

AN ACT

relating to the creation of the Preston Summit Municipal Utility District No. 1 of Grayson County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8254 to read as follows:

CHAPTER 8254. PRESTON SUMMIT MUNICIPAL UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8254.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the Preston Summit Municipal Utility District No. 1 of Grayson County.

Sec. 8254.002. 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. 8254.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8254.023 before September 1, 2011:

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

1 (A) pay any debts incurred;

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

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

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

7 Sec. 8254.004. INITIAL DISTRICT TERRITORY. (a) The
8 district is initially composed of the territory described by
9 Section 2 of the Act creating this chapter.

10 (b) The boundaries and field notes contained in Section 2 of
11 the Act creating this chapter form a closure. A mistake made in the
12 field notes or in copying the field notes in the legislative process
13 does not affect:

14 (1) the organization, existence, or validity of the
15 district;

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

17 (3) the validity of the district's bonds, notes, or
18 indebtedness; or

19 (4) the legality or operation of the district or the
20 board.

21 [Sections 8254.005-8254.020 reserved for expansion]

22 SUBCHAPTER A-1. TEMPORARY PROVISIONS

23 Sec. 8254.021. TEMPORARY DIRECTORS. (a) On or after
24 September 1, 2007, a person who owns land in the district may submit
25 a petition to the Texas Commission on Environmental Quality
26 requesting that the commission appoint as temporary directors the
27 five persons named in the petition.

1 (b) The commission shall appoint as temporary directors the
2 five persons named in the first petition received by the commission
3 under Subsection (a).

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

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

7 (1) the date directors are elected under Section
8 8254.023; or

9 (2) the date this chapter expires under Section
10 8254.003.

11 Sec. 8254.022. ORGANIZATIONAL MEETING OF TEMPORARY
12 DIRECTORS. As soon as practicable after all the temporary
13 directors have qualified under Section 49.055, Water Code, the
14 temporary directors shall meet at a location in the district
15 agreeable to a majority of the directors. At the meeting, the
16 temporary directors shall elect officers from among the temporary
17 directors and conduct any other district business.

18 Sec. 8254.023. CONFIRMATION AND INITIAL DIRECTORS'
19 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
20 hold an election to confirm the creation of the district and to
21 elect five directors as provided by Section 49.102, Water Code.

22 (b) The temporary directors may not hold the election until
23 the City of Gunter has annexed into its corporate limits all
24 territory described by Section 2 of the Act creating this chapter.

25 Sec. 8254.024. INITIAL ELECTED DIRECTORS; TERMS. The
26 directors elected under Section 8254.023 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. 8254.025. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2014.

5 [Sections 8254.026-8254.050 reserved for expansion]

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8254.051. GOVERNING BODY; TERMS. (a) The district is
8 governed by a board of five directors.

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

10 [Sections 8254.052-8254.100 reserved for expansion]

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 8254.101. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 8254.102. WATER AND WASTEWATER FACILITIES AND
18 SERVICES. (a) The district shall make available any district water
19 or wastewater facility to each person that holds a certificate of
20 convenience and necessity for land in the district.

21 (b) The district may not provide retail water or wastewater
22 services.

23 Sec. 8254.103. ROAD PROJECTS. (a) To the extent authorized
24 by Section 52, Article III, Texas Constitution, the district may
25 construct, acquire, improve, maintain, or operate macadamized,
26 graveled, or paved roads or turnpikes, or improvements in aid of
27 those roads or turnpikes, inside the district.

1 (b) A road project must meet all applicable construction
2 standards, zoning and subdivision requirements, and regulations of
3 each municipality in whose corporate limits or extraterritorial
4 jurisdiction the district is located.

5 Sec. 8254.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
6 EXCLUDED FROM CITY. If the City of Gunter excludes district
7 territory from the city's corporate limits, the district shall
8 maintain, improve, operate, and repair any road located in that
9 territory in accordance with the ordinances and rules of each
10 political subdivision in whose jurisdiction the road is located.

11 Sec. 8254.105. DIVISION OF DISTRICT. (a) The district may
12 be divided into two new districts only if the district:

13 (1) has no outstanding bonded debt; and

14 (2) is not imposing ad valorem taxes.

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

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

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

21 (1) outside the area described by Section 2 of the Act
22 creating this chapter; or

23 (2) outside the corporate limits of the city of
24 Gunter.

