

AN ACT

relating to the creation of specific water control and improvement districts and municipal utility districts; providing authority to impose taxes and issue bonds; granting the power of eminent domain.

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

ARTICLE 1. DOUBLE PLATINUM RANCH WATER

CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF GRAYSON COUNTY

SECTION 1.01. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9206 to read as follows:

CHAPTER 9206. DOUBLE PLATINUM RANCH WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1 OF GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9206.001. DEFINITIONS. In this chapter:

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

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

(3) "District" means the Double Platinum Ranch Water Control and Improvement District No. 1 of Grayson County.

Sec. 9206.002. NATURE OF DISTRICT. The district is a water control and improvement district in Grayson County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9206.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation

1 election held under Section 9206.064 before September 1, 2011:

2 (1) the district is dissolved September 1, 2011,
3 except that:

4 (A) any debts incurred shall be paid;

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

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

10 (2) this chapter expires September 1, 2014.

11 Sec. 9206.004. INITIAL DISTRICT TERRITORY. (a) The
12 district is initially composed of the territory described by
13 Section 1.02 of the article creating this chapter.

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

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

20 (2) the right of the district to impose taxes;

21 (3) the validity of the district's bonds, notes, or
22 other indebtedness; or

23 (4) the legality or operation of the district or the
24 board.

25 Sec. 9206.005. ANNEXATION BY CITY OF GUNTER. (a)
26 Notwithstanding any other law, if all of the territory of the
27 district is annexed by the City of Gunter into the corporate limits

1 of that municipality before the date of the election held to confirm
2 the creation of the district, the district may not be dissolved and
3 shall continue until the district is dissolved under Section
4 43.074, Local Government Code.

5 (b) Any future annexation or inclusion of additional
6 territory into a district governed by this chapter may not occur
7 unless the City of Gunter is allowed to voluntarily annex the same
8 territory into its corporate limits.

9 [Sections 9206.006-9206.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 9206.051. DIRECTORS; TERMS. (a) The district is
12 governed by a board of five directors.

13 (b) Except as provided by Section 9206.061 of this code and
14 Section 49.102, Water Code, directors serve staggered four-year
15 terms, with the terms of two or three directors expiring June 1 of
16 each even-numbered year.

17 Sec. 9206.052. ELECTION OF DIRECTORS. On the uniform
18 election date in May of each even-numbered year, the appropriate
19 number of directors shall be elected.

20 [Sections 9206.053-9206.060 reserved for expansion]

21 SUBCHAPTER B-1. TEMPORARY PROVISIONS

22 Sec. 9206.061. INITIAL DIRECTORS. (a) On or after
23 September 1, 2007, a person who owns land in the district may submit
24 a petition to the Texas Commission on Environmental Quality
25 requesting that the commission appoint as initial directors the
26 five persons named in the petition.

27 (b) The commission shall appoint as initial directors the

1 five persons named in the first petition received by the commission
2 under Subsection (a).

3 (c) If an initial director fails to qualify for office, the
4 commission shall appoint a person to fill the vacancy.

5 (d) Initial directors serve until the earlier of:

6 (1) the date the first directors are elected at the
7 confirmation election under Section 9206.064; or

8 (2) the date this subchapter expires under Section
9 9206.066.

10 Sec. 9206.062. ORGANIZATIONAL MEETING OF INITIAL
11 DIRECTORS. As soon as practicable after all the initial directors
12 have qualified under Section 49.055, Water Code, the initial
13 directors shall meet at a location in the district agreeable to a
14 majority of the directors. At the meeting, the initial directors
15 shall elect officers from among the initial directors and conduct
16 any other district business.

17 Sec. 9206.063. CONSENT OF MUNICIPALITY REQUIRED. The
18 initial directors may not hold an election under Section 9206.064
19 until all of the territory of the district is included in the
20 corporate limits of the City of Gunter.

21 Sec. 9206.064. CONFIRMATION AND INITIAL DIRECTORS'
22 ELECTION. The initial directors shall hold an election to confirm
23 the creation of the district and to elect five directors as provided
24 by Section 49.102, Water Code.

25 Sec. 9206.065. INITIAL ELECTED DIRECTORS; TERMS. The
26 directors elected under Section 9206.064 shall draw lots to
27 determine which two shall serve until the first regularly scheduled

1 election of directors and which three shall serve until the second
2 regularly scheduled election of directors.

3 Sec. 9206.066. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2014.

5 [Sections 9206.067-9206.100 reserved for expansion]

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 9206.101. WATER CONTROL AND IMPROVEMENT DISTRICT
8 POWERS AND DUTIES. (a) The district has the powers and duties
9 provided by the general law of this state, including Chapters 49 and
10 51, Water Code, applicable to water control and improvement
11 districts created under Section 59, Article XVI, Texas
12 Constitution.

13 (b) Notwithstanding Subsection (a), the district may not
14 act as a retail provider of water or wastewater services.

15 (c) The district shall make its water and wastewater
16 facilities available to an entity holding the applicable
17 certificate of convenience and necessity.

18 Sec. 9206.102. ROAD PROJECTS. (a) To the extent authorized
19 by Section 52, Article III, Texas Constitution, the district may
20 construct, acquire, improve, maintain, or operate macadamized,
21 graveled, or paved roads or turnpikes, or improvements in aid of
22 those roads or turnpikes, inside the district.

23 (b) A road project must meet or exceed all applicable
24 construction standards, zoning and subdivision requirements, and
25 regulatory ordinances of the municipality in whose corporate limits
26 or extraterritorial jurisdiction the district is located.

27 (c) If a portion of the territory of the district is

1 excluded from the corporate limits of the City of Gunter, the
2 district shall:

3 (1) improve, maintain, repair, and operate the roads
4 located in that portion of territory in accordance with the
5 ordinances and rules of the political subdivision possessing
6 jurisdiction over the roads in that portion of territory; and

7 (2) pay the entire cost of performing the district's
8 duties under Subdivision (1).

9 Sec. 9206.103. DIVISION OF DISTRICT. (a) The district may
10 be divided into two new districts only if:

11 (1) the district has no outstanding bonded debt;

12 (2) the district is not imposing ad valorem taxes; and

13 (3) each new district is within the corporate limits
14 of the City of Gunter.

15 (b) The division procedure is prescribed by Sections 53.030
16 through 53.041, Water Code. Sections 51.748 through 51.753, Water
17 Code, do not apply to the district.

18 (c) Any new district created by the division of the district
19 has all the powers and duties of the district.

20 (d) At the time of creation, any new district created by the
21 division of the district may not contain any land outside the area
22 described by Section 1.02 of the article creating this chapter.

23 [Sections 9206.104-9206.150 reserved for expansion]

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 9206.151. TAX TO REPAY BONDS. The district may impose
26 a tax to pay the principal of or interest on bonds or other
27 obligations issued under Section 9206.201.

1 [Sections 9206.152-9206.200 reserved for expansion]

2 SUBCHAPTER E. BONDS

3 Sec. 9206.201. AUTHORITY TO ISSUE BONDS AND OTHER
4 OBLIGATIONS. (a) The district may issue bonds or other obligations
5 as provided by Chapters 49 and 51, Water Code, to finance the
6 construction, maintenance, or operation of a project under Section
7 9206.101 or 9206.102.

8 (b) The district may not issue bonds to finance projects
9 authorized by Section 9206.102 unless the issuance is approved by a
10 vote of a two-thirds majority of the district voters voting at an
11 election called for that purpose.

12 (c) Bonds or other obligations issued or incurred to finance
13 projects authorized by Section 9206.102 may not exceed one-fourth
14 of the assessed value of the real property in the district.

15 SECTION 1.02. The Double Platinum Ranch Water Control and
16 Improvement District No. 1 of Grayson County includes all the
17 territory contained in the following area:

18 TRACT ONE:

19 All that certain tract or parcel of land situated in the John
20 Palms Survey, Abstract Number 926, County of Grayson, State of
21 Texas, said tract being part of a called 197.3 acre tract as
22 described in Deed to Dryden Dorchester Ltd., filed 27 December
23 2000, and Recorded in Volume 3014, Page 743 of the Deed Records of
24 the County of Grayson, State of Texas, and being more fully
25 described as follows:

26 BEGINNING for the northeast corner of the tract being herein
27 at a Wood Fence corner Post, said post being the northeast corner of

1 said Dryden tract, and the southeast corner of a tract as described
2 in Deed to Gordon W. Doodier et ux, Delores Goodier, filed 14
3 January 1971, and Recorded in Volume 1179, Page 63 of said Deed
4 Records, said post also being on a west line of a called 1022 acre
5 tract as described in Tract 7 in Deed to Jeribeth Sharp, filed 30
6 June 1998, and Recorded in Volume 2668 Page 09 of said Deed Records;

7 THENCE South 00 degrees 20 minutes 01 seconds East, with the
8 east line of said Dryden tract, and west line of said Sharp tract, a
9 distance of 3318.06 feet to a set $\frac{1}{2}$ inch Steel Square Tubing for the
10 southeast corner of said Dryden tract, and an ell corner of said
11 Sharp tract;

12 THENCE South 88 degrees 45 minutes 58 8 seconds West, with the
13 south line at said Dryden tract, a distance of 2576.18 feet to a set
14 $1\frac{1}{2}$ inch Steel Square Tubing for the southwest corner of said Dryden
15 tract, and an ell corner of said Sharp tract,

16 Thence: North 00 degrees 23 minutes 33 seconds West, with the west
17 line of said Dryden tract, a distance of 3325.00 feet to a found $\frac{1}{2}$
18 inch Steel Rebar at the base of a wood fence corner post, being an
19 ell corner of said Dryden tract and Sharp tract and the Palms
20 Survey, and being the northeast corner of the John D. Nelson Survey,
21 Abstract Number 902;

22 THENCE South 89 degrees 45 minutes 03 seconds West, with a
23 wire fence line, and a south line of said Dryden tract, and a line of
24 said Sharp tract, a distance of 790.04 feet to a Wood Fence post for
25 the southwest corner of said Dryden tract, an ell corner of said
26 Palms Survey, and the southeast corner of the Antonia Hernandez
27 Survey, Abstract Number 489;

1 THENCE North, a distance of 26.12 feet to a set $\frac{1}{2}$ inch Steel
2 Square Tubing like the northwest corner of said Dryden tract, and the
3 southwest corner of a tract described in Deed to Marjoriet Limited,
4 filed 24 March 1999, and Recorded in Volume 2769 Page 624 of said
5 Deed Records;

6 THENCE North 89 degrees 45 minutes 03 seconds East, with the
7 north line of said Dryden tract, and the south line of said Marjoriet
8 tract, a distance of 789.43 feet to a Wood Fence corner Post for a
9 corner;

10 THENCE North 89 degrees 30 minutes 06 seconds East, with the
11 north line of said Dryden tract, and passing the southeast corner of
12 said Marjoriet tract, and the southwest corner of said Goodier
13 tract, and continuing on said course for a total distance of 2579.75
14 feet to the POINT OF BEGINNING and containing 197.783 acres of land.
15 TRACT TWO:

16 Being a 1,022.20 acre tract of land situated in the John Palms
17 Survey, Abstract No. 926, and the John D. Nelson Survey, Abstract
18 No. 902, and being that certain tract of land conveyed to as Tract
19 I, to Marita Wiseman Sharp, Marita Wiseman Sharp Grantor Trust, and
20 Billy Jack Sharp Grantor Trust, by deed recorded in Volume 2427,
21 Page 448, and also conveyed as Tract 7, to Billy Jack Sharp Grantor
22 Trust, by deed recorded in Volume 2668, Page 00009, all of the Deed
23 Records of Grayson County, Texas, and being more particularly
24 described by metes and bounds as follows:

25 BEGINNING at a $\frac{1}{2}$ inch iron rod set for corner, said point
26 being the southeast corner of said Billy Jack Sharp Grantor Trust
27 tract, and being at the centerline intersection more or less, of

1 McDonald Road, and Kimberlin Road;

2 THENCE North 86°52'06" West, along the common line of said
3 Billy Jack Sharp Grantor Trust tract, and the centerline more or
4 less of said Kimberlin Road, and along the south line of said Palms
5 Survey, passing the southwest corner of said Palms Survey, same
6 being the southeast corner of said Nelson Survey, and continuing
7 along the south line of said Nelson Survey, a distance of 6400.79
8 feet to a 1/2 inch iron rod set for corner, said point being in the
9 centerline of Kimberlin Road more or less, said point being the
10 southwest corner of said Billy Jack Sharp Grantor Trust tract, and
11 being the southeast corner of a called 1073.77 acre tract of land
12 conveyed to Davidson Land and Cattle Company, by deed recorded in
13 Volume 2235, Page 583, of the Deed Records of Grayson County, Texas;

14 THENCE North 02°35'02" East, along the common line of said
15 Billy Jack Sharp Grantor Trust tract, and said called 1073.77 acre
16 tract, a distance of 3806.58 feet to a 1/2 inch iron rod found for
17 corner;

18 THENCE North 85°53'34" West, continuing along the common line
19 of said Billy Jack Sharp Grantor Trust tract, and said called
20 1073.77 acre tract, a distance of 150.50 feet to a 1/2 inch iron rod
21 found for corner;

22 THENCE North 02°33'45" East, continuing along the common line
23 of said Billy Sank Grantor Trust tract, and said called 1073.77 acre
24 tract, a distance of 1112.85 feet to a 1/2 inch iron rod found for
25 corner;

26 THENCE South 87°09'16" East, continuing along the common line
27 of said Billy Jack Sharp Grantor Trust tract, and said called

1 1073.77 acre tract, a distance of 149.97 feet to a 1/2 inch iron rod
2 found for corner;

3 THENCE North 02°38'21" East, continuing along the common line
4 of said Billy Jack Sharp Grantor Trust tract, and said called
5 1073.77 acre tract, a distance of 2500.00 feet to a 1/2 inch iron
6 rod found for corner, said point being in the north line of said
7 Nelson Survey, and the south line of Antonio Hernandez Survey,
8 Abstract No. 489, and being in the south line of a called 300 acre
9 tract of land conveyed to Lucian Touchtone, et ux, by deed recorded
10 in Volume 1013, Page 677, of the Deed Records of Grayson County,
11 Texas, and being the northeast corner of said called 1073.77 acre
12 tract, and being the northwest corner of said Billy Jack Sharp
13 Grantor Trust tract;

14 THENCE South 87°07'47" East, along the common line of said
15 Palms Survey, and the said Antonio Survey, and the common line of
16 said Billy Jack Sharp Grantor Trust tract, and said called 300 acre
17 tract, and passing the southeast corner of said called 300 acre
18 tract, same being the southeast corner of said Antonio Survey, same
19 being the southwest corner of said Palms Survey, and being the
20 southwest corner of a called 108.84 acre tract of land conveyed to
21 Lucian Touchtone, by deed recorded in Volume 1219, Page 360, of the
22 Deed Records of Grayson County, Texas, and continuing a total
23 distance of 2698.53 feet to a 1/2 inch iron rod found for corner,
24 said point being the northeast corner of said Nelson Survey, and an
25 ell corner of a called 197.3 acre tract of land conveyed to S.A.
26 Schott by deed recorded in Volume 359, Page 369, of the Deed Records
27 of Grayson County, Texas;

1 THENCE South 02°52'48" West, along the common line of said
2 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
3 tract, a distance of 3325.00 feet to a 1/2 inch iron rod set for
4 corner, said point being the southwest corner of said called 197.3
5 acre tract;

6 THENCE South 87°56'40" East, along the common line of said
7 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
8 tract, a distance of 2577.31 feet to a 1/2 inch iron rod set for
9 corner, said point being the southeast corner of said called 197.3
10 acre tract;

11 THENCE North 02°54'54" East, along the common line of said
12 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
13 tract, a distance of 3318.06 feet to a 1/2 inch iron rod set for
14 corner, said point being the northwest corner of said called 197.3
15 acre tract, same being the southeast corner of a called 245.67 acre
16 tract of land conveyed to Gordon W. Goodier, et ux, by deed recorded
17 in Volume 1179, Page 63, of the Deed Records of Grayson County,
18 Texas;

19 THENCE North 03°09'39" East, along the common line of said
20 Billy Jack Sharp Grantor Trust tract, and said called 245.67 acre
21 tract, a distance of 4542.15 feet to a 1/2 inch iron rod found for
22 corner, said point being the northwest corner of said Billy Jack
23 Sharp Grantor Trust tract, same being the northeast corner of said
24 called 245.67 acre tract, and being in the south right-of-way line
25 of F.M. Highway 902;

26 THENCE South 86°51'00" East, along the north line of said
27 Billy Jack Sharp Grantor Trust tract, with the south right-of-way

1 line of F.M. Highway 902, a distance of 1119.25 feet to a railroad
2 spike found for corner, said point being in the centerline
3 intersection more or less of the south right-of-way line of F.M.
4 Highway 902, and McDonald Road, and being in the east line of said
5 Palms Survey;

6 THENCE South 02°47'31" West, with the east line of said Palms
7 Survey, and the east line of said Billy Jack Sharp Grantor Trust
8 tract, and along the centerline of McDonald Road more or less, a
9 distance of 12,018.20 feet to the POINT OF BEGINNING and containing
10 44,527,033 square feet or 1,022.20 acres of computed land.

