

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5-30-09

Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 3335 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

[Signature]
Kip Averitt

[Signature]
Bob Deuell

[Signature]
Robert Duncan

[Signature]
Carlos Uresti

[Signature]
On the part of the Senate Tommy Williams

[Signature]
Bill Callaghan

[Signature]
Harvey Hildebran

[Signature]
Doug Miller

[Signature]
Allan Ritter

[Signature]
On the part of the House John Zervas

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 3335

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the powers of conservation and reclamation districts
3 and water supply corporations and the creation and powers of
4 certain conservation and reclamation districts; providing
5 authority to impose taxes and issue bonds; granting limited
6 power of eminent domain.

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

8 ARTICLE 1. GENERAL LAW PROVISIONS

9 SECTION 1.01. Subsection (a), Section 35.007, Water Code,
10 is amended to read as follows:

11 (a) The executive director and the executive administrator
12 shall meet periodically to identify, based on information
13 gathered by the commission and the Texas Water Development
14 Board, those areas of the state that are experiencing or that
15 are expected to experience, within the immediately following 50-
16 year [~~25-year~~] period, critical groundwater problems, including
17 shortages of surface water or groundwater, land subsidence
18 resulting from groundwater withdrawal, and contamination of
19 groundwater supplies. Not later than September 1, 2005, the
20 commission, with assistance and cooperation from the Texas Water
21 Development Board, shall complete the initial designation of
22 priority groundwater management areas across all major and minor
23 aquifers of the state for all areas that meet the criteria for

1 that designation. The studies may be prioritized considering
2 information from the regional planning process, information from
3 the Texas Water Development Board groundwater management areas
4 and from groundwater conservation districts, and any other
5 information available. After the initial designation of
6 priority groundwater management areas, the commission and the
7 Texas Water Development Board shall annually review the need for
8 additional designations as provided by this subsection.

9 SECTION 1.02. Section 35.008, Water Code, is amended by
10 adding Subsection (j) to read as follows:

11 (j) The commission may adopt rules regarding:

12 (1) the creation of a district over all or part of a
13 priority groundwater management area that was designated as a
14 critical area under Chapter 35, Water Code, as that chapter
15 existed before September 1, 1997, or under other prior law; and

16 (2) the addition of all or part of the land in a
17 priority groundwater management area described by Subdivision
18 (1) to an existing district.

19 SECTION 1.03. Section 35.012, Water Code, is amended by
20 amending Subsections (b) and (c) and adding Subsections (d)
21 through (f) to read as follows:

22 (b) Except as provided under Section 35.013, within
23 ~~Within~~ two years, but no sooner than 120 days, from the date
24 on which the commission issues an order under Section 35.008
25 designating a priority groundwater management area, for those
26 areas that are not within a district, the commission shall[+]

27 [+1+] create one or more new districts under Section

1 36.0151[+]

2 [~~(2) recommend that the areas, or a portion of the~~
3 ~~areas, be added to an existing district under Section 35.013, or~~

4 [~~(3) take any combination of the actions under~~
5 ~~Subdivisions (1) and (2)].~~

6 (c) Except as provided by Subsection (d), a district
7 created under Section 36.0151 must be composed of territory
8 within two or more contiguous counties, unless the commission
9 determines that a district composed of territory within
10 noncontiguous counties will result in more effective or
11 efficient groundwater management than other legal options
12 available to the commission.

13 (d) A district created under Section 36.0151 may be
14 composed of territory that exists within the boundaries of a
15 single county only if:

16 (1) the territory within the single county is the
17 only area within the designated priority groundwater management
18 area that is not within a district; or

19 (2) there are other areas within the designated
20 priority groundwater management area, but:

21 (A) the other areas are not contiguous to the
22 territory; and

23 (B) the commission determines that creating a
24 single district composed of two or more of the noncontiguous
25 areas, including the territory, would result in less effective
26 or less efficient management of groundwater resources in the
27 territory than creating a district composed of the territory

1 within the single county.

2 (e) For purposes of this section, the commission may
3 consider territory in two separately designated priority
4 groundwater management areas to be within the same designated
5 priority groundwater management area if:

6 (1) the priority groundwater management areas share a
7 common boundary and one or more common aquifers; and

8 (2) the commission determines that a district
9 composed of territory within the two areas will result in more
10 effective or efficient groundwater management than other legal
11 options available to the commission.

12 (f) Following the issuance of a commission order under
13 Section 35.008, the Texas Agricultural Extension Service shall
14 begin an educational program within such areas with the
15 assistance and cooperation of the Texas Water Development Board,
16 the commission, the Department of Agriculture, other state
17 agencies, and existing districts to inform the residents of the
18 status of the area's water resources and management options
19 including possible formation of a district. The county
20 commissioners court of each county in the priority groundwater
21 management area shall form a steering committee to provide
22 assistance to the Texas Agricultural Extension Service in
23 accomplishing the goals of the education program within the
24 area.

25 SECTION 1.04. Subsections (b), (c), (h), and (i), Section
26 35.013, Water Code, are amended to read as follows:

27 (b) The commission shall submit a copy of the order to the

1 board of the district to which it is recommending the priority
2 groundwater management area be added. The board shall vote not
3 later than the 120th day after receiving the copy of the order
4 from the commission on the addition of the priority groundwater
5 management area to the district and shall advise the commission
6 of the outcome.

7 (c) If the board votes to accept the addition of the
8 priority groundwater management area to the district, the board:

9 (1) may request the Texas Agricultural Extension
10 Service, the commission, and the Texas Water Development Board,
11 with the cooperation and assistance of the Department of
12 Agriculture and other state agencies, to administer an
13 educational program to inform the residents of the status of the
14 area's water resources and management options including possible
15 annexation into a district;

16 (2) shall call an election to be held not later than
17 the 270th day after the date of the board's vote under
18 Subsection (b) within the priority groundwater management area,
19 or portion of the priority groundwater management area, as
20 delineated by the commission to determine whether [~~if~~] the
21 priority groundwater management area will be added to the
22 district; and

23 (3) shall designate election precincts and polling
24 places for the elections in the order calling an election under
25 this subsection.

26 (h) If the proposition is defeated, or if the board of the
27 existing district votes not to accept the addition of the area

1 to the district, then the commission shall, except as provided
2 under Subsection (i), create under Section 36.0151 one or more
3 districts covering the priority groundwater management area not
4 later than the later of:

5 (1) the second anniversary of the date on which the
6 commission issued its order under Section 35.008 designating a
7 priority groundwater management area; or

8 (2) the 180th day after the date described under
9 Subdivision (1) if the legislature is in session on the date
10 described under Subdivision (1) and a bill has been filed and is
11 pending before the legislature to create a district in all or
12 part of the area or to add all or part of the area to an
13 existing district [~~the first anniversary of the date on which~~
14 ~~the proposition is defeated or the board votes not to accept the~~
15 ~~area)].~~

16 (i) In creating a district under Section 36.0151, the
17 commission may modify the recommendation issued in its order for
18 district creation under Section 35.008 to reflect the failure of
19 an area to be added to an existing district or to account for
20 the creation of any new districts or the addition of any other
21 territory in the priority groundwater management area to an
22 existing district during the intervening period, provided,
23 however, that such modification does not affect the deadlines
24 for district creation under Section 35.012 or this section. For
25 an area that is not feasible for the creation of one or more
26 districts as determined in the commission's findings under
27 Section 35.008, the commission shall include in its report under

1 Section 35.018 recommendations for the future management of the
2 priority groundwater management area.

3 SECTION 1.05. Section 36.1072, Water Code, is amended by
4 amending Subsections (a) and (e) and adding Subsection (e-1) to
5 read as follows:

6 (a) Except as provided by Subsection (e-1), a [A] district
7 shall, not later than three years after the creation of the
8 district or, if the district required confirmation, after the
9 election confirming the district's creation, submit the
10 management plan required under Section 36.1071 to the executive
11 administrator for review and approval.

12 (e) The district may review the plan annually and must
13 review and readopt the plan with or without revisions at least
14 once every five years. Except as provided by Subsection (e-1),
15 the [~~The~~] district shall provide the readopted plan to the
16 executive administrator not later than the 60th day after the
17 date on which the plan was readopted. Approval of the preceding
18 management plan remains in effect until:

19 (1) the district fails to timely readopt a management
20 plan;

21 (2) the district fails to timely submit the
22 district's readopted management plan to the executive
23 administrator; or

24 (3) the executive administrator determines that the
25 readopted management plan does not meet the requirements for
26 approval, and the district has exhausted all appeals to the
27 Texas Water Development Board or appropriate court.

1 (e-1) If a district is required to submit a management
2 plan under Subsection (a) or a readopted management plan under
3 Subsection (e) on a date that is before the first anniversary of
4 the date the executive administrator provides to the district
5 under Section 36.108(o) an amount of managed available
6 groundwater, the district may adopt and submit to the executive
7 administrator a resolution delaying the due date for a new or
8 readopted plan to a date not later than the first anniversary of
9 the last date the district receives an amount of managed
10 available groundwater from the executive administrator in lieu
11 of the applicable deadline under Subsection (a) or (e). A
12 district that elects to delay submission of a new or readopted
13 plan under this subsection may not adopt a new rule or amend an
14 existing rule limiting production from wells or allocating
15 groundwater until the district submits to the executive
16 administrator the management plan or readopted plan as provided
17 by this subsection. This subsection expires September 1, 2013.

18 SECTION 1.06. Subchapter D, Chapter 36, Water Code, is
19 amended by adding Section 36.1165 to read as follows:

20 Sec. 36.1165. RESTRICTION ON DRILLING OF WELLS NEAR
21 CERTAIN RIVERS AND THEIR TRIBUTARIES. A person may not drill a
22 well in the portion of the territory of a district that is
23 located within 100 feet of the gradient boundary of those
24 reaches of the Frio, West Nueces or Nueces Rivers or any
25 perennially flowing tributary of one of those rivers located
26 within the boundaries of the Real Edwards Conservation and
27 Reclamation District unless the well is:

1 (1) exempt from the permitting requirements of
2 Section 36.117(b)(1); and

3 (2) drilled, completed, or equipped so that it is
4 incapable of producing more than:

5 (A) 10 gallons of groundwater per minute; or

6 (B) 16 acre-feet of groundwater per year.

7 SECTION 1.07. Section 49.101, Water Code, is amended to
8 read as follows:

9 Sec. 49.101. GENERAL. (a) All elections shall be
10 generally conducted in accordance with the Election Code except
11 as otherwise provided for by this code.

12 (b) Write-in candidacies for any district office shall be
13 governed by Subchapter C, Chapter 146, Election Code.

14 (c) The board may contract with a person to serve as the
15 district's agent in the same manner as another officer or
16 employee of the district under Section 31.123, Election Code.

17 (d) Sections 32.009 and 42.002, Election Code, do not
18 apply to an election held by a district.

19 (e) Notwithstanding the requirements of Section 32.051,
20 Election Code, to serve as an election judge in an election held
21 by a district, a person must be a registered voter of the county
22 in which the district is located.

23 (f) Notwithstanding Sections 61.012 and 61.013, Election
24 Code, a district is exempt from the acquisition, lease, or use
25 of an electronic voting system for an election if:

26 (1) the election is a confirmation election or an
27 election held jointly with a confirmation election on the same

1 date and in conjunction with the confirmation election, except
2 for an election in which a federal office appears on the ballot;

3 (2) the most recently scheduled district directors
4 election was not held, as provided by Section 2.053(b), Election
5 Code; or

6 (3) fewer than 250 voters voted at the most recently
7 held district directors election.

8 (g) A district eligible for the exemption under Subsection
9 (f) must publish notice in a periodical of general circulation
10 in an area that includes the district and mail notice to each
11 voter in the district regarding the district's intention to hold
12 an election without providing a voting station that meets the
13 requirements for accessibility under 42 U.S.C. Section
14 15481(a)(3) on election day and during the period for early
15 voting by personal appearance. The notice must provide that any
16 voter in the district may request the use of a voting station
17 that meets those requirements to accommodate voting by a person
18 with a disability and provide information on how to submit such
19 a request. On receiving such a request, the district shall
20 comply with the request.

21 SECTION 1.08. Subchapter D, Chapter 49, Water Code, is
22 amended by adding Section 49.1045 to read as follows:

23 Sec. 49.1045. JOINT ELECTIONS WITH COUNTIES. (a) This
24 section applies only to a district with 10 or fewer registered
25 voters.

26 (b) A district that holds an election jointly with a
27 county in which the district is wholly or partly located may

1 provide for a certification of the voting results if the
2 election results indicate that there were more votes cast in the
3 election than the number of registered voters in the district.
4 To certify the district votes, the district may have each person
5 whose signature is on the sign-in sheet for the joint election
6 certify the manner in which the person voted in the election and
7 that the person was a qualified voter on the day of the
8 election, and the certified votes shall be used as the official
9 election results.

10 SECTION 1.09. Section 49.107, Water Code, is amended by
11 adding Subsection (i) to read as follows:

12 (i) Section 375.161, Local Government Code, does not apply
13 to an impact fee, tax, or other requirement for payment for
14 water, sewer, drainage, reclamation, flood control, road, or
15 park and recreational services or improvements of a district
16 that provides, or proposes to provide, those services or
17 improvements.

18 SECTION 1.10. Section 49.108, Water Code, is amended by
19 adding Subsections (g), (h), (i), and (j) to read as follows:

20 (g) Not later than the 10th day before the date an
21 election is held to authorize a contract, a substantially final
22 form of the contract must be filed in the office of the district
23 and must be open to inspection by the public. The contract is
24 not required to be attached as an exhibit to the order calling
25 the election to authorize the contract.

26 (h) A single contract may contain multiple purposes or
27 facilities authorized by one or more constitutional provisions.

1 A contract described by this subsection may be submitted for
2 approval in a single proposition at an election.

3 (i) A contract between districts for the provision of
4 facilities or services is not required to specify the maximum
5 amount of bonds or expenditures authorized under the contract if
6 the contract provides that the service area cannot be enlarged
7 without the consent of at least two-thirds of the districts that
8 are included in the service area or served by the facilities or
9 services provided for in the contract.

10 (j) A contract may generally describe the facilities to be
11 acquired or financed by the district without reference to
12 specific constitutional provisions.

13 SECTION 1.11. Section 49.151(c), Water Code, is amended to
14 read as follows:

15 (c) The board may allow disbursements of district money to
16 be transferred by federal reserve wire system or by electronic
17 means. The board by resolution may allow the wire or electronic
18 transfers to accounts in the name of the district or accounts
19 not in the name of the district.

20 SECTION 1.12. Section 49.194, Water Code, is amended by
21 amending Subsections (a) and (b) and adding Subsection (h) to
22 read as follows:

23 (a) Except as provided by Subsection (h), after [~~After~~]
24 the board has approved the audit, it shall submit a copy of the
25 report to the executive director for filing within 135 days
26 after the close of the district's fiscal year.

27 (b) Except as provided by Subsection (h), if [~~If~~] the

1 board refuses to approve the annual audit report, the board
2 shall submit a copy of the report to the executive director for
3 filing within 135 days after the close of the district's fiscal
4 year, accompanied by a statement from the board explaining the
5 reasons for its failure to approve the report.

6 (h) A special water authority shall submit a copy of the
7 report to the executive director for filing within 160 days
8 after the close of the special water authority's fiscal year.

9 SECTION 1.13. Section 49.213, Water Code, is amended by
10 amending Subsection (c) and adding Subsection (d) to read as
11 follows:

12 (c) A district may enter into contracts, which may be of
13 unlimited duration, with persons or any public or private
14 entities on the terms and conditions the board may consider
15 desirable, fair, and advantageous for:

16 (1) the purchase or sale of water;

17 (2) the collection, transportation, treatment, and
18 disposal of its domestic, industrial, and communal wastes or the
19 collection, transportation, treatment, and disposal of domestic,
20 industrial, and communal wastes of other persons;

21 (3) the gathering, diverting, and control of local
22 storm water, or other local harmful excesses of water;

23 (4) the continuing and orderly development of the
24 land and property within the district through the purchase,
25 construction, or installation of works, improvements,
26 facilities, plants, equipment, and appliances that the district
27 may otherwise be empowered and authorized to do or perform so

1 that, to the greatest extent reasonably possible, considering
2 sound engineering and economic practices, all of the land and
3 property may be placed in a position to ultimately receive the
4 services of the works, improvements, plants, facilities,
5 equipment, and appliances;

6 (5) the maintenance and operation of any works,
7 improvements, facilities, plants, equipment, and appliances of
8 the district or of another person or public or private entity;

9 (6) the collection, treatment, and disposal of
10 municipal solid wastes; ~~and~~

11 (7) the establishment, administration, and
12 enforcement of a groundwater reduction plan to comply with
13 regulatory requirements of a political subdivision whose main
14 office is located in a county with a population of more than 3.3
15 million or in a county adjacent to such a county; and

16 (8) the exercise of any other rights, powers, and
17 duties granted to a district.

18 (d) A written contract between a district and any person,
19 including any public or private entity, for the provision of
20 goods or services to the district, including a contract entered
21 into with a governmental entity, other than a county, under
22 Subsection (c)(7), is a contract subject to Subchapter I,
23 Chapter 271, Local Government Code. The district and any
24 person, including any public or private entity, waive sovereign
25 immunity to suit for the purpose of adjudicating a claim for a
26 breach of the contract, subject to the terms and conditions of
27 Subchapter I, Chapter 271, Local Government Code.

1 SECTION 1.14. Section 49.216, Water Code, is amended by
2 amending Subsection (e) and adding Subsection (f) to read as
3 follows:

4 (e) Any peace officer who is directly employed by a
5 district, before beginning to perform any duties and at the time
6 of appointment, must take an oath and execute a bond conditioned
7 on faithful performance of such officer's duties in the amount
8 of \$1,000 payable to the district. The oath and the bond shall
9 be filed in the district office.

10 (f) A peace officer contracted for by the district,
11 individually or through a county, sheriff, constable, or
12 municipality, is an independent contractor, and the district is
13 responsible for the acts or omissions of the peace officer only
14 to the extent provided by law for other independent contractors.

15 SECTION 1.15. Section 49.273(d), Water Code, is amended to
16 read as follows:

17 (d) For contracts over \$50,000, the board shall advertise
18 the letting of the contract, including the general conditions,
19 time, and place of opening of sealed bids. The notice must
20 ~~[shall]~~ be published in one or more newspapers circulated in
21 each county in which part of the district is located. If one
22 newspaper meets both of these requirements, publication in such
23 newspaper is sufficient. If there are more than four counties
24 in the district, notice may be published in any newspaper with
25 general circulation in the district. The notice must ~~[shall]~~ be
26 published once a week for two consecutive weeks before the date
27 that the bids are opened, and the first publication must ~~[shall]~~

1 be not later than the 14th [~~21st~~] day before the date of the
2 opening of the sealed bids.

3 SECTION 1.16. Section 49.351, Water Code, is amended by
4 amending Subsections (a), (b), (c), (f), (i), and (l) and adding
5 Subsection (m) to read as follows:

6 (a) A district providing potable water or sewer service to
7 household users may establish, operate, and maintain, finance
8 with ad valorem taxes, mandatory fees, or voluntary
9 contributions, and issue bonds for a fire department to perform
10 all fire-fighting services within the district as provided in
11 this subchapter and may provide for [~~issue bonds or impose a~~
12 ~~mandatory fee, with voter approval, for financing a plan~~
13 ~~approved in accordance with this section, including~~] the
14 construction and purchase of necessary buildings, facilities,
15 land, and equipment and the provision of an adequate water
16 supply.

17 (b) After complying with the requirements of this section
18 [~~approval of the district electors of a plan to operate, jointly~~
19 ~~operate, or jointly fund the operation of a fire department, and~~
20 ~~after complying with Subsections (g), (h), and (i)~~], the
21 district or districts shall provide an adequate system and water
22 supply for fire-fighting purposes, may purchase necessary land,
23 may construct and purchase necessary buildings, facilities, and
24 equipment, and may employ or contract with a fire department to
25 employ all necessary personnel including supervisory personnel
26 to operate the fire department.

27 (c) Bonds shall be authorized and may be issued and ad

1 valorem taxes shall be authorized and may be imposed for
2 financing a plan approved in accordance with this section [~~shall~~
3 ~~be authorized and may be issued, and a district shall be~~
4 ~~authorized to levy a tax to pay the principal of and interest on~~
5 ~~such bonds,~~] as provided by law for authorization and issuance
6 of other bonds and authorization and imposition of other ad
7 valorem taxes of the district.

8 (f) Before a district imposes an ad valorem tax or issues
9 bonds payable wholly or partly from ad valorem taxes to finance
10 the establishment of [~~establishes~~] a fire department, a contract
11 [~~contracts~~] to operate a joint fire department, or a contract
12 [~~contracts~~] with another person to perform fire-fighting
13 services within the district, the district must comply with the
14 provisions of Subsections (g), (h), and (i). A district that
15 funds fire-fighting services with revenue, including mandatory
16 fees or voluntary contributions, is not required to comply with
17 the provisions of Subsection (g), (h), or (i).

18 (i) After approval of a plan by the commission, the
19 district shall submit to the electors of the district at the
20 election to approve bonds payable wholly or partly from ad
21 valorem taxes or to impose ad valorem taxes [~~to impose a~~
22 ~~mandatory fee~~] for financing the plan, [~~or if no bonds or fees~~
23 ~~are to be approved, at an election called for approval of the~~
24 ~~plan,~~] which may be held in conjunction with an election
25 required by Section 49.102, the proposition of whether or not
26 the plan should be implemented or entered into by the district.
27 [~~The ballots at the election shall be printed, as applicable, to~~

1 ~~provide for voting for or against the proposition: "The~~
2 ~~implementation of the plan for (operation/joint operation) of a~~
3 ~~fire department"; or "The plan and contract to provide fire-~~
4 ~~fighting services for the district."]~~

5 (1) A [~~Notwithstanding the requirements of Subsections~~
6 ~~(a)-(j), a]~~ district providing potable water or sewer service to
7 household users may as part of its billing process collect from
8 its customers a voluntary contribution on behalf of
9 organizations providing fire-fighting services to the district.
10 A district that chooses to collect a voluntary contribution
11 under this subsection must give reasonable notice to its
12 customers that the contribution is voluntary. Water and sewer
13 service may not be terminated as a result of failure to pay the
14 voluntary contribution.

15 (m) Notwithstanding Subsection (l), if a customer makes a
16 partial payment of a district bill for water or sewer service
17 and includes with the payment a voluntary contribution for fire-
18 fighting services, the district shall apply the voluntary
19 contribution first to the bill for water or sewer service,
20 including any interest or penalties imposed. Any amount
21 remaining shall be used for fire-fighting services.

22 SECTION 1.17. Section 49.4645(a), Water Code, is amended
23 to read as follows:

24 (a) A district all or part of which is located in Bastrop
25 County, Bexar County, Waller County, Travis County, Williamson
26 County, Harris County, Galveston County, Brazoria County,
27 Montgomery County, or Fort Bend County may issue bonds supported

1 by ad valorem taxes to pay for the development and maintenance
2 of recreational facilities only if the bonds are authorized by a
3 majority vote of the qualified voters of the district voting in
4 an election held for that purpose. The outstanding principal
5 amount of bonds, notes, and other obligations issued to finance
6 parks and recreational facilities supported by ad valorem taxes
7 ~~[payable from any source]~~ may not exceed an amount equal to one
8 percent of the value of the taxable property in the district as
9 shown by the tax rolls of the central appraisal district at the
10 time of the issuance of the bonds, notes, and other obligations
11 or an amount greater than the estimated cost provided in the
12 park plan under Subsection (b), whichever is smaller. The
13 district may not issue bonds supported by ad valorem taxes to
14 pay for the development and maintenance of:

15 (1) indoor or outdoor swimming pools; or

16 (2) golf courses.

17 SECTION 1.18. Section 51.523, Water Code, is amended to
18 read as follows:

19 Sec. 51.523. BALLOTS. The ballot for an election under
20 this subchapter shall be printed to provide for voting for or
21 against defining the area to be taxed or designating the
22 property to be served, affected, and taxed and, if applicable,
23 issuing bonds and imposing a tax to retire the bonds or imposing
24 a maintenance tax not to exceed the rate, which must be
25 specified in the ballot proposition, provided by the proposed
26 plan of taxation. ~~[substantially the proposition: "Designation~~
27 ~~of the area, issuance of bonds, and levy of a tax to retire the~~

1 ~~bonds."~~]

2 SECTION 1.19. Section 51.527, Water Code, is amended by
3 adding Subsection (c) to read as follows:

4 (c) Unless a maintenance tax is imposed in the defined
5 area or on the designated property, once bonds issued for the
6 defined area or designated property are paid off or defeased,
7 the board may declare the defined area dissolved or may repeal
8 the designation of the designated property, at which time the
9 board shall cease imposing taxes on the property located in the
10 defined area or on the designated property.

11 SECTION 1.20. Section 54.016(f), Water Code, is amended to
12 read as follows:

13 (f) This subsection does not apply to a city or a district
14 that is located in whole or in part in a county with a
15 population of more than 3.3 million or a county adjacent to a
16 county with a population of more than 3.3 million. A city may
17 provide in its written consent for the inclusion of land in a
18 district that a contract ("allocation agreement") between the
19 district and the city be entered into prior to the first issue
20 of bonds, notes, warrants, or other obligations of the district.
21 The allocation agreement shall contain the following provisions:

22 (1) a method by which the district shall continue to
23 exist following the annexation of all territory within the
24 district by the city, if the district is initially located
25 outside the corporate limits of the city;

26 (2) an allocation of the taxes or revenues of the
27 district or the city which will assure that, following the date

1 of the inclusion of all the district's territory within the
2 corporate limits of the city, the total annual ad valorem taxes
3 collected by the city and the district from taxable property
4 within the district does not exceed an amount greater than the
5 city's ad valorem tax upon such property;

6 (3) an allocation of governmental services to be
7 provided by the city or the district following the date of the
8 inclusion of all of the district's territory within the
9 corporate limits of the city;

10 (4) such other terms and conditions as may be deemed
11 appropriate by the city.

12 SECTION 1.21. Section 54.236, Water Code, is amended to
13 read as follows:

14 Sec. 54.236. STREET OR SECURITY LIGHTING. Subject to the
15 provisions of this section, a district may purchase, install,
16 operate, and maintain street lighting or security lighting
17 within public utility easements or public rights-of-way or
18 property owned by the district [~~within the boundaries of the~~
19 ~~district~~]. A district, other than a district exercising powers
20 under Section 54.234 or Subchapter N, Chapter 49, may not issue
21 bonds supported by ad valorem taxes to pay for the purchase,
22 installation, and maintenance of street or security lighting.

23 SECTION 1.22. Section 54.739, Water Code, is amended to
24 read as follows:

25 Sec. 54.739. SUBSTITUTING PROPERTY [~~LAND~~] OF EQUAL VALUE.
26 After the district is organized and has obtained voter approval
27 for the issuance of, or has sold, bonds payable wholly or partly

1 from ad valorem taxes, property [~~acquires facilities with which~~
2 ~~to function for the purposes for which it was organized, and~~
3 ~~votes, issues and sells bonds for such purposes, land~~] within
4 the district boundaries subject to taxation that does not need
5 or utilize the services of the district may be excluded and
6 other property [~~land~~] not within the boundaries of the district
7 may be included within the boundaries of the district without
8 impairment of the security for payment of [~~the~~] bonds or
9 invalidation of any prior bond election, as provided by this
10 section and Sections 54.740 through 54.747.

11 SECTION 1.23. Section 54.744, Water Code, is amended to
12 read as follows:

13 Sec. 54.744. IMPAIRMENT OF SECURITY. (a) For purposes of
14 the board's consideration of the applications, the lands
15 proposed for inclusion shall be deemed to be sufficient to avoid
16 an impairment of the security for payment of obligations of the
17 district if:

18 (1) according to the most recent tax roll of the
19 district or the most recently certified estimates of taxable
20 value from the chief appraiser of the appropriate appraisal
21 district, the taxable value of such included lands equals or
22 exceeds the taxable value of the excluded lands;

23 (2) either the estimated costs of providing district
24 facilities and services to such included lands is equal to or
25 less than the estimated costs of providing district facilities
26 and services to the excluded lands or any increased estimated
27 costs of providing district facilities and services to the

1 included land, as determined by the district's engineer, can be
2 amortized at prevailing bond interest rates and maturity
3 schedules and the prevailing debt service tax rate of the
4 district, as determined by the district's professional financial
5 advisor, when applied to the increase in taxable value of the
6 included land over the taxable value of the excluded land; and

7 (3) with respect only to a district with [~~the~~
8 ~~district's~~] outstanding bonds or contract obligations [~~are~~]
9 payable in whole or in part by a pledge of net revenues from the
10 ownership or operation of the district's facilities, [~~and~~] the
11 projected net revenues to be derived from the property [~~lands~~]
12 to be included during the succeeding 12-month period, as
13 determined by the district's engineer, equals or exceeds the
14 projected net revenues that would otherwise have been derived
15 from the property [~~lands~~] to be excluded during the same period.

16 (b) For purposes of this section, the taxable value of
17 included property means the market value of the property if,
18 before or contemporaneously with the inclusion of the property
19 in the district, the owner of the property waives the right to
20 special appraisal of the property as to the district as
21 authorized by Section 23.20, Tax Code.

22 SECTION 1.24. Subchapter A, Chapter 67, Water Code, is
23 amended by adding Sections 67.0061, 67.0062, and 67.0063 to read
24 as follows:

25 Sec. 67.0061. DIRECTOR NOMINATIONS. (a) To be listed on
26 the ballot as a candidate for election to a director's position,
27 a person must file with the corporation an application that

1 includes:

2 (1) the person's written consent to serve, if
3 elected;

4 (2) biographical information about the person; and

5 (3) a statement of the person's qualifications,
6 including:

7 (A) a statement that the person meets the
8 requirements of Sections 11.002(1), (3), and (4), Election Code;
9 and

10 (B) whether the person is a member of the
11 corporation.

12 (b) The application must be filed with the corporation not
13 later than the 70th day before the date of the annual meeting.

14 (c) The corporation shall make available director
15 candidate application forms at the main office of the
16 corporation.

17 Sec. 67.0062. BALLOT FOR ELECTION OF DIRECTORS. The
18 secretary-treasurer of the board shall:

19 (1) have the names of all candidates for each
20 director's position printed on the ballot; and

21 (2) not later than the 45th day before the date of
22 the annual meeting, mail the ballot to each person who is a
23 member or shareholder, along with a statement of the number of
24 directors to be elected and the biographical information about
25 each candidate, including the candidate's qualifications as
26 provided by each candidate for director in the candidate's
27 application.

1 Sec. 67.0063. ELECTION OF DIRECTORS. (a) A member or

2 shareholder may vote:

3 (1) in person at the annual meeting;

4 (2) by delivering a completed ballot to the member's
5 proxy to submit at the annual meeting;

6 (3) by mailing a completed ballot postmarked not
7 later than the sixth day before the date of the annual meeting
8 to the office of the independent election auditor selected by
9 the members or shareholders at the preceding annual meeting; or

10 (4) by delivering a completed ballot to the main
11 office of the corporation not later than noon of the day before
12 the date of the annual meeting.

13 (b) The corporation shall place each ballot received under
14 Subsection (a)(4) in a sealed envelope and shall deliver the
15 sealed envelopes to the independent election auditor at the
16 annual meeting.

17 (c) No person, including the corporation, may use any type
18 of incentive to encourage a member or shareholder to authorize
19 the corporation, a committee of the corporation, or another
20 person to act as the member's proxy in casting the vote of the
21 member in a director's election. The corporation may provide
22 incentives to obtain proxies or to encourage attendance at an
23 annual or special meeting of the members solely for the purpose
24 of establishing a quorum.

25 (d) The independent election auditor shall receive and
26 count the ballots before the annual meeting is adjourned.

27 (e) For each director's position, the nominee who receives

1 the highest number of votes is elected.

2 (f) If two or more candidates for a director's position
3 tie for the highest number of votes for that position, those
4 candidates shall draw lots under the direction of the
5 independent election auditor to determine who is elected.

6 (g) The independent election auditor shall provide the
7 board with a written report of the election results.

8 (h) The board may adopt rules as needed to implement this
9 section, including rules to ensure the fairness, integrity, and
10 openness of the voting process.

11 SECTION 1.25. Section 67.007, Water Code, is amended by
12 amending Subsection (b) and adding Subsection (d) to read as
13 follows:

14 (b) The board shall adopt written procedures for
15 conducting an annual or special meeting of the members or
16 shareholders, which shall include the following:

17 (1) notification to eligible members or shareholders
18 of the proposed agenda, location, and date of the meeting;

19 (2) establishment of a quorum consisting of proxies
20 and the votes of members or shareholders present;

21 (3) nomination and election procedures;

22 (4) procedures for selecting an independent election
23 auditor required by Section 67.0063;

24 (5) approval of the proxy and ballot form to be used;
25 and

26 (6) [+5+] validation of eligible voters, proxies,
27 ballots, and election results.

1 (d) An independent election auditor must be selected at
2 each annual meeting for the following annual meeting at which
3 one or more directors are scheduled to be elected. The
4 independent auditor is not required to be an experienced
5 election judge or auditor and may serve as an unpaid volunteer.
6 At the time of selection and while serving in the capacity of an
7 independent election auditor, the independent election auditor
8 may not be associated with the corporation as:

9 (1) an employee or independent contractor; or

10 (2) a director or candidate for director.

11 SECTION 1.26. Subchapter A, Chapter 67, Water Code, is
12 amended by adding Section 67.0085 to read as follows:

13 Sec. 67.0085. AUDIT REQUIREMENTS. Subchapter G, Chapter
14 49, applies to a corporation with 500 or more members in the
15 same manner that it applies to a district under that chapter.

16 For purposes of applying that subchapter to a corporation:

17 (1) "board" means the board of directors of a
18 corporation; and

19 (2) "district" means a corporation.

20 SECTION 1.27. Section 388.005, Health and Safety Code, as
21 amended by Chapters 262 (S.B. 12) and 939 (H.B. 3693), Acts of
22 the 80th Legislature, Regular Session, 2007, is reenacted and
23 amended to read as follows:

24 Sec. 388.005. ENERGY EFFICIENCY PROGRAMS IN INSTITUTIONS
25 OF HIGHER EDUCATION [~~STATE AGENCIES~~] AND CERTAIN GOVERNMENTAL
26 ENTITIES. (a) In this section:

27 (1) "Institution of higher education" includes an

1 institution of higher education as defined by Section 61.003,
2 Education Code, and a private institution of higher education
3 that receives funding from the state.

4 (2) "Political subdivision" means:

5 (A) an affected county; or

6 (B) any political subdivision in a nonattainment
7 area or in an affected county other than:

8 (i) a school district; or

9 (ii) a district as defined by Section
10 36.001 or 49.001, Water Code, that had a total annual
11 electricity expense of less than \$200,000 in the previous fiscal
12 year of the district.

13 (3) "State agency" means a department, commission,
14 board, office, council, or other agency in the executive branch
15 of state government that is created by the constitution or a
16 statute of this state and has authority not limited to a
17 geographical portion of the state.

18 (b) Each political subdivision, institution of higher
19 education, or state agency shall implement all energy efficiency
20 measures that meet the standards established for a contract for
21 energy conservation measures under Section 302.004(b), Local
22 Government Code, in order to reduce electricity consumption by
23 the existing facilities of the entity.

24 (c) Each political subdivision, institution of higher
25 education, or state agency shall establish a goal to reduce the
26 electric consumption by the entity by five percent each state
27 fiscal year for six years, beginning September 1, 2007.

1 (d) A political subdivision, institution of higher
2 education, or state agency that does not attain the goals under
3 Subsection (c) must include in the report required by Subsection
4 (e) justification that the entity has already implemented all
5 available measures. An entity that submits a report under this
6 subsection indicating it has already implemented all available
7 measures is exempt from the annual reporting requirement of
8 Subsection (e) if a subsequent report would indicate no change
9 in status. An entity may be required to provide notice that it
10 is exempt to the State Energy Conservation Office.

11 (e) A political subdivision, institution of higher
12 education, or state agency annually shall report to the State
13 Energy Conservation Office, on forms provided by that office,
14 regarding the entity's efforts and progress under this section.
15 The State Energy Conservation Office shall provide assistance
16 and information to the entity to help the entity meet the goals
17 set under this section.

18 (f) This section does not apply to a state agency or an
19 institution of higher education that the State Energy
20 Conservation Office determines that, before September 1, 2007,
21 adopted a plan for conserving energy under which the agency or
22 institution established a percentage goal for reducing the
23 consumption of electricity. The exemption provided by this
24 section applies only while the agency or institution has an
25 energy conservation plan in effect and only if the agency or
26 institution submits reports on the conservation plan each
27 calendar quarter to the governor, the Legislative Budget Board,

1 and the State Energy Conservation Office.

2 (g) This section does not apply to the electricity
3 consumption of a district as defined by Section 36.001 or
4 49.001, Water Code, that relates to the operation and
5 maintenance of wastewater collection and treatment, water
6 supply and distribution, or stormwater diversion, detention, or
7 pumping facilities or improvements.

8 SECTION 1.28. Section 43.0751(a)(1), Local Government
9 Code, is amended to read as follows:

10 (1) "District" means a conservation and reclamation
11 [water control and improvement] district [or a municipal utility
12 district created or] operating under Chapter 49 [51 or 54],
13 Water Code.

14 SECTION 1.29. Section 43.0751, Local Government Code, is
15 amended by adding Subsection (r) to read as follows:

16 (r) To be annexed for limited purposes under this section,
17 an area must be:

18 (1) in the municipality's extraterritorial
19 jurisdiction; and

20 (2) contiguous to the corporate or limited purpose
21 boundaries of the municipality, unless the district consents to
22 noncontiguous annexation pursuant to a strategic partnership
23 agreement with the municipality.

24 SECTION 1.30. Subsection (a), Section 35.007, Water Code,
25 as amended by this article of this Act, applies only to a
26 designation of a priority groundwater management area made by
27 the Texas Commission on Environmental Quality on or after the

1 effective date of this article. A designation made before the
2 effective date of this article of this Act is governed by the
3 law in effect when the designation was made, and that law is
4 continued in effect for that purpose.

5 SECTION 1.31. Notwithstanding Section 35.012, Water Code,
6 as amended by this article, and Section 36.0151, Water Code, the
7 Texas Commission on Environmental Quality may not create a
8 groundwater conservation district under Section 36.0151, Water
9 Code, before September 1, 2011, in territory that exists within
10 the boundaries of a single county in which total surface water
11 use is more than 50 times the total groundwater production and
12 that is located in a priority groundwater management area.

13 SECTION 1.32. Notwithstanding Section 35.012, Water Code,
14 as amended by this article, and Section 36.0151, Water Code, the
15 Texas Commission on Environmental Quality may not create a
16 groundwater conservation district under Section 36.0151, Water
17 Code, before September 1, 2011, in territory that is located in
18 an area that on or after September 1, 2008, is designated by the
19 commission as a priority groundwater management area.

20 SECTION 1.33. All governmental acts and proceedings,
21 including the adoption of rules, of the Texas Commission on
22 Environmental Quality relating to the creation of a groundwater
23 conservation district over all or part of a priority groundwater
24 management area that was designated as a critical area under
25 Chapter 35, Water Code, as that chapter existed before September
26 1, 1997, or under other prior law, are validated in all respects
27 as of the dates on which they occurred.

1 SECTION 1.34. Section 36.1072, Water Code, as amended by
2 this article, applies only to a groundwater management plan that
3 is submitted to the executive administrator of the Texas Water
4 Development Board on or after the effective date of this
5 article. A groundwater management plan that is submitted to the
6 executive administrator before the effective date of this
7 article is governed by the law in effect when the management
8 plan was submitted, and the former law is continued in effect
9 for that purpose.

10 SECTION 1.35. The changes in law made by Section 36.1165,
11 Water Code, as added by this article, apply only to a well for
12 which drilling is commenced on or after the effective date of
13 this article of this Act. A well for which drilling is
14 commenced before the effective date of this article of this Act
15 is subject to the law in effect on the date drilling is
16 commenced, and that law is continued in effect for that purpose.

17 SECTION 1.36. The legislature finds that an agreement
18 entered into prior to the effective date of this article of this
19 Act between a municipality and a municipal utility district that
20 are located in whole or in part in a county with a population of
21 more than 3.3 million or a county adjacent to a county with a
22 population of more than 3.3 million is an allocation agreement
23 only if the agreement strictly complies with the requirements of
24 Section 54.016(f), Water Code, and is identified as an
25 "allocation agreement" by specific reference in the agreement to
26 Section 54.016(f), Water Code.

27 SECTION 1.37. A water supply or sewer service corporation

1 operating under Chapter 67, Water Code, is subject to the audit
2 requirements of Section 67.0085, Water Code, as added by this
3 article of this Act, beginning with the first fiscal year of the
4 corporation that begins on or after September 1, 2009.

5 SECTION 1.38. The board of directors of a water supply or
6 sewer service corporation operating under Chapter 67, Water
7 Code, shall select an independent election auditor at least 30
8 days before the scheduled date of the 2010 annual meeting of the
9 corporation.

10 ARTICLE 2. SIENNA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
11 COLLIN COUNTY

12 SECTION 2.01. Subtitle F, Title 6, Special District Local
13 Laws Code, is amended by adding Chapter 8305 to read as follows:

14 CHAPTER 8305. SIENNA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
15 COLLIN COUNTY

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8305.001. DEFINITIONS. In this
18 chapter(1) "Board" means the district's board of directors.

