535.64 feet to a 1/2-inch set iron rod
20 with cap for corner;
21 THENCE South 26 degrees 05 minutes 51 seconds West, along said
22 Bedrick tract, a distance of 559.41 feet to a 1/2-inch found iron
23 rod for corner on the north right-of-way line of Interstate Highway
24 80 (variable width);
25 THENCE North 55 degrees 46 minutes 32 seconds West, along said north
26 right-of-way line, a distance of 204.62 feet to a found concrete
27 TXDOT monument;

1 THENCE North 59 degrees 14 minutes 00 seconds West, along said north
2 right-of-way line, a distance of 219.20 feet to a found concrete
3 TXDOT monument;

4 THENCE North 66 degrees 31 minutes 06 seconds West, along said north
5 right-of-way line, a distance of 220.34 feet to a found aluminum
6 TXDOT disc;

7 THENCE North 76 degrees 31 minutes 00 seconds West, along said north
8 right-of-way line, a distance of 220.47 feet to a found aluminum
9 TXDOT disc;

10 THENCE North 85 degrees 13 minutes 03 seconds West, along said north
11 right-of-way line, a distance of 120.05 feet to a set "X" cut in a
12 concrete flume for the southwest corner of said Bedrick tract, said
13 corner being the southeast corner of a tract (Tract 2) of land
14 described in deed to WG&G Investments, Inc., as recorded in Volume
15 1308, Page 428, D.R.K.C.T.;

16 THENCE North 19 degrees 02 minutes 01 seconds West, departing said
17 north right-of-way line and along the east line of said WG&G Tract
18 2, a distance of 3451.35 feet to a found "T" post for the northwest
19 corner of said Bedrick tract, said corner being the northeast
20 corner of said WG&G Tract 2, said corner being on the south line of
21 the aforementioned Valley View Estates subdivision;

22 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
23 line of said Valley View Estates, a distance of 599.01 to the POINT
24 OF BEGINNING AND CONTAINING 5,977,174 square feet or 137.22 acres
25 of land more or less.

26 BEING a 298.42 acre tract of land situated in the Lewis Pearce
27 Survey, Abstract No. 373, John B. White Survey, Abstract No. 580,

1 Wesley Boles Survey, Abstract No. 55, Mary T. Jones Survey,
2 Abstract No. 259 and Joel Eaton Survey, Abstract No. 147, Kaufman
3 County, Texas, said tract being all of a Tract 1, Tract 2 and Tract
4 3, as described in deed to Wylie Musser, as recorded in Volume 1176,
5 Page 807, Deed Records Kaufman County, Texas (D.R.K.C.T.), and all
6 of a tract of 14.00 acre tract of land described in deed to Wylie
7 Musser, as recorded in Volume 2390, Page 15, D.R.K.C.T., said tract
8 also being all of Valley View Estates subdivision, as recorded in
9 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
10 (P.R.K.C.T.), said tract being more particularly described as
11 follows:

12 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
13 5439" (hereinafter referred to as with cap) at the southeast corner
14 of said Musser tract (Volume 2390, Page 15) and Lot 72 of said
15 Valley View Estates, said corner being the southwest corner of a
16 tract (Tract 3) of land described to WG&G Investments, Inc., as
17 recorded in Volume 1308, Page 428, D.R.K.C.T., said corner being on
18 the north right-of-way line of Interstate Highway 80 (variable
19 width);

20 THENCE South 81 degrees 10 minutes 01 seconds West, along said north
21 right-of-way line, a distance of 282.46 feet to a 1/2-inch set iron
22 rod with cap for corner;

23 THENCE South 84 degrees 45 minutes 16 seconds West, along said north
24 right-of-way line, a distance of 303.51 feet to a found aluminum
25 TXDOT disc for corner;

26 THENCE South 82 degrees 59 minutes 18 seconds West, along said north
27 right-of-way line, a distance of 459.46 feet to a found aluminum

1 TXDOT disc for corner;
2 THENCE North 87 degrees 54 minutes 16 seconds West, along said north
3 right-of-way line, a distance of 276.19 feet to a 1/2-inch set iron
4 rod with cap for corner;
5 THENCE South 87 degrees 10 minutes 25 seconds West, along said north
6 right-of-way line, a distance of 193.99 feet to a 1/2-inch set iron
7 rod with cap for corner;
8 THENCE South 87 degrees 53 minutes 37 seconds West, along said north
9 right-of-way line, a distance of 1298.55 feet to a 1/2-inch set iron
10 rod with cap for corner;
11 THENCE North 85 degrees 39 minutes 16 seconds West, along said north
12 right-of-way line, a distance of 148.50 feet to a point for corner
13 within Big Brushy Creek, said corner being the southwest corner of
14 said Musser Tract 1;
15 THENCE Northerly, along the meanders of Big Brushy Creek and the
16 west line of said Musser Tract 1 the following calls:
17 North 20 degrees 14 minutes 18 seconds East, a distance of 37.50
18 feet;
19 North 83 degrees 07 minutes 00 seconds East, a distance of 136.40
20 feet;
21 North 67 degrees 26 minutes 02 seconds East, a distance of 105.68
22 feet;
23 North 19 degrees 51 minutes 16 seconds East, a distance of 76.41
24 feet;
25 North 41 degrees 05 minutes 23 seconds West, a distance of 86.95
26 feet;
27 North 72 degrees 42 minutes 44 seconds West, a distance of 162.42

- 1 feet;
- 2 North 15 degrees 58 minutes 05 seconds West, a distance of 58.33
- 3 feet;
- 4 North 34 degrees 33 minutes 33 seconds East, a distance of 204.91
- 5 feet;
- 6 North 28 degrees 27 minutes 58 seconds West, a distance of 126.35
- 7 feet; North 84 degrees 33 minutes 05 seconds West, a distance of
- 8 185.49 feet;
- 9 South 81 degrees 35 minutes 46 seconds West, a distance of 105.18
- 10 feet;
- 11 North 37 degrees 41 minutes 32 seconds West, a distance of 199.30
- 12 feet;
- 13 North 22 degrees 15 minutes 54 seconds West, a distance of 71.54
- 14 feet;
- 15 North 41 degrees 21 minutes 42 seconds West, a distance of 102.13
- 16 feet;
- 17 North 70 degrees 28 minutes 54 seconds West, a distance of 109.65
- 18 feet;
- 19 North 65 degrees 51 minutes 41 seconds West, a distance of 93.59
- 20 feet;
- 21 North 57 degrees 13 minutes 47 seconds West, a distance of 85.07
- 22 feet;
- 23 North 09 degrees 20 minutes 55 seconds West, a distance of 70.78
- 24 feet;
- 25 North 50 degrees 36 minutes 27 seconds East, a distance of 79.50
- 26 feet;
- 27 North 74 degrees 03 minutes 11 seconds East, a distance of 147.45

- 1 feet;
- 2 North 38 degrees 39 minutes 06 seconds East, a distance of 61.11
- 3 feet;
- 4 North 28 degrees 14 minutes 49 seconds West, a distance of 120.50
- 5 feet;
- 6 North 33 degrees 43 minutes 43 seconds East, a distance of 72.47
- 7 feet;
- 8 North 40 degrees 02 minutes 41 seconds East, a distance of 189.82
- 9 feet;
- 10 North 01 degrees 08 minutes 51 seconds West, a distance of 186.73
- 11 feet;
- 12 North 22 degrees 33 minutes 57 seconds West, a distance of 178.06
- 13 feet;
- 14 North 37 degrees 01 minutes 23 seconds West, a distance of 13.15
- 15 feet;
- 16 North 31 degrees 15 minutes 29 seconds West, a distance of 66.24
- 17 feet;
- 18 North 15 degrees 46 minutes 18 seconds West, a distance of 87.22
- 19 feet;
- 20 North 06 degrees 18 minutes 47 seconds East, a distance of 74.56
- 21 feet;
- 22 North 02 degrees 38 minutes 54 seconds East, a distance of 173.49
- 23 feet;
- 24 North 00 degrees 11 minutes 43 seconds West, a distance of 289.20
- 25 feet;
- 26 North 27 degrees 16 minutes 46 seconds West, a distance of 109.92
- 27 feet;

1 North 48 degrees 51 minutes 32 seconds West, a distance of 93.21
2 feet;
3 North 49 degrees 57 minutes 50 seconds West, a distance of 116.95
4 feet;
5 North 11 degrees 35 minutes 36 seconds West, a distance of 115.16
6 feet;
7 North 04 degrees 14 minutes 15 seconds East, a distance of 81.28
8 feet;
9 North 46 degrees 49 minutes 01 seconds West, a distance of 62.77
10 feet to a point for the northwest corner of said Musser Tract 1;
11 THENCE North 48 degrees 18 minutes 05 seconds East, along the north
12 line of said Musser tracts, passing at a distance of 17.56 feet a
13 1/2-inch found iron rod for reference, continuing a total distance
14 of 2082.13 feet to a found fence corner post for the northeast
15 corner of said Musser Tract 2;
16 THENCE South 43 degrees 02 minutes 37 seconds East, along the east
17 line of said Musser Tract 2, a distance of 969.27 feet to a 1/2-inch
18 found iron rod for the southeast corner of said Musser Tract 2, said
19 corner being on the north line of said Musser Tract 3 and the
20 aforementioned Valley View Estates;
21 THENCE North 47 degrees 38 minutes 18 seconds East, along said north
22 lines, a distance of 3442.22 feet to a 1/2-inch set iron rod with
23 cap for the northeast corner of said Musser Tract 3 and said Valley
24 View Estates;
25 THENCE South 31 degrees 07 minutes 49 seconds East, along the east
26 line of said Musser Tract 3, said Valley View Estates and a gravel
27 road (County Road 239), a distance of 832.96 feet to a 1/2-inch set

1 iron rod with cap for the most easterly southeast corner of said
2 Musser Tract 3 and said Valley View Estates;

3 THENCE South 47 degrees 32 minutes 09 seconds West, departing said
4 gravel road (County Road 239) and along said Musser Tract 3 and said
5 Valley View Estates, a distance of 1322.27 feet 3/8-inch found iron
6 rod for an ell corner of said Musser Tract 3 and said Valley View
7 Estates;

8 THENCE South 41 degrees 53 minutes 11 seconds East, along said
9 Musser Tract 3 and said Valley View Estates, a distance of 892.87
10 feet to a 1/2-inch set iron rod with cap for the southeast corner of
11 said Musser Tract 3 and said Valley View Estates, said corner being
12 the northeast corner of a tract of land described in deed to Michael
13 W. Bedrick, as recorded in Volume 2385, Page 203, D.R.K.C.T.;

14 THENCE South 47 degrees 29 minutes 14 seconds West, along the south
15 line of said Musser Tract 3, said Valley View Estates and the north
16 line of said Bedrick tract, passing at a distance of 599.01 feet a
17 found "T" post for the northwest corner of said Bedrick tract and
18 the northeast corner of a tract (Tract 2) of land described in deed
19 to WG&G Investments, Inc., as recorded in Volume 1308, Page 428,
20 D.R.K.C.T., continuing a total distance of 2025.03 feet 1-1/2-inch
21 found iron pipe for the southwest corner of said Musser Tract 3 and
22 said Valley View Estates, said corner being the northwest corner of
23 said WG&G Investments tract, said corner being on the east line of a
24 WG&G tract (Tract 1), as recorded in Volume 1308, Page 428,
25 D.R.K.C.T.;

26 THENCE North 42 degrees 18 minutes 36 seconds West, along the west
27 line of said Musser Tract 3 and said Valley View Estates and the

1 east line of said WG&G Tract 1, a distance of 1717.55 feet to a
2 1/2-inch found iron rod for the northwest corner of said Musser
3 Tract 3 and said Valley View Estates, said corner being the
4 northeast corner of said WG&G Tract 1, said corner being on the
5 south line of the aforementioned Musser Tract 2;

6 THENCE South 47 degrees 05 minutes 00 seconds West, along the south
7 line of said Musser Tract 2 and the north line of said WG&G Tract 1,
8 a distance of 1021.61 feet to a 1/2-inch set iron rod with cap for
9 the southwest corner of said Musser Tract 2 and the northwest corner
10 of said WG&G Tract 1, said corner being on the east line of the
11 aforementioned 14.00 acre Musser tract;

12 THENCE South 42 degrees 31 minutes 35 seconds East, along the east
13 line of said 14.00 acre Musser tract and the west line of said WG&G
14 Tract 1, a distance of 2031.97 feet to a 1/2-inch found iron rod for
15 corner, said corner being the northwest corner of a tract (Tract 3)
16 of land described in deed to WG&G Investments, Inc., as recorded in
17 Volume 1308, Page 428, D.R.K.C.T.;

18 THENCE South 33 degrees 40 minutes 23 seconds East, along the east
19 line of said 14.00 acre Musser tract and the west line of said WG&G
20 Tract 3, a distance of 1608.52 feet to the POINT OF BEGINNING AND
21 CONTAINING 12,999,118 square feet or 298.42 acres of land more or
22 less, of which 751,505 square feet or 17.25 acres are within
23 dedicated rights-of-way.

24 SECTION 1.03. (a) The legal notice of the intention to
25 introduce this article, setting forth the general substance of this
26 article, has been published as provided by law, and the notice and a
27 copy of this article have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

4 (b) The governor, one of the required recipients, has
5 submitted the notice and article to the Texas Commission on
6 Environmental Quality.

7 (c) The Texas Commission on Environmental Quality has filed
8 its recommendations relating to this article with the governor, the
9 lieutenant governor, and the speaker of the house of
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this article are
14 fulfilled and accomplished.

15 ARTICLE 2. CREATION OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4
16 OF KAUFMAN COUNTY

17 SECTION 2.01. Subtitle F, Title 6, Special District Local
18 Laws Code, is amended by adding Chapter 8138 to read as follows:

19 CHAPTER 8138. LAS LOMAS MUNICIPAL UTILITY

20 DISTRICT NO. 4 OF KAUFMAN COUNTY

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 8138.001. DEFINITIONS. In this chapter:

23 (1) "Board" means the board of directors of the
24 district.

25 (2) "Director" means a member of the board.

26 (3) "District" means Las Lomas Municipal Utility
27 District No. 4 of Kaufman County.

1 Sec. 8138.002. NATURE OF DISTRICT. The district is a
2 municipal utility district in Kaufman County created under and
3 essential to accomplish the purposes of Section 59, Article XVI,
4 Texas Constitution.

5 Sec. 8138.003. CONFIRMATION ELECTION REQUIRED. If the
6 creation of the district is not confirmed at a confirmation
7 election held under Section 8138.023 before September 1, 2007:

8 (1) the district is dissolved September 1, 2007,
9 except that:

10 (A) any debts incurred shall be paid;

11 (B) any assets that remain after the payment of
12 debts shall be transferred to Kaufman County; and

13 (C) the organization of the district shall be
14 maintained until all debts are paid and remaining assets are
15 transferred; and

16 (2) this chapter expires September 1, 2010.

17 Sec. 8138.004. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2.02 of the Act creating this chapter.

20 (b) The boundaries and field notes contained in Section 2.02
21 of the Act creating this chapter form a closure. A mistake made in
22 the field notes or in copying the field notes in the legislative
23 process does not affect:

24 (1) the organization, existence, or validity of the
25 district;

26 (2) the right of the district to impose taxes; or

27 (3) the legality or operation of the board.

1 [Sections 8138.005-8138.020 reserved for expansion]

2 SUBCHAPTER A1. TEMPORARY PROVISIONS

3 Sec. 8138.021. TEMPORARY DIRECTORS. (a) The temporary
4 board consists of:

- 5 (1) Don Allard;
- 6 (2) Terry Durbin;
- 7 (3) Michael Higgins;
- 8 (4) Matthew McDonald; and
- 9 (5) Machelles Wilson.

10 (b) If a temporary director fails to qualify for office, the
11 temporary directors who have qualified shall appoint a person to
12 fill the vacancy. If at any time there are fewer than three
13 qualified temporary directors, the Texas Commission on
14 Environmental Quality shall appoint the necessary number of persons
15 to fill all vacancies on the board.

16 (c) Temporary directors serve until the earlier of:

- 17 (1) the date directors are elected under Section
18 8138.023; or
- 19 (2) the date this chapter expires under Section
20 8138.003.

