

By: Sanford

H.B. No. 4268

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Celina Municipal Management District No. 2; providing a limited authority of eminent domain; providing authority to impose taxes, levy assessments, and issue bonds.

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

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

CHAPTER 3947. CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3947.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Celina, Texas.

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

(4) "Director" means a board member.

(5) "District" means the Celina Municipal Management District No. 2.

Sec. 3947.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3947.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI,

1 Texas Constitution, and other public purposes stated in this
2 chapter. By creating the district and in authorizing the city and
3 other political subdivisions to contract with the district, the
4 legislature has established a program to accomplish the public
5 purposes set out in Section 52-a, Article III, Texas Constitution.

6 (b) The creation of the district is necessary to promote,
7 develop, encourage, and maintain employment, commerce,
8 transportation, housing, tourism, recreation, the arts,
9 entertainment, economic development, safety, and the public
10 welfare in the district.

11 (c) This chapter and the creation of the district may not be
12 interpreted to relieve the city from providing the level of
13 services provided to the area in the district as of the effective
14 date of the Act enacting this chapter. The district is created to
15 supplement and not to supplant the city services provided in the
16 district.

17 Sec. 3947.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
18 The district is created to serve a public use and benefit.

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

24 (c) The district is created to accomplish the purposes of a
25 municipal management district as provided by general law and
26 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
27 Texas Constitution.

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

3 (1) further the public purposes of developing and
4 diversifying the economy of the state;

5 (2) eliminate unemployment and underemployment;

6 (3) develop or expand transportation and commerce; and

7 (4) provide quality residential housing.

8 (e) The district will:

9 (1) promote the health, safety, and general welfare of
10 residents, employers, potential employees, employees, visitors,
11 and consumers in the district, and of the public;

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

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

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

24 (g) The district will not act as the agent or
25 instrumentality of any private interest even though the district
26 will benefit many private interests as well as the public.

27 Sec. 3947.005. DISTRICT TERRITORY. (a) The district is

1 composed of the territory described by Section 2 of the Act enacting
2 this chapter, as that territory may have been modified under other
3 law.

4 (b) The boundaries and field notes contained in Section 2 of
5 the Act enacting this chapter form a closure. A mistake in the
6 field notes or in copying the field notes in the legislative process
7 does not affect the district's:

8 (1) organization, existence, or validity;

9 (2) right to contract;

10 (3) authority to borrow money or issue bonds or other
11 obligations described by Section 3947.251 or to pay the principal
12 and interest of the bonds or other obligations;

13 (4) right to impose or collect an assessment, or
14 collect other revenue; or

15 (5) legality or operation.

16 Sec. 3947.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
17 DISTRICTS LAW. Except as otherwise provided by this chapter,
18 Chapter 375, Local Government Code, applies to the district.

19 Sec. 3947.007. CONSTRUCTION OF CHAPTER. This chapter shall
20 be liberally construed in conformity with the findings and purposes
21 stated in this chapter.

22 Sec. 3947.008. CONFLICTS OF LAW. This chapter prevails
23 over any provision of Chapter 375, Local Government Code, that is in
24 conflict or inconsistent with this chapter.

25 Sec. 3947.009. CONSENT OF MUNICIPALITY REQUIRED. The board
26 may not hold an election to authorize the issuance of bonds until
27 the city has consented by ordinance or resolution to the creation of

1 the district and to the inclusion of land in the district. The
2 city's consent must be granted in the manner provided by Section
3 54.016, Water Code, for including land within the corporate limits
4 or extraterritorial jurisdiction of a city.

5 Sec. 3947.010. EFFECT OF ANNEXATION. Notwithstanding any
6 other law, if all of the territory of the district is annexed by the
7 city into the city's corporate limits, the district retains all of
8 the district's outstanding debt and obligations and continues to
9 operate under this chapter until the district is dissolved under
10 Subchapter G.

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 3947.051. GOVERNING BODY; TERMS. The district is
13 governed by a board of five directors who serve staggered terms of
14 four years, with two or three directors' terms expiring June 1 of
15 each even-numbered year. One director is appointed by the city, and
16 four directors are appointed by the commission as provided by
17 Section 3947.052.

18 Sec. 3947.052. APPOINTMENT AND REMOVAL OF DIRECTOR
19 APPOINTED BY CITY. (a) The governing body of the city shall
20 appoint one director who must be:

21 (1) at least 18 years of age; and

22 (2) a resident of the city.

23 (b) At any time the governing body of the city may remove the
24 director appointed by the city and appoint a director to serve the
25 remainder of the removed director's term.

26 Sec. 3947.053. APPOINTMENT BY COMMISSION. (a) Before the
27 term of a director other than a director appointed under Section

1 3947.052 expires, the board shall recommend to the commission the
2 appropriate number of persons to serve as successor directors. The
3 commission shall appoint as directors the persons recommended by
4 the board.

5 (b) A person recommended by the board under Subsection (a)
6 must be:

7 (1) at least 18 years of age;

8 (2) an owner of property in the district;

9 (3) an owner of stock, whether beneficial or
10 otherwise, of a corporate owner of property in the district;

11 (4) an owner of a beneficial interest in a trust that
12 owns property in the district; or

13 (5) an agent, employee, or tenant of a person
14 described by Subdivision (2), (3), or (4).

15 Sec. 3947.054. VACANCY. If a vacancy occurs on the board,
16 the remaining directors shall appoint a director for the remainder
17 of the unexpired term.

18 Sec. 3947.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A
19 director shall file the director's oath or affirmation of office
20 with the district, and the district shall retain the oath or
21 affirmation in the district records.

22 (b) A director shall file a copy of the director's oath or
23 affirmation with the secretary of the city.

24 Sec. 3947.056. OFFICERS. The board shall elect from among
25 the directors a chair, a vice chair, and a secretary. The offices
26 of chair and secretary may not be held by the same person.

27 Sec. 3947.057. COMPENSATION; EXPENSES. (a) The district

1 may compensate each director in an amount not to exceed \$50 for each
2 board meeting. The total amount of compensation a director may
3 receive each year may not exceed \$2,000.

4 (b) A director is entitled to reimbursement for necessary
5 and reasonable expenses incurred in carrying out the duties and
6 responsibilities of the board.