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

20 (3) "District" means the Sienna Ranch Municipal
21 Utility District No. 1 of Collin County.

22 Sec. 8305.002. NATURE OF DISTRICT. The district is a
23 municipal utility district created under Section 59, Article
24 XVI, Texas Constitution.

25 Sec. 8305.003. CONFIRMATION AND DIRECTORS' ELECTION
26 REQUIRED. The temporary directors shall hold an election to
27 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8305.004. CONSENT OF MUNICIPALITY AND ANNEXATION INTO
3 CORPORATE LIMITS REQUIRED. The temporary directors may not hold
4 an election under Section 8305.003 until:

5 (1) the City of Nevada has consented by ordinance or
6 resolution to the creation of the district and to the inclusion
7 of land in the district; and

8 (2) all of the territory of the district has been
9 annexed into the corporate limits of the city of Nevada.

10 Sec. 8305.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

11 (a) The district is created to serve a public purpose and
12 benefit.

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

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

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

20 Sec. 8305.006. INITIAL DISTRICT TERRITORY. (a) The

21 district is initially composed of the territory described by
22 Section 2 of the Act creating this chapter.

23 (b) The boundaries and field notes contained in Section 2
24 of the Act creating this chapter form a closure. A mistake made
25 in the field notes or in copying the field notes in the
26 legislative process does not affect the district's:

27 (1) organization, existence, or validity;

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

4 (3) right to impose a tax; or

5 (4) legality or operation.

6 [Sections 8305.007-8305.050 reserved for expansion]

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 8305.051. GOVERNING BODY; TERMS. (a) The district
9 is governed by a board of five elected directors.

10 (b) Except as provided by Section 8305.052, directors
11 serve staggered four-year terms.

12 Sec. 8305.052. TEMPORARY DIRECTORS. (a) On or after the
13 effective date of the Act creating this chapter, the owner or
14 owners of a majority of the assessed value of the real property
15 in the district may submit a petition to the Texas Commission on
16 Environmental Quality requesting that the commission appoint as
17 temporary directors the five persons named in the petition. The
18 commission shall appoint as temporary directors the five persons
19 named in the petition.

20 (b) Temporary directors serve until the earlier of:

21 (1) the date permanent directors are elected under
22 Section 8305.003; or

23 (2) the fourth anniversary of the effective date of
24 the Act creating this chapter.

25 (c) If permanent directors have not been elected under
26 Section 8305.003 and the terms of the temporary directors have
27 expired, successor temporary directors shall be appointed or

1 reappointed as provided by Subsection (d) to serve terms that
2 expire on the earlier of:

3 (1) the date permanent directors are elected under
4 Section 8305.003; or

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

7 (d) If Subsection (c) applies, the owner or owners of a
8 majority of the assessed value of the real property in the
9 district may submit a petition to the Texas Commission on
10 Environmental Quality requesting that the commission appoint as
11 successor temporary directors the five persons named in the
12 petition. The commission shall appoint as successor temporary
13 directors the five persons named in the petition.

14 [Sections 8305.053-8305.100 reserved for expansion]

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8305.101. GENERAL POWERS AND DUTIES. The district
17 has the powers and duties necessary to accomplish the purposes
18 for which the district is created.

19 Sec. 8305.102. MUNICIPAL UTILITY DISTRICT POWERS AND
20 DUTIES. The district has the powers and duties provided by the
21 general law of this state, including Chapters 49 and 54, Water
22 Code, applicable to municipal utility districts created under
23 Section 59, Article XVI, Texas Constitution.

24 Sec. 8305.103. AUTHORITY FOR ROAD PROJECTS. Under Section
25 52, Article III, Texas Constitution, the district may design,
26 acquire, construct, finance, issue bonds for, improve, operate,
27 maintain, and convey to this state, a county, or a municipality

1 for operation and maintenance macadamized, graveled, or paved
2 roads, or improvements, including storm drainage, in aid of
3 those roads.

4 Sec. 8305.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
5 road project must meet all applicable construction standards,
6 zoning and subdivision requirements, and regulations of each
7 municipality in whose corporate limits or extraterritorial
8 jurisdiction the road project is located.

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

14 (c) If the state will maintain and operate the road, the
15 Texas Transportation Commission must approve the plans and
16 specifications of the road project.

17 Sec. 8305.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
18 OR RESOLUTION. The district shall comply with all applicable
19 requirements of any ordinance or resolution that is adopted
20 under Section 54.016 or 54.0165, Water Code, and that consents
21 to the creation of the district or to the inclusion of land in
22 the district.

23 Sec. 8305.106. EFFECT OF ANNEXATION BY CITY OF NEVADA.
24 (a) The City of Nevada may annex part of the territory of the
25 district into its corporate limits without annexing all of the
26 territory of the district under an agreement entered into before
27 the effective date of the Act creating this chapter between the

1 City of Nevada and the landowners of the land being annexed.
2 The district continues in existence following annexation of part
3 of the territory of the district as described by this
4 subsection.

5 (b) The district shall be dissolved and its debts and
6 obligations assumed by the City of Nevada in accordance with
7 Chapter 43, Local Government Code, including Sections 43.075 and
8 43.0715, on annexation of all of the territory of the district
9 by the City of Nevada, provided that:

10 (1) water, sanitary sewer, and drainage improvements,
11 and roads have been constructed to serve at least 95 percent of
12 the territory of the district; or

13 (2) the board adopts a resolution consenting to the
14 dissolution of the district.

15 (c) Notwithstanding Section 54.016(f)(2), Water Code, a
16 contract ("allocation agreement") between the City of Nevada and
17 the district that provides for the allocation of the taxes or
18 revenues of the district and the city following the date of
19 inclusion of all the district's territory in the corporate
20 limits of the city, may provide that the total annual ad valorem
21 taxes collected by the city and the district from taxable
22 property in the district may exceed the city's ad valorem tax on
23 the property.

24 Sec. 8305.107. LIMITATION ON USE OF EMINENT DOMAIN. The
25 district may not exercise the power of eminent domain outside
26 the district to acquire a site or easement for:

27 (1) a road project authorized by Section 8305.103; or

1 (2) a recreational facility as defined by Section
2 49.462, Water Code.

3 [Sections 8305.108-8305.150 reserved for expansion]

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 8305.151. ELECTIONS REGARDING TAXES OR BONDS.

6 (a) The district may issue, without an election, bonds and
7 other obligations secured by:

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

9 (2) contract payments described by Section 8305.153.

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

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

18 Sec. 8305.152. OPERATION AND MAINTENANCE TAX. (a) If
19 authorized at an election held under Section 8305.151, the
20 district may impose an operation and maintenance tax on taxable
21 property in the district in accordance with Section 49.107,
22 Water Code.

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

25 Sec. 8305.153. CONTRACT TAXES. (a) In accordance with
26 Section 49.108, Water Code, the district may impose a tax other
27 than an operation and maintenance tax and use the revenue

1 derived from the tax to make payments under a contract after the
2 provisions of the contract have been approved by a majority of
3 the district voters voting at an election held for that purpose.

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

7 [Sections 8305.154-8305.200 reserved for expansion]

8 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

9 Sec. 8305.201. AUTHORITY TO ISSUE BONDS AND OTHER
10 OBLIGATIONS. The district may issue bonds or other obligations
11 payable wholly or partly from ad valorem taxes, impact fees,
12 revenue, contract payments, grants, or other district money, or
13 any combination of those sources, to pay for any authorized
14 district purpose.

15 Sec. 8305.202. TAXES FOR BONDS. At the time the district
16 issues bonds payable wholly or partly from ad valorem taxes, the
17 board shall provide for the annual imposition of a continuing
18 direct ad valorem tax, without limit as to rate or amount, while
19 all or part of the bonds are outstanding as required and in the
20 manner provided by Sections 54.601 and 54.602, Water Code.

21 Sec. 8305.203. BONDS FOR ROAD PROJECTS. At the time of
22 issuance, the total principal amount of bonds or other
23 obligations issued or incurred to finance road projects and
24 payable from ad valorem taxes may not exceed one-fourth of the
25 assessed value of the real property in the district.

26 SECTION 2.02. The Sienna Ranch Municipal Utility District
27 No. 1 of Collin County initially includes all the territory

1 contained in the following area:

2 PARCEL 1

3 BEING a tract of land situated in the Denton Helmstettler
4 Survey, Abstract No. 378, the Roger Willis Survey, Abstract No.
5 748, and the Willis Roberts Survey, Abstract No. 790, Collin
6 County, Texas, the subject tract being a portion of that
7 1473.835 acre tract of land conveyed to Commercial Capital
8 Investments, Inc. by Resolution Trust Corporation according to
9 the Special Warranty Deed recorded in Collin County Clerk File
10 number 94-0058780 of the Land Records Of Collin County Texas
11 (LRCCT), the subject tract further being portions of three
12 subdivision Final Plats filed in said Land Records of Collin
13 County Texas, those being Lake Hills, Phase 1 recorded in
14 Cabinet J, Page 134, Park Meadows Phase 1 recorded in Cabinet J,
15 Page 137, and Sommerset Estates, Revised Phase 1 recorded in
16 Cabinet J, Page 313, said three subdivisions being included
17 within the above mentioned Commercial Capital Investments, Inc.
18 1473.835 acre tract, the subject total tract being more
19 particularly described as follows;

20 BEGINNING at a point on the south line of Farm-To-Market
21 Road Number 1778, said south line being the same south line of
22 that 15 feet wide strip of land dedicated by the above mentioned
23 Park Meadows Phase 1 Final Plat (Cab. J, Pg. 137), said
24 Beginning point further being the Northeast corner of Lot 4 of
25 said Park Meadows Phase 1 Final Plat and northwest corner of a
26 tract of land conveyed to Walt C. HSU according to the Warranty
27 Deed recorded in Volume 3201, Page 795 (LRCCT), a 1/2" iron pin

1 with a red cap stamped Tipton Engineering, Inc. set at corner;

2 THENCE, along the easterly line of the previously mentioned
3 Park Meadows Phase 1 addition line and along the westerly lines
4 of the following tracts; three tracts of land of land conveyed
5 to Walt C. HSU according to two Warranty Deeds recorded in
6 Volume 3201, Page 795 and Volume 3201, Page 797 (LRCCT), and a
7 tract of land conveyed to Phillip Chen recorded in Volume 3584,
8 Page 166 (LRCCT) the following:

9 S 00° 48' 47" E, a distance of 571.95 feet to a 60d nail
10 found at corner;

11 S 00° 38' 46" E, a distance of 354.47 feet to a 60d nail
12 found at corner;

13 S 00° 50' 29" E, a distance of 489.70 feet to an iron pin
14 found at corner;

15 S 00° 46' 54" E, a distance of 299.68 feet to a 60d nail
16 found at corner;

17 S 01° 19' 27" E, a distance of 524.53 feet to an iron pin
18 found at an ell corner of said Commercial Capital Investments,
19 Inc. tract, said corner further being the southwest corner of
20 said Phillip Chen tract;

21 THENCE, along a north line of said Park Meadows Phase 1 and
22 the south lines of said Phillip Chen tract, a tract conveyed to
23 Charles Sitzes according to the deed recorded in Volume, 5746,
24 Page 4572, (LRCCT), a tract conveyed to John A. Whitson
25 according to the deed recorded in County Clerk File number 93-
26 0046157 (LRCCT), and a tract conveyed to Jesus Canales according
27 to the deed recorded in Volume 4987, Page 1808 (LRCCT) the

1 following;

2 South 89° 02' 27" E, a distance of 658.56 feet to an
3 iron pin found at corner;

4 South 89° 07' 19" E, a distance of 2108.54 feet to another
5 ell corner of said Commercial Capital Investments, Inc. tract
6 and westerly line of Price Creek Estates, an addition to Collin
7 County according to the Final Plat recorded in Cabinet I, Page
8 517 (LRCCT), a 1/2" iron pin next to a fence corner post found
9 at corner;

10 THENCE, S 00° 04' 47" E, along the easterly line of said
11 Park Meadows Phase 1 and a westerly line of said Price Creek
12 Estates, a distance of 156.97 feet to an ell corner for both
13 said Final Plats, Price Creek Estates and Park Meadows Phase 1,
14 said point also being on the northerly line of Dearborn Acres
15 Phase 1, an addition to Collin County according to the Final
16 Plat recorded in Cabinet J, Page 145 (LRCCT);

17 THENCE, with the center of Price Creek and along the common
18 line between said additions, Dearborn Acres Phase 1 and Park
19 Meadows Phase 1 the following;

20 S 83° 21' 39" W, a distance of 30.84 feet; S 71° 03' 54" W,
21 a distance of 28.06 feet;

22 S 44° 28' 19" W, a distance of 52.54 feet; S 22° 28' 07" W,
23 a distance of 69.53 feet;

24 S 60° 04' 07" W, a distance of 43.37 feet; N 86° 00' 18" W,
25 a distance of 25.10 feet;

26 S 66° 13' 16" W, a distance of 140.26 feet; S 43° 31' 15"
27 W, a distance of 49.79 feet;

1 S 65° 26' 13" W, a distance of 131.00 feet; S 36° 26' 54"
2 W, a distance of 60.05 feet;

3 S 72° 04' 37" W, a distance of 111.47 feet; S 85° 25' 43"
4 W, a distance of 212.81 feet;

5 S 85° 44' 44" W, a distance of 211.15 feet; S 69° 09' 30"
6 W, a distance of 143.03 feet;

7 S 68° 17' 17" W, a distance of 67.74 feet; N 83° 10' 43" W,
8 a distance of 61.36 feet;

9 S 58° 50' 34" W, a distance of 164.79 feet; S 52° 22' 44"
10 W, a distance of 44.73 feet;

11 S 62° 21' 17" W, a distance of 49.51 feet; S 86° 31' 51" W,
12 a distance of 41.24 feet;

13 S 63° 55' 53" W, a distance of 128.94 feet; S 60° 49' 53" W
14 a distance of 131.62 feet;

15 S 56° 28' 41" W, a distance of 127.19 feet; S 63° 10' 56"
16 W, a distance of 52.78 feet;

17 S 80° 45' 54" W, a distance of 50.46 feet; S 72° 01' 10" W,
18 a distance of 126.88 feet to a point on the northerly line of
19 the previously mentioned Lake Hills Phase 1 addition;

20 THENCE, along a creek and along the northerly and easterly
21 line of said Lake Hills Phase 1 and the southwesterly and
22 westerly line of said Dearborn Acres Phase 1 the following;

23 S 20° 07' 18" E, a distance of 35.15 feet; N 71° 06' 50" E,
24 a distance of 42.23 feet;

25 S 40° 32' 52" E, a distance of 24.72 feet; S 78° 01' 18" E,
26 a distance of 109.13 feet;

27 S 58° 24' 56" E, a distance of 71.87 feet; N 70° 21' 55" E,

1 a distance of 51.93 feet;
2 S 58° 47' 28" E, a distance of 82.38 feet; S 87° 13' 03" E,
3 a distance of 36.21 feet;
4 S 39° 30' 42" E, a distance of 38.80 feet; S 84° 53' 40" E,
5 a distance of 32.75 feet;
6 S 50° 38' 42" E, a distance of 137.16 feet; S 81° 23' 41"
7 E, a distance of feet 61.43 feet;
8 S 55° 18' 27" E., a distance of 59.33 feet: S 38° 02' 26"
9 E, a distance of 77.63 feet;
10 S 53° 46' 10" E, a distance of 61.86 feet; S 29° 19' 27" E,
11 a distance of 63.87 feet;
12 S 62° 43' 45" E, a distance of 15.41 feet; S 75° 09' 51" E,
13 a distance of 75.61 feet;
14 N 51° 34' 08" E, a distance of 46.71 feet; S 61° 49' 18" E,
15 a distance of 29.41 feet;
16 S 16° 04' 27" E, a distance of 27.49 feet, S 75° 25' 16" E,
17 a distance of 92.21 feet;
18 S 65° 45' 26" E, a distance of 135.63 feet; S 58° 05' 24"
19 E, a distance of 108.92 feet;
20 S 56° 13' 03" E, a distance of 86.50 feet; S 67° 13' 21" E,
21 a distance of 87.18 feet;
22 S 65° 25' 12" E, a distance of 34.56 feet; S 03° 53' 51" E,
23 a distance of 95.72 feet;
24 S 52° 16' 17" E, a distance of 69.15 feet; S 06° 27' 15" E,
25 a distance of 67.59 feet;
26 S 28° 12' 59" E, a distance of 94.16 feet; S 07° 03' 34" E,
27 a distance of 105.29 feet to an iron pin found at corner.

1 S 14° 12' 13" W, a distance of 566.46 feet to an iron pin
2 found at corner;

3 S 00° 36' 58" W, a distance of 435.57 feet to a point on
4 the north line of Farm-To-Market Road No. 543, said point being
5 the southeast corner of Lot 12 of said Lake Hills Phase 1 and
6 the southwest corner of Lot 1 of Dearborn Acres Phase 1 to a
7 1/2" iron pin with a red cap stamped Tipton Engineering, Inc.
8 set at corner;

9 THENCE, along the said County Road No. 543 north line the
10 following;

11 N 89° 24' 42" W, a distance of 2415.58 feet to a 1/2" iron
12 pin with a red cap stamped Tipton Engineering, Inc. set at
13 corner;

14 Around a tangent curve to the right having a central angle
15 of 08° 50' 44", a radius of 1849.86 feet and a chord of N 84°
16 59' 20" W - 285.31 feet, an arc distance of 285.59 feet to a
17 1/2" iron pin with a red cap stamped Tipton Engineering, Inc.
18 set at corner;

19 N 80° 33' 58" W, a distance of 278.01 feet to a point on an
20 easterly line of a tract of land conveyed to the United States
21 of America for Lake Lavon, said point further being on the
22 westerly line of said Lake Hills Phase 1, and located at the
23 southwest corner of Lot 1 of said Lake Hills Phase 1, a 1/2"
24 iron pin with a red cap stamped Tipton Engineering, Inc. set at
25 corner, from which a 5/8" iron pin found bears S 73° 23' 20" E,
26 a distance of 0.82 feet;

27 THENCE, N 29° 00' 04" E, along the said Lake Hills Phase 1

1 westerly line and easterly line of said United States of America
2 property, a distance of 899.16 feet to an ell corner of said
3 United States of America property and Lake Hills Phase 1
4 westerly line, a concrete Government marker found at corner;

5 THENCE, N 57° 11' 26" W, along a northerly line of said
6 United States of America property and southerly line of Lot 14
7 of Lake Hills Phase 1 and southerly line of the previously
8 mentioned Park Meadows Phase 1, a distance of 519.49 feet to a
9 concrete Government marker found at corner;

10 THENCE, S 89° 16' 26" W, continuing along the northerly
11 line of said USA property and along the said Park Meadows Phase
12 1 southerly line and a southerly line of the previously
13 mentioned Sommerset Estates Revised Phase 1, a distance of
14 349.84 feet to an ell corner of said USA property and Sommerset
15 Estates Revised Phase 1, a concrete Government marker found at
16 corner;

17 THENCE, along a westerly line of said United States of
18 America property and easterly line of said Sommerset Estates
19 Revised Phase 1 the following;

20 S 42° 57' 42" W, a distance of 779.67 feet to a concrete
21 Government marker found at corner;

22 S 70° 13' 25" W, a distance of 429.81 feet to a concrete
23 Government marker found at corner;

24 S 47° 45' 34" W, a distance of 423.23 feet to a point on
25 the northerly line of said Farm-To-Market Road No. 543 as
26 dedicated by the said Final Plat of Sommerset Estates Revised
27 Phase 1, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc.

1 set at corner;

2 THENCE, along said Farm-To-Market Road No. 543 northerly
3 line the following;

4 N 87° 26' 57" W, a distance of 437.75 feet to a 1/2" iron
5 pin with a red cap stamped Tipton Eng, Inc. set at corner;

6 N 86° 45' 05" W, a distance of 328.51 feet to a 1/2" iron
7 pin found at corner;

8 N 89° 58' 53" W, a distance of 99.89 feet to the southwest
9 corner of Lot 1 of said Sommerset Estates Revised Phase 1, said
10 corner further being on the east line of Rocky Road, a 50 feet
11 wide Right-Of-Way easement, a 1/2" iron pin with a red cap
12 stamped Tipton Eng, Inc. set at corner;

13 THENCE, N 01° 02' 52" E, along the west line of said
14 Sommerset Estates Revised Phase 1 and said Rocky Road east line,
15 a distance of 1107.07 feet to an ell corner of said Sommerset
16 Estates Revised Phase 1, said corner further being the southwest
17 corner of a tract of land conveyed to Teri L. Beckmeyer by the
18 General Warranty Deed recorded in 94-0033501 (LRCCT), a 5/8"
19 iron pin found at corner;

20 THENCE, S 88° 17' 44" E, along the south line of said Teri
21 L. Beckmeyer tract and north line of Lot 2 of said Sommerset
22 Estates Revised Phase 1, a distance of 593.43 feet to an ell
23 corner of said Sommerset Estates Revised Phase 1, a 1/2" iron
24 pin with a red cap stamped Tipton Eng, Inc. set at corner;

25 THENCE, along a west line of said Sommerset Estates Revised
26 Phase 1 and the east line of said Teri, L. Beckmeyer, and the
27 east lines of the following tracts, a tract conveyed to Harry E.

1 Shibley and Teri. L. Beckmeyer according to the Warranty Deed
2 with Vendor's Lien recorded in County Clerk File Number 94-
3 0056623 (LRCCT), two tracts conveyed to John Clentis Simpson,
4 Sr. according to the Special Warranty Deed recorded in Volume
5 5936, Page 4879 (LRCCT), and that tract conveyed to Carol
6 Chamberlain and Allen Chamberlain according to the Warranty Deed
7 With Vendor's Lien recorded in Volume 4704, Page 1799 the
8 following;

9 N 00° 47' 24" W, a distance of 296.21 feet to a 1/2"
10 iron pin found at corner;

11 N 01° 08' 33" W, a distance of 240.54 feet to a 1/2"
12 iron pin found at corner;

13 N 00° 36' 15" W, a distance of 195.04 feet to a 1/2"
14 iron pin found at corner;

15 N 01° 29' 49" W, a distance of 193.39 feet to a 1/2"
16 iron pin found at corner;

17 N 00° 42' 09" W, a distance of 467.62 feet to an ell corner
18 of said Sommerset Estates Revised Phase 1, said corner being on
19 a south line of a tract of land conveyed to JoAnne Gambrell
20 Airhart and Tom Patterson Airhart, according to the Warranty
21 Deed With Vendor's Lien recorded in Volume 4510, Page 1852
22 (LRCCT), a 1/2" iron pin found at corner;

23 THENCE, S 89° 17' 05" E, along the south line of said
24 JoAnne Gambrell Airhart and Tom Patterson Airhart tract part of
25 the way, along the south line of a tract of land owned by Karen
26 Webb Bennet Ind Exec according to the deed recorded in Volume
27 1769, Page 435 (LRCCT) and along a north line of said Sommerset

1 Estates Revised Phase 1, a distance of 1660.39 feet to an ell
2 corner of said Sommerset Estates Revised Phase 1 and southeast
3 corner of said Karen Webb Bennet Ind Exec tract, a 1/2" iron pin
4 found 3.7 feet east of a fence corner post at corner;

5 THENCE, along the a west line of said Sommerset Estates
6 Revised Phase 1 addition and along the east lines of said Karen
7 Webb Bennet Ind Exec tract, that tract conveyed to Altis L.
8 Powell Et Ux according to the deed recorded in Volume 377, Page
9 119 (LRCCT), the following;

10 N 01° 02' 36" E, a distance of 1376.06 feet to a 60d
11 nail found at corner;

12 N 00° 50' 16" E, a distance of 547.97 feet to a 1/2"
13 iron pin found at corner;

14 N 00° 48' 18" E, a distance of 340.88 feet to the southwest
15 corner of Lot 1 of said Park Meadows Phase 1, a 1/2" iron pin
16 with a red cap stamped Tipton Engineering, Inc. set at corner;

17 THENCE, S 89° 35' 45" E, along the south line of said Lot 1
18 of Park Meadows Phase 1, a distance of 80.60 feet to a 1/2" iron
19 pin with a red cap stamped Tipton Engineering, Inc. set at
20 corner;

21 THENCE, N 86° 52' 56" E, continuing along the said Lot 1 of
22 Park Meadows Phase 1 south line, a distance of 137.15 feet to
23 the southeast corner of said Lot 1 of Park Meadows Phase 1, a
24 1/2" iron pin with a red cap stamped Tipton Engineering, Inc.
25 set at corner;

26 THENCE, N 00° 04' 54" W, along the east line of said Lot 1
27 of Park Meadows Phase 1, a distance of 414.78 feet to a point on

1 the previously mentioned south line of Farm-To-Market Road No.
2 1778, a 1/2" iron pin with a red cap stamped Tipton Engineering,
3 Inc. set at corner;

4 THENCE, N 86° 24' 17" E, along the said Farm-To-Market Road
5 Number 1778 southerly line, a distance of 811.78 feet to the
6 Place of Beginning with the subject tract containing 15,226,847
7 Square Feet or 349.5603 acres of land.

8 PARCEL 2

9 BEING a tract of land situated in the Silvester Williams
10 Survey, Abstract No. 955 and Willis Roberts Survey, Abstract No.
11 790, Collin County, Texas, the subject tract being a portion of
12 that 1473.835 acre tract of land conveyed to Commercial Capital
13 Investments, Inc. by Resolution Trust Corporation according to
14 the Special Warranty Deed recorded in Collin County Clerk File
15 number 94-0058780 of the Land Records Of Collin County Texas
16 (LRCCT), the subject tract being more particularly described as
17 follows;

18 BEGINNING at a point on the southerly line of County Road
19 No. 543 and at the southwest corner of that tract of land
20 conveyed to Collin County (for road purposes) according to the
21 Deed recorded in County Clerk File Number 99-0040895 (LRCCT),
22 said beginning point being on the west line of said Commercial
23 Capital Investments, Inc. 1473.835 acre tract and further being
24 S 01° 04' 17" W, a distance of 61.64 feet from the intersection
25 of the north line of County Road No. 543 and the east line of
26 Rocky Road as shown on the Final Plat of Sommerset Estates, an
27 addition to Collin County according to said Final Plat recorded

1 in Cabinet J, Page 313 (LRCCT), a 1/2" iron pin found at corner;

2 THENCE, along the said County Road No. 543 southerly line
3 the following;

4 S 88° 52' 45" E, a distance of 169.88 feet to a 1/2" iron
5 pin found at corner;

6 S 84° 33' 39" E, a distance of 606.25 feet to a point on an
7 easterly line of said Commercial Capital Investments, Inc.
8 1473.835 acre tract and northwesterly line of a tract of land
9 conveyed to the United States Of America, a 1/2" iron pin found
10 at corner;

11 THENCE, S 47° 45' 34" W, along the said Commercial Capital
12 Investments, Inc. 1473.835 acre tract southeasterly line and
13 United States of America tract northwesterly line, a distance of
14 1750.27 feet to a US Government marker in concrete found at
15 corner;

16 THENCE, along a southerly and westerly line of said
17 Commercial Capital Investments, Inc. 1473.835 acres tract and a
18 northerly and easterly line of said United States of America
19 tract the following;

20 N 46° 24' 25" W, a distance of 265.29 feet to a US
21 Government marker in concrete found at corner;

22 N 12° 08' 44" E, a distance of 594.70 feet to a US
23 Government marker in concrete found at corner;

24 THENCE, S 84° 49' 00" E, along a northerly line of said
25 Commercial Capital Investments, Inc. 1473.835 acres tract and
26 part of the way along a southerly line of a United States of
27 America tract and south line of a tract of land conveyed to J.

1 B. Justice according to the deed recorded in Volume 645, Page
2 055 (LRCCT), a distance of 581.99 feet to the southeast corner
3 of said J. B. Justice tract and an ell corner of said Commercial
4 Capital Investments, Inc. 1473.835 acres tract, a US Government
5 marker in concrete found at corner;

6 THENCE, N 01° 04' 08" E, along a west line of said
7 Commercial Capital Investments, Inc. 1473.835 acres tract and
8 east line of said J. B. Justice tract, a distance of 525.75 feet
9 to the Place of Beginning with the subject tract containing
10 654,044 Square Feet or 15.0148 Acres of Land.

11 PARCEL 3

12 BEING a tract of land situated in the Roger Willis Survey,
13 Abstract No. 748, and the Silvester Williams Survey, Abstract
14 No. 955 Collin County, Texas, the subject tract being a portion
15 of that 1473.835 acre tract of land conveyed to Commercial
16 Capital Investments, Inc. by Resolution Trust Corporation
17 according to the Special Warranty Deed recorded in Collin County
18 Clerk File number 94-0058780 of the Land Records Of Collin
19 County Texas (LRCCT), the subject tract further being a portion
20 of Shalimar Acres, an addition to Collin County Texas according
21 to the Final Plat recorded in Cabinet J, Page 136, (LRCCT), land
22 in said plat being included in the above mentioned Commercial
23 Capital Investments, Inc. 1473.835 acre tract, the subject tract
24 being more particularly described as follows;

25 BEGINNING at the intersection of the southerly line of
26 County Road No. 543 and the west line of County Road No. 544,
27 said point further being located at the northeast corner of Lot

1 1 of said Shalimar Acres, a 1/2" iron pin with a red cap stamped
2 Tipton Eng, Inc. set at corner;

3 THENCE, S 00° 07' 23" W, along the said County Road No. 544
4 west line, a distance of 2065.10 feet to the southeast corner of
5 Lot 16, of Shalimar Acres, said corner being located on the
6 north line of a tract of land conveyed to the United States Of
7 America, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc.
8 set at corner, from which a US Government marker in concrete
9 found bears N 73° 18' 15" E, a distance of 9.85 feet;

10 THENCE, along the southerly and westerly line of said
11 Shalimar Acres and a northerly and easterly line of said United
12 States of America tract the following;

13 S 73° 18' 15" W, a distance of 493.72 feet to a US
14 Government marker in concrete found at corner;

15 N 67° 31' 55" W, a distance of 619.64 feet to a US
16 Government marker in concrete found at corner;

17 S 89° 05' 23" W, a distance of 570.02 feet to a US
18 Government marker in concrete found at corner;

19 N 36° 58' 31" E, a distance of 919.31 feet to a US
20 Government marker in concrete found at corner;

21 N 26° 55' 54" E, a distance of 499.80 feet to a US
22 Government marker in concrete found at corner;

23 N 64° 31' 34" E, a distance of 464.89 feet to a US
24 Government marker in concrete found at corner;

25 N 29° 01' 25" E, a distance of 699.51 feet to a point on
26 the previously mentioned County Road No. 543 south line, said
27 point further being the northwest corner of the previously

1 mentioned Lot 1 of Shalimar Acres, a US Government marker in
2 concrete found at corner;

3 THENCE, S 81° 18' 52" E, along said County Road No. 543
4 south line, a distance of 82.46 feet to the Place Of Beginning
5 with the subject tract containing 1,820,913 Square Feet or
6 41.8024 acres of land.

7 PARCEL 4

8 BEING a tract of land situated in the Roger Willis Survey,
9 Abstract No. 748, Collin County, Texas, the subject tract being
10 a portion of that 1473.835 acre tract of land conveyed to
11 Commercial Capital Investments, Inc. by Resolution Trust
12 Corporation according to the Special Warranty Deed recorded in
13 Collin County Clerk File number 94-0058780 of the Land Records
14 Of Collin County Texas (LRCCT), the subject tract further being
15 a portion of Shalimar Acres, an addition to Collin County Texas
16 according to the Final Plat recorded in Cabinet J, Page 136,
17 (LRCCT), land in said plat being included in the above mentioned
18 Commercial Capital Investments, Inc. 1473.835 acre tract, the
19 subject tract being more particularly described as follows;

20 BEGINNING at the intersection of the southerly line of
21 County Road No. 543 and the east line of County Road No. 544 as
22 dedicated by said Shalimar Acres Final Plat, said Beginning
23 Point further being located at the northwest corner of Lot 2 of
24 said Shalimar Acres, a 1/2" iron pin with a red cap stamped
25 Tipton Eng, Inc. set at corner;

26 THENCE, S 80° 33' 58" E, along the southerly line of said
27 County Road No. 543 a distance of 177.59 feet to a 1/2" iron pin

1 with a red cap stamped Tipton Eng, Inc. set at corner;

2 THENCE, continuing along said County Road No, 543 southerly
3 and around a tangent curve to the left having a central angle of
4 $08^{\circ} 34' 08''$, a radius of 1969.86 feet, and a chord of $S 84^{\circ} 51'$
5 $02'' E$ with a distance of 294.33 feet, an arc distance of 294.60
6 feet to the northeast corner of Lot 4 of said Shalimar Acres and
7 the southwest corner of a tract of land conveyed to Collin
8 County for right-of-way according to the Deed recorded in County
9 Clerk File No. 2000-0070885 (LRCCT), a 1/2" iron pin found at
10 corner;

11 THENCE, $S 00^{\circ} 36' 54'' E$, along the east line of said
12 Shalimar Acres and a west line of a tract of land conveyed to
13 John Lindsley McCraw, Jr. and Marjorie Elizabeth Gantt according
14 to the Warranty Deed recorded in Volume 627, page 69 (LRCCT), a
15 distance of 313.35 feet to an ell corner of said Shalimar Acres
16 and John Lindsley McCraw, Jr. and Marjorie Elizabeth Gantt
17 tract, a US Government marker in concrete found at corner);

18 THENCE, $S 88^{\circ} 28' 08'' W$, along a south line of said
19 Shalimar Acres and a north line of said John Lindsley McCraw,
20 Jr. and Marjorie Elizabeth Gantt tract, a distance of 472.68
21 feet to a point on the previously mentioned County Road No, 544,
22 said point further being the southwest corner of Lot 2 of said
23 Shalimar Acres, a 1/2" iron pin with a red cap stamped Tipton
24 Eng, Inc. set at corner;

25 THENCE, $N 00^{\circ} 07' 23'' E$, along said County Road No, 544
26 east line, a distance of 381.49 feet to the Place Of Beginning
27 with the subject tract containing 160,368 Square Feet or 3.6815

1 Acres of land.

2 PARCEL 5

3 BEING a tract of land situated in the Roger Willis Survey,
4 Abstract No. 748, and the Silvester Williams Survey, Abstract
5 No. 955 Collin County, Texas, the subject tract being a portion
6 of that 1473.835 acre tract of land conveyed to Commercial
7 Capital Investments, Inc. by Resolution Trust Corporation
8 according to the Special Warranty Deed recorded in Collin County
9 Clerk File number 94-0058780 of the Land Records Of Collin
10 County Texas (LRCCT), the subject tract being more particularly
11 described as follows;

12 COMMENCING at the intersection of the southerly line of
13 County Road No. 543 and the west line of County Road No. 544 as
14 dedicated by said Shalimar Acres Final Plat, said point further
15 being located at the northeast corner of Lot 1 of said Shalimar
16 Acres, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc.
17 set at corner;

18 THENCE, N 81° 19' 37" W, along the said County Road No. 543
19 south line, a distance of 82.52 feet to the Place Of Beginning
20 of the here-in described tract of land and northwest corner of
21 said Lot 1 of Shalimar Acres, said corner further being located
22 at an ell corner of a tract of land conveyed to the United
23 States Of America, a US Government marker in concrete found at
24 corner;

25 THENCE, leaving the addition line of said Shalimar Acres
26 and along a common line between that Commercial Capital
27 Investments, Inc. 1473.835 acres tract and the previously

1 mentioned United States of America tract the following;

2 N 89° 15' 55" W, a distance of 473.20 feet to a 1/2"
3 iron pin found at corner;

4 N 00° 45' 29" E, a distance of 92.19 feet to a 1/2" iron
5 pin found at corner;

6 THENCE, continuing along the previously mentioned common
7 property lines and along the approximate centerline of said
8 County Road No. 543 the following;

9 N 88° 56' 29" E, a distance of 107.30 feet to a 1/2" iron
10 pin found at corner;

11 S 84° 41' 46" E, a distance of 286.48 feet;

12 S 81° 15' 53" E, a distance of 112.04 feet;

13 THENCE, S 33° 09' 52" E, leaving said County Road No. 543
14 north line and along a portion of that County Road No. 543
15 right-of-way dedication by said Shalimar Acres, a distance of
16 69.05 feet;

17 THENCE, N 89° 06' 54" W, continuing along said County Road
18 No. 543 right-of-way dedication by said Shalimar Acres, a
19 distance of 69.12 feet to the Place Of Beginning with the
20 subject tract containing 42,403 Square Feet or 0.9734 acres of
21 land.

22 PARCEL 6

23 BEING a tract of land situated in the Thomas Toby Survey,
24 Abstract No. 925 in the Sylvester William Survey, Abstract No.
25 955, Collin County, Texas being all of a called 16.105 acre
26 tract of land conveyed by Angela Olivo Ramos to WYA Lake Lavon
27 Ltd., a Texas limited partnership, according to the General

1 Warranty Deed with Vendor's Lien recorded in County Clerk's File
2 Number 20071126001578660 of the Land Records of Collin County,
3 Texas (LRCCT), the subject tract being more particularly
4 described as follows;

5 BEGINNING at a 1/2" iron pin found with a red cap in the
6 easterly right-of-way of State Highway No. 78 same being the
7 southwest corner of the subject tract and the northwest corner
8 of a tract of land conveyed to W.B. Montgomery;

9 THENCE, N 15° 54' 36" W, along the easterly line of said
10 State Highway No. 78, a distance of 453.48 feet to a 1/2" iron
11 pin with a red cap stamped Tipton Eng. Inc. set at corner, from
12 which a wood right-of-way monument bears S 16° 24' 09" E, a
13 distance of 63.19 feet;

14 THENCE, continuing along the easterly line of said State
15 Highway No. 78 and around a curve to the right having a central
16 angle of 04° 27' 04", a radius of 1382.93 feet, a chord of N 13°
17 41' 04" W - 107.37 feet, an arc distance of 107.39 feet to a
18 1/2" iron pin with a red cap stamped Tipton Eng. Inc. set at
19 corner;

20 THENCE, N 89° 45' 00" E, along the south line of a tract of
21 land conveyed to Angela Olivo Ramos, according to the Warranty
22 Deed recorded in County Clerk File Number 20060208000171830
23 (LRCCT), a distance of 1364.23 feet to the northeast corner of
24 the subject tract and a point in the west line of a called
25 23.764 acres tract of land conveyed by Billy G. Roan and wife,
26 Merle Ann Roan to WYA Lake Lavon Ltd., a Texas limited
27 partnership according to the Special Warranty Deed with Vendor's

1 Lien recorded in County Clerk File Number 20080111000045480
2 (LRCCT), a 1/2" iron pin with a red cap stamped Tipton Eng. Inc
3 set at corner from which a 5/8" iron pin found with a red cap
4 stamped "Clark" bears N 00° 09' 30" W, a distance of 515.87
5 feet;

6 THENCE, S 00° 15' 00" E, along the east line of said 16.105
7 acres WYA Lake Lavon Ltd., tract and west line of said WYA Lake
8 Lavon Ltd. 23.764 acres tract, a distance of 547.75 feet to a
9 1/2" iron pin found at corner;

10 THENCE, N 89° 05' 05" W, along the south line of said WYA
11 Lake Lavon Ltd. 16.105 acres tract and the north line of said
12 WYA Lake Lavon Ltd. 23.764 acres tract, a distance of 205.28
13 feet to a common northerly corner of said WYA Lake Lavon Ltd.
14 23.764 acres tract and an 18.8098 acres tract of land conveyed
15 by JDI Investors, LP to WYA Lake Lavon Ltd., a Texas limited
16 partnership according to according to the Special Warranty Deed
17 with Vendor's Lien recorded in CC# 20080702000812420 (LRCCT), a
18 1/2" iron pin found with a red cap stamped "Clark" found 1 foot
19 NW of a fence corner post at corner;

20 THENCE, S 89° 53' 31" W, along the north line of said WYA
21 Lake Lavon Ltd 18.8098 acres tract of land and the south line of
22 the subject WYA Lake Lavon Ltd. 16.105 acres tract of land,
23 passing a 1/2" iron pin found at the northeast corner of said
24 Montgomery Tract at a distance of 592.68 feet and continuing
25 along the north line of said Montgomery Tract for a total
26 distance of 1011.65 feet to the PLACE OF BEGINNING with the
27 subject tract containing 701,534 square feet or 16.105 acres of

1 land.