21 Sec. 8138.022. ORGANIZATIONAL MEETING OF TEMPORARY
22 DIRECTORS. As soon as practicable after all the temporary
23 directors have qualified under Section 49.055, Water Code, the
24 temporary directors shall convene the organizational meeting of the
25 district at a location in the district agreeable to a majority of
26 the directors. If a location cannot be agreed upon, the
27 organizational meeting shall be at the Kaufman County Courthouse.

1 Sec. 8138.023. CONFIRMATION AND INITIAL DIRECTORS'
2 ELECTION. The temporary directors shall hold an election to
3 confirm the creation of the district and to elect five directors as
4 provided by Section 49.102, Water Code.

5 Sec. 8138.024. INITIAL ELECTED DIRECTORS; TERMS. The
6 directors elected under Section 8138.023 shall draw lots to
7 determine which two shall serve until the first regularly scheduled
8 election of directors under Section 8138.052 and which three shall
9 serve until the second regularly scheduled election of directors.

10 Sec. 8138.025. EXPIRATION OF SUBCHAPTER. This subchapter
11 expires September 1, 2010.

12 [Sections 8138.026-8138.050 reserved for expansion]

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8138.051. DIRECTORS; TERMS. (a) The district is
15 governed by a board of five directors.

16 (b) Directors serve staggered four-year terms.

17 Sec. 8138.052. ELECTION OF DIRECTORS. On the uniform
18 election date in May of each even-numbered year, the appropriate
19 number of directors shall be elected.

20 [Sections 8138.053-8138.100 reserved for expansion]

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 8138.101. MUNICIPAL UTILITY DISTRICT POWERS AND
23 DUTIES. The district has the powers and duties provided by the
24 general law of this state, including Chapters 49 and 54, Water Code,
25 applicable to municipal utility districts created under Section 59,
26 Article XVI, Texas Constitution.

27 Sec. 8138.102. ROAD PROJECTS. (a) To the extent

1 authorized by Section 52, Article III, Texas Constitution, the
2 district may construct, acquire, improve, maintain, or operate
3 macadamized, graveled, or paved roads or turnpikes, or improvements
4 in aid of those roads or turnpikes, inside the district.

5 (b) A project authorized by this section must meet or exceed
6 the construction standards adopted by the North Central Texas
7 Council of Governments, or its successor agency.

8 (c) The district may not undertake a road project unless
9 each municipality in whose corporate limits or extraterritorial
10 jurisdiction the district is located consents by ordinance or
11 resolution. If the district is located outside the
12 extraterritorial jurisdiction of a municipality, the district may
13 not undertake a road project unless each county in which the
14 district is located consents by ordinance or resolution.

15 Sec. 8138.103. CERTIFICATE OF CONVENIENCE AND NECESSITY.

16 (a) The district may pay out of bond proceeds or other available
17 district money all expenses, including legal, engineering, and
18 other fees, related to obtaining a new certificate of convenience
19 and necessity under Chapter 13, Water Code, authorizing the
20 district to provide retail water or sewer service inside or outside
21 the district.

22 (b) The district may pay out of bond proceeds or other
23 available district money all expenses, including the purchase
24 price, related to acquiring certificate of convenience and
25 necessity rights from another retail public utility to allow the
26 district to provide retail water or sewer service in the district.

27 Sec. 8138.104. CONTRACT WITH POLITICAL SUBDIVISION FOR

1 WATER OR SEWER SERVICES. (a) The district may enter into a
2 contract to allow a political subdivision to provide retail water
3 or sewer service in the district. The contract may contain terms
4 the board considers desirable, fair, and advantageous to the
5 district.

6 (b) The contract may provide that the district will
7 construct or acquire and convey to the political subdivision a
8 water supply or treatment system, a water distribution system, or a
9 sanitary sewage collection or treatment system as necessary to
10 provide water or sewer service in the district.

11 (c) The district may use bond proceeds or other available
12 district money to pay for its obligations and for services and
13 facilities provided under the contract.

14 (d) If the contract requires the district to make payments
15 from taxes other than operation and maintenance taxes, the contract
16 is subject to Section 49.108, Water Code.

17 Sec. 8138.105. LIMITATION ON USE OF EMINENT DOMAIN. The
18 district may exercise the power of eminent domain outside the
19 district only to acquire an easement necessary for a pipeline that
20 serves the district.

21 [Sections 8138.106-8138.150 reserved for expansion]

22 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

23 Sec. 8138.151. OPERATION AND MAINTENANCE TAX. (a) The
24 district may impose a tax for any district operation and
25 maintenance purpose in the manner provided by Section 49.107, Water
26 Code.

27 (b) Section 49.107(f), Water Code, does not apply to

1 reimbursements for projects constructed or acquired under Section
2 8138.102.

3 Sec. 8138.152. TAX TO REPAY BONDS. The district may impose
4 a tax to pay the principal of and interest on bonds issued under
5 Section 8138.201.

6 Sec. 8138.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
7 ASSESSMENTS. The district may not impose an impact fee or
8 assessment on the property, including the equipment,
9 rights-of-way, facilities, or improvements, of:

10 (1) an electric utility or a power generation company
11 as defined by Section 31.002, Utilities Code;

12 (2) a gas utility as defined by Section 101.003 or
13 121.001, Utilities Code;

14 (3) a telecommunications provider as defined by
15 Section 51.002, Utilities Code;

16 (4) a cable operator, as defined by 47 U.S.C. Section
17 522; or

18 (5) a person who provides to the public advanced
19 telecommunications services.

20 [Sections 8138.154-8138.200 reserved for expansion]

21 SUBCHAPTER E. BONDS

22 Sec. 8138.201. AUTHORITY TO ISSUE BONDS AND OTHER
23 OBLIGATIONS. (a) The district may issue bonds or other
24 obligations as provided by Chapters 49 and 54, Water Code, and to
25 finance:

26 (1) the construction, maintenance, or operation of
27 projects under Section 8138.102;

1 (2) the district's efforts to obtain a new certificate
2 of convenience and necessity or to acquire certificate of
3 convenience and necessity rights under Section 8138.103; or

4 (3) the district's contractual obligations under
5 Section 8138.104.

6 (b) The district may not issue bonds to finance projects
7 authorized by Section 8138.102 unless the issuance is approved by a
8 vote of a two-thirds majority of the voters of the district voting
9 at an election called for that purpose.

10 (c) Bonds or other obligations issued or incurred to finance
11 projects authorized by Section 8138.102 may not exceed one-fourth
12 of the assessed value of the real property in the district.

13 (d) Sections 49.181 and 49.182, Water Code, do not apply to
14 a project undertaken by the district under Section 8138.102 or to
15 bonds issued by the district to finance the project.

16 [Sections 8138.202-8138.250 reserved for expansion]

17 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

18 Sec. 8138.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
19 any time before the district issues indebtedness secured by taxes
20 or net revenues, the district, including any annexed territory, may
21 be divided into two or more new districts.

22 (b) A new district created by division of the district must
23 be at least 100 acres.

24 (c) The board may consider a proposal to divide the district
25 on:

26 (1) a petition of a landowner in the district; or

27 (2) a motion by the board.

1 (d) If the board decides to divide the district, the board
2 shall:

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

6 (2) prepare a metes and bounds description for each
7 proposed district.

8 Sec. 8138.252. ELECTION FOR DIVISION OF DISTRICT.

9 (a) After the board has complied with Section 8138.251(d), the
10 board shall hold an election in the district to determine whether
11 the district should be divided as proposed.

12 (b) The board shall give notice of the election not later
13 than the 35th day before the date of the election. The notice must
14 state:

15 (1) the date and location of the election; and

16 (2) the proposition to be voted on.

17 (c) If a majority of the votes are cast in favor of the
18 division:

19 (1) the district shall be divided; and

20 (2) not later than the 30th day after the date of the
21 election, the district shall provide written notice of the division
22 to:

23 (A) the Texas Commission on Environmental
24 Quality;

25 (B) the attorney general;

26 (C) the commissioners court of each county in
27 which a new district is located; and

1 (D) any municipality having extraterritorial
2 jurisdiction over territory in each new district.

3 (d) If a majority of the votes are not cast in favor of the
4 division, the district may not be divided.

5 Sec. 8138.253. ELECTION OF DIRECTORS OF NEW DISTRICTS.

6 (a) Not later than the 90th day after the date of an election in
7 favor of the division of the district, the board shall:

8 (1) appoint itself as the board of one of the new
9 districts; and

10 (2) appoint five directors for each of the other new
11 districts.

12 (b) Directors appointed under Subsection (a)(1) serve the
13 staggered terms to which they were elected in the original
14 district. Directors appointed under Subsection (a)(2) serve until
15 the election for directors under Subsection (c).

16 (c) On the uniform election date in May of the first
17 even-numbered year after the year in which the directors are
18 appointed, an election shall be held to elect five directors in each
19 district for which directors were appointed under Subsection
20 (a)(2). The directors shall draw lots to determine which two shall
21 serve two-year terms and which three shall serve four-year terms.

22 (d) Except as provided by Subsection (c), directors serve
23 staggered four-year terms. On the uniform election date in May of
24 each even-numbered year, the appropriate number of directors shall
25 be elected.

26 Sec. 8138.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
27 DISTRICTS. (a) Each new district may incur and pay debts and has

1 all powers of the original district created by this chapter.

2 (b) If the district is divided as provided by this
3 subchapter, the current obligations and any bond authorizations of
4 the district are not impaired. Debts shall be paid by revenues or
5 by taxes or assessments imposed on real property in the district as
6 if the district had not been divided or by contributions from each
7 new district as stated in the terms set by the board under Section
8 8138.251(d).

9 (c) Any other district obligation shall be divided pro rata
10 among the new districts on an acreage basis or on other terms that
11 are satisfactory to the new districts.

12 Sec. 8138.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
13 new districts may contract with each other for:

14 (1) water and wastewater services; or

15 (2) any other matter the boards of the new districts
16 consider appropriate.

17 SECTION 2.02. Las Lomas Municipal Utility District No. 4 of
18 Kaufman County initially includes all the territory contained in
19 the following described area:

20 TRACT 1

21 BEING a tract of land situated in the R. Mead Survey, Abstract
22 No. 316, and the W.M. Simpson Survey, Abstract No. 453, Kaufman
23 County, Texas, and being a part of the certain 442.406 acres tract
24 of land as conveyed from Michael H. McDowell et al to the McDowell
25 Clan Limited Company, recorded in Volume 1648, Page 39, of the Deed
26 Records of Kaufman County, Texas, and a part of that called Second
27 Tract of 147.4 acres, described in a deed from Thos. R. Bond to

1 Thomas H. Crofts, recorded in Volume 413, Page 314, of the Deed
2 Records of Kaufman County, Texas, and being more particularly
3 described as follows;

4 COMMENCING at the northeast corner of a 15.332 acre tract
5 conveyed to James E. Bates, as recorded in Volume 1172, Page 812,
6 said rod being a point on the southeast line of the (New) Interstate
7 Highway 20 (variable width right-of-way);

8 THENCE along the southeast line of the (New) Interstate Highway 20,
9 the following courses:

10 N61°26'00"E, 499.31 feet to a corner;

11 N56°10'06"E, 614.11 feet to a corner;

12 N52°28'55"E, 550.82 feet to a corner;

13 N55°36'15"E, 1800.00 feet to a corner;

14 N58°43'35"E, 550.82 feet to a corner;

15 N55°36'15"E, 333.17 feet to the POINT OF BEGINNING;

16 THENCE Northeasterly, continuing along the southeast line of said
17 (New) Interstate Highway 20, the following courses;

18 N55°36'15"E, 466.83 feet to a corner;

19 N53°58'03"E, 1050.43 feet to a corner;

20 N55°36'15"E, 754.45 feet to the beginning of a tangent curve to the
21 right;

22 THENCE Northeasterly, along a tangent curve to the right which has a
23 chord that bears N57°26'55"E for 355.95 feet, a central angle of
24 03°41'20" and a radius of 5529.58 feet, for an arc distance of 356.01
25 feet to the most northerly west corner of a tract of land as
26 described in a deed to Harry Wayne Everett, recorded in Volume 1148,
27 Page 696;

1 THENCE along the southwesterly line of said Everett tract, the
2 following courses;
3 S44°02'15"E, 1082.82 feet to a corner;
4 S43°59'37"E, 434.78 feet to a corner;
5 S44°44'00"W, 287.56 feet to the beginning of a curve to the right;
6 Southwesterly along the tangent curve to the right which has a chord
7 bearing S59°26'46"W, for 245.41 feet, a central angle of 29°34'01"
8 and a radius of 480.87 feet, for an arc distance of 248.15 feet to
9 the end of said curve;
10 S17°58'30"E, 138.44 feet to a corner;
11 S43°29'26"W, 460.56 feet to an ell corner;
12 S42°27'26"E, 3519.51 feet to the south corner of said Everett tract,
13 said corner also being the west corner of an 80.000 acre tract of
14 land called Huneycutt Family Trust;
15 THENCE S44°28'50"E, 1359.43 feet to a corner;
16 THENCE S44°00'52"E, 308.37 feet to an ell corner;
17 THENCE S46°09'05"W, 128.94 feet to the beginning of a non-tangent
18 curve to the right;
19 THENCE Northwesterly, along the non-tangent curve to the right
20 which has a chord that bears N65°53'02"W for 3456.34 feet, a central
21 angle of 38°12'38" and a radius of 5280.00 feet, for an arc distance
22 of 3521.23 feet to the end of said curve;
23 THENCE N46°46'43"W, 1780.63 feet to the beginning of a tangent curve
24 to the right;
25 THENCE Northwesterly, along the tangent curve to the right which
26 has a chord that bears N42°24'39"W for 804.26 feet, a central angle
27 of 08°44'09" and a radius of 5280.00 feet, for an arc distance of

1 805.04 feet to the end of said curve;
2 THENCE N44°06'01"W, 249.64 feet to a corner;
3 THENCE N37°55'56"W, 400.16 feet to a corner;
4 THENCE N45°47'07" W, 780.18 feet to the POINT OF BEGINNING and
5 containing 10,873,600 square feet or 249.623 acres of land, more or
6 less.

7 Tract 2

8 BEING a tract of land situated in the J. W. WARD SURVEY,
9 ABSTRACT NO. 596, and the W. M. SIMPSON SURVEY, ABSTRACT NO. 453, in
10 Kaufman County, Texas, and being all of a called 288.239 acre tract
11 of land described as Tract 1 in a deed to AP Terrell Limited
12 Partnership, recorded in Volume 2324, Page 267 of the Deed Records
13 of Kaufman County, Texas, and being more particularly described as
14 follows, the bearing being referenced to the AP Terrell Limited
15 Partnership Deed, and being more particularly described as follows:

16 BEGINNING at a point in the northerly right-of-way of I. H.
17 20, said point being the east corner of a called 20.575 acre tract
18 of land described as Tract 9 in a deed to AP Dupont Limited
19 Partnership, recorded in Volume 2504, Page 77 of said Deed Records,
20 and the south corner of said 288.239 acre tract;
21 THENCE North 44 degrees 27 minutes 14 seconds West, along the
22 northeast line of said 20.575 acre tract and the southwest line of
23 said 288.239 acre tract, a distance of 889.56 feet to a point in the
24 southeast line of a called 1012.488 acre tract described in a deed
25 to AP Dupont Limited Partnership and the west corner of said 288.239
26 acre tract and the north corner of said 20.575 acre tract;
27 THENCE North 45 degrees 38 minutes 40 seconds East, along the

1 southeast line of a said 1012.488 acre tract and the northwest line
2 of said 288.239 acre tract, a distance of 7660.98 feet for the north
3 corner of said 288.239 acre tract ;
4 THENCE South 44 degrees 24 minutes 55 seconds East, along the
5 southwest line of a tract of land described in deed to C. L.
6 Hamilton, Jr. recorded in Volume 528, Page 759 of the Deed Records,
7 Kaufman County, Texas, and the northeast line of said 288.239 acre
8 tract, a distance of 2008.20 feet;
9 THENCE South 46 degrees 14 minutes 17 seconds West, along the
10 southeasterly line of said 288.239 acre tract, a distance of 797.13
11 feet;
12 THENCE South 44 degrees 04 minutes 45 seconds East, a distance of
13 222.22 feet to a point in the northerly right-of-way of I. H. 20 for
14 the beginning of a non-tangent curve to the left;
15 THENCE Southwesterly, along the northerly right-of-way of I. H. 20
16 and along said non-tangent curve to the left which has a chord that
17 bears South 56 degrees 59 minutes 44 seconds West for 288.05 feet, a
18 central angle of 02 degrees 47 minutes 01 second and a radius of
19 5929.58 feet, for an arc distance of 288.08 feet to the end of said
20 curve;
21 THENCE South 55 degrees 36 minutes 15 seconds West, continuing
22 along the northerly right-of-way of I. H. 20, a distance of 904.46
23 feet;
24 THENCE South 57 degrees 53 minutes 41 seconds West, continuing
25 along the northerly right-of-way of I. H. 20, a distance of 750.60
26 feet
27 THENCE South 55 degrees 36 minutes 15 seconds West, continuing

1 along the northerly right-of-way of I. H. 20, a distance of 1150.00
2 feet;

3 THENCE South 50 degrees 42 minutes 18 seconds West, continuing
4 along the northerly right-of-way of I. H. 20, a distance of 351.28
5 feet;

6 THENCE South 55 degrees 44 minutes 05 seconds West, continuing
7 along the northerly right-of-way of I. H. 20, a distance of 2715.75
8 feet;

9 THENCE South 63 degrees 17 minutes 12 seconds West, continuing
10 along the northerly right-of-way of I. H. 20, a distance of 839.80
11 feet to the POINT OF BEGINNING and containing 288.239 acres of land,
12 more or less.