11 SECTION 1.03. (a) The legal notice of the intention to
12 introduce this article, setting forth the general substance of this
13 article, has been published as provided by law, and the notice and a
14 copy of this article have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and article to the Texas Commission on
20 Environmental Quality.

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

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this article are

1 fulfilled and accomplished.

2 SECTION 1.04. This article takes effect September 1, 2007.

3 ARTICLE 2. KIMBERLIN RANCH MUNICIPAL
4 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

5 SECTION 2.01. Subtitle F, Title 6, Special District Local
6 Laws Code, is amended by adding Chapter 8264 to read as follows:

7 CHAPTER 8264. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
8 GRAYSON COUNTY

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8264.001. DEFINITIONS. In this chapter:

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

12 (2) "Director" means a board member.

13 (3) "District" means the Kimberlin Ranch Municipal
14 Utility District No. 1 of Grayson County.

15 Sec. 8264.002. NATURE OF DISTRICT. The district is a
16 municipal utility district in Grayson County created under and
17 essential to accomplish the purposes of Section 52, Article III,
18 and Section 59, Article XVI, Texas Constitution.

19 Sec. 8264.003. CONFIRMATION ELECTION REQUIRED. If the
20 creation of the district is not confirmed at a confirmation
21 election held under Section 8264.023 before September 1, 2011:

22 (1) the district is dissolved September 1, 2011,
23 except that the district shall:

24 (A) pay any debts incurred;

25 (B) transfer to Grayson County any assets that
26 remain after the payment of debts; and

27 (C) maintain the organization of the district

1 until all debts are paid and remaining assets are transferred; and

2 (2) this chapter expires September 1, 2014.

3 Sec. 8264.004. INITIAL DISTRICT TERRITORY. (a) The
4 district is initially composed of the territory described by
5 Section 2.02 of the article creating this chapter.

6 (b) The boundaries and field notes contained in Section 2.02
7 of the article creating this chapter form a closure. A mistake made
8 in the field notes or in copying the field notes in the legislative
9 process does not affect:

10 (1) the organization, existence, or validity of the
11 district;

12 (2) the right of the district to impose taxes;

13 (3) the validity of the district's bonds, notes, or
14 indebtedness; or

15 (4) the legality or operation of the district or the
16 board.

17 [Sections 8264.005-8264.020 reserved for expansion]

18 SUBCHAPTER A-1. TEMPORARY PROVISIONS

19 Sec. 8264.021. TEMPORARY DIRECTORS. (a) On or after
20 September 1, 2007, a person who owns land in the district may submit
21 a petition to the Texas Commission on Environmental Quality
22 requesting that the commission appoint as temporary directors the
23 five persons named in the petition.

24 (b) The commission shall appoint as temporary directors the
25 five persons named in the first petition received by the commission
26 under Subsection (a).

27 (c) If a temporary director fails to qualify for office, the

1 commission shall appoint a person to fill the vacancy.

2 (d) Temporary directors serve until the earlier of:

3 (1) the date directors are elected under Section
4 8264.023; or

5 (2) the date this chapter expires under Section
6 8264.003.

7 Sec. 8264.022. ORGANIZATIONAL MEETING OF TEMPORARY
8 DIRECTORS. As soon as practicable after all the temporary
9 directors have qualified under Section 49.055, Water Code, the
10 temporary directors shall meet at a location in the district
11 agreeable to a majority of the directors. At the meeting, the
12 temporary directors shall elect officers from among the temporary
13 directors and conduct any other district business.

14 Sec. 8264.023. CONFIRMATION AND INITIAL DIRECTORS'
15 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
16 hold an election to confirm the creation of the district and to
17 elect five directors as provided by Section 49.102, Water Code.

18 (b) The temporary directors may not hold the election until
19 the City of Gunter has annexed into its corporate limits all
20 territory described by Section 2.02 of the article creating this
21 chapter.

22 Sec. 8264.024. INITIAL ELECTED DIRECTORS; TERMS. The
23 directors elected under Section 8264.023 shall draw lots to
24 determine which two shall serve until the first regularly scheduled
25 election of directors and which three shall serve until the second
26 regularly scheduled election of directors.

27 Sec. 8264.025. EXPIRATION OF SUBCHAPTER. This subchapter

1 expires September 1, 2014.

2 [Sections 8264.026-8264.050 reserved for expansion]

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 8264.051. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five directors.

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

7 [Sections 8264.052-8264.100 reserved for expansion]

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8264.101. MUNICIPAL UTILITY DISTRICT POWERS AND
10 DUTIES. The district has the powers and duties provided by the
11 general law of this state, including Chapters 49 and 54, Water Code,
12 applicable to municipal utility districts created under Section 59,
13 Article XVI, Texas Constitution.

14 Sec. 8264.102. WATER AND WASTEWATER FACILITIES AND
15 SERVICES. (a) The district shall make available any district water
16 or wastewater facility to each person that holds a certificate of
17 convenience and necessity for land in the district.

18 (b) The district may not provide retail water or wastewater
19 services.

20 Sec. 8264.103. ROAD PROJECTS. (a) To the extent authorized
21 by Section 52, Article III, Texas Constitution, the district may
22 construct, acquire, improve, maintain, or operate macadamized,
23 graveled, or paved roads or turnpikes, or improvements in aid of
24 those roads or turnpikes, inside the district.

25 (b) A road project must meet all applicable construction
26 standards, subdivision requirements, and regulations of each
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the district is located.

2 Sec. 8264.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
3 EXCLUDED FROM CITY. If the City of Gunter excludes district
4 territory from the city's corporate limits, the district shall
5 maintain, improve, operate, and repair any road located in that
6 territory in accordance with the ordinances and rules of each
7 political subdivision in whose jurisdiction the road is located.

8 Sec. 8264.105. DIVISION OF DISTRICT. (a) The district may
9 be divided into two new districts only if the district:

10 (1) has no outstanding bonded debt; and

11 (2) is not imposing ad valorem taxes.

12 (b) The division procedure is prescribed by Sections 53.030
13 through 53.041, Water Code.

14 (c) Any new district created by the division of the district
15 has all the powers and duties of the district.

16 (d) Any new district created by the division of the district
17 may not, at the time the new district is created, contain any land:

18 (1) outside the area described by Section 2.02 of the
19 article creating this chapter; or

20 (2) outside the corporate limits of the city of
21 Gunter.

22 Sec. 8264.106. LIMITATION ON ANNEXATION. (a) The district
23 may not add land to the district under Subchapter J, Chapter 49,
24 Water Code, if the land is located outside the corporate limits of
25 the city of Gunter.

26 (b) Section 43.075, Local Government Code, does not apply to
27 the district.

1 [Sections 8264.107-8264.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8264.151. TAX TO REPAY BONDS. The district may impose
4 a tax to pay the principal of or interest on bonds or other
5 obligations issued under Section 8264.201.

6 [Sections 8264.152-8264.200 reserved for expansion]

7 SUBCHAPTER E. BONDS

8 Sec. 8264.201. AUTHORITY TO ISSUE BONDS AND OTHER
9 OBLIGATIONS. (a) The district may issue bonds or other obligations
10 as provided by Chapters 49 and 54, Water Code, to finance the
11 construction, maintenance, or operation of a project under Section
12 8264.101 or 8264.103.

13 (b) The district may not issue bonds or other obligations to
14 finance projects authorized by Section 8264.103 unless the issuance
15 is approved by a vote of a two-thirds majority of the district
16 voters voting at an election held for that purpose.

17 (c) Bonds or other obligations issued or incurred to finance
18 projects authorized by Section 8264.103 may not exceed one-fourth
19 of the assessed value of the real property in the district.

20 SECTION 2.02. The Kimberlin Ranch Municipal Utility
21 District No. 1 of Grayson County includes all the territory
22 contained in the following area:

23 BEING situated in the County of Grayson, State of Texas, being parts
24 of the JOHN NELSON SURVEY, ABSTRACT NO. 902, the JOHN W. BERGIN
25 SURVEY, ABSTRACT NO. 75, and the ANTONIO HERNANDEZ SURVEY, ABSTRACT
26 NO. 489, also being the 1073.77 acre tract of land conveyed to
27 Davidson Land and Cattle Company, L.P. by deed recorded in Volume

1 2235, Page 597, Real Property Records, GRAYSON County, Texas and
2 being described by metes and bounds as follows:
3 BEGINNING at a 2 inch steel rod set at the Southeast corner of the
4 758.750 acre tract of land conveyed to Larry Lehman, et ux, by deed
5 of record in Volume 2555, Page 624-655, of said Real Property
6 Records, the Southwest corner of said 1073.77 acre tract of land,
7 said rod also being in the North line of the 208.67 acre tract of
8 land conveyed to James and Juanell Bridges Family Living Trust by
9 deed of record in Volume 2506, Page 146, of said Real Property
10 Records;
11 THENCE North 00 degrees 00 minutes 00 seconds West with the West
12 line of said 1073.77 acre tract and the center of a public road a
13 distance of 4674.02 feet to a 2 inch steel rod set at the Southwest
14 corner of a 177.93 acre tract of land conveyed to Louis M. Rexrode,
15 et ux, by deed of record in Volume 2205, Page 639, of said Real
16 Property Records, also being the Southeast corner of the 133.05
17 acre tract of land conveyed to Henry S. Jackson, et ux, by deed of
18 record in Volume 2059, Page 273, of said Real Property Records;
19 THENCE North 89 degrees 22 minutes 34 seconds East with the South
20 line of said 177.93 acre tract a distance of 2805.74 feet to a 2 inch
21 steel rod set at a found wooden stake at the Southeast corner of
22 said 177.93 acre tract;
23 THENCE North 00 degrees 32 minutes 19 seconds West with a fence and
24 the East line of said 177.93 acre tract of land a distance of
25 2774.19 feet to a 2 inch steel rod set at a found wooden stake at the
26 Northeast corner of said 177.93 acre tract;
27 THENCE South 89 degrees 47 minutes 48 seconds West with the North

1 line of said 177.93 acre tract of land a distance of 2765.01 feet to
2 a 2 inch steel rod set at the Northwest corner of said 177.93 acre
3 tract, being in the East line of said 133.05 acre tract;
4 THENCE North 00 degrees 00 minutes 00 seconds West with the center
5 of a public road and said East line a distance of 1296.86 feet to a 2
6 inch steel rod set at the Northwest corner of said 1073.77 acre
7 tract, the Southeast corner of the 362.631 acre tract of land
8 conveyed to Taylor Strawn and Ernest B. Strawn, Jr., by deed of
9 record in Volume 2209, Page 772, of said Real Property Records, also
10 being the Southwest corner of the 121.14 acre tract of land
11 described as Part Two and conveyed to Jeribeth Sharp by deed of
12 record in Volume 2668, Page 009, of said Real Property Records;
13 THENCE North 89 degrees 37 minutes 51 seconds East with the South
14 line of said 121.14 acre tract, a distance of 4016.31 feet to a 2
15 inch steel rod set at a fence corner, being the Southeast corner of
16 said 121.14 acre tract;
17 THENCE South 00 degrees 10 minutes 16 seconds East with a fence a
18 distance of 1298.84 feet to a 2 inch steel rod set at a fence post;
19 THENCE North 89 degrees 30 minutes 06 seconds East with a fence a
20 distance of 2512.99 feet to a 2 inch steel rod set at the most
21 Easterly Northeast corner of said 1073.77 acre tract, the Northwest
22 corner of the 1022.21 acre tract of land described as Part One as
23 conveyed to Jeribeth Sharp by deed of record in Volume 2668, Page
24 009, of said Real Property Records;
25 THENCE with the West line of said 1022.21 acre tract of land and an
26 existing fence line, the following calls and distances:
27 South 00 degrees 40 minutes 13 seconds East, a distance of 2497.50

1 feet to a 2 inch steel rod set at a fence corner;
2 South 89 degrees 32 minutes 01 seconds West a distance of 150.18
3 feet to a 2 inch steel rod set a fence corner;
4 South 00 degrees 44 minutes 41 seconds East_ a distance of 1112.81
5 feet to a 2 inch steel rod set a fence corner;
6 South 89 degrees 13 minutes 04 seconds East a distance of 150.56
7 feet to a 2 inch steel rod set a fence corner;
8 South 00 degrees 45 minutes 51 seconds East a distance of 3832.16
9 feet to a 2 inch steel rod set in a public road, being the Southeast
10 corner of said 1073.77 acre tract, also being in the North line of
11 the 67 acre tract of land conveyed to James S. Rodgers, et ux, by
12 deed of record in Volume 1045, Page 759, of the Deed Records,
13 Grayson County, Texas;
14 THENCE South 89 degrees 24 minutes 04 seconds West with the South
15 line of said 1073.77 acre tract a distance of 6642.95 feet to the
16 POINT OF BEGINNING and CONTAINING 1065.860 acres of land, more or
17 less.

18 SECTION 2.03. (a) The legal notice of the intention to
19 introduce this article, setting forth the general substance of this
20 article, has been published as provided by law, and the notice and a
21 copy of this article have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor, one of the required recipients, has
26 submitted the notice and article to the Texas Commission on
27 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this article with the governor, the
3 lieutenant governor, and the speaker of the house of
4 representatives within the required time.

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

9 SECTION 2.04. This article takes effect September 1, 2007.

10 ARTICLE 3. KIMBERLIN RANCH MUNICIPAL

11 UTILITY DISTRICT NO. 2 OF GRAYSON COUNTY

12 SECTION 3.01. Subtitle F, Title 6, Special District Local
13 Laws Code, is amended by adding Chapter 8265 to read as follows:

14 CHAPTER 8265. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 2 OF
15 GRAYSON COUNTY

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8265.001. DEFINITIONS. In this chapter:

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

19 (2) "Director" means a board member.

20 (3) "District" means the Kimberlin Ranch Municipal
21 Utility District No. 2 of Grayson County.

22 Sec. 8265.002. NATURE OF DISTRICT. The district is a
23 municipal utility district in Grayson County created under and
24 essential to accomplish the purposes of Section 52, Article III,
25 and Section 59, Article XVI, Texas Constitution.

26 Sec. 8265.003. CONFIRMATION ELECTION REQUIRED. If the
27 creation of the district is not confirmed at a confirmation

1 election held under Section 8265.023 before September 1, 2011:

2 (1) the district is dissolved September 1, 2011,
3 except that the district shall:

4 (A) pay any debts incurred;

5 (B) transfer to Grayson County any assets that
6 remain after the payment of debts; and

7 (C) maintain the organization of the district
8 until all debts are paid and remaining assets are transferred; and

9 (2) this chapter expires September 1, 2014.

10 Sec. 8265.004. INITIAL DISTRICT TERRITORY. (a) The
11 district is initially composed of the territory described by
12 Section 3.02 of the article creating this chapter.

13 (b) The boundaries and field notes contained in Section 3.02
14 of the article creating this chapter form a closure. A mistake made
15 in the field notes or in copying the field notes in the legislative
16 process does not affect:

17 (1) the organization, existence, or validity of the
18 district;

19 (2) the right of the district to impose taxes;

20 (3) the validity of the district's bonds, notes, or
21 indebtedness; or

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

24 [Sections 8265.005-8265.020 reserved for expansion]

25 SUBCHAPTER A-1. TEMPORARY PROVISIONS

26 Sec. 8265.021. TEMPORARY DIRECTORS. (a) On or after
27 September 1, 2007, a person who owns land in the district may submit

1 a petition to the Texas Commission on Environmental Quality
2 requesting that the commission appoint as temporary directors the
3 five persons named in the petition.

4 (b) The commission shall appoint as temporary directors the
5 five persons named in the first petition received by the commission
6 under Subsection (a).

7 (c) If a temporary director fails to qualify for office, the
8 commission shall appoint a person to fill the vacancy.

9 (d) Temporary directors serve until the earlier of:

10 (1) the date directors are elected under Section
11 8265.023; or

12 (2) the date this chapter expires under Section
13 8265.003.