7 Sec. 3947.058. LIABILITY INSURANCE. The district may
8 obtain and pay for comprehensive general liability insurance
9 coverage from a commercial insurance company or other source that
10 protects and insures a director against personal liability and from
11 all claims relating to:

12 (1) actions taken by the director in the director's
13 capacity as a member of the board;

14 (2) actions and activities taken by the district; or

15 (3) the actions of others acting on behalf of the
16 district.

17 Sec. 3947.059. NO EXECUTIVE COMMITTEE. The board may not
18 create an executive committee to exercise the powers of the board.

19 Sec. 3947.060. BOARD MEETINGS. The board shall hold
20 meetings at a place that is accessible to the public and located in
21 the district or in the city.

22 Sec. 3947.061. INITIAL DIRECTORS. (a) On or after
23 September 1, 2017, the owner or owners of a majority of the assessed
24 value of the real property in the district according to the most
25 recent certified tax appraisal rolls for the county may submit a
26 petition to the commission requesting that the commission appoint
27 as initial directors the four persons named in the petition. The

commission shall appoint as initial directors the four persons named in the petition.

(b) The governing body of the city shall appoint one initial director.

(c) The initial directors shall determine by lot which three positions expire June 1, 2019, and which two positions expire June 1, 2021.

(d) This section expires September 1, 2019.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3947.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3947.102. IMPROVEMENT PROJECTS AND SERVICES. (a) Subject to Subsection (b), the district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

(b) The district may not construct or finance an improvement project, other than a water, sewer, or drainage facility or road, without obtaining the written consent of the city's governing body.

Sec. 3947.103. LOCATION OF IMPROVEMENT PROJECT. A district improvement project may be located inside or outside of the district.

Sec. 3947.104. OWNERSHIP OF IMPROVEMENT PROJECTS. (a)

Before a district improvement project may be put into operation, the district must transfer ownership of the project to the city.

(b) The transfer of ownership is complete on the city's acceptance of ownership.

Sec. 3947.105. RETAIL WATER AND SEWER SERVICES PROHIBITED. The district may not provide retail water or sewer services.

Sec. 3947.106. ADDING OR REMOVING TERRITORY. (a) Subject to Subsections (b) and (c), the board may add or remove territory as provided by Subchapter J, Chapter 49, Water Code.

(b) The district may add territory as described by Subsection (a) only if the district obtains written consent from the governing body of the city.

(c) The district and any district created under Subchapter D may not add a total area of more than 100 acres.

Sec. 3947.107. LIMITED EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain unless the district obtains written consent from the governing body of the city.

SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 3947.151. DIVISION OF DISTRICT; PREREQUISITES. The district, including territory added to the district under Section 3947.106, may be divided into two or more new districts only if the district has no outstanding bonded debt. Territory previously added to the district under Section 3947.106 may be included in a new district.

Sec. 3947.152. LAW APPLICABLE TO NEW DISTRICT. This chapter applies to any new district created by division of the district, and a new district has all the powers and duties of the

1 district.

2 Sec. 3947.153. DIVISION PROCEDURES. (a) The board, on its
3 own motion or on receipt of a petition signed by an owner of real
4 property in the district, may adopt an order proposing to divide the
5 district.

6 (b) If the board decides to divide the district, the board
7 shall:

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

11 (2) prepare a metes and bounds description for each
12 proposed district; and

13 (3) appoint four initial directors for each new
14 district.

15 (c) The governing body of the city shall appoint one
16 director for each new district.

17 Sec. 3947.154. CONTRACT AUTHORITY OF NEW DISTRICTS. The
18 new districts may contract with each other for any matter the boards
19 of the new districts consider appropriate, including the joint
20 construction or financing of a utility improvement.

21 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

22 Sec. 3947.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
23 board by resolution shall establish the number of directors'
24 signatures and the procedure required for a disbursement or
25 transfer of the district's money.

26 Sec. 3947.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
27 The district may acquire, construct, or finance an improvement

project or service authorized by this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3947.203. METHOD OF NOTICE FOR HEARING. The district may mail the notice required by Section 375.115(c), Local Government Code, by certified or first class United States mail. The board shall determine the method of notice.

Sec. 3947.204. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

(1) a first and prior lien against the property assessed;

(2) superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

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

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

1 (d) The board may make a correction to or deletion from the
2 assessment roll that does not increase the amount of assessment of
3 any parcel of land without providing notice and holding a hearing in
4 the manner required for additional assessments.

5 (e) The district may not impose an assessment on a
6 municipality, county, or other political subdivision.

7 Sec. 3947.205. NOTICE OF ASSESSMENTS. Annually, the board
8 shall file with the secretary of the city written notice that
9 specifies the assessments the district will impose in the
10 district's next fiscal year in sufficient clarity to describe the
11 assessments for the operation and maintenance of the district and
12 the assessments for the payment of debt service of obligations
13 issued or incurred by the district.

14 SUBCHAPTER F. TAXES AND BONDS

15 Sec. 3947.251. BONDS AND OTHER OBLIGATIONS. (a) The
16 district may issue, by public or private sale, bonds, notes, or
17 other obligations payable wholly or partly from ad valorem taxes or
18 assessments in the manner provided by Subchapter A, Chapter 372, or
19 Subchapter J, Chapter 375, Local Government Code. Sections
20 375.207(a) and (b), Local Government Code, do not apply to the
21 district.

22 (b) In exercising the district's borrowing power, the
23 district may issue a bond or other obligation in the form of a bond,
24 note, certificate of participation or other instrument evidencing a
25 proportionate interest in payments to be made by the district, or
26 other type of obligation.

27 (c) In addition to the sources of money described by

1 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
2 Government Code, district bonds may be secured and made payable
3 wholly or partly by a pledge of any part of the money the district
4 receives from improvement revenue or from any other source.

5 (d) Not later than the 30th day before the date the district
6 holds a bond sale, the district shall provide the governing body of
7 the city written notice of the sale.

8 (e) The district may issue bonds, notes, or other
9 obligations to maintain or repair an existing improvement project
10 only if the district obtains written consent from the governing
11 body of the city.

12 SUBCHAPTER G. DISSOLUTION

13 Sec. 3947.301. DISSOLUTION BY CITY ORDINANCE. (a) The
14 governing body of the city may dissolve the district by ordinance.