13 Tract 3

14 BEING a tract of land situated in the J. R. LEATH SURVEY,
15 ABSTRACT NO. 305, the W. C. MOODY SURVEY, ABSTRACT NO. 321, the
16 RICHARD MEAD SURVEY, ABSTRACT NO. 326, the LEWIS PEARCE SURVEY,
17 ABSTRACT NO. 373, the WILLIAM SIMPSON SURVEY, ABSTRACT NO. 453, the
18 J. W. WARD SURVEY, ABSTRACT NO. 596, and the T. A. WALDROP SURVEY,
19 ABSTRACT NO. 597 in Kaufman County, Texas, and being all of a called
20 1012.488 acre tract of land described as Tract 1 in a deed to AP
21 Dupont Limited Partnership recorded in Volume 2502, Page 77 of the
22 Deed Records of Kaufman County, Texas, part of a called 1406.504
23 acre tract of land described as Tract 2 in said deed, all of a called
24 57.77 acre tract of land described as Tract 5 in said deed, all of a
25 called 38.410 acre tract of land described as Tract 6A in said deed,
26 all of a called 46.324 acre tract of land described as Tract 6B in
27 said deed, all of a called 146.491 acre tract of land described a

1 Tract 6C in said deed, all of a called 418.350 acre tract of land
2 described as Tract 6D in said deed, all of a called 210.082 acre
3 tract of land described as Tract 7 in said deed, all of a called 3.09
4 acre tract of land described as Tract 8 in said deed, all of a called
5 20.575 acre tract of land described as Tract 9 in said deed, all of a
6 called 242.39 acre tract of land described as Tract 10 in said deed,
7 and all of a called 55.848 acre tract of land described as Tract 11
8 in said deed, all of a called 40.186 acre tract of land described in
9 a deed AP Dupont Limited Partnership recorded in Volume 2489, Page
10 481 of said Deed Records, all of a called 20.000 acre tract
11 described in a deed to the Texas Veterans Land Board recorded in
12 Volume 1070, Page 332 and in a Contract of Sale between the Texas
13 Veterans Land Board and Melvin Earl Duke recorded in Volume 1070,
14 Page 336 of said Deed Records, and all of a called 20.000 acre tract
15 of land described in a deed to Robert A. Brooks and Barbara M.
16 Brooks recorded in Volume 1277, Page 618 of said Deed Records, and
17 being more particularly described as follows:

18 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT -
19 RPLS 4087" set in the southwest right-of-way line of Spur 557
20 (variable right-of-way) for the most easterly corner of said
21 1012.488 acre tract (Tract 1) and the northwest corner of a called
22 131.36 acre tract of land described as Tract V in a deed to 148/I-20
23 Terrell Partnership, Ltd., recorded in Volume 1939, Page 341 of
24 said Deed Records;

25 THENCE South 45 degrees 16 minutes 35 seconds West, along the
26 southeasterly boundary of said tract 1 and the northwest lines of
27 said Tract V and a called 120.00 acre tract of land described as

1 Tract IV in said deed to 148/I-20 Terrell Partnership, Ltd., a
2 distance of 2141.57 feet to a 5/8-inch iron rod with cap marked
3 "PETITT - RPLS 4087" set for the most westerly corner of said Tract
4 IV;

5 THENCE South 45 degrees 02 minutes 34 seconds East, along the
6 southwest line of said Tract IV, a distance of 99.72 feet to a
7 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for a
8 re-entrant corner in said Tract 1 and the north corner of a called
9 80.083 acre tract of land described in a deed to C. L. Hamilton,
10 Jr., recorded in Volume 528, Page 759 of said Deed Records;

11 THENCE South 45 degrees 05 minutes 40 seconds West, continuing
12 along the southeasterly boundary of said Tract 1 and along the
13 northwest line of said Hamilton tract, a distance of 1795.83 feet to
14 a 1/2-inch iron rod found in the northeast line of a called 288.239
15 acre tract of land described as Tract 1 in a deed to AP Terrell
16 Limited Partnership recorded in Volume 2324, page 267 of said Deed
17 Records for the west corner of said Hamilton tract and a re-entrant
18 corner of said Tract 1;

19 THENCE North 44 degrees 23 minutes 07 seconds West, continuing
20 along the southeasterly boundary of said Tract 1 and the northeast
21 line of said 288.239 acre tract, a distance of 99.93 feet to a
22 5/8-inch iron rod found for the most northerly corner of said
23 288.239 acre tract;

24 THENCE South 45 degrees 29 minutes 35 seconds West, along the common
25 line between said Tract 1 and said 288.239 acre tract, a distance of
26 6060.97 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
27 4087" set for an angle point;

1 THENCE South 45 degrees 28 minutes 26 seconds West, continuing
2 along said common line, a distance of 1601.11 feet to a 5/8-inch
3 iron rod with cap marked "PETITT - RPLS 4087" set for the west
4 corner of said 288.239 acre tract and the north corner of said Tract
5 9;

6 THENCE South 44 degrees 25 minutes 44 seconds East, along the
7 northeast line of said Tract 9 and the southwest line of said
8 288.239 acre tract, a distance of 898.56 feet to a 5/8-inch iron rod
9 with cap marked "PETITT - RPLS 4087" set in the northerly
10 right-of-way of Interstate Highway 20 (variable right-of-way) for
11 the south corner of said 288.239 acre tract and the east corner of
12 said Tract 9;

13 THENCE along the northerly right-of-way of Interstate Highway 20
14 the following courses and distances:

15 South 63 degrees 04 minutes 03 seconds West, a distance of 631.14
16 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
17 for corner;

18 South 75 degrees 45 minutes 02 seconds West, a distance of 1122.84
19 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
20 for corner;

21 South 77 degrees 15 minutes 22 seconds West, a distance of 2160.34
22 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
23 for corner;

24 South 87 degrees 10 minutes 56 seconds West, a distance of 406.08
25 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
26 for corner;

27 South 77 degrees 15 minutes 22 seconds West, a distance of 1593.39

1 feet to a 5/8-inch iron rod found for the most southerly southwest
2 corner of said Tract 1;
3 THENCE North 44 degrees 55 minutes 22 seconds West, along the
4 southwest line of said Tract 1, a distance of 1236.59 feet to the
5 west corner thereof and the south corner of a called 226.262 acre
6 tract of land described in a deed to Stephen Edward Cummings and
7 wife Tamara Cannon Cummings recorded in Volume 1105, Page 405 of
8 said Deed Records;
9 THENCE North 44 degrees 40 minutes 05 seconds East, along the most
10 southerly northwest line of said Tract 1 and the southeast line of
11 said Cummings tract, a distance of 2494.90 feet to a point in the
12 approximate center of Big Brushy Creek;
13 THENCE along the approximate center of Big Brushy Creek the
14 following courses and distances
15 North 06 degrees 12 minutes 18 seconds West, a distance of 345.93
16 feet;
17 North 09 degrees 55 minutes 23 seconds West, a distance of 554.42
18 feet;
19 North 08 degrees 46 minutes 10 seconds West, a distance of 381.09
20 feet;
21 North 05 degrees 35 minutes 18 seconds East, a distance of 162.78
22 feet;
23 North 22 degrees 31 minutes 18 seconds West, a distance of 166.93
24 feet;
25 North 09 degrees 47 minutes 43 seconds West, a distance of 320.94
26 feet;
27 North 05 degrees 05 minutes 10 seconds West, a distance of 140.62

- 1 feet;
- 2 North 23 degrees 45 minutes 30 seconds East, a distance of 76.71
- 3 feet;
- 4 North 11 degrees 46 minutes 42 seconds West, a distance of 70.46
- 5 feet;
- 6 North 03 degrees 51 minutes 18 seconds West, a distance of 166.62
- 7 feet;
- 8 North 13 degrees 06 minutes 48 seconds West, a distance of 273.76
- 9 feet;
- 10 North 12 degrees 55 minutes 02 seconds East, a distance of 79.03
- 11 feet;
- 12 North 05 degrees 00 minutes 55 seconds West, a distance of 192.13
- 13 feet;
- 14 North 07 degrees 15 minutes 15 seconds East, a distance of 69.36
- 15 feet;
- 16 North 05 degrees 47 minutes 42 seconds West, a distance of 88.93
- 17 feet;
- 18 North 19 degrees 00 minutes 10 seconds East, a distance of 143.40
- 19 feet;
- 20 North 07 degrees 53 minutes 29 seconds East, a distance of 76.28
- 21 feet;
- 22 North 18 degrees 45 minutes 36 seconds East, a distance of 63.08
- 23 feet;
- 24 North 09 degrees 31 minutes 32 seconds East, a distance of 132.11
- 25 feet;
- 26 North 02 degrees 16 minutes 10 seconds West, a distance of 71.67
- 27 feet;

1 North 14 degrees 29 minutes 56 seconds West, a distance of 124.10
2 feet;
3 North 31 degrees 34 minutes 04 seconds West, a distance of 80.42
4 feet;
5 North 20 degrees 56 minutes 55 seconds West, a distance of 85.21
6 feet;
7 North 02 degrees 03 minutes 48 seconds East, a distance of 66.26
8 feet;
9 North 04 degrees 20 minutes 07 seconds West, a distance of 107.71
10 feet;
11 North 25 degrees 55 minutes 20 seconds West, a distance of 126.58
12 feet;
13 North 33 degrees 42 minutes 49 seconds West, a distance of 66.57
14 feet;
15 North 48 degrees 30 minutes 57 seconds West, a distance of 45.41
16 feet;
17 North 75 degrees 33 minutes 32 seconds West, a distance of 35.14
18 feet to the west corner of said Tract 4 and the north corner of said
19 Cummings tract, said point being in the southeasterly boundary of
20 said tract 2;
21 THENCE South 45 degrees 08 minutes 13 seconds West, along the
22 northwesterly boundary of said Cummings tract and the southeasterly
23 boundary of said Tract 2, a distance of 636.24 feet to a 5/8-inch
24 iron rod with cap marked "PETITT - RPLS 4087" set for corner;
25 THENCE South 25 degrees 51 minutes 12 seconds West, continuing
26 along the northwesterly boundary of said Cummings tract and the
27 southeasterly boundary of said Tract 2, a distance of 1632.88 feet

1 to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for
2 corner;

3 THENCE South 44 degrees 51 minutes 12 seconds West, continuing
4 along the northwesterly boundary of said Cummings tract and the
5 southeasterly boundary of said Tract 2, a distance of 864.04 feet to
6 the east corner of a called 10.0 acre tract of land described in a
7 deed to Floyd Darden and John Darden recorded in Volume 1033, Page
8 384 of said Deed Records;

9 THENCE North 00 degrees 51 minutes 17 seconds West, a distance of
10 10481.50 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
11 4087" set in the south line of the Union Pacific Railway (100'
12 right-of-way) and in the north line of said Tract 2;

13 THENCE South 88 degrees 06 minutes 52 seconds East, along the north
14 line of said Tract 2 and the south line of the Railway, a distance of
15 8059.22 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
16 4087" set for corner;

17 THENCE South 02 degrees 52 minutes 47 seconds West, a distance of
18 98.14 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
19 4087" set for the northeast corner of said Tract 8;

20 THENCE South 10 degrees 52 minutes 20 seconds West, along the most
21 northerly east line of said Tract 8, a distance of 191.83 feet to a
22 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for
23 corner;

24 THENCE South 78 degrees 58 minutes 12 seconds East, a distance of
25 18.76 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
26 4087" set in the approximate center of County Road 238 (undedicated
27 public road) and the west line of said Tract 6A;

1 THENCE North 09 degrees 34 minutes 14 seconds East, along the
2 approximate center of County Road 238 and the west line of said
3 Tract 6A, a distance of 194.23 feet to a 5/8-inch iron rod with cap
4 marked "PETITT - RPLS 4087" set for the northwest corner of said
5 Tract 6A;

6 THENCE South 88 degrees 13 minutes 07 seconds East, along the north
7 line of said Tract 6A, a distance of 439.54 feet to a concrete
8 monument found for the northeast corner of said Tract 6A and the
9 northwest corner of a 40.186 acre tract of land described in a deed
10 to AP Dupont Limited Partnership recorded in Volume 2489, Page 481
11 of said Deed Records;

12 THENCE along the southwesterly right-of-way of Spur 557 as follows:
13 South 62 degrees 14 minutes 39 seconds East, a distance of 239.63
14 feet to a concrete monument for corner;

15 South 56 degrees 59 minutes 45 seconds East, a distance of 398.38
16 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
17 for corner;

18 South 61 degrees 40 minutes 02 seconds East, a distance of 801.48
19 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
20 for corner;

21 South 58 degrees 29 minutes 39 seconds East, a distance of 1701.26
22 feet to a concrete monument found for corner;

23 South 60 degrees 45 minutes 58 seconds East, a distance of 399.56
24 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
25 for corner;

26 South 58 degrees 10 minutes 40 seconds East, a distance of 197.28
27 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set

1 for corner;
2 South 58 degrees 08 minutes 34 seconds East, a distance of
3 1002.54 feet to a concrete monument found for corner;
4 South 54 degrees 48 minutes 28 seconds East, a distance of 901.01
5 feet to a concrete monument found at a cut-back corner for County
6 Road 305;
7 South 00 degrees 24 minutes 39 seconds East, along said cut-back, a
8 distance of 306.16 feet to a concrete monument found for corner;
9 South 48 degrees 51 minutes 21 seconds East, a distance of 139.01
10 feet to a concrete monument found for corner;
11 North 68 degrees 37 minutes 22 seconds East, along a cut-back iron
12 rod with cap marked "PETITT - RPLS 4087" set for corner;
13 South 62 degrees 55 minutes 42 seconds East, a distance of 908.33
14 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
15 for corner;
16 South 62 degrees 41 minutes 47 seconds East, a distance of 1218.13
17 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
18 for corner;
19 South 62 degrees 58 minutes 31 seconds East, a distance of 65.33
20 feet to the POINT OF BEGINNING and containing 3152.439 acres of
21 land, SAVE AND EXCEPT the following two (2) tracts of land:

22 SAVE AND EXCEPT TRACT 1

23 BEING a tract of land situated in the LEWIS PEARCE SURVEY,
24 ABSTRACT NO. 373, in Kaufman County, Texas, and being all of a
25 called 10.000 acre tract of land described in a deed to Robert A.
26 Kaus and wife Martha Lee Kaus recorded in Volume 1050, Page 120 of
27 the Deed Records of Kaufman County, Texas, and all of a called

1 30.000 acre tract described in a deed to Robert A. Kaus and wife
2 Martha Lee Kaus recorded in Volume 1050, Page 124 of said Deed
3 Records, and being more particularly described as follows:

4 BEGINNING at a 3/8-inch iron rod found in the approximate
5 center of County Road 238 (undedicated public road) for the north
6 corner of said 30.000 tract and the west corner of a called 46.324
7 acre tract of land described as Tract 6B in a deed to AP Dupont
8 Limited partnership recorded in Volume 2502, page 77 of said Deed
9 Records;

10 THENCE South 45 degrees 11 minutes 54 seconds East, along the
11 northeast line of said 30.000 acre tract and the southwest line of
12 said tract 6B, a distance of 3261.17 feet to a 3/8-inch iron rod
13 found for the east corner of said 30.000 acre tract and the south
14 corner of said Tract 6B, said point also being located in the
15 northwest line of a called 242.39 acre tract of land described as
16 Tract 10;

17 THENCE South 44 degrees 50 minutes 02 seconds West, along the
18 southeast lines of said 30.000 acre tract and said 10.000 acre
19 tract, and the northwest line of said Tract 10, a distance of 534.82
20 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
21 for the south corner of said 10.000 acre tract and the east corner
22 of a called 55.84 acre tract described as Tract 11 in said AP Dupont
23 deed;

24 THENCE North 45 degrees 11 minutes 25 seconds West, along the
25 southwest line of said 10.00 acre tract and the northeast line of
26 said Tract 11, a distance of 3262.61 feet to a 3/8-inch iron found
27 in the approximate center of County Road 238 for the west corner of

1 said 10.000 acre tract and the north corner of said Tract 11;
2 THENCE North 44 degrees 59 minutes 17 seconds East, along the
3 approximate center of County Road 238 and the northwest lines of
4 said 10.000 acre tract and said 30.000 acre tract; a distance of
5 534.37 feet to the POINT OF BEGINNING and containing 40.032 acres of
6 land, more or less.