14 Sec. 8265.022. ORGANIZATIONAL MEETING OF TEMPORARY
15 DIRECTORS. As soon as practicable after all the temporary
16 directors have qualified under Section 49.055, Water Code, the
17 temporary directors shall meet at a location in the district
18 agreeable to a majority of the directors. At the meeting, the
19 temporary directors shall elect officers from among the temporary
20 directors and conduct any other district business.

21 Sec. 8265.023. CONFIRMATION AND INITIAL DIRECTORS'
22 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
23 hold an election to confirm the creation of the district and to
24 elect five directors as provided by Section 49.102, Water Code.

25 (b) The temporary directors may not hold the election until
26 the City of Gunter has annexed into its corporate limits all
27 territory described by Section 3.02 of the article creating this

1 chapter.

2 Sec. 8265.024. INITIAL ELECTED DIRECTORS; TERMS. The
3 directors elected under Section 8265.023 shall draw lots to
4 determine which two shall serve until the first regularly scheduled
5 election of directors and which three shall serve until the second
6 regularly scheduled election of directors.

7 Sec. 8265.025. EXPIRATION OF SUBCHAPTER. This subchapter
8 expires September 1, 2014.

9 [Sections 8265.026-8265.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8265.051. GOVERNING BODY; TERMS. (a) The district is
12 governed by a board of five directors.

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

14 [Sections 8265.052-8265.100 reserved for expansion]

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8265.101. MUNICIPAL UTILITY DISTRICT POWERS AND
17 DUTIES. The district has the powers and duties provided by the
18 general law of this state, including Chapters 49 and 54, Water Code,
19 applicable to municipal utility districts created under Section 59,
20 Article XVI, Texas Constitution.

21 Sec. 8265.102. WATER AND WASTEWATER FACILITIES AND
22 SERVICES. (a) The district shall make available any district
23 water or wastewater facility to each person that holds a
24 certificate of convenience and necessity for land in the district.

25 (b) The district may not provide retail water or wastewater
26 services.

27 Sec. 8265.103. ROAD PROJECTS. (a) To the extent authorized

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

5 (b) A road project must meet all applicable construction
6 standards, subdivision requirements, and regulations of each
7 municipality in whose corporate limits or extraterritorial
8 jurisdiction the district is located.

9 Sec. 8265.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
10 EXCLUDED FROM CITY. If the City of Gunter excludes district
11 territory from the city's corporate limits, the district shall
12 maintain, improve, operate, and repair any road located in that
13 territory in accordance with the ordinances and rules of each
14 political subdivision in whose jurisdiction the road is located.

15 Sec. 8265.105. DIVISION OF DISTRICT. (a) The district may
16 be divided into two new districts only if the district:

17 (1) has no outstanding bonded debt; and

18 (2) is not imposing ad valorem taxes.

19 (b) The division procedure is prescribed by Sections 53.030
20 through 53.041, Water Code.

21 (c) Any new district created by the division of the district
22 has all the powers and duties of the district.

23 (d) 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 (1) outside the area described by Section 3.02 of the
26 article creating this chapter; or

27 (2) outside the corporate limits of the city of

1 Gunter.

2 Sec. 8265.106. LIMITATION ON ANNEXATION. (a) The district
3 may not add land to the district under Subchapter J, Chapter 49,
4 Water Code, if the land is located outside the corporate limits of
5 the city of Gunter.

6 (b) Section 43.075, Local Government Code, does not apply to
7 the district.

8 [Sections 8265.107-8265.150 reserved for expansion]

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 8265.151. TAX TO REPAY BONDS. The district may impose
11 a tax to pay the principal of or interest on bonds or other
12 obligations issued under Section 8264.201.

13 [Sections 8265.152-8265.200 reserved for expansion]

14 SUBCHAPTER E. BONDS

15 Sec. 8265.201. AUTHORITY TO ISSUE BONDS AND OTHER
16 OBLIGATIONS. (a) The district may issue bonds or other obligations
17 as provided by Chapters 49 and 54, Water Code, to finance the
18 construction, maintenance, or operation of a project under Section
19 8265.101 or 8265.103.

20 (b) The district may not issue bonds or other obligations to
21 finance projects authorized by Section 8265.103 unless the issuance
22 is approved by a vote of a two-thirds majority of the district
23 voters voting at an election held for that purpose.

24 (c) Bonds or other obligations issued or incurred to finance
25 projects authorized by Section 8265.103 may not exceed one-fourth
26 of the assessed value of the real property in the district.

27 SECTION 3.02. The Kimberlin Ranch Municipal Utility

1 District No. 2 of Grayson County includes all the territory
2 contained in the following area:

3 SITUATED in the County of GRAYSON, State of Texas, being a part of
4 the ROBERT MASON SURVEY, ABSTRACT NO. 784 and the SAMUEL Q. PETTUS
5 SURVEY, ABSTRACT NO. 939, being a part of a 297.715 acre tract of
6 land (described as 300.715 acres less 3.00 acres) conveyed by Regis
7 J. Sutton to Jean Anna Sutton in Agreement of Regis J. Sutton and
8 Jean Anna Sutton Partitioning Community Property dated June 3,
9 1983, recorded in Volume 1650, Page 260, Deed Records, GRAYSON
10 County, Texas, and being more particularly described by metes and
11 bounds as follows to-wit:

12 BEGINNING at a found 1/2 inch rebar on the most Southerly South line
13 of said 297.715 acre tract, the North line of a 201.711 acre tract
14 of land conveyed by Charles C. Graham, et ux to Mario Feliciano,
15 Trustee by Deed dated July 9, 1980, recorded in Volume 1523, Page
16 109, Deed Records, GRAYSON County, Texas, said rebar being North 87
17 degrees 08 minutes 06 seconds West, a distance of 626.13 feet from a
18 found spike nail maintaining the most Southerly Southeast corner of
19 said 297.715 acre tract, the most Northerly Northeast corner of
20 said 201.711 acre tract, in a public road known as Wall Street Road
21 and on an East line of said Mason Survey, the West line of the
22 William Kinnamon Survey, Abstract No. 676;

23 THENCE North 87 degrees 08 minutes 06 seconds West, with the general
24 line of a fence, the most Southerly South line of said 297.715 acre
25 tract, the North line of said 201.711 acre tract, a distance of
26 1141.44 feet to a fence post;

27 THENCE North 87 degrees 24 minutes 28 seconds West, continuing with

1 the general line of said fence, the Southerly South line of said
2 297.715 acre tract, the North line of said 201.77 acre tract, a
3 distance of 2156.98 feet to a set spike nail at the base of a fence
4 corner post for the Northwest corner of said 201.711 acre tract, the
5 most Southerly Southwest corner of said 297.715 acre tract, on the
6 East line of a 223.5639 acre tract of land conveyed by Kent Berlin
7 to The Berlin Family Limited Partnership by Deed dated January 10,
8 2000, recorded in Volume 2881, Page 924, Official Public Records,
9 GRAYSON County, Texas;

10 THENCE North 03 degrees 33 minutes 37 seconds East, with the general
11 line of a fence, the East line of said 223.5639 acre tract, a
12 distance of 1112.63 feet to a fence corner post maintaining the
13 Northeast corner of said 223.5639 acre tract, an ell corner of said
14 297.715 acre tract on a North line of said Mason Survey, the South
15 line of said Pettus Survey;

16 THENCE North 87 degrees 19 minutes 23 seconds West, with the general
17 line of a fence, the North line of said 223.5639 acre tract, a North
18 line of said Mason Survey, the South line of said Pettus Survey,
19 passing the Northwest corner of said 223.5639 acre tract, the
20 Northeast corner of a 20 foot wide strip of land described in Second
21 Tract in Deed from George M. Carter, et ux to Joe D. Johnson by Deed
22 dated March 29, 1961, recorded in Volume 930, Page 211, Deed
23 Records, GRAYSON County, Texas and continuing for a total distance
24 of 2911.41 feet to a set spike nail at the base of a fence corner
25 post for the Northwest corner of said Mason Survey, the most
26 Westerly Southwest corner of said 297.715 acre tract, the Southwest
27 corner of said Pettus Survey, on the East line of the Sarah Shoto

1 Survey, Abstract No. 1079, the East line of a 100 acre tract of land
2 described in First Tract in said Volume 930, Page 211;
3 THENCE North 03 degrees 27 minutes 34 seconds East, with the West
4 line of said Pettus Survey, the East line of both said Shoto Survey
5 and 100 acre tract, passing the Northeast corner of said 100 acre
6 tract, the Southeast corner of a 499.67 acre tract of land conveyed
7 by Mary H. Martinek to Mary H. Martinek, Trustee of the Mary H.
8 Martinek Revocable Living Trust by Deed dated April 11, 1997,
9 recorded in Volume 2562, Page 196, Official Public Records, GRAYSON
10 County, Texas and continuing with an East line of said 499.67 acre
11 tract for a total distance of 1263.89 feet to a found 1/2 inch rebar
12 at the base of a fence corner post, said rebar maintaining the
13 Northwest corner of said 297.715 acre tract, the Southwest corner
14 of a 223 acre tract of land now or formerly owned by Thelma Hunter
15 (no Deed reference available);
16 THENCE South 87 degrees 25 minutes 47 seconds East, with the general
17 line of a fence, the South line of said 223 acre tract, at a distance
18 of 6798.67 feet to a found 3/8 inch rebar maintaining the Southeast
19 corner of said 223 acre tract, the most Northerly Northeast corner
20 of said 297.715 acre tract, in said Wall Street Road and on the East
21 line of said Pettus Survey, the West line of said William Kinnamon
22 Survey, the West line of a tract of land described in North Tract in
23 Quitclaim Deed dated September 30, 1997 from Susan C. deCordova to
24 Susan C. deCordova, Trustee of the deCordova Trust recorded in
25 Volume 2577, Page 155, Official Public Records, GRAYSON County,
26 Texas;
27 THENCE South 03 degrees 15 minutes 00 seconds West, with an East

1 line of both said 297.715 acre tract and Mason Survey, the West line
2 of both said Kinnamon Survey and North Tract, passing the Southeast
3 corner of said Pettus Survey, the most Northerly Northeast corner
4 of said Mason Survey and continuing for a total distance of 1680.66
5 feet to a found spike nail maintaining a Southeast corner of said
6 297.715 acre tract, the Northeast corner of a 3.00 acre tract of
7 land conveyed by Anna Houck Trust to AHG Trust by Deed dated January
8 30, 2002, recorded in Volume 3194, Page 458, Official Public
9 Records, GRAYSON County, Texas;

10 THENCE North 87 degrees 04 minutes 00 seconds West with the North
11 line of said 3.00 acre tract, a distance of 626.13 feet to a found
12 1/2 inch rebar maintaining its Northwest corner;

13 THENCE South 03 degrees 15 minutes 00 seconds West, with the West
14 line of said 3.00 acre tract, at a distance of 208.71 feet passing a
15 found 1/2 inch rebar maintaining its Southwest corner and
16 continuing for a total distance of 711.76 feet to the PLACE OF
17 BEGINNING and CONTAINING 288.92 acres of land, more or less.

18 TRACT 2

19 All that certain tract or parcel of land situated in the Robert
20 Mason Survey, Abstract Number 784 County of Grayson, State of
21 Texas, said tract being part of a called 69 1\2 acres tract as
22 described in Deed to Marshall E. Anderson et ux, Marquerite
23 Anderson, filed 11 January 1962, and Recorded in Volume 947 Page 387
24 of the Deed Records of the County of Grayson, State of Texas, and
25 being more fully described as follows:

26 Beginning for the northeast corner of the tract being described
27 herein at a set 1\2 inch Steel Square Tubing, said tubing being the

1 northeast corner of said Anderson tract, and the southeast corner
2 of a called 100 acres tract as described in the First Tract, and on
3 the west line of a called 1.56 acre tract as described in the Second
4 tract in Deed to Joe D. Johnson, filed 30 March 1961, and Recorded
5 in Volume 930 Page 211 of said Deed Records;

6 Thence: South 03 degrees 29 minutes 22 seconds West, with the east
7 line of said Anderson tract, and with the west line of said Johnson
8 Second Tract, a distance of 609.07 feet to a found 1\2 inch Steel
9 Square Tubing for the northeast corner of a 1.25 acre tract as
10 surveyed out for Dennis Keating dated 27 December 1999;

11 Thence: North 86 degrees 56 minutes 26 seconds West, with the north
12 line of said Keating tract, a distance of 124.72 feet to a found 1\2
13 inch Steel Square Tubing for the northwest corner of said Keating
14 tract;

15 Thence: South 03 degrees 32 minutes 41 seconds West, with the west
16 line of said Keating tract, a distance of 435.58 feet to a found 1\2
17 inch Steel Square Tubing for the southwest corner of said Heating
18 tract, and on the north Right-of-Way line of Farm-to-Market Road
19 Number 121 as described in Deed to The State of Texas, filed 11
20 November 1953 and Recorded in Volume 744 Page 72 of said Deed
21 Records

22 Thence: North 87 degrees 07 minutes 47 seconds West, with the south
23 line of said Anderson tract, and the north ROW line of said FM 121,
24 a distance of 1856.89 feet to a found State of Texas Concrete
25 Right-of-Way Monument for a corner;

26 Thence: North 73 degrees 24 minutes 31 seconds West, with the south
27 line of said Anderson tract, and the north ROW line of FM 121, a

1 distance of 332.15 feet to a found 1\2 inch Steel Square Tubing for
2 the southeast corner of a 5 acre tract as described in Deed to
3 Ronald R. Baker et ux, Joanie C. Baker, filed 06 November 1995, and
4 Recorded in Volume 2428 Page 31 of said Deed Records;

5 Thence: North 29 degrees 08 minutes 03 seconds West, with the east
6 line of said Baker tract, a distance of 1078.23 feet to a found 1\2
7 inch Steel Square Tubing for the northeast corner of said Baker
8 tract, and on the south line of a tract as described in Deed to Steve
9 Bryant et ux, Judy Bryant, filed 02 January 2003, and Recorded in
10 Volume 3393 Page 846 of said Deed Records;

11 Thence: South 88 degrees 17 minutes 06 seconds East, with the north
12 line of said Anderson tract, and with the south line of said Bryant
13 tract, a distance of 1574.07 feet to a found 1\2 inch Steel Rebar at
14 the base of a wood fence corner post for the southeast corner of
15 said Bryant tract, and the southwest corner of said Johnson First
16 tract;

17 Thence: South 87 degrees 58 minutes 16 seconds East, with the north
18 line of said Anderson tract, and the south line of said Johnson
19 First Tract, a distance of 1313.83 feet to the POINT OF BEGINNING
20 and containing 58.946 acres of land.