15 (b) The governing body may not dissolve the district until:
16 (1) water, sanitary, sewer, and drainage improvements
17 and roads have been constructed to serve at least 90 percent of the
18 developable territory of the district; and

19 (2) the district has reimbursed each party that has an
20 agreement with the district for all costs advanced to or on behalf
21 of the district.

22 (c) Until the district is dissolved, the district is
23 responsible for all bonds and other obligations of the district.

24 Sec. 3947.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

25 (a) If the dissolved district has bonds or other obligations
26 outstanding secured by and payable from assessments or other
27 revenue, other than revenue from ad valorem taxes, the city shall

1 succeed to the rights and obligations of the district regarding
2 enforcement and collection of the assessments or other revenue.

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

5 (1) the bonds or other obligations when due and
6 payable according to their terms; or

7 (2) special revenue or assessment bonds or other
8 obligations issued by the city to refund the outstanding bonds or
9 obligations.

10 Sec. 3947.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
11 After the city dissolves the district, the city assumes, subject to
12 the appropriation and availability of funds, the obligations of the
13 district, including any bonds or other debt payable from
14 assessments or other district revenue.

15 (b) If the city dissolves the district, the board shall
16 transfer ownership of all district property to the city.

17 SECTION 2. The Celina Municipal Management District No. 2
18 initially includes all the territory contained in the following
19 area:

20 BEING a tract of land situated in the William H. Herron Survey,
21 Abstract No. 380, the Daniel Howell Survey, Abstract No. 394, Mary
22 Howell Survey, Abstract No. 396 Benjamin Haile Survey, Abstract No.
23 397, Martha Herron Survey, Abstract No. 415, George Jay Survey,
24 Abstract No. 488 and the Isaac Walker Survey, Abstract No. 1056,
25 City of Celina, Collin County, Texas, and being all of a called
26 450.71-acre tract of land, conveyed to Central Frisco, Ltd., as
27 evidenced in a Special Warranty Deed, recorded in Instrument No.

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1 2008030600026870 of the Official Public Records of Collin County,
2 Texas, all of a called "Tract A" (43.777 acres) and a called "Tract
3 B" (2.500 acres), conveyed to Eland Energy, Inc., as evidenced in a
4 Special Warranty Deed, recorded in Instrument No.
5 20150722000903310 of the Official Public Records of Collin County,
6 Texas, all of a called 272.545-acre tract of land, conveyed to Eland
7 Energy, Inc., as evidenced in a Special Warranty Deed, recorded in
8 Instrument No. 20150722000903300 of the Official Public Records of
9 Collin County, Texas, all of a called 154.059-acre tract of land,
10 conveyed to Central Frisco, Ltd., as evidenced in a Special
11 Warranty Deed, recorded in Instrument No. 20070725001023610 of the
12 Official Public Records of Collin County, Texas, all of a called
13 "Tract One" (78.613 acres), a called "Tract Two" (66.676 acres), a
14 called "Tract Three" (59.916 acres), a called "Tract Four" (0.937
15 acre), and a called "Tract Five" (18.748 acres), conveyed to Eland
16 Energy, Inc., as evidenced in a General Warranty Deed, recorded in
17 Instrument No. 20141002001081250 of the Official Public Records of
18 Collin County, Texas, all of a called 6.000-acre tract of land,
19 conveyed to Central Frisco, Ltd., as evidenced in a General
20 Warranty Deed, recorded in Instrument No. 20110831000926240 of the
21 Official Public Records of Collin County, Texas, all of a called
22 62.434-acre tract of land, conveyed to Eland Energy, Inc., as
23 evidenced in a General Warranty Deed, recorded in Instrument No.
24 20141002001081260 of the Official Public Records of Collin County,
25 Texas, and all of a called 167.027-acre tract of land, conveyed to
26 Eland Energy, Inc., as evidenced in a General Warranty Deed,
27 recorded in Instrument No. 20141002001081290 of the Official Public

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1 Records of Collin County, Texas, all of a called 30-feet wide street
2 easement located along the westerly side of said "Tract One",
3 conveyed to County, of Collin, Texas, recorded in County Clerk's
4 File No. 96-0067344 of the Land Records of Collin County, Texas, all
5 of a called 30-feet wide street easement located along the westerly
6 side of said "Tract Five", conveyed to County, of Collin, Texas,
7 recorded in County Clerk's File No. 96-0067345 of the Land Records
8 of Collin County, Texas, the portion of F. M. 455 (a called 90-feet
9 wide right of way) situated between said "Tract One", "Tract Two",
10 Tract Three" and "Tract Four", the portion of said F. M. 455 along
11 the southerly line of said 167.027-acre tract and the westerly
12 portion of said F. M. 455 along the easterly line of said
13 167.027-acre tract, and being more particularly described by metes
14 and bounds as follows:

15 BEGINNING at the westernmost, northwest corner of said 450.71-acre
16 Central Frisco, Ltd., tract, same being the southwest corner of a
17 called 50.487-acre tract of land, conveyed to Preston Acreage, L.P.
18 & Spartan Texas Six-Celina, Ltd., as evidenced in a General
19 Warranty Deed, recorded in Volume 5239, Page 1060 of the Land
20 Records of Collin County, Texas, same also being on the easterly
21 right of way line of State Highway 289 (Preston Road);

22 THENCE South 89°58'20" East, departing the easterly right of way
23 line of said State Highway 289 (Preston Road), along a northerly
24 line of said 450.71-acre tract and the southerly line of said
25 50.487-acre tract, a distance of 985.28 feet to the southeast
26 corner of said 50.487-acre tract;