7 SAVE AND EXCEPT TRACT 2

8 BEING a tract of land situated in the LEWIS PEARCE SURVEY,
9 ABSTRACT NO. 373, in Kaufman County, Texas, and being all of a
10 called 20.000 acre tract of land described in a deed to James Edgar
11 Crawford, Sr., and wife Earlena Faye Crawford recorded in Volume
12 1056, Page 531 of the Deed Records of Kaufman County, Texas, and all
13 of a called 20.000 acre tract described in a deed to the Texas
14 Veterans Land Board recorded in Volume 1070, Page 352 of said Deed
15 Records, and being more particularly described as follows:

16 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT -
17 RPLS 4087" set in the approximate center of County Road 238
18 (undedicated public road) for the north corner of said Texas
19 Veterans Land Board tract and the west corner of a called 55.84 acre
20 tract of land described as Tract 11 in a deed to AP Dupont Limited
21 Partnership recorded in Volume 2502, Page 77 of said Deed Records;
22 THENCE South 45 degrees 13 minutes 34 seconds East, along the common
23 line between said Land Board tract and said Tract 11, a distance of
24 1291.85 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
25 4087" set for the most northerly east corner of said Land Board
26 tract and a re-entrant corner in said Tract 11

27 THENCE South 00 degrees 11 minutes 46 seconds East, along the most

1 southerly west line of said Tract 11 and the east lines of said Land
2 Board tract and said Crawford tract, a distance of 1381.15 feet to a
3 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set for the
4 south corner of said Crawford tract and the most northerly east
5 corner of a called 418.609 acre tract of land described as Tract 6D
6 in said AP Dupont deed;

7 THENCE North 45 degrees 16 minutes 57 seconds West, along the
8 southwest line of said Crawford tract and the northeast line of said
9 Tract 6D, a distance of 2274.35 feet to a 5/8-inch iron rod with cap
10 marked "PETITT - RPLS 4087" set in the approximate center of County
11 Road 238 for the west corner of said Crawford tract and the north
12 corner of said tract 6D;

13 THENCE North 45 degrees 08 minutes 53 seconds East, along the
14 approximate center of County Road 238 and the northwest line said
15 Tract 6D, a distance of 979.39 feet to the POINT OF BEGINNING and
16 containing 40.057 acres of land, more of less, leaving a total area
17 of 3072.350 acres, more or less.

18 Tract 4

19 BEING a tract of land situated in the WILLIAM SIMPSON SURVEY,
20 ABSTRACT NO. 453, in Kaufman County, Texas, and being all of a
21 called 362.357 acre tract of land described as Tract 3 in a deed to
22 AP Dupont Limited Partnership recorded in Volume 2502, Page 77 of
23 the Deed Records of Kaufman County, Texas, said land containing a
24 portion of a called 76 acre tract of land described as Tract 4 in a
25 deed to Maher Properties One recorded in Volume 694, Page 167 of
26 said Deed Records, and being more particularly described as
27 follows:

1 BEGINNING at a 1/2-inch iron rod found in the center of F. M.
2 148 (80' right-of-way) for the east corner of said Tract 3;
3 THENCE South 45 degrees 32 minutes 14 seconds West, along the center
4 of F. M. 148 and the southeast line of said Tract 3, passing a
5 concrete monument found for the beginning of a curve to the left at
6 2741.39 feet, 38.24 feet right, a total distance of 3002.67 feet to
7 a 1/2-inch iron rod found for the easterly southeast corner of said
8 Tract 3;
9 THENCE South 83 degrees 54 minutes 51 seconds West, along the
10 southerly boundary of said Tract 3 and the northerly boundary of a
11 called 155 acre tract of land described as Tract 1 in a deed to Jerry
12 R. Sims and wife Margie Sims recorded in Volume 1124, Page 103 of
13 said Deed Records, a distance of 1129.08 feet to a 3/8-inch iron rod
14 found for corner;
15 THENCE North 79 degrees 01 minutes 39 seconds West, continuing
16 along the southerly boundary of said Tract 3 and the northerly
17 boundary of said 155 acre tract, a distance of 929.89 feet to a
18 1/2-inch iron rod found for corner;
19 THENCE North 79 degrees 03 minutes 39 seconds West, continuing
20 along the southerly line of said Tract 3 and the northerly line of
21 said 155 acre tract, distance of 360.00 feet to a 5/8-inch iron rod
22 with cap marked "PETITT - RPLS 4087" set for corner;
23 THENCE North 77 degrees 41 minutes 39 seconds West, continuing
24 along the southerly line of said Tract 3 and the northerly line of
25 said 155 acre tract, a distance of 205.00 feet to a 5/8-inch iron
26 rod with cap marked "PETITT - RPLS 4087" set for corner;
27 THENCE North 85 degrees 30 minutes 59 seconds West, continuing

1 along the southerly line of said Tract 3 and the northerly line of
2 said 155 acre tract, a distance of 289.63 feet to a point in the
3 approximate center of Big Brushy Creek;
4 THENCE along the approximate center of Big Brushy Creek the
5 following courses and distances:
6 North 23 degrees 14 minutes 25 seconds West, a distance of 54.89
7 feet;
8 North 04 degrees 05 minutes 31 seconds West, a distance of 216.07
9 feet;
10 South 51 degrees 10 minutes 14 seconds East, a distance of 171.26
11 feet;
12 North 41 degrees 26 minutes 55 seconds East, a distance of 167.67
13 feet;
14 North 76 degrees 53 minutes 55 seconds East, a distance of 118.88
15 feet;
16 North 25 degrees 24 minutes 54 seconds East, a distance of 196.89
17 feet;
18 North 49 degrees 32 minutes 49 seconds West, a distance of 195.65
19 feet;
20 North 18 degrees 50 minutes 34 seconds West, a distance of 237.39
21 feet;
22 North 23 degrees 34 minutes 39 seconds East, a distance of 165.47
23 feet;
24 North 03 degrees 20 minutes 51 seconds East, a distance of 101.63
25 feet;
26 North 40 degrees 18 minutes 31 seconds West, a distance of 172.48
27 feet;

1 North 17 degrees 35 minutes 08 seconds West, a distance of 97.88
2 feet;
3 North 08 degrees 29 minutes 33 seconds East, a distance of 76.51
4 feet;
5 North 13 degrees 52 minutes 15 seconds West, a distance of 69.50
6 feet;
7 North 21 degrees 42 minutes 00 seconds East, a distance of 69.26
8 feet;
9 North 21 degrees 26 minutes 22 seconds West, a distance of 146.39
10 feet;
11 North 00 degrees 08 minutes 09 seconds West, a distance of 158.73
12 feet;
13 North 09 degrees 54 minutes 29 seconds West, a distance of 77.56
14 feet to a point in the westerly boundary of said Tract 3, said point
15 also being located in the northwest line of said Maher tract and the
16 southeast line of a called 100 acre tract of land described as Tract
17 1 in a deed to Kenneth L. Cleaver and wife Cynthia L. Cleaver
18 recorded in Volume 1173, Page 351 of said Deed Records;
19 THENCE North 45 degrees 27 minutes 16 seconds East, along the
20 northwest line of Maher tract and the southeast line of said Cleaver
21 tract, a distance of 54.41 feet to a 5/8-inch iron rod with cap
22 marked "PETITT - RPLS 4087" set for corner;
23 THENCE North 44 degrees 51 minutes 27 seconds West, along the
24 southwest line of said Tract 3 and the northeast line of said
25 Cleaver 100 acre tract and the northeast line of the remainder of a
26 called 117.93 acre tract described as Tract 2 in said Cleaver deed,
27 a distance of 1535.89 feet to a 5/8-inch iron rod with cap marked

1 "PETITT - RPLS 4087" set in the southerly right-of-way line of I. H.
2 20 (variable right-of-way) for the west corner of said Tract 3;
3 THENCE along the southerly right-of-way of I. H. 20 the following
4 courses and distances:

5 North 77 degrees 15 minutes 22 seconds East, a distance of 1291.15
6 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
7 for corner;

8 North 68 degrees 43 minutes 31 seconds East, a distance of 404.48
9 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
10 for corner;

11 North 77 degrees 15 minutes 22 seconds East, a distance of 2377.18
12 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" set
13 for the north corner of said Tract 3;

14 THENCE South 44 degrees 39 minutes 40 seconds East, along the
15 northeast line of said Tract 3 and the southwest line of a called
16 26.796 acre tract of land described in a deed to Milowe Jungjohann
17 and wife Janice Jungjohann recorded in Volume 764, Page 444 and the
18 southwest line of a called 23.017 acre tract described in a deed to
19 Milowe Eugene Jungjohann recorded in Volume 729, Page 680, a
20 distance of 2908.97 feet to the POINT OF BEGINNING and containing
21 362.394 acres of land, more or less, 2.780 acres of which are within
22 the right-of-way of F. M. 148, leaving an area of 359.614 acres of
23 land, more or less.

24 SECTION 2.03. (a) The legal notice of the intention to
25 introduce this article, setting forth the general substance of this
26 article, has been published as provided by law, and the notice and a
27 copy of this article have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

4 (b) The governor, one of the required recipients, has
5 submitted the notice and article to the Texas Commission on
6 Environmental Quality.

7 (c) The Texas Commission on Environmental Quality has filed
8 its recommendations relating to this article with the governor, the
9 lieutenant governor, and the speaker of the house of
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this article are
14 fulfilled and accomplished.

15 ARTICLE 3. THE KINGSBOROUGH MUNICIPAL UTILITY DISTRICT NOS. 1, 2,
16 3, 4, AND 5 OF KAUFMAN COUNTY

17 SECTION 3.01. Section 5, Chapter 1299, Acts of the 78th
18 Legislature, Regular Session, 2003, is amended to read as follows:

19 Sec. 5. BOUNDARIES. The boundaries of each district are as
20 follows:

21 (1) Kingsborough Municipal Utility District No. 1:

22 BEING a tract of land located in the JOHN MOORE SURVEY,
23 ABSTRACT NO. 309, Kaufman County, Texas and the MARTHA MUSICK
24 SURVEY, ABSTRACT NO. 312, Kaufman County, Texas and being a part of
25 a tract of land as described as Tract 4 in Deed to 2219 KAUFMAN
26 PARTNERS, L.P., a Texas Limited Partnership, recorded in Volume
27 2127 Page 184, Deed Records, Kaufman County, Texas and being a part

1 of land as described as Tract 5 in Deed to 2219 KAUFMAN PARTNERS,
2 L.P., a Texas Limited Partnership, recorded in Volume 2127, Page
3 184, Deed Records, Kaufman County, Texas and being more
4 particularly described as follows:

5 BEGINNING at a point in the Southeast line of F.M. 741, a 90
6 foot right-of-way, at the most Easterly corner of said Tract 5;

7 THENCE South 44 degrees 19 minutes 46 seconds West, along the
8 South line of said Tract 5, a distance of 1400.75 feet to a point for
9 corner (Basis of Bearings derived from Texas State Plane
10 Coordinates, NAD83, North Central Zone);

11 THENCE North 35 degrees 05 minutes 57 seconds West, a
12 distance of 131.93 feet to a point for corner;

13 THENCE North 58 degrees 29 minutes 36 seconds West, a
14 distance of 188.90 feet to a point at the beginning of a curve to the
15 right, having a central angle of 07 degrees 17 minutes 11 seconds, a
16 radius of 3016.59 feet, and a chord bearing and distance of North 56
17 degrees 15 minutes 31 seconds West, 383.36 feet;

18 THENCE Northwesterly, along said curve to the right, an arc
19 distance of 383.62 feet to a point at the beginning of a reverse
20 curve to the right, having a central angle of 23 degrees 17 minutes
21 48 seconds, a radius of 948.15 feet, and a chord bearing and
22 distance of North 64 degrees 25 minutes 07 seconds, 382.87 feet;

23 THENCE Northwesterly, along said curve to the left, an arc
24 distance of 385.52 to a point for corner;

25 THENCE North 78 degrees 23 minutes 10 seconds West, a
26 distance of 394.94 feet to a point at the beginning of a non-tangent
27 curve to the right, having a central angle of 47 degrees 33 minutes

1 08 seconds, a radius of 1126.20 feet, and a chord bearing and
2 distance of South 28 degrees 55 minutes 42 seconds West, 908.09
3 feet;

4 THENCE Southwesterly, along said curve to the right, an arc
5 distance of 934.69 feet to a point at the beginning of a reverse
6 curve to the left, having a central angle of 20 degrees 13 minutes
7 06 seconds, a radius of 2271.63 feet, and a chord bearing and
8 distance of South 42 degrees 35 minutes 44 seconds West, 797.45
9 feet;

10 THENCE Southwesterly, along said curve to the left, an arc
11 distance of 801.60 feet to a point for corner;

12 THENCE South 48 degrees 25 minutes 39 seconds West, a
13 distance of 159.16 feet to a point for corner;

14 THENCE South 79 degrees 27 minutes 33 seconds West, a
15 distance of 223.78 feet to a point for corner;

16 THENCE South 86 degrees 18 minutes 27 seconds West, a
17 distance of 577.69 feet to a point for corner;

18 THENCE South 89 degrees 44 minutes 01 seconds West, a
19 distance of 192.92 feet to a point at the beginning of a curve to the
20 left, having a central angle of 31 degrees 13 minutes 53 seconds, a
21 radius of 1066.44 feet, and a chord bearing and distance of South 74
22 degrees 07 minutes 05 seconds West, 574.14 feet;

23 THENCE Southwesterly, along said curve to the left, an arc
24 distance of 581.31 feet to a point for corner;

25 THENCE South 78 degrees 24 minutes 06 seconds West, a
26 distance of 756.13 feet to a point for corner;

27 THENCE North 77 degrees 31 minutes 58 seconds West, a

1 distance of 1549.11 feet to a point for corner in the Northwest line
2 of said Tract 5;

3 THENCE North 44 degrees 34 minutes 48 seconds East, a
4 distance of 2263.55 feet to a point at the most Southerly corner of
5 said Tract 4;

6 THENCE, along the boundary lines of said Tract 4, the
7 following seventeen (17) courses and distances:

8 North 44 degrees 20 minutes 17 seconds West, a distance of
9 763.42 feet to a point for corner;

10 North 44 degrees 46 minutes 22 seconds East, a distance of
11 110.79 feet to a point for corner;

12 North 45 degrees 14 minutes 20 seconds West, a distance of
13 1368.08 feet to a point for corner;

14 North 44 degrees 54 minutes 14 seconds East, a distance of
15 247.82 feet to a point for corner;

16 South 68 degrees 10 minutes 49 seconds East, a distance of
17 629.95 feet to a point for corner;

18 North 44 degrees 19 minutes 24 seconds East, a distance of
19 851.60 feet to a point for corner;

20 North 45 degrees 55 minutes 11 seconds West, a distance of
21 1118.77 feet to a point for corner;

22 North 25 degrees 16 minutes 50 seconds East, a distance of
23 918.22 feet to a point for corner;

24 North 27 degrees 52 minutes 28 seconds East, a distance of
25 711.94 feet to a point for corner;

26 North 44 degrees 02 minutes 09 seconds East, a distance of
27 694.12 feet to a point for corner, said point being in the Southwest