2 PARCEL 7

3 BEING a tract of land situated in the Sylvester William
4 Survey, Abstract No. 955, Collin County, Texas and being all of
5 a called 23.764 acres tract of land conveyed by Billy G. Roan
6 and wife, Merle Ann Roan to WYA Lake Lavon Ltd., a Texas limited
7 partnership according to the Special Warranty Deed with Vendor's
8 Lien recorded in County Clerk File Number 20080111000045480
9 (LRCCT), the subject tract being more particularly described as
10 follows;

11 BEGINNING at a 5/8" iron pin with a red cap stamped "
12 Clark" found for corner at the intersection of the South right-
13 of-way of County Road 543, the west boundary line of said 23.764
14 acres tract and the east boundary line of a 1.001 acre tract
15 owned by Dario M. Castillo according to the warranty deed
16 recorded in Volume 5734, Page 2748 (LRCCT), said beginning point
17 further being located at the southwest corner of a 0.4622 acre
18 tract described in conveyance from Bill G. Roan to County of
19 Collin, dated May 24, 2000 and recorded in Volume 4677, Page
20 1545 (LRCCT), said beginning point further being 1303.91 feet
21 easterly, along said County Road 543 south line, from the point
22 of intersection of the south line of County Road No. 543 (Vol.
23 4837, Page 725 LRCCT), a variable width ROW and the east line of
24 State Highway Number 78;

25 THENCE with the south right-of-way of County Road 543 and
26 the south boundary line of said 0.4622 acre tract the following;

27 S 89° 25' 22" E, a distance of 30.49 feet to a 1/2" iron

1 rod found for corner;

2 N 89° 06' 30" E, a distance of 430.67 feet to the northeast
3 corner of the said subject 23.764 acres tract, said point
4 further being located on the west line of a 15.23 acres tract
5 conveyed by Emma Nowlin, et al to the United States of America
6 dated September 21, 1972, recorded in Volume 837, Page 367
7 (LRCCT), a 1/2" iron rod found at corner;

8 THENCE, S 30° 07' 59" E, a distance of 531.40 feet to a
9 concrete corporation monument found for corner and 1.2 feet
10 north of a fence corner, said corner being an interior corner of
11 the United States of America 15.23 acres tract;

12 THENCE, along the east line of said WYA Lake Lavon
13 Ltd. 23.764 acres tract and the west line of said United States
14 of America tract the following;

15 S 57° 08' 27" W, a distance of 564.72 feet to a concrete
16 corporation monument found near a fence corner at corner,

17 S 30° 05' 11" E, a distance of 310.04 feet to a concrete
18 corporation monument found at corner;

19 S 06° 02' 06" W, passing a concrete corporation monument
20 found at a distance of 499.80 feet and continuing to make a
21 total distance of 899.52 feet to the most southerly southeast
22 corner of said WYA Lake Lavon Ltd. 23.764 acres tract, a
23 concrete corporation monument found at corner;

24 THENCE, S 77° 58' 17" W, along the south line of said WYA
25 Lake Lavon Ltd. 23.764 acres tract and the north line of said
26 United States of America 15.23 acres tract, a distance of 530.53
27 feet to the southwest corner of the subject WYA Lake Lavon Ltd.

1 23.764 acres tract and the southeast corner of that 18.8098
2 acres tract of land conveyed by JDI Investors, LP to WYA Lake
3 Lavon Ltd., a Texas limited partnership according to according
4 to the Special Warranty Deed with Vendor's Lien recorded in CC#
5 20080702000812420 (LRCCT), a 1/2" iron pin with a red cap
6 stamped "Wisdom" found at corner, from which a fence corner post
7 bears S 04° 44" 01" E, a distance of 5.32 feet and a metal pole
8 of a power line bears S 59° 34' 51" E, a distance of 70.91 feet;

9 THENCE N 00° 12' 05" E, along the east line of said WYA
10 Lake Lavon Ltd. 18.8098 acres tract and the west line of said
11 WYA Lake Lavon Ltd. 23.764 acres tract and generally along or
12 near a barbed wire fence, a distance of 972.68 to a point on the
13 south line of a 16.105 acre tract of land conveyed by Angela
14 Olivo Ramos to WYA Lake Lavon Ltd., a Texas limited partnership,
15 according to the General Warranty Deed with Vendor's Lien
16 recorded in County Clerk's File Number 20071126001578660 of the
17 Land Records of Collin County, Texas (LRCCT), a 1/2" iron pin
18 with a red cap stamped "Clark" found 1 foot NW of a fence corner
19 post at corner;

20 THENCE, S 89° 05' 05" E, along the north line of the
21 subject WYA Lake Lavon Ltd. 23.764 acres tract and the south
22 line of said WYA Lake Lavon Ltd. 16.105 acres tract, a distance
23 of 205.28 feet to a 1/2" iron pin found at corner;

24 THENCE, N 00° 15' 00" W, along the subject WYA Lake Lavon
25 Ltd. 23.764 acres tract west line and east lines of the said WYA
26 Lake Lavon Ltd. 16.105 acres tract and that 16.1066 acres tract
27 of land owned by Angela Olivo Ramos, according to the warranty

1 deed recorded in County Clerk's File Number 20060208000171830
2 (LRCCT), a distance of 970.04 feet to a 1/2" iron pin with a cap
3 stamped Stovall & Associates found at corner;

4 THENCE, N 00° 03' 27" E, along the east line of said Dario
5 M. Castillo 1.001 acre tract and the west line of the subject
6 WYA Lake Lavon Ltd. 23.764 acres tract, a distance of 93.64 feet
7 to the Place of Beginning with the subject tract containing
8 1,035,320 Square Feet or 23.7677 acres of land.

9 PARCEL 8

10 BEING a tract of land situated in the Thomas Toby Survey,
11 Abstract No. 925 and the Sylvester William Survey, Abstract No.
12 955, Collin County, Texas, the subject tract being all of that
13 18.8098 acres tract of land conveyed by JDI Investors, LP to WYA
14 Lake Lavon Ltd., a Texas limited partnership according to
15 according to the Special Warranty Deed with Vendor's Lien
16 recorded in CC# 20080702000812420 of the Land Records of Collin
17 County, Texas (LRCCT), the subject tract being more particularly
18 described as follows;

19 COMMENCING at the point intersection of the south line of
20 County Road No. 543 (Vol. 4837, Page 725 LRCCT), a variable
21 width ROW at this point and the east line of State Highway
22 Number 78, said point being the most northerly northwest corner
23 of a tract of land conveyed to Alfred Olivo according to the
24 warranty deed recorded in County Clerk's File Number
25 20060208000171820 (LRCCT), a 1/2" iron pin with a red cap
26 stamped "Boundary Solutions" found at corner, from which a 1/2"
27 iron pin found bears N 31° 40' 42" W, a distance of 176.28 feet;

1 THENCE, along the said State Highway Number 78 easterly
2 line the following;

3 S 45° 09' 02" W, a distance of 131.71 feet;

4 S 00° 36' 13" E, a distance of 184.23 feet;

5 Around a non-tangent curve to the left having a central
6 angle of 15° 42' 46", a radius of 1382.39 feet and a chord of S
7 08° 03' 17" E - 377.92 feet, an arc distance of 379.10 feet;

8 S 15° 54' 36" E, a distance of 453.48 feet to the southwest
9 corner of a 16.105 acres tract of land conveyed to WYA Lake
10 Lavon Ltd., according to the according to the General Warranty
11 Deed With Vendor's Lien recorded in CC# 20071126001578660
12 (LRCCT);

13 THENCE, N, 89° 53' 31" E, along the south line of said WYA
14 Lake Lavon Ltd., 16.105 acres tract, a distance of 418.96 feet
15 to the PLACE OF BEGINNING of the herein described tract, said
16 Beginning Point being the most northerly northwest corner of the
17 subject WYA Lake Lavon Ltd., 18.8098 acres tract and the
18 northeast corner of a tract of land conveyed to Willie B.
19 Montgomery according to the deed recorded in Volume 463, Page
20 496 (LRCCT), a 1/2" iron pin with a red cap stamped "Wisdom"
21 found at corner;

22 THENCE, N 89° 53' 31" E, along the south line of said WYA
23 Lake Lavon Ltd., 16.105 acres tract and the north line of said
24 WYA Lake Lavon Ltd., 18.8098 acres tract, a distance of 592.69
25 feet to the northeast corner of said WYA Lake Lavon Ltd.,
26 18.8098 acres tract, said corner also being located at an angle
27 point of a 23.764 acre tract of land conveyed to WYA Lake Lavon

1 Ltd., a Texas limited partnership, according to the Warranty
2 Deed With Vendor's Lien recorded in CC# 20080111000045480
3 (LRCCT), a 1/2" iron pin with a red cap stamped "Clark" found 1
4 foot NW of a fence corner post at corner;

5 THENCE, S 00° 11' 58" W, along the east line of said WYA
6 Lake Lavon Ltd., 18.8098 acres tract and west line of said WYA
7 Lake Lavon Ltd., 23.764 acres tract, and generally along or near
8 a barbed wire fence, a distance of 972.52 feet to the southeast
9 corner of said WYA Lake Lavon Ltd., 18.8098 acres tract, a 1/2"
10 iron pin with a red cap stamped "Wisdom" found at corner, from
11 which a fence corner post bears S 04° 44' 01" E, a distance of
12 5.32 feet and a metal pole of a power line bears S 59° 34' 51"
13 E, a distance of 70.91 feet;

14 THENCE, S 89° 52' 50" W, along the south line of said WYA
15 Lake Lavon Ltd., 18.8098 acres tract and the north line of a
16 tract of land conveyed to the United States Of America according
17 to the Condemnation document recorded in Volume 714, page 825
18 (LRCCT), and proceeding approximately 5.3 feet to 6 feet
19 northerly of a barbed wire fence, a distance of 811.92 feet to a
20 concrete Government marker stamped 1918-1-1 found at corner,
21 from which a fence corner post bears S 02° 51' 19" E, a distance
22 of 6.1 feet;

23 THENCE, N 04° 36' 49" W, along the westerly line of said
24 WYA Lake Lavon Ltd., 18.8098 acres tract and an easterly line of
25 a tract of land conveyed to the United States Of America and
26 identified as Tract 1918-1 according to the Condemnation
27 document recorded in Volume 755, Page 612 (LRCCT), a distance of

1 460.09 feet to a concrete Government marker stamped 1918-1-2
2 found at corner,

3 THENCE, S 88° 38' 36" W, along a south line of said WYA
4 Lake Lavon Ltd., 18.8098 acres tract and the north line of said
5 United States Of America north line (755, Page 612), a distance
6 of 49.97 feet to a concrete Government marker stamped 1918-1-3
7 found at corner,

8 THENCE, along said State Highway No. 78 easterly line and
9 the westerly line of said WYA Lake Lavon Ltd., 18.8098 acres
10 tract the following;

11 Around a non-tangent curve to the left having a central
12 angle of 13° 07' 52", a radius of 1373.25 feet and a chord of N
13 09° 20' 40" W - 314.03 feet, an arc distance of 314.72 feet to a
14 1/2" iron pin with a red cap stamped Tipton Engineering, Inc.
15 set at corner;

16 N 15° 54' 36" W, a distance of 89.62 feet to a 1/2" iron
17 pin with a red cap stamped Tipton Engineering, Inc. set at
18 corner, from which a Highway Department wood monument found
19 bears N 24° 06' E, a distance of 0.28 foot and a 1/2" iron pin
20 with a red cap stamped "Wisdom" found bears S 15° 54' 36" E, a
21 distance of 10.13 feet;

22 THENCE, N 89° 53' 31" E, along the south line of the
23 previously mentioned Willie B. Montgomery tract and a north line
24 of said WYA Lake Lavon Ltd., 18.8098 acres tract, a distance of
25 383.16 feet to a 1/2" iron pin with a red cap stamped Tipton
26 Engineering, Inc. set at corner, from which a 60d nail found in
27 top of 3 feet tall power pole bears S 07' 17' 23" E, a distance

1 of 9.94 feet;

2 THENCE, N 00° 57' 15" E. along a west line of said WYA Lake
3 Lavon Ltd., 18.8098 acres tract and the east line of said Willie
4 B. Montgomery tract, a distance of 118.97 feet to the Place Of
5 Beginning with the subject tract containing 819,355 Square Feet
6 or 18.8098 Acres of Land.

7 PARCEL 9

8 BEING a tract of land situated in the Thomas Toby Survey,
9 Abstract No. 925 and the Sylvester William Survey, Abstract No.
10 955, Collin County, Texas, the subject tract being all of that
11 tract of land conveyed to Alfred Olivo, according to the
12 warranty deed recorded in County Clerk's File Number
13 20060208000171830 of the Land Records of Collin County, Texas
14 (LRCCT), the subject tract being more particularly described as
15 follows;

16 BEGINNING at the point intersection of the south line of
17 County Road No. 543 (Vol. 4837, Page 725 LRCCT), a variable
18 width ROW and the east line of State Highway Number 78, said
19 point being the northwest corner of said Alfred Olivo subject
20 tract, a 1/2" iron pin with a red cap stamped "Boundary
21 Solutions" found at corner, from which a 1/2" iron pin found
22 bears N 31° 40' 42" W, a distance of 176.28 feet;

23 THENCE, along the said County Road No. 543 south line the
24 following;

25 S 89° 21' 07" E (deed = S 89° 24' 48" E), a distance of
26 225.74 feet to a 5/8" iron pin with a red cap found at corner;

27 S 88° 24' 19" E (deed = S 88° 23' 30" E), a distance of

1 742.45 feet to the most northerly northeast corner of said
2 Alfred Olivo tract and northwest corner of a tract of land owned
3 by Dario M. Castillo according to the warranty deed recorded in
4 Volume 5734, Page 2748 (LRCCT), a 1/2" iron pin with a red cap
5 stamped Tipton Eng., Inc. set at corner, from which a 5/8" iron
6 pin with a red cap stamped " Clark" found bears N 71° 03' 30" W,
7 a distance of 284.97 feet;

8 THENCE, S 00° 47' 36" W, along an east line of said Alfred
9 Olivo tract and west line of said Dario M. Castillo tract, a
10 distance of 91.56 feet to a 1/2" iron pin with a cap stamped
11 Stovall & Associates found at corner;

12 THENCE, S 89° 18' 46" E (deed = S 89° 19' 33" E), along a
13 north line of said Alfred Olivo tract and south line of said
14 Dario M. Castillo tract, a distance of 331.89 feet to the most
15 easterly northeast corner of said Alfred Olivo tract, said
16 corner further being located at a point on the west line of a
17 tract of land conveyed by Billy G. Roan and wife, Merle Ann Roan
18 to WYA Lake Lavon Ltd., a Texas limited partnership according to
19 the Special Warranty Deed with Vendor's Lien recorded in County
20 Clerk File Number 20080111000045480 (LRCCT), a 1/2" iron pin
21 with a cap stamped Stovall & Associates found at corner;

22 THENCE, S 00° 15' 00" E, along the east line of said Alfred
23 Olivo tract and said WYA Lake Lavon Ltd., 23.764 acres tract
24 west line, a distance of 422.28 feet to the southeast corner of
25 said Alfred Olivo tract, a 1/2" iron pin with a red cap stamped
26 Tipton Eng. Inc. found at corner;

27 THENCE, S 89° 45' 00" W, along the south line of said

1 Alfred Olivo tract and the north line of a tract of land
2 conveyed by Angela Olivo Ramos to WYA Lake Lavon Ltd., a Texas
3 limited partnership, according to the General Warranty Deed with
4 Vendor's Lien recorded in County Clerk's File Number
5 20071126001578660 (LRCCT), a distance of 1364.23 feet to the
6 southwest corner of said Alfred Olivo tract and a point on the
7 east line of said State Highway No. 78, a 1/2" iron pin with a
8 red cap stamped Tipton Eng. Inc. found at corner, from which a
9 5/8" iron pin with a yellow cap stamped RPLS 3949 bears S 39°
10 23' 34" W, a distance of 161.44 feet;

11 THENCE, along the west line of said Alfred Olivo tract and
12 the east line of said State Highway No. 78 the following,

13 Around a non-tangent curve to the right having a central
14 angle of 11° 15' 42", a radius of 1382.39 feet and a chord of N
15 05° 49' 42" W - 271.28 feet, an arc distance of 271.72 feet to a
16 1/2" iron pin with a red cap stamped "Boundary Solutions" found
17 at corner;

18 N 00° 36' 13" W (deed = N 00° 11' 36" W - 184.40 feet), a
19 distance of 184.23 feet to a wood monument found at corner, from
20 which the corner of an old house bears N 89° 36' 11" E - 61.68
21 feet and another wood monument across State Highway No, 78 bears
22 N 78° 09' 24" W, a distance of 224.39 feet;

23 N 45° 09' 02" E (deed = N 44° 48' 24" E - 130.44 feet), a
24 distance of 131.71 feet to the PLACE OF BEGINNING with the
25 subject tract containing 701,603 square feet or 16.1066 acres of
26 land.

27 PARCEL 10

1 BEING a tract of land situated in the Roger Willis Survey,
2 Abstract No. 748, Collin County, Texas, the subject tract being
3 a portion of that 1473.835 acre tract of land conveyed to
4 Commercial Capital Investments, Inc. by Resolution Trust
5 Corporation according to the Special Warranty Deed recorded in
6 Collin County Clerk File number 94-0058780 of the Land Records
7 Of Collin County Texas (LRCCT), the subject tract further being
8 a portion of Wenners Park, an addition to Collin County Texas
9 according to the Final Plat recorded in Cabinet J, Page 136,
10 (LRCCT), which is included in the above mentioned Commercial
11 Capital Investments, Inc. 1473.835 acre tract, the subject tract
12 being more particularly described as follows;

13 BEGINNING at a point on the south line of County Road No.
14 543 (a 120' ROW), said point being located at the Northwest
15 corner of Lot 1 of said Wenners Park and the southeast corner of
16 that tract of land conveyed to the County Of Collin for road
17 purposes according to the Deed recorded in County Clerk File No.
18 2000-0070885 (LRCCT), said Beginning Point further being at the
19 northeast corner of a tract of land owned by John Lindsley
20 McCraw and Marjorie Elizabeth McCraw according to the Warranty
21 deed recorded in Volume 627, Page 69 (LRCCT), a 1/2" iron pin
22 with a red cap stamped Tipton Eng, Inc. set at corner;

23 THENCE, along the said County Road No. 543 southerly line
24 the following;

25 S 89° 24' 06" E, a distance of 890.66 feet to a 1/2" iron
26 pin with a red cap stamped Tipton Eng, Inc. set at corner;

27 Around a tangent curve to the left having a central angle

1 of 14° 46' 02", a radius of 1249.86 feet, and a chord of N 83°
2 12' 53" E-321.24 feet, an arc distance of 322.13 feet to a 1/2"
3 iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

4 N 75° 49' 52" E, a distance of 216.93 feet to a 1/2" iron
5 pin with a red cap stamped Tipton Eng, Inc. set at corner;

6 Around a tangent curve to the right having a central angle
7 of 14° 22' 13", a radius of 1129.86 feet, and a chord of N 83°
8 00' 59" E-282.64 feet, an arc distance of 283.38 feet to a 1/2"
9 iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

10 S 89° 47' 55" E, a distance of 817.15 feet to the northeast
11 corner of Lot 12 of said Wengers Park and the southwest corner
12 of a tract of land conveyed to the County Of Collin for road
13 purposes according to the Deed recorded in County Clerk File No.
14 99-0115447 (LRCCT), a 1/2" iron pin found at corner;

15 THENCE, along or westerly of the west line of a tract of
16 land conveyed to Boyce Creek Estates Partnership, according to
17 the Warranty Deed recorded in County Clerk File No.
18 20071205001626340 (LRCCT) and the east line of said Wengers Park
19 the following;

20 S 00° 48' 53" W, a distance of 913.39 feet to a 1/2" iron
21 pin found at corner;

22 S 01° 05' 39" W, a distance of 117.27 feet to a 1/2" iron
23 pin with a red cap stamped Tipton Eng, Inc. set at corner;

24 S 00° 24' 39" E, a distance of 1169.17 feet to a 1/2" iron
25 pin found at corner;

26 S 01° 16' 49" E, a distance of 426.06 feet to the southeast
27 corner of said Wengers Park, said corner being located on the

1 north line of a tract of land conveyed to Thomas A. Adcox
2 according to the Warranty Deed recorded in County Clerk File No.
3 93-0055843 (LRCCT), a 1" iron pipe found at corner from which a
4 fence corner post found bears N 58° 58' 10" E - 1.72 feet;

5 THENCE, N 88° 15' 15" W, a distance of 234.65 feet along
6 the south line of said Widders Park and south of the found north
7 line of a tract of land conveyed to Thomas A. Adcox according to
8 the Warranty Deed recorded in County Clerk File No. 93-0055843
9 (LRCCT) to a 5/8" iron pin found at corner;

10 THENCE, N 88° 28' 43" W, continuing along the Widders Park
11 south line along the north line of a tract of land conveyed to
12 Ronald D. Townsend according to the Warranty Deed With vendor's
13 Lien recorded in County Clerk File No. 95.0095541 (LRCCT), a
14 distance of 138.01 feet to the northwest corner of said Ronald
15 D. Townsend tract;

16 THENCE, continuing along the Widders Park south line and
17 along or north of the north line of a tract of land conveyed to
18 Arapaho East, Inc. according to the Warranty Deed With Vendor's
19 Lien recorded in County Clerk File No. 2007125000110590 the
20 following; N 87° 28' 53" W, a distance of 106.30 feet to a
21 1/2" iron pin found at corner;

22 N 89° 09' 24" W, a distance of 660.91 feet;

23 N 89° 15' 04" W, a distance of 329.10 feet to a 1/2" iron
24 pin with a red cap stamped Tipton Eng, Inc. set at corner;

25 S 89° 19' 08" W, a distance of 200.98 feet to a point being
26 the northwest corner of said Arapaho East, Inc. tract and the
27 northeast corner of a tract of land conveyed to John Yeager

1 according to the Warranty Deed recorded in County Clerk File No.
2 95-0018001 (LRCCT), from said point a 1/2" iron pin with a
3 yellow cap stamped R.S.C.I. RPLS 5034 bears N 46° 38' 55" E-
4 3.09 feet;

5 THENCE, S 89° 49' 14" W, continuing along said Wenners Park
6 south line, and the north line of said John Yeager tract, a
7 distance of 831.17 feet to a common property corner being the
8 southwest corner of said Wenners Park, a northwesterly corner of
9 said John Yeager tract, and at a corner of a tract of land
10 conveyed to the United States Of America, no monument found at
11 corner.

12 THENCE, along the west line of said Wenners Park, and part
13 of the way along an east line of said United States of America,
14 and on or near the east line of said John Lindsley McCraw and
15 Marjorie Elizabeth McCraw tract the following;

16 N 01° 20' 52" W, a distance of 63.19 feet to a US
17 Government monument in concrete found at corner;

18 N 00° 05' 48" E, a distance of 350.50 feet to a 1/2" iron
19 pin found at corner;

20 N 00° 00' 20" W, a distance of 428.47 feet to a 1/2" iron
21 pin found at corner;

22 N 01° 04' 04" W, a distance of 564.64 feet to a 1/2" iron
23 pin with a red cap stamped Tipton Eng, Inc. set at corner;

24 N 00° 25' 45" W, a distance of 1081.22 feet to the Place of
25 Beginning with the subject tract containing 6,354,268 Square
26 Feet or 145.8739 acres of land.

27 PARCEL 11

1 BEING a tract of land situated in the Roger Willis Survey,
2 Abstract No. 748 and the James Osgood Survey, Abstract No. 673,
3 in Collin County, Texas, the subject tract being all of that
4 122.085 acre tract of land conveyed to Boyce Creek Estates
5 Partnership, a Texas General Partnership according to the
6 Warranty deed recorded in County Clerk File Number
7 20071205001626340 (LRCCT), the subject tract being more
8 particularly described as follows;

9 BEGINNING at a point on the south line of County Road No.
10 543 (a 120' ROW), said point being located at the Northeast
11 corner of Lot 12 of Wengers Park, an addition to Collin County
12 Texas according to the Final Plat recorded in Cabinet J, Page
13 136, (LRCCT), said point further being the northwest corner of
14 said Boyce Creek Estates Partnership 122.085 acre tract, a 1/2"
15 iron pin found next to a fence corner post at corner,

16 THENCE, N 89° 42' 04" E, along the south line of said
17 County Road Number 543, a distance of 645.18 feet to the
18 northwest corner of a remaining tract of land conveyed to
19 Commercial Capital Investments, Inc. according to the deed
20 recorded in County Clerk File Number 94-0058780 (LRCCT), a 1/2"
21 iron pin found at corner;

22 THENCE, S 00° 17' 56" E, along the west line of said
23 Commercial Capital Investments, Inc. tract, a distance of 116.02
24 feet;

25 THENCE, N 89° 51' 51" E, along the south line of said
26 Commercial Capital Investments, Inc. tract, a distance of 450.80
27 feet;

1 THENCE, N 00° 17' 56" W, along the east line of said
2 Commercial Capital Investments, Inc. tract, a distance of 117.32
3 feet to a point on the said County Road Number 543 south line, a
4 1/2" iron pin found at corner;

5 THENCE, N 89° 42' 04" E, along said County Road Number 543
6 south line, a distance of 943.24 feet to the northeast corner of
7 said Boyce Creek Estates Partnership tract, said point further
8 being the northwest corner of a 11.430 acre tract of land
9 conveyed to Raymond and Mary Estrello as recorded in Volume
10 1268, Page 498 (LRCCT);

11 THENCE, S 00° 13' 19" E, along the west line of said 11.430
12 acre tract, a distance of 449.65 feet to a 1/2" iron pin found
13 at corner;

14 THENCE, S 00° 05' 23" W, along a fence, a distance of
15 1068.33 feet to the existing southwest corner of a 2.600 acre
16 tract of land conveyed to Ray Estrello according to the deed
17 recorded in Collin County Clerk File Number 96-0033461 (LRCCT);

18 THENCE, S 00° 01' 45" E, along a fence, a distance of
19 350.10 feet to the southwest corner of an 8.00 acre tract of
20 land conveyed to Keenan and Janice Lusk according to the deed
21 recorded in Collin County Clerk File Number 96-0010294 (LRCCT),
22 a 3/8" iron pin found at corner;

23 THENCE, S 00° 03' 28" E, along a fence, a distance of
24 750.92 feet to the southeast corner of said Boyce Creek Estates
25 Partnership tract and the southwest corner of a 14.500 acre
26 tract of land conveyed to Rick and Terry Rabon according to the
27 deed recorded Collin County Clerk File Number 96-0055479

1 (LRCCT);

2 THENCE, along the south line of said Boyce Creek Estates
3 Partnership tract the following;

4 S 88° 49' 18" W, a distance of 322.40 feet to a 3/8" iron
5 pin found at corner;

6 S 89° 32' 40" W, a distance of 641.39 feet;

7 S 89° 42' 16" W, a distance of 1073.83 feet to the
8 southwest corner of said Boyce Creek Estates Partnership tract,
9 a 1" iron pipe found at corner, said corner further being the
10 southeast corner of the previously mentioned Wenners Park
11 addition;

12 THENCE, along the west line of said Boyce Creek Estates
13 Partnership tract the following;

14 N 00° 42' 50" W, passing 4.2 feet east of an angle point of
15 said Wenners Park at a distance of 426.03 feet and continuing to
16 make a total distance of 837.78 feet;

17 N 00° 38' 25" W, a distance of 519.80 feet;

18 N 00° 36' 47" E, passing 4.2 feet east of a 1/2" iron pin
19 with a red cap stamped Tipton Eng., Inc. found at corner at a
20 distance of 237.57 feet and passing 3.2 feet east of a 1/2" iron
21 pin found at a distance of 354.83 feet and continuing to make a
22 total distance of 1268.21 feet to the Place of Beginning with
23 the subject tract containing 5,317,920 Square Feet or 122.0827
24 acres of land.

25 SECTION 2.03. (a) The legal notice of the intention to
26 introduce this article of this Act, setting forth the general
27 substance of this article, has been published as provided by

1 law, and the notice and a copy of this article of this Act have
2 been furnished to all persons, agencies, officials, or entities
3 to which they are required to be furnished under Section 59,
4 Article XVI, Texas Constitution, and Chapter 313, Government
5 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
10 filed its recommendations relating to this article of this Act
11 with the governor, the lieutenant governor, and the speaker of
12 the house of representatives within the required time.

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

17

18 ARTICLE 3. HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

19 SECTION 3.01. Subtitle F, Title 6, Special District Local
20 Laws Code, is amended by adding Chapter 8341 to read as follows:

21 CHAPTER 8341. HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

22 SUBCHAPTER A. GENERAL PROVISIONS

23 Sec. 8341.001. DEFINITIONS. In this chapter:

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

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

26 (3) "District" means the Hunt County Municipal
27 Utility District No. 1.

1 Sec. 8341.002. NATURE OF DISTRICT. The district is a
2 municipal utility district created under Section 59, Article
3 XVI, Texas Constitution.

4 Sec. 8341.003. CONFIRMATION AND DIRECTORS' ELECTION
5 REQUIRED. (a) The temporary directors shall hold an election
6 to confirm the creation of the district and to elect five
7 permanent directors as provided by Section 49.102, Water Code.

8 (b) If the creation of the district is not confirmed at a
9 confirmation election held under this section before September
10 1, 2013:

11 (1) the district is dissolved December 31, 2013,
12 except that:

13 (A) any debts incurred shall be paid;

14 (B) any assets that remain after the payment of
15 debts shall be transferred to Hunt County or the City of
16 Greenville, as mutually determined by the governing bodies of
17 Hunt County and the City of Greenville; and

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

21 (2) this chapter expires September 1, 2016.

22 Sec. 8341.004. CONSENT OF MUNICIPALITY REQUIRED. The
23 temporary directors may not hold an election under Section
24 8341.003 until each municipality in whose corporate limits or
25 extraterritorial jurisdiction the district is located has
26 consented by ordinance or resolution to the creation of the
27 district and to the inclusion of land in the district.

1 Sec. 8341.005. DEVELOPMENT AGREEMENT REQUIRED. (a) The
2 temporary directors may not hold an election under Section
3 8341.003 until a development agreement, as described by Section
4 212.172, Local Government Code, covering the land described by
5 Section 2 of the Act creating this chapter, is executed by the
6 owners of the land covered by the development agreement and by
7 the City of Greenville.

8 (b) The district may not annex land until:

9 (1) the land proposed for annexation is covered by a
10 development agreement executed by the owners of the land and the
11 City of Greenville; or

12 (2) the governing bodies of the City of Greenville
13 and Hunt County consent by ordinance or resolution to the
14 annexation.

15 (c) Notwithstanding the requirement under Section
16 212.172(b), Local Government Code, that a development agreement
17 apply only to land located in the extraterritorial jurisdiction
18 of a municipality, a development agreement described by this
19 section may cover land outside the extraterritorial jurisdiction
20 of the City of Greenville.

21 (d) Section 212.172(d), Local Government Code, does not
22 apply to a development agreement described by this section, and
23 the term of the development agreement may be renewed or extended
24 as mutually agreed to by the owners of the land covered by the
25 agreement and the City of Greenville.

26 Sec. 8341.006. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

27 (a) The district is created to serve a public purpose and

1 benefit.

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

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

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

9 (c) The creation of the district is in the public interest
10 and is essential to accomplish the purposes of Section 52-a,
11 Article III, Texas Constitution, and to:

12 (1) further the public purposes of developing and
13 diversifying the economy of the state;

14 (2) eliminate unemployment and underemployment; and

15 (3) develop or expand transportation and commerce.

16 (d) The district will:

17 (1) promote the health, safety, and general welfare
18 of residents, employers, potential employees, employees,
19 visitors, and consumers in the district, and of the public; and

20 (2) provide needed funding for the district to
21 preserve, maintain, and enhance the economic health and vitality
22 of the district territory as a community and business center.

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

26 Sec. 8341.007. INITIAL DISTRICT TERRITORY. (a) The
27 district is initially composed of the territory described by

1 Section 2 of the Act creating this chapter.

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

6 (1) organization, existence, or validity;

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

10 (3) right to impose a tax; or

11 (4) legality or operation.

12 [Sections 8341.008-8341.050 reserved for expansion]

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8341.051. GOVERNING BODY; TERMS. (a) The district
15 is governed by a board of five elected directors.

16 (b) Except as provided by Section 8341.052, directors
17 serve staggered four-year terms.

18 Sec. 8341.052. TEMPORARY DIRECTORS. (a) The temporary
19 board consists of:

20 (1) Jason Claunch;

21 (2) Jon Smalling;

22 (3) Spencer Taylor;

23 (4) Derek Rogers; and

24 (5) Rome Barnes.

25 (b) Temporary directors serve until the earlier of:

26 (1) the date permanent directors are elected under
27 Section 8341.003; or

1 (2) September 1, 2013.

2 (c) If permanent directors have not been elected under
3 Section 8341.003 and the terms of the temporary directors have
4 expired, successor temporary directors shall be appointed or
5 reappointed as provided by Subsection (d) to serve terms that
6 expire on the earlier of:

7 (1) the date permanent directors are elected under
8 Section 8341.003; or

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

11 (d) If Subsection (c) applies, the owner or owners of a
12 majority of the assessed value of the real property in the
13 district may submit a petition to the Texas Commission on
14 Environmental Quality requesting that the commission appoint as
15 successor temporary directors the five persons named in the
16 petition. The commission shall appoint as successor temporary
17 directors the five persons named in the petition.

18 [Sections 8341.053-8341.100 reserved for expansion]

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 8341.101. GENERAL POWERS AND DUTIES. The district
21 has the powers and duties necessary to accomplish the purposes
22 for which the district is created.

23 Sec. 8341.102. 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
26 Code, applicable to municipal utility districts created under
27 Section 59, Article XVI, Texas Constitution.

1 Sec. 8341.103. WATER AND WASTEWATER FACILITIES AND
2 SERVICES. (a) The district shall make available any district
3 water or wastewater facility to each person that holds a
4 certificate of convenience and necessity to which any land in
5 the district is subject.

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

8 Sec. 8341.104. AUTHORITY FOR ROAD PROJECTS. Under Section
9 52, Article III, Texas Constitution, the district may acquire,
10 construct, improve, operate, and maintain macadamized, graveled,
11 or paved roads, or improvements, including storm drainage, in
12 aid of those roads.

13 Sec. 8341.105. ROAD STANDARDS AND REQUIREMENTS. (a) A
14 road project must:

15 (1) meet all construction standards, zoning and
16 subdivision requirements, and regulations of each municipality
17 in whose corporate limits or extraterritorial jurisdiction the
18 road project is located that apply to the construction,
19 improvement, maintenance, repair, or operation of the road
20 project; and

21 (2) comply with the development agreement required by
22 Section 8341.005.

23 (b) If a road project is not located in the corporate
24 limits or extraterritorial jurisdiction of a municipality, the
25 road project must meet all applicable construction standards,
26 subdivision requirements, and regulations of each county in
27 which the road project is located.

1 (c) The district shall pay all costs associated with the
2 maintenance or operation of a road project.

3 (d) If the state will maintain and operate the road, the
4 Texas Transportation Commission must approve the plans and
5 specifications of the road project.

6 Sec. 8341.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
7 OR RESOLUTION. The district shall comply with all applicable
8 requirements of any ordinance or resolution that is adopted
9 under Section 54.016 or 54.0165, Water Code, and that consents
10 to the creation of the district or to the inclusion of land in
11 the district.

12 Sec. 8341.107. ANNEXATION BY CITY OF GREENVILLE. The City
13 of Greenville may annex a district created under this chapter on
14 the earlier of:

15 (1) the date that water, sanitary sewer, drainage,
16 and road improvements and roads have been constructed to serve
17 90 percent of the land in the district; or

18 (2) the 15th anniversary of the date of the election
19 held to confirm the creation of the district or any new district
20 created by the division of the district.

21 Sec. 8341.108. RAIL FACILITIES. The district may
22 construct, acquire, improve, maintain, and operate rail
23 facilities and improvements in aid of those facilities.

24 Sec. 8341.109. LIMITATION ON USE OF EMINENT DOMAIN. The
25 district may not exercise the power of eminent domain outside
26 the district to acquire a site or easement for:

27 (1) a road project authorized by Section 8341.104; or

1 (2) a recreational facility as defined by Section
2 49.462, Water Code.

3 Sec. 8341.110. DIVISION OF DISTRICT. (a) The district
4 may be divided into two or more new districts only if:

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

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

7 and

8 (3) the requirements of Subsection (i) are satisfied.

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

12 (c) Any new district created by the division of the
13 district may not, at the time the new district is created,
14 contain any land outside the area described by Section 2 of the
15 Act creating this chapter.

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

20 (e) The board may adopt an order dividing the district
21 before or after the date the board holds an election under
22 Section 8341.003 to confirm the district's creation.

23 (f) An order dividing the district shall:

24 (1) name each new district;

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

27 (3) appoint temporary directors for each new

1 district; and

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

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

9 (h) Any new district created by the division of the
10 district shall hold a confirmation and directors' election as
11 required by Section 8341.003.

12 (i) If the district is located wholly or partly in the
13 corporate limits or the extraterritorial jurisdiction of a
14 municipality, the district may not divide under this section
15 unless the municipality by resolution or ordinance first
16 consents to the division of the district. If the district is
17 not located wholly or partly in the corporate limits or the
18 extraterritorial jurisdiction of a municipality, the district
19 may not divide under this section unless the commissioners court
20 of each county in which the district is wholly or partly located
21 first adopts a resolution or order in support of the division of
22 the district.

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

1 [Sections 8341.111-8341.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8341.151. ELECTIONS REGARDING TAXES OR BONDS. (a)

4 The district may issue, without an election, bonds and other
5 obligations secured by:

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

7 (2) contract payments described by Section 8341.153.

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

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

16 Sec. 8341.152. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 8341.151, the
18 district may impose an operation and maintenance tax on taxable
19 property in the district in accordance with Section 49.107,
20 Water Code.

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

23 Sec. 8341.153. CONTRACT TAXES. (a) In accordance with
24 Section 49.108, Water Code, the district may impose a tax other
25 than an operation and maintenance tax and use the revenue
26 derived from the tax to make payments under a contract after the
27 provisions of the contract have been approved by a majority of

1 the district voters voting at an election held for that purpose.

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

5 [Sections 8341.154-8341.200 reserved for expansion]

6 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

7 Sec. 8341.201. AUTHORITY TO ISSUE BONDS AND OTHER
8 OBLIGATIONS. The district may issue bonds or other obligations
9 payable wholly or partly from ad valorem taxes, impact fees,
10 revenue, contract payments, grants, revenue from economic
11 development agreements under Chapter 380, Local Government Code,
12 other district money, or any combination of those sources, to
13 pay for any authorized district purpose.

14 Sec. 8341.202. TAXES FOR BONDS. At the time the district
15 issues bonds payable wholly or partly from ad valorem taxes, the
16 board shall provide for the annual imposition of a continuing
17 direct ad valorem tax, without limit as to rate or amount, while
18 all or part of the bonds are outstanding as required and in the
19 manner provided by Sections 54.601 and 54.602, Water Code.

20 Sec. 8341.203. BONDS FOR ROAD PROJECTS. At the time of
21 issuance, the total principal amount of bonds or other
22 obligations issued or incurred to finance road projects and
23 payable from ad valorem taxes may not exceed one-fourth of the
24 assessed value of the real property in the district.

25 Sec. 8341.204. LIMIT ON REFINANCING DEBT. The district
26 may not refinance any debt incurred on behalf of the district
27 more than one time without the prior written consent of the City

1 of Greenville.

2 [Sections 8341.205-8341.250 reserved for expansion]

3 SUBCHAPTER F. DISSOLUTION

4 Sec. 8341.251. DISSOLUTION FOLLOWING ANNEXATION BY CITY OF
5 GREENVILLE. (a) On annexation of the district by the City of
6 Greenville, the district is dissolved in accordance with the
7 ordinance of the City of Greenville authorizing the annexation.

8 (b) Section 43.075(d), Local Government Code, applies to
9 the City of Greenville on the date the municipality adopts an
10 ordinance described by Subsection (a).

11 Sec. 8341.252. COLLECTION OF REVENUE OTHER THAN AD VALOREM
12 TAXES. If at the time of dissolution the district has
13 outstanding bonds or other obligations secured by and payable
14 from revenue described by Section 8341.201 other than ad valorem
15 taxes, the municipality succeeds to the rights and obligations
16 of the district regarding enforcement and collection of the
17 revenue and shall enforce and collect revenue as necessary to
18 pay for:

19 (1) the bonds or other obligations issued by the
20 district when due and payable according to their terms; or

21 (2) special revenue or assessment bonds or other
22 obligations issued by the City of Greenville to refund the
23 outstanding bonds or obligations.

24 Sec. 8341.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
25 The City of Greenville assumes the obligations of the district
26 after dissolution, including any bonds or other indebtedness
27 payable from revenue described by Section 8341.201.

1 (b) On dissolution of the district, ownership of all
2 district property is transferred to Hunt County or the City of
3 Greenville as mutually determined by the governing bodies of
4 Hunt County and the City of Greenville.