27 THENCE North 00°33'31" East, along a westerly line of said

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1 450.71-acre tract and the easterly line of said 50.487-acre tract,
2 a distance of 2607.81 feet to the northeast corner of said
3 50.487-acre tract and the northernmost, northwest corner of said
4 450.71-acre tract, same being in County Road No. 100, a public use
5 right of way, no record found, same also being on the southerly line
6 of a called 33.356-acre tract of land, conveyed to CR 100
7 Thirty-Three Partners, LP, as evidenced in a Special Warranty Deed,
8 recorded in Instrument No. 20150224000195720 of the Official Public
9 Records of Collin County, Texas;
10 THENCE North $88^{\circ}52'34''$ East, along the northerly line of said
11 450.71-acre tract, the southerly line of said 33.356-acre tract and
12 generally along said County Road No. 100, a distance of 1066.91 feet
13 to the southeast corner of said 33.356-acre tract;
14 THENCE North $88^{\circ}40'20''$ East, continuing along the northerly line of
15 said 450.71-acre tract, the southerly line of a called 93.277-acre
16 tract of land, conveyed to Bellaire Partners, L.L.C., as evidenced
17 in a Special Warranty Deed, recorded in Instrument No.
18 20160222000196050 of the Official Public Records of Collin County,
19 Texas, and continuing along said County Road No. 100, a distance of
20 1587.35 feet to the northeast corner of said 450.71-acre tract, and
21 the southeast corner of said 93.277-acre tract, same being the
22 intersection of said County Road No. 100 with County Road No. 97, a
23 public use right of way, no record found;
24 THENCE South $00^{\circ}26'10''$ West, Along the easterly line of said
25 450.71-acre tract, the westerly line of Sharrock Addition, an
26 addition to the City of Celina, Texas, according to the Final Plat,
27 recorded in Volume 2016, Page 80 of the Plat Records of Collin

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County, Texas, and the westerly line of a called 15.00-acre tract of land, conveyed to Carolyn A. Tipton and Joel C. Molinar, as evidenced in a deed recorded in Volume 4698, Page 2781 of the Land Records of Collin County, Texas, and generally along said County Road No. 97, a distance of 780.68 feet to the northwest corner of a called 40.11-acre tract of land, conveyed to N. E. Coit & CR 101, LP, as evidenced in a General Warranty Deed, recorded in Instrument No. 20081014001224170 of the Official Public Records of Collin County, Texas;

THENCE South 00°04'54" West, continuing along the easterly line of said 450.71-acre tract, along the westerly line of said 40.11-acre tract and continuing along said County Road No. 97, a distance of 1861.34 feet to the southwest corner of said 40.11-acre tract, same being the northwest corner of aforesaid "Tract A" (43.777 acres) Eland Energy, Inc., tract, same being the intersection of said County Road No. 97 with County Road No. 101, a public use right of way, no record found;

THENCE North 89°35'03" East, departing the easterly line of said 450.71-acre tract, along the northerly line of said "Tract A", the southerly line of said 40.11-acre tract, and generally along said County Road No. 101, a distance of 402.01 feet to a corner;

THENCE North 89°36'37" East, continuing along the northerly line of said "Tract A", the southerly line of said 40.11-acre tract and said County Road No. 101, a distance of 401.65 feet to the northernmost, northeast corner of said "Tract A", same being the northwest corner of a called 7.498-acre tract of land, conveyed to Tom Harper, as evidenced in a General Warranty Deed, recorded in County Clerk's

1 File No. 93-0036670 of the Land Records of Collin County, Texas;
2 THENCE South 00°07'56" East, departing said County Road No. 101,
3 along the easterly line of said "Tract A" and the westerly line of
4 said 7.498-acre tract, a distance of 541.77 feet to the southwest
5 corner of said 7.498-acre tract;
6 THENCE North 89°38'16" East, along a northerly line of said "Tract
7 A" and the southerly line of said 7.498-acre tract, a distance of
8 630.23 feet to the easternmost, northeast corner of said "Tract A"
9 and the southeast corner of said 7.498-acre tract, same being on a
10 westerly line of aforesaid 272.545-acre, Eland Energy, Inc., tract;
11 THENCE North 00°01'23" West, along an easterly line of said
12 7.498-acre tract and the westerly line of said 272.545-acre tract,
13 a distance of 116.61 feet to a corner on the southerly line of a
14 called 2.661-acre tract of land, conveyed to Collin County, Texas,
15 as evidenced in a General Warranty Deed, recorded in Volume 5309,
16 Page 7316 of the Land Records of Collin County, Texas;
17 THENCE South 60°05'11" East, continuing along the westerly line of
18 said 272.545-acre tract and along the southerly line of said
19 2.661-acre tract, a distance of 230.59 feet to a corner;
20 THENCE North 88°50'05" East, continuing along the westerly line of
21 said 272.545-acre tract and along the southerly line of said
22 2.661-acre tract, a distance of 10.17 feet to the southeast corner
23 of said 2.661-acre tract;
24 THENCE North 00°20'59" West, continuing along the westerly line of
25 said 272.545-acre tract and along the easterly line of said
26 2.661-acre tract, a distance of 539.73 feet to the northwest corner
27 of said 272.545-acre tract and the northeasterly corner of said

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1 2.661-acre tract, same being on the occupied southerly line of
2 aforesaid County Road No. 101;
3 THENCE North $89^{\circ}30'33''$ East, along the northerly line of said
4 272.545-acre tract and along the southerly line of said County Road
5 No. 101, a distance of 1020.62 feet to the northeast corner of said
6 242.545-acre tract, same being on the westerly line of called
7 Tracts 1, 2, and 3, conveyed to Joe E. Stalling and wife, Janice K.
8 Stalling, as evidenced in a General Warranty Deed with Vendor's
9 Lien, recorded in County Clerk's File No. 93-0075959 of the Land
10 Records of Collin County, Texas;
11 THENCE South $00^{\circ}31'02''$ East, along the easterly line of said
12 242.545-acre tract, the westerly line of said Tracts 1, 2, and 3,
13 the westerly line of a called 9.943-acre tract of land conveyed to
14 Daniel DW Simons and Misty Simons, as evidenced in a General
15 Warranty Deed, recorded in Instrument No. 20070816001143760 of the
16 Official Public Records of Collin County, Texas, the westerly line
17 of Tract 1 and Tract 2, conveyed to Michael M. Patterson and Charles
18 Dawson, as evidenced in a General Warranty Deed, recorded in
19 Instrument No. 20060630000904460 of the Official Public Records of
20 Collin County, Texas, the westerly line of a called 10.692-acre
21 tract of land, conveyed to John D. Dove, as evidenced in a General
22 Warranty Deed, recorded in Volume 3981, Page 359 of the Land Records
23 of Collin County, Texas, and generally along the centerline of said
24 County Road No. 101, a distance of 1945.32 feet to the northwest
25 corner of aforesaid 154.059-acre Central Frisco, Ltd., tract and
26 the southwest corner of said 10.692-acre tract, same being the
27 intersection of said County Road No. 101 with County Road No. 130, a

