

By: Taylor of Collin

S.B. No. 2057

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Double R Municipal Utility Districts Nos. 1 and 2 of Hunt County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

ARTICLE 1. CREATION OF MUNICIPAL UTILITY DISTRICTS

SECTION 1.01. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7955 to read as follows:

CHAPTER 7955. DOUBLE R MUNICIPAL UTILITY DISTRICT NO. 1 OF HUNT

COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7955.001. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Double R Municipal Utility District No. 1 of Hunt County.

Sec. 7955.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7955.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to

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

Sec. 7955.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7955.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 7955.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 7955.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2.01 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2.01 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and

interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7955.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7955.052, directors serve staggered four-year terms.

Sec. 7955.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7955.003; or

(2) September 1, 2019.

(c) If permanent directors have not been elected under Section 7955.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7955.003; or

(2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 (d) If Subsection (c) applies, the owner or owners of a
3 majority of the assessed value of the real property in the district
4 may submit a petition to the commission requesting that the
5 commission appoint as successor temporary directors the five
6 persons named in the petition. The commission shall appoint as
7 successor temporary directors the five persons named in the
8 petition.

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 7955.101. GENERAL POWERS AND DUTIES. The district has
11 the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 7955.102. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 7955.103. AUTHORITY FOR ROAD PROJECTS. Under Section
19 52, Article III, Texas Constitution, the district may design,
20 acquire, construct, finance, issue bonds for, improve, operate,
21 maintain, and convey to this state, a county, or a municipality for
22 operation and maintenance macadamized, graveled, or paved roads, or
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 7955.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
25 project must meet all applicable construction standards, zoning and
26 subdivision requirements, and regulations of each municipality in
27 whose corporate limits or extraterritorial jurisdiction the road

1 project is located.

2 (b) If a road project is not located in the corporate limits
3 or extraterritorial jurisdiction of a municipality, the road
4 project must meet all applicable construction standards,
5 subdivision requirements, and regulations of each county in which
6 the road project is located.

7 (c) If the state will maintain and operate the road, the
8 Texas Transportation Commission must approve the plans and
9 specifications of the road project.

10 Sec. 7955.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
11 OR RESOLUTION. The district shall comply with all applicable
12 requirements of any ordinance or resolution that is adopted under
13 Section 54.016 or 54.0165, Water Code, and that consents to the
14 creation of the district or to the inclusion of land in the
15 district.

16 Sec. 7955.106. DIVISION OF DISTRICT. (a) The district may
17 be divided into two or more new districts only if the district:

18 (1) has no outstanding bonded debt; and

19 (2) is not imposing ad valorem taxes.

20 (b) This chapter applies to any new district created by the
21 division of the district, and a new district has all the powers and
22 duties of the district.

23 (c) Any new district created by the division of the district
24 may not, at the time the new district is created, contain any land
25 outside the extraterritorial jurisdiction of a city.

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 7955.003 to confirm the creation of the district and before or after
6 an election under Section 7955.151 to authorize the issuance of
7 bonds.

8 (f) An order dividing the district must:

9 (1) name each new district;

10 (2) include the metes and bounds description of the
11 territory of each new district;

12 (3) appoint temporary directors for each new district;

13 and

14 (4) provide for the division of assets and liabilities
15 between or among the new districts.

16 (g) On or before the 30th day after the date of adoption of
17 an order dividing the district, the district shall file the order
18 with the commission and record the order in the real property
19 records of each county in which the district is located.

20 (h) Any new district created by the division of the district
21 shall hold a confirmation and directors' election as required by
22 Section 7955.003.

23 (i) Any new district created by the division of the district
24 must hold an election as required by this chapter to obtain voter
25 approval before the district may impose a maintenance tax or issue
26 bonds payable wholly or partly from ad valorem taxes.

27 (j) If the creation of the new district is confirmed, the

new district shall provide the election date and results to the commission.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7955.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7955.153.

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

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

Sec. 7955.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7955.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7955.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters

voting at an election held for that purpose.

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7955.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7955.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections [54.601](#) and [54.602](#), Water Code.