5 SECTION 3.02. The Hunt County Municipal Utility District
6 No. 1 initially includes all the territory contained in the
7 following area:

8 TRACT 1

9 BEING A 668.169 ACRE TRACT OF LAND SITUATED IN THE JAMES MOORE
10 SURVEY, ABSTRACT NO. 654, GEO VAN CLEAVE SURVEY, ABSTRACT NO.
11 1074 AND WILLIAM KIZER SURVEY, ABSTRACT NO. 575, HUNT COUNTY,
12 TEXAS, AND BEING ALL OF A 305.706 ACRE TRACT OF LAND CONVEYED AS
13 "TRACT 1" TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1489,
14 PAGE 637, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING
15 ALL OF A 157.467 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS,
16 L.P., AS RECORDED IN VOLUME 1489, PAGE 647, OFFICIAL PUBLIC
17 RECORDS, HUNT COUNTY, TEXAS AND BEING ALL 31.979 ACRE TRACT OF
18 LAND CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1795,
19 PAGE 231, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING
20 ALL OF A 173.016 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS,
21 L.P., AS RECORDED IN VOLUME 1463, PAGE 539, OFFICIAL PUBLIC
22 RECORDS, HUNT COUNTY, TEXAS. SAID 668.169 ACRE TRACT WITH
23 BEARING BASIS GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH
24 CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE 2002), DETERMINED BY GPS
25 OBSERVATIONS BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259,
26 2004, CALCULATED FROM COLLIN CORS ARP (PID-DF8982) AND DALLAS
27 CORS ARP (PID-DF8984). BEING MORE PARTICULARLY DESCRIBED BY

1 METES AND BOUNDS AS FOLLOWS:
2 BEGINNING AT THE NORTHEAST CORNER OF SAID 305.706 ACRE TRACT AND
3 THE SOUTHEAST CORNER OF A CALLED 66 ACRE TRACT OF LAND CONVEYED
4 AS "TRACT ONE" TO J.B. McNATT BY DEED RECORDED IN VOLUME 576,
5 PAGE 535, DEED RECORDS, HUNT COUNTY, TEXAS AND BEING ON THE WEST
6 LINE OF A CALLED 36.178 ACRE TRACT OF LAND CONVEYED AS TRACT III
7 TO LAWRENCE R. THOMAS BY DEED RECORDED IN VOLUME 250, PAGE 229,
8 DEED RECORDS, HUNT COUNTY, TEXAS AND BEING AT THE INTERSECTION
9 OF THE APPROXIMATE CENTERLINES OF HUNT COUNTY ROAD 1080 (A
10 VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY) AND HUNT COUNTY ROAD
11 1079 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY) FROM WHICH A
12 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
13 BURGESS" SET FOR WITNESS BEARS SOUTH 51 DEGREES 58 MINUTES 38
14 SECONDS WEST, A DISTANCE OF 29.31 FEET;
15 THENCE SOUTH 00 DEGREES 42 MINUTES 26 SECONDS WEST, ALONG THE
16 EAST LINE OF SAID 305.706 ACRE TRACT AND THE COMMON WEST LINE OF
17 SAID 36.178 ACRE TRACT AND WITH THE APPROXIMATE CENTERLINE OF
18 SAID HUNT COUNTY ROAD 1079, A DISTANCE OF 1564.57 FEET TO A 5/8
19 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
20 SET FOR CORNER;
21 THENCE, CONTINUING ALONG THE EAST LINE OF SAID 305.706 ACRE
22 TRACT, THE FOLLOWING COURSES AND DISTANCES:
23 NORTH 88 DEGREES 23 MINUTES 01 SECONDS EAST, A
24 DISTANCE OF 11.20 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
25 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
26 SOUTH 00 DEGREES 18 MINUTES 24 SECONDS WEST, A
27 DISTANCE OF 3035.27 FEET TO A 1/2 INCH IRON ROD FOUND FOR

1 CORNER;

2 SOUTH 89 DEGREES 02 MINUTES 48 SECONDS WEST, A
3 DISTANCE OF 59.18 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
4 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE INTERIOR
5 ELL CORNER OF SAID 305.706 ACRE TRACT AND BEING THE
6 NORTHWEST CORNER OF A CALLED 20.000 ACRE TRACT OF LAND
7 CONVEYED TO MIKE BITTLE AND WIFE, BONNIE BITTLE, AS
8 RECORDED IN VOLUME 409, PAGE 731, DEED RECORDS, HUNT
9 COUNTY, TEXAS;

10 SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, ALONG THE
11 WEST LINE OF SAID 20.000 ACRE TRACT AND PASSING AT A
12 DISTANCE OF 206.34 FEET, A 5/8 INCH IRON ROD WITH A YELLOW
13 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR A SOUTHEAST
14 CORNER OF SAID 305.706 ACRE TRACT AND THE NORTHEAST CORNER
15 OF AFORESAID 157.467 ACRE TRACT, AND CONTINUING ALONG THE
16 EAST LINE OF SAID 157.467 ACRE TRACT AND THE WEST LINE OF
17 SAID 20.000 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 2178.64
18 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER
19 OF SAID 157.467 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID
20 20.000 ACRE TRACT AND BEING ON THE APPROXIMATE CENTERLINE
21 OF HUNT COUNTY ROAD NO. 1071 (A VARIABLE WIDTH PRESCRIPTIVE
22 RIGHT-OF-WAY);

23 THENCE, NORTH 89 DEGREES 59 MINUTES 21 SECONDS WEST, ALONG THE
24 SOUTH LINE OF SAID 157.467 ACRE TRACT AND WITH THE APPROXIMATE
25 CENTERLINE OF SAID HUNT COUNTY ROAD 1771, PASSING AT A DISTANCE
26 OF 1307.23 FEET A 1/2 INCH IRON ROD FOUND, CONTINUING IN ALL A
27 TOTAL DISTANCE OF 1311.67 FEET TO A POINT FOR AN INTERIOR ELL

1 CORNER OF SAID 157.467 ACRE TRACT AND BEING AT THE INTERSECTION
2 OF THE APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD 1071 AND
3 HUNT COUNTY ROAD NO. 1074 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-
4 OF-WAY), FROM WHICH A 3/8 INCH IRON ROD FOUND FOR THE NORTHWEST
5 CORNER OF A CALLED 22.0 ACRE TRACT OF LAND CONVEYED TO GERALD
6 HENRY CLEMENTS, AS RECORDED IN VOLUME 1014, PAGE 495, OFFICIAL
7 PUBLIC RECORDS, HUNT COUNTY, TEXAS, BEARS SOUTH 69 DEGREES 22
8 MINUTES 52 SECONDS WEST, A DISTANCE OF 6.90 FEET;
9 THENCE, SOUTH 00 DEGREES 37 MINUTES 07 SECONDS EAST, WITH THE
10 EAST LINE OF SAID 157.467 ACRE TRACT AND THE APPROXIMATE
11 CENTERLINE OF SAID HUNT COUNTY ROAD 1074, A DISTANCE OF 538.77
12 FEET TO A 3/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF
13 SAID 22.0 ACRE TRACT AND THE NORTHWEST CORNER OF AFORESAID
14 173.016 ACRE TRACT;
15 THENCE, NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST, ALONG THE
16 NORTH LINE OF SAID 173.016 ACRE TRACT AND THE COMMON SOUTH LINE
17 OF SAID 22.0 ACRE TRACT, PASSING AT A DISTANCE OF 19.91 FEET A
18 1/2" IRON ROD FOUND WITH CAP STAMPED "WISDOM R.P.L.S. 3646"
19 FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1778.50
20 FEET TO A 1/2 INCH IRON ROD FOUND WITH CAP STAMPED "WISDOM
21 R.P.L.S. 3646" FOR THE NORTHEAST CORNER OF SAID 173.016 ACRE
22 TRACT AND THE SOUTHEAST CORNER OF SAID 22.0 ACRE TRACT, SAID
23 POINT BEING IN THE WEST LINE OF A CALLED 97.784 ACRE TRACT OF
24 LAND CONVEYED TO PAUL WIRTZBERGER BY DEED RECORDED IN VOLUME
25 575, PAGE 179, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS;
26 THENCE, ALONG THE EAST LINE OF SAID 173.016 ACRE TRACT AND THE
27 WEST LINE OF SAID 97.784 ACRE TRACT, THE FOLLOWING COURSES AND

1 DISTANCES:

2 SOUTH 00 DEGREES 07 MINUTES 57 SECONDS WEST, A
3 DISTANCE OF 2019.66 FEET TO A 3/8 INCH IRON ROD FOUND FOR
4 CORNER;

5 SOUTH 00 DEGREES 22 MINUTES 50 SECONDS WEST, A
6 DISTANCE OF 388.78 FEET TO A 3/8 INCH IRON ROD FOUND FOR
7 CORNER;

8 SOUTH 00 DEGREES 07 MINUTES 29 SECONDS WEST, A
9 DISTANCE OF 2053.44 FEET TO A 1/2 INCH IRON ROD FOUND FOR
10 THE SOUTHEAST CORNER OF SAID 173.016 ACRE TRACT AND THE
11 SOUTHWEST CORNER OF SAID 97.784 ACRE TRACT, SAID POINT ALSO
12 BEING IN THE NORTH RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD
13 NO. 1569 (A VARIABLE WIDTH RIGHT-OF-WAY);

14 THENCE, ALONG THE SOUTH LINE OF SAID 173.016 ACRE TRACT AND THE
15 COMMON NORTH RIGHT-OF-WAY LINE OF SAID FARM TO MARKET ROAD NO.
16 1569, THE FOLLOWING COURSES AND DISTANCES:

17 SOUTH 89 DEGREES 33 MINUTES 34 SECONDS WEST, A
18 DISTANCE OF 1000.94 FEET TO A BROKEN CONCRETE MONUMENT
19 FOUND FOR CORNER;

20 SOUTH 84 DEGREES 33 MINUTES 30 SECONDS WEST, A
21 DISTANCE OF 112.36 FEET TO A BROKEN CONCRETE MONUMENT FOUND
22 FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE
23 RIGHT HAVING A CENTRAL ANGLE OF 89 DEGREES 34 MINUTES 36
24 SECONDS, A RADIUS OF 532.96 FEET, A LONG CHORD THAT BEARS,
25 NORTH 45 DEGREES 39 MINUTES 26 SECONDS WEST, A DISTANCE OF
26 750.93 FEET;

27 ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC

1 DISTANCE OF 833.23 FEET TO A BROKEN CONCRETE MONUMENT FOUND
2 FOR CORNER;
3 THENCE, ALONG THE WEST LINE OF SAID 173.016 ACRE TRACT AND THE
4 COMMON EAST RIGHT-OF-WAY LINE OF SAID FARM TO MARKET ROAD NO.
5 1569, THE FOLLOWING COURSES AND DISTANCES:
6 NORTH 01 DEGREES 01 MINUTES 34 SECONDS WEST, A
7 DISTANCE OF 797.09 FEET TO A BROKEN CONCRETE MONUMENT FOUND
8 FOR CORNER;
9 NORTH 01 DEGREES 12 MINUTES 32 SECONDS WEST, A
10 DISTANCE OF 1152.33 FEET TO A BROKEN CONCRETE MONUMENT
11 FOUND FOR CORNER;
12 NORTH 04 DEGREES 02 MINUTES 50 SECONDS EAST, A
13 DISTANCE OF 100.47 FEET TO A BROKEN CONCRETE MONUMENT FOUND
14 FOR CORNER;
15 NORTH 01 DEGREES 20 MINUTES 07 SECONDS WEST, A
16 DISTANCE OF 209.81 FEET TO A BROKEN CONCRETE MONUMENT FOUND
17 FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT
18 HAVING A CENTRAL ANGLE OF 10 DEGREES 10 MINUTES 52 SECONDS,
19 A RADIUS OF 622.96 FEET, A LONG CHORD THAT BEARS, NORTH 06
20 DEGREES 25 MINUTES 33 SECONDS WEST, A DISTANCE OF 110.55
21 FEET;
22 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE
23 OF 110.70 FEET TO A POINT FOR CORNER;
24 NORTH 00 DEGREES 57 MINUTES 59 SECONDS WEST, A
25 DISTANCE OF 282.19 FEET TO A BROKEN CONCRETE MONUMENT FOUND
26 FOR AN INTERIOR ELL CORNER OF SAID 173.016 ACRE TRACT;
27 SOUTH 88 DEGREES 39 MINUTES 13 SECONDS WEST, A

1 DISTANCE OF 39.92 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN
2 EXTERIOR ELL CORNER OF SAID 173.016 ACRE TRACT AND THE
3 SOUTHEAST CORNER OF A CALLED 2.001 ACRE TRACT CONVEYED TO
4 DONALD C. CASH, AS RECORDED IN VOLUME 1058, PAGE 698,
5 OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, SAID POINT
6 BEING IN THE APPROXIMATE CENTERLINE OF COUNTY ROAD NO. 1074
7 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);

8 THENCE, ALONG THE WEST LINE OF SAID 173.016 ACRE TRACT AND THE
9 COMMON EAST LINE OF SAID 2.001 ACRE TRACT, WITH THE GENERAL
10 DIRECTION OF THE APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO.
11 1074, THE FOLLOWING COURSES AND DISTANCES:

12 NORTH 01 DEGREES 32 MINUTES 05 SECONDS WEST, A
13 DISTANCE OF 122.14 FEET TO A 1/2 INCH IRON ROD FOUND WITH
14 CAP STAMPED "WISDOM R.P.L.S. 3646" FOR CORNER, FROM WHICH A
15 1/2 INCH IRON ROD FOUND WITH CAP STAMPED "WISDOM R.P.L.S.
16 3646" FOUND FOR WITNESS BEARS SOUTH 89 DEGREES 46 MINUTES
17 19 SECONDS EAST, A DISTANCE OF 14.82 FEET;

18 NORTH 01 DEGREES 39 MINUTES 50 SECONDS WEST, A
19 DISTANCE OF 302.03 FEET TO A 1/2 INCH IRON ROD FOUND FOR
20 THE NORTHEAST CORNER OF SAID 2.001 ACRE TRACT AND THE
21 SOUTHEAST CORNER OF A CALLED 3.500 ACRE TRACT CONVEYED TO
22 LISA MARIE ROBLES BY DEED RECORDED IN VOLUME 1097, PAGE
23 595, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS;

24 THENCE, CONTINUING ALONG THE WEST LINE OF SAID 173.016 ACRE
25 TRACT AND THE COMMON EAST LINE OF SAID 3.500 ACRE TRACT, WITH
26 THE GENERAL DIRECTION OF THE APPROXIMATE CENTERLINE OF SAID
27 COUNTY ROAD NO. 1074, THE FOLLOWING COURSES AND DISTANCES:

1 NORTH 00 DEGREES 08 MINUTES 49 SECONDS EAST, A
2 DISTANCE OF 282.96 FEET TO A 3/8 INCH IRON ROD FOUND FOR
3 CORNER, FROM WHICH A 1/2 INCH IRON ROD FOUND WITH CAP
4 STAMPED "WISDOM R.P.L.S. 3646" FOUND FOR WITNESS BEARS
5 SOUTH 89 DEGREES 45 MINUTES 56 SECONDS EAST, A DISTANCE OF
6 20.04 FEET;

7 NORTH 01 DEGREES 11 MINUTES 16 SECONDS WEST, A
8 DISTANCE OF 234.74 FEET TO A POINT FOR THE NORTHEAST CORNER
9 OF SAID 3.500 ACRE TRACT AND A SOUTHEAST CORNER OF
10 AFORESAID 31.979 ACRE TRACT;

11 THENCE, SOUTH 88 DEGREES 35 MINUTES 54 SECONDS WEST, ALONG THE
12 SOUTH LINE OF SAID 31.979 ACRE TRACT AND THE COMMON NORTH LINE
13 OF SAID 3.500 ACRE TRACT, PASSING AT A DISTANCE OF 20.00 FEET A
14 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
15 BURGESS" SET FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF
16 302.92 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST
17 CORNER OF SAID 3.500 ACRE TRACT;

18 THENCE, SOUTH 01 DEGREES 24 MINUTES 06 SECONDS EAST, ALONG THE
19 EAST LINE OF SAID 31.979 ACRE TRACT AND THE COMMON WEST LINE OF
20 SAID 3.500 ACRE TRACT, A DISTANCE OF 517.78 FEET TO A 1/2 INCH
21 IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 3.500 ACRE
22 TRACT, SAID POINT BEING ON THE NORTH LINE OF AFORESAID 2.001
23 ACRE TRACT;

24 THENCE, SOUTH 88 DEGREES 23 MINUTES 58 SECONDS WEST, ALONG THE
25 SOUTH LINE OF SAID 31.979 ACRE TRACT AND THE COMMON NORTH LINE
26 OF SAID 2.001 ACRE TRACT, A DISTANCE OF 81.14 FEET TO A 1/2 INCH
27 IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" FOUND FOR

1 THE NORTHWEST CORNER OF SAID 2.001 ACRE TRACT AND BEING ON THE
2 EAST LINE OF A 3.907 ACRE TRACT OF LAND CONVEYED TO TRAVIS HOBBS
3 BY DEED RECORDED IN VOLUME 1388, PAGE 105, OFFICIAL PUBLIC
4 RECORDS, HUNT COUNTY, TEXAS;
5 THENCE, NORTH 35 DEGREES 06 MINUTES 00 SECONDS EAST, ALONG A
6 WEST LINE OF SAID 31.979 ACRE TRACT AND THE COMMON EAST LINE OF
7 SAID 3.907 ACRE TRACT, A DISTANCE OF 78.00 FEET TO A 1/2 INCH
8 IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" FOUND FOR
9 THE NORTHEAST CORNER OF SAID 3.907 ACRE TRACT;
10 THENCE, SOUTH 86 DEGREES 04 MINUTES 36 SECONDS WEST, ALONG THE
11 SOUTH LINE OF SAID 31.979 ACRE TRACT AND THE COMMON NORTH LINE
12 OF SAID 3.907 ACRE TRACT, A DISTANCE OF 770.20 FEET TO A 1/2
13 INCH IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" FOUND
14 FOR THE NORTHWEST CORNER OF SAID 3.907 ACRE TRACT;
15 THENCE, SOUTH 01 DEGREES 46 MINUTES 57 SECONDS WEST, ALONG AN
16 EAST LINE OF SAID 31.979 ACRE TRACT AND THE COMMON WEST LINE OF
17 SAID 3.907 ACRE TRACT, A DISTANCE OF 223.89 FEET TO A 1/2 INCH
18 IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" FOUND FOR
19 THE SOUTHWEST CORNER OF SAID 3.907 ACRE TRACT AND BEING ON THE
20 COMMON NORTH RIGHT-OF-WAY LINE OF AFORESAID FARM TO MARKET ROAD
21 NO. 1569;
22 THENCE, SOUTH 89 DEGREES 20 MINUTES 25 SECONDS WEST, ALONG THE
23 SOUTH LINE OF SAID 31.979 ACRE TRACT AND THE COMMON NORTH RIGHT-
24 OF-WAY LINE OF SAID FARM TO MARKET ROAD NO. 1569, A DISTANCE OF
25 558.27 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
26 STAMPED "CARTER BURGESS" SET FOR CORNER;
27 THENCE, NORTH 03 DEGREES 10 MINUTES 24 SECONDS EAST, ALONG A

1 WEST LINE OF SAID 31.979 ACRE TRACT, OVER AND ACROSS A TRACT OF
2 LAND CONVEYED TO W.G. MARTIN BY DEED RECORDED IN VOLUME 650,
3 PAGE 283, DEED RECORDS, HUNT COUNTY, TEXAS A DISTANCE OF 470.89
4 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
5 "CARTER BURGESS" SET FOR AN INTERIOR ELL CORNER OF SAID 31.979
6 ACRE TRACT;
7 THENCE, SOUTH 88 DEGREES 31 MINUTES 54 SECONDS WEST, ALONG A
8 SOUTH LINE OF SAID 31.979 ACRE TRACT, CONTINUING OVER AND
9 ACROSS SAID W.G. MARTIN TRACT, PASSING AT A DISTANCE OF 353.37
10 FEET A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
11 "CARTER BURGESS" SET FOR WITNESS, CONTINUING IN ALL A TOTAL
12 DISTANCE OF 372.37 FEET TO A POINT FOR A SOUTHWEST CORNER OF
13 SAID 31.979 ACRE TRACT, SAID POINT ALSO BEING ON THE EAST LINE
14 OF A 39.791 ACRE TRACT OF LAND CONVEYED BY DEED TO NORMAN HALL,
15 AS RECORDED IN VOLUME 203, PAGE 619, DEED RECORDS, HUNT COUNTY,
16 TEXAS AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD NO. 1075 (A
17 VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);
18 THENCE, ALONG THE WEST LINE OF SAID 31.979 ACRE TRACT, THE
19 COMMON EAST LINE OF SAID 39.791 ACRE TRACT AND WITH THE
20 APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO. 1075, THE
21 FOLLOWING COURSES AND DISTANCES:
22 NORTH 00 DEGREES 46 MINUTES 29 SECONDS WEST, A
23 DISTANCE OF 457.72 FEET TO A POINT FOR CORNER;
24 NORTH 09 DEGREES 57 MINUTES 20 SECONDS EAST, A
25 DISTANCE OF 69.13 FEET TO A POINT FOR THE NORTHWEST CORNER
26 OF SAID 31.979 ACRE TRACT AND THE SOUTHWEST CORNER OF
27 AFORESAID 157.467 ACRE TRACT;

1 THENCE, ALONG THE WEST LINE OF SAID 157.467 ACRE TRACT, THE
2 COMMON EAST LINE OF SAID 39.791 ACRE TRACT AND WITH THE
3 APPROXIMATE CENTERLINE OF SAID COUNTY ROAD NO. 1075, THE
4 FOLLOWING COURSES AND DISTANCES:

5 NORTH 09 DEGREES 57 MINUTES 20 SECONDS EAST, A
6 DISTANCE OF 30.33 FEET TO A POINT FOR CORNER;

7 NORTH 27 DEGREES 51 MINUTES 02 SECONDS EAST, A
8 DISTANCE OF 617.11 FEET TO A POINT FOR CORNER;

9 NORTH 75 DEGREES 30 MINUTES 15 SECONDS EAST, A
10 DISTANCE OF 152.78 FEET TO A POINT FOR CORNER;

11 NORTH 40 DEGREES 43 MINUTES 36 SECONDS EAST, A
12 DISTANCE OF 59.14 FEET TO A POINT FOR CORNER;

13 NORTH 08 DEGREES 29 MINUTES 05 SECONDS WEST, A
14 DISTANCE OF 242.89 FEET TO A 1/2 INCH IRON ROD FOUND FOR
15 THE NORTHEAST CORNER OF SAID 39.791 ACRE TRACT AND THE
16 SOUTHEAST CORNER OF A 101.55 ACRE TRACT OF LAND CONVEYED TO
17 DOROTHY JEAN SANCHEZ AND HUSBAND, MANUEL RICHARD SANCHEZ,
18 AS RECORDED IN VOLUME 568, PAGE 86, DEED RECORDS, HUNT
19 COUNTY, TEXAS;

20 THENCE, NORTH 00 DEGREES 57 MINUTES 57 SECONDS WEST, CONTINUING
21 ALONG THE WEST LINE OF SAID 157.467 ACRE TRACT, THE COMMON EAST
22 LINE OF SAID 101.55 ACRE TRACT AND WITH THE APPROXIMATE
23 CENTERLINE OF AFORESAID HUNT COUNTY ROAD 1075, A DISTANCE OF
24 1734.56 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST
25 CORNER OF SAID 157.467 ACRE TRACT AND THE NORTHEAST CORNER OF
26 SAID 101.55 ACRE TRACT AND BEING AT THE APPROXIMATE CENTERLINE
27 INTERSECTION OF SAID HUNT COUNTY ROAD 1075 AND AFORESAID HUNT

1 COUNTY ROAD 1074;
2 THENCE, NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST, ALONG THE
3 NORTH LINE OF SAID 157.467 ACRE TRACT AND WITH THE APPROXIMATE
4 CENTERLINE OF AFORESAID HUNT COUNTY ROAD 1074, A DISTANCE OF
5 970.56 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE OCCUPIED
6 SOUTHEAST CORNER OF A CALLED 80 ACRE TRACT OF LAND CONVEYED AS
7 "TRACT ONE" TO NORMAN AND LINDA OLIVER LIVING TRUST, AS RECORDED
8 IN VOLUME 1331, PAGE 540, OFFICIAL PUBLIC RECORDS, HUNT COUNTY,
9 TEXAS AND BEING THE SOUTHWEST CORNER OF AFORESAID 305.706 ACRE
10 TRACT;

11 THENCE, NORTH 00 DEGREES 17 MINUTES 44 SECONDS WEST, ALONG THE
12 WEST LINE OF SAID 305.706 ACRE TRACT AND THE COMMON EAST LINE OF
13 SAID 80 ACRE TRACT, A DISTANCE OF 1846.41 FEET TO A 3/8 INCH
14 IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 80 ACRE TRACT;

15 THENCE, NORTH 89 DEGREES 52 MINUTES 27 SECONDS WEST, ALONG THE
16 SOUTH LINE OF SAID 305.706 ACRE TRACT AND THE COMMON NORTH LINE
17 OF SAID 80 ACRE TRACT, PASSING AT A DISTANCE OF 1975.47 FEET A
18 3/8 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
19 DISTANCE OF 1993.80 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE
20 NORTHWEST CORNER OF SAID 80 ACRE TRACT AND BEING ON THE EAST
21 LINE OF A 115.5 ACRE TRACT OF LAND CONVEYED AS "TRACT TWO" TO
22 NORMAN AND LINDA OLIVER LIVING TRUST, AS RECORDED IN VOLUME
23 1331, PAGE 540, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND
24 BEING ON THE APPROXIMATE CENTERLINE OF AFORESAID HUNT COUNTY
25 ROAD 1074;

26 THENCE, NORTH 00 DEGREES 00 MINUTES 17 SECONDS WEST, ALONG THE
27 WEST LINE OF SAID 305.706 ACRE TRACT AND THE COMMON EAST LINE OF

1 SAID 115.5 ACRE TRACT AND WITH THE APPROXIMATE CENTERLINE OF
2 SAID HUNT COUNTY ROAD 1074, A DISTANCE OF 1099.92 FEET TO A
3 POINT FOR THE NORTHEAST CORNER OF SAID 115.5 ACRE TRACT;
4 THENCE, SOUTH 89 DEGREES 36 MINUTES 33 SECONDS WEST, ALONG THE
5 SOUTH LINE OF SAID 305.706 ACRE TRACT AND THE COMMON NORTH LINE
6 OF SAID 115.5 ACRE TRACT, PASSING AT A DISTANCE OF 21.33 FEET A
7 3/8 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
8 DISTANCE OF 1997.32 FEET TO FENCE CORNER POST FOUND FOR THE
9 NORTHWEST CORNER OF SAID 115.5 ACRE TRACT AND BEING ON THE EAST
10 LINE OF A 50 ACRE TRACT OF LAND CONVEYED TO DOYLE FAMILY
11 REVOCABLE LIVING TRUST, AS RECORDED IN VOLUME 902, PAGE 681,
12 DEED RECORDS, HUNT COUNTY, TEXAS;
13 THENCE, NORTH 01 DEGREES 11 MINUTES 31 SECONDS WEST, ALONG THE
14 WEST LINE OF SAID 305.706 ACRE TRACT AND THE EAST LINE OF SAID
15 50 ACRE TRACT, A DISTANCE OF 564.66 FEET TO A FENCE CORNER POST
16 FOUND FOR THE SOUTHWEST CORNER OF A CALLED 143.51 ACRE TRACT OF
17 LAND CONVEYED TO JACKY G. LEINART AND JERRY L. LEINART, AS
18 RECORDED IN VOLUME 136, PAGE 557, DEED RECORDS, HUNT COUNTY,
19 TEXAS;
20 THENCE, NORTH 89 DEGREES 16 MINUTES 24 SECONDS EAST, ALONG THE
21 NORTH LINE OF SAID 305.706 ACRE TRACT AND THE COMMON SOUTH LINE
22 OF SAID 143.51 ACRE TRACT, PASSING AT A DISTANCE OF 1991.01 FEET
23 A 3/8 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
24 DISTANCE OF 2009.13 FEET TO A POINT FOR THE SOUTHEAST CORNER OF
25 SAID 143.51 ACRE TRACT AND BEING ON AFORESAID HUNT COUNTY ROAD
26 NO. 1074;
27 THENCE, NORTH 00 DEGREES 00 MINUTES 17 SECONDS WEST, ALONG THE

1 WEST LINE OF SAID 305.706 ACRE TRACT AND THE COMMON EAST LINE OF
2 SAID 143.51 ACRE TRACT, A DISTANCE OF 205.79 FEET TO A 3/8 INCH
3 IRON ROD FOUND FOR THE SOUTHWEST CORNER OF A 17.75 ACRE TRACT OF
4 LAND CONVEYED AS "TRACT THREE" TO SHERMAN A. GREEN, AS RECORDED
5 IN VOLUME 603, PAGE 120, DEED RECORDS, HUNT COUNTY, TEXAS;
6 THENCE, ALONG THE NORTH LINE OF SAID 305.706 ACRE TRACT AND WITH
7 THE APPROXIMATE CENTERLINE OF AFORESAID HUNT COUNTY ROAD 1080,
8 THE FOLLOWING COURSES AND DISTANCES:

9 NORTH 89 DEGREES 45 MINUTES 23 SECONDS EAST, ALONG THE
10 COMMON SOUTH LINE OF SAID 17.75 ACRE TRACT AND THE COMMON
11 SOUTH LINE OF A 22.304 ACRE TRACT OF LAND CONVEYED AS
12 "TRACT TWO" TO J.B. McNATT, AS RECORDED IN VOLUME 576, PAGE
13 535, DEED RECORDS, HUNT COUNTY, TEXAS AND THE COMMON SOUTH
14 LINE OF A 66 ACRE TRACT OF LAND CONVEYED AS "TRACT ONE" TO
15 J.B. McNATT, AS RECORDED IN VOLUME 576, PAGE 535, DEED
16 RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF 1984.50 FEET TO
17 A POINT FOR CORNER, FROM WHICH A 3/8 INCH IRON ROD FOUND
18 FOR WITNESS BEARS, SOUTH 00 DEGREES 17 MINUTES 11 SECONDS
19 EAST, A DISTANCE OF 21.19 FEET;

20 NORTH 89 DEGREES 42 MINUTES 49 SECONDS EAST,
21 CONTINUING ALONG THE COMMON SOUTH LINE OF SAID 66 ACRE
22 TRACT, A DISTANCE OF 1087.57 FEET TO A 5/8 INCH IRON ROD
23 WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR
24 THE SOUTHEAST CORNER OF SAID 66 ACRE TRACT;

25 THENCE, NORTH 00 DEGREES 14 MINUTES 29 SECONDS WEST, ALONG THE
26 WEST LINE OF SAID 305.706 ACRE TRACT, A COMMON EAST LINE OF SAID
27 66 ACRE TRACT AND WITH THE APPROXIMATE CENTERLINE OF SAID HUNT

1 COUNTY ROAD 1080, A DISTANCE OF 1040.80 FEET TO A 5/8 INCH IRON
2 ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR A
3 NORTHWEST CORNER OF SAID 305.706 ACRE TRACT AND THE INTERIOR ELL
4 CORNER OF SAID 66 ACRE TRACT;
5 THENCE, NORTH 89 DEGREES 45 MINUTES 31 SECONDS EAST, ALONG THE
6 NORTH LINE OF SAID 305.706 ACRE TRACT, THE COMMON SOUTH LINE OF
7 SAID 66 ACRE TRACT AND WITH THE APPROXIMATE CENTERLINE OF SAID
8 HUNT COUNTY ROAD 1080, A DISTANCE OF 932.78 FEET TO THE POINT OF
9 BEGINNING AND CONTAINING 668.169 ACRES OF LAND, MORE OR LESS.

10 TRACT 2

11 BEING A 36.077 ACRE TRACT OF LAND SITUATED IN THE JAMES MOORE
12 SURVEY, ABSTRACT NO. 654, AND THE JULIET PORTER SURVEY, ABSTRACT
13 NO. 819, HUNT COUNTY, TEXAS, AND BEING ALL OF A 36.077 ACRE
14 TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN
15 VOLUME 1489, PAGE 637, OFFICIAL PUBLIC RECORDS, HUNT COUNTY,
16 TEXAS. SAID 36.077 ACRE TRACT WITH BEARING BASIS GRID NORTH,
17 TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83
18 (CORS96, EPOCH DATE 2002), DETERMINED BY GPS OBSERVATIONS
19 BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259, 2004,
20 CALCULATED FROM COLLIN CORS ARP (PID-DF8982) AND DALLAS CORS ARP
21 (PID-DF8984). BEING MORE PARTICULARLY DESCRIBED BY METES AND
22 BOUNDS AS FOLLOWS:

23 BEGINNING AT A 1/2 INCH CAPPED IRON ROD STAMPED "USA INC" FOUND
24 FOR THE SOUTHWEST CORNER OF AFORESAID 36.077 ACRE TRACT AND
25 BEING A SOUTHEAST CORNER OF A 20.000 ACRE TRACT OF LAND CONVEYED
26 TO MIKE BITTLE AND WIFE, BONNIE BITTLE, AS RECORDED IN VOLUME
27 409, PAGE 731, DEED RECORDS, HUNT COUNTY, TEXAS AND BEING ON THE

1 APPROXIMATE CENTERLINE OF HUNT COUNTY ROAD 1071 (A VARIABLE
2 WIDTH PRESCRIPTIVE RIGHT-OF-WAY);
3 THENCE, NORTH 00 DEGREES 00 MINUTES 36 SECONDS EAST, ALONG THE
4 WEST LINE OF SAID 36.077 ACRE TRACT AND THE COMMON EAST LINE OF
5 SAID 20.000 ACRE TRACT, A DISTANCE OF 1465.20 FEET TO A 1/2 INCH
6 IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 36.077 ACRE
7 TRACT AND BEING THE INTERIOR ELL CORNER OF SAID 20.000 ACRE
8 TRACT;
9 THENCE, NORTH 89 DEGREES 47 MINUTES 49 SECONDS EAST, ALONG THE
10 NORTH LINE OF SAID 36.077 ACRE TRACT AND THE COMMON SOUTH LINE
11 OF SAID 20.000 ACRE TRACT, A DISTANCE OF 1080.73 FEET TO A 1/2
12 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 36.077 ACRE
13 TRACT AND A SOUTHEAST CORNER OF SAID 20.000 ACRE TRACT;
14 THENCE, SOUTH 00 DEGREES 38 MINUTES 52 SECONDS WEST, ALONG THE
15 EAST LINE OF SAID 36.077 ACRE TRACT, PASSING AT A DISTANCE OF
16 1439.34 FEET A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
17 STAMPED "CARTER BURGESS" SET FOR WITNESS, CONTINUING IN ALL A
18 TOTAL DISTANCE OF 1465.34 FEET TO A POINT FOR THE SOUTHEAST
19 CORNER OF SAID 36.077 ACRE TRACT AND BEING IN THE APPROXIMATE
20 CENTERLINE OF AFORESAID HUNT COUNTY ROAD 1071;
21 THENCE, SOUTH 89 DEGREES 47 MINUTES 48 SECONDS WEST, ALONG THE
22 SOUTH LINE OF SAID 36.077 ACRE TRACT AND WITH THE APPROXIMATE
23 CENTERLINE OF SAID HUNT COUNTY ROAD 1071, A DISTANCE OF 1064.42
24 FEET TO THE POINT OF BEGINNING, AND CONTAINING 36.077 ACRES OF
25 LAND, MORE OR LESS.
26 TRACT 3
27 BEING A 1742.436 ACRE TRACT OF LAND SITUATED IN THE JESSE

1 BILLINGSLEY SURVEY, ABSTRACT NO. 37, THE T.H. FREESE SURVEY,
2 ABSTRACT NO. 336, THE ENOS MURPHY SURVEY, ABSTRACT NO. 647, THE
3 JAMES MOORE SURVEY, ABSTRACT NO. 654, THE M.E.P. & R.R.R.
4 SURVEY, ABSTRACT NO. 772, THE JULIET PORTER SURVEY, ABSTRACT NO.
5 819, THE NANCY K. WOODSON SURVEY, ABSTRACT NO. 1100, THE S.K.
6 WOODSON SURVEY, ABSTRACT NO. 1101, THE WILLIAM C. YOUNG SURVEY,
7 ABSTRACT NO. 1181, HUNT COUNTY, TEXAS, AND BEING ALL OF A 34.984
8 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS RECORDED
9 IN VOLUME 1652, PAGE 439, OFFICIAL PUBLIC RECORDS, HUNT COUNTY,
10 TEXAS, ALL OF A 240.184 ACRE TRACT OF LAND CONVEYED TO WALTON
11 TEXAS, L.P., AS RECORDED IN VOLUME 1662, PAGE 597, OFFICIAL
12 PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALL OF A 133.764 ACRE TRACT
13 CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1681, PAGE
14 508, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALL OF A
15 71.177 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS
16 RECORDED IN VOLUME 1783, PAGE 172, OFFICIAL PUBLIC RECORDS, HUNT
17 COUNTY, TEXAS, ALL OF A 30.000 ACRE TRACT OF LAND CONVEYED AS
18 "TRACT 1" TO GARY R. PICKETT, AS RECORDED IN VOLUME 1074, PAGE
19 569, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, ALL OF A 41.562 ACRE
20 TRACT OF LAND CONVEYED AS "TRACT 5" TO GARY R. PICKETT, AS
21 RECORDED IN VOLUME 1075, PAGE 269, OFFICIAL RECORDS, HUNT
22 COUNTY, TEXAS ALL OF A 829.635 ACRE TRACT OF LAND CONVEYED AS
23 "TRACT B" AND ALL OF A 51.548 ACRE TRACT OF LAND CONVEYED AS
24 "TRACT C" TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1637,
25 PAGE 551, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALL OF A
26 96.166 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS
27 RECORDED IN VOLUME 1682, PAGE 467, OFFICIAL PUBLIC RECORDS, HUNT

1 COUNTY, TEXAS, ALL OF A 24.973 ACRE TRACT OF LAND CONVEYED TO
2 WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1682, PAGE 462,
3 OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALL OF A 95.781
4 ACRE TRACT OF LAND CONVEYED AS "TRACT 1" TO VICKI MAYABB, AS
5 RECORDED IN VOLUME 1074, PAGE 573, OFFICIAL RECORDS, HUNT
6 COUNTY, TEXAS, ALL OF A 15.000 ACRE TRACT OF LAND CONVEYED TO
7 VICKI MAYABB, AS RECORDED IN VOLUME 1535, PAGE 30, OFFICIAL
8 RECORDS, HUNT COUNTY, TEXAS, AND ALL OF A 75.574 ACRE TRACT OF
9 LAND CONVEYED TO BILLY DON EUDY, AS RECORDED IN VOLUME 245, PAGE
10 58, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS. SAID 1742.436
11 ACRE TRACT WITH BEARING BASIS GRID NORTH, TEXAS STATE PLANE
12 COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE
13 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253,
14 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM COLLIN CORS ARP
15 (PID-DF8982) AND DALLAS CORS ARP (PID-DF8984). BEING MORE
16 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
17 BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER
18 OF SAID 34.984 ACRE TRACT AND BEING THE NORTHWEST CORNER OF A
19 34.871 ACRE TRACT OF LAND CONVEYED TO EDWIN N. KIRKENDOLL, AS
20 RECORDED IN VOLUME 936, PAGE 560, DEED RECORDS, HUNT COUNTY,
21 TEXAS AND BEING ON THE SOUTH RIGHT-OF-WAY OF F.M. 1569 (A
22 VARIABLE WIDTH RIGHT-OF-WAY);
23 THENCE, SOUTH 00 DEGREES 39 MINUTES 19 SECONDS EAST, ALONG THE
24 EAST LINE OF SAID 34.984 ACRE TRACT AND THE COMMON WEST LINE OF
25 SAID 34.871 ACRE TRACT, A DISTANCE OF 1574.58 FEET TO A 1/2 INCH
26 IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID 34.984 ACRE
27 TRACT AND THE SOUTHWEST CORNER OF SAID 34.871 ACRE TRACT AND

1 BEING ON THE NORTH LINE OF A 80.561 ACRE TRACT OF LAND CONVEYED
2 TO DORTHY JEAN SANCHEZ, AS RECORDED IN VOLUME 1353, PAGE 597,
3 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
4 THENCE, SOUTH 89 DEGREES 52 MINUTES 12 SECONDS WEST, ALONG THE
5 SOUTH LINE OF SAID 34.984 ACRE TRACT AND THE COMMON NORTH LINE
6 OF SAID 80.561 ACRE TRACT, A DISTANCE OF 958.06 FEET TO A 1/2
7 INCH IRON ROD WITH A PLASTIC CAP STAMPED "STOVALL" FOUND FOR THE
8 NORTHWEST CORNER OF SAID 80.561 ACRE TRACT SAID POINT BEING ON
9 THE EAST LINE OF AFORESAID 240.184 ACRE TRACT, FROM WHICH A 5/8
10 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
11 SET FOR THE SOUTHWEST CORNER OF SAID 34.984 ACRE TRACT AND BEING
12 IN THE APPROXIMATE CENTERLINE OF A CLOSED COUNTY ROAD, BEARS
13 SOUTH 89 DEGREES 52 MINUTES 12 SECONDS WEST, A DISTANCE OF 12.85
14 FEET;
15 THENCE, SOUTH 01 DEGREES 11 MINUTES 18 SECONDS EAST, ALONG THE
16 EAST LINE OF SAID 240.184 ACRE TRACT AND THE COMMON WEST LINE OF
17 SAID 80.561 ACRE TRACT, A DISTANCE OF 1769.48 FEET TO A 1/2 INCH
18 IRON ROD WITH A PLASTIC CAP STAMPED "STOVALL" FOUND FOR THE
19 SOUTHEAST CORNER OF SAID 240.184 ACRE TRACT AND THE SOUTHWEST
20 CORNER OF SAID 80.561 ACRE TRACT, SAID POINT BEING ON THE NORTH
21 LINE OF AFORESAID 133.764 ACRE TRACT;
22 THENCE, NORTH 89 DEGREES 50 MINUTES 44 SECONDS EAST, ALONG THE
23 NORTH LINE OF SAID 133.764 ACRE TRACT AND THE COMMON SOUTH LINE
24 OF SAID 80.561 ACRE TRACT, A DISTANCE OF 1437.36 FEET TO A 1/2
25 INCH IRON ROD WITH A PLASTIC CAP STAMPED "STOVALL" FOUND FOR THE
26 NORTHEAST CORNER OF SAID 133.764 ACRE TRACT
27 THENCE, SOUTH 00 DEGREES 33 MINUTES 13 SECONDS EAST, ALONG THE