1 public use right of way, no record found;
2 THENCE North $89^{\circ}37'24''$ East, along the northerly line of said
3 154.059-acre tract, the southerly line of said 10.692-acre tract,
4 and generally along said County Road No. 130, a distance of 776.70
5 feet to a corner;
6 THENCE North $89^{\circ}39'58''$ East, continuing along the northerly line of
7 said 154.059-acre tract and the northerly line of aforesaid "Tract
8 B", Eland Energy, Inc., tract and continuing generally along said
9 County Road No. 130, a distance of 1861.15 feet to the northeast
10 corner of said 154.059-acre tract, same being the northwest corner
11 of aforesaid 62.434-acre Eland Energy, Inc., tract;
12 THENCE North $89^{\circ}30'30''$ East, along the northerly line of said
13 62.434-acre tract and continuing generally along said County Road
14 No. 130, a distance of 1909.83 feet to the northernmost, northeast
15 corner of said 62.434-acre tract, same being the northwest corner
16 of a tract of land, conveyed to Porfirio Paulino and wife, Ojilvoa
17 Paulino, as evidenced in a General Warranty Deed, recorded in
18 Volume 5674, Page 3250 of the Land Records of Collin County, Texas;
19 THENCE South $00^{\circ}29'02''$ East, departing said County Road No. 130,
20 along an easterly line of said 62.434-acre tract, the westerly line
21 of said Paulino tract and the westerly line of a tract of land,
22 conveyed to John C. Kiesling and wife, Rhonda Kiesling, as
23 evidenced in a Warranty Deed, recorded in Volume 4147, Page 717 of
24 the Land Records of Collin County, Texas, a distance of 714.20 feet
25 to the southwest corner of said Kiesling tract;
26 THENCE North $89^{\circ}33'17''$ East, along the southernmost, northerly line
27 of said 62.434-acre tract and the southerly line of said Kiesling

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1 tract, a distance of 728.71 feet to the easternmost, northeast
2 corner of said 62.434-acre tract, same being in County Road No. 128,
3 a public use right of way, no record found;
4 THENCE South $02^{\circ}01'47''$ East, along the easterly line of said
5 62.434-acre tract and along said County Road No. 128, a distance of
6 46.49 feet to a corner;
7 THENCE South $01^{\circ}52'14''$ East, continuing along the easterly line of
8 said 62.434-acre tract and said County Road No. 128, a distance of
9 563.63 feet to the southeast corner of said 62.434-acre tract;
10 THENCE South $89^{\circ}21'14''$ West, along the southerly line of said
11 62.434-acre tract, a distance of 32.93 feet to the northeast corner
12 of aforesaid 167.027-acre Eland Energy, In., tract;
13 THENCE South $00^{\circ}30'22''$ East, along the easterly line of said
14 167.027-acre tract and generally along said County Road No. 128, a
15 distance of 2101.08 feet to an inner ell corner of said 167.027-acre
16 tract, same being the southwest corner of Highpoint Estates, an
17 addition to the City of Celina, Texas, according to the Final Plat,
18 recorded in Volume M, Page 116 of the Plat Records of Collin County,
19 Texas;
20 THENCE North $89^{\circ}26'58''$ East, along a northerly line of said
21 167.027-acre tract, the southerly line of said Highpoint Estates
22 and continuing along said County Road No. 128, a distance of 333.00
23 feet to the easternmost, northeast corner of said 167.027-acre
24 tract;
25 THENCE South $00^{\circ}23'39''$ East, along the easterly line of said
26 167.027-acre tract, for part of the way, passing the westerly right
27 of way line of F. M. 455, a 90-feet wide right of way, continuing

1 along the extension of the easterly line of said 167.027-acre tract
2 and within said F. M 455, passing the easterly right of way line of
3 said F. M. 455, a total distance of 1243.28 feet to the northeast
4 corner of a called 69.149-acre tract of land, conveyed to David Lair
5 and wife, June Lair, as evidenced in a deed, recorded in Volume 816,
6 Page 559 of the Land Records of Collin County, Texas;

7 THENCE in a westerly direction, along the northerly line of said
8 69.149-acre tract and the southerly right of way line of said F. M.
9 455, the following:

10 South 88°31'26" West, a distance of 133.55 feet to a corner;

11 South 66°55'26" West, a distance of 88.60 feet to a corner;

12 South 81°35'26" West, a distance of 106.10 feet to a corner;

13 South 88°31'26" West, a distance of 1210.70 feet to a corner;

14 South 88°37'26" West, a distance of 210.30 feet to the
15 northwest corner of said 69.149-acre tract, same being the
16 northeast corner of a called 10.00-acre tract of land, conveyed to
17 Terry M. Collins and spouse, Diana Collins, as evidenced in a
18 General Warranty Deed, recorded in Instrument No.
19 20150205000127830 of the Official Public Records of Collin County,
20 Texas;

21 THENCE South 88°33'08" West, continuing along the southerly right
22 of way line of said F. M. 455 and along the northerly line of said
23 10.00-acre tract, a distance of 371.93 feet to the northwest corner
24 of said 10.00-acre tract, same being the northeast corner of a
25 called 5.00-acre tract of land, conveyed to Michael S. Armstrong
26 and spouse, Melissa B. Armstrong, as evidenced in a General
27 Warranty Deed, recorded in Instrument No. 20131018001435890 of the