Sec. 7955.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 1.02. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7956 to read as follows:

CHAPTER 7956. DOUBLE R MUNICIPAL UTILITY DISTRICT NO. 2 OF HUNT

COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7956.001. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on
Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Double R Municipal Utility
District No. 2 of Hunt County.

Sec. 7956.002. NATURE OF DISTRICT. The district is a
municipal utility district created under Section 59, Article XVI,
Texas Constitution.

Sec. 7956.003. CONFIRMATION AND DIRECTORS' ELECTION
REQUIRED. The temporary directors shall hold an election to
confirm the creation of the district and to elect five permanent
directors as provided by Section 49.102, Water Code.

Sec. 7956.004. CONSENT OF MUNICIPALITY REQUIRED. The
temporary directors may not hold an election under Section 7956.003
until each municipality in whose corporate limits or
extraterritorial jurisdiction the district is located has
consented by ordinance or resolution to the creation of the
district and to the inclusion of land in the district.

Sec. 7956.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
The district is created to serve a public purpose and benefit.

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

(1) a municipal utility district as provided by

1 general law and Section 59, Article XVI, Texas Constitution; and

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

6 Sec. 7956.006. INITIAL DISTRICT TERRITORY. (a) The
7 district is initially composed of the territory described by
8 Section 2.02 of the Act enacting this chapter.

9 (b) The boundaries and field notes contained in Section 2.02
10 of the Act enacting this chapter form a closure. A mistake made in
11 the field notes or in copying the field notes in the legislative
12 process does not affect the district's:

13 (1) organization, existence, or validity;

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

17 (3) right to impose a tax; or

18 (4) legality or operation.

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 7956.051. GOVERNING BODY; TERMS. (a) The district is
21 governed by a board of five elected directors.

22 (b) Except as provided by Section 7956.052, directors serve
23 staggered four-year terms.

24 Sec. 7956.052. TEMPORARY DIRECTORS. (a) On or after
25 September 1, 2015, the owner or owners of a majority of the assessed
26 value of the real property in the district may submit a petition to
27 the commission requesting that the commission appoint as temporary

directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7956.003; or

(2) September 1, 2019.

(c) If permanent directors have not been elected under Section 7956.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7956.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7956.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

1 Sec. 7956.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2 DUTIES. The district has the powers and duties provided by the
3 general law of this state, including Chapters 49 and 54, Water Code,
4 applicable to municipal utility districts created under Section 59,
5 Article XVI, Texas Constitution.

6 Sec. 7956.103. AUTHORITY FOR ROAD PROJECTS. Under Section
7 52, Article III, Texas Constitution, the district may design,
8 acquire, construct, finance, issue bonds for, improve, operate,
9 maintain, and convey to this state, a county, or a municipality for
10 operation and maintenance macadamized, graveled, or paved roads, or
11 improvements, including storm drainage, in aid of those roads.

12 Sec. 7956.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
13 project must meet all applicable construction standards, zoning and
14 subdivision requirements, and regulations of each municipality in
15 whose corporate limits or extraterritorial jurisdiction the road
16 project is located.

17 (b) If a road project is not located in the corporate limits
18 or extraterritorial jurisdiction of a municipality, the road
19 project must meet all applicable construction standards,
20 subdivision requirements, and regulations of each county in which
21 the road project is located.

22 (c) If the state will maintain and operate the road, the
23 Texas Transportation Commission must approve the plans and
24 specifications of the road project.

25 Sec. 7956.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
26 OR RESOLUTION. The district shall comply with all applicable
27 requirements of any ordinance or resolution that is adopted under

1 Section 54.016 or 54.0165, Water Code, and that consents to the
2 creation of the district or to the inclusion of land in the
3 district.

4 Sec. 7956.106. DIVISION OF DISTRICT. (a) The district may
5 be divided into two or more new districts only if the district:

6 (1) has no outstanding bonded debt; and

7 (2) is not imposing ad valorem taxes.

8 (b) This chapter applies to any new district created by the
9 division of the district, and a new district has all the powers and
10 duties of the district.

11 (c) Any new district created by the division of the district
12 may not, at the time the new district is created, contain any land
13 outside the extraterritorial jurisdiction of a city.

14 (d) The board, on its own motion or on receipt of a petition
15 signed by the owner or owners of a majority of the assessed value of
16 the real property in the district, may adopt an order dividing the
17 district.