21 TRACT 3

22 All that certain tract or parcel of land situated in the Robert
23 Mason Survey, Abstract Number 784 and the Sarah Shoto Survey,
24 Abstract Number 1079, County of Grayson, State of Texas, said tract
25 being all of a called 100 acres tract as described in the First
26 Tract, and all of a called 1.56 acre tract as described in the
27 Second tract in Deed to Joe D. Johnson, filed 30 March 1961, and

H.B. No. 4069

1 Recorded in Volume 930 Page 211 of the Deed Records of the County of
2 Grayson, State of Texas, and being more fully described as follows:
3 Beginning for the southeast corner of the tract being described
4 herein at a found 1\2 inch Steel Square Tubing, said tubing being
5 the southeast corner of said Johnson tract, and the southwest
6 corner of a called 223.457 acre tract as described in Deed to Gunter
7 223, LTD, filed 06 June 2005, and Recorded in Volume 3870 Page 800
8 of said Deed Records, said tubing also being on the north
9 Right-of-Way line of Farm-to-Market Road Number 121 as described in
10 Deed to The State of Texas, filed 11 November 1953 and Recorded in
11 Volume 744 Page 72 of said Deed Records;

12 Thence: North 86 degrees 52 minutes 52 seconds West, with the south
13 line of said Johnson Seconds Tract, and with the north ROW line of
14 said FM 121, a distance of 20.00 feet to a found 1\2 inch Steel
15 Square Tubing for the southwest corner of said Johnson Seconds
16 Tract, and the southeast corner of a 1.25 acre tract as surveyed out
17 for Dennis Keating dated 27 December 1999;

18 Thence: North 03 degrees 29 minutes 02 seconds East, with the west
19 line of said Johnson Second tract, a distance of 1044.78 feet to a
20 set 1\2 inch Steel Square Tubing with a plastic cap marked COX 4577
21 for the southeast corner of said Johnson First tract and the
22 northeast corner of a tract as described in Deed to Marshall E.
23 Anderson et ux, Marquerite Anderson, filed 11 January 1962, and
24 Recorded in Volume 947 Page 387 of said Deed Records;

25 Thence: North 87 degrees 58 minutes 16 seconds West, with the south
26 line of said Johnson First Tract, and with the north line of said
27 Anderson tract, a distance of 1313.82 feet to a found 1\2 inch Steel

1 Rebar for the southwest corner of said Johnson First Tract, and the
2 southeast corner of a tract as described in Deed to Steve Bryant et
3 ux, Judy Bryant, filed 02 January 2003, and Recorded in Volume 3393
4 Page 846 of said Deed Records;

5 Thence: North 03 degrees 21 minutes 26 seconds East, with the west
6 line of said Johnson First Tract, a distance of 3311.44 feet to a
7 Wood Fence corner Post for the northwest corner of said Johnson
8 First Tract;

9 Thence: South 86 degrees 54 minutes 56 seconds East, with the north
10 line of said Johnson First Tract, a distance of 1313.67 feet to a
11 set 1\2 inch Steel Square Tubing for the northeast corner of said
12 Johnson First Tract, and on the west line of a called 288.92 acre
13 tract as described in Deed to Inwood Plaza Joint Venture, filed 07
14 January 2004, and Recorded in Volume 3594 Page 147 of said Deed
15 Records;

16 Thence: South 03 degrees 27 minutes 34 seconds West, with the east
17 line of said Johnson First Tract, a distance of 960.75 feet to a
18 found 1\2 inch Steel Rebar at the base of a Wood Fence corner Post
19 for the northwest corner of said Johnson Second Tract, and the
20 southwest corner of said Inwood Plaza Joint Venture tract;

21 Thence: South 87 degrees 14 minutes 29 seconds East, with the north
22 line of said Johnson Second Tract, and with the south line of said
23 Inwood Plaza tract, a distance of 20.98 feet to a found 1\2 inch
24 Steel Rebar at the base of a wood fence corner post for the
25 northeast corner of said Johnson Second Tract, and the northwest
26 corner of said Gunter 223 tract;

27 Thence: South 03 degrees 20 minutes 36 seconds West, with the east

1 line of said Johnson Second Tract, and the west line of said Gunter
2 223 tract, a distance of 2326.24 feet to a Wood Fence corner Post
3 for an angle point;
4 Thence: South 03 degrees 29 minutes 00 seconds West, with the east
5 line of said Johnson Second Tract, and the west line of said Gunter
6 223 tract, a distance of 1045.16 feet to the POINT OF BEGINNING and
7 containing 101.005 acre of land.

8 SECTION 3.03. (a) The legal notice of the intention to
9 introduce this article, setting forth the general substance of this
10 article, has been published as provided by law, and the notice and a
11 copy of this article have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and article to the Texas Commission on
17 Environmental Quality.

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

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

26 SECTION 3.04. This article takes effect September 1, 2007.

27 ARTICLE 4. KIMBERLIN RANCH MUNICIPAL

UTILITY DISTRICT NO. 3 OF GRAYSON COUNTY

SECTION 4.01. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8266 to read as follows:

CHAPTER 8266. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 3 OF GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8266.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Kimberlin Ranch Municipal Utility District No. 3 of Grayson County.

Sec. 8266.002. NATURE OF DISTRICT. The district is a municipal utility district in Grayson County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8266.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8266.023 before September 1, 2011:

(1) the district is dissolved September 1, 2011, except that the district shall:

(A) pay any debts incurred;

(B) transfer to Grayson County any assets that remain after the payment of debts; and

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

(2) this chapter expires September 1, 2014.

Sec. 8266.004. INITIAL DISTRICT TERRITORY. (a) The

1 district is initially composed of the territory described by
2 Section 4.02 of the article creating this chapter.

3 (b) The boundaries and field notes contained in Section 4.02
4 of the article creating this chapter form a closure. A mistake made
5 in the field notes or in copying the field notes in the legislative
6 process does not affect:

7 (1) the organization, existence, or validity of the
8 district;

9 (2) the right of the district to impose taxes;

10 (3) the validity of the district's bonds, notes, or
11 indebtedness; or

12 (4) the legality or operation of the district or the
13 board.

14 [Sections 8266.005-8266.020 reserved for expansion]

15 SUBCHAPTER A-1. TEMPORARY PROVISIONS

16 Sec. 8266.021. TEMPORARY DIRECTORS. (a) On or after
17 September 1, 2007, a person who owns land in the district may submit
18 a petition to the Texas Commission on Environmental Quality
19 requesting that the commission appoint as temporary directors the
20 five persons named in the petition.

21 (b) The commission shall appoint as temporary directors the
22 five persons named in the first petition received by the commission
23 under Subsection (a).

24 (c) If a temporary director fails to qualify for office, the
25 commission shall appoint a person to fill the vacancy.

26 (d) Temporary directors serve until the earlier of:

27 (1) the date directors are elected under Section

1 8266.023; or

2 (2) the date this chapter expires under Section
3 8266.003.

4 Sec. 8266.022. ORGANIZATIONAL MEETING OF TEMPORARY
5 DIRECTORS. As soon as practicable after all the temporary
6 directors have qualified under Section 49.055, Water Code, the
7 temporary directors shall meet at a location in the district
8 agreeable to a majority of the directors. At the meeting, the
9 temporary directors shall elect officers from among the temporary
10 directors and conduct any other district business.

11 Sec. 8266.023. CONFIRMATION AND INITIAL DIRECTORS'
12 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
13 hold an election to confirm the creation of the district and to
14 elect five directors as provided by Section 49.102, Water Code.

15 (b) The temporary directors may not hold the election until
16 the City of Gunter has annexed into its corporate limits all
17 territory described by Section 4.02 of the article creating this
18 chapter.

19 Sec. 8266.024. INITIAL ELECTED DIRECTORS; TERMS. The
20 directors elected under Section 8266.023 shall draw lots to
21 determine which two shall serve until the first regularly scheduled
22 election of directors and which three shall serve until the second
23 regularly scheduled election of directors.

24 Sec. 8266.025. EXPIRATION OF SUBCHAPTER. This subchapter
25 expires September 1, 2014.

26 [Sections 8266.026-8266.050 reserved for expansion]

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8266.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five directors.

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

5 [Sections 8266.052-8266.100 reserved for expansion]

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 8266.101. MUNICIPAL UTILITY DISTRICT POWERS AND
8 DUTIES. The district has the powers and duties provided by the
9 general law of this state, including Chapters 49 and 54, Water Code,
10 applicable to municipal utility districts created under Section 59,
11 Article XVI, Texas Constitution.

12 Sec. 8266.102. WATER AND WASTEWATER FACILITIES AND
13 SERVICES. (a) The district shall make available any district water
14 or wastewater facility to each person that holds a certificate of
15 convenience and necessity for land in the district.

16 (b) The district may not provide retail water or wastewater
17 services.

18 Sec. 8266.103. ROAD PROJECTS. (a) To the extent authorized
19 by Section 52, Article III, Texas Constitution, the district may
20 construct, acquire, improve, maintain, or operate macadamized,
21 graveled, or paved roads or turnpikes, or improvements in aid of
22 those roads or turnpikes, inside the district.

23 (b) A road project must meet all applicable construction
24 standards, subdivision requirements, and regulations of each
25 municipality in whose corporate limits or extraterritorial
26 jurisdiction the district is located.

27 Sec. 8266.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY

1 EXCLUDED FROM CITY. If the City of Gunter excludes district
2 territory from the city's corporate limits, the district shall
3 maintain, improve, operate, and repair any road located in that
4 territory in accordance with the ordinances and rules of each
5 political subdivision in whose jurisdiction the road is located.

6 Sec. 8266.105. DIVISION OF DISTRICT. (a) The district may
7 be divided into two new districts only if the district:

8 (1) has no outstanding bonded debt; and

9 (2) is not imposing ad valorem taxes.

10 (b) The division procedure is prescribed by Sections 53.030
11 through 53.041, Water Code.

12 (c) Any new district created by the division of the district
13 has all the powers and duties of the district.

14 (d) Any new district created by the division of the district
15 may not, at the time the new district is created, contain any land:

16 (1) outside the area described by Section 4.02 of the
17 article creating this chapter; or

18 (2) outside the corporate limits of the city of
19 Gunter.

20 Sec. 8266.106. LIMITATION ON ANNEXATION. (a) The district
21 may not add land to the district under Subchapter J, Chapter 49,
22 Water Code, if the land is located outside the corporate limits of
23 the city of Gunter.

24 (b) Section 43.075, Local Government Code, does not apply to
25 the district.

26 [Sections 8266.107-8266.150 reserved for expansion]

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 8266.151. TAX TO REPAY BONDS. The district may impose
3 a tax to pay the principal of or interest on bonds or other
4 obligations issued under Section 8266.201.

5 [Sections 8266.152-8266.200 reserved for expansion]

6 SUBCHAPTER E. BONDS

7 Sec. 8266.201. AUTHORITY TO ISSUE BONDS AND OTHER
8 OBLIGATIONS. (a) The district may issue bonds or other obligations
9 as provided by Chapters 49 and 54, Water Code, to finance the
10 construction, maintenance, or operation of a project under Section
11 8266.101 or 8266.103.

12 (b) The district may not issue bonds or other obligations to
13 finance projects authorized by Section 8266.103 unless the issuance
14 is approved by a vote of a two-thirds majority of the district
15 voters voting at an election held for that purpose.

16 (c) Bonds or other obligations issued or incurred to finance
17 projects authorized by Section 8266.103 may not exceed one-fourth
18 of the assessed value of the real property in the district.

19 SECTION 4.02. The Kimberlin Ranch Municipal Utility
20 District No. 3 of Grayson County includes all the territory
21 contained in the following area:

22 All that certain tract or parcel of land situated in the Ricardo
23 Garcia Survey, Abstract Number 446 and the M.S. Herrera Survey,
24 Abstract Number 545, County of Grayson, State of Texas, said tract
25 being all of a 303.943 acre tract as described in Deed to Morris
26 Morgan Jr., et ux, Bonita Morgan, filed 26 October 1996, and
27 Recorded in Volume 2364 Page 637, and all of a 20.333 acre tract as

1 described in Deed to Morris Morgan Jr., et ux, Bonita Morgan, filed
2 02 May 2003, and Recorded in Volume 3446 Page 71, and all of a
3 22.469 acre tract as described in Deed to Morris Morgan Jr., et ux,
4 Bonita Morgan, filed 20 February 2004, and Recorded in Volume 3616
5 Page 79 of the Deed Records of the County of Grayson, State of
6 Texas, and being more fully described as follows:

7 Beginning for the southeast corner of the tract being described
8 herein at a found 3\4 inch Steel Rod, said rod being the southeast
9 corner of said Morgan 303.943 acre tract, and the northeast corner
10 of a tract as described in Deed to Martinek Grain & Bin Inc.,, filed
11 03 August 1994, and Recorded in Volume 2352 Page 18 of said Deed
12 Records, said rod also being in Scharff Road (gravel surfaced);

13 Thence: South 88 degrees 48 minutes 47 seconds West, with the south
14 line of said Morgan 303.943acre tract, and passing at 22.90 feet a
15 wood fence corner post on the west side of said road, and continuing
16 on said course for a total distance of 3725.83 feet to a found 1\2
17 inch Steel Square Tubing with a plastic cap marked Cox 4577 for the
18 southwest corner of said Morgan 303.943 acre tract, and the
19 southeast corner of said Morgan 20.333 acre tract;

20 Thence: South 89 degrees 50 minutes 58 seconds West, with the south
21 line of said Morgan 20.333 acre tract, a distance of 624.98 feet to
22 a found 1\2 inch Steel Square Tubing with a plastic cap marked COX
23 4577 for the southwest corner of said Morgan 20.333 acre tract, and
24 the southeast corner of said Morgan 22.469 acre tract;

25 Thence: South 89 degrees 52 minutes 55 seconds West, with the south
26 line of said Morgan 22.469 acre tract, a distance of 719.91 feet to
27 a found 1\2 inch Steel Square Tubing with a plastic cap marked COX

1 4577 for the southwest corner of said Morgan 22/469 acre tract;
2 Thence: North 01 degrees 01 minutes 06 seconds West, with the west
3 line of said Morgan 22.469 acre tract, a distance of 1400.92 feet to
4 a found 1\2 inch Steel Rebar by a wood Fence corner Post for the
5 northwest corner of said Morgan 22.469 acre tract, and an ell corner
6 of said Morgan 303.943 acre tract;
7 Thence: North 01 degrees 01 minutes 06 seconds West, with the west
8 line of said Morgan 303.943 acre tract, a distance of 1583.19 feet
9 to a found 1\2 inch Steel Rebar by a wood Fence corner Post for the
10 northwest corner of said Morgan 303.943 acre tract;
11 Thence: North 89 degrees 11 minutes 45 seconds East, with the north
12 line of said Morgan 303.943acre tract, a distance of 1378.61 feet to
13 a found 1\2 inch Steel Rebar by a wood fence corner post for a
14 corner;
15 Thence: North 89 degrees 04 minutes 46 seconds East, with the north
16 line of said Morgan 303.943 tract, a distance of 3678.41 feet to a
17 found 3\4 inch Steel Rod for th3e northeast corner of said Morgan
18 303.943 acre tract, and in Scharff Road.
19 Thence: South 01 degrees 16 minutes 42 seconds East, with the east
20 line of said Morgan 303.943 tract, and in said road, a distance of
21 2982.52 feet to the POINT OF BEGINNING and containing 347.744 acres
22 of land.

23 SECTION 4.03. (a) The legal notice of the intention to
24 introduce this article, setting forth the general substance of this
25 article, has been published as provided by law, and the notice and a
26 copy of this article have been furnished to all persons, agencies,
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

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

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

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

14 SECTION 4.04. This article takes effect September 1, 2007.

15 ARTICLE 5. KING'S CROSSING MUNICIPAL
16 UTILITY DISTRICT OF GRAYSON COUNTY

17 SECTION 5.01. Subtitle F, Title 6, Special District Local
18 Laws Code, is amended by adding Chapter 8251 to read as follows:

19 CHAPTER 8251. KING'S CROSSING MUNICIPAL UTILITY DISTRICT OF
20 GRAYSON COUNTY

21 SUBCHAPTER A. GENERAL PROVISIONS

22 Sec. 8251.001. DEFINITIONS. In this chapter:

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

24 (2) "Director" means a board member.

25 (3) "District" means the King's Crossing Municipal
26 Utility District of Grayson County.

27 Sec. 8251.002. NATURE OF DISTRICT. The district is a

1 municipal utility district in Grayson County created under and
2 essential to accomplish the purposes of Section 52, Article III,
3 and Section 59, Article XVI, Texas Constitution.

4 Sec. 8251.003. FINDING OF PUBLIC USE AND BENEFIT. The
5 district is created to serve a public use and benefit.

6 Sec. 8251.004. CONFIRMATION ELECTION REQUIRED. If the
7 creation of the district is not confirmed at a confirmation
8 election held under Section 8251.024 before September 1, 2009:

9 (1) the district shall, as soon as it reasonably knows
10 the district will not be confirmed and before September 1, 2009:

11 (A) pay any debts incurred; and

12 (B) transfer to Grayson County any assets that
13 remain after the payment of debts;

14 (2) the district is dissolved September 1, 2009; and

15 (3) this chapter expires September 1, 2009.

16 Sec. 8251.005. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 5.02 of the article creating this chapter.

19 (b) The boundaries and field notes contained in Section 5.02
20 of the article creating this chapter form a closure. A mistake made
21 in the field notes or in copying the field notes in the legislative
22 process does not affect:

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

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

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

27 [Sections 8251.006-8251.020 reserved for expansion]

1 SUBCHAPTER A-1. TEMPORARY PROVISIONS

2 Sec. 8251.021. TEMPORARY DIRECTORS. (a) The temporary
3 board consists of:

- 4 (1) Hill Johnson;
- 5 (2) Joe Henneburger;
- 6 (3) Bill Casanova;
- 7 (4) Adrian Butler; and
- 8 (5) Kevin Eddy.

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

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

- 16 (1) the date directors are elected under Section
17 8251.024; or
- 18 (2) the date this chapter expires under Section
19 8251.004.

20 Sec. 8251.022. ORGANIZATIONAL MEETING OF TEMPORARY
21 DIRECTORS. As soon as practicable after all the temporary
22 directors have qualified under Section 49.055, Water Code, the
23 temporary directors shall convene the organizational meeting of the
24 district at a location in the district agreeable to a majority of
25 the directors. If a location cannot be agreed upon, the
26 organizational meeting shall be at the Grayson County Courthouse.

27 Sec. 8251.023. DEVELOPMENT AGREEMENT REQUIRED. The

1 temporary directors may not hold an election under Section 8251.024
2 or approve the issuance of bonds until a district landowner enters
3 into a development agreement regarding district land with the City
4 of Howe.