1 Official Public Records of Collin County, Texas;
2 THENCE South 88°55'54" West, continuing along the southerly right
3 of way line of said F. M. 455 and along the northerly line of said
4 5.00-acre tract, a distance of 319.79 feet to the northwest corner
5 of said 5.00-acre tract, same the northeast corner of a called
6 20.058-acre tract of land, conveyed to Larry N. Lehman and Robbie C.
7 Lehman, as evidenced in a General Warranty Deed, recorded in
8 Instrument No. 20150608000673760 of the Official Public Records of
9 Collin County, Texas;
10 THENCE South 88°55'57" West, continuing along the southerly right
11 of way line of said F. M. 455 and along the northerly line of said
12 20.058-acre tract for part of the way, crossing said F. M. 455 along
13 the extension of the northerly line of said 20.058-acre tract, a
14 distance of 427.32 feet to a corner on the curving westerly right of
15 way line of said F. M. 455, same being on the curving easterly line
16 of aforesaid "Tract Two", Eland Energy, Inc., tract, said curve
17 being a non-tangent curve to the left;
18 THENCE in a southerly direction, along the westerly right of way
19 line of said F. M. 455, the easterly line of said "Tract Two" and
20 along the arc of said curve to the left, through a central angle of
21 20°27'26", having a radius of 363.31 feet, a chord bearing of South
22 36°07'57" West, a chord distance of 129.03 feet and an arc length of
23 129.72 feet to the end of said curve;
24 THENCE South 00°15'57" East, departing the easterly line of said
25 "Tract Two", the westerly right of way line of said F. M. 455,
26 crossing said F. M. 455, passing the southerly right of way line of
27 said F. M. 455 and the northeast corner of aforesaid "Tract Three",

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1 Eland Energy, tract, continuing along the easterly line of said
2 "Tract Three", a distance of 1443.40 feet to the southeast corner of
3 said "Tract Three", same being the northeast corner of a called
4 85.04-acre tract of land, conveyed to Jane Willard, as evidenced in
5 a General Warranty Deed, recorded in County Clerk's File No.
6 96-0039930 of the Land Records of Collin County, Texas;
7 THENCE South 89°51'15" West, along the southerly line of said "Tract
8 Three" and the northerly line of said 85.04-acre tract, a distance
9 of 2639.07 feet to the southwest corner of said "Tract Three", same
10 being on the easterly line of a called "First Tract", conveyed to
11 Jane Willard, as evidenced in a Warranty Deed, recorded in Volume
12 3368, Page 434 of the Land Records of Collin County, Texas, same
13 also being in County Road No. 98, a public use right of way, no
14 record found;
15 THENCE North 00°04'01" West, along the westerly line of said "Tract
16 Three", the easterly line of said "First Tract" for part of the way
17 and along said County Road No. 98, a distance of 405.05 feet to a
18 corner on the easterly right of way line of aforesaid F. M. 455;
19 THENCE North 03°46'21" West, departing the easterly right of way
20 line of said F. M. 455 and crossing said F. M. 455, a distance of
21 408.54 feet to a corner on the westerly right of way line of said F.
22 M. 455, same being on the easterly line of a called "Second Tract",
23 conveyed to Jane Willard, as evidenced in aforesaid Warranty Deed,
24 recorded in Volume 3368, Page 434, same also being aforesaid County
25 Road No. 101;
26 THENCE North 00°03'05" West, departing the westerly right of way
27 line of said F. M. 455, along the easterly line of said "Second

1 Tract", the easterly line of a called 66.68-acre tract, conveyed to
2 Jane C. Willard, as evidenced in a Special Warranty Deed, recorded
3 in County Clerk's File No. 93-0007503 of the Land Records of Collin
4 County, Texas, the westerly line of aforesaid 30' Street Easement
5 to Collin County, Texas, recorded in County Clerk's File No.
6 96-0067344, and generally along said County Road No. 101, a
7 distance of 1520.01 feet to the northwest corner of said street
8 easement, same being the southwest corner of aforesaid 30' Street
9 Easement to Collin County, Texas, recorded in County Clerk's File
10 No. 96-0067345;

11 THENCE North 00°27'17" West, continuing along the easterly line of
12 said 66.68-acre tract, the easterly line of a called 5.000-acre
13 tract of land, conveyed to Brian Wayne Boyd, as evidenced in a
14 General Warranty Deed, recorded in Instrument No.
15 20140205000108240, the easterly line of a called 5.000-acre tract
16 of land, conveyed to Brian Wayne Boyd, as evidenced in a General
17 Warranty Deed, recorded in Instrument No. 20140428000404190, both
18 of the Official Public Records of Collin County, Texas, along the
19 westerly line of said 30' Street Easement, recorded in County
20 Clerk's File No. 96-0067345, and generally along said County Road
21 No. 101, a distance of 570.00 feet to the southeast corner of
22 aforesaid 272.545-acre, Eland Energy, Inc., tract;

23 THENCE North 89°53'04" West, departing said County Road No. 101,
24 along the northerly line of said 5.000-acre Brian Wayne Boyd tract,
25 recorded in Instrument No. 20140428000404190, the northerly line of
26 aforesaid 66.68-acre, Jane C. Willard tract and the southerly line
27 of said 272.545-acre tract, a distance of 2669.41 feet to the

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1 southwest corner of said 272.545-acre tract, same being the
2 southeast corner of aforesaid 450.71-acre, Central Frisco, Ltd.,
3 tract;

4 THENCE North $89^{\circ}54'14''$ West, along the southerly line of said
5 450.71-acre tract, the north line of Heritage Phase 3, an addition
6 to the City of Celina, Texas, according to the Final Plat, recorded
7 in Volume 2014, Page 66 of the Plat Records of Collin County, Texas
8 and the northerly line of Heritage Phase 2, an addition to the City
9 of Celina, Texas, according to the Final Plat, recorded in Volume P,
10 Page 632 of the Plat Records of Collin County, Texas, a distance of
11 2005.13 feet to the southwest corner of said 450.71-acre tract,
12 same being the southeast corner of Morgan Lakes Estates Phase One,
13 an addition to the City of Celina, Texas, according to the Final
14 Plat, recorded in Volume I, Page 591 of the Plat Records of Collin
15 County, Texas;

16 THENCE in a northerly direction, along the westerly line of said
17 450.71-acre tract and the easterly line of said Morgan Lakes
18 Estates Phase One, the following:

19 North $00^{\circ}03'12''$ East, a distance of 461.22 feet to a corner;

20 North $07^{\circ}08'40''$ East, a distance of 60.21 feet to the point of
21 curvature of a non-tangent curve to the left;

22 Along the arc of said curve to the left, through a central
23 angle of $06^{\circ}21'24''$, having a radius of 270.00 feet, a chord bearing
24 of South $86^{\circ}04'27''$ East, a chord distance of 29.94 feet and an arc
25 length of 29.96 feet to the end of said curve;