25 Sec. 8254.106. COMPLIANCE WITH MUNICIPAL CONSENT
26 RESOLUTIONS. The district shall comply with all applicable
27 requirements of any ordinance or resolution adopted by the

1 governing body of each municipality in whose corporate limits or
2 extraterritorial jurisdiction the district is located.

3 Sec. 8254.107. LIMITATION ON ANNEXATION. (a) The district
4 may not add land to the district under Subchapter J, Chapter 49,
5 Water Code, if the land is located outside the corporate limits of
6 the city of Gunter.

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

9 [Sections 8254.108-8254.150 reserved for expansion]

10 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

11 Sec. 8254.151. TAX TO REPAY BONDS. The district may impose
12 a tax to pay the principal of or interest on bonds or other
13 obligations issued under Section 8254.201.

14 [Sections 8254.152-8254.200 reserved for expansion]

15 SUBCHAPTER E. BONDS

16 Sec. 8254.201. AUTHORITY TO ISSUE BONDS AND OTHER
17 OBLIGATIONS. (a) The district may issue bonds or other obligations
18 as provided by Chapters 49 and 54, Water Code, to finance the
19 construction, maintenance, or operation of a project under Section
20 8254.101 or 8254.103.

21 (b) The district may not issue bonds or other obligations to
22 finance projects authorized by Section 8254.103 unless the issuance
23 is approved by a vote of a two-thirds majority of the district
24 voters voting at an election held for that purpose.

25 (c) Bonds or other obligations issued or incurred to finance
26 projects authorized by Section 8254.103 may not exceed one-fourth
27 of the assessed value of the real property in the district.

1 SECTION 2. The Preston Summit Municipal Utility District
2 No. 1 of Grayson County includes all the territory contained in the
3 following area:

4 TRACT 1:

5 SITUATED in the County of Grayson, State of Texas, being a part of
6 the John Blundell Survey, Abstract No. 95, a part of the Orry A.
7 VanDusen Survey, Abstract, No. 1424, a part of the William P.
8 Johnson Survey, Abstract No. 628 and a part of the Daniel Lloyd
9 Survey, Abstract No. 706, being a part of the 709.93648 acre tract
10 of land (Tract Two) and a part of the "approximate" 68.3 acre tract
11 of land (Tract One), conveyed by Correction Warranty Deed from C. J.
12 Christie and wife, Mattie P. Christie, to Christie Farm, Ltd., on
13 February 12, 1993 (effective date: June 17, 1992), recorded in
14 Volume 2255, Page 516, Real Property Records, Grayson County,
15 Texas, and being more particularly described as one tract of land,
16 by metes and bounds as follows, to-wit:

17 BEGINNING at a 1/2 inch rebar set in the South line of said Blundell
18 Survey and the North line of the Asa Hartfield Survey, Abstract No.
19 490, at an angle point in the East line of the Tommy Allen, III,
20 537.375 ac. in Vol. 3187, Pg. 766, O.P.R.G.C.T., at the Southwest
21 corner of said Christie 709.93648 ac. and the Northwest corner of
22 the Sangani Properties, Ltd. 26.861 ac. (Tract 3) in Vol. 3684, Pg.
23 182, O.P.R.G.C.T., said rebar being in the West ditch of Fallon
24 Road, a "North-South" public road, and being 15.5 ft. West of the
25 center of the asphalt paving of Fallon Road, and being in-line with
26 the center of Savage Road, a public road to the East;

27 THENCE North 24 deg. 58 min. 30 sec. East, with the East line of said

1 Allen 537.375 ac., intersecting the center of the asphalt paving of
2 Fallon Road at about 100 ft., and continuing now with said center of
3 Fallon Road, leaving said center of road at about 2400, and
4 continuing for a total distance of 2457.37 ft. to a 1/2 inch rebar
5 set near the East edge of said asphalt paving of said road, in the
6 East line of said VanDusen Survey and the most Western West line of
7 said Johnson Survey, at an angle point in said East line of the
8 Allen 537.375 ac.;