1 EAST LINE OF SAID 133.764 ACRE TRACT AND THE COMMON WEST LINE OF
2 A 30.007 ACRE TRACT OF LAND CONVEYED TO JAMES HORACE COTTON, AS
3 RECORDED IN VOLUME 672, PAGE 610, DEED RECORDS, HUNT COUNTY,
4 TEXAS, PASSING AT A DISTANCE OF 2113.47 FEET A 1 INCH IRON PIPE
5 FOUND FOR THE SOUTHWEST CORNER OF SAID 30.007 ACRE TRACT AND THE
6 NORTHEAST CORNER OF A 31 ACRE TRACT OF LAND CONVEYED TO TOMMY L.
7 MANLEY, AS RECORDED IN VOLUME 391, PAGE 797, OFFICIAL RECORDS,
8 HUNT COUNTY, TEXAS, CONTINUING ALONG THE EAST LINE OF SAID
9 133.764 ACRE TRACT AND THE COMMON WEST LINE OF SAID 31 ACRE
10 TRACT, IN ALL A TOTAL DISTANCE OF 2545.93 FEET TO A 5/8 INCH
11 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
12 FOR THE SOUTHEAST CORNER OF SAID 133.764 ACRE TRACT AND THE
13 NORTHEAST CORNER OF A TRACT OF LAND CONVEYED AS "TRACT 1" TO
14 CURTIS ELLENBURG AND WIFE, DONNA ELLENBURG, AS RECORDED IN
15 VOLUME 360, PAGE 46, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
16 THENCE, SOUTH 89 DEGREES 34 MINUTES 11 SECONDS WEST, ALONG THE
17 SOUTH LINE OF SAID 134.897 ACRE TRACT AND THE COMMON NORTH LINE
18 OF SAID TRACT 1 AND THE COMMON NORTH LINE OF A TRACT OF LAND
19 CONVEYED AS "TRACT 2" TO CURTIS ELLENBURG AND WIFE, DONNA
20 ELLENBURG, AS RECORDED IN VOLUME 360, PAGE 46, OFFICIAL RECORDS,
21 HUNT COUNTY, TEXAS, A DISTANCE OF 1321.99 FEET TO A POINT FOR
22 THE NORTHWEST CORNER OF SAID TRACT 2;
23 THENCE, SOUTH 00 DEGREES 03 MINUTES 53 SECONDS WEST, ALONG THE
24 WEST LINE OF SAID TRACT 2, PASSING AT A DISTANCE OF 6.30 FEET A
25 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF AFORESAID
26 71.177 ACRE TRACT, CONTINUING ALONG AN EAST LINE OF SAID 71.177
27 ACRE TRACT, AND THE COMMON WEST LINE OF SAID TRACT 2, AND ALONG

1 THE APPROXIMATE CENTER LINE OF COUNTY ROAD NO. 1061 (A VARIABLE
2 WIDTH PRESCRIPTIVE RIGHT-OF-WAY), PASSING AT A DISTANCE OF
3 658.46 FEET TO A 5/8 INCH IRON WITH A YELLOW PLASTIC CAP STAMPED
4 "CARTER BURGESS" SET FOR A SOUTHEAST CORNER OF SAID 71.177 ACRE
5 TRACT, CONTINUING OVER AND ACROSS A REMAINDER OF A CALLED 71.734
6 ACRE TRACT OF LAND CONVEYED TO JAMES LAMM, AS RECORDED IN
7 VOLUME 981, PAGE 434, DEED RECORDS, HUNT COUNTY, TEXAS, IN ALL A
8 TOTAL DISTANCE OF 781.06 FEET TO A POINT FOR THE SOUTHEAST
9 CORNER OF SAID 71.734 ACRE TRACT;
10 THENCE, SOUTH 88 DEGREES 18 MINUTES 27 SECONDS WEST, CONTINUING
11 OVER AND ACROSS SAID 71.734 ACRE TRACT, A DISTANCE OF 273.07
12 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER ON AN EAST LINE OF
13 SAID 71.177 ACRE TRACT AND THE COMMON WEST LINE OF A 5.535 ACRE
14 TRACT OF LAND CONVEYED TO TOMMY L. MANLEY, AS RECORDED IN VOLUME
15 1290, PAGE 184, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
16 THENCE, SOUTH 00 DEGREES 32 MINUTES 09 SECONDS EAST, ALONG AN
17 EAST LINE OF SAID 177.177 ACRE TRACT AND THE COMMON WEST LINE OF
18 SAID 5.535 ACRE TRACT, A DISTANCE OF 377.78 FEET TO A 5/8 INCH
19 IRON WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR
20 THE SOUTHEAST CORNER OF SAID 71.177 ACRE TRACT AND THE NORTHEAST
21 CORNER OF A 19.999 ACRE TRACT OF LAND CONVEYED AS "SECOND TRACT"
22 TO TOMMY L. MANLEY, AS RECORDED IN VOLUME 891, PAGE 794,
23 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
24 THENCE, SOUTH 89 DEGREES 38 MINUTES 29 SECONDS WEST, ALONG THE
25 SOUTH LINE OF SAID 71.177 ACRE TRACT AND THE COMMON NORTH LINE
26 OF SAID 19.999 ACRE TRACT, A DISTANCE OF 1031.57 FEET TO A 1/2
27 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF AFORESAID 30.000

1 ACRE PICKETT TRACT AND THE COMMON NORTHWEST CORNER OF SAID
2 19.999 ACRE TRACT;
3 THENCE, SOUTH 00 DEGREES 29 MINUTES 16 SECONDS EAST, ALONG THE
4 EAST LINE OF SAID 30.000 ACRE PICKETT TRACT AND THE COMMON WEST
5 LINE OF SAID 19.999 ACRE TRACT, PASSING AT A DISTANCE OF 865.72
6 FEET THE SOUTHWEST CORNER OF SAID 19.999 ACRE TRACT AND THE
7 COMMON NORTHWEST CORNER OF 84.296 ACRE TRACT OF LAND CONVEYED TO
8 JOHN RANDALL COOPER, JOE G. COOPER, JOHN S. COOPER, AND THOMAS
9 E. COOPER, AS RECORDED IN VOLUME 541, PAGE 42, OFFICIAL RECORDS,
10 HUNT COUNTY, TEXAS, AND CONTINUING ALONG THE EAST LINE OF SAID
11 30.000 ACRE PICKETT TRACT AND THE COMMON WEST LINE OF SAID
12 84.296 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 917.05 FEET TO A
13 1/2 INCH IRON ROD FOUND FOR A SOUTHEAST CORNER OF SAID 30.000
14 ACRE PICKETT TRACT AND A NORTHEAST CORNER OF A REMAINDER OF
15 53.351 ACRE TRACT OF LAND CONVEYED TO W.G. MCNATT, AS RECORDED
16 IN VOLUME 506, PAGE 568, DEED RECORDS, HUNT COUNTY, TEXAS;
17 THENCE, SOUTH 89 DEGREES 32 MINUTES 19 SECONDS WEST, ALONG A
18 SOUTH LINE OF SAID 30.000 ACRE PICKETT TRACT AND THE COMMON
19 NORTH LINE OF SAID 53.351 ACRE TRACT, PASSING AT A DISTANCE OF
20 306.01 FEET A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
21 STAMPED "CARTER BURGESS" SET FOR A 25 FOOT OFFSET OF BRIAR
22 CREEK, AND CONTINUING IN ALL A TOTAL DISTANCE OF 331.01 FEET TO
23 A POINT FOR CORNER BEING ON THE APPROXIMATE CENTER LINE OF SAID
24 BRIAR CREEK;
25 THENCE, ALONG THE EAST LINE OF AFORESAID 41.562 ACRE PICKETT
26 TRACT AND THE COMMON WEST LINE OF SAID 53.351 ACRE TRACT, AND
27 ALONG THE APPROXIMATE CENTERLINE OF BRIAR CREEK, THE FOLLOWING

1 COURSES AND DISTANCES:

2 SOUTH 59 DEGREES 51 MINUTES 41 SECONDS WEST, A

3 DISTANCE OF 36.32 FEET TO A POINT FOR CORNER;

4 SOUTH 43 DEGREES 45 MINUTES 27 SECONDS WEST, A

5 DISTANCE OF 34.44 FEET TO A POINT FOR CORNER;

6 SOUTH 08 DEGREES 39 MINUTES 46 SECONDS EAST, A

7 DISTANCE OF 40.56 FEET TO A POINT FOR CORNER;

8 SOUTH 00 DEGREES 12 MINUTES 36 SECONDS WEST, A

9 DISTANCE OF 107.91 FEET TO A POINT FOR CORNER;

10 SOUTH 13 DEGREES 08 MINUTES 39 SECONDS WEST, A

11 DISTANCE OF 42.29 FEET TO A POINT FOR CORNER;

12 SOUTH 01 DEGREES 41 MINUTES 29 SECONDS WEST, A

13 DISTANCE OF 49.28 FEET TO A POINT FOR CORNER;

14 SOUTH 06 DEGREES 48 MINUTES 54 SECONDS EAST, A

15 DISTANCE OF 116.15 FEET TO A POINT FOR CORNER;

16 SOUTH 00 DEGREES 04 MINUTES 17 SECONDS EAST, A

17 DISTANCE OF 27.87 FEET TO A POINT FOR CORNER;

18 SOUTH 07 DEGREES 55 MINUTES 23 SECONDS EAST, A

19 DISTANCE OF 90.52 FEET TO A POINT FOR CORNER;

20 SOUTH 03 DEGREES 27 MINUTES 17 SECONDS WEST, A

21 DISTANCE OF 39.78 FEET TO A POINT FOR CORNER;

22 SOUTH 30 DEGREES 20 MINUTES 01 SECONDS WEST, A

23 DISTANCE OF 35.81 FEET TO A POINT FOR CORNER;

24 SOUTH 01 DEGREES 29 MINUTES 33 SECONDS WEST, A

25 DISTANCE OF 86.37 FEET TO A POINT FOR CORNER;

26 SOUTH 09 DEGREES 16 MINUTES 14 SECONDS EAST, A

27 DISTANCE OF 46.31 FEET TO A POINT FOR CORNER;

1 SOUTH 05 DEGREES 53 MINUTES 35 SECONDS EAST, A
2 DISTANCE OF 136.91 FEET TO A POINT FOR CORNER;
3 SOUTH 08 DEGREES 28 MINUTES 25 SECONDS WEST, A
4 DISTANCE OF 84.67 FEET TO A POINT FOR CORNER;
5 SOUTH 07 DEGREES 49 MINUTES 52 SECONDS EAST, A
6 DISTANCE OF 26.80 FEET TO A POINT FOR CORNER;
7 SOUTH 09 DEGREES 08 MINUTES 50 SECONDS EAST, A
8 DISTANCE OF 91.47 FEET TO A POINT FOR CORNER;
9 SOUTH 06 DEGREES 24 MINUTES 04 SECONDS EAST, A
10 DISTANCE OF 52.11 FEET TO A POINT FOR CORNER;
11 SOUTH 02 DEGREES 31 MINUTES 18 SECONDS WEST, A
12 DISTANCE OF 62.07 FEET TO A POINT FOR CORNER;
13 SOUTH 03 DEGREES 21 MINUTES 40 SECONDS EAST, A
14 DISTANCE OF 150.58 FEET TO A POINT FOR CORNER;
15 SOUTH 11 DEGREES 04 MINUTES 07 SECONDS WEST, A
16 DISTANCE OF 28.98 FEET TO A POINT FOR CORNER;
17 SOUTH 15 DEGREES 12 MINUTES 45 SECONDS WEST, A
18 DISTANCE OF 9.50 FEET TO A POINT FOR THE SOUTHEAST CORNER
19 OF SAID 41.562 ACRE PICKETT TRACT, SAID POINT BEING ON THE
20 APPROXIMATE CENTER LINE OF HUNT COUNTY ROAD NO. 1057, (A
21 VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);
22 THENCE, SOUTH 89 DEGREES 26 MINUTES 39 SECONDS WEST, ALONG THE
23 SOUTH LINE OF SAID 41.562 ACRE PICKETT TRACT AND WITH THE
24 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1057, A
25 DISTANCE OF 37.92 FEET TO A POINT FOR CORNER;
26 THENCE, SOUTH 10 DEGREES 58 MINUTES 46 SECONDS EAST, OVER AND
27 ACROSS SAID HUNT COUNTY ROAD NO. 1057, PASSING AT A DISTANCE OF

1 18.09 FEET A 1/2 INCH IRON ROD FOUND FOR A NORTHEAST CORNER OF
2 AFORESAID 829.635 ACRE TRACT AND THE NORTHWEST CORNER OF A
3 119.988 ACRE TRACT OF LAND CONVEYED TO JAN C. MORGAN, CHRISTIAN
4 A. COOPER AND MARK E. COOPER, AS RECORDED IN VOLUME 908, PAGE
5 680, DEED RECORDS, HUNT COUNTY, TEXAS, CONTINUING ALONG AN EAST
6 LINE OF SAID 829.635 ACRE TRACT AND THE COMMON WEST LINE OF SAID
7 119.988 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 1905.02 FEET TO A
8 1/2 INCH IRON ROD FOUND FOR CORNER AN INTERIOR ELL CORNER OF
9 SAID 829.635 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 119.988
10 ACRE TRACT;

11 THENCE, NORTH 89 DEGREES 46 MINUTES 06 SECONDS EAST, ALONG A
12 NORTH LINE OF SAID 829.635 ACRE TRACT AND THE COMMON SOUTH LINE
13 OF SAID 119.988 ACRE TRACT, PASSING AT A DISTANCE OF 2171.15
14 FEET A 1/2 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A
15 TOTAL DISTANCE OF 2194.88 FEET TO A 1/2 INCH IRON ROD FOUND FOR
16 A NORTHEAST CORNER OF SAID 829.635 ACRE TRACT, AND BEING IN THE
17 APPROXIMATE CENTERLINE OF HUNT COUNTY ROAD NO. 1064 (A VARIABLE
18 WIDTH PRESCRIPTIVE RIGHT-OF-WAY);

19 THENCE, ALONG THE EAST LINE OF SAID 829.635 ACRE TRACT AND WITH
20 THE APPROXIMATE CENTER LINE OF SAID HUNT COUNTY ROAD NO. 1064,
21 THE FOLLOWING COURSES AND DISTANCES:

22 SOUTH 00 DEGREES 27 MINUTES 14 SECONDS EAST, A
23 DISTANCE OF 2708.36 FEET TO A POINT FOR CORNER;

24 SOUTH 00 DEGREES 03 MINUTES 14 SECONDS EAST, A
25 DISTANCE OF 2332.91 FEET TO A POINT FOR THE SOUTHEAST
26 CORNER OF SAID 829.635 ACRE TRACT, BEING ON THE NORTH
27 RIGHT-OF-WAY OF KANSAS CITY SOUTHERN RAILROAD (A 100'

1 RIGHT-OF-WAY), FROM WHICH A 1/2 INCH CAPPED IRON ROD FOUND
2 BEARS, SOUTH 00 DEGREES 04 MINUTES 02 SECONDS EAST, A
3 DISTANCE OF 0.89 FEET AND 1/2 INCH CAPPED IRON ROD FOUND
4 FOR WITNESS BEARS, NORTH 86 DEGREES 41 MINUTES 52 SECONDS
5 WEST, A DISTANCE OF 20.41 FEET;
6 THENCE, NORTH 84 DEGREES 05 MINUTES 43 SECONDS WEST, ALONG THE
7 SOUTH LINE OF SAID 829.635 ACRE TRACT AND THE COMMON NORTH
8 RIGHT-OF-WAY LINE OF SAID KANSAS CITY SOUTHERN RAILROAD, A
9 DISTANCE OF 1626.28 FEET TO A POINT FOR CORNER IN THE
10 APPROXIMATE CENTERLINE OF EAST CADDO CREEK, FROM WHICH A 1/2
11 INCH CAPPED IRON ROD FOUND BEARS, SOUTH 83 DEGREES 33 MINUTES 20
12 SECONDS EAST, A DISTANCE OF 25.34 FEET;
13 THENCE, ALONG THE SOUTH LINE OF SAID 829.635 ACRE TRACT AND
14 ALONG THE APPROXIMATE CENTERLINE OF SAID EAST CADDO CREEK, THE
15 FOLLOWING COURSES AND DISTANCES:
16 NORTH 39 DEGREES 38 MINUTES 11 SECONDS WEST, A
17 DISTANCE OF 11.69 FEET TO A POINT FOR CORNER;
18 NORTH 48 DEGREES 01 MINUTES 48 SECONDS WEST, A
19 DISTANCE OF 27.72 FEET TO A POINT FOR CORNER;
20 NORTH 42 DEGREES 24 MINUTES 43 SECONDS WEST, A
21 DISTANCE OF 26.99 FEET TO A POINT FOR CORNER;
22 NORTH 33 DEGREES 41 MINUTES 23 SECONDS WEST, A
23 DISTANCE OF 47.22 FEET TO A POINT FOR CORNER;
24 NORTH 49 DEGREES 57 MINUTES 15 SECONDS WEST, A
25 DISTANCE OF 60.41 FEET TO A POINT FOR CORNER;
26 NORTH 67 DEGREES 40 MINUTES 57 SECONDS WEST, A
27 DISTANCE OF 43.94 FEET TO A POINT FOR CORNER;

1 NORTH 52 DEGREES 48 MINUTES 04 SECONDS WEST, A
2 DISTANCE OF 74.31 FEET TO A POINT FOR CORNER;
3 SOUTH 56 DEGREES 01 MINUTES 56 SECONDS WEST, A
4 DISTANCE OF 55.51 FEET TO A POINT FOR CORNER;
5 NORTH 76 DEGREES 12 MINUTES 55 SECONDS WEST, A
6 DISTANCE OF 24.91 FEET TO A POINT FOR CORNER;
7 NORTH 34 DEGREES 05 MINUTES 29 SECONDS WEST, A
8 DISTANCE OF 33.59 FEET TO A POINT FOR CORNER;
9 NORTH 49 DEGREES 09 MINUTES 27 SECONDS WEST, A
10 DISTANCE OF 32.85 FEET TO A POINT FOR CORNER;
11 NORTH 58 DEGREES 13 MINUTES 14 SECONDS WEST, A
12 DISTANCE OF 42.71 FEET TO A POINT FOR CORNER;
13 NORTH 51 DEGREES 42 MINUTES 35 SECONDS WEST, A
14 DISTANCE OF 21.22 FEET TO A POINT FOR CORNER;
15 NORTH 38 DEGREES 57 MINUTES 36 SECONDS WEST, A
16 DISTANCE OF 29.55 FEET TO A POINT FOR CORNER;
17 NORTH 16 DEGREES 51 MINUTES 31 SECONDS WEST, A
18 DISTANCE OF 69.18 FEET TO A POINT FOR CORNER;
19 NORTH 67 DEGREES 13 MINUTES 59 SECONDS WEST, A
20 DISTANCE OF 29.78 FEET TO A POINT FOR CORNER;
21 NORTH 87 DEGREES 23 MINUTES 44 SECONDS WEST, A
22 DISTANCE OF 75.97 FEET TO A POINT FOR CORNER;
23 NORTH 56 DEGREES 54 MINUTES 08 SECONDS WEST, A
24 DISTANCE OF 41.83 FEET TO A POINT FOR CORNER;
25 NORTH 27 DEGREES 26 MINUTES 04 SECONDS WEST, A
26 DISTANCE OF 17.08 FEET TO A POINT FOR CORNER;
27 NORTH 07 DEGREES 24 MINUTES 41 SECONDS WEST, A

1 DISTANCE OF 15.00 FEET TO A POINT FOR CORNER;
2 NORTH 31 DEGREES 33 MINUTES 02 SECONDS EAST, A
3 DISTANCE OF 66.75 FEET TO A POINT FOR CORNER;
4 NORTH 40 DEGREES 30 MINUTES 16 SECONDS WEST, A
5 DISTANCE OF 22.11 FEET TO A POINT FOR CORNER;
6 NORTH 89 DEGREES 18 MINUTES 44 SECONDS WEST, A
7 DISTANCE OF 40.53 FEET TO A POINT FOR CORNER;
8 NORTH 59 DEGREES 53 MINUTES 46 SECONDS WEST, A
9 DISTANCE OF 26.70 FEET TO A POINT FOR CORNER;
10 NORTH 41 DEGREES 19 MINUTES 43 SECONDS WEST, A
11 DISTANCE OF 19.93 FEET TO A POINT FOR CORNER;
12 NORTH 24 DEGREES 27 MINUTES 15 SECONDS EAST, A
13 DISTANCE OF 15.25 FEET TO A POINT FOR CORNER;
14 NORTH 54 DEGREES 28 MINUTES 35 SECONDS EAST, A
15 DISTANCE OF 30.17 FEET TO A POINT FOR CORNER;
16 NORTH 45 DEGREES 05 MINUTES 08 SECONDS EAST, A
17 DISTANCE OF 17.94 FEET TO A POINT FOR CORNER;
18 NORTH 08 DEGREES 15 MINUTES 10 SECONDS EAST, A
19 DISTANCE OF 42.47 FEET TO A POINT FOR CORNER;
20 NORTH 24 DEGREES 06 MINUTES 40 SECONDS WEST, A
21 DISTANCE OF 11.22 FEET TO A POINT FOR CORNER;
22 NORTH 65 DEGREES 13 MINUTES 25 SECONDS WEST, A
23 DISTANCE OF 13.65 FEET TO A POINT FOR CORNER;
24 NORTH 80 DEGREES 18 MINUTES 50 SECONDS WEST, A
25 DISTANCE OF 22.82 FEET TO A POINT FOR CORNER;
26 SOUTH 89 DEGREES 44 MINUTES 41 SECONDS WEST, A
27 DISTANCE OF 4.48 FEET TO A POINT FOR CORNER;

1 THENCE, NORTH 01 DEGREES 24 MINUTES 46 SECONDS WEST, ALONG A
2 WEST LINE OF SAID 829.635 ACRE TRACT, PASSING AT A DISTANCE OF
3 25.54 FEET A 1/2 INCH CAPPED IRON ROD FOUND, CONTINUING IN ALL A
4 TOTAL DISTANCE OF 1024.73 FEET, A 1/2 INCH CAPPED IRON ROD FOUND
5 FOR AN INTERIOR ELL CORNER OF SAID 829.635 ACRE TRACT;

6 THENCE, SOUTH 88 DEGREES 53 MINUTES 22 SECONDS WEST, ALONG THE
7 SOUTH LINE OF SAID 829.635 ACRE TRACT, PASSING AT A DISTANCE OF
8 858.52 FEET, A 1/2 INCH CAPPED IRON ROD FOUND, CONTINUING IN ALL
9 A TOTAL DISTANCE OF 914.50 FEET TO A POINT FOR CORNER IN THE
10 APPROXIMATE CENTERLINE OF AFORESAID EAST CADDO CREEK;

11 THENCE, ALONG THE SOUTH LINE OF SAID 829.635 ACRE TRACT AND
12 ALONG THE APPROXIMATE CENTERLINE OF SAID EAST CADDO CREEK, THE
13 FOLLOWING COURSES AND DISTANCES:

14 NORTH 32 DEGREES 42 MINUTES 15 SECONDS EAST, A
15 DISTANCE OF 20.10 FEET TO A POINT FOR CORNER;

16 NORTH 64 DEGREES 06 MINUTES 05 SECONDS EAST, A
17 DISTANCE OF 34.97 FEET TO A POINT FOR CORNER;

18 NORTH 33 DEGREES 30 MINUTES 05 SECONDS EAST, A
19 DISTANCE OF 21.58 FEET TO A POINT FOR CORNER;

20 NORTH 04 DEGREES 23 MINUTES 16 SECONDS WEST, A
21 DISTANCE OF 20.43 FEET TO A POINT FOR CORNER;

22 NORTH 23 DEGREES 59 MINUTES 15 SECONDS WEST, A
23 DISTANCE OF 28.47 FEET TO A POINT FOR CORNER;

24 NORTH 69 DEGREES 32 MINUTES 05 SECONDS WEST, A
25 DISTANCE OF 37.40 FEET TO A POINT FOR CORNER;

26 NORTH 59 DEGREES 06 MINUTES 41 SECONDS WEST, A
27 DISTANCE OF 53.90 FEET TO A POINT FOR CORNER;

1 NORTH 43 DEGREES 07 MINUTES 34 SECONDS WEST, A
2 DISTANCE OF 30.77 FEET TO A POINT FOR CORNER;
3 NORTH 16 DEGREES 49 MINUTES 06 SECONDS WEST, A
4 DISTANCE OF 15.98 FEET TO A POINT FOR CORNER;
5 SOUTH 85 DEGREES 39 MINUTES 54 SECONDS WEST, A
6 DISTANCE OF 16.69 FEET TO A POINT FOR CORNER;
7 SOUTH 76 DEGREES 21 MINUTES 35 SECONDS WEST, A
8 DISTANCE OF 18.08 FEET TO A POINT FOR CORNER;
9 NORTH 82 DEGREES 23 MINUTES 17 SECONDS WEST, A
10 DISTANCE OF 15.67 FEET TO A POINT FOR CORNER;
11 SOUTH 65 DEGREES 12 MINUTES 47 SECONDS WEST, A
12 DISTANCE OF 23.32 FEET TO A POINT FOR CORNER;
13 SOUTH 25 DEGREES 25 MINUTES 43 SECONDS WEST, A
14 DISTANCE OF 18.58 FEET TO A POINT FOR CORNER;
15 SOUTH 04 DEGREES 04 MINUTES 20 SECONDS WEST, A
16 DISTANCE OF 14.39 FEET TO A POINT FOR CORNER;
17 SOUTH 27 DEGREES 45 MINUTES 32 SECONDS WEST, A
18 DISTANCE OF 12.05 FEET TO A POINT FOR CORNER;
19 SOUTH 11 DEGREES 59 MINUTES 02 SECONDS EAST, A
20 DISTANCE OF 45.59 FEET TO A POINT FOR CORNER;
21 SOUTH 03 DEGREES 50 MINUTES 31 SECONDS WEST, A
22 DISTANCE OF 45.56 FEET TO A POINT FOR CORNER;
23 SOUTH 08 DEGREES 27 MINUTES 37 SECONDS EAST, A
24 DISTANCE OF 20.59 FEET TO A POINT FOR CORNER;
25 SOUTH 14 DEGREES 10 MINUTES 14 SECONDS WEST, A
26 DISTANCE OF 10.46 FEET TO A POINT FOR CORNER;
27 SOUTH 50 DEGREES 42 MINUTES 27 SECONDS WEST, A

1 DISTANCE OF 11.73 FEET TO A POINT FOR CORNER;
2 NORTH 89 DEGREES 21 MINUTES 04 SECONDS WEST, A
3 DISTANCE OF 12.16 FEET TO A POINT FOR CORNER;
4 NORTH 71 DEGREES 21 MINUTES 52 SECONDS WEST, A
5 DISTANCE OF 29.42 FEET TO A POINT FOR CORNER;
6 NORTH 75 DEGREES 57 MINUTES 57 SECONDS WEST, A
7 DISTANCE OF 35.31 FEET TO A POINT FOR CORNER;
8 NORTH 50 DEGREES 13 MINUTES 47 SECONDS WEST, A
9 DISTANCE OF 30.02 FEET TO A POINT FOR CORNER;
10 NORTH 09 DEGREES 33 MINUTES 41 SECONDS WEST, A
11 DISTANCE OF 30.97 FEET TO A POINT FOR CORNER;
12 NORTH 20 DEGREES 10 MINUTES 17 SECONDS WEST, A
13 DISTANCE OF 30.58 FEET TO A POINT FOR CORNER;
14 NORTH 34 DEGREES 07 MINUTES 43 SECONDS WEST, A
15 DISTANCE OF 83.05 FEET TO A POINT FOR CORNER;
16 NORTH 73 DEGREES 00 MINUTES 39 SECONDS WEST, A
17 DISTANCE OF 10.29 FEET TO A POINT FOR CORNER;
18 NORTH 32 DEGREES 53 MINUTES 40 SECONDS WEST, A
19 DISTANCE OF 46.35 FEET TO A POINT FOR CORNER;
20 NORTH 42 DEGREES 09 MINUTES 43 SECONDS WEST, A
21 DISTANCE OF 18.54 FEET TO A POINT FOR CORNER;
22 NORTH 69 DEGREES 46 MINUTES 51 SECONDS WEST, A
23 DISTANCE OF 27.20 FEET TO A POINT FOR CORNER;
24 SOUTH 83 DEGREES 22 MINUTES 43 SECONDS WEST, A
25 DISTANCE OF 22.51 FEET TO A POINT FOR CORNER;
26 SOUTH 64 DEGREES 30 MINUTES 57 SECONDS WEST, A
27 DISTANCE OF 20.44 FEET TO A POINT FOR CORNER;

1 SOUTH 27 DEGREES 29 MINUTES 26 SECONDS WEST, A
2 DISTANCE OF 36.96 FEET TO A POINT FOR CORNER;
3 SOUTH 40 DEGREES 19 MINUTES 38 SECONDS WEST, A
4 DISTANCE OF 38.88 FEET TO A POINT FOR CORNER;
5 SOUTH 26 DEGREES 37 MINUTES 05 SECONDS WEST, A
6 DISTANCE OF 33.90 FEET TO A POINT FOR CORNER;
7 SOUTH 44 DEGREES 38 MINUTES 03 SECONDS WEST, A
8 DISTANCE OF 13.16 FEET TO A POINT FOR CORNER;
9 SOUTH 86 DEGREES 32 MINUTES 11 SECONDS WEST, A
10 DISTANCE OF 38.52 FEET TO A POINT FOR CORNER;
11 NORTH 68 DEGREES 33 MINUTES 11 SECONDS WEST, A
12 DISTANCE OF 21.22 FEET TO A POINT FOR CORNER;
13 NORTH 56 DEGREES 34 MINUTES 13 SECONDS WEST, A
14 DISTANCE OF 32.71 FEET TO A POINT FOR CORNER;
15 NORTH 51 DEGREES 13 MINUTES 35 SECONDS WEST, A
16 DISTANCE OF 43.49 FEET TO A POINT FOR CORNER;
17 NORTH 21 DEGREES 19 MINUTES 29 SECONDS WEST, A
18 DISTANCE OF 25.76 FEET TO A POINT FOR CORNER;
19 NORTH 00 DEGREES 28 MINUTES 27 SECONDS EAST, A
20 DISTANCE OF 31.48 FEET TO A POINT FOR CORNER;
21 NORTH 11 DEGREES 53 MINUTES 02 SECONDS EAST, A
22 DISTANCE OF 3.44 FEET TO A POINT FOR CORNER;
23 THENCE, NORTH 86 DEGREES 16 MINUTES 58 SECONDS WEST, CONTINUING
24 ALONG THE SOUTH LINE OF SAID 829.635 ACRE TRACT, PASSING AT A
25 DISTANCE OF 22.16 FEET, A 1/2 INCH CAPPED IRON ROD FOUND FOR
26 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE A DISTANCE OF 214.57
27 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND FOR CORNER ON THE NORTH

1 RIGHT-OF-WAY OF HUNT COUNTY ROAD NO. 1065;
2 THENCE, NORTH 89 DEGREES 28 MINUTES 19 SECONDS WEST, CONTINUING
3 ALONG THE SOUTH LINE OF SAID 829.635 ACRE TRACT AND THE COMMON
4 NORTH RIGHT-OF-WAY LINE OF SAID HUNT COUNTY ROAD NO. 1065,
5 PASSING AT A DISTANCE OF 2465.01 FEET, A 1/2 INCH CAPPED IRON
6 ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF
7 2605.22 FEET TO A POINT FOR CORNER ON THE EAST LINE OF AFORESAID
8 51.548 ACRE TRACT, FROM WHICH A 5/8 INCH IRON ROD WITH A YELLOW
9 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE NORTHEAST
10 CORNER OF SAID 51.548 ACRE TRACT BEARS, NORTH 01 DEGREES 01
11 MINUTES 03 SECONDS WEST, A DISTANCE OF 98.80 FEET;
12 THENCE, SOUTH 01 DEGREES 01 MINUTES 03 SECONDS EAST, ALONG THE
13 EAST LINE OF SAID 51.548 ACRE TRACT, A DISTANCE OF 1360.94 FEET
14 TO A POINT FOR THE SOUTHEAST CORNER OF SAID 51.548 ACRE TRACT
15 AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF AFORESAID KANSAS
16 CITY SOUTHERN RAILROAD, FROM WHICH A 1/2 INCH CAPPED IRON ROD
17 FOUND BEARS, SOUTH 01 DEGREES 01 MINUTES 03 SECONDS EAST, A
18 DISTANCE OF 0.27 FEET;
19 THENCE, NORTH 84 DEGREES 05 MINUTES 43 SECONDS WEST, ALONG THE
20 SOUTH LINE OF SAID 51.548 ACRE TRACT AND THE COMMON NORTH RIGHT-
21 OF-WAY OF SAID KANSAS CITY SOUTHERN RAILROAD, A DISTANCE OF
22 1573.55 FEET TO A CONCRETE HIGHWAY MONUMENT (BROKEN) FOUND FOR
23 THE SOUTHWEST CORNER OF SAID 51.548 ACRE TRACT, BEING ON THE
24 EAST RIGHT-OF-WAY LINE OF F.M. 903 (A VARIABLE WIDTH RIGHT-OF-
25 WAY) CONVEYED AS "TRACT 1" TO THE STATE OF TEXAS, AS RECORDED IN
26 VOLUME 496, PAGE 327, DEED RECORDS, HUNT COUNTY, TEXAS;
27 THENCE, ALONG THE WEST LINE OF SAID 51.548 ACRE TRACT AND THE

1 COMMON EAST RIGHT-OF-WAY LINE OF SAID F.M. 903, THE FOLLOWING
2 COURSES AND DISTANCES:

3 NORTH 00 DEGREES 27 MINUTES 39 SECONDS EAST, A
4 DISTANCE OF 1275.21 FEET TO A 1/2 INCH CAPPED IRON ROD
5 FOUND FOR CORNER;

6 NORTH 52 DEGREES 10 MINUTES 40 SECONDS EAST, A
7 DISTANCE OF 128.01 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
8 FOR CORNER;

9 NORTH 00 DEGREES 23 MINUTES 49 SECONDS EAST, A
10 DISTANCE OF 39.97 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
11 FOR THE NORTHWEST CORNER OF SAID 51.548 ACRE TRACT, BEING
12 IN THE APPROXIMATE CENTERLINE OF AFORESAID HUNT COUNTY ROAD
13 NO. 1065;

14 THENCE, NORTH 00 DEGREES 28 MINUTES 45 SECONDS EAST, CONTINUING
15 ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 903, OVER AND
16 ACROSS SAID HUNT COUNTY ROAD NO. 1065, A DISTANCE OF 17.85 FEET
17 TO A 1/2 INCH CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF
18 AFORESAID 829.635 ACRE TRACT, BEING ON THE NORTH RIGHT-OF-WAY
19 LINE OF SAID HUNT COUNTY ROAD NO. 1065;

20 THENCE, ALONG THE WEST LINE OF SAID 829.635 ACRE TRACT AND THE
21 COMMON EAST RIGHT-OF-WAY LINE OF SAID F.M. 903, THE FOLLOWING
22 COURSES AND DISTANCES:

23 NORTH 00 DEGREES 29 MINUTES 22 SECONDS WEST, A
24 DISTANCE OF 23.34 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
25 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

26 NORTH 47 DEGREES 28 MINUTES 10 SECONDS WEST, A
27 DISTANCE OF 135.78 FEET TO A 5/8 INCH IRON ROD WITH A

1 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
2 NORTH 00 DEGREES 28 MINUTES 01 SECONDS EAST, A
3 DISTANCE OF 2689.93 FEET TO A 3/8 INCH IRON ROD FOUND FOR
4 AN EXTERIOR ELL CORNER OF SAID 829.635 ACRE TRACT AND THE
5 SOUTHWEST CORNER OF A 1.500 ACRE TRACT OF LAND CONVEYED TO
6 GLENDA SUE LANDRUM, AS RECORDED IN VOLUME 850, PAGE 407,
7 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
8 THENCE, SOUTH 89 DEGREES 19 MINUTES 39 SECONDS EAST, ALONG A
9 NORTH LINE OF SAID 829.635 ACRE TRACT AND THE COMMON SOUTH LINE
10 OF SAID 1.500 ACRE TRACT, A DISTANCE OF 260.41 FEET TO A 5/8
11 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
12 SET FOR AN INTERIOR ELL CORNER OF SAID 829.635 ACRE TRACT AND
13 THE SOUTHEAST CORNER OF SAID 1.500 ACRE TRACT;
14 THENCE, NORTH 00 DEGREES 39 MINUTES 31 SECONDS EAST, ALONG THE
15 WEST LINE OF SAID 829.635 ACRE TRACT AND THE COMMON EAST LINE OF
16 SAID 1.500 ACRE TRACT, A DISTANCE OF 249.64 FEET TO A 5/8 INCH
17 IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 829.635 ACRE
18 TRACT AND THE NORTHEAST CORNER OF SAID 1.500 ACRE TRACT;
19 THENCE, NORTH 89 DEGREES 19 MINUTES 39 SECONDS WEST, ALONG A
20 SOUTH LINE OF SAID 829.635 ACRE TRACT AND THE COMMON NORTH LINE
21 OF SAID 1.500 ACRE TRACT, A DISTANCE OF 260.41 FEET TO A POINT
22 FOR AN EXTERIOR ELL CORNER OF SAID 829.635 ACRE TRACT AND THE
23 NORTHWEST CORNER OF SAID 1.500 ACRE TRACT, SAID POINT BEING ON
24 THE EAST RIGHT-OF-WAY LINE OF AFORESAID F.M. 903;
25 THENCE, NORTH 00 DEGREES 26 MINUTES 44 SECONDS EAST, ALONG THE
26 WEST LINE OF SAID 829.635 ACRE TRACT AND THE COMMON EAST RIGHT-
27 OF-WAY LINE OF SAID F.M. 903, A DISTANCE OF 753.66 FEET TO A 5/8

1 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 829.635
2 ACRE TRACT AND THE SOUTHWEST CORNER OF AFORESAID 96.166 ACRE
3 TRACT;

4 THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID F.M. 903, THE
5 FOLLOWING COURSES AND DISTANCES:

6 NORTH 00 DEGREES 26 MINUTES 58 SECONDS EAST, ALONG THE
7 WEST LINE OF SAID 96.166 ACRE TRACT, A DISTANCE OF 639.66
8 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
9 STAMPED "CARTER BURGESS" SET FOR CORNER;

10 NORTH 00 DEGREES 13 MINUTES 02 SECONDS WEST,
11 CONTINUING ALONG THE WEST LINE OF SAID 96.166 ACRE TRACT,
12 PASSING AT A DISTANCE OF 725.62 FEET, A 1/2 INCH IRON ROD
13 FOUND FOR THE NORTHWEST CORNER OF SAID 96.166 ACRE TRACT
14 AND THE SOUTHWEST CORNER OF AFORESAID 24.973 ACRE TRACT,
15 CONTINUING ALONG THE WEST LINE OF SAID 24.973 ACRE TRACT,
16 IN ALL A TOTAL DISTANCE OF 1298.17 FEET TO A POINT FOR THE
17 NORTHWEST CORNER OF SAID 24.973 ACRE TRACT AND THE
18 SOUTHWEST CORNER OF A 10.00 ACRE TRACT OF LAND CONVEYED TO
19 JASON BROOKS AND JENIFER BROOKS, AS RECORDED IN VOLUME
20 1267, PAGE 298, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, FROM
21 WHICH A 1/2 INCH CAPPED IRON ROD FOUND BEARS SOUTH 84
22 DEGREES 46 MINUTES 14 SECONDS WEST, A DISTANCE OF 0.39
23 FEET;

24 THENCE, ALONG THE NORTH LINE OF SAID 24.973 ACRE TRACT AND THE
25 COMMON SOUTH LINE OF SAID 10.00 ACRE TRACT, THE FOLLOWING
26 COURSES AND DISTANCES:

27 NORTH 87 DEGREES 37 MINUTES 55 SECONDS EAST, A

1 DISTANCE OF 421.99 FEET TO A FENCE CORNER FOUND FOR CORNER;
2 SOUTH 29 DEGREES 14 MINUTES 49 SECONDS EAST, A
3 DISTANCE OF 54.38 FEET TO A FENCE CORNER FOUND FOR CORNER;
4 NORTH 88 DEGREES 06 MINUTES 03 SECONDS EAST, A
5 DISTANCE OF 123.18 FEET TO A 5/8" IRON ROD WITH A YELLOW
6 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
7 NORTH 82 DEGREES 16 MINUTES 58 SECONDS EAST, A
8 DISTANCE OF 249.36 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
9 FOR THE SOUTHEAST CORNER OF SAID 10.00 ACRE TRACT AND A
10 SOUTHWEST CORNER OF AFORESAID 15.000 ACRE MAYABB TRACT;
11 THENCE, NORTH 20 DEGREES 19 MINUTES 00 SECONDS WEST, ALONG THE
12 WEST LINE OF SAID 15.000 ACRE MAYABB TRACT AND THE COMMON EAST
13 LINE OF SAID 10.00 ACRE TRACT, A DISTANCE OF 670.02 FEET TO A
14 1/2 INCH CAPPED IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID
15 10.00 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 15.000 ACRE
16 MAYABB TRACT AND BEING IN THE APPROXIMATE CENTERLINE OF SAID
17 HUNT COUNTY ROAD NO. 1062 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-
18 OF-WAY) AND BEING ON THE SOUTH LINE OF A 131.1 ACRE TRACT OF
19 LAND CONVEYED TO J.B. MCNATT AND WIFE, ELIZABETH MCNATT, AS
20 RECORDED IN VOLUME 604, PAGE 138, OFFICIAL RECORDS, HUNT COUNTY,
21 TEXAS
22 THENCE, ALONG THE NORTH LINE OF SAID 15.000 ACRE MAYABB TRACT
23 AND THE COMMON SOUTH LINE OF SAID 131.1 ACRE TRACT AND THE
24 COMMON SOUTH LINE OF A 15.51 ACRE TRACT OF LAND CONVEYED TO
25 BARRY TIPPER MCNATT AND WIFE, CINDY GAYE MCNATT, AS RECORDED IN
26 VOLUME 474, PAGE 681, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND
27 THE COMMON SOUTH LINE OF A REMAINDER OF A CALLED 99.682 ACRE