26 South $89^{\circ}02'33''$ East, a distance of 222.34 feet to a corner;

27 North $01^{\circ}00'05''$ East, a distance of 107.20 feet to a corner;

1 North 51°42'33" East, a distance of 398.05 feet to a corner;
2 North 49°38'51" East, a distance of 210.56 feet to a corner;
3 North 36°54'05" West, a distance of 462.25 feet to a corner;
4 North 15°17'56" West, a distance of 60.26 feet to the point of
5 curvature of a non-tangent curve to the right;

6 Along the arc of said curve to the right, through a central
7 angle of 07°25'01", having a radius of 530.00 feet, a chord bearing
8 of North 78°46'38" East, a chord distance of 68.56 feet and an arc
9 length of 68.61 feet to the end of said curve;

10 North 82°26'45" East, a distance of 62.14 feet to a corner;
11 North 38°02'48" West, a distance of 615.74 feet to a corner;
12 North 25°29'50" West, a distance of 423.56 feet to a corner;
13 North 11°11'38" East, a distance of 219.89 feet to a corner;
14 North 49°12'28" West, a distance of 934.00 feet to a corner;
15 North 45°38'34" West, a distance of 346.17 feet to a corner;
16 North 84°06'21" West, a distance of 374.78 feet to the

17 northwest corner of said Morgan Lakes Estates Phase One, same being
18 the westernmost, southwest corner of said 450.71-acre tract, same
19 being on the easterly line of a called 15.071-acre tract of land,
20 conveyed to SMR Family LP, as evidenced in a General Warranty Deed,
21 recorded in Instrument No. 20090526000637370 of the Official Public
22 Records of Collin County, Texas;

23 THENCE North 01°51'32" East, continuing along the westerly line of
24 said 450.71-acre tract and the easterly line of said 15.071-acre
25 tract, a distance of 132.73 feet to the northeast corner of said
26 15.071-acre tract, same being the southeast corner of a called
27 16.369-acre tract of land, conveyed to Pyramid Drywall, Inc., as

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1 evidenced in a General Warranty Deed, recorded in Instrument No.
2 20160721000935850 of the Official Public Records of Collin County,
3 Texas;
4 THENCE North 00°50'57" West, East, continuing along the westerly
5 line of said 450.71-acre tract and the easterly line of said
6 16.369-acre tract, a distance of 1184.08 feet to the easternmost,
7 northeast corner of said 16.36-acre tract;
8 THENCE North 87°07'46" West, continuing along the westerly line of
9 said 450.71-acre tract and the easterly line of said 16.369-acre
10 tract, a distance of 50.86 feet to a corner;
11 THENCE North 00°51'58" West, continuing along the westerly line of
12 said 450.71-acre tract, the easterly line of said 16.369-acre tract
13 and the easterly line of the remainder of a tract of land, conveyed
14 to Marvin T. Wilson and wife, Renetta T. Wilson, as evidenced in a
15 Warranty Deed, recorded in County Clerk's File No. 92-0004376 of
16 the Land Records of Collin County, Texas, a distance of 489.53 feet
17 to the northeast corner of said Wilson tract;
18 THENCE South 89°48'22" West, continuing along the westerly line of
19 said 450.71-acre tract and along the northerly line of said Wilson
20 tract, a distance of 341.96 feet to the northwest corner of said
21 Wilson tract, same being on the easterly right of way line of
22 aforesaid State Highway 289 (Preston Road);
23 THENCE North 00°16'22" East, continuing along the westerly line of
24 said 450.71-acre tract and along the easterly right of way line of
25 said State Highway 289 (Preston Road), a distance of 51.94 feet to
26 the POINT OF BEGINNING and containing 1,432.8 gross acres of land,
27 more or less, SAVE AND EXCEPT the following two tracts of land:

1 TRACT 1:

2 BEING a tract of land situated in the Benjamin Haile Survey,
3 Abstract No. 397, City of Celina, Collin County, Texas, and being
4 the remaining portion of a called 160.42-acre tract of land,
5 conveyed to Kirk's Rockin K Ranch & Land Company, Inc., as evidenced
6 in a Special Warranty Deed, recorded in Volume 4139, Page 3116 of
7 the Land Records of Collin County, Texas, and being more
8 particularly described by metes and bounds as follows:

9 BEGINNING at the southwest corner of said 160.42-acre tract, and
10 the northwest corner of a 30' Street Easement to Collin County,
11 Texas, recorded in County Clerk's File No. 96-0067345 of the Land
12 Records of Collin County, Texas, same being on the easterly line of
13 a called 272.545-acre tract of land, conveyed to Eland Energy,
14 Inc., as evidenced in a Special Warranty Deed, recorded in
15 Instrument No. 20150722000903300 of the Official Public Records of
16 Collin County, Texas, same also being in County Road No. 101, a
17 public use right of way, no record found;

18 THENCE North 00°31'00" West, along the westerly line of said
19 160.42-acre tract, the easterly line of said 272.545-acre tract and
20 along said County Road No. 101, a distance of 417.42 feet to the
21 westernmost, southwest corner of a called 154.059-acre tract of
22 land, conveyed to Central Frisco, Ltd., as evidenced in a Special
23 Warranty Deed, recorded in Instrument No. 20070725001023610 of the
24 Official Public Records of Collin County, Texas;

25 THENCE North 89°58'09" East, departing the westerly line of said
26 160.42-acre tract, the easterly line of said 272.545-acre tract,
27 said County Road No. 101 and along a southerly line of said