9 THENCE North 01 deg. 50 min. 30 sec. East, with said East line of the
10 VanDusen Survey and then the most Eastern East line of the H.T. &
11 B.R.R. Survey, Abstract No. 605 and with said Western West line of
12 the Johnson Survey, intersecting the center of the asphalt paving
13 of Fallon Road at about 80 ft., and continuing now with said center
14 of Fallon Road, leaving said center of road at about 4800, and
15 continuing for a total distance of 5330.70 ft. to a 1/2 inch rebar
16 set in an "East-West" wire fence maintaining the South line of both
17 the John S. Thom (AKA.; John. S. Thorn) Survey, Abstract No. 1189
18 and the Phillip S. Wildman 183.689 ac. (Exhibit "A") in Vol. 2535,
19 Pg. 484, O.P.R.G.C.T., at the Northwest corner of both said Johnson
20 Survey and the Christie 709.93648 ac., the most Eastern Northeast
21 corner of said H.T. & B.R.R. Survey;

22 THENCE South 89 deg. 00 min. 22 sec. East, with the general course
23 of said wire fence maintaining said South line of the Thom Survey
24 and the North line of said Johnson Survey, a distance of 1618.98 ft.
25 to a 5/8 inch rebar found in concrete, at the Southeast base of a
26 crosstie corner post, at the Southeast corner of said Wildman
27 183.689 ac. and the Southwest corner of the Phillip Sherwood

1 Wildman and wife, Teresa Marie "Donohoe" Wildman 240.811 ac.
2 (Exhibit "A") in Vol. 2583, Pg. 538, O.P.R.G.C.T. ;
3 THENCE South 87 deg. 56 min. 05 sec. East, with the "scattered"
4 remains of an old fence, continuing with said South line of the Thom
5 Survey and said North line of the Johnson Survey, a distance of
6 2665.50 ft. to a spike nail found near the West base of a corner
7 post, in the center of an old "North-South" public road, now
8 abandoned, in the West line of both the Mary Miller Survey, Abstract
9 No. 775 and the Jack A. Turpin 233.480 ac. (Tract No. 1) in Vol.
10 1963, Pg. 436. R.P.R.G.C.T., at the Southeast corner of both the
11 Thom Survey and the Wildman 240.811 ac., the Northeast corner of
12 both the Johnson Survey and the Christie 709.93648 ac. ;
13 THENCE South 00 deg. 12 min. 02 sec. East, with the general course
14 of a wire fence along the center of said abandoned road, with said
15 West line of the Miller Survey and the East line of said Johnson
16 Survey, a distance of 1331.48 ft. to an 8 inch wood post maintaining
17 an angle point in the west line of said Turpin 233.480 ac. ;
18 THENCE South 17 deg. 23 min.. 18 sec. East, with a wire fence
19 maintaining the West line of said Turpin 233.480 ac., but not with
20 said Miller & Johnson Survey lines and not with the center of said
21 abandoned road, a distance of 301.70 ft. to an 8 inch wood post
22 maintaining another angle point in the West said Turpin 233.480 ac,
23 in the West line of said abandoned road ;
24 THENCE South 00 deg. 28 min. 22 sec. East, with the general course
25 of a wire fence maintaining the West line of said Turpin 233.480
26 ac., and along the West line of said abandoned road, a distance of
27 1461.48 ft. to a crosstie corner post maintaining the Southwest

H.B. No. 4099

1 corner of said Turpin 233.480 ac.;

2 THENCE South 89 deg. 20 min. 53 sec. East, with a wire fence
3 maintaining the South line of said Turpin 233.480 ac., a distance of
4 16.97 ft. to a 1/2 inch rebar found at the base of a corner post, in
5 the center of said abandoned road, in the East line of both said
6 Johnson Survey and the Christie 709.93648 Sc., the West line of said
7 Miller Survey, at the Northwest corner of the Edwin A. Trapp, Jr.
8 Revocable Trust, 278.389 ac. (Tract One Exhibit "A") in Vol. 2271,
9 Pg. 274, R.P.R.G.C.T.;

10 THENCE South 00 deg. 17 min. 02 sec. East, with the general course
11 of a wire fence along the center of said abandoned road, with said
12 West line of the Miller Survey and said East line of the Johnson
13 Survey, a distance of 1813.09 ft. to a 5/8 inch rebar found at the
14 base of a corner post, at the Southwest corner of said Miller
15 Survey, the most Western Southwest corner of said Trapp 278.389ac.
16 and the Northwest corner of both said Daniel Lloyd Survey and the
17 Christie 68.3 ac.;