18 (e) The board may adopt an order dividing the district
19 before or after the date the board holds an election under Section
20 7956.003 to confirm the creation of the district and before or after
21 an election under Section 7956.151 to authorize the issuance of
22 bonds.

23 (f) An order dividing the district must:

24 (1) name each new district;

25 (2) include the metes and bounds description of the
26 territory of each new district;

27 (3) appoint temporary directors for each new district;

1 and

2 (4) provide for the division of assets and liabilities
3 between or among the new districts.

4 (g) On or before the 30th day after the date of adoption of
5 an order dividing the district, the district shall file the order
6 with the commission and record the order in the real property
7 records of each county in which the district is located.

8 (h) Any new district created by the division of the district
9 shall hold a confirmation and directors' election as required by
10 Section 7956.003.

11 (i) Any new district created by the division of the district
12 must hold an election as required by this chapter to obtain voter
13 approval before the district may impose a maintenance tax or issue
14 bonds payable wholly or partly from ad valorem taxes.

15 (j) If the creation of the new district is confirmed, the
16 new district shall provide the election date and results to the
17 commission.

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 7956.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
20 district may issue, without an election, bonds and other
21 obligations secured by:

22 (1) revenue other than ad valorem taxes; or

23 (2) contract payments described by Section 7956.153.

24 (b) The district must hold an election in the manner
25 provided by Chapters 49 and 54, Water Code, to obtain voter approval
26 before the district may impose an ad valorem tax or issue bonds
27 payable from ad valorem taxes.

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

5 Sec. 7956.152. OPERATION AND MAINTENANCE TAX. (a) If
6 authorized at an election held under Section 7956.151, the district
7 may impose an operation and maintenance tax on taxable property in
8 the district in accordance with Section 49.107, Water Code.

9 (b) The board shall determine the tax rate. The rate may not
10 exceed the rate approved at the election.

11 Sec. 7956.153. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7956.201. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7956.202. TAXES FOR BONDS. At the time the district

1 issues bonds payable wholly or partly from ad valorem taxes, the
2 board shall provide for the annual imposition of a continuing
3 direct ad valorem tax, without limit as to rate or amount, while all
4 or part of the bonds are outstanding as required and in the manner
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 7956.203. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 ARTICLE 2. METES AND BOUNDS

12 SECTION 2.01. DOUBLE R MUNICIPAL UTILITY DISTRICT NO. 1 OF
13 HUNT COUNTY. The Double R Municipal Utility District No. 1 of Hunt
14 County initially includes all the territory contained in the
15 following area:

16 BEING a tract of land located in Hunt County, Texas, being partially
17 located in the Town of Josephine, a part of the John Noble Survey,
18 Abstract Number 1319, and being a part of that called Tract 1
19 described in a special warranty deed from Heritage Land Bank, FLCA
20 to Double R Land Company, LLC as recorded in Document Number
21 2011-312, Hunt County Deed Records, and being further described as
22 follows:

23 BEGINNING at the southeast corner of said Tract 1, said point being
24 in the center of Hunt County Road Number 2668 and in the center of
25 Hunt County Road Number 2667;

26 THENCE North 88 degrees 17 minutes 02 seconds West, 1339.79 feet
27 along the south line of said Tract 1 and along the center of Hunt

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1 County Road Number 2667 to a point for corner in the center of
2 Collin County Road Number 1213;

3 THENCE North 00 degrees 41 minutes 18 seconds West, 3009.34 feet to
4 a point for corner in the north line of said Tract 1, said point
5 being in the center of Collin County Road Number 679 and in the
6 center of Hunt County Road Number 2668;

7 THENCE along the north line of said Tract 1 and along the center of
8 Hunt County Road Number 2668 as follows:

9 South 88 degrees 41 minutes 48 seconds East, 1195.71 feet to a
10 point for corner;

11 South 68 degrees 18 minutes 26 seconds East, 87.86 feet to a
12 point for corner;

13 South 52 degrees 07 minutes 25 seconds East, 86.36 feet to a
14 point for corner;

15 South 33 degrees 39 minutes 31 seconds East, 52.49 feet to a
16 point for corner;

17 South 19 degrees 35 minutes 28 seconds East, 58.08 feet to a
18 point for corner in the east line of said Tract 1;

19 THENCE South 00 degrees 22 minutes 19 seconds West, 2838.20 feet
20 along the center of Hunt County Road Number 2668 to the POINT OF
21 BEGINNING and containing 94.30 acres of land.