5 Sec. 8251.024. CONFIRMATION AND INITIAL DIRECTORS'
6 ELECTION. The temporary directors shall hold an election to
7 confirm the creation of the district and to elect five directors as
8 provided by Section 49.102, Water Code.

9 Sec. 8251.025. INITIAL ELECTED DIRECTORS; TERMS. The
10 directors elected under Section 8251.024 shall draw lots to
11 determine which two shall serve until the first regularly scheduled
12 election of directors and which three shall serve until the second
13 regularly scheduled election of directors.

14 Sec. 8251.026. EXPIRATION OF SUBCHAPTER. This subchapter
15 expires September 1, 2009.

16 [Sections 8251.027-8251.050 reserved for expansion]

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 8251.051. DIRECTORS; TERMS. (a) The district is
19 governed by a board of five directors.

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

21 [Sections 8251.052-8251.100 reserved for expansion]

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8251.101. MUNICIPAL UTILITY DISTRICT POWERS AND
24 DUTIES. The district has the powers and duties provided by the
25 general law of this state, including Chapters 49 and 54, Water Code,
26 applicable to municipal utility districts created under Section 59,
27 Article XVI, Texas Constitution.

1 Sec. 8251.102. ROAD PROJECTS. (a) The district may
2 construct, acquire, improve, maintain, or operate macadamized,
3 graveled, or paved roads or improvements in aid of those roads,
4 inside or outside the district.

5 (b) A road project must meet all applicable construction
6 standards, zoning and subdivision requirements, and regulations of
7 each municipality in whose corporate limits or extraterritorial
8 jurisdiction the district is located. If the district is not
9 located in the corporate limits or extraterritorial jurisdiction of
10 a municipality, a road project must meet all applicable
11 construction standards, zoning and subdivision requirements, and
12 regulations of each county in which the district is located.

13 (c) The district may not undertake a road project unless
14 each municipality in whose corporate limits or extraterritorial
15 jurisdiction the district is located consents by resolution. If
16 the district is not located in the corporate limits or
17 extraterritorial jurisdiction of a municipality, the district may
18 not undertake a road project unless each county in which the
19 district is located consents by resolution.

20 Sec. 8251.103. ROAD CONTRACTS. The district may contract
21 for a road project in the manner provided by Subchapter I, Chapter
22 49, Water Code.

23 Sec. 8251.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
24 OUTSIDE CORPORATE LIMITS OF MUNICIPALITY. If district territory,
25 or a portion of district territory, is located outside the
26 corporate limits of a municipality, the district shall:

27 (1) maintain, improve, operate, and repair any road

1 located in that territory in accordance with the ordinances and
2 rules of each political subdivision in whose jurisdiction the road
3 is located; and

4 (2) pay for the cost of performing the district's
5 duties under Subdivision (1).

6 [Sections 8251.105-8251.150 reserved for expansion]

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 8251.151. OPERATION AND MAINTENANCE TAX. The district
9 may impose a tax for any district operation and maintenance purpose
10 in the manner provided by Section 49.107, Water Code.

11 Sec. 8251.152. TAX TO REPAY BONDS. The district may impose
12 a tax to pay the principal of and interest on bonds issued under
13 Section 8251.201.

14 Sec. 8251.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
15 ASSESSMENTS. The district may not impose an impact fee or
16 assessment on the property, including the equipment,
17 rights-of-way, facilities, or improvements, of:

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

20 (2) a gas utility as defined by Section 101.003 or
21 121.001, Utilities Code;

22 (3) a telecommunications provider as defined by
23 Section 51.002, Utilities Code;

24 (4) a cable operator as defined by 47 U.S.C. Section
25 522; or

26 (5) a person who provides to the public advanced
27 telecommunications services.

1 [Sections 8251.154-8251.200 reserved for expansion]

2 SUBCHAPTER E. BONDS

3 Sec. 8251.201. AUTHORITY TO ISSUE BONDS AND OTHER
4 OBLIGATIONS. (a) The district may issue bonds or other obligations
5 as provided by Chapters 49 and 54, Water Code, and to finance the
6 construction, maintenance, or operation of projects under Section
7 8251.102.

8 (b) The district may issue bonds or other obligations
9 payable wholly or partly from ad valorem taxes, impact fees,
10 revenue, grants, or other district money.

11 (c) The district may not issue bonds or other obligations
12 secured wholly or partly by ad valorem taxation to finance projects
13 authorized by Section 8251.102 unless the issuance is approved by a
14 vote of a two-thirds majority of district voters voting at an
15 election called for that purpose.

16 (d) Bonds or other obligations issued or incurred to finance
17 projects authorized by Section 8251.102 may not exceed one-fourth
18 of the assessed value of the real property in the district.

19 SECTION 5.02. The King's Crossing Municipal Utility
20 District of Grayson County initially includes all the territory
21 contained in the following described area:

22 TRACT 1

23 BEING a tract of land situated in the J. ARMENDARIS SURVEY, ABSTRACT
24 NO. 39, the J. MARSHALL SURVEY, ABSTRACT NO. 868, the C. MASON
25 SURVEY, ABSTRACT NO. 859 and the E. REYNOLDS SURVEY, ABSTRACT NO.
26 1008, in Grayson County, Texas, and being all of a called 146 acre
27 tract of land described in a deed to W. C. King recorded in Volume

1 464, Page 531 of the Deed Records of Grayson County, Texas, part of
2 a called 273.2255 acre tract described in a deed to W. C. King
3 recorded in Volume 418, Page 320 of said Deed Records, (both of said
4 King tracts being subsequently conveyed in part to Joe C. King,
5 Nancy Jane Yarborough and the Mary Ann Arterbury Revocable Trust by
6 deeds recorded in Volume 2182, Page 950, Volume 2192, Page 234,
7 Volume 2249, Page 895, and Volume 3259, Page 266, all of said Deed
8 Records), all of a called 60.2 acre tract of land described as Tract
9 One in a deed to Nancy McElreath King recorded in Volume 953, Page
10 307 of said Deed Records, all of a called 12.5 acre tract of land
11 described as Tract Two in said deed, and all of a called 40 acre
12 tract of land described as Tract Three in said deed, and being more
13 particularly described as follows:

14 BEGINNING at a railroad spike found at the intersection of the
15 center of Farmington Road (undedicated public road) with the center
16 of Hall Cemetery Road (undedicated public road), said point being
17 the southwest corner of said 60.2 acre tract;

18 THENCE North 00 degrees 57 minutes 32 seconds West, along the
19 approximate center of Farmington Road, and along the west lines of
20 said 60.2 acre tract and said 146 acre tract, a distance of 2577.20
21 feet to a 1-inch iron pipe found for the most westerly northwest
22 corner of said 146 acre tract and the south corner of a called 34
23 acre tract of land described in a deed to the Burks Family Trusts
24 recorded in Volume 3128, Page 820 of said Deed Records;

25 THENCE North 34 degrees 38 minutes 57 seconds East, along the common
26 line between said 34 acre tract and said 146 acre tract, a distance
27 of 2574.44 feet to a 1-inch iron pipe found at an angle point in the

1 approximate center of Davis Road (undedicated public road) for the
2 east corner of said 34 acre tract and the most southerly southeast
3 corner of a called 123.8843 acre tract of land described in a deed
4 to C. J. Matthews and wife Dorothy Matthews recorded in Volume 1180,
5 Page 590 of said Deed Records;

6 THENCE North 33 degrees 34 minutes 50 seconds East, along the common
7 line between said 146 acre tract and said 123.8843 acre tract, and
8 along the approximate center of Davis Road, a distance of 989.01
9 feet to a 1-inch iron pipe found at an angle point in said road for
10 most northerly northwest corner of said 146 acre tract;

11 THENCE South 89 degrees 56 minutes 45 seconds East, along the
12 approximate center of Davis Road and the north lines of said 146
13 acre tract and said 273.2255 acre tract, a distance of 3122.85 feet
14 to a 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for
15 corner;

16 THENCE South 00 degrees 55 minutes 04 seconds East, along the
17 prolongation of and the west lines of a called 0.923 acre tract
18 described in a deed to Joe C. King and wife Katie Mae King recorded
19 in Volume 1518, Page 747 of said Deed Records, a called 3.086 acre
20 tract of land described in a deed to Joe C. King and wife Katie Mae
21 King recorded in Volume 1331, Page 150, a tract of land described in
22 a deed to Joe C. King recorded in Volume 1293, Page 77 of said Deed
23 Records, a distance of 3195.54 feet to a 5/8-inch iron rod with cap
24 marked "PETITT RPLS 4087" set for a point of the north line of
25 Western Hills, an addition to the City of Howe according to the plat
26 thereof recorded in Volume 3, Page 76 of the Map Records of Grayson
27 County, Texas.

1 THENCE South 89 degrees 24 minutes 28 seconds West, along the north
2 line of Western Hills, and addition to the City of Howe, a distance
3 of 1.52 feet to the northwest corner of said Western Hills to a
4 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for corner;
5 THENCE South 00 degrees 48 minutes 45 seconds East, departing the
6 northwest corner of said Western Hills, and along the most
7 southerly east line of said 273.2255 acre tract, a distance of
8 410.53 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
9 4087" set for the most southerly southeast corner of said 273.2255
10 acre tract and the northeast corner of a called 111.5 acre tract
11 described in a deed to Robert Glen Sollis, Jr., recorded in Volume
12 2352, Page 222 of said Deed Records;
13 THENCE North 89 degrees 21 minutes 25 seconds West, along the common
14 line between said 273.2255 acre tract and said 111.5 acre tract, a
15 distance of 2591.12 feet to a 5/8-inch iron rod with cap marked
16 "PETITT - RPLS 4087" set for the northwest corner of said 111.5 acre
17 tract and the northeast corner of said 40 acre tract;
18 THENCE South 00 degrees 48 minutes 45 seconds East, along the common
19 line between said 111.5 acre tract an said 40 acre tract, a distance
20 of 1904.72 feet to a 5/8-inch iron rod with cap marked "PETITT -
21 RPLS 4087" set in the approximate center of Hall Cemetery Road for
22 the southeast corner of said 40 acre tract;
23 THENCE South 89 degrees 13 minutes 54 seconds West, along the
24 approximate center of Hall Cemetery Road and the south lines of said
25 40 acre tract, said 12.5 acre tract and said 60.2 acre tract, a
26 distance of 2582.24 feet to the POINT OF BEGINNING and containing
27 470.470 acres of land, more or less.

1 TRACT 2
2 BEING A TRACT OF LAND SITUATED IN THE J. ARMENDARIS SURVEY, ABSTRACT
3 NO. 39, THE J. MARSHALL SURVEY, ABSTRACT NO. 825, AND THE E.
4 REYNOLDS SURVEY, ABSTRACT NO. 1008, IN GRAYSON COUNTY, TEXAS, AND
5 BEING A PORTION OF A CALLED 57.898 ACRE TRACT DESCRIBED IN A DEED TO
6 JOE CLYDE KING RECORDED IN VOLUME 3693, PAGE 147 OF THE DEED RECORDS
7 OF GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS
8 FOLLOWS:

9 BEGINNING AT A NAIL FOUND IN THE APPROXIMATE CENTER OF DAVIS ROAD
10 (UNDEDICATED PUBLIC ROAD) FOR THE NORTHEAST CORNER OF SAID 57.898
11 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 29.732 ACRE TRACT OF
12 LAND DESCRIBED AS TRACT 1 IN A DEED TO JERRY L. KING AND DONNA KING
13 BEDGOOD RECORDED IN VOLUME 2001, PAGE 107 OF SAID DEED RECORDS;

14 THENCE ALONG THE COMMON LINE BETWEEN SAID 29.732 ACRE TRACT AND SAID
15 57.898 ACRE TRACT AS FOLLOWS:

16 SOUTH 26 DEGREES 30 MINUTES 31 SECONDS EAST, A DISTANCE OF 274.02
17 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
18 FOR CORNER;

19 SOUTH 22 DEGREES 04 MINUTES 49 SECONDS EAST, A DISTANCE OF 371.90
20 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
21 FOR CORNER;

22 SOUTH 64 DEGREES 31 MINUTES 10 SECONDS EAST, A DISTANCE OF 174.55
23 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
24 FOR THE MOST EASTERLY NORTHEAST CORNER OF SAID 57.898 ACRE TRACT AND
25 THE NORTHWEST CORNER OF WESTERN HILLS COMMERCIAL, AN ADDITION TO
26 THE CITY OF HOWE ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3,
27 PAGE 79 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS;

1 THENCE SOUTH 00 DEGREES 54 MINUTES 15 SECONDS EAST, ALONG THE
2 EASTERLY LINE OF SAID 57.898 ACRE TRACT AND THE WEST LINE OF SAID
3 WESTERN HILLS COMMERCIAL, A DISTANCE OF 360.57 FEET TO A 5/8-INCH
4 IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET FOR CORNER FROM
5 WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID
6 WESTERN HILLS COMMERCIAL BEARS SOUTH 00 DEGREES 54 MINUTES 15
7 SECONDS EAST, A DISTANCE OF 305.41 FEET;
8 THENCE SOUTH 89 DEGREES 31 MINUTES 09 SECONDS WEST, DEPARTING SAID
9 EASTERLY AND WEST LINES AND OVER AND ACROSS SAID 57.898 ACRE TRACT,
10 A DISTANCE OF 905.24 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED
11 "PETITT - RPLS 4087" SET IN THE WEST LINE OF SAID 57.898 ACRE TRACT
12 SAME BEING THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO AP
13 HOWE LIMITED PARTNERSHIP FILED IN VOLUME 3814, PAGE 898, OF SAID
14 DEED RECORDS;
15 THENCE NORTH 00 DEGREES 55 MINUTES 04 SECONDS WEST, ALONG SAID EAST
16 AND WEST LINES, A DISTANCE OF 1030.55 FEET TO A NAIL FOUND IN THE
17 APPROXIMATE CENTER OF SAID DAVIS ROAD FOR THE NORTHWEST CORNER OF
18 SAID 57.898 ACRE TRACT AND THE NORTHEAST CORNER OF SAID AP HOWE
19 LIMITED PARTNERSHIP TRACT;
20 THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, ALONG THE NORTH
21 LINE OF SAID 57.898 ACRE TRACT AND THE APPROXIMATE CENTER OF SAID
22 DAVIS ROAD, A DISTANCE OF 160.56 FEET TO A RAILROAD SPIKE FOUND FOR
23 AN ANGLE POINT;
24 THENCE NORTH 89 DEGREES 31 MINUTES 33 SECONDS EAST, CONTINUING
25 ALONG SAID NORTH LINE AND THE APPROXIMATE CENTER OF SAID DAVIS ROAD,
26 A DISTANCE OF 335.80 FEET TO THE POINT OF BEGINNING AND CONTAINING
27 762,300 SQUARE FEET, OR 17.500 ACRES OF LAND, MORE OR LESS.

1 SECTION 5.03. (a) The legal notice of the intention to
2 introduce this article, setting forth the general substance of this
3 article, has been published as provided by law, and the notice and a
4 copy of this article have been furnished to all persons, agencies,
5 officials, or entities to which they are required to be furnished
6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7 Government Code.

8 (b) The governor, one of the required recipients, has
9 submitted the notice and article to the Texas Commission on
10 Environmental Quality.

11 (c) The Texas Commission on Environmental Quality has filed
12 its recommendations relating to this article with the governor, the
13 lieutenant governor, and the speaker of the house of
14 representatives within the required time.

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

19 SECTION 5.04. This article takes effect immediately if this
20 Act receives a vote of two-thirds of all the members elected to each
21 house, as provided by Section 39, Article III, Texas Constitution.
22 If this Act does not receive the vote necessary for immediate
23 effect, this article takes effect September 1, 2007.

24 ARTICLE 6. PLATINUM RANCH MUNICIPAL
25 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

26 SECTION 6.01. Subtitle F, Title 6, Special District Local
27 Laws Code, is amended by adding Chapter 8256 to read as follows:

1 CHAPTER 8256. PLATINUM RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF

2 GRAYSON COUNTY

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 8256.001. DEFINITIONS. In this chapter:

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

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

8 (3) "District" means the Platinum Ranch Municipal
9 Utility District No. 1 of Grayson County.

10 Sec. 8256.002. NATURE OF DISTRICT. The district is a
11 municipal utility district in Grayson County created under and
12 essential to accomplish the purposes of Section 59, Article XVI,
13 Texas Constitution.

14 Sec. 8256.003. CONFIRMATION ELECTION REQUIRED. If the
15 creation of the district is not confirmed at a confirmation
16 election held under Section 8256.055 before September 1, 2009:

17 (1) the district is dissolved September 1, 2009,
18 except that:

19 (A) any debts incurred shall be paid;

20 (B) any assets that remain after the payment of
21 debts shall be transferred to Grayson County; and

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

25 (2) this chapter expires September 1, 2014.