1 TRACT OF LAND CONVEYED TO BARRY TIPPER MCNATT, AS RECORDED IN
2 VOLUME 426, PAGE 111, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND
3 THE APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1062,
4 THE FOLLOWING COURSES AND DISTANCES:

5 NORTH 89 DEGREES 15 MINUTES 59 SECONDS EAST, A
6 DISTANCE OF 281.76 FEET TO A POINT FOR CORNER;

7 NORTH 87 DEGREES 16 MINUTES 25 SECONDS EAST, A
8 DISTANCE OF 338.48 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
9 FOR CORNER;

10 SOUTH 86 DEGREES 29 MINUTES 35 SECONDS EAST, A
11 DISTANCE OF 296.28 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
12 FOR CORNER;

13 NORTH 89 DEGREES 52 MINUTES 34 SECONDS EAST, A
14 DISTANCE OF 295.25 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
15 FOR THE NORTHEAST CORNER OF SAID 15.000 ACRE MAYABB TRACT
16 AND THE NORTHWEST CORNER OF AFORESAID 95.781 ACRE MAYABB
17 TRACT;

18 THENCE, NORTH 89 DEGREES 38 MINUTES 00 SECONDS EAST, ALONG THE
19 NORTH LINE OF SAID 95.781 ACRE MAYABB TRACT AND THE COMMON SOUTH
20 LINE OF LEGACY PARK ESTATES, AN ADDITION TO HUNT COUNTY, AS
21 RECORDED IN CABINET E, PAGE 223, PLAT RECORDS, HUNT COUNTY,
22 TEXAS, A DISTANCE OF 2535.62 FEET TO A 1/2 INCH CAPPED IRON ROD
23 FOUND FOR THE NORTHEAST CORNER OF SAID 95.781 ACRE MAYABB TRACT
24 AND BEING ON THE WEST LINE OF AFORESAID 30.000 ACRE PICKETT
25 TRACT AND BEING THE SOUTHEAST CORNER OF SAID LEGACY PARK ESTATES
26 AND BEING AT THE INTERSECTION OF THE APPROXIMATE CENTERLINE OF
27 AFORESAID HUNT COUNTY ROAD NO. 1057 AND THE APPROXIMATE

1 CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1062;
2 THENCE, NORTH 00 DEGREES 39 MINUTES 15 SECONDS WEST, ALONG THE
3 WEST LINE OF SAID 30.000 ACRE PICKETT TRACT, THE COMMON EAST
4 LINE OF SAID LEGACY PARK ESTATES AND WITH THE APPROXIMATE
5 CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1057, A DISTANCE OF
6 501.72 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST
7 CORNER OF SAID 30.000 ACRE PICKETT TRACT AND THE SOUTHWEST
8 CORNER OF AFORESAID 71.177 ACRE TRACT;
9 THENCE, NORTH 00 DEGREES 14 MINUTES 01 SECONDS WEST, ALONG THE
10 WEST LINE OF SAID 71.177 ACRE TRACT, THE COMMON EAST LINE OF
11 SAID LEGACY PARK ESTATES AND WITH THE APPROXIMATE CENTERLINE OF
12 SAID HUNT COUNTY ROAD NO. 1057, A DISTANCE OF 1077.24 FEET TO A
13 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 71.177
14 ACRE TRACT AND THE NORTHEAST CORNER OF SAID LEGACY PARK ESTATES,
15 SAID POINT BEING ON THE SOUTH LINE OF AFORESAID 75.574 ACRE EUDY
16 TRACT, SAID POINT ALSO BEING IN THE APPROXIMATE INTERSECTION OF
17 SAID HUNT COUNTY ROAD 1057 AND AFORESAID HUNT COUNTY ROAD NO.
18 1061;
19 THENCE, SOUTH 89 DEGREES 32 MINUTES 48 SECONDS WEST, ALONG THE
20 SOUTH LINE OF SAID 75.574 ACRE EUDY TRACT, A DISTANCE OF 600.55
21 FEET TO A POINT FOR CORNER;
22 THENCE, NORTH 01 DEGREES 20 MINUTES 36 SECONDS WEST, ALONG THE
23 WEST LINE OF SAID 75.574 ACRE EUDY TRACT, A DISTANCE OF 1350.27
24 FEET TO A POINT FOR CORNER;
25 THENCE, ALONG THE NORTH LINE OF SAID 75.574 ACRE EUDY TRACT, THE
26 FOLLOWING COURSES AND DISTANCES:
27 NORTH 89 DEGREES 26 MINUTES 45 SECONDS EAST, A

1 DISTANCE OF 1124.18 FEET TO A POINT FOR CORNER;
2 SOUTH 01 DEGREES 34 MINUTES 39 SECONDS EAST, A
3 DISTANCE OF 428.71 FEET TO A POINT FOR CORNER;
4 NORTH 88 DEGREES 26 MINUTES 38 SECONDS EAST, A
5 DISTANCE OF 300.07 FEET TO A POINT FOR CORNER;
6 NORTH 04 DEGREES 23 MINUTES 33 SECONDS EAST, A
7 DISTANCE OF 210.91 FEET TO A POINT FOR CORNER;
8 NORTH 86 DEGREES 56 MINUTES 44 SECONDS EAST, A
9 DISTANCE OF 697.44 FEET TO A POINT FOR CORNER;
10 SOUTH 03 DEGREES 26 MINUTES 48 SECONDS EAST, A
11 DISTANCE OF 147.74 FEET TO A POINT FOR CORNER;
12 NORTH 89 DEGREES 54 MINUTES 21 SECONDS EAST, A
13 DISTANCE OF 228.29 FEET TO A 5/8 INCH IRON ROD WITH A
14 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR A
15 SOUTHWEST OF AFORESAID 133.764 ACRE TRACT AND BEING A
16 SOUTHEAST OF A 83.811 ACRE TRACT OF LAND CONVEYED TO JOANNE
17 COLEMAN, AS RECORDED IN VOLUME 363, PAGE 521, OFFICIAL
18 RECORDS, HUNT COUNTY, TEXAS;
19 THENCE, NORTH 00 DEGREES 15 MINUTES 33 SECONDS EAST, ALONG THE
20 WEST LINE OF SAID 133.764 ACRE TRACT AND THE COMMON EAST LINE OF
21 SAID 83.811 ACRE TRACT A DISTANCE OF 1441.67 FEET TO A 5/8 INCH
22 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
23 FOR AN INTERIOR ELL CORNER OF SAID 133.764 ACRE TRACT AND THE
24 NORTHEAST CORNER OF SAID 83.811 ACRE TRACT;
25 THENCE, NORTH 89 DEGREES 04 MINUTES 07 SECONDS WEST, ALONG A
26 SOUTH LINE OF SAID 133.764 ACRE TRACT AND A COMMON NORTH LINE OF
27 SAID 83.811 ACRE TRACT, PASSING AT A DISTANCE OF 61.46 FEET, A

1 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
2 BURGESS" SET FOR AN EXTERIOR ELL CORNER OF SAID 133.764 ACRE
3 TRACT AND A SOUTHEAST CORNER OF AFORESAID 240.184 ACRE TRACT,
4 CONTINUING ALONG THE NORTH LINE OF SAID 83.811 ACRE TRACT AND
5 THE COMMON SOUTH LINE OF SAID 240.184 ACRE TRACT, A DISTANCE OF
6 1261.61 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 240.184
7 ACRE TRACT AND BEING A NORTHWEST CORNER OF SAID 83.811 ACRE
8 TRACT, FROM WHICH A 1" BUGGY AXLE (DISTURBED) BEARS NORTH 28
9 DEGREES 18 MINUTES 03 SECONDS WEST, A DISTANCE OF 0.42 FEET;
10 THENCE, NORTH 01 DEGREES 07 MINUTES 48 SECONDS WEST, ALONG THE
11 WEST LINE OF SAID 240.184 ACRE TRACT, PASSING AT A DISTANCE OF
12 640.99 FEET A 3/8 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER
13 OF HOMEPLACE ESTATES, AN ADDITION TO HUNT COUNTY, AS RECORDED IN
14 CABINET E, PAGE 186, PLAT RECORDS, HUNT COUNTY, TEXAS AND BEING
15 THE SOUTHEAST CORNER OF A 23.000 ACRE TRACT OF LAND CONVEYED TO
16 MARVIN LEROY FARROW, AS RECORDED IN VOLUME 817, PAGE 677, DEED
17 RECORDS, HUNT COUNTY, TEXAS, CONTINUING ALONG THE WEST LINE OF
18 SAID 240.184 ACRE TRACT AND THE COMMON EAST LINE OF SAID 23.000
19 ACRE TRACT AND THE COMMON EAST LINE OF A 16.882 ACRE TRACT OF
20 LAND CONVEYED DARRELL M. FARROW, AS RECORDED IN VOLUME 817, PAGE
21 690, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, IN ALL A TOTAL
22 DISTANCE OF 1289.67 FEET TO A 12 INCH HACKBERRY TREE FOUND FOR
23 THE SOUTHEAST CORNER OF SAID 70 ACRE TRACT AND THE NORTHEAST
24 CORNER OF SAID 16.882 ACRE TRACT;
25 THENCE, NORTH 89 DEGREES 49 MINUTES 02 SECONDS WEST, ALONG THE
26 SOUTH LINE OF SAID 240.184 ACRE TRACT AND THE COMMON NORTH LINE
27 OF SAID 16.882 ACRE TRACT, A DISTANCE OF 1503.02 FEET TO A 5/8

1 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
2 SET FOR THE SOUTHWEST CORNER OF SAID 240.184 ACRE TRACT AND
3 BEING THE SOUTHEAST CORNER OF A 51.222 ACRE TRACT OF LAND
4 CONVEYED TO W. HOMER MARTIN, AS RECORDED IN VOLUME 207, PAGE 67,
5 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
6 THENCE, NORTH 00 DEGREES 18 MINUTES 05 SECONDS WEST, ALONG THE
7 WEST LINE OF SAID 240.184 ACRE TRACT AND THE COMMON EAST LINE OF
8 SAID 51.222 ACRE TRACT, PASSING A 1/2 INCH IRON ROD FOUND AT A
9 DISTANCE OF 1998.17 FEET, CONTINUING IN ALL A TOTAL DISTANCE OF
10 1998.86 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID 240.184
11 ACRE TRACT AND NORTHEAST CORNER OF SAID 51.222 ACRE TRACT AND
12 BEING ON THE SOUTH RIGHT-OF-WAY OF AFORESAID F.M. 1569;
13 THENCE, ALONG THE NORTH LINE OF SAID 240.184 ACRE TRACT AND THE
14 COMMON SOUTH RIGHT-OF-WAY OF SAID F.M. 1569, THE FOLLOWING
15 COURSES AND DISTANCES:

16 NORTH 89 DEGREES 58 MINUTES 22 SECONDS EAST, A
17 DISTANCE OF 363.01 FEET TO A 5/8 INCH IRON ROD WITH A
18 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
19 AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A
20 CENTRAL ANGLE OF 05 DEGREES 27 MINUTES 22 SECONDS, A RADIUS
21 OF 5769.58 FEET, A CHORD BEARING OF NORTH 87 DEGREES 14
22 MINUTES 41 SECONDS EAST, A CHORD LENGTH OF 549.22 FEET;

23 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF
24 549.43 FEET, TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
25 CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

26 NORTH 84 DEGREES 31 MINUTES 00 SECONDS EAST, A
27 DISTANCE OF 94.39 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW

1 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

2 NORTH 88 DEGREES 30 MINUTES 25 SECONDS EAST, A
3 DISTANCE OF 26.77 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
4 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER ON THE
5 WEST LINE OF A TRACT OF LAND CONVEYED TO BOBBY FISCHER, AS
6 RECORDED IN VOLUME 855, PAGE 643, OFFICIAL RECORDS, HUNT
7 COUNTY, TEXAS;

8 THENCE, SOUTH 00 DEGREES 18 MINUTES 51 SECONDS EAST, ALONG THE
9 WEST LINE OF SAID BOBBY FISCHER TRACT, A DISTANCE OF 455.54 FEET
10 TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
11 BURGESS" SET FOR THE SOUTHWEST CORNER OF SAID BOBBY FISCHER
12 TRACT;

13 THENCE, NORTH 89 DEGREES 41 MINUTES 09 SECONDS EAST, ALONG THE
14 SOUTH LINE OF SAID BOBBY FISCHER TRACT, A DISTANCE OF 450.00
15 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
16 "CARTER BURGESS" SET FOR THE SOUTHEAST CORNER OF SAID BOBBY
17 FISCHER TRACT;

18 THENCE, NORTH 00 DEGREES 18 MINUTES 51 SECONDS WEST, ALONG THE
19 EAST LINE TO SAID BOBBY FISCHER TRACT, A DISTANCE OF 478.04 FEET
20 TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
21 BURGESS" SET FOR CORNER ON THE SOUTH RIGHT-OF-WAY OF SAID F.M.
22 1569;

23 THENCE, ALONG THE NORTH LINE OF SAID 240.184 ACRE TRACT AND THE
24 COMMON SOUTH RIGHT-OF-WAY OF SAID F.M. 1569, THE FOLLOWING
25 COURSES AND DISTANCES:

26 NORTH 84 DEGREES 31 MINUTES 00 SECONDS EAST, A
27 DISTANCE OF 118.80 FEET TO A 5/8 INCH IRON ROD WITH A

1 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
2 NORTH 81 DEGREES 31 MINUTES 10 SECONDS EAST, A
3 DISTANCE OF 191.26 FEET TO A 5/8 INCH IRON ROD WITH A
4 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
5 NORTH 84 DEGREES 31 MINUTES 00 SECONDS EAST, A
6 DISTANCE OF 665.50 FEET TO A 5/8 INCH IRON ROD WITH A
7 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
8 AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A
9 CENTRAL ANGLE OF 04 DEGREES 44 MINUTES 38 SECONDS, A RADIUS
10 OF 5679.58 FEET, A CHORD BEARING OF NORTH 86 DEGREES 53
11 MINUTES 19 SECONDS EAST, A CHORD LENGTH OF 470.10 FEET;
12 ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC LENGTH
13 OF 470.24 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
14 CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
15 NORTH 89 DEGREES 15 MINUTES 37 SECONDS EAST, A
16 DISTANCE OF 816.41 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
17 FOUND FOR THE NORTHEAST CORNER OF SAID 240.184 ACRE TRACT
18 AND BEING ON THE EAST LINE OF AFORESAID 34.984 ACRE TRACT;
19 THENCE, NORTH 00 DEGREES 39 MINUTES 57 SECONDS WEST, ALONG THE
20 WEST LINE OF SAID 34.984 ACRE TRACT AND ALONG THE COMMON SOUTH
21 RIGHT-OF-WAY OF SAID F.M. 1569, A DISTANCE OF 10.00 FEET TO A
22 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
23 BURGESS" SET FOR THE NORTHWEST CORNER OF SAID 34.984 ACRE TRACT
24 AND BEING ON THE SOUTH RIGHT-OF-WAY OF SAID F.M. 1569, FROM
25 WHICH A CONCRETE RIGHT-OF-WAY MONUMENT (DISTURBED) BEARS, SOUTH
26 00 DEGREES 39 MINUTES 56 SECONDS EAST, A DISTANCE OF 0.75 FEET;
27 THENCE, NORTH 89 DEGREES 15 MINUTES 37 SECONDS EAST, ALONG THE

1 NORTH LINE OF SAID 34.984 ACRE TRACT AND THE COMMON SOUTH RIGHT-
2 OF-WAY OF SAID F.M. 1569, A DISTANCE OF 971.15 FEET TO THE POINT
3 OF BEGINNING, CONTAINING 1742.436 ACRES OF LAND, MORE OR LESS.
4 TRACT 4
5 BEING A 2012.391 ACRE TRACT OF LAND SITUATED IN THE JESSE
6 BILLINGSLEY SURVEY, ABSTRACT NO. 37, THE P.B. CORZINE SURVEY,
7 ABSTRACT NO. 197, THE E. HILLBURN SURVEY, ABSTRACT NO. 486, THE
8 ENOS MURPHY SURVEY, ABSTRACT NO. 647, , THE ALEXANDER McBANE
9 SURVEY, ABSTRACT NO. 670, THE R.W. McBANE SURVEY, ABSTRACT NO.
10 671 AND THE JOHN YEARY SURVEY, ABSTRACT NO. 1182, HUNT COUNTY,
11 TEXAS, AND BEING ALL OF A 1139.667 ACRE TRACT OF LAND CONVEYED
12 AS "TRACT A" TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1578,
13 PAGE 398, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, ALL OF A
14 616.275 ACRE TRACT OF LAND CONVEYED AS "TRACT TWO" TO WALTON
15 TEXAS, L.P., AS RECORDED IN VOLUME 1637, PAGE 620, OFFICIAL
16 PUBLIC RECORDS, HUNT COUNTY, TEXAS AND ALL OF A 255.411 ACRE
17 TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN
18 VOLUME 1720, PAGE 155, OFFICIAL PUBLIC RECORDS, HUNT COUNTY,
19 TEXAS. SAID 2012.391 ACRE TRACT WITH BEARING BASIS GRID NORTH,
20 TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83
21 (CORS96, EPOCH DATE 2002), DETERMINED BY GPS OBSERVATIONS
22 BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259, 2004,
23 CALCULATED FROM COLLIN CORS ARP (PID-DF8982) AND DALLAS CORS ARP
24 (PID-DF8984). BEING MORE PARTICULARLY DESCRIBED BY METES AND
25 BOUNDS AS FOLLOWS:
26 BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR AN INTERIOR ELL
27 CORNER OF SAID 1139.667 ACRE TRACT AND THE SOUTHWEST CORNER OF A

1 57.960 ACRE TRACT OF LAND CONVEYED TO RAY A. ROCKHILL, AS
2 RECORDED IN VOLUME 1366, PAGE 634, OFFICIAL RECORDS, HUNT
3 COUNTY, TEXAS AND BEING THE AT THE INTERSECTION OF THE
4 APPROXIMATE CENTERLINE OF HUNT COUNTY ROAD NO. 1114 (A VARIABLE
5 WIDTH PRESCRIPTIVE RIGHT-OF-WAY) AND THE APPROXIMATE CENTERLINE
6 OF HUNT COUNTY ROAD NO. 1115 (A VARIABLE WIDTH PRESCRIPTIVE
7 RIGHT-OF-WAY);
8 THENCE, NORTH 89 DEGREES 01 MINUTES 44 SECONDS EAST, ALONG A
9 NORTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON SOUTH LINE
10 OF SAID 57.960 ACRE TRACT AND THE COMMON SOUTH LINE OF A 30.275
11 ACRE TRACT OF LAND CONVEYED AS "TRACT 1" TO JAIME FERNANDES, AS
12 RECORDED IN VOLUME 1174, PAGE 370, OFFICIAL RECORDS, HUNT
13 COUNTY, TEXAS AND THE COMMON SOUTH LINE OF A 4.781 ACRE TRACT OF
14 LAND CONVEYED AS "TRACT 2" TO JAIME FERNANDES, AS RECORDED IN
15 VOLUME 1174, PAGE 370, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND
16 THE APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1114, A
17 DISTANCE OF 2007.34 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE
18 NORTHWEST CORNER OF A 1.610 ACRE TRACT OF LAND CONVEYED TO FELIX
19 A. LEWIS, AS RECORDED VOLUME 120, PAGE 35, OFFICIAL RECORDS,
20 HUNT COUNTY, TEXAS;
21 THENCE, SOUTH 00 DEGREES 36 MINUTES 33 SECONDS EAST, ALONG THE
22 WEST LINE OF SAID 1.610 ACRE TRACT, A DISTANCE OF 1354.32 FEET
23 TO A 1/2 INCH IRON ROD FOUND FOR A SOUTHWEST CORNER OF SAID
24 1.610 ACRE TRACT;
25 THENCE, NORTH 89 DEGREES 39 MINUTES 19 SECONDS EAST, ALONG THE
26 SOUTH LINE OF SAID 1.610 ACRE TRACT, A DISTANCE OF 1555.16 FEET
27 TO A 1/2 INCH IRON ROD FOUND FOR A NORTHWEST CORNER OF A 137.824

1 ACRE TRACT OF LAND CONVEYED AS "TRACT A-2" TO SPEIR INVESTMENTS,
2 LTD., AS RECORDED IN VOLUME 760, PAGE 57, OFFICIAL RECORDS, HUNT
3 COUNTY, TEXAS;
4 THENCE, SOUTH 00 DEGREES 01 MINUTES 25 SECONDS EAST, ALONG A
5 EAST LINE OF SAID 1169.667 ACRE TRACT AND THE COMMON WEST LINE
6 OF SAID 137.824 ACRE TRACT, A DISTANCE OF 1421.40 FEET TO A 3/8
7 INCH IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 1139.667
8 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 137.824 ACRE TRACT;
9 THENCE, SOUTH 88 DEGREES 20 MINUTES 26 SECONDS EAST, ALONG A
10 NORTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON SOUTH LINE
11 OF SAID 137.824 ACRE TRACT, A DISTANCE OF 1936.78 FEET TO A 3/8
12 INCH IRON ROD FOUND FOR A NORTHEAST CORNER OF SAID 1139.667 ACRE
13 TRACT AND THE NORTHWEST CORNER OF A 0.864 ACRE TRACT OF LAND
14 CONVEYED TO SPEIR INVESTMENTS, LTD., AS RECORDED IN VOLUME 1222,
15 PAGE 4, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
16 THENCE, SOUTH 00 DEGREES 54 MINUTES 20 SECONDS WEST, ALONG AN
17 EAST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON WEST LINE
18 OF SAID 0.864 ACRE TRACT, A DISTANCE OF 227.27 FEET TO A 3/8
19 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.864 ACRE
20 TRACT;
21 THENCE, SOUTH 89 DEGREES 21 MINUTES 06 SECONDS EAST, ALONG THE
22 SOUTH LINE OF SAID 0.864 ACRE TRACT, A DISTANCE OF 33.49 FEET TO
23 A 3/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF A 1.546
24 ACRE TRACT OF LAND CONVEYED TO WILLIAM F. SMITH AND SHERRY LYNN
25 SMITH, AS RECORDED IN VOLUME 826, PAGE 156, OFFICIAL RECORDS,
26 HUNT COUNTY, TEXAS;
27 THENCE, SOUTH 00 DEGREES 55 MINUTES 56 SECONDS WEST, ALONG AN

1 EAST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON WEST LINE
2 OF SAID 1.546 ACRE TRACT, A DISTANCE OF 517.17 FEET TO A 1/2
3 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 1.546 ACRE
4 TRACT;

5 THENCE, SOUTH 87 DEGREES 58 MINUTES 43 SECONDS EAST, ALONG THE
6 SOUTH LINE OF SAID 1.546 ACRE TRACT, A DISTANCE OF 129.59 FEET
7 TO A 3/8 INCH IRON ROD FOUND FOR A NORTHEAST CORNER OF SAID
8 1139.667 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID 1.546 ACRE
9 TRACT AND BEING ON THE WEST RIGHT-OF-WAY OF F.M. 903 (A VARIABLE
10 WIDTH RIGHT-OF-WAY) CONVEYED AS "TRACT 2" TO THE STATE OF TEXAS,
11 AS RECORDED IN VOLUME 496, PAGE 327, DEED RECORDS, HUNT COUNTY,
12 TEXAS;

13 THENCE, ALONG THE EAST LINE OF SAID 1139.667 ACRE TRACT AND THE
14 COMMON WEST RIGHT-OF-WAY LINE OF SAID F.M. 903, THE FOLLOWING
15 COURSES AND DISTANCES:

16 SOUTH 01 DEGREES 10 MINUTES 28 SECONDS WEST, A
17 DISTANCE OF 983.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR
18 CORNER;

19 SOUTH 12 DEGREES 29 MINUTES 22 SECONDS WEST, A
20 DISTANCE OF 102.00 FEET TO A 5/8 INCH IRON ROD WITH A
21 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

22 SOUTH 01 DEGREES 10 MINUTES 22 SECONDS WEST, A
23 DISTANCE OF 300.00 FEET TO A 5/8 INCH IRON ROD WITH A
24 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
25 FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 00 DEGREES
26 15 MINUTES 12 SECONDS EAST, A DISTANCE OF 2.55 FEET;

27 SOUTH 10 DEGREES 08 MINUTES 38 SECONDS EAST, A

1 DISTANCE OF 102.00 FEET TO A 5/8 INCH IRON ROD WITH A
2 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

3 SOUTH 01 DEGREES 10 MINUTES 22 SECONDS WEST, A
4 DISTANCE OF 1373.30 FEET TO A 5/8 INCH IRON ROD WITH A
5 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

6 SOUTH 00 DEGREES 11 MINUTES 38 SECONDS EAST, A
7 DISTANCE OF 427.70 FEET TO A 5/8 INCH IRON ROD WITH A
8 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

9 SOUTH 42 DEGREES 04 MINUTES 22 SECONDS WEST, A
10 DISTANCE OF 148.70 FEET TO A 3/8 INCH IRON ROD FOUND FOR
11 CORNER;

12 SOUTH 00 DEGREES 11 MINUTES 38 SECONDS EAST, PASSING
13 AT A DISTANCE OF 20.00 FEET, A 5/8 INCH IRON ROD WITH A
14 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE
15 SOUTHEAST CORNER OF SAID 1139.667 ACRE TRACT AND BEING ON
16 THE NORTH RIGHT-OF-WAY LINE OF HUNT COUNTY ROAD NO. 1116 (A
17 VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY), CONTINUING OVER
18 AND ACROSS SAID HUNT COUNTY ROAD, AND PASSING AT A DISTANCE
19 OF 19.98 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
20 CAP STAMPED "CARTER BURGESS" SET FOR THE NORTHEAST CORNER
21 OF AFORESAID 616.275 ACRE TRACT, CONTINUING ALONG THE EAST
22 LINE OF SAID 616.275 ACRE TRACT, IN ALL A TOTAL DISTANCE OF
23 80.00 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
24 STAMPED "CARTER BURGESS" SET FOR CORNER;

25 THENCE, ALONG THE EAST LINE OF SAID 616.275 ACRE TRACT AND THE
26 COMMON WEST RIGHT-OF-WAY LINE OF SAID F.M. 903, THE FOLLOWING
27 COURSES AND DISTANCES:

1 SOUTH 47 DEGREES 28 MINUTES 38 SECONDS EAST, A
2 DISTANCE OF 88.40 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
3 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

4 SOUTH 00 DEGREES 11 MINUTES 38 SECONDS EAST, A
5 DISTANCE OF 250.00 FEET TO A 5/8 INCH IRON ROD WITH A
6 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

7 SOUTH 10 DEGREES 29 MINUTES 36 SECONDS EAST, A
8 DISTANCE OF 204.85 FEET TO A 5/8 INCH IRON ROD FOUND FOR
9 CORNER;

10 SOUTH 00 DEGREES 13 MINUTES 16 SECONDS EAST, A
11 DISTANCE OF 1368.46 FEET TO A 1/2 INCH IRON ROD FOUND FOR
12 CORNER;

13 SOUTH 00 DEGREES 27 MINUTES 57 SECONDS WEST, A
14 DISTANCE OF 1231.78 FEET TO A 5/8 INCH IRON ROD WITH A
15 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

16 SOUTH 03 DEGREES 18 MINUTES 18 SECONDS WEST, A
17 DISTANCE OF 200.20 FEET TO A 1/2 INCH IRON ROD FOUND FOR
18 CORNER;

19 SOUTH 00 DEGREES 25 MINUTES 41 SECONDS WEST, A
20 DISTANCE OF 700.23 FEET TO A 1/2 INCH IRON ROD FOUND FOR
21 CORNER;

22 SOUTH 02 DEGREES 28 MINUTES 50 SECONDS EAST, A
23 DISTANCE OF 200.29 FEET TO A 60D NAIL FOUND FOR CORNER;

24 SOUTH 00 DEGREES 28 MINUTES 43 SECONDS WEST, A
25 DISTANCE OF 2050.49 FEET TO A 5/8 INCH IRON ROD WITH A
26 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

27 SOUTH 28 DEGREES 58 MINUTES 33 SECONDS WEST, A

1 DISTANCE OF 41.90 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
2 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
3 NORTH 89 DEGREES 32 MINUTES 27 SECONDS WEST, A
4 DISTANCE OF 80.00 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
5 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
6 SOUTH 00 DEGREES 27 MINUTES 33 SECONDS WEST, A
7 DISTANCE OF 80.00 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
8 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
9 SOUTH 49 DEGREES 46 MINUTES 27 SECONDS EAST, A
10 DISTANCE OF 130.10 FEET TO A 1/2 INCH IRON ROD FOUND FOR
11 CORNER;
12 SOUTH 00 DEGREES 27 MINUTES 33 SECONDS WEST, A
13 DISTANCE OF 1100.00 FEET TO A 5/8 INCH IRON ROD WITH A
14 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
15 SOUTH 45 DEGREES 58 MINUTES 56 SECONDS WEST, A
16 DISTANCE OF 139.69 FEET TO A 1/2 INCH IRON ROD FOUND FOR
17 CORNER;
18 SOUTH 00 DEGREES 16 MINUTES 06 SECONDS WEST, PASSING
19 AT A DISTANCE OF 29.28 FEET, A 1/2 INCH IRON ROD FOUND,
20 CONTINUING IN ALL A TOTAL DISTANCE OF 30.76 FEET TO A POINT
21 FOR THE SOUTHEAST CORNER OF SAID 616.275 ACRE TRACT BEING
22 ON THE NORTH RIGHT-OF-WAY OF HUNT COUNTY ROAD NO. 1156 (A
23 30' PRESCRIPTIVE WIDTH RIGHT-OF-WAY), BEING 130.00 FEET
24 FROM THE CENTERLINE OF KANSAS CITY SOUTHERN RAILROAD (A
25 100' RIGHT-OF-WAY);
26 THENCE, NORTH 84 DEGREES 06 MINUTES 14 SECONDS WEST, ALONG THE
27 SOUTH LINE OF SAID 203.348 ACRE TRACT AND THE COMMON NORTH LINE

1 OF SAID HUNT COUNTY ROAD NO. 1156, PASSING AT A DISTANCE OF
2 2405.39 FEET, A POINT IN THE APPROXIMATE CENTERLINE OF ELM CREEK
3 FOR THE SOUTHWEST CORNER OF SAID 616.275 ACRE TRACT AND THE
4 SOUTHEAST CORNER OF AFORESAID 255.411 ACRE TRACT, FROM WHICH A
5 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS SOUTH 85 DEGREES 12
6 MINUTES 09 SECONDS EAST, A DISTANCE 44.39 FEET, CONTINUING ALONG
7 THE SOUTH LINE OF SAID 255.411 ACRE TRACT, IN ALL A TOTAL
8 DISTANCE OF 5879.63 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
9 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE SOUTHWEST
10 CORNER OF SAID 255.411 ACRE TRACT, SAID POINT BEING ON THE EAST
11 LINE OF A 75.344 ACRE TRACT OF LAND CONVEYED TO ROBERT GRAHAM
12 ELIZABETH GRAHAM, AND CHRISTOPHER BILL GRAHAM, AS RECORDED IN
13 VOLUME 556, PAGE 518, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
14 THENCE, NORTH 00 DEGREES 18 MINUTES 42 SECONDS WEST, ALONG THE
15 WEST LINE OF SAID 255.411 ACRE TRACT AND THE COMMON EAST LINE OF
16 SAID 75.344 ACRE TRACT, A DISTANCE OF 3523.60 FEET TO A 5/8 INCH
17 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
18 FOR THE NORTHEAST CORNER OF SAID 75.344 ACRE TRACT AND THE
19 COMMON SOUTHEAST CORNER OF A 100 ACRE TRACT OF LAND CONVEYED TO
20 DAVE W. BELL, WILLIAM HIXSON, AND DENNIS W. BELL, AS RECORDED IN
21 VOLUME 128, PAGE 18, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
22 THENCE, NORTH 00 DEGREES 31 MINUTES 21 SECONDS WEST, CONTINUING
23 ALONG THE WEST LINE OF SAID 255.411 ACRE TRACT AND THE COMMON
24 EAST LINE OF SAID 100 ACRE TRACT, A DISTANCE OF 1061.59 FEET TO
25 A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID
26 255.411 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF A 70.000
27 ACRE TRACT OF LAND CONVEYED AS "TRACT 1", TO GESSELL MARTINEZ,

1 AS RECORDED IN VOLUME 1483, PAGE 212, OFFICIAL RECORDS, HUNT
2 COUNTY, TEXAS;
3 THENCE, NORTH 89 DEGREES 41 MINUTES 12 SECONDS EAST, ALONG THE
4 NORTH LINE OF SAID 255.411 ACRE TRACT AND THE COMMON SOUTH LINE
5 OF SAID 70.000 ACRE TRACT, PASSING AT A DISTANCE OF 843.85 FEET
6 TO A 1/2 INCH IRON ROD WITH A RED PLASTIC CAP STAMPED "OWENS"
7 FOUND FOR THE SOUTHEAST CORNER OF SAID 70.000 ACRE TRACT AND THE
8 SOUTHWEST CORNER OF A 53.127 ACRE TRACT OF LAND CONVEYED TO J.
9 SCOTT HOLLAND AND NATALIE HUDGINS, AS RECORDED IN VOLUME 861,
10 PAGE 628, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, AND CONTINUING
11 ALONG THE SOUTH LINE OF SAID 53.127 ACRE TRACT, IN ALL A TOTAL
12 DISTANCE OF 1323.37 FEET TO A POINT FOR CORNER ON THE WEST LINE
13 OF AFORESAID 616.275 ACRE TRACT, SAID POINT BEING ON THE
14 APPROXIMATE CENTER LINE OF ELM CREEK;
15 THENCE, NORTH 34 DEGREES 26 MINUTES 51 SECONDS WEST, ALONG THE
16 WEST LINE OF SAID 616.275 ACRE TRACT, A DISTANCE OF 2.35 FEET TO
17 A POINT FOR THE NORTHWEST CORNER OF SAID 616.275 ACRE TRACT;
18 THENCE, NORTH 89 DEGREES 49 MINUTES 12 SECONDS EAST, ALONG A
19 NORTH LINE OF SAID 616.275 ACRE TRACT AND BEING ON THE SOUTH
20 LINE OF SAID AFORESAID 53.127 ACRE TRACT, PASSING AT A DISTANCE
21 OF 63.24 FEET, A 1/2 INCH IRON ROD FOUND FOR WITNESS, CONTINUING
22 IN ALL A TOTAL DISTANCE OF 1251.53 FEET TO A 1/2 INCH IRON ROD
23 FOUND FOR THE SOUTHEAST CORNER OF SAID 53.127 ACRE TRACT AND AN
24 INTERIOR ELL CORNER OF SAID 616.275 ACRE TRACT;
25 THENCE, NORTH 00 DEGREES 05 MINUTES 55 SECONDS WEST, ALONG THE
26 WEST LINE OF SAID 616.275 ACRE TRACT AND THE COMMON EAST LINE OF
27 SAID 53.127 ACRE TRACT, PASSING AT A DISTANCE OF 2477.60 FEET A

1 1/2 INCH IRON ROD FOUND FOR WITNESS AND PASSING AT A DISTANCE OF
2 2498.79 FEET A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
3 STAMPED "CARTER BURGESS" SET FOR THE NORTHWEST CORNER OF SAID
4 616.275 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 53.127 ACRE
5 TRACT AND BEING IN THE APPROXIMATE CENTER LINE OF AFORESAID HUNT
6 COUNTY ROAD NO. 1116, CONTINUING OVER AND ACROSS SAID HUNT
7 COUNTY ROAD IN ALL A TOTAL DISTANCE OF 2518.29 FEET TO A POINT
8 FOR CORNER ON THE SOUTH LINE OF AFORESAID 1139.667 ACRE TRACT
9 AND THE NORTH RIGHT-OF-WAY LINE OF SAID HUNT COUNTY ROAD NO.
10 1116;

11 THENCE, SOUTH 89 DEGREES 29 MINUTES 54 SECONDS WEST, ALONG THE
12 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE NORTH RIGHT-OF-
13 WAY LINE OF SAID HUNT COUNTY ROAD NO. 1116, A DISTANCE OF 60.76
14 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 1139.667 ACRE
15 TRACT;

16 THENCE, ALONG THE WEST LINE OF SAID 1139.667 ACRE TRACT, THE
17 FOLLOWING COURSES AND DISTANCES:

18 NORTH 00 DEGREES 18 MINUTES 55 SECONDS WEST, PASSING
19 AT A DISTANCE OF 7.29 FEET, A 1/2 INCH IRON ROD FOUND FOR
20 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1570.39 FEET
21 TO A FENCE CORNER POST FOUND FOR CORNER;

22 NORTH 79 DEGREES 11 MINUTES 19 SECONDS WEST, A
23 DISTANCE OF 32.79 FEET TO A FENCE CORNER POST FOUND FOR
24 CORNER ON THE EAST LINE OF A CALLED 32.210 ACRE TRACT OF
25 LAND CONVEYED AS "TRACT 4" TO KENNETH R. BUTLER AND GENELLE
26 L. BUTLER, AS RECORDED IN VOLUME 1230, PAGE 407, OFFICIAL
27 RECORDS, HUNT COUNTY, TEXAS;

1 NORTH 00 DEGREES 14 MINUTES 12 SECONDS WEST, ALONG THE
2 COMMON EAST LINE OF SAID 32.210 ACRE TRACT, A DISTANCE OF
3 1728.39 FEET TO A FENCE CORNER POST FOUND FOR CORNER;

4 NORTH 86 DEGREES 12 MINUTES 13 SECONDS WEST, A
5 DISTANCE OF 55.07 FEET TO A FENCE CORNER POST FOUND FOR
6 CORNER;

7 NORTH 00 DEGREES 17 MINUTES 59 SECONDS WEST, ALONG THE
8 COMMON EAST LINE OF SAID 32.210 ACRE TRACT, A DISTANCE OF
9 626.72 FEET TO A FENCE CORNER POST FOUND FOR THE NORTHEAST
10 CORNER OF SAID 32.210 ACRE TRACT;

11 THENCE, SOUTH 89 DEGREES 49 MINUTES 42 SECONDS WEST, ALONG A
12 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON NORTH LINE
13 OF SAID 32.210 ACRE TRACT, THE COMMON NORTH LINE OF A 11.859
14 ACRE TRACT OF LAND CONVEYED TO BOBBY G. BUTLER, AS RECORDED IN
15 VOLUME 55, PAGE 184, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND
16 THE COMMON NORTH LINE OF A 11.859 ACRE TRACT OF LAND CONVEYED TO
17 DONALD H. BUTLER, AS RECORDED IN VOLUME 55, PAGE 190, OFFICIAL
18 RECORDS, HUNT COUNTY, TEXAS, PASSING AT A DISTANCE OF 1956.80
19 FEET A 1/2 INCH CAPPED IRON ROD FOUND FOR WITNESS, CONTINUING IN
20 ALL A TOTAL DISTANCE OF 1973.46 FEET TO A 1/2 INCH CAPPED IRON
21 ROD FOUND FOR A SOUTHWEST CORNER OF SAID 1139.667 ACRE TRACT AND
22 BEING ON THE EAST LINE OF A 93.89 ACRE TRACT OF LAND CONVEYED AS
23 "TRACT A-1" TO SPEIR INVESTMENTS, LTD., AS RECORDED IN VOLUME
24 760, PAGE 57, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND BEING IN
25 THE APPROXIMATE CENTERLINE OF AFORESAID HUNT COUNTY ROAD NO.
26 1115;