1 line of said F.M. 741;

2 Southeasterly, along the Southwest line of said F.M. 741, the
3 following fourteen (14) courses and distances:

4 South 45 degrees 14 minutes 23 seconds East, a distance of
5 270.47 feet to a point at the beginning of a curve to the right,
6 having a central angle of 09 degrees 32 minutes 19 seconds, a radius
7 of 999.93 feet, and a chord bearing and distance of South 40 degrees
8 27 minutes 07 seconds East, 166.28 feet;

9 Southeasterly, along said curve to the right, an arc distance
10 of 166.47 feet to a point for corner;

11 South 45 degrees 13 minutes 17 seconds East, a distance of
12 165..79 feet to a point at the beginning of a curve to the left,
13 having a central angle of 03 degrees 03 minutes 24 seconds, a radius
14 of 11472.09 feet, and a chord bearing and distance of South 46
15 degrees 44 minutes 59 seconds East, 611.94 feet;

16 Southeasterly, along said curve to the left, an arc distance
17 of 612.02 feet to a point for corner;

18 South 45 degrees 21 minutes 23 seconds East, a distance of
19 189.56 feet to a point at the beginning of a curve to the left,
20 having a central angle of 04 degrees 13 minutes 00 seconds, a radius
21 of 2993.57 feet, and a chord bearing and distance of South 47
22 degrees 27 minutes 53 seconds, 220.26 feet;

23 Southeasterly, along said curve to the left, an arc distance
24 of 220.31 feet to a point for corner;

25 South 49 degrees 34 minutes 23 seconds East, passing the most
26 Easterly Corner of said Tract 4 and the most Northerly corner of
27 said Tract 5 at a distance of 74.77 feet and continuing for a total

1 of 222.82 feet to a point at the beginning of a curve to the left,
2 having a central angle of 07 degrees 34 minutes 00 seconds, a radius
3 of 1858.59 feet, and a chord bearing and distance of South 53
4 degrees 21 minutes 23 seconds East, 245.27 feet;

5 Southeasterly, along said curve to the left, an arc distance
6 of 245.45 feet to a point for corner;

7 South 57 degrees 08 minutes 23 seconds East, a distance of
8 299.17 feet to a point at the beginning of a curve to the left,
9 having a central angle of 02 degrees 58 minutes 43 seconds, a radius
10 of 11472.09 feet, and a chord bearing and distance of South 55
11 degrees 37 minutes 55 seconds East, 596.34 feet;

12 Southeasterly, along said curve to the left, an arc distance
13 of 596.39 feet to a point for corner;

14 South 57 degrees 07 minutes 15 seconds East, a distance of
15 329.76 feet to a point at the beginning of a curve to the right,
16 having a central angle of 12 degrees 11 minutes 38 seconds, a radius
17 of 5655.58 feet, and a chord bearing and distance of South 51
18 degrees 01 minutes 28 seconds, 1201.38 feet;

19 South 44 degrees 55 minutes 38 East, a distance of 752.58 feet
20 to a point for corner;

21 South 45 degrees 17 minutes 35 seconds East, a distance of
22 239.42 feet to the POINT OF BEGINNING and containing 553.876 acres
23 of land, more or less.

24 (2) Kingsborough Municipal Utility District No. 2:
25 BEING a tract of land located in the JOHN MOORE SURVEY,
26 ABSTRACT NO. 309, Kaufman County, Texas and and being a part of a
27 tract of land as described as Tract 7 in Deed to 2219 KAUFMAN

1 PARTNERS, L.P., a Texas Limited Partnership, recorded in Volume
2 2127 Page 184, Deed Records, Kaufman County, Texas and being more
3 particularly described as follows:

4 COMMENCING at a point in the Southeast line of F.M. 741, a 90'
5 right-of-way, at the most Westerly corner of said Tract 7;

6 THENCE North 44 degrees 08 minutes 33 seconds East (Basis of
7 Bearing derived from Texas State Plane Coordinates, NAD83, North
8 Central Zone), a distance of 4246.13 feet to the POINT OF BEGINNING
9 of the tract of land herein described:

10 THENCE Northeasterly, along the Southeast line of said F.M.
11 741, the following four (4) courses and distances:

12 North 44 degrees 20 minutes 40 seconds East, a distance of
13 869.52 feet to a point for corner;

14 North 44 degrees 30 minutes 36 seconds East, a distance of
15 699.51 feet to a point for corner;

16 North 44 degrees 24 minutes 12 seconds East, a distance of
17 1291.88 feet to a point at the beginning of a curve to the left,
18 having a central angle of 11 degrees 23 minutes 37 seconds, a radius
19 of 761.20 feet, and a chord bearing and distance of North 38 degrees
20 42 minutes 24 seconds East, 151.12 feet;

21 Northeasterly, along said curve to the left, an arc distance
22 of 151.37 feet to a point for corner;

23 THENCE North 44 degrees 24 minutes 12 seconds East, a
24 distance of 463.83 feet to a point at the beginning of a curve to the
25 left, having a central angle of 40 degrees 09 minutes 15 seconds, a
26 radius of 127.30 feet, and a chord bearing and distance of North 24
27 degrees 19 minutes 02 seconds East, 87.40 feet;

1 THENCE Northeasterly, along said curve to the left, an arc
2 distance of 89.21 feet to a point for corner;

3 THENCE North 44 degrees 24 minutes 11 seconds East, a
4 distance of 14.48 feet to a point for corner;

5 THENCE South 46 degrees 04 minutes 07 seconds East, a
6 distance of 3434.03 feet to a point at the most Easterly corner of
7 said Tract 7;

8 THENCE South 44 degrees 18 minutes 10 seconds West, along the
9 Southeast line of said Tract 7, a distance of 4558.23 feet to a
10 point for corner;

11 THENCE North 18 degrees 17 minutes 14 seconds West, a
12 distance of 2799.64 feet to a point at the beginning of a curve to
13 the left, having a central angle of 63 degrees 55 minutes 03
14 seconds, a radius of 500.00 feet, and a chord bearing and distance
15 of North 50 degrees 14 minutes 46 seconds West, 529.31 feet;

16 THENCE Northwesterly, along said curve to the left, an arc
17 distance of 557.79 feet to a point for corner;

18 THENCE North 82 degrees 12 minutes 17 seconds West, a
19 distance of 476.05 feet to the POINT OF BEGINNING and containing
20 291.986 acres of land, more or less.

21 (3) Kingsborough Municipal Utility District No. 3:

22 BEING a tract of land located in the JOHN MOORE SURVEY,
23 ABSTRACT NO. 309, Kaufman County, Texas and being part of a tract of
24 land described in Deed to 2219 KAUFMAN PARTNERS, L.P., recorded in
25 Volume 2127, Page 179, Deed Records, Kaufman County, Texas, and
26 being all of a tract of land described as Tract 6 in Deed to 2219
27 KAUFMAN PARTNERS, L.P., a Texas Limited Partnership, recorded in

1 Volume 2127 Page 184, Deed Records, Kaufman County, Texas and being
2 a part of a tract of land as described as Tract 5 in Deed to 2219
3 KAUFMAN PARTNERS, L.P., a Texas Limited Partnership, recorded in
4 Volume 2127, Page 184, Deed Records, Kaufman County, Texas, and
5 being more particularly described as follows:

6 BEGINNING at a point at the North end of a corner clip at the
7 intersection of the Northwest line of F.M. 741, a 90' right-of-way,
8 with Northeast line of F.M. 2757, a 100' right-of-way;

9 THENCE Northwesterly, along the Northeast line of said F.M.
10 2757, the following three (3) courses and distances:

11 North 44 degrees 19 minutes 40 seconds West, a distance of
12 1248.09 feet to a point for corner;

13 North 45 degrees 25 minutes 40 seconds West, a distance of
14 624.62 feet to a point for corner;

15 North 45 degrees 38 minutes 40 seconds West, a distance of
16 3304.71 feet to a point at the most Westerly corner of said Tract 5;

17 THENCE North 44 degrees 34 minutes 48 seconds East, a
18 distance of 1398.41 feet to a point for corner;

19 THENCE South 77 degrees 31 minutes 58 seconds East, a
20 distance of 1549.11 feet to a point for corner;

21 THENCE North 78 degrees 24 minutes 06 seconds East, a
22 distance of 756.13 feet to a point at the beginning of a curve to the
23 right, having a central angle of 31 degrees 13 minutes 53 seconds, a
24 radius of 1066.44 feet, and a chord bearing and distance of North 74
25 degrees 07 minutes 05 seconds East, 574.14 feet;

26 THENCE Northeasterly, along said curve to the right, an arc
27 distance of 581.31 feet to a point for corner;

1 THENCE North 89 degrees 44 minutes 01 seconds East, a
2 distance of 192.92 feet to a point for corner;

3 THENCE North 86 degrees 18 minutes 27 seconds East, a
4 distance of 577.69 feet to a point for corner;

5 THENCE North 79 degrees 27 minutes 33 seconds East, a
6 distance of 223.78 feet to a point for corner;

7 THENCE North 48 degrees 25 minutes 39 seconds East, a
8 distance of 159.16 feet to a point at the beginning of a curve to the
9 right, having a central angle of 20 degrees 13 minutes 06 seconds, a
10 radius of 2271.63 feet, and a chord bearing and distance of North 42
11 degrees 35 minutes 44 seconds East, 797.45 feet;

12 THENCE Northeasterly, along said curve to the right, an arc
13 distance of 801.60 feet to a point at the beginning of a reverse
14 curve to the left, having a central angle of 47 degrees 33 minutes
15 09 seconds, a radius of 1126.20 feet, and a chord bearing and
16 distance of North 28 degrees 55 minutes 42 seconds East, 908.09
17 feet;

18 THENCE Northeasterly, along said curve to the left, an arc
19 distance of 934.69 feet to a point for corner;

20 THENCE South 78 degrees 23 minutes 10 seconds East, a
21 distance of 394.94 feet to a point at the beginning of a curve to the
22 right, having a central angle of 23 degrees 17 minutes 48 seconds, a
23 radius of 948.15 feet, and a chord bearing and distance of South 64
24 degrees 25 minutes 07 seconds East, 382.87 feet;

25 THENCE Southeasterly, along said curve to the right, an arc
26 distance of 385.52 feet to a point at the beginning of a reverse
27 curve to the left, having a central angle of 07 degrees 17 minutes

1 11 seconds, a radius of 3016.59 feet, and a chord bearing and
2 distance of South 56 degrees 15 minutes 31 seconds East, 383.36
3 feet;

4 THENCE Southeasterly, along said curve to the left, an arc
5 distance of 383.62 feet to a point for corner;

6 THENCE South 58 degrees 29 minutes 36 seconds East, a
7 distance of 188.90 feet to a point for corner;

8 THENCE South 35 degrees 05 minutes 57 seconds East, a
9 distance of 131.93 feet to a point for corner;

10 THENCE South 44 degrees 45 minutes 27 seconds East, a
11 distance of 1448.35 feet to a point for corner, said point being in
12 the Northwest line of said F.M. 741;

13 THENCE Southeasterly, along the Northwest line of said F.M.
14 741, the following seven (7) courses and distances:

15 South 44 degrees 24 minutes 12 seconds West, a distance of
16 544.98 feet to a point for corner;

17 South 45 degrees 25 minutes 26 seconds West, a distance of
18 10.00 feet to a point for corner;

19 South 44 degrees 30 minutes 36 seconds West, a distance of
20 700.00 feet to a point for corner;

21 South 45 degrees 39 minutes 20 seconds East, a distance of
22 10.00 feet to a point for corner;

23 South 44 degrees 20 minutes 40 seconds West, a distance of
24 1798.29 feet to a point for corner;

25 South 44 degrees 26 minutes 34 seconds West, a distance of
26 792.04 feet to a point for corner;

27 South 43 degrees 58 minutes 26 seconds West, a distance of

1 2424.34 feet to a point for corner;

2 THENCE South 89 degrees 30 minutes 06 seconds West, a
3 distance of 135.36 feet to the POINT OF BEGINNING and containing
4 531.150 acres of land, more or less.

5 (4) Kingsborough Municipal Utility District No. 4:

6 BEING a tract of land located in the MARTHA MUSICK SURVEY,
7 ABSTRACT NO. 312, Kaufman County, Texas and being a part of a tract
8 of land as described as Tract 2 in Deed to 2219 KAUFMAN PARTNERS,
9 L.P., a Texas Limited Partnership, recorded in Volume 2127 Page
10 184, Deed Records, Kaufman County, Texas and being more
11 particularly described as follows:

12 BEGINNING at a point in the Northeast line of F.M. 741, a 90
13 foot right-of-way, at the most Southerly corner of said Tract 2;

14 THENCE Northwesterly and Northeasterly along the Northeast
15 and Southeast line of said F.M. 741 the following nine (9) courses
16 and distances:

17 North 45 degrees 17 minutes 35 seconds West, a distance of
18 3.79 feet to a point for corner;

19 North 44 degrees 55 minutes 38 seconds West, a distance of
20 752.58 feet to a point for corner at the beginning of a curve to the
21 left having a central angle of 12 degrees 11 minutes 39 seconds, a
22 radius of 5,745.58 feet and a chord bearing and distance of North 51
23 degrees 01 minutes 28 seconds West, 1,220.51 feet;

24 Northwesterly, along said curve to the left, an arc distance
25 of 1,222.82 feet to a point for corner;

26 North 57 degrees 07 minutes 17 seconds West, a distance of
27 329.74 feet to a point for corner at the beginning of a curve to the

1 right having a central angle of 11 degrees 54 minutes 00 seconds, a
2 radius of 11,382.09 feet and a chord bearing and distance of North
3 51 degrees 10 minutes 17 seconds West, 2,359.75 feet;

4 Northwesterly, along said curve to the right, an arc distance
5 of 2,363.99 feet to a point for corner;

6 North 45 degrees 13 minutes 17 seconds West, a distance of
7 1,653.79 feet to a point for corner at the beginning of a curve to
8 the right having a central angle of 90 degrees 30 minutes 21
9 seconds, a radius of 909.93 feet and a chord bearing and distance of
10 North 00 degrees 01 minutes 54 seconds East, 1,292.50 feet;

11 Northerly, along said curve to the right, an arc distance of
12 1,437.35 feet to a point for corner;

13 North 45 degrees 17 minutes 04 seconds East, a distance of
14 197.76 feet to a point for corner;

15 North 46 degrees 08 minutes 16 seconds East, a distance of
16 857.28 feet to a point for corner;

17 THENCE South 89 degrees 50 minutes 39 seconds East, leaving
18 said Southeast line of F.M. 741, a distance of 242.06 feet to a
19 point for corner;

20 THENCE South 84 degrees 41 minutes 48 seconds East, a
21 distance of 595.07 feet to a point for corner at the beginning of a
22 curve to the left having a central angle of 15 degrees 54 minutes 22
23 seconds, a radius of 950.00 feet and a chord bearing and distance of
24 South 74 degrees 25 minutes 59 seconds East, 262.89 feet;

25 THENCE Southeasterly, along said curve to the left, an arc
26 distance of 263.73 feet to a point for corner;

27 THENCE South 82 degrees 23 minutes 10 seconds East, a

1 distance of 172.65 feet to a point for corner at the beginning of a
2 curve to the right having a central angle of 10 degrees 28 minutes
3 31 seconds, a radius of 300.00 feet and a chord bearing and distance
4 of South 77 degrees 08 minutes 55 seconds East, 54.77 feet;

5 THENCE Easterly, along said curve to the right, an arc
6 distance of 54.85 feet to a point for corner at the beginning of a
7 reverse curve to the left having a central angle of 10 degrees 28
8 minutes 31 seconds, a radius of 300.00 feet and a chord bearing and
9 distance of South 77 degrees 08 minutes 55 seconds East, 54.77 feet;

10 THENCE Easterly, along said curve to the left, an arc
11 distance of 54.85 feet to a point for corner;

12 THENCE South 82 degrees 23 minutes 10 seconds East, a
13 distance of 23.30 feet to a point for corner at the beginning of a
14 curve to the right having a central angle of 36 degrees 41 minutes
15 46 seconds, a radius of 790.00 feet and a chord bearing and distance
16 of South 64 degrees 02 minutes 17 seconds East, 497.37 feet;

17 THENCE Southeasterly, along said curve to the right, an arc
18 distance of 505.97 feet to a point for corner;

19 THENCE South 45 degrees 41 minutes 24 seconds East, a
20 distance of 2,039.00 feet to a point for corner;

21 THENCE North 44 degrees 47 minutes 12 seconds East, a
22 distance of 15.00 feet to a point for corner;

23 THENCE South 46 degrees 16 minutes 15 seconds East, a
24 distance of 3520.12 feet to a point for corner;

25 THENCE South 43 degrees 51 minutes 39 seconds West, a
26 distance of 2,650.46 feet to the POINT OF BEGINNING and containing
27 453.675 acres of land, more or less.