1 154.059-acre tract, a distance of 417.42 feet to a corner;
2 THENCE South 00°31'02" East, along a westerly line of said
3 154.059-acre tract, a distance of 417.42 feet to the southernmost,
4 southwest corner of said 154.059-acre tract, same being on the
5 southerly line of said 160.42-acre tract, same also being on the
6 northerly line of a called "Tract Five" (18.748 acres), conveyed to
7 Eland Energy, Inc., as evidenced in a General Warranty Deed,
8 recorded in Instrument No. 20141002001081250 of the Official Public
9 Records of Collin County, Texas;
10 THENCE South 89°58'09" West, along the southerly line of said
11 160.42-acre tract, the northerly line of said "Tract Five" and the
12 northerly line of aforesaid 30' wide Street Easement, a distance of
13 417.43 feet to the POINT OF BEGINNING and containing 4.0 acres of
14 land, more or less.
15 TRACT 2:
16 BEING a tract of land, situated in the Mary Howell Survey, Abstract
17 No. 396 and the Benjamin Haile Survey, Abstract No. 397 and being
18 all of a called 26.620-acre tract of land, conveyed to John O. Rea
19 and wife, Patricia O. Rea, as evidenced in a General Warranty Deed,
20 recorded in County Clerk's File No. 92-0067367 and all of a called
21 5.000-acre tract of land, conveyed to John W. Rea and spouse,
22 Patricia O. Rea, as evidenced in a General Warranty Deed, recorded
23 in County Clerk's File No. 92-0067368, both of the Land Records of
24 Collin County, Texas, and being more particularly described by
25 metes and bounds as follows;
26 BEGINNING at the northeast corner of said 26.620-acre tract, same
27 being the northernmost, northwest corner of a called 167.027-acre

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1 tract of land, conveyed to Eland Energy, Inc., as evidenced in a
2 General Warranty Deed, recorded in Instrument No.
3 20141002001081290 of the Official Public Records of Collin County,
4 Texas, same also being on the southerly line of a called 62.434-acre
5 tract of land, conveyed to Eland Energy, Inc., as evidenced in a
6 General Warranty Deed, recorded in Instrument
7 No. 20141002001081260 of the Official Public Records of Collin
8 County, Texas;

9 THENCE in a southerly direction, departing the southerly line of
10 said 62.434-acre tract, along the easterly line of said 26.620-acre
11 tract and the westerly line of said 167.027-acre tract, the
12 following:

13 South 01°29'15" East, a distance of 1335.38 feet to a corner;

14 North 89°49'39" West, a distance of 508.88 feet to a corner;

15 South 38°07'37" West, a distance of 430.66 feet to the
16 southeast corner of said 26.620-acre tract;

17 THENCE South 89°52'35" West, continuing along the westerly line of
18 said 167.027-acre tract and along the southernmost line of said
19 26.620-acre tract, a distance of 297.86 feet to the southwest
20 corner of said 26.620-acre tract, same being on the easterly line of
21 a "Tract Two" (66.676 acres), conveyed to Eland Energy, Inc., as
22 evidenced in said General Warranty Deed, recorded in Instrument No.
23 20141002001081250;

24 THENCE in a northerly direction, along the westerly line of said
25 26.620-acre tract and the easterly line of said "Tract Two", the
26 following:

27 North 00°59'41" West, a distance of 263.88 feet to a corner;

1 South 63°10'27" East, a distance of 93.04 feet to a corner;
2 North 33°29'47" East, a distance of 96.33 feet to a corner;
3 North 55°28'52" East, a distance of 144.33 feet to a corner;
4 North 32°30'37" West, a distance of 235.17 feet to a corner;
5 North 16°40'31" East, a distance of 139.05 feet to a corner;
6 North 62°31'57" East, a distance of 233.49 feet to a corner;
7 North 23°42'01" East, a distance of 277.45 feet to a corner;
8 North 12°49'11" West, a distance of 66.79 feet to the
9 northeast corner of said "Tract Two";
10 THENCE in a westerly direction, along the northerly line of said
11 "Tract Two", a southerly line of said 26.620-acre tract and along
12 the southerly line of aforesaid 5.000-acre tract, the following:
13 North 84°55'21" West, a distance of 167.79 feet to the south
14 common corner of said 26.620-acre tract and said 5.000-acre tract;
15 North 84°55'21" West, a distance of 31.54 feet to a corner;
16 South 27°54'16" West, a distance of 108.75 feet to a corner;
17 North 47°35'32" West, a distance of 127.34 feet to a corner;
18 South 22°02'46" West, a distance of 111.09 feet to a corner;
19 North 51°01'12" West, a distance of 184.77 feet to a corner;
20 South 66°56'55" West, a distance of 73.70 feet to the
21 southwest corner of said 5.000-acre tract and the northernmost,
22 northwest corner of said "Tract Two", same being on the easterly
23 line of a called 154.059-acre tract of land, conveyed to Central
24 Frisco, Ltd., as evidenced in a Special Warranty Deed, recorded in
25 Instrument No. 20070725001023610 of the Official Public Records of
26 Collin County, Texas;
27 THENCE North 00°21'55" West, along the westerly line of said

1 5.000-acre tract, the westerly line of said 26.620-acre tract and
2 the easterly line of said 154.059-acre tract, a distance of 525.45
3 feet to the northwest corner of said 26.620-acre tract, same being
4 the southwest corner of a called 6.000-acre tract of land, conveyed
5 to Central Frisco, Ltd., as evidenced in a General Warranty Deed,
6 recorded in Instrument No. 20110831000926240 of the Official Public
7 Records of Collin County, Texas;

8 THENCE North 89°21'14" East, departing the easterly line of said
9 154.059-acre tract, along the northerly line of said 26.620-acre
10 tract, the southerly line of said 6.000-acre tract and the
11 southerly line of aforesaid 62.434-acre tract, a distance of
12 1170.10 feet to the POINT OF BEGINNING and containing 31.6 acres of
13 land, more or less.

14 LEAVING a net area of 1,397.2 acres of land, more or less.

15 SECTION 3. (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,
27 lieutenant governor, and speaker of the house of representatives

1 within the required time.

2 (d) All requirements of the constitution and laws of this
3 state and the rules and procedures of the legislature with respect
4 to the notice, introduction, and passage of this Act have been
5 fulfilled and accomplished.

6 SECTION 4. (a) Section 3947.107, Special District Local
7 Laws Code, as added by Section 1 of this Act, takes effect only if
8 this Act receives a two-thirds vote of all the members elected to
9 each house.

10 (b) If this Act does not receive a two-thirds vote of all the
11 members elected to each house, Subchapter C, Chapter 3947, Special
12 District Local Laws Code, as added by Section 1 of this Act, is
13 amended by adding Section 3947.107 to read as follows:

14 Sec. 3947.107. NO EMINENT DOMAIN POWER. The district may
15 not exercise the power of eminent domain.

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

19 SECTION 5. This Act takes effect September 1, 2017.