27 THENCE, NORTH 00 DEGREES 11 MINUTES 24 SECONDS WEST, ALONG A

1 WEST LINE OF SAID 1139.667 ACRE TRACT, THE COMMON EAST LINE OF
2 SAID 93.89 ACRE TRACT, THE COMMON EAST LINE OF A 7.9 ACRE TRACT
3 OF LAND CONVEYED TO DAVID L. TRAYNHAM AND MARIA A. TRAYNHAM, AS
4 RECORDED IN VOLUME 657, PAGE 402, OFFICIAL RECORDS, HUNT COUNTY,
5 TEXAS AND THE APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD
6 NO. 1115, A DISTANCE OF 1143.48 FEET TO A 1/2 INCH IRON ROD
7 FOUND FOR THE NORTHEAST CORNER OF SAID 7.9 ACRE TRACT;
8 THENCE, SOUTH 89 DEGREES 48 MINUTES 44 SECONDS WEST, ALONG A
9 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON NORTH LINE
10 OF SAID 7.9 ACRE TRACT, A DISTANCE OF 914.22 FEET TO A 1/2 INCH
11 IRON ROD FOUND FOR CORNER;
12 THENCE, SOUTH 89 DEGREES 47 MINUTES 54 SECONDS WEST, CONTINUING
13 ALONG A SOUTH LINE OF SAID 1139.667 ACRE TRACT, THE COMMON NORTH
14 LINE OF SAID 7.9 ACRE TRACT AND THE COMMON NORTH LINE OF A
15 93.886 ACRE TRACT OF LAND CONVEYED TO THE REDEEMED CHRISTIAN
16 CHURCH OF GOD (NORTH AMERICA), INC., AS RECORDED IN VOLUME 1374,
17 PAGE 57, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF
18 809.78 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;
19 THENCE, NORTH 89 DEGREES 21 MINUTES 24 SECONDS WEST, CONTINUING
20 ALONG A SOUTH LINE OF SAID 1139.667 ACRE TRACT, THE COMMON NORTH
21 LINE OF SAID 93.886 ACRE TRACT AND A COMMON NORTH LINE OF A
22 243.597 ACRE TRACT OF LAND CONVEYED TO VAN K. DAVIS, TRUSTEE, AS
23 RECORDED IN VOLUME 928, PAGE 539, OFFICIAL RECORDS, HUNT COUNTY,
24 TEXAS, A DISTANCE OF 859.21 FEET TO A 1/2 INCH IRON ROD FOUND
25 FOR AN EXTERIOR ELL CORNER OF SAID 1139.667 ACRE TRACT AND AN
26 INTERIOR ELL CORNER OF SAID 243.597 ACRE TRACT;
27 THENCE, NORTH 00 DEGREES 14 MINUTES 41 SECONDS WEST, ALONG A

1 WEST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON EAST LINE
2 OF SAID 243.597 ACRE TRACT, A DISTANCE OF 882.25 FEET TO A 3/8
3 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 243.597
4 ACRE TRACT;
5 THENCE, NORTH 89 DEGREES 47 MINUTES 35 SECONDS WEST, ALONG A
6 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON NORTH LINE
7 OF SAID 243.597 ACRE TRACT, A DISTANCE OF 844.09 FEET TO A 1/2
8 INCH IRON ROD FOUND FOR AN EXTERIOR ELL CORNER OF SAID 1139.667
9 ACRE TRACT AND THE SOUTHEAST CORNER OF A 60.0 ACRE TRACT OF LAND
10 CONVEYED TO RONALD MIKE TREVINO, ALBERT JOE TREVINO AND VICTOR
11 TREVINO, AS RECORDED IN VOLUME 259, PAGE 234, OFFICIAL RECORDS,
12 HUNT COUNTY, TEXAS;
13 THENCE, NORTH 00 DEGREES 13 MINUTES 54 SECONDS WEST, ALONG THE
14 WEST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON EAST LINE
15 OF SAID 60.0 ACRE TRACT, A DISTANCE OF 1609.31 FEET TO A 3/8
16 INCH IRON ROD FOUND FOR CORNER;
17 THENCE, NORTH 00 DEGREES 30 MINUTES 31 SECONDS WEST, CONTINUING
18 ALONG THE WEST LINE OF SAID 1139.667 ACRE TRACT, THE COMMON EAST
19 LINE OF A 82.616 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO
20 JAMES H. BLAKEMORE AND EDITH L. BLAKEMORE, AS RECORDED IN VOLUME
21 707, PAGE 331, DEED RECORDS, HUNT COUNTY, TEXAS AND THE COMMON
22 EAST LINE OF A 40 ACRE TRACT OF LAND CONVEYED TO J.H. BLAKEMORE
23 AND WIFE, EDITH L. BLAKEMORE, AS RECORDED IN VOLUME 540, PAGE
24 623, DEED RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF 2189.68
25 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF
26 SAID 40 ACRE TRACT;
27 THENCE, SOUTH 88 DEGREES 59 MINUTES 44 SECONDS WEST, ALONG A

1 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON NORTH LINE
2 OF SAID 40 ACRE TRACT, A DISTANCE OF 1548.59 FEET TO A POINT
3 CORNER IN THE APPROXIMATE CENTERLINE OF MIDDLE CADDO CREEK;
4 THENCE, ALONG THE WEST LINE OF SAID 1139.667 ACRE TRACT AND THE
5 COMMON APPROXIMATE CENTERLINE OF SAID MIDDLE CADDO CREEK, THE
6 FOLLOWING COURSES AND DISTANCES:

7 NORTH 21 DEGREES 00 MINUTES 15 SECONDS WEST, A
8 DISTANCE OF 6.21 FEET TO A POINT FOR CORNER;

9 NORTH 34 DEGREES 09 MINUTES 23 SECONDS EAST, A
10 DISTANCE OF 63.91 FEET TO A POINT FOR CORNER;

11 NORTH 12 DEGREES 40 MINUTES 10 SECONDS EAST, A
12 DISTANCE OF 26.28 FEET TO A POINT FOR CORNER;

13 NORTH 26 DEGREES 12 MINUTES 21 SECONDS WEST, A
14 DISTANCE OF 6.32 FEET TO A POINT FOR CORNER;

15 NORTH 20 DEGREES 42 MINUTES 04 SECONDS WEST, A
16 DISTANCE OF 38.17 FEET TO A POINT FOR CORNER;

17 NORTH 21 DEGREES 26 MINUTES 17 SECONDS WEST, A
18 DISTANCE OF 39.25 FEET TO A POINT FOR CORNER;

19 NORTH 35 DEGREES 13 MINUTES 45 SECONDS EAST, A
20 DISTANCE OF 31.01 FEET TO A POINT FOR CORNER;

21 NORTH 60 DEGREES 49 MINUTES 41 SECONDS EAST, A
22 DISTANCE OF 38.89 FEET TO A POINT FOR CORNER;

23 NORTH 32 DEGREES 52 MINUTES 06 SECONDS EAST, A
24 DISTANCE OF 66.78 FEET TO A POINT FOR CORNER;

25 NORTH 06 DEGREES 16 MINUTES 43 SECONDS EAST, A
26 DISTANCE OF 25.14 FEET TO A POINT FOR CORNER;

27 NORTH 29 DEGREES 02 MINUTES 56 SECONDS WEST, A

1 DISTANCE OF 26.91 FEET TO A POINT FOR CORNER;
2 NORTH 46 DEGREES 27 MINUTES 41 SECONDS WEST, A
3 DISTANCE OF 52.95 FEET TO A POINT FOR CORNER;
4 NORTH 65 DEGREES 10 MINUTES 49 SECONDS WEST, A
5 DISTANCE OF 44.93 FEET TO A POINT FOR CORNER;
6 NORTH 26 DEGREES 06 MINUTES 17 SECONDS WEST, A
7 DISTANCE OF 29.56 FEET TO A POINT FOR CORNER;
8 NORTH 13 DEGREES 19 MINUTES 05 SECONDS EAST, A
9 DISTANCE OF 61.59 FEET TO A POINT FOR CORNER;
10 NORTH 65 DEGREES 47 MINUTES 32 SECONDS EAST, A
11 DISTANCE OF 62.65 FEET TO A POINT FOR CORNER;
12 NORTH 51 DEGREES 18 MINUTES 24 SECONDS EAST, A
13 DISTANCE OF 37.86 FEET TO A POINT FOR CORNER;
14 NORTH 34 DEGREES 49 MINUTES 10 SECONDS EAST, A
15 DISTANCE OF 67.22 FEET TO A POINT FOR CORNER;
16 NORTH 00 DEGREES 09 MINUTES 44 SECONDS WEST, A
17 DISTANCE OF 28.50 FEET TO A POINT FOR CORNER;
18 NORTH 44 DEGREES 55 MINUTES 39 SECONDS WEST, A
19 DISTANCE OF 36.21 FEET TO A POINT FOR CORNER;
20 NORTH 85 DEGREES 07 MINUTES 33 SECONDS WEST, A
21 DISTANCE OF 26.04 FEET TO A POINT FOR CORNER;
22 NORTH 83 DEGREES 48 MINUTES 09 SECONDS WEST, A
23 DISTANCE OF 81.95 FEET TO A POINT FOR CORNER;
24 NORTH 65 DEGREES 20 MINUTES 02 SECONDS WEST, A
25 DISTANCE OF 52.40 FEET TO A POINT FOR CORNER;
26 NORTH 70 DEGREES 02 MINUTES 58 SECONDS WEST, A
27 DISTANCE OF 61.21 FEET TO A POINT FOR CORNER;

1 NORTH 50 DEGREES 53 MINUTES 09 SECONDS WEST, A
2 DISTANCE OF 27.81 FEET TO A POINT FOR CORNER;
3 NORTH 09 DEGREES 48 MINUTES 38 SECONDS WEST, A
4 DISTANCE OF 94.86 FEET TO A POINT FOR CORNER;
5 NORTH 52 DEGREES 21 MINUTES 14 SECONDS WEST, A
6 DISTANCE OF 47.81 FEET TO A POINT FOR CORNER;
7 SOUTH 88 DEGREES 07 MINUTES 56 SECONDS WEST, A
8 DISTANCE OF 46.23 FEET TO A POINT FOR CORNER;
9 NORTH 82 DEGREES 46 MINUTES 51 SECONDS WEST, A
10 DISTANCE OF 60.70 FEET TO A POINT FOR CORNER;
11 NORTH 00 DEGREES 54 MINUTES 56 SECONDS WEST, A
12 DISTANCE OF 34.95 FEET TO A POINT FOR CORNER;
13 NORTH 06 DEGREES 26 MINUTES 19 SECONDS EAST, A
14 DISTANCE OF 33.86 FEET TO A POINT FOR CORNER;
15 NORTH 19 DEGREES 52 MINUTES 12 SECONDS EAST, A
16 DISTANCE OF 75.18 FEET TO A POINT FOR CORNER;
17 NORTH 08 DEGREES 51 MINUTES 47 SECONDS EAST, A
18 DISTANCE OF 21.98 FEET TO A POINT FOR CORNER;
19 NORTH 51 DEGREES 14 MINUTES 55 SECONDS WEST, A
20 DISTANCE OF 15.56 FEET TO A POINT FOR CORNER;
21 NORTH 67 DEGREES 44 MINUTES 23 SECONDS WEST, A
22 DISTANCE OF 48.94 FEET TO A POINT FOR CORNER;
23 NORTH 44 DEGREES 48 MINUTES 26 SECONDS WEST, A
24 DISTANCE OF 46.84 FEET TO A POINT FOR CORNER;
25 NORTH 71 DEGREES 56 MINUTES 01 SECONDS WEST, A
26 DISTANCE OF 56.21 FEET TO A POINT FOR CORNER;
27 NORTH 56 DEGREES 30 MINUTES 17 SECONDS WEST, A

1 DISTANCE OF 64.81 FEET TO A POINT FOR CORNER;
2 NORTH 24 DEGREES 20 MINUTES 05 SECONDS WEST, A
3 DISTANCE OF 54.93 FEET TO A POINT FOR CORNER;
4 NORTH 64 DEGREES 45 MINUTES 50 SECONDS EAST, A
5 DISTANCE OF 59.42 FEET TO A POINT FOR CORNER;
6 NORTH 79 DEGREES 49 MINUTES 14 SECONDS EAST, A
7 DISTANCE OF 30.85 FEET TO A POINT FOR CORNER;
8 NORTH 59 DEGREES 46 MINUTES 01 SECONDS EAST, A
9 DISTANCE OF 42.98 FEET TO A POINT FOR CORNER;
10 NORTH 44 DEGREES 48 MINUTES 48 SECONDS WEST, A
11 DISTANCE OF 52.64 FEET TO A POINT FOR CORNER;
12 NORTH 57 DEGREES 08 MINUTES 41 SECONDS WEST, A
13 DISTANCE OF 61.18 FEET TO A POINT FOR CORNER;
14 NORTH 25 DEGREES 48 MINUTES 00 SECONDS EAST, A
15 DISTANCE OF 67.83 FEET TO A POINT FOR CORNER;
16 NORTH 33 DEGREES 37 MINUTES 31 SECONDS EAST, A
17 DISTANCE OF 61.74 FEET TO A POINT FOR CORNER;
18 NORTH 75 DEGREES 17 MINUTES 59 SECONDS EAST, A
19 DISTANCE OF 41.29 FEET TO A POINT FOR CORNER;
20 NORTH 87 DEGREES 23 MINUTES 13 SECONDS EAST, A
21 DISTANCE OF 49.41 FEET TO A POINT FOR CORNER;
22 NORTH 38 DEGREES 47 MINUTES 16 SECONDS EAST, A
23 DISTANCE OF 37.99 FEET TO A POINT FOR CORNER;
24 NORTH 69 DEGREES 48 MINUTES 22 SECONDS EAST, A
25 DISTANCE OF 67.94 FEET TO A POINT FOR CORNER;
26 NORTH 23 DEGREES 59 MINUTES 27 SECONDS EAST, A
27 DISTANCE OF 40.40 FEET TO A POINT FOR CORNER;

1 NORTH 33 DEGREES 58 MINUTES 09 SECONDS WEST, A
2 DISTANCE OF 20.48 FEET TO A POINT FOR CORNER;
3 NORTH 44 DEGREES 20 MINUTES 14 SECONDS WEST, A
4 DISTANCE OF 23.31 FEET TO A POINT FOR CORNER;
5 SOUTH 74 DEGREES 13 MINUTES 43 SECONDS WEST, A
6 DISTANCE OF 35.67 FEET TO A POINT FOR CORNER;
7 SOUTH 87 DEGREES 53 MINUTES 22 SECONDS WEST, A
8 DISTANCE OF 58.07 FEET TO A POINT FOR CORNER;
9 NORTH 64 DEGREES 32 MINUTES 24 SECONDS WEST, A
10 DISTANCE OF 62.27 FEET TO A POINT FOR CORNER;
11 NORTH 03 DEGREES 53 MINUTES 53 SECONDS WEST, A
12 DISTANCE OF 66.73 FEET TO A POINT FOR CORNER;
13 NORTH 84 DEGREES 44 MINUTES 09 SECONDS EAST, A
14 DISTANCE OF 62.95 FEET TO A POINT FOR CORNER;
15 SOUTH 72 DEGREES 08 MINUTES 47 SECONDS EAST, A
16 DISTANCE OF 54.95 FEET TO A POINT FOR CORNER;
17 NORTH 74 DEGREES 09 MINUTES 16 SECONDS EAST, A
18 DISTANCE OF 32.84 FEET TO A POINT FOR CORNER;
19 NORTH 62 DEGREES 27 MINUTES 21 SECONDS EAST, A
20 DISTANCE OF 55.15 FEET TO A POINT FOR CORNER;
21 SOUTH 89 DEGREES 34 MINUTES 47 SECONDS EAST, A
22 DISTANCE OF 41.41 FEET TO A POINT FOR CORNER;
23 NORTH 50 DEGREES 52 MINUTES 18 SECONDS EAST, A
24 DISTANCE OF 39.73 FEET TO A POINT FOR CORNER;
25 NORTH 35 DEGREES 47 MINUTES 05 SECONDS WEST, A
26 DISTANCE OF 39.52 FEET TO A POINT FOR CORNER;
27 NORTH 53 DEGREES 11 MINUTES 28 SECONDS WEST, A

1 DISTANCE OF 56.58 FEET TO A POINT FOR CORNER;
2 NORTH 01 DEGREES 29 MINUTES 22 SECONDS EAST, A
3 DISTANCE OF 29.58 FEET TO A POINT FOR CORNER;
4 NORTH 34 DEGREES 19 MINUTES 05 SECONDS EAST, A
5 DISTANCE OF 40.10 FEET TO A POINT FOR CORNER;
6 NORTH 33 DEGREES 35 MINUTES 40 SECONDS WEST, A
7 DISTANCE OF 43.80 FEET TO A POINT FOR CORNER;
8 NORTH 54 DEGREES 45 MINUTES 11 SECONDS WEST, A
9 DISTANCE OF 58.64 FEET TO A POINT FOR CORNER;
10 NORTH 59 DEGREES 06 MINUTES 28 SECONDS WEST, A
11 DISTANCE OF 53.89 FEET TO A POINT FOR CORNER;
12 NORTH 66 DEGREES 44 MINUTES 26 SECONDS WEST, A
13 DISTANCE OF 64.30 FEET TO A POINT FOR CORNER;
14 NORTH 20 DEGREES 21 MINUTES 59 SECONDS WEST, A
15 DISTANCE OF 47.18 FEET TO A POINT FOR CORNER;
16 NORTH 04 DEGREES 17 MINUTES 58 SECONDS WEST, A
17 DISTANCE OF 49.47 FEET TO A POINT FOR CORNER;
18 NORTH 60 DEGREES 05 MINUTES 12 SECONDS EAST, A
19 DISTANCE OF 23.20 FEET TO A POINT FOR CORNER;
20 SOUTH 85 DEGREES 17 MINUTES 54 SECONDS EAST, A
21 DISTANCE OF 10.58 FEET TO A POINT FOR CORNER;
22 NORTH 61 DEGREES 55 MINUTES 20 SECONDS EAST, A
23 DISTANCE OF 12.40 FEET TO A POINT FOR CORNER;
24 NORTH 10 DEGREES 07 MINUTES 13 SECONDS EAST, A
25 DISTANCE OF 59.37 FEET TO A POINT FOR CORNER;
26 NORTH 03 DEGREES 06 MINUTES 12 SECONDS EAST, A
27 DISTANCE OF 71.13 FEET TO A POINT FOR CORNER;

1 NORTH 07 DEGREES 53 MINUTES 39 SECONDS WEST, A
2 DISTANCE OF 37.89 FEET TO A POINT FOR THE NORTHWEST CORNER
3 OF SAID 1139.667 ACRE TRACT AND ON THE SOUTH LINE OF WOLFE
4 RUN ESTATES AN ADDITION RECORDED IN CABINET D, PAGE 359,
5 PLAT RECORDS, HUNT COUNTY, TEXAS;

6 THENCE, ALONG THE NORTH LINE OF SAID 1139.667 ACRE TRACT, THE
7 FOLLOWING COURSES AND DISTANCES:

8 SOUTH 89 DEGREES 50 MINUTES 52 SECONDS EAST, ALONG THE
9 COMMON SOUTH LINE OF SAID WOLFE RUN ESTATES, THE COMMON
10 SOUTH LINE OF A 20.491 ACRE TRACT OF LAND CONVEYED TO
11 LUTHER BENNETT SANDLIN, JR., AS RECORDED IN VOLUME 624,
12 PAGE 497, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND THE
13 COMMON SOUTH LINE OF A 67.158 ACRE TRACT OF LAND CONVEYED
14 TO ROBERT MEREDITH SPENCE, AS RECORDED IN VOLUME 602, PAGE
15 351, DEED RECORDS, HUNT COUNTY, TEXAS, PASSING AT A
16 DISTANCE OF 25.00 FEET A 5/8 INCH IRON ROD WITH A YELLOW
17 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR WITNESS,
18 CONTINUING IN ALL A TOTAL DISTANCE OF 2488.67 FEET TO A 1/2
19 INCH IRON ROD FOUND FOR CORNER;

20 SOUTH 64 DEGREES 25 MINUTES 54 SECONDS EAST,
21 CONTINUING ALONG THE SOUTH LINE OF SAID 67.158 ACRE TRACT,
22 A DISTANCE OF 208.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR
23 CORNER;

24 SOUTH 89 DEGREES 05 MINUTES 27 SECONDS EAST,
25 CONTINUING ALONG THE SOUTH LINE OF SAID 67.158 ACRE TRACT
26 AND THE COMMON SOUTH LINE OF A 36.408 ACRE TRACT OF LAND
27 CONVEYED TO ROYCE G. SUMROW, AS RECORDED IN VOLUME 85, PAGE

1 893, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, DESCRIBED IN
2 VOLUME 561, PAGE 230, DEED RECORDS, HUNT COUNTY, TEXAS, A
3 DISTANCE OF 2565.21 FEET TO A 1/2 INCH IRON ROD FOUND FOR
4 AN INTERIOR ELL CORNER OF SAID 1139.667 ACRE TRACT AND THE
5 SOUTHEAST CORNER OF SAID 36.408 ACRE TRACT;

6 THENCE, NORTH 00 DEGREES 06 MINUTES 59 SECONDS EAST, ALONG A
7 WEST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON EAST LINE
8 OF SAID 36.408 ACRE TRACT, A DISTANCE OF 702.67 FEET TO A 5/8
9 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
10 SET FOR CORNER ON THE SOUTH RIGHT-OF-WAY OF F.M. 1569 (A
11 VARIABLE WIDTH RIGHT-OF-WAY);

12 THENCE, ALONG THE NORTH LINE OF SAID 1139.667 ACRE TRACT AND THE
13 COMMON SOUTH RIGHT-OF-WAY OF SAID F.M. 1569, THE FOLLOWING
14 COURSES AND DISTANCES:

15 SOUTH 68 DEGREES 29 MINUTES 14 SECONDS EAST, A
16 DISTANCE OF 40.00 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
17 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

18 NORTH 76 DEGREES 30 MINUTES 46 SECONDS EAST, A
19 DISTANCE OF 164.09 FEET TO A POINT FOR THE NORTHEAST CORNER
20 OF SAID 1139.667 ACRE TRACT AND THE NORTHWEST CORNER OF A
21 81.665 ACRE TRACT OF LAND CONVEYED TO J. BURKE YOUNG AND
22 FRANCES ANNE YOUNG, AS RECORDED IN VOLUME 947, PAGE 82,
23 DEED RECORDS, HUNT COUNTY, TEXAS;

24 THENCE, SOUTH 00 DEGREES 41 MINUTES 20 SECONDS EAST, ALONG AN
25 EAST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON WEST LINE
26 OF SAID 81.665 ACRE TRACT, PASSING AT A DISTANCE OF 3.29 FEET A
27 1/2 INCH CAPPED IRON ROD FOUND FOR WITNESS, CONTINUING A TOTAL

1 DISTANCE OF 646.60 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;
2 THENCE, SOUTH 86 DEGREES 00 MINUTES 27 SECONDS WEST, A DISTANCE
3 OF 147.76 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;
4 THENCE, SOUTH 00 DEGREES 45 MINUTES 00 SECONDS EAST, ALONG AN
5 EAST LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON WEST LINE
6 OF SAID 81.665 ACRE TRACT, A DISTANCE OF 2736.59 FEET TO A 1/2
7 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 81.665 ACRE
8 TRACT AND BEING ON THE NORTH LINE OF AFORESAID 57.960 ACRE
9 TRACT;
10 THENCE, SOUTH 89 DEGREES 10 MINUTES 10 SECONDS WEST, ALONG A
11 SOUTH LINE OF SAID 1139.667 ACRE TRACT AND THE COMMON NORTH LINE
12 OF SAID 57.960 ACRE TRACT, A DISTANCE OF 55.88 FEET TO A 1/2
13 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 57.960 ACRE
14 TRACT;
15 THENCE, SOUTH 00 DEGREES 03 MINUTES 22 SECONDS WEST, ALONG AN
16 EAST LINE OF SAID 597.419 ACRE TRACT AND THE COMMON WEST LINE OF
17 SAID 57.960 ACRE TRACT, A DISTANCE OF 2115.22 FEET TO THE POINT
18 OF BEGINNING AND CONTAINING 2012.391 ACRES OF LAND, MORE OR
19 LESS.
20 TRACT 5
21 BEING A 625.044 ACRE TRACT OF LAND SITUATED IN THE M.F. JONES
22 SURVEY, ABSTRACT NO. 542, THE NEEDHAM HAM SURVEY, ABSTRACT NO.
23 427, THE A. ROUSETTE SURVEY, ABSTRACT NO. 882, AND THE MARTIN
24 MOORE SURVEY, ABSTRACT NO. 762, HUNT COUNTY, TEXAS, AND BEING
25 ALL OF A 607.070 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO
26 WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1780, PAGE 53,
27 OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING ALL OF A

1 17.974 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS
2 RECORDED IN VOLUME 1778, PAGE 265, OFFICIAL PUBLIC RECORDS, HUNT
3 COUNTY, TEXAS. SAID 625.044 ACRE TRACT, WITH BEARING BASIS OF
4 GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE,
5 NAD83 (CORS96, EPOCH DATE 2002), DETERMINED BY GPS OBSERVATIONS
6 BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259, 2004,
7 CALCULATED FROM COLLIN CORS ARP (PID-DF8982) AND DALLAS CORS ARP
8 (PID-DF8984), BEING MORE PARTICULARLY DESCRIBED BY METES AND
9 BOUNDS AS FOLLOWS:

10 BEGINNING AT A 5/8 INCH IRON ROD WITH AN ALUMINUM TXDOT MONUMENT
11 FOUND FOR A NORTHEAST CORNER OF SAID 607.070 ACRE TRACT AND THE
12 NORTHWEST CORNER OF A 13.6509 ACRE TRACT OF LAND CONVEYED AS
13 "PARCEL 27" TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 1581,
14 PAGE 81, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND BEING THE
15 SOUTHWEST CORNER OF A 16.7163 ACRE TRACT OF LAND CONVEYED AS
16 "PARCEL 26" TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 1617,
17 PAGE 466, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, SAID POINT BEING
18 ON THE SOUTH LINE OF A 40.089 ACRE TRACT OF LAND CONVEYED TO
19 AREY FAMILY LIVING TRUST, AS RECORDED IN VOLUME 756, PAGE 263,
20 DEED RECORDS, HUNT COUNTY, TEXAS;

21 THENCE, ALONG THE NORTHEAST LINE OF SAID 607.070 ACRE TRACT AND
22 THE COMMON SOUTHWEST LINE OF SAID 13.6509 ACRE TRACT, THE
23 FOLLOWING COURSES AND DISTANCES:

24 SOUTH 55 DEGREES 38 MINUTES 54 SECONDS EAST, A
25 DISTANCE OF 845.18 FEET TO A 5/8 INCH IRON ROD WITH A
26 ALUMINUM TXDOT MONUMENT FOUND FOR CORNER;

27 SOUTH 66 DEGREES 49 MINUTES 36 SECONDS EAST, A

1 DISTANCE OF 715.68 FEET TO A POINT FOR CORNER;
2 SOUTH 33 DEGREES 17 MINUTES 28 SECONDS EAST, A
3 DISTANCE OF 166.66 FEET TO A 5/8 INCH IRON ROD WITH AN
4 ALUMINUM TXDOT MONUMENT FOUND FOR THE SOUTHEAST CORNER OF
5 SAID 13.6509 ACRE TRACT AND BEING ON THE WEST RIGHT-OF-WAY
6 LINE OF F.M. 36 (A 80' RIGHT-OF-WAY);
7 THENCE, ALONG THE EAST LINE OF SAID 607.070 ACRE TRACT AND THE
8 COMMON WEST RIGHT-OF-WAY LINE OF SAID F.M. 36, THE FOLLOWING
9 COURSES AND DISTANCES:
10 SOUTH 01 DEGREES 28 MINUTES 32 SECONDS WEST, A
11 DISTANCE OF 793.59 FEET TO A 5/8 INCH IRON ROD WITH A
12 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
13 AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A
14 CENTRAL ANGLE OF 16 DEGREES 00 MINUTES 31 SECONDS, A RADIUS
15 OF 858.51 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 31
16 MINUTES 43 SECONDS EAST, A CHORD LENGTH OF 239.09 FEET;
17 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF
18 239.87 FEET, TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
19 CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
20 SOUTH 14 DEGREES 31 MINUTES 58 SECONDS EAST, A
21 DISTANCE OF 47.39 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW
22 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
23 SOUTH 00 DEGREES 02 MINUTES 56 SECONDS WEST, A
24 DISTANCE OF 663.21 FEET TO A 100D NAIL SET FOR CORNER;
25 SOUTH 89 DEGREES 57 MINUTES 04 SECONDS EAST, A
26 DISTANCE OF 73.00 FEET TO A POINT FOR CORNER;
27 SOUTH 88 DEGREES 57 MINUTES 04 SECONDS EAST, A

1 DISTANCE OF 100.00 FEET TO A 5/8 INCH IRON ROD WITH A
2 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
3 SOUTH 14 DEGREES 31 MINUTES 58 SECONDS EAST, A
4 DISTANCE OF 326.40 FEET TO A 5/8 INCH IRON ROD WITH A
5 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
6 AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A
7 CENTRAL ANGLE OF 15 DEGREES 06 MINUTES 41 SECONDS, A RADIUS
8 OF 778.51 FEET, A CHORD BEARING OF SOUTH 06 DEGREES 58
9 MINUTES 38 SECONDS EAST, A CHORD LENGTH OF 204.73 FEET;
10 ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC LENGTH
11 OF 205.33 FEET, TO A 5/8 INCH IRON ROD WITH A YELLOW
12 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
13 SOUTH 00 DEGREES 34 MINUTES 43 SECONDS WEST, A
14 DISTANCE OF 402.61 FEET TO A 5/8 INCH IRON ROD WITH A
15 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
16 AND THE BEGINNING TO A TANGENT CURVE TO THE LEFT HAVING A
17 CENTRAL ANGLE OF 27 DEGREES 09 MINUTES 57 SECONDS, A RADIUS
18 OF 358.31 FEET, A CHORD BEARING OF SOUTH 13 DEGREES 00
19 MINUTES 16 SECONDS EAST, A CHORD LENGTH OF 168.30 FEET;
20 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF
21 169.89 FEET, TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
22 CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
23 SOUTH 01 DEGREES 08 MINUTES 05 SECONDS EAST, A
24 DISTANCE OF 190.32 FEET TO A 5/8 INCH IRON ROD WITH A
25 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
26 THENCE, SOUTH 00 DEGREES 15 MINUTES 30 SECONDS WEST, CONTINUING
27 ALONG THE EAST LINE OF SAID 607.070 ACRE TRACT AND WITH THE

1 GENERAL DIRECTION OF AN OLD FENCE LINE, A DISTANCE OF 2549.04
2 FEET TO A PK NAIL SET IN A TREE FOR THE NORTHWEST CORNER OF A
3 10.019 ACRE TRACT OF LAND CONVEYED TO JAMES PATTERSON, AS
4 RECORDED IN VOLUME 932, PAGE 677, DEED RECORDS, HUNT COUNTY,
5 TEXAS;
6 THENCE, SOUTH 01 DEGREES 22 MINUTES 14 SECONDS WEST, CONTINUING
7 ALONG THE EAST LINE OF SAID 607.070 ACRE TRACT AND THE COMMON
8 WEST LINE OF SAID 10.019 ACRE TRACT, A DISTANCE OF 241.56 FEET
9 TO A 3/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID
10 607.070 ACRE TRACT AND THE NORTHEAST CORNER OF A 81.772 ACRE
11 TRACT OF LAND CONVEYED TO LAVERNE BATTLE AND LARRY L. BRYANT, AS
12 RECORDED IN VOLUME 120, PAGE 836, OFFICIAL RECORDS, HUNT COUNTY,
13 TEXAS;
14 THENCE, SOUTH 89 DEGREES 15 MINUTES 58 SECONDS WEST, ALONG A
15 SOUTH LINE OF SAID 607.070 ACRE TRACT AND THE COMMON NORTH LINE
16 OF SAID 81.772 ACRE TRACT, PASSING AT A DISTANCE OF 926.30 FEET
17 A 3/8 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
18 DISTANCE OF 953.76 FEET TO A POINT FOR CORNER IN THE APPROXIMATE
19 CENTERLINE OF MIDDLE CADDO CREEK AND BEING ON THE EAST LINE OF A
20 14.95 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO LAVERNE
21 SWANSON, AS RECORDED IN VOLUME 786, PAGE 526, DEED RECORDS, HUNT
22 COUNTY, TEXAS;
23 THENCE, ALONG THE APPROXIMATE CENTERLINE OF SAID MIDDLE CADDO
24 CREEK, A COMMON WEST LINE OF SAID 607.070 ACRE TRACT, THE COMMON
25 EAST LINE OF SAID 14.95 ACRE TRACT AND THE COMMON EAST LINE OF A
26 14.902 ACRE TRACT OF LAND CONVEYED AS "TRACT 1" TO LAVERNE
27 SWANSON, AS RECORDED IN VOLUME 786, PAGE 526, DEED RECORDS, HUNT

1 COUNTY, TEXAS, THE FOLLOWING COURSES AND DISTANCES;
2 NORTH 35 DEGREES 19 MINUTES 43 SECONDS EAST, A
3 DISTANCE OF 32.43 FEET TO A POINT FOR CORNER;
4 NORTH 04 DEGREES 44 MINUTES 28 SECONDS WEST, A
5 DISTANCE OF 12.04 FEET TO A POINT FOR CORNER;
6 NORTH 18 DEGREES 14 MINUTES 20 SECONDS WEST, A
7 DISTANCE OF 58.51 FEET TO A POINT FOR CORNER;
8 NORTH 48 DEGREES 59 MINUTES 25 SECONDS WEST, A
9 DISTANCE OF 51.15 FEET TO A POINT FOR CORNER;
10 NORTH 45 DEGREES 47 MINUTES 00 SECONDS WEST, A
11 DISTANCE OF 49.01 FEET TO A POINT FOR CORNER;
12 NORTH 71 DEGREES 36 MINUTES 24 SECONDS WEST, A
13 DISTANCE OF 35.27 FEET TO A POINT FOR CORNER;
14 SOUTH 58 DEGREES 01 MINUTES 28 SECONDS WEST, A
15 DISTANCE OF 22.70 FEET TO A POINT FOR CORNER;
16 SOUTH 37 DEGREES 24 MINUTES 39 SECONDS WEST, A
17 DISTANCE OF 38.48 FEET TO A POINT FOR CORNER;
18 SOUTH 75 DEGREES 41 MINUTES 15 SECONDS WEST, A
19 DISTANCE OF 66.86 FEET TO A POINT FOR CORNER;
20 NORTH 77 DEGREES 21 MINUTES 13 SECONDS WEST, A
21 DISTANCE OF 34.94 FEET TO A POINT FOR CORNER;
22 NORTH 61 DEGREES 45 MINUTES 32 SECONDS WEST, A
23 DISTANCE OF 38.57 FEET TO A POINT FOR CORNER;
24 NORTH 39 DEGREES 22 MINUTES 01 SECONDS WEST, A
25 DISTANCE OF 93.52 FEET TO A POINT FOR CORNER;
26 NORTH 56 DEGREES 25 MINUTES 32 SECONDS WEST, A
27 DISTANCE OF 57.54 FEET TO A POINT FOR CORNER;

1 NORTH 44 DEGREES 35 MINUTES 18 SECONDS WEST, A
2 DISTANCE OF 77.04 FEET TO A POINT FOR CORNER;
3 NORTH 57 DEGREES 44 MINUTES 48 SECONDS EAST, A
4 DISTANCE OF 53.22 FEET TO A POINT FOR CORNER;
5 NORTH 77 DEGREES 24 MINUTES 26 SECONDS EAST, A
6 DISTANCE OF 35.27 FEET TO A POINT FOR CORNER;
7 NORTH 22 DEGREES 54 MINUTES 14 SECONDS EAST, A
8 DISTANCE OF 66.74 FEET TO A POINT FOR CORNER;
9 NORTH 29 DEGREES 11 MINUTES 55 SECONDS WEST, A
10 DISTANCE OF 43.53 FEET TO A POINT FOR CORNER;
11 NORTH 35 DEGREES 59 MINUTES 06 SECONDS WEST, A
12 DISTANCE OF 76.01 FEET TO A POINT FOR CORNER;
13 NORTH 27 DEGREES 19 MINUTES 05 SECONDS WEST, A
14 DISTANCE OF 43.04 FEET TO A POINT FOR CORNER;
15 NORTH 24 DEGREES 46 MINUTES 51 SECONDS WEST, A
16 DISTANCE OF 28.29 FEET TO A POINT FOR CORNER;
17 SOUTH 57 DEGREES 56 MINUTES 21 SECONDS WEST, A
18 DISTANCE OF 20.27 FEET TO A POINT FOR CORNER;
19 SOUTH 32 DEGREES 17 MINUTES 50 SECONDS WEST, A
20 DISTANCE OF 46.40 FEET TO A POINT FOR CORNER;
21 NORTH 47 DEGREES 34 MINUTES 53 SECONDS WEST, A
22 DISTANCE OF 55.40 FEET TO A POINT FOR CORNER;
23 NORTH 09 DEGREES 39 MINUTES 26 SECONDS EAST, A
24 DISTANCE OF 58.82 FEET TO A POINT FOR CORNER;
25 NORTH 37 DEGREES 47 MINUTES 09 SECONDS WEST, A
26 DISTANCE OF 47.95 FEET TO A POINT FOR CORNER;
27 NORTH 41 DEGREES 23 MINUTES 24 SECONDS WEST, A

1 DISTANCE OF 32.90 FEET TO A POINT FOR CORNER;
2 SOUTH 81 DEGREES 25 MINUTES 04 SECONDS WEST, A
3 DISTANCE OF 25.71 FEET TO A POINT FOR CORNER;
4 SOUTH 45 DEGREES 03 MINUTES 09 SECONDS WEST, A
5 DISTANCE OF 45.32 FEET TO A POINT FOR CORNER;
6 SOUTH 37 DEGREES 44 MINUTES 04 SECONDS WEST, A
7 DISTANCE OF 37.17 FEET TO A POINT FOR CORNER;
8 SOUTH 31 DEGREES 32 MINUTES 29 SECONDS WEST, A
9 DISTANCE OF 49.31 FEET TO A POINT FOR CORNER;
10 SOUTH 62 DEGREES 05 MINUTES 02 SECONDS WEST, A
11 DISTANCE OF 40.08 FEET TO A POINT FOR CORNER;
12 NORTH 31 DEGREES 51 MINUTES 45 SECONDS WEST, A
13 DISTANCE OF 26.72 FEET TO A POINT FOR THE NORTHEAST CORNER
14 OF SAID 14.902 ACRE TRACT;
15 THENCE, SOUTH 88 DEGREES 41 MINUTES 00 SECONDS WEST, ALONG A
16 SOUTH LINE OF SAID 607.070 ACRE TRACT AND THE COMMON NORTH LINE
17 OF SAID 14.902 ACRE TRACT, PASSING AT A DISTANCE OF 26.37 FEET A
18 5/8 INCH IRON WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
19 SET FOR WITNESS, PASSING AT A DISTANCE 1364.67 FEET TO A 3/8
20 INCH IRON FOR FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
21 DISTANCE OF 1385.72 FEET TO A POINT FOR AN EXTERIOR ELL CORNER
22 OF SAID 607.070 ACRE TRACT AND THE NORTHWEST CORNER OF SAID
23 14.902 ACRE TRACT, SAID POINT ALSO BEING ON THE WEST LINE OF SKY
24 MEADOWS ADDITION, PHASE 1 AN ADDITION TO HUNT COUNTY, AS
25 RECORDED IN CABINET E, PAGE 218, PLAT RECORDS, HUNT COUNTY,
26 TEXAS AND BEING IN THE APPROXIMATE CENTERLINE OF HUNT COUNTY
27 ROAD NO. 2726 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);

1 THENCE, NORTH 00 DEGREES 34 MINUTES 53 SECONDS EAST, ALONG A
2 WEST LINE OF SAID 607.070 ACRE TRACT, THE COMMON EAST LINE OF
3 SAID SKY MEADOWS ADDITION AND THE APPROXIMATE CENTERLINE OF SAID
4 HUNT COUNTY ROAD NO. 2726, A DISTANCE OF 363.20 FEET TO A POINT
5 FOR AN INTERIOR ELL CORNER OF SAID 607.070 ACRE TRACT AND BEING
6 THE NORTHEAST CORNER OF SAID SKY MEADOW ADDITION, PHASE I;
7 THENCE, ALONG THE SOUTH LINE OF SAID 607.070 ACRE TRACT, THE
8 FOLLOWING COURSES AND DISTANCES:

9 SOUTH 89 DEGREES 50 MINUTES 37 SECONDS WEST, ALONG THE
10 COMMON NORTH LINE OF SAID SKY MEADOWS ADDITION, PHASE I AND
11 THE COMMON NORTH LINE OF SKY MEADOWS ADDITION, PHASE III,
12 AN ADDITION TO HUNT COUNTY, AS RECORDED IN CABINET F, PAGE
13 278, PLAT RECORDS, HUNT COUNTY, TEXAS, PASSING AT A
14 DISTANCE OF 30.74 FEET, A 1/2 INCH IRON ROD WITH A PLASTIC
15 CAP STAMPED "OWENS" FOUND FOR WITNESS, CONTINUING IN ALL A
16 TOTAL DISTANCE OF 1467.81 FEET TO A 1/2 INCH IRON FOUND FOR
17 CORNER;

18 SOUTH 89 DEGREES 57 MINUTES 38 SECONDS WEST,
19 CONTINUING ALONG THE COMMON NORTH LINE OF SAID SKY MEADOWS
20 ADDITION, PHASE III, A DISTANCE OF 834.04 FEET TO A 1/2
21 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SKY
22 MEADOW PHASE III ADDITION AND THE NORTHEAST CORNER OF CADDO
23 CREEK, AN ADDITION TO HUNT COUNTY, AS RECORDED IN CABINET
24 E, PAGE 121, PLAT RECORDS, HUNT COUNTY, TEXAS;

25 SOUTH 89 DEGREES 50 MINUTES 09 SECONDS WEST, ALONG THE
26 COMMON NORTH LINE OF SAID CADDO CREEK ADDITION, PASSING AT
27 A DISTANCE OF 1403.36 FEET, A 5/8 INCH IRON ROD WITH A

1 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR
2 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1423.37 FEET
3 TO A POINT FOR THE SOUTHWEST CORNER OF SAID 607.070 ACRE
4 TRACT, SAID POINT BEING IN THE APPROXIMATE CENTERLINE OF
5 WEST CADDO CREEK;