1 (5) Kingsborough Municipal Utility District No. 5:

2 BEING a tract of land located in the JOHN MOORE SURVEY,
3 ABSTRACT NO. 309, Kaufman County, Texas and being a part of a tract
4 of land as described as Tract 7 in Deed to 2219 KAUFMAN PARTNERS,
5 L.P., a Texas Limited Partnership, recorded in Volume 2127 Page
6 184, Deed Records, Kaufman County, Texas and being more
7 particularly described as follows:

8 BEGINNING at a point in the Southeast line of F.M. 741, a 90'
9 right-of-way, at the most Westerly corner of said Tract 7;

10 THENCE Northeasterly, along the Southeast line of said F.M.
11 741, the following three courses and distances:

12 North 43 degrees 58 minutes 26 seconds East (Basis of Bearing
13 derived from Texas State Plane Coordinates, NAD83, North Central
14 Zone), a distance of 2525.10 feet to a point for corner;

15 North 44 degrees 26 minutes 34 seconds East, a distance of
16 792.12 feet to a point for corner;

17 North 44 degrees 20 minutes 40 seconds East, a distance of
18 928.93 feet to a point for corner;

19 THENCE South 82 degrees 12 minutes 17 seconds East, a
20 distance of 476.05 feet to a point at the beginning of a curve to the
21 right, having a central angle of 63 degrees 55 minutes 03 seconds, a
22 radius of 500.00 feet, and a chord bearing and distance of South 50
23 degrees 14 minutes 46 seconds East, 529.31 feet;

24 THENCE Southeasterly, along said curve to the right, an arc
25 distance of 557.79 feet to a point for corner;

26 THENCE South 18 degrees 17 minutes 14 seconds East, a
27 distance of 2799.64 feet to a point for corner;

1 THENCE South 44 degrees 18 minutes 10 seconds West, a
2 distance of 3275.56 feet to a point for corner;

3 THENCE North 45 degrees 48 seconds 51 minutes West, a
4 distance of 3383.75 feet to the POINT OF BEGINNING and containing
5 317.835 acres of land, more or less.

6 [~~BEING all that certain lot, tract or parcel of land located~~
7 ~~in the J. C. Moore Survey, Abstract No. 309 and the Martha Musick~~
8 ~~Survey, Abstract No. 312, Kaufman County, Texas, and being more~~
9 ~~particularly described by metes and bounds as follows:~~

10 [~~COMMENCING at the intersection of the of the Northeasterly~~
11 ~~right-of-way line of Farm-Market 2757 (a 100 foot wide~~
12 ~~right-of-way), and the Northwesterly line of said J. C. Moore~~
13 ~~Survey and the Southeasterly line of said Martha Musick Survey,~~

14 [~~THENCE North 44 deg. 34 min. 48 sec. East, along the common~~
15 ~~line between said J. C. Moore Survey and the Martha Musick Survey, a~~
16 ~~distance of 1644.55 feet, to the POINT OF BEGINNING of the herein~~
17 ~~described tract of land,~~

18 [~~THENCE North 44 deg. 34 min. 48 sec. East, continuing along~~
19 ~~the common line between said J. C. Moore Survey and the Martha~~
20 ~~Musick Survey, a distance of 2015.87 feet,~~

21 [~~THENCE North 44 deg. 20 min. 17 sec. West, departing said~~
22 ~~common line, a distance of 763.42 feet,~~

23 [~~THENCE North 44 deg. 46 min. 22 sec. East, a distance of~~
24 ~~110.79 feet,~~

25 [~~THENCE North 45 deg. 13 min. 38 sec. West, a distance of~~
26 ~~1367.42 feet,~~

27 [~~THENCE North 44 deg. 46 min. 22 sec. East, a distance of~~

1 ~~247.49 feet,~~
2 ~~[THENCE South 68 deg. 13 min. 38 sec. East, a distance of~~
3 ~~627.70 feet,~~
4 ~~[THENCE North 44 deg. 26 min. 44 sec. East, a distance of~~
5 ~~853.26 feet,~~
6 ~~[THENCE North 45 deg. 59 min. 01 sec. West, a distance of~~
7 ~~1118.32 feet,~~
8 ~~[THENCE North 25 deg. 16 min. 32 sec. East, a distance of~~
9 ~~918.27 feet,~~
10 ~~[THENCE North 27 deg. 53 min. 12 sec. East, a distance of~~
11 ~~712.32 feet,~~
12 ~~[THENCE North 44 deg. 02 min. 09 sec. East, a distance of~~
13 ~~693.71 feet, to the Southwesterly right-of-way line of High Country~~
14 ~~Lane (a 60 foot wide right-of-way),~~
15 ~~[THENCE South 45 deg. 14 min. 23 sec. East, along the~~
16 ~~Southwesterly right-of-way line of said High Country Lane, a~~
17 ~~distance of 263.11 feet, to the intersection of the Southwesterly~~
18 ~~right-of-way line of said High Country Lane and the Southwesterly~~
19 ~~right-of-way line of Farm-Market 741 (a variable width~~
20 ~~right-of-way), and being the beginning of a non-tangent curve to~~
21 ~~the left having a radius of 999.93 feet,~~
22 ~~[THENCE along the Southwesterly right-of-way line of said~~
23 ~~Farm-Market 741 as follows,~~
24 ~~[Along said non-tangent curve to the left and in a Southeasterly~~
25 ~~direction, through a central angle of 09 deg. 56 min. 12 sec., an~~
26 ~~arc length of 173.42 feet, said non-tangent curve also having a long~~
27 ~~chord which bears South 40 deg. 16 min. 17 sec. East, 173.20 feet,~~

1 ~~[South 45 deg. 14 min. 23 sec. East, a distance of 1653.79 feet, to~~
2 ~~the beginning of a non-tangent curve to the left having a radius of~~
3 ~~11,472.09 feet,~~

4 ~~[Along said non-tangent curve to the left and in a Southeasterly~~
5 ~~direction, through a central angle of 03 deg. 05 min. 42 sec., an~~
6 ~~arc length of 619.69 feet, said non-tangent curve to the left having~~
7 ~~a long chord which bears South 46 deg. 47 min. 14 sec. East, 619.62~~
8 ~~feet,~~

9 ~~[South 45 deg. 21 min. 23 sec. East, a distance of 182.35 feet, to~~
10 ~~the beginning of a non-tangent curve to the left having a radius of~~
11 ~~2993.57 feet,~~

12 ~~[Along said non-tangent curve to the left and in a Southeasterly~~
13 ~~direction, through a central angle of 04 deg. 13 min. 00 sec., an~~
14 ~~arc length of 220.31 feet, said non-tangent curve to the left also~~
15 ~~having a long chord which bears South 47 deg. 27 min. 53 sec. East,~~
16 ~~220.26 feet,~~

17 ~~[South 49 deg. 34 min. 23 sec. East, a distance of 222.84 feet, to~~
18 ~~the beginning of a curve to the left having a radius of 1858.59~~
19 ~~feet,~~

20 ~~[Along said curve to the left and in a Southeasterly direction,~~
21 ~~through a central angle of 07 deg. 34 min. 00 sec., an arc length of~~
22 ~~245.45 feet, said curve to the left also having a long chord which~~
23 ~~bears South 53 deg. 21 min. 23 sec. East, 245.27 feet,~~

24 ~~[South 57 deg. 08 min. 23 sec. East, a distance of 300.24 feet, to~~
25 ~~the beginning of a curve to the left having a radius of 11,472.09~~
26 ~~feet,~~

27 ~~[Along said curve to the left and in a Southwesterly direction,~~

1 ~~through a central angle of 02 deg. 58 min. 15 sec., an arc length of~~
2 ~~594.81 feet, said curve to the left also having a long chord which~~
3 ~~bears South 55 deg. 39 min. 16 sec. East, 594.75 feet,~~
4 ~~[South 57 deg. 06 min. 23 sec. East, a distance of 327.99 feet, to~~
5 ~~the beginning of a curve to the right having a radius of 5684.58~~
6 ~~feet,~~
7 ~~[Along said curve to the right and in a Southeasterly direction,~~
8 ~~through a central angle of 12 deg. 08 min. 00 sec., an arc length of~~
9 ~~1203.80 feet, said curve also having a long chord which bears South~~
10 ~~51 deg. 02 min. 23 sec. East, 1201.56 feet,~~
11 ~~[South 44 deg. 58 min. 23 sec. East, a distance of 755.25 feet,~~
12 ~~[South 45 deg. 13 min. 23 sec. East, a distance of 238.92 feet, to~~
13 ~~the North corner of the Dallas East Estates which is located to the~~
14 ~~Southwest of said Farm-Market 741,~~
15 ~~[THENCE South 44 deg. 19 min. 24 sec. West, departing the~~
16 ~~Southwesterly right-of-way line of said Farm-Market 741 and along~~
17 ~~the Northwesterly boundary line of said Dallas East Addition, a~~
18 ~~distance of 1401.27 feet, to the most Westerly corner of said Dallas~~
19 ~~East Addition,~~
20 ~~[THENCE South 44 deg. 45 min. 48 sec. East, along the most~~
21 ~~Southwesterly boundary line of said Dallas East Addition, a~~
22 ~~distance of 1444.80 feet, to the Northwesterly right-of-way line of~~
23 ~~said Farm-Market 741,~~
24 ~~[THENCE along the Northwesterly right-of-way line of said~~
25 ~~Farm-Market 741 as follows,~~
26 ~~[South 44 deg. 20 min. 25 sec. West, a distance of~~
27 ~~545.05 feet,~~

1 ~~[North 45 deg. 39 min. 35 sec. West, a distance of 10.00~~
2 ~~feet,~~

3 ~~[South 44 deg. 20 min. 25 sec. West, a distance of~~
4 ~~700.00 feet,~~

5 ~~[South 45 deg. 39 min. 35 sec. East, a distance of 10.00~~
6 ~~feet,~~

7 ~~[South 44 deg. 20 min. 25 sec. West, a distance of~~
8 ~~933.41 feet,~~

9 ~~[THENCE North 49 deg. 43 min. 48 sec. East, departing the~~
10 ~~Northwesterly right-of-way line of said Farm-Market 741, a distance~~
11 ~~of 794.74 feet,~~

12 ~~[THENCE North 78 deg. 41 min. 33 sec. West, a distance of~~
13 ~~280.00 feet,~~

14 ~~[THENCE North 46 deg. 19 min. 02 sec. West, a distance of~~
15 ~~1073.59 feet,~~

16 ~~[THENCE North 66 deg. 21 min. 14 sec. East, a distance of~~
17 ~~1045.54 feet,~~

18 ~~[THENCE South 81 deg. 36 min. 53 sec. West, a distance of~~
19 ~~327.60 feet,~~

20 ~~[THENCE South 72 deg. 56 min. 15 sec. West, a distance of~~
21 ~~778.38 feet,~~

22 ~~[THENCE South 87 deg. 16 min. 19 sec. West, a distance of~~
23 ~~610.31 feet,~~

24 ~~[THENCE North 77 deg. 32 min. 02 sec. West, a distance of~~
25 ~~731.98 feet,~~

26 ~~[THENCE North 58 deg. 36 min. 37 sec. West, a distance of~~
27 ~~578.95 feet, to the POINT OF BEGINNING and containing 692.696 acres~~

1 ~~(30,173,840 square feet) of land.~~

2 ~~[(2) Kingsborough Municipal Utility District No. 2,~~

3 ~~[BEING all that certain lot, tract or parcel of land located~~
4 ~~in the J. C. Moore Survey, Abstract No. 309, Kaufman County, Texas,~~
5 ~~and being a portion of that certain tract of land described as Tract~~
6 ~~K31 in the deed to West Foundation, according to the deed filed for~~
7 ~~record in Volume 720, Page 860 of the Deed Records of Kaufman~~
8 ~~County, Texas, and being more particularly described by metes and~~
9 ~~bounds as follows:~~

10 ~~[BEGINNING at the intersection of the Southwesterly boundary~~
11 ~~line of said Tract K31 and the Southeasterly right-of-way line of~~
12 ~~Farm-Market 741 (a 90 foot wide right-of-way), said iron rod being~~
13 ~~in the center of County Road No. 269,~~

14 ~~[THENCE along the Southwesterly right-of-way line of said~~
15 ~~Farm-Market 741 as follows:~~

16 ~~[North 43 deg. 59 min. 38 sec. East, along the Southeasterly~~
17 ~~right-of-way line of said Farm-Market 741, a distance of 2525.09~~
18 ~~feet,~~

19 ~~[North 44 deg. 20 min. 25 sec. East, a distance of 4582.54~~
20 ~~feet, to the beginning of a curve to the left having a radius of~~
21 ~~761.20 feet,~~

22 ~~[Along said curve to the left, through a central angle of 11~~
23 ~~deg. 23 min. 36 sec., an arc length of 151.37 feet and having a long~~
24 ~~chord which bears North 38 deg. 38 min. 37 sec. East, 151.12 feet,~~

25 ~~[North 44 deg. 20 min. 25 sec. East, a distance of 463.83~~
26 ~~feet, to the beginning of a curve to the left having a radius of~~
27 ~~127.30 feet,~~

1 ~~[Along said curve to the left, through a central angle of 40~~
2 ~~deg. 09 min. 07 sec., an arc length of 89.21 feet and having a long~~
3 ~~chord which bears North 24 deg. 15 min. 15 min. East, 87.40 feet,~~

4 ~~[THENCE North 44 deg. 20 min. 24 sec. East, along the~~
5 ~~Northwesterly line of said Tract K31, a distance of 14.48 feet, to a~~
6 ~~point in County Road No. 260 (an undefined width right of way),~~

7 ~~[THENCE South 46 deg. 07 min. 54 sec. East, along said County~~
8 ~~Road No. 260, a distance of 3434.03 feet,~~

9 ~~[THENCE South 44 deg. 14 min. 23 sec. West, departing said~~
10 ~~County Road No. 260, a distance of 5193.79 feet, to the beginning of~~
11 ~~a non-tangent curve to the left having a radius of 2640.00 feet,~~

12 ~~[THENCE along said non-tangent curve to the left, through a~~
13 ~~central angle of 90 deg. 07 min. 01 sec., an arc length of 4152.29~~
14 ~~feet, and having a long chord which bears South 89 deg. 10 min. 52~~
15 ~~sec. West, 3737.33 feet, to a point in County Road No. 269 (an~~
16 ~~undefined width right of way),~~

17 ~~[THENCE North 45 deg. 52 min. 38 sec. West, along said County~~
18 ~~Road No. 269, a distance of 747.41 feet to the POINT OF BEGINNING~~
19 ~~and containing 484.081 acres (21,086,547 square feet) of land.~~

20 ~~[(3) Kingsborough Municipal Utility District No. 3:~~

21 ~~[BEING all that certain lot, tract or parcel of land located~~
22 ~~in the J. C. Moore Survey, Abstract No. 309, Kaufman County, Texas,~~
23 ~~and being more particularly described by metes and bounds as~~
24 ~~follows:~~

25 ~~[BEGINNING at the intersection of the of the Northeasterly~~
26 ~~right-of-way line of Farm-Market 2757 (a 100 foot wide~~
27 ~~right-of-way), and the Northwesterly line of said J. C. Moore~~