26 Sec. 8256.004. INITIAL DISTRICT TERRITORY. (a) The
27 district is initially composed of the territory described by

1 Section 6.02 of the article creating this chapter.

2 (b) The boundaries and field notes contained in Section 6.02
3 of the article creating this chapter form a closure. A mistake made
4 in the field notes or in copying the field notes in the legislative
5 process does not affect:

6 (1) the organization, existence, or validity of the
7 district;

8 (2) the right of the district to impose taxes;

9 (3) the validity of the district's bonds, notes, or
10 other indebtedness; or

11 (4) the legality or operation of the district or the
12 board.

13 Sec. 8256.005. ANNEXATION INTO CITY OF GUNTER. (a)
14 Notwithstanding any other law, if all of the territory of the
15 district is annexed by the City of Gunter into the corporate limits
16 of that municipality before the date of the election held to confirm
17 the creation of the district, the district is not dissolved and
18 shall continue in full force and effect.

19 (b) Any future annexation or inclusion of additional
20 territory into a district governed by this chapter may not occur
21 unless the City of Gunter is allowed to voluntarily annex the same
22 territory into the municipality's corporate limits.

23 Sec. 8256.006. DISSOLUTION. Section 43.074, Local
24 Government Code, applies to the dissolution of the district.

25 [Sections 8256.007-8256.050 reserved for expansion]

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 8256.051. DIRECTORS; TERMS. (a) The district is

1 governed by a board of five directors.

2 (b) Except as provided by Section 8256.053, directors serve
3 staggered four-year terms.

4 Sec. 8256.052. ELECTION OF DIRECTORS. On the uniform
5 election date in May of each even-numbered year, the appropriate
6 number of directors shall be elected.

7 Sec. 8256.053. INITIAL DIRECTORS. (a) The initial board
8 consists of:

9 (1) Mark McClure;

10 (2) Greg Meador;

11 (3) Lance Hancock;

12 (4) David Howell; and

13 (5) Mark Smith.

14 (b) The terms of the first three directors named in
15 Subsection (a) expire on the uniform election date in May 2008, and
16 the terms of the last two directors named in Subsection (a) expire
17 on the uniform election date in May 2010.

18 (c) This section expires September 1, 2011.

19 Sec. 8256.054. INCORPORATION OF DISTRICT TERRITORY INTO
20 MUNICIPALITY REQUIRED. The directors may not hold an election
21 under Section 8256.055 until all of the territory of the district is
22 included in the corporate limits of the City of Gunter.

23 Sec. 8256.055. CONFIRMATION AND INITIAL DIRECTORS'
24 ELECTION. The initial directors shall hold an election to confirm
25 the creation of the district.

26 [Sections 8256.056-8256.100 reserved for expansion]

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8256.101. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. (a) The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 (b) Notwithstanding Subsection (a), the district may not
8 act as a retail provider of water or wastewater service.

9 (c) The district shall make the district's water and
10 wastewater facilities available to an entity holding the applicable
11 certificate of convenience and necessity.

12 Sec. 8256.102. ROAD PROJECTS. (a) To the extent authorized
13 by Section 52, Article III, Texas Constitution, the district may
14 construct, acquire, improve, maintain, or operate macadamized,
15 graveled, or paved roads or turnpikes, or improvements in aid of
16 those roads, inside the district.

17 (b) A road project must meet all applicable construction
18 standards, subdivision requirements, and regulatory ordinances of
19 the municipality in whose corporate limits or extraterritorial
20 jurisdiction the district is located.

21 (c) If a portion of the territory of the district is
22 excluded from the corporate limits of the City of Gunter, the
23 district shall:

24 (1) improve, maintain, repair, and operate the roads
25 located in that portion of territory in accordance with the
26 ordinances and rules of the political subdivision possessing
27 jurisdiction over the roads in that portion of territory; and

1 (2) pay the entire cost of performing the district's
2 duties under Subdivision (1).

3 Sec. 8256.103. DIVISION OF DISTRICT. (a) The district may
4 be divided into two new districts only if:

- 5 (1) the district has no outstanding bonded debt;
6 (2) the district is not imposing ad valorem taxes; and
7 (3) each new district is within the corporate limits
8 of the City of Gunter.

9 (b) The division procedure is prescribed by Sections 53.030
10 through 53.041, Water Code.

11 (c) Any new district created by the division of the district
12 has all the powers and duties of the district.

13 (d) At the time of creation, any new district created by the
14 division of the district may not contain any land outside the area
15 described by Section 6.02 of the article creating this chapter.

16 [Sections 8256.104-8256.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 8256.151. TAX TO REPAY BONDS. The district may impose
19 a tax to pay the principal of or interest on bonds or other
20 obligations issued under Section 8256.201.

21 [Sections 8256.152-8256.200 reserved for expansion]

22 SUBCHAPTER E. BONDS

23 Sec. 8256.201. AUTHORITY TO ISSUE BONDS AND OTHER
24 OBLIGATIONS. (a) The district may issue bonds or other obligations
25 as provided by Chapters 49 and 54, Water Code, to finance the
26 construction, maintenance, or operation of a project under Section
27 8256.101 or 8256.102.

1 (b) The district may not issue bonds to finance projects
2 authorized by Section 8256.102 unless the issuance is approved by a
3 vote of a two-thirds majority of the district voters voting at an
4 election called for that purpose.

5 (c) Bonds or other obligations issued or incurred to finance
6 projects authorized by Section 8256.102 may not exceed one-fourth
7 of the assessed value of the real property in the district.

8 SECTION 6.02. The Platinum Ranch Municipal Utility District
9 No. 1 of Grayson County includes all the territory contained in the
10 following area:

11 All that certain tract or parcel of land situated in the William
12 Richards Survey, Abstract Number 998, the Robert Mason Survey,
13 Abstract Number 784, the J.R. Worrall Survey, Abstract Number 1357,
14 and the William Wells Survey, Abstract Number 1354, County of
15 Grayson, State of Texas and being all that called 339.24 acre tract
16 of land as described in Deed to Platinum Ranch Venture, LTD, filed
17 16 February 2001 and recorded in Volume 3033 Page 185 of the Deed
18 Records of the County of Grayson, State of Texas, and being all that
19 called 300.264 acre tract of land as described in Deed to Platinum
20 Ranch Venture, LTD, filed 16 February 2001 and recorded in Volume
21 3033 Page 189 of said Deed Records, and being all that called 100.00
22 acre tract of land as described in Deed to Platinum Ranch Venture,
23 LTD, filed 01 March 2001 and recorded in Volume 3038 Page 100 of
24 said Deed Records, and being all that called 851.808 acre tract of
25 land as described in Deed to Platinum Ranch Venture, LTD, filed 16
26 May 2001 and recorded in Volume 3072 Page 217 of said Deed Records,
27 and being all that called 78.427 acre tract of land as described in

1 Deed to Platinum Ranch Venture, LTD, filed 23 May 2002 and recorded
2 in Volume 3253 Page 743 of said Deed Records, and being more fully
3 described as follows:

4 BEGINNING for the Southeast corner of the tract being described
5 herein at a found 1\2 inch iron rod at the intersection of Old
6 Scaggs School Road and Merilee Roads for the Southeast corner of
7 said 851.808 acre tract, said rod being on the South line of said
8 Mason Survey;

9 Thence: South 89 degrees 57 minutes 55 seconds West, with the South
10 line of said 851.808 acre tract and said Mason Survey, along the
11 centerline of said Marilee Road, a distance of 3186.43 feet to a
12 found 1\2 inch iron rod for the Southwest corner of said 851.808
13 acre tract and the Southeast corner of said 329.424 acre tract;

14 Thence: North 89 degrees 22 minutes 52 seconds West, with the South
15 line of said 329.424 acre tract, continuing along the centerline of
16 said road, and passing at 4174.77 feet the Southwest corner of said
17 329.424 acre tract and the Southeast corner of said 100.00 acre
18 tract, and continuing along said course, a total distance of
19 5198.85 feet to a found 1\2 inch steel square tube for corner at the
20 intersection of said Marilee Road and County Road Number 10;

21 Thence: North 88 degrees 59 minutes 54 seconds West, continuing
22 with the South line of said 100.00 acre tract, along the centerline
23 of said Marilee Road, a distance of 244.55 feet to a found 1\2 inch
24 steel square tube at the intersection of said Marilee Road and Blaine
25 Road for the Southwest corner of said 100.00 acre tract;

26 Thence: North 00 degrees 07 minutes 57 seconds West, with the West
27 line of said 100.00 acre tract, along the centerline of said Blaine

1 Road, and passing at 3425.72 feet the Northwest corner of said
2 100.00 acre tract and the Southwest corner of said 300.264 acre
3 tract, and continuing along said course and road, and passing at
4 5630.58 feet the Northwest corner of said 300.264 acre tract and the
5 Southwest corner of said 78.427 acre tract, and continuing along
6 said course and road, a total distance of 7236.34 feet to a found
7 1\2 inch steel square tube at the intersection of said Blaine Road
8 and Jaresh Road for the Northwest corner of said 78.427 acre tract;
9 Thence: North 88 degrees 26 minutes 13 seconds East, with the North
10 line of said 78.427 acre tract, along the centerline of said Jaresh
11 Road, a distance of 2076.20 feet to a found 1\2 inch iron rod for the
12 Northeast corner of said 78.427 acre tract;
13 Thence: South 01 degrees 09 minutes 52 seconds East, with the East
14 line of said 78.427 acre tract, and passing at 14.0 feet a cross-tie
15 fence corner post on the South side of said Jaresh Road, and
16 continuing along said course, along and near a fence, a total
17 distance of 1662.51 feet to a found 1\2 inch steel square tube for
18 the Southeast corner of said 78.427 acre tract, said tubing being on
19 the North line of said 300.264 acre tract, said tubing also being
20 the Southwest corner of a called 252.043 tract of land as described
21 in Deed to Ronald Evans Box, et ux Nita Gay Box, filed 15 December
22 1992 and recorded in Volume 2246 Page 173 of said Deed Records;
23 Thence: North 89 degrees 32 minutes 42 seconds East, with the North
24 line of said 300.264 acre tract and the South line of said Box
25 tract, with a fence, a distance of 1771.60 feet to a bois d' arc post
26 for corner;
27 Thence: North 89 degrees 04 minutes 11 seconds East, continuing

1 with the North line of said 300.264 acre tract and the South line of
2 said Box tract, with a fence, a distance of 1940.19 feet to a
3 cross-tie fence corner post for an ell corner of this tract, said
4 corner also being the Southeast corner of said Box tract;
5 Thence: North 00 degrees 40 minutes 31 seconds West, with the West
6 line of said 851.808 acre tract and the East line of said Box tract,
7 along and near a fence, a distance of 1208.96 feet to a wood fence
8 corner post for an ell corner of this tract and a Northeast corner
9 of said Box tract;
10 Thence: South 87 degrees 48 minutes 54 seconds West, continuing
11 with the West line of said 851.808 acre tract and the East line of
12 said Box tract, along and near a fence, a distance of 1749.62 feet
13 to a pipe fence corner post for corner;
14 Thence: North 01 degrees 29 minutes 27 seconds West, continuing
15 with the West line of said 851.808 acre tract and the East line of
16 said Box tract, along and near a fence, a distance of 1664.74 feet
17 to a pipe fence corner post for corner;
18 Thence: North 87 degrees 51 minutes 31 seconds East, continuing
19 with the West line of said 851.808 acre tract and the East line of
20 said Box tract, along and near a fence, 849.86 feet to a pipe fence
21 corner post for corner;
22 Thence: North 01 degrees 26 minutes 50 seconds West, continuing
23 with the West line of said 851.808 acre tract and the East line of
24 said Box tract, along and near a fence, a distance of 1216.06 feet
25 to a pipe fence corner post for the Northwest corner of said 851.808
26 acre tract, said post also being the Southwest corner of a called
27 374.17 acre tract of land as described in Deed to Martinek Grain &

1 Bins, Inc., filed 01 June 1993 and recorded in Volume 2272 Page 912
2 of said Deed Records;

3 Thence: North 87 degrees 58 minutes 36 seconds East, with the North
4 line of said 851.808 acre tract and the South line of said 374.17
5 acre tract, with the general course of a fence, a distance of 973.27
6 feet to a wood post for corner;

7 Thence: North 87 degrees 53 minutes 22 seconds East, continuing
8 with the North line of said 851.808 acre tract and the South line of
9 said 374.17 acre tract, with said fence, a distance of 1091.88 feet
10 to a wood fence corner post for corner;

11 Thence: North 89 degrees 57 minutes 15 seconds East, continuing
12 with the North line of said 851.808 acre tract and the South line of
13 said 374.17 acre tract, with said fence, a distance of 1491.72 feet
14 to a cross-tie fence corner post for the Northeast corner of said
15 851.808 acre tract, said post also being the most Westerly
16 Northwest corner of a called 178.842 acre tract of land as described
17 in Deed to Martinek Grain & Bins, Inc., dated 03 August 1994 and
18 recorded in Volume 2352 Page 18 of said Deed Records;

19 Thence: South 02 degrees 33 minutes 15 seconds East, with the East
20 line of said 851.808 acre tract, along and near a fence, a distance
21 of 960.89 feet to a found 1\2 inch iron rod for a Southwest corner of
22 said 178.842 acre tract, said rod also being the Northwest corner of
23 a called 112.268 acre tract of land as described in Deed to Marion
24 Cole, et ux Linda Cole, dated 27 May 1999 and recorded in Volume
25 2796 Page 848 of said Deed Records;

26 Thence: South 02 degrees 57 minutes 08 seconds East, continuing
27 with the East line of said 851.808 acre tract and the West line of

1 said Cole tract, along and near a fence, a distance of 1552.77 feet
2 to a found 1\2 inch iron rod for the Southwest corner of said Cole
3 tract;

4 Thence: South 89 degrees 54 minutes 04 seconds East, continuing
5 with the East line of said 851.808 acre tract and the South line of
6 said Cole tract, along and near a fence, and passing a cross-tie
7 fence corner post on the West side of Old Skaggs School Road, and
8 continuing along said course, a distance of 3118.80 feet to a set
9 1\2 inch steel square tube with a plastic cap marked COX 4577 in the
10 centerline of said Old Skaggs School Road for the Southeast corner
11 of said Cole tract;

12 Thence: South 00 degrees 04 minutes 13 seconds East, continuing
13 with the East line of said 851.808 acre tract, along the center of
14 said Old Skaggs School Road, a distance of 1561.21 feet to a found
15 1\2 inch iron rod for corner, said road making a turn to the West at
16 this corner;

17 Thence: North 89 degrees 46 minutes 04 seconds West, continuing
18 with the East line of said 851.808 acre tract, along the center of
19 said Old Skaggs School Road, a distance of 3072.50 feet to a found
20 nail for corner, said nail being at a turn of said Old Skaggs School
21 Road;

22 Thence: South 00 degrees 51 minutes 03 seconds East, continuing
23 with the East line of said 851.808 acre tract, along the center of
24 said Old Scaggs School Road, a distance of 5800.26 feet to the POINT
25 OF BEGINNING and containing 1659.998 acres of land.

26 SECTION 6.03. (a) The legal notice of the intention to
27 introduce this article, setting forth the general substance of this

1 article, has been published as provided by law, and the notice and a
2 copy of this article have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

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

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

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

17 SECTION 6.04. This article takes effect September 1, 2007.

18 ARTICLE 7. SANGANI RANCH MUNICIPAL
19 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

20 SECTION 7.01. Subtitle F, Title 6, Special District Local
21 Laws Code, is amended by adding Chapter 8258 to read as follows:

22 CHAPTER 8258. SANGANI RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
23 GRAYSON COUNTY

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8258.001. DEFINITIONS. In this chapter:

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

27 (2) "Director" means a board member.

1 (3) "District" means the Sangani Ranch Municipal
2 Utility District No. 1 of Grayson County.

3 Sec. 8258.002. NATURE OF DISTRICT. The district is a
4 municipal utility district in Grayson County created under and
5 essential to accomplish the purposes of Section 52, Article III,
6 and Section 59, Article XVI, Texas Constitution.

7 Sec. 8258.003. CONFIRMATION ELECTION REQUIRED. If the
8 creation of the district is not confirmed at a confirmation
9 election held under Section 8258.023 before September 1, 2009:

10 (1) the district is dissolved September 1, 2009,
11 except that the district shall:

12 (A) pay any debts incurred;

13 (B) transfer to Grayson County any assets that
14 remain after the payment of debts; and

15 (C) maintain the organization of the district
16 until all debts are paid and remaining assets are transferred; and

17 (2) this chapter expires September 1, 2012.