18 THENCE North 89 deg. 30 min. 05 sec. East, with the general course
19 of a wire fence maintaining a South line of said Miller Survey and
20 the North line of both said Lloyd Survey and the Christie 68.3 ac.,
21 leaving said abandoned road at 17 ft., and continuing with said
22 fence, for a total distance 914.48 ft. to a 1/2 inch rebar found at
23 the base of a corner post, in the West right-of-way line of State
24 Hwy. 289, at the most Eastern Northeast corner of the herein
25 described tract;

26 THENCE Southwesterly, with the West right-of-way line of State Hwy.
27 289, the following calls and distances:

1 1. South 28 deg. 15 min. 55 sec. West, a distance of 774.73 ft. to a
2 point at the East base of fence post;

3 2. South 15 deg. 32 min. 08 sec. West, a distance of 251.91 ft. to a
4 point at the East base of a corner post, in North right-of-way line
5 of the St. Louis, San Francisco & Texas (Frisco) Railroad, at the
6 most Eastern Southeast corner of the herein described tract;

7 THENCE Southwesterly, with the North right-of-way line of said
8 Frisco Railroad, the following calls and distances:

9 1. South 76 deg. 48 min. 15 sec. West, a distance of 3250.09 ft. to a
10 point at the beginning of a curve;

11 2. Southwesterly, with a curve to the left having a central angle
12 (delta) of 29 deg. 09 min. 37 sec. and a radius of 3869.83 ft. (chord
13 bears South 62 deg. 13 min.. 27 sec. West, 1948.33 ft.), an arc
14 distance of 1969.52 ft. to a 1/2 inch rebar set in the center of said
15 Savage Road, in the South line of said Blundell Survey and the North
16 line of said Hartfield Survey, at the most Southern Southeast
17 corner of both the Christie 709.93648 ac. and the herein described
18 tract;

19 THENCE North 88 deg. 36 mm, 08 sec. West, with the center of Savage
20 Road and with said Survey lines, a distance of 1216.55 ft. to the
21 PLACE OF BEGINNING and containing 721.495 ACRES of land.

22 TRACT 2:

23 SITUATED in the County of Grayson, State of Texas, being a part of
24 the John Blundell Survey, Abstract No. 95, a part of the William P.
25 Johnson Survey, Abstract No. 628 and a part of the Daniel Lloyd
26 Survey, Abstract No. 706, being part of the 90.71166 acre tract of
27 land (Tract Three) and a part of the "approximate" 68.3 acre tract

1 of land (Tract One), conveyed by Correction Warranty Deed from C. J.
2 Christie and wife, Mattie P. Christie, to Christie Farm, Ltd., on
3 February 12, 1993 (effective date: June 17, 1992), recorded in
4 Volume 2255, Page 516, Real Property Records, Grayson County,
5 Texas, and being more particularly described as one tract of land,
6 by metes and bounds as follows, to-wit:

7 BEGINNING at a 1/2 inch rebar found in the West right-of-way line of
8 State Hwy. 289 and the center of Savage Road, a public road to the
9 West, in the most Southern South line of said Johnson Survey, in the
10 South line of said Christie 90.71166 ac. and the North line of the
11 Asa Hartfield Survey, Abstract No. 490, at the most Southern
12 Southeast corner of the herein described tract and the Northeast
13 corner of the Sangani Properties, Ltd. 278.933 ac. (Tract 2) in Vol.
14 3684, Pg. 182, O.P.R.G.C.T.;

15 THENCE Westerly, with the center of Savage Road, with the South line
16 of said Christie 90.71166 ac. and the North line of said Sangani
17 278.933 ac., the following calls and distances:

- 18 1. North 88 deg. 01 min. 29 sec. West, a distance of 2702.40 ft. to
19 an angle point;
- 20 2. North 88 deg. 36 min. 08 sec. West, 969.77 ft. to a 1/2 inch rebar
21 set in the South or Southeast right-of-way line of the St. Louis,
22 San Francisco & Texas (Frisco) Railroad, at the Southwest corner of
23 said Christie 90.71166 ac. and the Northwest corner of said Sangani
24 278.933 ac.;

25 THENCE Northeasterly, with the South or Southeast right-of-way line
26 of said Frisco Railroad, the following calls and distances:

- 27 1. Northeasterly, with a curve to the right having a central angle

1 (delta) of 27 deg. 32 min. 56 sec. and a radius of 3769.83 ft. (chord
2 bears North 61 deg, 01 min. 47 sec. East, 1795.20 ft.), an arc
3 distance of 1812.61 ft. to a point at the end of said curve;
4 2. North 76 deg. 48 min. 15 sec. East, a distance of 3195.27 ft. to a
5 point at the East base of a corner post, in the West right-of-way
6 line of State Hwy. 289, at the Northeast corner of the herein
7 described tract;
8 THENCE Southeasterly, with the West right-of-way line of State Hwy.
9 289. the following calls and distances:
10 1. South 15 deg. 32 min. 08 sec. West, a distance of 625.74 ft. to a
11 point on a concrete & brass monument, said point being North 38 deg.
12 West, 0.5 ft. from the center of said monument;
13 2. South 25 deg. 08 min. 43 sec. West, a distance of 632.15 ft. to a
14 point on a concrete & brass monument, said point being North 17 deg.
15 West, 0.3 ft. from the center of said monument;
16 3. South 41 deg. 35 min. 40 sec. West, a distance of 314.23 ft. to a
17 point on a concrete & brass monument, said point being North 21 deg.
18 West, 0.2 ft. from the center of said monument;
19 4. South 46 deg. 32 min. 40 sec. West, a distance of 251.92 ft. to a
20 point on a concrete & brass monument, in the North line of said
21 Savage Road, said point being North 47 deg. West, 0.2 ft. from the
22 center of said monument;
23 THENCE North 88 deg. 59 min. 29 sec. West, continuing with said West
24 right-of-way line of Hwy. 289, along a "flare-out in said
25 right-of-way and with the North line of Savage Road, a distance of
26 210.77 ft. to a point on a concrete & brass monument, said point
27 being 0.8 ft. South of the center of said monument;

1 THENCE South 01 deg. 37 min. 50 sec. West, again with said West
2 right-of-way line of Hwy. 289 and partially across Savage Road, a
3 distance of 33.58 ft. to the PLACE OF BEGINNING and containing
4 95.259 ACRES of land.

5 TRACT 3:

6 SITUATED in the County of Grayson, State of Texas, being a part of
7 the Daniel Lloyd Survey, Abstract No. 706, being a part of the
8 "approximate" 68.3 acre tract of land (Tract One), conveyed by
9 Correction Warranty Deed from C. J. Christie and wife, Mattie P.
10 Christie, to Christie Farm, Ltd., on February 12, 1993 (effective
11 date: June 17, 1992), recorded in Volume 2255, Page 516, Real
12 Property Records, Grayson County, Texas, and being more
13 particularly described by metes and bounds as follows, to-wit:

14 BEGINNING at a 1/2 inch rebar found in East right-of-way line of
15 State Hwy. 289 and the center of Strawn Road, an "East-West" public
16 road, in the North line of the Asa Hartfield Survey, Abstract No.
17 490, at the Southwest corner of both said Daniel Lloyd Survey and
18 the Christie 68.3 ac., the Southeast corner of the William P.
19 Johnson Survey, Abstract No. 628;

20 THENCE North 00 deg, 13 min. 14 sec. West, with the East
21 right-of-way line of said Hwy. 289, with the West line of both said
22 Daniel Lloyd Survey and the Christie 68.3 ac. and the East line of
23 said Johnson Survey, a distance of 180.01 ft. to a point in the
24 center of a concrete & brass monument, at an angle point in said
25 right-of-way;

26 THENCE Northeasterly, continuing with said East right-of-way line
27 of Hwy. 289, but not with said Survey lines, the following calls and

1 distances:

2 1. North 39 deg. 45 min. 23 sec. East, a distance of 104.24 ft. to a
3 point in the center of a concrete & brass monument at an angle
4 point;

5 2. North 46 deg. 32 min. 40 sec. East, a distance of 656.69 ft. to a
6 point at the beginning of a curve;

7 3. Northeasterly, with a curve to the left having a central angle
8 (delta) of 42 deg. 14 min. 00 sec. and a radius of 1482.21 ft. (chord
9 bears North 25 deg. 25 min. 40 sec. East, 1067.99 ft.), an arc
10 distance of 1092.55 ft. to a point at the end of said curve;

11 4. North 04 deg. 18 min. 40 sec. East, a distance of 75.10 ft. to a
12 1/2 inch rebar set in the South right-of-way line of the St. Louis,
13 San Francisco & Texas (Frisco) Railroad, at most Northern Northwest
14 corner of the herein described tract;