22 SECTION 2.02. DOUBLE R MUNICIPAL UTILITY DISTRICT NO. 2 OF
23 HUNT COUNTY. The Double R Municipal Utility District No. 2 of Hunt
24 County initially includes all the territory contained in the
25 following area:

26 BEING a tract of land located in Hunt County, Texas, a part of the
27 John Copeland Survey, Abstract Number 170, a part of the Fields

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Prewitt Survey, Abstract Number 853, and being all of that called Tract 2, Parcels 1, 2, 3, 4, 5B, 6, 7, and a part of that called Tract 2, Parcel 8 described in a special warranty deed from Heritage Land Bank, FLCA to Double R Land Company, LLC as recorded in Document Number 2011-312, Hunt County Deed Records, and being further described as follows:

BEGINNING at the southeast corner said Parcel 1, said point being in the north right-of-way line of Farm-to-Market Road Number 6;

THENCE along the north right-of-way line of Farm-to-Market Road Number 6 as follows:

South 89 degrees 34 minutes 51 seconds West, 510.50 feet to the southwest corner of said Parcel 1 and at the southeast corner of said Parcel 4;

South 89 degrees 43 minutes 23 seconds West, 2391.49 feet to a point for corner in the center of a creek;

THENCE along the center of said creek as follows:

North 63 degrees 54 minutes 12 seconds West, 9.51 feet to a point for corner;

North 42 degrees 22 minutes 42 seconds West, 83.62 feet to a point for corner;

North 62 degrees 36 minutes 58 seconds West, 71.53 feet to a point for corner;

North 60 degrees 40 minutes 53 seconds West, 47.16 feet to a point for corner;

North 33 degrees 59 minutes 02 seconds West, 61.30 feet to a point for corner;

North 43 degrees 32 minutes 39 seconds West, 68.57 feet to a

1 point for corner;
2 North 04 degrees 53 minutes 06 seconds West, 23.37 feet to a
3 point for corner;
4 North 32 degrees 07 minutes 04 seconds East, 17.43 feet to a
5 point for corner;
6 North 37 degrees 41 minutes 04 seconds East, 31.68 feet to a
7 point for corner;
8 North 08 degrees 03 minutes 52 seconds East, 16.87 feet to a
9 point for corner;
10 North 03 degrees 29 minutes 17 seconds West, 41.58 feet to a
11 point for corner;
12 North 40 degrees 02 minutes 33 seconds West, 44.60 feet to a
13 point for corner;
14 North 71 degrees 21 minutes 09 seconds West, 39.17 feet to a
15 point for corner;
16 North 25 degrees 09 minutes 26 seconds West, 131.72 feet to a
17 point for corner;
18 North 61 degrees 39 minutes 13 seconds West, 43.55 feet to a
19 point for corner;
20 North 35 degrees 08 minutes 25 seconds West, 50.04 feet to a
21 point for corner;
22 North 10 degrees 25 minutes 36 seconds East, 38.25 feet to a
23 point for corner;
24 South 83 degrees 30 minutes 06 seconds West, 44.46 feet to a
25 point for corner;
26 North 70 degrees 13 minutes 30 seconds West, 31.69 feet to a
27 point for corner;