18 Sec. 8258.004. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 7.02 of the article creating this chapter.

21 (b) The boundaries and field notes contained in Section 7.02
22 of the article creating this chapter form a closure. A mistake made
23 in the field notes or in copying the field notes in the legislative
24 process does not affect:

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

27 (2) the right of the district to impose taxes;

1 (3) the validity of the district's bonds, notes, or
2 indebtedness; or

3 (4) the legality or operation of the district or the
4 board.

5 [Sections 8258.005-8258.020 reserved for expansion]

6 SUBCHAPTER A-1. TEMPORARY PROVISIONS

7 Sec. 8258.021. TEMPORARY DIRECTORS. (a) On or after
8 September 1, 2007, a person who owns land in the district may submit
9 a petition to the Texas Commission on Environmental Quality
10 requesting that the commission appoint as temporary directors the
11 five persons named in the petition.

12 (b) The commission shall appoint as temporary directors the
13 five persons named in the first petition received by the commission
14 under Subsection (a).

15 (c) If a temporary director fails to qualify for office, the
16 commission shall appoint a person to fill the vacancy.

17 (d) Temporary directors serve until the earlier of:

18 (1) the date directors are elected under Section
19 8258.023; or

20 (2) the date this chapter expires under Section
21 8258.003.

22 Sec. 8258.022. ORGANIZATIONAL MEETING OF TEMPORARY
23 DIRECTORS. As soon as practicable after all the temporary
24 directors have qualified under Section 49.055, Water Code, the
25 temporary directors shall meet at a location in the district
26 agreeable to a majority of the directors. At the meeting, the
27 temporary directors shall elect officers from among the temporary

1 directors and conduct any other district business.

2 Sec. 8258.023. CONFIRMATION AND INITIAL DIRECTORS'
3 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
4 hold an election to confirm the creation of the district and to
5 elect five directors as provided by Section 49.102, Water Code.

6 (b) The temporary directors may not hold the election until
7 the City of Gunter has annexed into its corporate limits all
8 territory described by Section 7.02 of the article creating this
9 chapter.

10 Sec. 8258.024. INITIAL ELECTED DIRECTORS; TERMS. The
11 directors elected under Section 8258.023 shall draw lots to
12 determine which two shall serve until the first regularly scheduled
13 election of directors and which three shall serve until the second
14 regularly scheduled election of directors.

15 Sec. 8258.025. EXPIRATION OF SUBCHAPTER. This subchapter
16 expires September 1, 2014.

17 [Sections 8258.026-8258.050 reserved for expansion]

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 8258.051. GOVERNING BODY; TERMS. (a) The district is
20 governed by a board of five directors.

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

22 [Sections 8258.052-8258.100 reserved for expansion]

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8258.101. MUNICIPAL UTILITY DISTRICT POWERS AND
25 DUTIES. The district has the powers and duties provided by the
26 general law of this state, including Chapters 49 and 54, Water Code,
27 applicable to municipal utility districts created under Section 59,

1 Article XVI, Texas Constitution.

2 Sec. 8258.102. WATER AND WASTEWATER FACILITIES AND
3 SERVICES. (a) The district shall make available any district water
4 or wastewater facility to each person that holds a certificate of
5 convenience and necessity for land in the district.

6 (b) The district may not provide retail water or wastewater
7 services.

8 Sec. 8258.103. ROAD PROJECTS. (a) To the extent authorized
9 by Section 52, Article III, Texas Constitution, the district may
10 construct, acquire, improve, maintain, or operate macadamized,
11 graveled, or paved roads or turnpikes, or improvements in aid of
12 those roads or turnpikes, inside the district.

13 (b) A road project must meet all applicable construction
14 standards, subdivision requirements, and regulations of each
15 municipality in whose corporate limits or extraterritorial
16 jurisdiction the district is located.

17 Sec. 8258.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
18 EXCLUDED FROM CITY. If the City of Gunter excludes district
19 territory from the city's corporate limits, the district shall
20 maintain, improve, operate, and repair any road located in that
21 territory in accordance with the ordinances and rules of each
22 political subdivision in whose jurisdiction the road is located.

23 Sec. 8258.105. DIVISION OF DISTRICT. (a) The district may
24 be divided into two new districts only if the district:

25 (1) has no outstanding bonded debt; and

26 (2) is not imposing ad valorem taxes.

27 (b) The division procedure is prescribed by Sections 53.030

1 through 53.041, Water Code.

2 (c) Any new district created by the division of the district
3 has all the powers and duties of the district.

4 (d) Any new district created by the division of the district
5 may not, at the time the new district is created, contain any land:

6 (1) outside the area described by Section 7.02 of the
7 article creating this chapter; or

8 (2) outside the corporate limits of the city of
9 Gunter.

10 Sec. 8258.106. LIMITATION ON ANNEXATION. (a) The district
11 may not add land to the district under Subchapter J, Chapter 49,
12 Water Code, if the land is located outside the corporate limits of
13 the city of Gunter.

14 (b) Section 43.075, Local Government Code, does not apply to
15 the district.

16 [Sections 8258.107-8258.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 8258.151. TAX TO REPAY BONDS. The district may impose
19 a tax to pay the principal of or interest on bonds or other
20 obligations issued under Section 8258.201.

21 [Sections 8258.152-8258.200 reserved for expansion]

22 SUBCHAPTER E. BONDS

23 Sec. 8258.201. AUTHORITY TO ISSUE BONDS AND OTHER
24 OBLIGATIONS. (a) The district may issue bonds or other obligations
25 as provided by Chapters 49 and 54, Water Code, to finance the
26 construction, maintenance, or operation of a project under Section
27 8258.101 or 8258.103.

1 (b) The district may not issue bonds or other obligations to
2 finance projects authorized by Section 8258.103 unless the issuance
3 is approved by a vote of a two-thirds majority of the district
4 voters voting at an election held for that purpose.

5 (c) Bonds or other obligations issued or incurred to finance
6 projects authorized by Section 8258.103 may not exceed one-fourth
7 of the assessed value of the real property in the district.

8 SECTION 7.02. The Sangani Ranch Municipal Utility District
9 No. 1 of Grayson County includes all the territory contained in the
10 following area:

11 Tract 1

12 All that certain tract or parcel of land situated in the A. S. A.
13 Hartfield Survey, Abstract Number 490, Grayson County, Texas, and
14 being part of a called Tract No. 3 as described in a deed from Jack
15 A. Turpin to JMS & Co., a Texas General Partnership as recorded in
16 Volume 1963, Page 451, Deed Records of Grayson County, Texas, and
17 being more particularly described as follows:

18 Beginning at a 1/2" iron rod found in the south line of said Tract
19 No. 3 and in the east right-of-way line of State Highway 289 and
20 also in an asphalt road under apparent public use posted as Mackey
21 Road;

22 Thence North 00 Degrees 32 Minutes 59 Seconds West with the said
23 east monumented right-of-way line and generally with a fence line,
24 a distance of 114.58 feet to a right-of-way monument found for
25 corner;

26 Thence North 45 Degrees 35 Minutes 10 Seconds East with the said
27 east monumented right-of-way line and generally with a fence line,

1 a distance of 180.50 feet to a right-of-way monument found for
2 corner;
3 Thence North 40 Degrees 07 Minutes 07 Seconds East with the said
4 east right-of-way line and generally with a fence line, a distance
5 of 329.14 feet to a 1/2" capped iron rod set for corner;
6 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
7 east right-of-way line and generally with a fence line, a distance
8 of 1391.07 feet to a 1/2" capped iron rod set for corner;
9 Thence North 51 Degrees 15 Minutes 05 Seconds East with the said
10 east monumented right-of-way line and generally with a fence line,
11 a distance of 494.20 feet to a concrete monument for corner;
12 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
13 east right-of-way line and generally with a fence line, a distance
14 of 131.23 feet to a 1/2" capped iron rod set for corner;
15 Thence North 42 Degrees 32 Minutes 58 Seconds East with the said
16 east monumented right-of-way line and generally with a fence line,
17 a distance of 315.33 feet to a concrete monument for corner;
18 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
19 east right-of-way line and generally with a fence line, a distance
20 of 98.43 feet to a 1/2" capped iron rod set for corner;
21 Thence North 40 Degrees 15 Minutes 20 Seconds East with the said
22 east right-of-way line and generally with a fence line, a distance
23 of 354.85 feet to a 1/2" capped iron rod set for the north corner of
24 said Tract No. 3 and at the northwest corner of a called 26.14 acre
25 tract of land described in a deed to Penny S. Avery as recorded in
26 Volume 2670, Page 802, Deed Records of Grayson County, Texas;
27 Thence South 01 Degrees 16 Minutes 21 Seconds East with the east

1 line of said Tract No. 3 and with the west line of said 26.14 acre
2 tract and also with or near a fence line, passing a 1/2" iron rod
3 found at 2400.96 feet and continuing along said coarse for a total
4 distance of 2425.74 feet to a 60 D nail found at the southeast comer
5 of said Tract No. 3 and at the southwest corner of said 26.14 acre
6 tract and also in said asphalt road;

7 Thence South 89 Degrees 39 Minutes 37 Seconds West with the south
8 line of said Tract No. 3 and along said asphalt road, a distance of
9 2379.51 feet to the POINT OF BEGINNING and containing in total
10 69.234 acres of land and in the occupied road way and a total of
11 1.413 acres of land.

12 Tract 2

13 All that certain tract or parcel of land situated in the A. S. A.
14 Hartfield Survey, Abstract Number 490, Grayson County, Texas, and
15 being part of a called Tract No. 2 as described in a deed from Jack
16 A. Turpin to JMS & Co., a Texas General Partnership as recorded in
17 Volume 1963, Page 451, Deed Records of Grayson County, Texas, and
18 being more particularly described as follows:

19 Beginning at a 1/2" capped iron rod set at the southwest corner of
20 said Tract No. 2 and in an asphalt road under apparent public use
21 posted as Fallow Road and also in the west line of said Hartfield
22 Survey;

23 Thence North 00 Degrees 57 Minutes 46 Seconds East with the west
24 line of said Tract No. 2 and along said asphalt road most of the way
25 and also with the said west line, a distance of 1786.81 feet to a
26 1/2" capped iron rod set for corner in the southeast right-of-way
27 line of S.C. & S.F. RAILROAD;

1 Thence North 12 Degrees 29 Minutes 16 Seconds East with the west
2 line of said Tract No, 2 and with the said southeast right-of-way
3 line, a distance of 1260.61 feet to a 1/2" capped iron rod set for
4 corner at the start of a curve to the right having a radius of
5 3699.71 feet;

6 Thence with said curve to the right and with the said west line and
7 also with the said southeast right-of-way line an arc length of
8 991.94 feet and said curve having a chord bearing of North 20
9 Degrees 16 Minutes 14 Seconds East, a distance of 988.97 feet to a
10 1/2" capped iron rod set for corner at the start of a curve to the
11 right having a radius of 3772.73 feet;

12 Thence with said curve to the right and with the said west line and
13 also with the said southeast right-of-way line an arc length
14 1350.21 feet and said curve having a chord bearing of North 38
15 Degrees 02 Minutes 43 Seconds East, a distance of 1343.02 feet to a
16 60 D nail found at the northwest corner of said Tract No. 2 and in an
17 asphalt road under apparent public use posted as Savage Road;

18 Thence South 89 Degrees 33 Minutes 30 Seconds East with the north
19 line of said Tract No. 2 and along said asphalt road, a distance of
20 969.10 feet to a 60 D nail found for corner;

21 Thence South 89 Degrees 58 Minutes 51 Seconds East with the said
22 north line and along said asphalt road, a distance of 2702.37 feet
23 to a point for the northeast corner of said Tract No. 2 and in the
24 west right-of-way line of State Highway 289;

25 Thence South 00 Degrees 40 Minutes 28 Seconds West with the said
26 west monumented right-of-way line, a distance of 198.93 feet to a
27 1/2" iron rod found in concrete for corner;

1 Thence South 45 Degrees 35 Minutes 18 Seconds West with the said
2 west monumented right-of-way line and generally near a fence line,
3 a distance of 967.85 feet to a brass capped monument found for
4 corner;

5 Thence South 51 Degrees 18 Minutes 23 Seconds West with the said
6 west monumented right-of-way line and generally near a fence line,
7 a distance of 494.83 feet to a brass capped monument found for
8 corner;

9 Thence South 45 Degrees 49 Minutes 03 Seconds West with the said
10 west monumented right-of-way line and generally near a fence line,
11 a distance of 97.35 feet to a brass capped monument found for
12 corner;

13 Thence South 39 Degrees 52 Minutes 13 Seconds West with the said
14 west monumented right-of-way line and generally near a fence line,
15 a distance of 494.65 feet to a brass capped monument found for
16 corner;

17 Thence South 45 Degrees 35 Minutes 18 Seconds West with the said
18 west monumented right-of-way line and generally near a fence line,
19 a distance of 1205.10 feet to a brass capped monument found for
20 corner;

21 Thence South 51 Degrees 19 Minutes 11 Seconds West with the said
22 west monumented right-of-way line and generally near a fence line,
23 a distance of 329.75 feet to a brass capped monument found for
24 corner;

25 Thence South 45 Degrees 28 Minutes 36 Seconds West with the said
26 west monumented right-of-way line and generally near a fence line,
27 a distance of 98.33 feet to a brass capped monument found for

1 corner;
2 Thence South 48 Degrees 35 Minutes 13 Seconds West with the said
3 west monumented right-of-way line and generally near a fence line,
4 a distance of 315.45 feet to a brass capped monument found for
5 corner;
6 Thence South 45 Degrees 56 Minutes 27 Seconds West with the said
7 west monumented right-of-way line and generally near a fence line,
8 a distance of 130.31 feet to a brass capped monument found for
9 corner;
10 Thence South 39 Degrees 47 Minutes 37 Seconds West with the said
11 west monumented right-of-way line and generally near a fence line,
12 a distance of 495.56 feet to a brass capped monument found for
13 corner;
14 Thence South 45 Degrees 35 Minutes 13 Seconds West with the said
15 west monumented right-of-way line and generally near a fence line,
16 a distance of 1226.52 feet to a concrete monument found for corner;
17 Thence South 51 Degrees 18 Minutes 15 Seconds West with the said
18 west monumented right-of-way line and generally near a fence line,
19 a distance of 494.51 feet to a concrete monument found for corner;
20 Thence South 46 Degrees 15 Minutes 32 Seconds West with the said
21 west monumented right-of-way line and generally near a fence line,
22 a distance of 97.79 feet to a concrete monument found for corner;
23 Thence South 37 Degrees 09 Minutes 28 Seconds West with the said
24 west right-of-way line, a distance of 409.29 feet to a 1/2" capped
25 iron rod set at the southeast corner of said Tract No. 2;
26 Thence South 89 Degrees 39 Minutes 37 Seconds West with the south
27 line of said Tract No. 2, a distance of 261.85 feet to the POINT OF

1 BEGINNING and containing in total 278.933 acres of land and in the
2 occupied in roadway and a total of 6.477 acres of land.

3 Tract 3

4 All that certain tract or parcel of land situated in the A. S. A.
5 Hartfield Survey, Abstract Number 490, Grayson County, Texas, and
6 being all of a called Tract No. 1 and all of a called Tract No. 4 as
7 described in a deed from Jack A. Turpin to JMS & Co., a Texas General
8 Partnership as recorded in Volume 1963, Page 451, Deed Records of
9 Grayson County, Texas, and being more particularly described as
10 follows:

11 Beginning at a 1/2" capped iron rod set at the northwest corner of
12 said Tract No. 1 and at the northwest corner of said Hartfield
13 Survey and also in an asphalt road under apparent public use posted
14 as Fallow Road;

15 Thence South 89 Degrees 33 Minutes 30 Seconds East with the north
16 line of said Tract No. 1 and with the north line of said Hartfield
17 Survey, a distance of 1212.54 feet to a 60 D nail found for the
18 northeast corner of said Tract No. 4 and in an asphalt road under
19 apparent public use posted as Savage Road and in the northwest
20 right-of-way line of S.C. & S.F. RAILROAD and also in a curve to the
21 left having a radius of 3872.73 feet;

22 Thence with said curve to the left and with the said northwest
23 right-of-way line an arc length of 1276.90 feet and said curve
24 having a chord bearing of South 37 Degrees 14 Minutes 32 Seconds
25 West, a distance of 1271.12 feet to a 1/2" capped iron rod set for
26 corner at the start of a curve to the left having a radius of 3799.71
27 feet;

1 Thence with said curve to the left and with said northwest line an
2 arc length of 1018.75 feet and said curve having a chord bearing of
3 South 20 Degrees 16 Minutes 14 Seconds West, a distance of 1015.70
4 feet to a 1/2" capped iron rod set for corner;

5 Thence South 12 Degrees 29 Minutes 16 Seconds West with the said
6 northwest right-of-way line, a distance of 771.10 feet to a 60 D
7 nail set for the south corner of said Tract No. 1 and in said Fallow
8 Road and also in the west line of said Hartfield Survey;

9 Thence North 00 Degrees 57 Minutes 32 Seconds East with the west
10 line of said Tract No. 1 and with the said west line and also with
11 said Fallow Road, a distance of 1721.54 feet to a 60 D nail set for
12 corner;

13 Thence North 01 Degrees 57 Minutes 45 Seconds East with the west
14 line of said Tract No. 1 and with the said west line and also with
15 said Fallow Road, a distance of 866.75 feet to a 60 D nail set for
16 corner;

17 Thence North 06 Degrees 54 Minutes 43 Seconds East with the west
18 line of said Tract No. 1, a distance of 140.40 feet to the POINT OF
19 BEGINNING and containing in total 26.861 acres of land and in an
20 occupied road way and a total of 2.173 acres of land.