1 ~~Survey and the Southeasterly line of said Martha Musick Survey,~~
2 ~~[THENCE North 44 deg. 34 min. 48 sec. East, along the common~~
3 ~~line between said J. C. Moore Survey and the Martha Musick Survey, a~~
4 ~~distance of 1644.55 feet,~~
5 ~~[THENCE South 58 deg. 36 min. 37 sec. East, departing said~~
6 ~~common line, a distance of 578.95 feet,~~
7 ~~[THENCE South 77 deg. 32 min. 02 sec. East, a distance of~~
8 ~~731.98 feet,~~
9 ~~[THENCE North 87 deg. 16 min. 19 sec. East, a distance of~~
10 ~~610.31 feet,~~
11 ~~[THENCE North 72 deg. 56 min. 15 sec. East, a distance of~~
12 ~~778.38 feet,~~
13 ~~[THENCE North 81 deg. 36 min. 53 sec. East, a distance of~~
14 ~~327.60 feet,~~
15 ~~[THENCE South 66 deg. 21 min. 14 sec. East, a distance of~~
16 ~~1045.54 feet,~~
17 ~~[THENCE South 46 deg. 19 min. 02 sec. East, a distance of~~
18 ~~1073.59 feet,~~
19 ~~[THENCE South 78 deg. 41 min. 33 sec. East, a distance of~~
20 ~~280.00 feet,~~
21 ~~[THENCE South 49 deg. 43 min. 48 sec. East, a distance of~~
22 ~~794.74 feet, to a point on the Northwesterly right-of-way line of~~
23 ~~Farm-Market 741 (an 80-foot wide right-of-way),~~
24 ~~[THENCE along the Northwesterly right-of-way line of said~~
25 ~~Farm-Market 741 as follows,~~
26 ~~[South 44 deg. 20 min. 25 sec. West, a distance of 1657.58~~
27 ~~feet,~~

1 ~~[South 43 deg. 59 min. 38 sec. West, a distance of 2422.82~~
2 ~~feet, to the intersection of the Northwesterly right-of-way line of~~
3 ~~said Farm-Market 741 and the Northeasterly right-of-way line of the~~
4 ~~forementioned Farm-Market 2757,~~

5 ~~[THENCE along the Northeasterly right-of-way line of said~~
6 ~~Farm-Market 2757 as follows,~~

7 ~~[South 89 deg. 23 min. 24 sec. West, a distance of 138.28~~
8 ~~feet,~~

9 ~~[North 44 deg. 17 min. 39 sec. West, a distance of 1248.09~~
10 ~~feet,~~

11 ~~[North 45 deg. 23 min. 39 sec. West, a distance of 624.62~~
12 ~~feet,~~

13 ~~[North 45 deg. 36 min. 39 sec. West, a distance of 3302.91~~
14 ~~feet, to the POINT OF BEGINNING and containing 392.241 acres~~
15 ~~(17,086,006 square feet) of land.~~

16 ~~[(4) Kingsborough Municipal Utility District No. 4.~~

17 ~~[BEING all that certain lot, tract or parcel of land located~~
18 ~~in the Martha Musick Survey, Abstract No. 312 and the J. C. Moore~~
19 ~~Survey, Abstract No. 309, Kaufman County, Texas, and being the~~
20 ~~remainder of those certain tracts of land described as Tracts K14~~
21 ~~through K20, in the deed the West Foundation, as filed for record in~~
22 ~~Volume 720, Page 860 of the Deed Records of Kaufman County, Texas,~~
23 ~~and being more particularly described by metes and bounds as~~
24 ~~follows.~~

25 ~~[BEGINNING at the intersection of the Southerly right-of-way~~
26 ~~line of Interstate 20 (a variable width right-of-way) and the~~
27 ~~Southeasterly right-of-way line of Farm-Market 741 (a variable~~

1 ~~width right-of-way at this point),~~

2 ~~[THENCE along the Southerly right-of-way line of said~~
3 ~~Interstate 20 as follows,~~

4 ~~[North 83 deg. 22 min. 27 sec. East, a distance of 751.86 feet,~~
5 ~~North 88 deg. 29 min. 25 sec. East, a distance of 474.54 feet, South~~
6 ~~84 deg. 18 min. 42 sec. East, a distance of 952.45 feet, South 78~~
7 ~~deg. 59 min. 16 sec. East, a distance of 4.49 feet to the~~
8 ~~intersection of the Southerly right-of-way line of Interstate 20~~
9 ~~and the Northeasterly boundary line of the aforementioned Tract~~
10 ~~K17, said point also being the intersection of the said Southerly~~
11 ~~right-of-way line and the Southwesterly boundary line of that~~
12 ~~certain called 113.75 acre tract of land conveyed to Austin W.~~
13 ~~Shipley, according to the deed filed for record in Volume 270, Page~~
14 ~~221, Deed Records, Kaufman County, Texas,~~

15 ~~[THENCE South 45 deg. 06 min. 28 sec. East, along the common~~
16 ~~boundary line between said Tract K17 and said called 113.75 acre~~
17 ~~tract, at a distance of approximately 1240 feet passing the most~~
18 ~~Southerly corner of said called 113.75 acre tract and the East~~
19 ~~corner of that certain tract of land conveyed to Gordon T. West,~~
20 ~~according to the deed filed for record in Volume 1636, Page 43, Deed~~
21 ~~Records, Kaufman County, Texas, and continuing along the common~~
22 ~~boundary line between said Tract K17 and said Gordon T. West tract,~~
23 ~~in all a distance of 2131.39 feet to the Northwest boundary line of~~
24 ~~that certain called 300 acre tract of land conveyed to Gordon T.~~
25 ~~West, according to the deed filed for record in Volume 1636, Page~~
26 ~~43, Deed Records, Kaufman County, Texas,~~

27 ~~[THENCE South 44 deg. 34 min. 38 sec. West, along the common~~

1 ~~boundary line of said Tract K17 and said called 300 acre tract, and~~
2 ~~generally along a barbed wire fence, a distance of 1891.96 feet, to~~
3 ~~the South corner of said Tract K17 and the West corner of said~~
4 ~~called 300 acre tract, said iron rod also being the North corner of~~
5 ~~the aforementioned Tract K19,~~

6 ~~[THENCE South 46 deg. 09 min. 59 sec. East, along the common~~
7 ~~boundary line between said called 300 acre tract and said Tract K19,~~
8 ~~a distance of 3513.32 feet, to the Northwesterly right-of-way line~~
9 ~~of Griffin Lane (a 50 foot wide right-of-way),~~

10 ~~[THENCE South 43 deg. 50 min. 01 sec. West, along the~~
11 ~~Northwesterly right-of-way line of said Griffin Lane, a distance of~~
12 ~~2649.80 feet, to the Northeasterly right-of-way line of the~~
13 ~~aforementioned Farm-Market 741,~~

14 ~~[THENCE along the Northeasterly right-of-way line of said~~
15 ~~Farm-Market 741 as follows,~~

16 ~~[North 45 deg. 13 min. 23 sec. West, a distance of 4.98 feet,~~

17 ~~[North 44 deg. 58 min. 23 sec. West, at a distance of 632.24 feet~~
18 ~~passing a wood monument found, and continuing in all a distance of~~
19 ~~755.05 feet, said point being the beginning of a curve to the left~~
20 ~~having a radius of 5774.58 feet,~~

21 ~~[Along said curve to the left, through a central angle of 12 deg. 08~~
22 ~~min. 00 sec., an arc length of 1222.86 feet, and having a long chord~~
23 ~~of North 51 deg. 02 min. 23 sec. West, 1220.58 feet,~~

24 ~~[North 57 deg. 06 min. 23 sec. West, generally along a barbed wire~~
25 ~~fence, a distance of 328.05 feet, said point being the beginning of~~
26 ~~a curve to the right having a radius of 11,382.09 feet,~~

27 ~~[Along said curve to the right and along said fence, through a~~

1 ~~central angle of 11 deg. 54 min. 00 sec., an arc length of 2363.99~~
2 ~~feet, and having a long chord which bears North 51 deg. 11 min. 23~~
3 ~~sec. West, 2359.75 feet,~~

4 ~~[North 45 deg. 14 min. 23 sec. West, generally along said fence, a~~
5 ~~distance of 1653.79 feet, said point being the beginning of a curve~~
6 ~~to the right having a radius of 909.93 feet,~~

7 ~~[THENCE along said curve to the right and along the Easterly~~
8 ~~right-of-way line of said Farm-Market 741 and generally along said~~
9 ~~fence, through a central angle of 90 deg. 33 min. 04 sec., an arc~~
10 ~~length of 1438.07 feet, and having a long chord which bears North 00~~
11 ~~deg. 02 min. 09 sec. East, 1293.01 feet,~~

12 ~~[THENCE along the Southeasterly right-of-way line of said~~
13 ~~Farm-Market 741 as follows,~~

14 ~~[North 45 deg. 18 min. 41 sec. East, a distance of 199.54 feet,~~

15 ~~[North 46 deg. 06 min. 41 sec. East, a distance of 1039.75 feet,~~

16 ~~[North 46 deg. 21 min. 41 sec. East, a distance of 759.38 feet, said~~
17 ~~point being the beginning of a curve to the left having a radius of~~
18 ~~999.93 feet,~~

19 ~~[Along said curve to the left, through a central angle of 14 deg. 28~~
20 ~~min. 00 sec., an arc length of 252.47 feet, and having a long chord~~
21 ~~which bears North 39 deg. 07 min. 41 sec. East, 251.80 feet,~~

22 ~~[North 31 deg. 53 min. 41 sec. East, a distance of 210.50 feet, said~~
23 ~~point being the beginning of a curve to the right having a radius of~~
24 ~~909.38 feet,~~

25 ~~[Along said curve to the right, through a central angle of 01 deg.~~
26 ~~00 min. 31 sec., an arc length of 16.01 feet, and having a long chord~~
27 ~~which bears North 32 deg. 23 min. 57 sec. East, 16.01 feet to the~~

1 ~~POINT OF BEGINNING and containing 606.441 acres (26,416,564 square~~
2 ~~feet) of land.~~

3 ~~[(5) Kingsborough Municipal Utility District No. 5.~~

4 ~~[BEING all that certain lot, tract or parcel of land located~~
5 ~~in the J. C. Moore Survey, Abstract No. 309, Kaufman County, Texas,~~
6 ~~and being a portion of that certain tract of land described as Tract~~
7 ~~K31 in the deed to West Foundation, according to the deed filed for~~
8 ~~record in Volume 720, Page 860 of the Deed Records of Kaufman~~
9 ~~County, Texas, and being more particularly described by metes and~~
10 ~~bounds as follows:~~

11 ~~[BEGINNING at a 5/8 inch iron rod found for the South corner~~
12 ~~of said Tract K31, said iron rod being in County Road No. 269 (an~~
13 ~~undefined width public roadway);~~

14 ~~[THENCE North 45 deg. 52 min. 38 sec. West, along the~~
15 ~~Southwest boundary line of said Tract K31, and generally along said~~
16 ~~County Road No. 269, a distance of 2640.00 feet, said point being~~
17 ~~the beginning of a non-tangent curve to the right having a radius of~~
18 ~~2640.00 feet;~~

19 ~~[THENCE departing the Southwest boundary line of said Tract~~
20 ~~K31, through a central angle of 90 deg. 07 min. 01 sec., an arc~~
21 ~~length of 4152.29 feet, said non-tangent curve also having a long~~
22 ~~chord which bears North 89 deg. 10 min. 52 sec. East, a distance of~~
23 ~~3737.33 feet, to the Southeast boundary line of said Tract K31;~~

24 ~~[THENCE South 44 deg. 14 min. 23 sec. West, along the~~
25 ~~Southeast boundary line of said Tract K31, a distance of 2640.00~~
26 ~~feet, to the POINT OF BEGINNING and containing 125.839 acres~~
27 ~~(5,481,550 square feet) of land.]~~

1 SECTION 3.02. Subsection (b), Section 10, Chapter 1299,
2 Acts of the 78th Legislature, Regular Session, 2003, is amended to
3 read as follows:

4 (b) Outside the boundaries of a district, a district may
5 exercise the power of eminent domain only for the purpose of
6 constructing, acquiring, operating, repairing, or maintaining
7 water supply lines or sanitary sewer lines and drainage systems.

8 SECTION 3.03. Subsection (b), Section 12, Chapter 1299,
9 Acts of the 78th Legislature, Regular Session, 2003, is amended to
10 read as follows:

11 (b) The [~~Subject to Subsection (c) of this section, the~~]
12 commission shall appoint as temporary directors the five persons
13 named in the first petition received by the commission for each
14 district.

15 SECTION 3.04. Section 15, Chapter 1299, Acts of the 78th
16 Legislature, Regular Session, 2003, is amended to read as follows:

17 Sec. 15. EFFECTIVE DATE[~~, EXPIRATION DATE~~]. [~~(a)~~] This
18 Act takes effect on the date on or after September 1, 2003, on which
19 a settlement agreement between the City of Crandall and the
20 developer of the districts is legally executed regarding a pending
21 petition before the Texas Commission on Environmental Quality for
22 the right to provide retail water service to certain areas within
23 the districts. If the settlement agreement is legally executed
24 before September 1, 2003, this Act takes effect September 1, 2003.

25 [~~(b) If the creation of a district is not confirmed at a~~
26 ~~confirmation election held under Section 13 of this Act before~~
27 ~~September 1, 2005, the provisions of this Act relating to that~~

~~district expire on that date.]~~

SECTION 3.05. Subsection (e), Section 12, Chapter 1299, Acts of the 78th Legislature, Regular Session, 2003, is repealed.

ARTICLE 4. ROSE HILL SPECIAL
UTILITY DISTRICT

SECTION 4.01. Subtitle C, Title 6, Special District Local Laws Code, is amended by adding Chapter 7204 to read as follows:

CHAPTER 7204. ROSE HILL SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7204.001. DEFINITION. In this chapter, "district" means the Rose Hill Special Utility District.

Sec. 7204.002. NATURE OF DISTRICT. The district is a special utility district in Kaufman County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 7204.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation and initial directors' election held before September 1, 2007:

(1) the district is dissolved on September 1, 2007, except that:

(A) any debts of the district incurred shall be paid;

(B) any assets of the district that remain after the payment of debts shall be transferred to Kaufman County; and

(C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and

1 (2) this chapter expires September 1, 2010.

2 Sec. 7204.004. APPLICABILITY OF OTHER SPECIAL UTILITY
3 DISTRICT LAW. Except as otherwise provided by this chapter,
4 Chapters 49 and 65, Water Code, apply to the district.

5 Sec. 7204.005. INITIAL DISTRICT TERRITORY. (a) The
6 district is initially composed of the territory described by
7 Section 4.02 of the Act creating this chapter.

8 (b) The boundaries and field notes contained in Section 4.02
9 of the Act creating this chapter form a closure. A mistake made in
10 the field notes or in copying the field notes in the legislative
11 process does not affect:

12 (1) the organization, existence, or validity of the
13 district;

14 (2) the right of the district to issue any type of
15 bond, including a refunding bond, for a purpose for which the
16 district is created or to pay the principal of and interest on a
17 bond; or

18 (3) the legality or operation of the district or the
19 board of directors of the district.

20 [Sections 7204.006-7204.020 reserved for expansion]

21 SUBCHAPTER A-1. TEMPORARY PROVISIONS

22 Sec. 7204.021. TEMPORARY DIRECTORS. (a) The temporary
23 board of directors of the district is composed of:

24 (1) Stephen Hilborn;

25 (2) Bill Hobbs;

26 (3) Homer Norville;

27 (4) Randy Reznicek; and

1 (5) Harold Ross.

2 (b) Each temporary director shall qualify for office as
3 provided by Section 49.055, Water Code.

4 (c) If a temporary director fails to qualify for office, the
5 temporary directors who have qualified shall appoint a person to
6 fill the vacancy. If at any time there are fewer than three
7 qualified temporary directors, the Texas Commission on
8 Environmental Quality shall appoint the necessary number of
9 directors to fill all vacancies on the board.

10 (d) Temporary directors serve until initial directors are
11 elected under Section 7204.022.

12 Sec. 7204.022. CONFIRMATION AND INITIAL DIRECTORS'
13 ELECTION. (a) The temporary directors shall hold an election to
14 confirm the creation of the district and to elect five initial
15 directors in accordance with Chapters 49 and 65, Water Code, on or
16 before September 1, 2007.

17 (b) The temporary board of directors shall determine the
18 method for determining the initial term of each person on the
19 initial board of directors. The terms must be clearly stated on the
20 ballot for the confirmation and directors' election.

21 (c) Section 41.001(a), Election Code, does not apply to a
22 confirmation election held as provided by this section.