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1 North 67 degrees 45 minutes 19 seconds East, 9.71 to a point
2 for corner;
3 THENCE South 87 degrees 42 minutes 10 seconds West, 483.84 feet to a
4 point for corner in the west line of said Parcel 6;
5 THENCE North 00 degrees 34 minutes 51 seconds East, 994.18 feet to
6 the southeast corner of said Parcel 8;
7 THENCE North 89 degrees 25 minutes 09 seconds West, 1132.37 feet
8 along the south line of said Parcel 8 to a point for corner;
9 THENCE North 00 degrees 37 minutes 10 seconds East, 743.82 feet to a
10 point for corner in the north line of said Parcel 8;
11 THENCE South 89 degrees 25 minutes 09 seconds East, 1933.79 feet to
12 the southwest corner of said Parcel 5B;
13 THENCE along the west line of said Parcel 5B as follows:
14 North 00 degrees 03 minutes 51 seconds East, 982.00 feet to a
15 point for corner;
16 North 44 degrees 56 minutes 09 seconds West, 1667.40 feet to a
17 point for corner in the southeast line of the Northeast Texas Rural
18 Rail Transportation District tract of land as described in Volume
19 987, Page 38, Hunt County Deed Records;
20 THENCE North 55 degrees 33 minutes 56 seconds East, 3904.40 feet
21 along the southeast line of said Northeast Texas Rural Rail
22 Transportation District tract of land to the northeast corner of
23 said Parcel 3;
24 THENCE South 00 degrees 33 minutes 58 seconds West, 615.50 feet to a
25 point for corner;
26 THENCE North 89 degrees 30 minutes 28 seconds West, 584.34 feet to a
27 point for corner;

1 THENCE South 12 degrees 26 minutes 02 seconds East, 274.40 feet to a
2 point for corner;
3 THENCE South 18 degrees 36 minutes 02 seconds East, 1209.66 feet to
4 a point for corner;
5 THENCE North 89 degrees 23 minutes 16 seconds West, 245.65 feet to a
6 point for corner in the center of Brushy Creek;
7 THENCE along the center of said Brushy Creek as follows:
8 South 02 degrees 05 minutes 58 seconds West, 693.86 feet to a
9 point for corner;
10 South 09 degrees 38 minutes 45 seconds East, 371.38 feet to a
11 point for corner;
12 South 11 degrees 40 minutes 38 seconds East, 498.89 feet to a
13 point for corner;
14 South 04 degrees 28 minutes 57 seconds East, 821.11 feet to a
15 point for corner;
16 South 34 degrees 59 minutes 43 seconds East, 118.37 feet to a
17 point for corner;
18 South 86 degrees 59 minutes 43 seconds East, 83.02 feet to a
19 point for corner;
20 South 37 degrees 59 minutes 43 seconds East, 150.41 feet to a
21 point for corner;
22 South 31 degrees 59 minutes 43 seconds East, 253.94 feet to a
23 point for corner;
24 South 50 degrees 59 minutes 43 seconds East, 283.24 feet to a
25 point for corner;
26 South 43 degrees 59 minutes 43 seconds East, 110.36 feet to a
27 point for corner;

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1 South 12 degrees 59 minutes 43 seconds East, 189.48 feet to a
2 point for corner;
3 South 25 degrees 59 minutes 43 seconds East, 115.25 feet to a
4 point for corner;
5 South 50 degrees 59 minutes 43 seconds East, 197.29 feet to a
6 point for corner;
7 South 13 degrees 59 minutes 43 seconds East, 121.11 feet to a
8 point for corner;
9 South 28 degrees 59 minutes 43 seconds East, 156.27 feet to a
10 point for corner;
11 South 43 degrees 59 minutes 43 seconds East, 108.41 feet to a
12 point for corner;
13 South 27 degrees 59 minutes 43 seconds East, 87.01 feet to a
14 point for corner;
15 THENCE North 55 degrees 24 minutes 36 seconds East, 63.82
16 feet to a point for corner in the east line of said Parcel 6;
17 THENCE South 00 degrees 34 minutes 51 seconds West, 290.40 feet to
18 the southeast corner of said Parcel 6, said point being the
19 northeast corner of said Parcel 1;
20 THENCE South 00 degrees 58 minutes 16 seconds West, 526.21 feet
21 along the east line of said Parcel 1 to the POINT OF BEGINNING and
22 containing 364.72 acres of land.
23 BEING a tract of land located in Hunt County, a part of the
24 Littleberry Harrison Survey, Abstract Number 433, and being a part
25 of that called Tract 4 described in a special warranty deed from
26 Heritage Land Bank, FLCA to Double R Land Company, LLC as recorded
27 in Document Number 2011-312, Hunt County Deed Records, and being

1 further described as follows:

2 BEGINNING at the northwest corner of Cole Estates, an addition to
3 Hunt County as recorded in Cabinet E, Page 166, Hunt County Plat
4 Records; said point being in the south right-of-way line of
5 Farm-to-Market Road Number 6;

6 THENCE South 01 degrees 09 minutes 07 seconds West, 1214.29 feet to
7 the southwest corner of said Cole Estates;

8 THENCE North 88 degrees 57 minutes 12 seconds West, 3833.55 feet to
9 a point in the east line of Bridle Trails Estates, Phase 1, an
10 addition to Hunt County as recorded in Cabinet F, Page 65, Hunt
11 County Plat Records;

12 THENCE North 01 degrees 21 minutes 45 seconds East, 937.15 feet
13 along the east line of said Bridle Trails Estates to a point in the
14 south line of Westbrook Estates, Phase 1, an addition to Hunt County
15 as recorded in Cabinet E, Page 194, Hunt County Plat Records;

16 THENCE along the south line of said Westbrook Estates, Phase 1 as
17 follows:

18 South 43 degrees 59 minutes 54 seconds East, 20.67 feet to a
19 point for corner;

20 South 67 degrees 01 minutes 30 seconds East, 510.72 feet to a
21 point for corner;

22 North 88 degrees 53 minutes 34 seconds East, 305.91 feet to a
23 point for corner;

24 North 76 degrees 59 minutes 15 seconds East, 380.57 feet to a
25 point for corner;

26 North 46 degrees 40 minutes 28 seconds East, 439.65 feet to a
27 point for corner;

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1 North, 95.63 feet to the northeast corner of said Westbrook
2 Estates, Phase 1, said point being in the south right-of-way line
3 Farm-to-Market Road Number 6;

4 THENCE along the south right-of-way line of Farm-to-Market Road
5 Number 6 as follows:

6 South 89 degrees 01 minutes 48 seconds East, 1505.52 feet to a
7 point for corner;

8 South 74 degrees 42 minutes 50 seconds East, 100.00 feet to a
9 point for corner;

10 South 88 degrees 48 minutes 18 seconds East, 752.38 feet to
11 the POINT OF BEGINNING and containing 94.87 acres of land.

12 BEING a tract of land located in Hunt County, a part of the
13 Nathaniel A. Piper Survey, Abstract Number 849, and being a part of
14 that called Tract 3 described in a special warranty deed from
15 Heritage Land Bank, FLCA to Double R Land Company, LLC as recorded
16 in Document Number 2011-312, Hunt County Deed Records, and being
17 all of that called Tract 2 described in a warranty deed from W. H.
18 Myre and W. D. Myre to Double R Land Company, LLC as recorded in
19 Document Number 2011-2390, Hunt County Deed Records, and being
20 further described as follows:

21 BEGINNING at the southeast corner of said Tract 3, said point being
22 the centerline intersection of Hunt County Road Number 2708 and
23 Hunt County Road Number 2716;

24 THENCE North 89 degrees 37 minutes 07 seconds West, 1102.91 feet
25 partially along the center of Hunt County Road Number 2708 to the
26 southwest corner of said Tract 3;

27 THENCE North, 55.56 feet along the west line of said Tract 3 to the

1 southeast corner of said Tract 2;
2 THENCE North 89 degrees 57 minutes 50 seconds West, 1083.44 feet to
3 the southwest corner of said Tract 2, said point being in the
4 southeast line of the Northeast Texas Rural Rail Transportation
5 District tract of land as described in Volume 987, Page 38, Hunt
6 County Deed Records;
7 THENCE North 55 degrees 33 minutes 56 seconds East, 2650.81 feet
8 along the southeast line of said Northeast Texas Rural Rail
9 Transportation District tract of land to a point for corner in the
10 east line of said Tract 3, said point being in the center of Hunt
11 County Road Number 2716;
12 THENCE South, 1562.53 feet along the east line of said Tract 3 and
13 along the center of Hunt County Road Number 2716 to the POINT OF
14 BEGINNING and containing 39.14 acres of land.
15 BEING a tract of land located in Hunt County, Texas, a part of the
16 Francis M. Copeland Survey, Abstract Number Abstract Number 170, a
17 part of the Fields Prewitt Survey, Abstract Number 853, a part of
18 the Nathaniel A. Piper Survey, Abstract Number 894, a part of the
19 Thomas C. Crabtree Survey, Abstract Number 1321, and being a part of
20 that called Tract 3 described in a special warranty deed from
21 Heritage Land Bank, FLCA to Double R Land Company, LLC as recorded
22 in Document Number 2011-312, Hunt County Deed Records, and being
23 all of that called Tract 1 described in a warranty deed from W. H.
24 Myre and W. D. Myre to Double R Land Company, LLC as recorded in
25 Document Number 2011-2390, Hunt County Deed Records, and being all
26 of a called 93 acre tract of land and all of a called 25 acre tract
27 of land and all of a called 15.6 acre tract of land described in a