15 THENCE North 76 deg. 48 min. 15 sec. East, with the South
16 right-of-way line of said Frisco Railroad, a distance of 324.79 ft.
17 to a point in the East line of said Christie 68.3 ac. and a West line
18 of the Edwin A. Trapp, Jr. Revocable Trust, 278.389 ac. (Tract One,
19 Exhibit "A") in Vol. 2271, Pg. 274, R.P.R.G.C.T., at the Northeast
20 corner of the herein described tract;

21 THENCE South 00 deg. 09 min. 43 sec. East, with said West line of the
22 Trapp 278.389 ac., passing a crosstie corner post at 8 ft., and
23 continuing now with the general course of a wire fence, passing a
24 1/2 inch rebar found in fence at 1777.7 ft., passing a corner post
25 in the North line of Strawn Road and leaving said fence at about
26 1792 ft., and continuing for a total distance of 1816.60 ft. to a
27 point in the center of Strawn Road in the South line of said Daniel

1 Lloyd Survey and the North line of said Hartfield Survey, at the
2 Southeast corner of said Christie 68.3 ac. and the most Southern
3 Southwest corner of said Trapp 278.389 ac.;

4 THENCE South 89 deg. 37 min. 18 sec. West, with the center of Strawn
5 Road and with said Survey lines, a distance of 1328.26 ft. to the
6 PLACE OF BEGINNING and containing 29.764 ACRES of land.

7 TRACT 4:

8 SITUATED in the County of Grayson, State of Texas, being a part of
9 the Daniel Lloyd Survey, Abstract No. 706, being a part of the
10 "approximate" 68.3 acre tract of land (Tract One), conveyed by
11 Correction Warranty Deed from C. J. Christie and wife, Mattie P.
12 Christie, to Christie Farm, Ltd., on February 12, 1993 (effective
13 date: June 17, 1992), recorded in Volume 2255, Page 516, Real
14 Property Records, Grayson County, Texas, and being more
15 particularly described by metes and bounds as follows, to-wit:

16 BEGINNING at a point in the East right-of-way line of State Hwy.
17 289, in the North line of both said Daniel Lloyd Survey and the
18 Christie 68.3 ac., in the South line of the Mary Miller Survey,
19 Abstract No. 775 and a South line of the Edwin A. Trapp, Jr.
20 Revocable Trust, 278.389 ac. (Tract One, Exhibit "A") in Vol. 2271,
21 Pg. 274, R.P.R.G.C.T., at the Northwest corner of the herein
22 described tract, said point being 2.1 ft. West of a 1/2 inch rebar
23 found at the base of a corner post;

24 THENCE North 89 deg. 36 min. 08 sec. East, with said South line of
25 the Trapp 278.389 ac. and with said Survey lines, passing said rebar
26 at 2.1 ft., and continuing now with a wire fence, for a total
27 distance of 155.34 ft. to a 1/2 inch rebar found at the base of a

1 corner post, at the Northeast corner of said Christie 68.3 ac. and
2 an Ell corner of said Trapp 278.389 ac.;

3 THENCE South 00 deg. 09 min. 43 sec. East, with the general course
4 of a wire fence maintaining a West line of said Trapp 278.389 ac.
5 and the East line of said Christie 68.3 ft., a distance of 727.30
6 ft. to a point in the North right-of-way line of the St. Louis, San
7 Francisco & Texas (Frisco) Railroad, at the Southeast corner of the
8 herein described tract;

9 THENCE South 76 deg. 48 min. 15 sec. West with the North
10 right-of-way line of said Frisco Railroad, a distance of 316.39 ft.
11 to a concrete & brass monument found in said East right-of-way line
12 of State Hwy. 289, at the Southwest corner of the herein described
13 tract;

14 THENCE North 10 deg. 41 min. 06 sec. East, with the East
15 right-of-way line of State Hwy. 289, a distance of 812.53 ft. to the
16 PLACE OF BEGINNING and containing 3.995 ACRES of land.

17 SECTION 3. (a) The legal notice of the intention to
18 introduce this Act, setting forth the general substance of this
19 Act, has been published as provided by law, and the notice and a
20 copy of this Act have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

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

8 SECTION 4. This Act takes effect September 1, 2007.

David Beuhner

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 4099 was passed by the House on May 9, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 4099 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Antony 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

Roger Williams
Secretary of State