23 (d) Initial directors serve until the first regularly
24 scheduled election of directors under Subchapter C, Chapter 65,
25 Water Code.

26 Sec. 7204.023. TRANSFER OF ASSETS; DISSOLUTION. (a) If
27 the district's creation is confirmed under Section 7204.022, the

1 Rose Hill Water Supply Corporation shall transfer the assets,
2 debts, and contractual rights and obligations of the corporation to
3 the district.

4 (b) Not later than the 30th day after the date of the
5 transfer under Subsection (a), the board of directors of the Rose
6 Hill Water Supply Corporation shall commence dissolution
7 proceedings of the corporation.

8 (c) On dissolution of the Rose Hill Water Supply
9 Corporation, Certificate of Convenience and Necessity No. 10849 is
10 considered to be held by the district.

11 (d) The board of directors of the Rose Hill Water Supply
12 Corporation shall notify the Texas Commission on Environmental
13 Quality of the dissolution of the corporation and of the transfer of
14 Certificate of Convenience and Necessity No. 10849 to the district.

15 (e) On receipt of notice under Subsection (d), the Texas
16 Commission on Environmental Quality shall note in its records that
17 Certificate of Convenience and Necessity No. 10849 is held by the
18 district and shall reissue the certificate in the name of the
19 district without further application or notice.

20 Sec. 7204.024. EXPIRATION OF SUBCHAPTER. This subchapter
21 expires September 1, 2010.

22 [Sections 7204.025-7204.050 reserved for expansion]

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 7204.051. DIRECTORS. The district is governed by a
25 board of not fewer than five and not more than 11 directors.

26 [Sections 7204.052-7204.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

1
2 Sec. 7204.101. GENERAL POWERS. Except as otherwise
3 provided by this subchapter, the district has all of the rights,
4 powers, privileges, authority, functions, and duties provided by
5 the general law of this state, including Chapters 49 and 65, Water
6 Code, applicable to special utility districts created under Section
7 59, Article XVI, Texas Constitution.

8 Sec. 7204.102. WATER SERVICE IMPACT FEE. (a) The district
9 may charge a water service impact fee that is equal to the sum of the
10 equity buy-in fee, aids to construction fee, and connection fee
11 charged by the Rose Hill Water Supply Corporation on January 15,
12 2005, under that corporation's tariff.

13 (b) Chapter 395, Local Government Code, does not apply to
14 the initial water service impact fee set under this section.

15 (c) The district may increase the water service impact fee
16 only as provided by Chapter 395, Local Government Code, or as
17 approved by the Texas Commission on Environmental Quality.

18 Sec. 7204.103. EMINENT DOMAIN. (a) Except as provided by
19 Subsection (b), the district has all the authority under Chapters
20 49 and 65, Water Code, of a special utility district to acquire by
21 condemnation any land, easement, or other property located inside
22 or outside the boundaries of the district for any district project
23 or purpose.

24 (b) The district may not exercise the power of eminent
25 domain to condemn, for sanitary sewer purposes, land, easements, or
26 other property located outside the boundaries of the district.

27 SECTION 4.02. The Rose Hill Special Utility District

1 initially includes all the territory contained in the following
2 area:

3 BEGINNING at the intersection of the north right-of-way for US
4 Highway 175 and the center of Big Brushy Creek and further located
5 approximately two and one half miles west of the City of Kaufman on
6 the southwest perimeter of the certificated service area of Rose
7 Hill Water Supply Corporation set forth in Certificate of
8 Convenience and Necessity (CCN) No. 10849;

9 THENCE northerly along the center of Big Brushy Creek as it meanders
10 approximately 39,499 feet to a point for a corner;

11 THENCE north 40 degrees 44 minutes 21 seconds east along a line
12 approximately 3,116 feet to a point for a corner;

13 THENCE north 46 degrees 15 minutes 20 seconds west along a line
14 approximately 1,683 feet to its intersection with the center of Big
15 Brushy Creek for a corner;

16 THENCE northerly along the center of Big Brushy Creek as it meanders
17 approximately 16,004 feet to its intersection with the center of
18 the Missouri Pacific Railroad located south of US Highway 80 for a
19 corner;

20 THENCE easterly along the center of the Missouri Pacific Railroad
21 approximately 4,730 feet to a point for a corner;

22 THENCE south 8 degrees 51 minutes 34 seconds west along a line and
23 parallel to County Road 238 approximately 3,000 feet to a point for
24 a corner;

25 THENCE south 81 degrees 8 minutes 26 seconds east along a line
26 approximately 600 feet to a point for a corner;

27 THENCE north 8 degrees 51 minutes 34 seconds east along a line and

1 parallel to County Road 238 to its intersection with the center of
2 the Missouri Pacific Railroad approximately 3,085 feet to a point
3 for a corner;
4 THENCE easterly along the center of the Missouri Pacific Railroad
5 approximately 459 feet to a point for a corner;
6 THENCE south 41 degrees 26 minutes 13 seconds east along the Terrell
7 City Limits boundary line approximately 2,520 feet to a point for a
8 corner;
9 THENCE south 57 degrees 30 minutes 51 seconds east along the Terrell
10 City Limits boundary line approximately 3,452 feet to a point for a
11 corner;
12 THENCE south 64 degrees 40 minutes 9 seconds east along the Terrell
13 City Limits boundary line approximately 2,372 feet to a point for a
14 corner;
15 THENCE south 45 degrees 55 minutes 21 seconds west along the Terrell
16 City Limits boundary line approximately 1,162 feet to a point for a
17 corner;
18 THENCE south 43 degrees 3 minutes 11 seconds east along the Terrell
19 City Limits boundary line approximately 3,448 feet to a point for a
20 corner;
21 THENCE south 35 degrees 12 minutes 0 seconds east along the Terrell
22 City Limits boundary line approximately 478 feet to a point for a
23 corner;
24 THENCE south 41 degrees 22 minutes 5 seconds east along the Terrell
25 City Limits boundary line approximately 527 feet to a point for a
26 corner;
27 THENCE south 45 degrees 56 minutes 34 seconds west along the Terrell

1 City Limits boundary line approximately 35 feet to its intersection
2 with the center of County Road 305 for a corner;
3 THENCE south easterly along the center of County Road 305 and the
4 Terrell City Limits boundary line approximately 1,823 feet to a
5 point for a corner;
6 THENCE north 45 degrees 51 minutes 45 seconds east along the Terrell
7 City Limits boundary line approximately 1,140 feet to a point for a
8 corner;
9 THENCE north 84 degrees 50 minutes 7 seconds east along the Terrell
10 City Limits boundary line approximately 2,388 feet to a point for a
11 corner;
12 THENCE north 43 degrees 18 minutes 53 seconds east along the Terrell
13 City Limits boundary line approximately 859 feet to a point for a
14 corner;
15 THENCE south 63 degrees 4 minutes 28 seconds east along the Terrell
16 City Limits boundary line approximately 513 feet to a point for a
17 corner;
18 THENCE south 47 degrees 26 minutes 45 seconds east along the Terrell
19 City Limits boundary line approximately 303 feet to a point for a
20 corner;
21 THENCE south 34 degrees 21 minutes 59 seconds west along the Terrell
22 City Limits boundary line approximately 321 feet to a point for a
23 corner;
24 THENCE south 47 degrees 26 minutes 58 seconds east along the Terrell
25 City Limits boundary line approximately 1,019 feet to a point for a
26 corner;
27 THENCE south 50 degrees 36 minutes 4 seconds west along the Terrell

1 City Limits boundary line approximately 100 feet to a point for a
2 corner;
3 THENCE south 48 degrees 34 minutes 58 seconds east along the Terrell
4 City Limits boundary line approximately 1,131 feet to its
5 intersection with the center of County Road 304 to a point for a
6 corner;
7 THENCE northeasterly along the center of County Road 304 and the
8 Terrell City Limits boundary line approximately 1085 feet to a
9 point for a corner;
10 THENCE south 62 degrees 58 minutes 14 seconds east along the Terrell
11 City Limits boundary line approximately 2,441 feet to a point for a
12 corner;
13 THENCE south 64 degrees 2 minutes 15 seconds east along the Terrell
14 City Limits boundary line approximately 4,551 feet to a point for a
15 corner;
16 THENCE south 73 degrees 10 minutes 39 seconds east along the Terrell
17 City Limits boundary line approximately 198 feet to a point for a
18 corner;
19 THENCE south 44 degrees 7 minutes 56 seconds west along the Terrell
20 City Limits boundary line approximately 1,088 feet to a point for a
21 corner;
22 THENCE south 46 degrees 22 minutes 18 seconds east along the Terrell
23 City Limits boundary line approximately 2,509 feet to its
24 intersection with the northwest right of way for County Road 301 for
25 a corner;
26 THENCE northeasterly along County Road 301 northwest right of way
27 and the Terrell City Limits boundary line approximately 417 feet to

1 a point for a corner;
2 THENCE south 1 degree 20 minutes 1 second east along the Terrell
3 City limits boundary Line approximately 2,460 feet to a point for a
4 corner;
5 THENCE south 45 degrees 38 minutes 12 seconds west along the Terrell
6 City Limits boundary line approximately 911 feet to a point for a
7 corner;
8 THENCE south 44 degrees 24 minutes 51 seconds east along the Terrell
9 City Limits boundary line approximately 803 feet to a point for a
10 corner;
11 THENCE north 57 degrees 17 minutes 50 seconds east along the Terrell
12 City Limits boundary line approximately 390 feet to a point for a
13 corner;
14 THENCE south 18 degrees 36 minutes 16 seconds east along the Terrell
15 City Limits boundary line approximately 1454 feet to a point for a
16 corner;
17 THENCE north 67 degrees 46 minutes 58 seconds east along the Terrell
18 City Limits boundary line approximately 991 feet to its
19 intersection with the center of Kings Creek for a corner;
20 THENCE southwesterly along the center of Kings Creek as it meanders
21 approximately 48,462 feet to its intersection with the north
22 boundary of the certificated service area of the City of Kaufman set
23 forth in CCN No. 10877 for a corner;
24 THENCE west along the north boundary line of the City of Kaufman CCN
25 No. 10877 approximately 5,356 feet to a point for a corner;
26 THENCE south along the west boundary line of the City of Kaufman CCN
27 No. 10877 approximately 5,708 feet to its intersection with the

1 State Highway 243 north right of way for a corner;
2 THENCE westerly along the State Highway 243 north right of way
3 approximately 210 feet to its intersection with the US Highway 175
4 north right of way for a corner;
5 THENCE westerly along the US Highway 175 north right of way
6 approximately 1433 feet to a point for a corner;
7 THENCE north 3 degrees 2 minutes 15 seconds east along a line
8 approximately 150 feet to a point for a corner;
9 THENCE north 33 degrees 6 minutes 40 seconds west along a line
10 approximately 177 feet to a point for a corner;
11 THENCE north 87 degrees 47 minutes 47 seconds west along a line
12 approximately 178 feet to a point for a corner;
13 THENCE south 49 degrees 3 minutes 38 seconds west along a line
14 approximately 159 feet to a point for a corner;
15 THENCE south 4 degrees 24 minutes 29 seconds west along a line
16 approximately 180 feet to its intersection with the US Highway 175
17 north right of way for a corner;
18 THENCE westerly along the US Highway 175 north right of way
19 approximately 2,442 feet to a point for a corner;
20 THENCE north 10 degrees 44 minutes 2 seconds east along a line
21 approximately 500 feet to a point for a corner;
22 THENCE south 87 degrees 36 minutes 10 seconds west and parallel to
23 the US Highway 175 north right of way approximately 370 feet to a
24 point for a corner;
25 THENCE north 81 degrees 2 minutes 35 seconds west and parallel to
26 the US Highway 175 north right of way approximately 3,506 feet to a
27 point for a corner;

1 THENCE north 15 degrees 34 minutes 29 seconds east along a line
2 approximately 3,469 feet to its intersection with County Road 284
3 south right of way to a point for a corner;
4 THENCE southerly along the County Road 284 south right of way
5 approximately 597 feet to a point for a corner;
6 THENCE northerly along the County Road 284 south right of way
7 approximately 1,071 feet to a point for a corner;
8 THENCE south 46 degrees 20 minutes 42 seconds east along a line and
9 parallel to County Road 284 approximately 1387 feet to a point for a
10 corner;
11 THENCE north 44 degrees 12 minutes 44 seconds east along a line and
12 parallel to County Road 284 approximately 1122 feet to a point for a
13 corner;
14 THENCE north 45 degrees 47 minutes 16 seconds west along a line
15 approximately 300 feet to a point for a corner;
16 THENCE south 44 degrees 12 minutes 44 seconds west along a line and
17 parallel to County Road 284 approximately 824 feet to a point for a
18 corner;
19 THENCE north 46 degrees 20 minutes 42 seconds west along a line and
20 parallel to County Road 284 approximately 1,088 feet to a point for
21 a corner;
22 THENCE north 43 degrees 39 minutes 18 seconds east along a line
23 approximately 609 feet to a point for a corner;
24 THENCE north 45 degrees 1 minute 17 seconds west along a line
25 approximately 600 feet to a point for a corner;
26 THENCE south 43 degrees 44 minutes 37 seconds west along a line and
27 parallel to County Road 284 approximately 1248 feet to a point for a

1 corner;
2 THENCE north 33 degrees 49 minutes 57 seconds west along a line
3 approximately 370 feet to a point for a corner;
4 THENCE north 15 degrees 49 minutes 23 seconds east along a line and
5 parallel to Farm to Market Road 2578 approximately 2,781 feet to a
6 point for a corner;
7 THENCE north 28 degrees 9 minutes 34 seconds west along a line
8 approximately 625 feet to a point for a corner;
9 THENCE south 43 degrees 46 minutes 15 seconds west along a line and
10 parallel to Robin Lane approximately 2,805 feet to a point for a
11 corner;
12 THENCE south 73 degrees 19 minutes 40 seconds west along a line and
13 parallel to County Road 285 approximately 1,766 feet to a point for
14 a corner;
15 THENCE south 16 degrees 40 minutes 20 seconds east along a line
16 approximately 600 feet to a point for a corner;
17 THENCE north 73 degrees 19 minutes 40 seconds east along a line and
18 parallel to County Road 285 approximately 1,494 feet to a point for
19 a corner;
20 THENCE south 34 degrees 12 minutes 1 seconds east along a line and
21 parallel to County Road 285 approximately 857 feet to a point for a
22 corner;
23 THENCE south 15 degrees 34 minutes 20 seconds west along a line and
24 parallel to Farm to Market Road 2578 approximately 3,922 feet to a
25 point for a corner;
26 THENCE north 78 degrees 29 minutes 32 seconds west along a line and
27 parallel to the US Highway 175 north right of way approximately

1 1,084 feet to a point for a corner;
2 THENCE south 10 degrees 0 minutes 13 seconds west along a line to
3 its intersection with the US Highway 175 north right of way
4 approximately 516 feet for a corner;
5 THENCE westerly along the US Highway 175 north right of way
6 approximately 624 feet to its intersection with the center of Big
7 Brushy Creek and back to the place of beginning and containing
8 approximately 27,817 acres.

9 SECTION 4.03. (a) The legal notice of the intention to
10 introduce this article, setting forth the general substance of this
11 article, has been published as provided by law, and the notice and a
12 copy of this article have been furnished to all persons, agencies,
13 officials, or entities to which they are required to be furnished
14 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
15 Government Code.

16 (b) The governor has submitted the notice and article to the
17 Texas Commission on Environmental Quality.

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

22 (d) The general law relating to consent by political
23 subdivisions to the creation of a conservation and reclamation
24 district and the inclusion of land in the district has been complied
25 with. All requirements of the constitution and laws of this state
26 and the rules and procedures of the legislature with respect to the
27 notice, introduction, and passage of this article are fulfilled and

1 accomplished.

2 ARTICLE 5. EFFECTIVE DATE

3 SECTION 5.01. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2005.

David Bushurst
President of the Senate

Tom Craddick
Speaker of the House

I hereby certify that S.B. No. 1894 passed the Senate on
May 17, 2005, by the following vote: Yeas 30, Nays 0.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1894 passed the House on
May 25, 2005, by the following vote: Yeas 144, Nays 0, two
present not voting.

Robert Haney
Chief Clerk of the House

Approved:

18 JUNE '05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM 'CLOCK

Roger Williams
Secretary of State