21 SECTION 7.03. (a) The legal notice of the intention to
22 introduce this article, setting forth the general substance of this
23 article, has been published as provided by law, and the notice and a
24 copy of this article have been furnished to all persons, agencies,
25 officials, or entities to which they are required to be furnished
26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
27 Government Code.

1 (b) The governor, one of the required recipients, has
2 submitted the notice and article to the Texas Commission on
3 Environmental Quality.

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

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

12 SECTION 7.04. This article takes effect September 1, 2007.

13 ARTICLE 8. FOUR SEASONS RANCH MUNICIPAL
14 UTILITY DISTRICT NO. 1 OF DENTON COUNTY

15 SECTION 8.01. Subtitle F, Title 6, Special District Local
16 Laws Code, is amended by adding Chapter 8208 to read as follows:

17 CHAPTER 8208. FOUR SEASONS RANCH MUNICIPAL UTILITY DISTRICT NO. 1
18 OF DENTON COUNTY

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 8208.001. DEFINITIONS. In this chapter:

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

22 (2) "Director" means a board member.

23 (3) "District" means the Four Seasons Ranch Municipal
24 Utility District No. 1 of Denton County.

25 Sec. 8208.002. NATURE OF DISTRICT. The district is a
26 municipal utility district in Denton County created under and
27 essential to accomplish the purposes of Section 59, Article XVI,

1 Texas Constitution.

2 Sec. 8208.003. CONFIRMATION ELECTION REQUIRED. If the
3 creation of the district is not confirmed at a confirmation
4 election held under Section 8208.024 before September 1, 2011:

5 (1) the district is dissolved September 1, 2011,
6 except that the district shall:

7 (A) pay any debts incurred;

8 (B) transfer to Denton County any assets that
9 remain after the payment of debts; and

10 (C) maintain the organization of the district
11 until all debts are paid and remaining assets are transferred; and

12 (2) this chapter expires September 1, 2014.

13 Sec. 8208.004. INITIAL DISTRICT TERRITORY. (a) The
14 district is initially composed of the territory described by
15 Section 9.02 of the article creating this chapter.

16 (b) The boundaries and field notes contained in Section 9.02
17 of the article creating this chapter form a closure. A mistake made
18 in the field notes or in copying the field notes in the legislative
19 process does not affect:

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

22 (2) the right of the district to impose taxes;

23 (3) the validity of the district's bonds, notes, or
24 other indebtedness; or

25 (4) the legality or operation of the board.

26 [Sections 8208.005-8208.020 reserved for expansion]

1 SUBCHAPTER A-1. TEMPORARY PROVISIONS

2 Sec. 8208.021. TEMPORARY DIRECTORS. (a) On or after
3 September 1, 2007, a person who owns land in the district may submit
4 a petition to the Texas Commission on Environmental Quality
5 requesting that the commission appoint as temporary directors the
6 five persons named in the petition.

7 (b) The commission shall appoint as temporary directors the
8 five persons named in the first petition received by the commission
9 under Subsection (a).

10 (c) If a temporary director fails to qualify for office, the
11 commission shall appoint a person to fill the vacancy.

12 (d) Temporary directors serve until the earlier of:

13 (1) the date directors are elected under Section
14 8208.024; or

15 (2) the date this subchapter expires under Section
16 8208.026.

17 Sec. 8208.022. ORGANIZATIONAL MEETING OF TEMPORARY
18 DIRECTORS. As soon as practicable after all the temporary
19 directors have qualified under Section 49.055, Water Code, the
20 temporary directors shall meet at a location in the district
21 agreeable to a majority of the directors. At the meeting the
22 temporary directors shall elect officers from among the temporary
23 directors and conduct any other district business.

24 Sec. 8208.023. CONSENT OF MUNICIPALITY REQUIRED. The
25 temporary directors may not hold an election under Section 8208.024
26 until each municipality in whose corporate limits or
27 extraterritorial jurisdiction the district is located, if any, has

1 adopted a resolution consenting to the creation of the district.

2 Sec. 8208.024. CONFIRMATION AND INITIAL DIRECTORS'
3 ELECTION. The temporary directors shall hold an election to
4 confirm the creation of the district and to elect five directors as
5 provided by Section 49.102, Water Code.

6 Sec. 8208.025. INITIAL ELECTED DIRECTORS; TERMS. The
7 directors elected under Section 8208.024 shall draw lots to
8 determine which two shall serve until the first regularly scheduled
9 election of directors and which three shall serve until the second
10 regularly scheduled election of directors.

11 Sec. 8208.026. EXPIRATION OF SUBCHAPTER. This subchapter
12 expires September 1, 2014.

13 [Sections 8208.027-8208.050 reserved for expansion]

14 SUBCHAPTER B. BOARD OF DIRECTORS

15 Sec. 8208.051. DIRECTORS; TERMS. (a) The district is
16 governed by a board of five directors.

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

18 Sec. 8208.052. ELECTION OF DIRECTORS. On the uniform
19 election date in May of each even-numbered year, the appropriate
20 number of directors shall be elected.

21 [Sections 8208.053-8208.100 reserved for expansion]

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8208.101. MUNICIPAL UTILITY DISTRICT POWERS AND
24 DUTIES. The district has the powers and duties provided by the
25 general law of this state, including Chapters 49 and 54, Water Code,
26 applicable to municipal utility districts created under Section 59,
27 Article XVI, Texas Constitution.

1 Sec. 8208.102. ROAD PROJECTS. (a) To the extent authorized
2 by Section 52, Article III, Texas Constitution, the district may
3 construct, acquire, improve, maintain, or operate macadamized,
4 graveled, or paved roads, or improvements in aid of those roads,
5 inside the district.

6 (b) A road project must meet or exceed all applicable
7 construction standards, zoning and subdivision requirements, and
8 regulatory ordinances of each municipality in whose corporate
9 limits or extraterritorial jurisdiction the district is located.

10 (c) The district may not undertake a road project unless
11 each municipality in whose corporate limits or extraterritorial
12 jurisdiction the district is located consents by ordinance or
13 resolution.

14 (d) The district shall, at its sole cost and expense,
15 maintain, improve, operate, and repair all roads constructed or
16 acquired by the district unless the municipality or county in which
17 a road is located voluntarily assumes the obligation. An
18 assumption of an obligation under this subsection is not valid or
19 binding unless the assumption is in writing, executed by the
20 necessary parties, and filed in the land records of the county in
21 which the road is located.

22 Sec. 8208.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR
23 RESOLUTIONS. The district shall comply with all applicable
24 requirements of any ordinance or resolution adopted by the
25 governing body of each municipality in whose corporate limits or
26 extraterritorial jurisdiction the district is located.

27 Sec. 8208.104. ANNEXATION OF LAND IN GRAYSON COUNTY. The

1 district may not annex land located in Grayson County without the
2 prior consent of the Commissioners Court of Grayson County.

3 Sec. 8208.105. DIVISION OF DISTRICT. (a) The district may
4 be divided into two new districts only if the district:

5 (1) has no outstanding bonded debt; and

6 (2) is not imposing ad valorem taxes.

7 (b) The division procedure is prescribed by Sections 53.030
8 through 53.041, Water Code.

9 (c) Any new district created by the division of the district
10 has all the powers and duties of the district.

11 (d) A new district, at the time it is created by the division
12 of the district, may not contain land outside the area described by
13 Section 9.02 of the article creating this chapter.

14 [Sections 8208.106-8208.150 reserved for expansion]

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 8208.151. TAX TO REPAY BONDS. The district may impose
17 a tax to pay the principal of and interest on bonds issued under
18 Section 8208.201.

19 [Sections 8208.152-8208.200 reserved for expansion]

20 SUBCHAPTER E. BONDS

21 Sec. 8208.201. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. (a) The district may issue bonds or other obligations
23 as provided by Chapters 49 and 54, Water Code, and to finance the
24 construction, maintenance, or operation of projects under Sections
25 8208.101 and 8208.102.

26 (b) The district may not issue bonds to finance projects
27 authorized by Section 8208.102 unless the issuance is approved by a

1 vote of a two-thirds majority of district voters voting at an
2 election called for that purpose.

3 (c) Bonds or other obligations issued or incurred to finance
4 projects authorized by Section 8208.102 may not exceed one-fourth
5 of the assessed value of the real property in the district.

6 SECTION 8.02. The Four Seasons Ranch Municipal Utility
7 District No. 1 of Denton County initially includes all the
8 territory contained in the following area:

9 All that certain tract or parcel of land situated in the Juana
10 Curbello Survey, Abstract Number 213, and the A. H. Gee Survey,
11 Abstract Number 1522, County of Denton, State of Texas, said tract
12 being all of a Tract, as described in deed to Sadot Venture, LTD ,
13 filed 03 December 2003, and recorded in clerk number 2003-195563,
14 and being all of a tract as described in deed to McKinney 17 Venture
15 L.T.D., filed 28 May 2002, and recorded in volume 3257 page 22 of
16 the Deed Records of the County of Grayson, State of Texas, and
17 recorded in volume 5094 page 2020 of the Deed Records of the County
18 of Denton, State of Texas, said tract being all of a Tract, as
19 described in deed to Sadot Venture, LTD , filed 17 December 2003,
20 and recorded in clerk number 2003-203006, and being all of a tract
21 as described in deed to Netzer Environmental Consulting, filed 28
22 May 2002, and recorded in volume 5094 page 2014 of the Deed Records
23 of the County of Denton, State of Texas and being more fully
24 described as follows:

25 Beginning for the southwest corner of the tract being described
26 herein at a found 1\2 inch rebar at the intersection of Garell Road
27 and Fritcher Road, said rebar being the southwest corner of said

1 Brock South tract;

2 Thence: North 00 degrees 32 minutes 08 seconds West, with the west
3 line of said Brock South tract, and with the center of said Garell
4 Road, a distance of 2487.12 feet to a found 1\2 inch rebar for an
5 angle point in the west line of said Brock South tract, same being
6 an angle point in said road;

7 Thence: North 00 degrees 01 minutes 19 seconds West, with the west
8 line of said Brock South tract, and with the center of said road, a
9 distance of 1439.64 feet to a found 1\2 inch rebar for the northwest
10 corner of said Brock South tract, same being a turn in said road;

11 Thence: North 86 degrees 29 minutes 35 seconds East, with the north
12 line of said Brock South tract, and with the center of said road, a
13 distance of 256.11 feet to a found 1\2 inch rebar for an ell corner
14 of this tract, and said rebar being the southwest corner of said
15 Street tract, same being a turn in said road, said rebar also being
16 an angle point in the north line of said Brock South tract;

17 Thence: North 02 degrees 34 seconds 12 seconds East, with the west
18 line of said Netzer tract, and with the center of said road, a
19 distance of 2019.60 feet to a point for an ell corner of this tract;

20 Thence: North 89 degrees 56 minutes 50 seconds East, a distance of
21 27.25 feet to a found 1\2 inch steel rebar for a corner of this
22 tract;

23 Thence: North 02 degrees 25 seconds 53 seconds East, with the west
24 line of said Venture tract, and with the east side of said road, a
25 distance of 1028.83 feet to a point for an ell corner of this tract;

26 Thence: North 89 degrees 53 minutes 08 seconds East, a distance of
27 521.59 feet to a found 1\2 inch rebar;

1 Thence: North 00 degrees 00 minutes 32 seconds East, with the west
2 line of said venture tract, a distance of 4225.1 feet to a found 1\2
3 inch steel square tubing for the northwest corner of said Venture
4 tract;

5 Thence: North 89 degrees 31 minutes 51 seconds East, with the north
6 line of said Venture tract, a distance of 866.39 feet to a set 1\2
7 inch steel square tubing for an ell corner of this tract;

8 Thence: South 00 degrees 06 minutes 09 seconds East, a distance of
9 18.01 feet to a set 1\2 inch steel square tubing for an ell corner of
10 this tract;

11 Thence: North 89 degrees 45 minutes 28 seconds East, with the north
12 line of said Brock North tract, and with the center of said road, a
13 distance of 1130.35 feet for a corner of this tract;

14 Thence: South 00 degrees 07 minutes 51 seconds East, with the
15 approximate location of the county line, a distance of 2818.67 feet
16 for a corner of this tract;

17 Thence: North 89 degrees 45 minutes 28 seconds East, with the
18 approximate location of the county line a distance of 2100.00 feet
19 for a corner of this tract;

20 Thence: South 89 degrees 59 minutes 54 seconds East, a distance of
21 244.55 feet to a found 1\2 inch steel square tubing, said tubing
22 being in the intersection of Merilee Road and County Road Number 10;

23 Thence: South 00 degrees 17 minutes 37 seconds East, with the
24 center of said road, a distance of 1409.82 feet to a found 1\2 inch
25 rebar;

26 Thence: South 00 degrees 18 minutes 38 seconds East, with the east
27 line of said Street tract, and with the center of said road, and

1 passing at 3031.32 feet the southeast corner of said Street tract,
2 same being the northeast corner of said Brock South tract, and
3 continuing on said course a total distance of 3071.37 feet to a
4 found 1\2 inch rebar for an angle point in said road;
5 Thence: South 00 degrees 23 minutes 56 seconds East, with the east
6 line of said Brock South tract, and with the center of said road, a
7 distance of 1104.84 feet to a found 1\2 inch rebar for the most
8 easterly southeast corner of said Brock South tract;
9 Thence: North 89 degrees 30 minutes 05 seconds West, a distance of
10 27.25 feet to a old wood fence corner post;
11 Thence: South 00 degrees 19 minutes 28 seconds East, with the east
12 line of said road, a distance of 1292.99 feet to a pipe fence corner
13 post for an ell corner of this tract;
14 Thence: North 89 degrees 31 minutes 21 seconds West, with the south
15 line of said Venture tract, a distance of 3326.78 feet to a pipe
16 fence corner post for an ell corner of said Venture South tract;
17 Thence: South 00 degrees 41 minutes 02 seconds East, a distance of
18 1534.63 feet to a found nail for the southeast corner of said
19 Venture tract, said nail being in the center of Fritcher Road;
20 Thence: North 89 degrees 30 minutes 14 seconds West, with the south
21 line of said Venture tract, and with the center of said road, a
22 distance of 527.38 feet to a found 1\2 inch rebar for an ell corner
23 of said Venture tract;
24 Thence: South 89 degrees 34 minutes 19 seconds West, with the south
25 line of said Venture tract, and with the center of said road, a
26 distance of 1437.85 feet to the POINT OF BEGINNING and containing
27 979.408 acres of land.

1 SECTION 8.03. (a) The legal notice of the intention to
2 introduce this article, setting forth the general substance of this
3 article, has been published as provided by law, and the notice and a
4 copy of this article have been furnished to all persons, agencies,
5 officials, or entities to which they are required to be furnished
6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7 Government Code.

8 (b) The governor, one of the required recipients, has
9 submitted the notice and article to the Texas Commission on
10 Environmental Quality.

11 (c) The Texas Commission on Environmental Quality has filed
12 its recommendations relating to this article with the governor, the
13 lieutenant governor, and the speaker of the house of
14 representatives within the required time.

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

19 SECTION 8.04. This article takes effect September 1, 2007.

David Sutherst

President of the Senate

Jon Craddock

Speaker of the House

I certify that H.B. No. 4069 was passed by the House on May 11, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4069 on May 24, 2007, by the following vote: Yeas 143, Nays 1, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 4069 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 31, Nays 0.

Datsy Spaw

Secretary of the Senate

APPROVED: 15 JUN 07

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7 PM O'CLOCK

JUN 15 2007

Roger Williams
Secretary of State