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warranty deed from Jon Lyndon Hess, Gilbert Robinson Hess IV and Linda Jane Hess to Double R Land Company, LLC as recorded in Document Number 2011-2540, Hunt County Deed Records, and being further described as follows:

BEGINNING at the southwest corner of said 15.6 acre tract of land, said point being in the northwest line of the Northeast Texas Rural Rail Transportation District tract of land as described in Volume 987, Page 38, Hunt County Deed Records;

THENCE North 00 degrees 20 minutes 00 seconds West, 1090.06 feet to the northwest corner of said 15.6 acre tract of land;

THENCE South 89 degrees 35 minutes 00 seconds East, 896.92 feet to the northeast corner of said 15.6 acre tract of land;

THENCE North, 2446.57 feet to the northwest corner of said 25 acre tract of land;

THENCE East, 2540.12 feet to the northeast corner of said 25 acre tract of land;

THENCE North 00 degrees 56 minutes 00 seconds East, 485.89 feet to the northwest corner of said Tract 1;

THENCE North, 1068.70 feet to the northwest corner of said Tract 3;

THENCE South 89 degrees 16 minutes 00 seconds East, 2652.00 feet to the northeast corner of said Tract 3, said point being in the center of Hunt County Road Number 2716;

THENCE South, 874.93 feet along the east line of said Tract 3 and along the center of Hunt County Road Number 2716 to a point for corner in the northwest line of said Northeast Texas Rural Rail Transportation District tract of land;

THENCE South 55 degrees 33 minutes 56 seconds West, 2865.03 along

1 the northwest line of said Northeast Texas Rural Rail
2 Transportation District tract of land to a point for corner in the
3 south line of said Tract 1;

4 THENCE North 89 degrees 57 minutes 50 seconds West, 312.12 feet to
5 the southwest corner of said Tract 1, said point being in the east
6 line of said 93 acre tract of land;

7 THENCE South, 214.38 feet to the southeast corner of said 93 acre
8 tract of land, said point being in the northwest line of said
9 Northeast Texas Rural Rail Transportation District tract of land;

10 THENCE South 55 degrees 33 minutes 56 seconds West, 4140.83 feet
11 along the northwest line of said Northeast Texas Rural Rail
12 Transportation District tract of land to the POINT OF BEGINNING and
13 containing 244.65 acres of land.

14 ARTICLE 3. LEGAL NOTICE, EMINENT DOMAIN, AND EFFECTIVE DATE

15 SECTION 3.01. (a) The legal notice of the intention to
16 introduce this Act, setting forth the general substance of this
17 Act, has been published as provided by law, and the notice and a
18 copy of this Act have been furnished to all persons, agencies,
19 officials, or entities to which they are required to be furnished
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
21 Government Code.

22 (b) The governor, one of the required recipients, has
23 submitted the notice and Act to the Texas Commission on
24 Environmental Quality.

25 (c) The Texas Commission on Environmental Quality has filed
26 its recommendations relating to this Act with the governor, the
27 lieutenant governor, and the speaker of the house of

representatives within the required time.

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

SECTION 3.02. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7955, Special District Local Laws Code, as added by Section 1.01 of this Act, is amended by adding Section 7955.107 to read as follows:

Sec. 7955.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

SECTION 3.03. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7956, Special District Local Laws Code, as added by Section 1.02 of this Act, is amended by adding Section 7956.107 to read as follows:

Sec. 7956.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

SECTION 3.04. This Act takes effect September 1, 2015.