6 THENCE, ALONG THE WEST LINE OF SAID 607.070 ACRE TRACT AND THE
7 APPROXIMATE OLD CENTERLINE OF WEST CADDO CREEK, THE FOLLOWING
8 COURSES AND DISTANCES:

9 NORTH 02 DEGREES 00 MINUTES 28 SECONDS WEST, A
10 DISTANCE OF 130.96 FEET TO A POINT FOR CORNER;

11 NORTH 02 DEGREES 51 MINUTES 19 SECONDS EAST, A
12 DISTANCE OF 21.79 FEET TO A POINT FOR CORNER;

13 NORTH 31 DEGREES 48 MINUTES 31 SECONDS EAST, A
14 DISTANCE OF 12.17 FEET TO A POINT FOR CORNER;

15 NORTH 38 DEGREES 07 MINUTES 26 SECONDS EAST, A
16 DISTANCE OF 24.09 FEET TO A POINT FOR CORNER;

17 NORTH 63 DEGREES 39 MINUTES 59 SECONDS EAST, A
18 DISTANCE OF 30.05 FEET TO A POINT FOR CORNER;

19 NORTH 75 DEGREES 44 MINUTES 49 SECONDS EAST, A
20 DISTANCE OF 93.62 FEET TO A POINT FOR CORNER;

21 NORTH 72 DEGREES 48 MINUTES 52 SECONDS EAST, A
22 DISTANCE OF 49.52 FEET TO A POINT FOR CORNER;

23 NORTH 39 DEGREES 15 MINUTES 53 SECONDS EAST, A
24 DISTANCE OF 36.53 FEET TO A POINT FOR CORNER;

25 NORTH 15 DEGREES 50 MINUTES 15 SECONDS WEST, A
26 DISTANCE OF 7.70 FEET TO A POINT FOR CORNER;

27 NORTH 69 DEGREES 08 MINUTES 47 SECONDS WEST, A

1 DISTANCE OF 79.10 FEET TO A POINT FOR CORNER;
2 SOUTH 89 DEGREES 51 MINUTES 37 SECONDS WEST, A
3 DISTANCE OF 66.20 FEET TO A POINT FOR CORNER;
4 NORTH 26 DEGREES 37 MINUTES 52 SECONDS WEST, A
5 DISTANCE OF 79.12 FEET TO A POINT FOR CORNER;
6 NORTH 25 DEGREES 39 MINUTES 20 SECONDS WEST, A
7 DISTANCE OF 62.19 FEET TO A POINT FOR CORNER;
8 NORTH 04 DEGREES 50 MINUTES 22 SECONDS WEST, A
9 DISTANCE OF 43.76 FEET TO A POINT FOR CORNER;
10 NORTH 08 DEGREES 57 MINUTES 12 SECONDS EAST, A
11 DISTANCE OF 23.56 FEET TO A POINT FOR CORNER;
12 NORTH 41 DEGREES 54 MINUTES 48 SECONDS EAST, A
13 DISTANCE OF 65.89 FEET TO A POINT FOR CORNER;
14 NORTH 89 DEGREES 12 MINUTES 34 SECONDS EAST, A
15 DISTANCE OF 67.47 FEET TO A POINT FOR CORNER;
16 NORTH 89 DEGREES 43 MINUTES 05 SECONDS EAST, A
17 DISTANCE OF 51.82 FEET TO A POINT FOR CORNER;
18 NORTH 69 DEGREES 05 MINUTES 27 SECONDS EAST, A
19 DISTANCE OF 68.73 FEET TO A POINT FOR CORNER;
20 NORTH 51 DEGREES 57 MINUTES 29 SECONDS EAST, A
21 DISTANCE OF 18.31 FEET TO A POINT FOR CORNER;
22 NORTH 54 DEGREES 15 MINUTES 42 SECONDS EAST, A
23 DISTANCE OF 61.08 FEET TO A POINT FOR CORNER;
24 SOUTH 79 DEGREES 05 MINUTES 08 SECONDS EAST, A
25 DISTANCE OF 50.99 FEET TO A POINT FOR CORNER;
26 SOUTH 75 DEGREES 40 MINUTES 48 SECONDS EAST, A
27 DISTANCE OF 65.18 FEET TO A POINT FOR CORNER;

1 SOUTH 80 DEGREES 18 MINUTES 26 SECONDS EAST, A
2 DISTANCE OF 60.73 FEET TO A POINT FOR CORNER;
3 NORTH 59 DEGREES 23 MINUTES 19 SECONDS EAST, A
4 DISTANCE OF 26.08 FEET TO A POINT FOR CORNER;
5 NORTH 20 DEGREES 24 MINUTES 11 SECONDS EAST, A
6 DISTANCE OF 32.35 FEET TO A POINT FOR CORNER;
7 NORTH 17 DEGREES 22 MINUTES 55 SECONDS WEST, A
8 DISTANCE OF 26.34 FEET TO A POINT FOR CORNER;
9 NORTH 23 DEGREES 30 MINUTES 16 SECONDS WEST, A
10 DISTANCE OF 18.16 FEET TO A POINT FOR CORNER;
11 NORTH 40 DEGREES 03 MINUTES 17 SECONDS WEST, A
12 DISTANCE OF 36.62 FEET TO A POINT FOR CORNER;
13 NORTH 85 DEGREES 15 MINUTES 57 SECONDS WEST, A
14 DISTANCE OF 100.19 FEET TO A POINT FOR CORNER;
15 NORTH 80 DEGREES 48 MINUTES 00 SECONDS WEST, A
16 DISTANCE OF 51.12 FEET TO A POINT FOR CORNER;
17 NORTH 50 DEGREES 45 MINUTES 05 SECONDS WEST, A
18 DISTANCE OF 53.06 FEET TO A POINT FOR CORNER;
19 NORTH 00 DEGREES 03 MINUTES 01 SECONDS WEST, A
20 DISTANCE OF 46.80 FEET TO A POINT FOR CORNER;
21 NORTH 73 DEGREES 42 MINUTES 35 SECONDS EAST, A
22 DISTANCE OF 131.79 FEET TO A POINT FOR CORNER;
23 NORTH 60 DEGREES 21 MINUTES 56 SECONDS EAST, A
24 DISTANCE OF 42.38 FEET TO A POINT FOR CORNER;
25 NORTH 46 DEGREES 35 MINUTES 35 SECONDS EAST, A
26 DISTANCE OF 119.09 FEET TO A POINT FOR CORNER;
27 NORTH 61 DEGREES 32 MINUTES 05 SECONDS WEST, A

1 DISTANCE OF 26.80 FEET TO A POINT FOR CORNER;
2 NORTH 50 DEGREES 07 MINUTES 23 SECONDS WEST, A
3 DISTANCE OF 92.16 FEET TO A POINT FOR CORNER;
4 SOUTH 67 DEGREES 22 MINUTES 47 SECONDS WEST, A
5 DISTANCE OF 39.68 FEET TO A POINT FOR CORNER;
6 SOUTH 44 DEGREES 51 MINUTES 31 SECONDS WEST, A
7 DISTANCE OF 65.57 FEET TO A POINT FOR CORNER;
8 SOUTH 66 DEGREES 34 MINUTES 53 SECONDS WEST, A
9 DISTANCE OF 59.47 FEET TO A POINT FOR CORNER;
10 NORTH 71 DEGREES 04 MINUTES 02 SECONDS WEST, A
11 DISTANCE OF 13.47 FEET TO A POINT FOR CORNER;
12 NORTH 17 DEGREES 41 MINUTES 28 SECONDS WEST, A
13 DISTANCE OF 31.58 FEET TO A POINT FOR CORNER;
14 NORTH 03 DEGREES 59 MINUTES 42 SECONDS EAST, A
15 DISTANCE OF 71.47 FEET TO A POINT FOR CORNER;
16 NORTH 10 DEGREES 35 MINUTES 38 SECONDS WEST, A
17 DISTANCE OF 53.43 FEET TO A POINT FOR CORNER;
18 NORTH 33 DEGREES 10 MINUTES 20 SECONDS WEST, A
19 DISTANCE OF 46.50 FEET TO A POINT FOR CORNER;
20 NORTH 65 DEGREES 43 MINUTES 58 SECONDS WEST, A
21 DISTANCE OF 8.59 FEET TO A POINT FOR CORNER;
22 NORTH 72 DEGREES 36 MINUTES 49 SECONDS WEST, A
23 DISTANCE OF 70.31 FEET TO A POINT FOR CORNER;
24 NORTH 21 DEGREES 57 MINUTES 32 SECONDS EAST, A
25 DISTANCE OF 106.82 FEET TO A POINT FOR CORNER;
26 NORTH 02 DEGREES 20 MINUTES 24 SECONDS EAST, A
27 DISTANCE OF 45.20 FEET TO A POINT FOR CORNER;

1 NORTH 15 DEGREES 36 MINUTES 13 SECONDS WEST, A
2 DISTANCE OF 51.30 FEET TO A POINT FOR CORNER;
3 NORTH 33 DEGREES 52 MINUTES 33 SECONDS WEST, A
4 DISTANCE OF 72.87 FEET TO A POINT FOR CORNER;
5 SOUTH 85 DEGREES 17 MINUTES 29 SECONDS WEST, A
6 DISTANCE OF 29.18 FEET TO A POINT FOR CORNER;
7 SOUTH 56 DEGREES 20 MINUTES 50 SECONDS WEST, A
8 DISTANCE OF 65.17 FEET TO A POINT FOR CORNER;
9 SOUTH 07 DEGREES 42 MINUTES 17 SECONDS WEST, A
10 DISTANCE OF 54.43 FEET TO A POINT FOR CORNER;
11 SOUTH 03 DEGREES 48 MINUTES 43 SECONDS EAST, A
12 DISTANCE OF 42.92 FEET TO A POINT FOR CORNER;
13 SOUTH 62 DEGREES 49 MINUTES 17 SECONDS WEST, A
14 DISTANCE OF 31.86 FEET TO A POINT FOR CORNER;
15 SOUTH 78 DEGREES 31 MINUTES 03 SECONDS WEST, A
16 DISTANCE OF 52.28 FEET TO A POINT FOR CORNER;
17 NORTH 58 DEGREES 13 MINUTES 10 SECONDS WEST, A
18 DISTANCE OF 64.99 FEET TO A POINT FOR CORNER;
19 NORTH 04 DEGREES 10 MINUTES 08 SECONDS WEST, A
20 DISTANCE OF 124.57 FEET TO A POINT FOR CORNER;
21 NORTH 49 DEGREES 05 MINUTES 10 SECONDS EAST, A
22 DISTANCE OF 83.05 FEET TO A POINT FOR CORNER;
23 NORTH 37 DEGREES 41 MINUTES 13 SECONDS EAST, A
24 DISTANCE OF 85.12 FEET TO A POINT FOR CORNER;
25 NORTH 05 DEGREES 42 MINUTES 52 SECONDS EAST, A
26 DISTANCE OF 53.27 FEET TO A POINT FOR CORNER;
27 NORTH 22 DEGREES 26 MINUTES 03 SECONDS EAST, A

1 DISTANCE OF 28.15 FEET TO A POINT FOR CORNER ON THE SOUTH
2 LINE OF A 38.533 ACRE TRACT OF LAND CONVEYED TO BILLY JOE
3 DAVIS AND HARRY FRED TIBBALS, AS RECORDED IN VOLUME 836,
4 PAGE 209, OFFICIAL RECORDS, HUNT COUNTY, TEXAS, DESCRIBED
5 IN VOLUME 684, PAGE 470, DEED RECORDS, HUNT COUNTY, TEXAS;
6 THENCE, SOUTH 89 DEGREES 11 MINUTES 00 SECONDS EAST, ALONG A
7 NORTH LINE OF SAID 607.070 ACRE TRACT AND THE COMMON SOUTH LINE
8 OF SAID 38.533 ACRE TRACT, PASSING AT A DISTANCE OF 31.06 FEET A
9 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
10 BURGESS" SET FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF
11 708.22 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN INTERIOR ELL
12 CORNER OF SAID 607.070 ACRE TRACT AND THE SOUTHEAST CORNER OF
13 SAID 38.533 ACRE TRACT;
14 THENCE, NORTH 00 DEGREES 49 MINUTES 00 SECONDS EAST, ALONG THE
15 WEST LINE OF SAID 607.070 ACRE TRACT AND THE COMMON EAST LINE OF
16 SAID 38.533 ACRE TRACT, A DISTANCE OF 1613.33 FEET TO A 1/2 INCH
17 IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 110.324 ACRE
18 TRACT AND THE NORTHEAST CORNER OF SAID 38.533 ACRE TRACT, SAID
19 POINT ALSO BEING IN THE APPROXIMATE CENTERLINE OF HUNT COUNTY
20 ROAD NO. 2740 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);
21 THENCE, ALONG A SOUTH LINE OF SAID 607.070 ACRE TRACT AND THE
22 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2740, THE
23 FOLLOWING COURSE AND DISTANCES:
24 SOUTH 89 DEGREES 34 MINUTES 20 SECONDS WEST, A
25 DISTANCE OF 537.65 FEET TO A POINT FOR CORNER;
26 SOUTH 83 DEGREES 57 MINUTES 48 SECONDS WEST, A
27 DISTANCE OF 398.68 FEET TO A POINT FOR CORNER;

1 NORTH 80 DEGREES 49 MINUTES 30 SECONDS WEST, A
2 DISTANCE OF 142.84 FEET TO A POINT FOR THE SOUTHEAST CORNER
3 OF A 39.937 ACRE TRACT OF LAND CONVEYED TO CHRISTOPHER
4 MILES, AS RECORDED IN VOLUME 819, PAGE 435, OFFICIAL
5 RECORDS, HUNT COUNTY, TEXAS, SAID POINT ALSO BEING IN THE
6 APPROXIMATE CENTERLINE OF SAID WEST CADDO CREEK;

7 THENCE, ALONG THE WEST LINE OF SAID 607.070 ACRE TRACT AND THE
8 APPROXIMATE CENTERLINE OF SAID WEST CADDO CREEK, THE FOLLOWING
9 COURSES AND DISTANCES:

10 NORTH 14 DEGREES 31 MINUTES 58 SECONDS EAST, A
11 DISTANCE OF 48.15 FEET TO A POINT FOR CORNER;

12 NORTH 09 DEGREES 58 MINUTES 54 SECONDS EAST, A
13 DISTANCE OF 100.58 FEET TO A POINT FOR CORNER;

14 NORTH 12 DEGREES 29 MINUTES 19 SECONDS EAST, A
15 DISTANCE OF 80.29 FEET TO A POINT FOR CORNER;

16 NORTH 15 DEGREES 35 MINUTES 43 SECONDS EAST, A
17 DISTANCE OF 70.32 FEET TO A POINT FOR CORNER;

18 NORTH 29 DEGREES 31 MINUTES 02 SECONDS EAST, A
19 DISTANCE OF 53.82 FEET TO A POINT FOR CORNER;

20 NORTH 54 DEGREES 22 MINUTES 53 SECONDS EAST, A
21 DISTANCE OF 58.42 FEET TO A POINT FOR CORNER;

22 NORTH 11 DEGREES 18 MINUTES 16 SECONDS EAST, A
23 DISTANCE OF 26.04 FEET TO A POINT FOR CORNER;

24 NORTH 05 DEGREES 31 MINUTES 13 SECONDS WEST, A
25 DISTANCE OF 57.43 FEET TO A POINT FOR CORNER;

26 NORTH 02 DEGREES 02 MINUTES 32 SECONDS EAST, A
27 DISTANCE OF 71.20 FEET TO A POINT FOR CORNER;

1 NORTH 03 DEGREES 27 MINUTES 24 SECONDS WEST, A
2 DISTANCE OF 12.53 FEET TO A POINT FOR CORNER;
3 SOUTH 78 DEGREES 10 MINUTES 47 SECONDS WEST, A
4 DISTANCE OF 23.52 FEET TO A POINT FOR CORNER;
5 NORTH 77 DEGREES 37 MINUTES 59 SECONDS WEST, A
6 DISTANCE OF 55.19 FEET TO A POINT FOR CORNER;
7 NORTH 83 DEGREES 12 MINUTES 05 SECONDS WEST, A
8 DISTANCE OF 42.66 FEET TO A POINT FOR CORNER;
9 NORTH 30 DEGREES 53 MINUTES 58 SECONDS WEST, A
10 DISTANCE OF 45.39 FEET TO A POINT FOR CORNER;
11 NORTH 33 DEGREES 52 MINUTES 21 SECONDS WEST, A
12 DISTANCE OF 35.49 FEET TO A POINT FOR CORNER;
13 NORTH 72 DEGREES 18 MINUTES 26 SECONDS WEST, A
14 DISTANCE OF 19.38 FEET TO A POINT FOR CORNER;
15 SOUTH 63 DEGREES 09 MINUTES 44 SECONDS WEST, A
16 DISTANCE OF 30.55 FEET TO A POINT FOR CORNER;
17 SOUTH 77 DEGREES 42 MINUTES 07 SECONDS WEST, A
18 DISTANCE OF 24.33 FEET TO A POINT FOR CORNER;
19 NORTH 42 DEGREES 20 MINUTES 23 SECONDS WEST, A
20 DISTANCE OF 29.39 FEET TO A POINT FOR CORNER;
21 NORTH 10 DEGREES 26 MINUTES 52 SECONDS EAST, A
22 DISTANCE OF 57.86 FEET TO A POINT FOR CORNER;
23 NORTH 10 DEGREES 44 MINUTES 38 SECONDS EAST, A
24 DISTANCE OF 64.68 FEET TO A POINT FOR CORNER;
25 NORTH 13 DEGREES 26 MINUTES 19 SECONDS EAST, A
26 DISTANCE OF 71.97 FEET TO A POINT FOR CORNER;
27 NORTH 07 DEGREES 43 MINUTES 36 SECONDS EAST, A

1 DISTANCE OF 52.66 FEET TO A POINT FOR CORNER;
2 NORTH 03 DEGREES 31 MINUTES 02 SECONDS EAST, A
3 DISTANCE OF 51.00 FEET TO A POINT FOR CORNER;
4 NORTH 11 DEGREES 38 MINUTES 31 SECONDS WEST, A
5 DISTANCE OF 36.07 FEET TO A POINT FOR CORNER;
6 NORTH 40 DEGREES 58 MINUTES 30 SECONDS WEST, A
7 DISTANCE OF 20.34 FEET TO A POINT FOR CORNER;
8 NORTH 62 DEGREES 11 MINUTES 09 SECONDS WEST, A
9 DISTANCE OF 39.68 FEET TO A POINT FOR CORNER;
10 SOUTH 65 DEGREES 05 MINUTES 00 SECONDS WEST, A
11 DISTANCE OF 42.01 FEET TO A POINT FOR CORNER;
12 SOUTH 28 DEGREES 35 MINUTES 21 SECONDS WEST, A
13 DISTANCE OF 39.18 FEET TO A POINT FOR CORNER;
14 SOUTH 51 DEGREES 00 MINUTES 40 SECONDS WEST, A
15 DISTANCE OF 43.43 FEET TO A POINT FOR CORNER;
16 NORTH 80 DEGREES 11 MINUTES 22 SECONDS WEST, A
17 DISTANCE OF 29.03 FEET TO A POINT FOR CORNER;
18 NORTH 18 DEGREES 14 MINUTES 32 SECONDS WEST, A
19 DISTANCE OF 19.90 FEET TO A POINT FOR CORNER;
20 NORTH 18 DEGREES 11 MINUTES 37 SECONDS EAST, A
21 DISTANCE OF 15.05 FEET TO A POINT FOR CORNER;
22 NORTH 05 DEGREES 35 MINUTES 59 SECONDS EAST, A
23 DISTANCE OF 22.89 FEET TO A POINT FOR CORNER;
24 NORTH 08 DEGREES 19 MINUTES 31 SECONDS EAST, A
25 DISTANCE OF 50.21 FEET TO A POINT FOR CORNER;
26 NORTH 11 DEGREES 14 MINUTES 40 SECONDS WEST, A
27 DISTANCE OF 39.02 FEET TO A POINT FOR CORNER;

1 NORTH 25 DEGREES 20 MINUTES 27 SECONDS WEST, A
2 DISTANCE OF 26.68 FEET TO A POINT FOR CORNER;
3 NORTH 87 DEGREES 04 MINUTES 15 SECONDS WEST, A
4 DISTANCE OF 31.38 FEET TO A POINT FOR CORNER;
5 SOUTH 38 DEGREES 36 MINUTES 57 SECONDS WEST, A
6 DISTANCE OF 21.48 FEET TO A POINT FOR CORNER;
7 SOUTH 29 DEGREES 53 MINUTES 52 SECONDS WEST, A
8 DISTANCE OF 44.40 FEET TO A POINT FOR CORNER;
9 NORTH 88 DEGREES 20 MINUTES 51 SECONDS WEST, A
10 DISTANCE OF 28.85 FEET TO A POINT FOR CORNER;
11 NORTH 76 DEGREES 13 MINUTES 19 SECONDS WEST, A
12 DISTANCE OF 44.97 FEET TO A POINT FOR CORNER;
13 NORTH 58 DEGREES 26 MINUTES 12 SECONDS WEST, A
14 DISTANCE OF 32.11 FEET TO A POINT FOR CORNER;
15 NORTH 30 DEGREES 33 MINUTES 46 SECONDS EAST, A
16 DISTANCE OF 58.33 FEET TO A POINT FOR CORNER;
17 NORTH 40 DEGREES 06 MINUTES 28 SECONDS EAST, A
18 DISTANCE OF 56.14 FEET TO A POINT FOR CORNER;
19 NORTH 32 DEGREES 00 MINUTES 34 SECONDS EAST, A
20 DISTANCE OF 43.76 FEET TO A POINT FOR CORNER;
21 NORTH 05 DEGREES 36 MINUTES 07 SECONDS EAST, A
22 DISTANCE OF 24.80 FEET TO A POINT FOR CORNER;
23 NORTH 33 DEGREES 24 MINUTES 42 SECONDS WEST, A
24 DISTANCE OF 32.46 FEET TO A POINT FOR CORNER;
25 SOUTH 87 DEGREES 56 MINUTES 08 SECONDS WEST, A
26 DISTANCE OF 39.42 FEET TO A POINT FOR CORNER;
27 NORTH 81 DEGREES 29 MINUTES 55 SECONDS WEST, A

1 DISTANCE OF 26.17 FEET TO A POINT FOR CORNER;

2 NORTH 07 DEGREES 37 MINUTES 11 SECONDS WEST, A

3 DISTANCE OF 50.76 FEET TO A POINT FOR CORNER;

4 NORTH 08 DEGREES 16 MINUTES 22 SECONDS WEST, A

5 DISTANCE OF 43.32 FEET TO A POINT FOR CORNER;

6 NORTH 37 DEGREES 45 MINUTES 11 SECONDS WEST, A

7 DISTANCE OF 48.91 FEET TO A POINT FOR CORNER;

8 NORTH 42 DEGREES 30 MINUTES 47 SECONDS WEST, A

9 DISTANCE OF 51.91 FEET TO A POINT FOR THE NORTHWEST CORNER

10 OF SAID 607.070 ACRE TRACT, SAID POINT ALSO BEING ON THE

11 SOUTH LINE OF CREEKSIDE ESTATES, AN ADDITION TO HUNT

12 COUNTY, AS RECORDED IN CABINET A, PAGE 168, PLAT RECORDS,

13 HUNT COUNTY, TEXAS;

14 THENCE, ALONG THE NORTH LINE OF SAID 607.070 ACRE TRACT, THE

15 FOLLOWING COURSES AND DISTANCES:

16 SOUTH 88 DEGREES 50 MINUTES 00 SECONDS EAST, ALONG THE

17 COMMON SOUTH LINE OF SAID CREEKSIDE ESTATES, PASSING AT A

18 DISTANCE OF 13.99 FEET, A 3/8 INCH IRON ROD FOUND FOR

19 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1479.20 FEET

20 TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF

21 DIXIELAND ESTATES, AN ADDITION TO HUNT COUNTY, AS RECORDED

22 IN CABINET B, PAGE 193, PLAT RECORDS, HUNT COUNTY, TEXAS;

23 SOUTH 88 DEGREES 59 MINUTES 50 SECONDS EAST, ALONG THE

24 COMMON SOUTH LINE OF SAID DIXIELAND ESTATES, PASSING AT A

25 DISTANCE OF 633.48 FEET, A 3/8 INCH IRON ROD FOUND FOR

26 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 649.77 FEET

27 TO A POINT FOR THE SOUTHEAST CORNER OF SAID DIXIELAND

1 ESTATES AND BEING IN THE APPROXIMATE CENTERLINE OF HUNT
2 COUNTY ROAD NO. 2744 (A VARIABLE WIDTH PRESCRIPTIVE RIGHT-
3 OF-WAY);

4 SOUTH 00 DEGREES 32 MINUTES 44 SECONDS EAST, ALONG THE
5 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2744, A
6 DISTANCE OF 2.77 FEET TO A POINT FOR THE SOUTHWEST CORNER
7 OF A 16.286 ACRE TRACT OF LAND CONVEYED TO SONA ESTATES,
8 LLC, AS RECORDED IN VOLUME 1301, PAGE 187, OFFICIAL
9 RECORDS, HUNT COUNTY, TEXAS;

10 SOUTH 89 DEGREES 22 MINUTES 07 SECONDS EAST, PASSING
11 AT A DISTANCE OF 23.56 FEET, A 2 INCH IRON PIPE FOUND FOR
12 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1468.35 FEET
13 TO A 3/8 INCH IRON ROD FOUND FOR A NORTHEAST FOR CORNER OF
14 SAID 607.070 ACRE TRACT;

15 THENCE, SOUTH 12 DEGREES 56 MINUTES 26 SECONDS EAST, ALONG AN
16 EAST LINE OF SAID 607.070 ACRE TRACT, PASSING AT A DISTANCE OF
17 1345.74 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
18 STAMPED "CARTER BURGESS" SET FOR WITNESS, CONTINUING IN ALL A
19 TOTAL DISTANCE OF 1370.60 FEET TO A POINT FOR CORNER IN THE
20 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2740 AND
21 BEING ON THE OCCUPIED NORTH LINE OF A 58.103 ACRE TRACT OF LAND
22 CONVEYED AS "TRACT 1" TO LARRY BRYANT AND LAVERNE BATTLE, AS
23 RECORDED IN VOLUME 1076, PAGE 269, DEED RECORDS, HUNT COUNTY,
24 TEXAS;

25 THENCE, NORTH 89 DEGREES 56 MINUTES 42 SECONDS WEST, ALONG A
26 SOUTH LINE OF SAID 607.070 ACRE TRACT, THE COMMON NORTH LINE OF
27 SAID 58.103 ACRE TRACT AND THE APPROXIMATE CENTERLINE OF SAID

1 HUNT COUNTY ROAD NO. 2740, A DISTANCE OF 860.42 FEET TO A POINT
2 FOR THE NORTHWEST CORNER OF SAID 58.103 ACRE TRACT;
3 THENCE, SOUTH 00 DEGREES 13 MINUTES 46 SECONDS WEST, ALONG THE
4 EAST LINE OF SAID 607.070 ACRE TRACT AND THE COMMON WEST LINE OF
5 SAID 58.103 ACRE TRACT, PASSING AT A DISTANCE OF 20.04 FEET, A
6 1/2 INCH IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL
7 DISTANCE OF 1711.67 FEET TO A PK NAIL SET IN CONCRETE AT THE
8 OCCUPIED SOUTHWEST CORNER OF SAID 58.103 ACRE TRACT AND BEING AN
9 INTERIOR ELL CORNER OF SAID 607.070 ACRE TRACT;
10 THENCE, NORTH 89 DEGREES 54 MINUTES 27 SECONDS EAST, ALONG A
11 NORTH LINE OF SAID 607.070 ACRE TRACT, THE COMMON OCCUPIED SOUTH
12 LINE OF SAID 58.103 ACRE TRACT AND THE OCCUPIED SOUTH LINE OF A
13 0.760 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO LARRY BRYANT
14 AND LAVERNE BATTLE, AS RECORDED IN VOLUME 1076, PAGE 269, DEED
15 RECORDS, HUNT COUNTY, TEXAS, PASSING AT A DISTANCE OF 1459.68
16 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
17 "CARTER BURGESS" SET FOR WITNESS, CONTINUING IN ALL A TOTAL
18 DISTANCE OF 1479.65 FEET TO A POINT FOR THE SOUTHEAST CORNER OF
19 SAID 0.760 ACRE TRACT AND BEING IN THE APPROXIMATE CENTERLINE OF
20 SAID HUNT COUNTY ROAD NO. 2726;
21 THENCE, NORTH 00 DEGREES 20 MINUTES 25 SECONDS EAST, ALONG THE
22 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2726, A
23 DISTANCE OF 53.41 FEET TO A POINT FOR THE SOUTHWEST CORNER OF A
24 25.232 ACRE TRACT OF LAND CONVEYED TO HENRY BATTLE, AS RECORDED
25 IN VOLUME 875, PAGE 24, DEED RECORDS, HUNT COUNTY, TEXAS;
26 THENCE, SOUTH 88 DEGREES 41 MINUTES 02 SECONDS EAST, ALONG A
27 NORTH LINE OF SAID 607.070 ACRE TRACT AND THE COMMON SOUTH LINE

1 OF SAID 25.232 ACRE TRACT, PASSING AT A DISTANCE OF 20.12 FEET,
2 A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
3 BURGESS" SET FOR WITNESS AND PASSING AT A DISTANCE OF 677.92
4 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
5 "CARTER BURGESS" SET FOR WITNESS, CONTINUING IN ALL A TOTAL
6 DISTANCE OF 727.92 FEET TO A POINT FOR THE SOUTHEAST CORNER OF
7 SAID 25.232 ACRE TRACT, SAID POINT BEING IN THE APPROXIMATE
8 CENTERLINE OF MIDDLE CADDO CREEK;

9 THENCE, ALONG THE WEST LINE OF SAID 607.070 ACRE TRACT, THE
10 COMMON EAST LINE OF SAID 25.232 ACRE TRACT AND THE APPROXIMATE
11 CENTERLINE OF SAID MIDDLE CADDO CREEK, THE FOLLOWING COURSES AND
12 DISTANCES:

13 NORTH 27 DEGREES 58 MINUTES 28 SECONDS WEST, A
14 DISTANCE OF 59.92 FEET TO A POINT FOR CORNER;

15 NORTH 08 DEGREES 20 MINUTES 01 SECONDS WEST, A
16 DISTANCE OF 70.06 FEET TO A POINT FOR CORNER;

17 NORTH 21 DEGREES 11 MINUTES 21 SECONDS WEST, A
18 DISTANCE OF 63.88 FEET TO A POINT FOR CORNER;

19 NORTH 81 DEGREES 53 MINUTES 48 SECONDS WEST, A
20 DISTANCE OF 14.55 FEET TO A POINT FOR CORNER;

21 SOUTH 10 DEGREES 46 MINUTES 05 SECONDS WEST, A
22 DISTANCE OF 28.38 FEET TO A POINT FOR CORNER;

23 SOUTH 58 DEGREES 06 MINUTES 15 SECONDS WEST, A
24 DISTANCE OF 29.41 FEET TO A POINT FOR CORNER;

25 NORTH 74 DEGREES 33 MINUTES 35 SECONDS WEST, A
26 DISTANCE OF 27.08 FEET TO A POINT FOR CORNER;

27 NORTH 57 DEGREES 46 MINUTES 13 SECONDS WEST, A

1 DISTANCE OF 35.19 FEET TO A POINT FOR CORNER;
2 SOUTH 87 DEGREES 10 MINUTES 49 SECONDS WEST, A
3 DISTANCE OF 35.35 FEET TO A POINT FOR CORNER;
4 SOUTH 81 DEGREES 58 MINUTES 10 SECONDS WEST, A
5 DISTANCE OF 43.35 FEET TO A POINT FOR CORNER;
6 NORTH 58 DEGREES 43 MINUTES 52 SECONDS WEST, A
7 DISTANCE OF 19.00 FEET TO A POINT FOR CORNER;
8 NORTH 19 DEGREES 25 MINUTES 54 SECONDS WEST, A
9 DISTANCE OF 41.00 FEET TO A POINT FOR CORNER;
10 NORTH 23 DEGREES 37 MINUTES 45 SECONDS EAST, A
11 DISTANCE OF 20.48 FEET TO A POINT FOR CORNER;
12 NORTH 66 DEGREES 41 MINUTES 24 SECONDS EAST, A
13 DISTANCE OF 32.79 FEET TO A POINT FOR CORNER;
14 NORTH 42 DEGREES 19 MINUTES 40 SECONDS EAST, A
15 DISTANCE OF 25.58 FEET TO A POINT FOR CORNER;
16 NORTH 02 DEGREES 19 MINUTES 46 SECONDS WEST, A
17 DISTANCE OF 17.41 FEET TO A POINT FOR CORNER;
18 NORTH 52 DEGREES 54 MINUTES 35 SECONDS WEST, A
19 DISTANCE OF 20.52 FEET TO A POINT FOR CORNER;
20 SOUTH 86 DEGREES 47 MINUTES 44 SECONDS WEST, A
21 DISTANCE OF 24.56 FEET TO A POINT FOR CORNER;
22 NORTH 42 DEGREES 32 MINUTES 55 SECONDS WEST, A
23 DISTANCE OF 30.93 FEET TO A POINT FOR CORNER;
24 NORTH 08 DEGREES 06 MINUTES 27 SECONDS EAST, A
25 DISTANCE OF 22.79 FEET TO A POINT FOR CORNER;
26 NORTH 34 DEGREES 07 MINUTES 54 SECONDS EAST, A
27 DISTANCE OF 8.78 FEET TO A POINT FOR CORNER;

1 NORTH 60 DEGREES 09 MINUTES 21 SECONDS EAST, A
2 DISTANCE OF 87.63 FEET TO A POINT FOR CORNER;
3 NORTH 61 DEGREES 36 MINUTES 53 SECONDS WEST, A
4 DISTANCE OF 21.89 FEET TO A POINT FOR CORNER;
5 NORTH 15 DEGREES 17 MINUTES 11 SECONDS EAST, A
6 DISTANCE OF 19.48 FEET TO A POINT FOR CORNER;
7 SOUTH 87 DEGREES 48 MINUTES 45 SECONDS EAST, A
8 DISTANCE OF 80.03 FEET TO A POINT FOR CORNER;
9 NORTH 35 DEGREES 55 MINUTES 56 SECONDS WEST, A
10 DISTANCE OF 35.95 FEET TO A POINT FOR CORNER;
11 SOUTH 86 DEGREES 55 MINUTES 12 SECONDS WEST, A
12 DISTANCE OF 66.08 FEET TO A POINT FOR CORNER;
13 NORTH 85 DEGREES 00 MINUTES 46 SECONDS WEST, A
14 DISTANCE OF 71.69 FEET TO A POINT FOR CORNER;
15 NORTH 31 DEGREES 13 MINUTES 44 SECONDS WEST, A
16 DISTANCE OF 24.20 FEET TO A POINT FOR CORNER;
17 NORTH 22 DEGREES 33 MINUTES 19 SECONDS EAST, A
18 DISTANCE OF 46.25 FEET TO A POINT FOR CORNER;
19 NORTH 52 DEGREES 09 MINUTES 50 SECONDS EAST, A
20 DISTANCE OF 19.76 FEET TO A POINT FOR CORNER;
21 NORTH 81 DEGREES 46 MINUTES 20 SECONDS EAST, A
22 DISTANCE OF 34.00 FEET TO A POINT FOR CORNER;
23 NORTH 84 DEGREES 20 MINUTES 04 SECONDS EAST, A
24 DISTANCE OF 124.21 FEET TO A POINT FOR CORNER;
25 NORTH 66 DEGREES 32 MINUTES 42 SECONDS EAST, A
26 DISTANCE OF 61.04 FEET TO A POINT FOR CORNER;
27 NORTH 48 DEGREES 42 MINUTES 13 SECONDS EAST, A

1 DISTANCE OF 90.94 FEET TO A POINT FOR CORNER;
2 NORTH 11 DEGREES 45 MINUTES 07 SECONDS EAST, A
3 DISTANCE OF 39.76 FEET TO A POINT FOR CORNER;
4 NORTH 01 DEGREES 46 MINUTES 13 SECONDS EAST, A
5 DISTANCE OF 75.46 FEET TO A POINT FOR CORNER;
6 NORTH 72 DEGREES 03 MINUTES 20 SECONDS WEST, A
7 DISTANCE OF 14.32 FEET TO A POINT FOR CORNER;
8 SOUTH 66 DEGREES 20 MINUTES 07 SECONDS WEST, A
9 DISTANCE OF 42.28 FEET TO A POINT FOR CORNER;
10 SOUTH 17 DEGREES 47 MINUTES 12 SECONDS WEST, A
11 DISTANCE OF 27.48 FEET TO A POINT FOR CORNER;
12 SOUTH 15 DEGREES 41 MINUTES 48 SECONDS WEST, A
13 DISTANCE OF 29.71 FEET TO A POINT FOR CORNER;
14 SOUTH 63 DEGREES 16 MINUTES 46 SECONDS WEST, A
15 DISTANCE OF 25.10 FEET TO A POINT FOR CORNER;
16 NORTH 69 DEGREES 08 MINUTES 15 SECONDS WEST, A
17 DISTANCE OF 38.77 FEET TO A POINT FOR CORNER;
18 NORTH 28 DEGREES 07 MINUTES 58 SECONDS WEST, A
19 DISTANCE OF 54.77 FEET TO A POINT FOR CORNER;
20 NORTH 06 DEGREES 06 MINUTES 29 SECONDS EAST, A
21 DISTANCE OF 38.69 FEET TO A POINT FOR CORNER;
22 NORTH 52 DEGREES 38 MINUTES 37 SECONDS EAST, A
23 DISTANCE OF 36.29 FEET TO A POINT FOR CORNER;
24 SOUTH 80 DEGREES 49 MINUTES 15 SECONDS EAST, A
25 DISTANCE OF 33.25 FEET TO A POINT FOR CORNER;
26 NORTH 58 DEGREES 56 MINUTES 02 SECONDS EAST, A
27 DISTANCE OF 32.09 FEET TO A POINT FOR CORNER;

1 NORTH 03 DEGREES 18 MINUTES 59 SECONDS WEST, A
2 DISTANCE OF 34.86 FEET TO A POINT FOR CORNER;
3 NORTH 55 DEGREES 14 MINUTES 49 SECONDS WEST, A
4 DISTANCE OF 18.25 FEET TO A POINT FOR CORNER;
5 NORTH 76 DEGREES 15 MINUTES 01 SECONDS WEST, A
6 DISTANCE OF 32.83 FEET TO A POINT FOR CORNER;
7 SOUTH 64 DEGREES 29 MINUTES 28 SECONDS WEST, A
8 DISTANCE OF 24.10 FEET TO A POINT FOR CORNER;
9 SOUTH 80 DEGREES 41 MINUTES 01 SECONDS WEST, A
10 DISTANCE OF 36.05 FEET TO A POINT FOR CORNER;
11 NORTH 49 DEGREES 13 MINUTES 41 SECONDS WEST, A
12 DISTANCE OF 30.68 FEET TO A POINT FOR CORNER;
13 NORTH 00 DEGREES 51 MINUTES 37 SECONDS EAST, A
14 DISTANCE OF 43.28 FEET TO A POINT FOR CORNER;
15 NORTH 30 DEGREES 13 MINUTES 43 SECONDS WEST, A
16 DISTANCE OF 80.54 FEET TO A POINT FOR CORNER;
17 NORTH 47 DEGREES 53 MINUTES 35 SECONDS WEST, A
18 DISTANCE OF 57.16 FEET TO A POINT FOR CORNER;
19 NORTH 87 DEGREES 31 MINUTES 40 SECONDS WEST, A
20 DISTANCE OF 45.47 FEET TO A POINT FOR CORNER;
21 NORTH 70 DEGREES 45 MINUTES 18 SECONDS WEST, A
22 DISTANCE OF 28.51 FEET TO A POINT FOR CORNER;
23 NORTH 35 DEGREES 53 MINUTES 06 SECONDS WEST, A
24 DISTANCE OF 22.87 FEET TO A POINT FOR CORNER;
25 NORTH 01 DEGREES 00 MINUTES 54 SECONDS WEST, A
26 DISTANCE OF 49.51 FEET TO A POINT FOR CORNER;
27 NORTH 08 DEGREES 13 MINUTES 21 SECONDS EAST, A

1 DISTANCE OF 38.25 FEET TO A POINT FOR CORNER;
2 NORTH 08 DEGREES 56 MINUTES 09 SECONDS EAST, A
3 DISTANCE OF 30.49 FEET TO A POINT FOR CORNER;
4 NORTH 14 DEGREES 19 MINUTES 45 SECONDS WEST, A
5 DISTANCE OF 72.16 FEET TO A POINT FOR CORNER;
6 NORTH 25 DEGREES 40 MINUTES 17 SECONDS WEST, A
7 DISTANCE OF 25.99 FEET TO A POINT FOR CORNER;
8 NORTH 40 DEGREES 07 MINUTES 54 SECONDS WEST, A
9 DISTANCE OF 38.60 FEET TO A POINT FOR CORNER;
10 NORTH 30 DEGREES 50 MINUTES 22 SECONDS WEST, A
11 DISTANCE OF 46.60 FEET TO A POINT FOR CORNER;
12 NORTH 77 DEGREES 14 MINUTES 40 SECONDS EAST, A
13 DISTANCE OF 45.22 FEET TO A POINT FOR CORNER;
14 NORTH 51 DEGREES 22 MINUTES 33 SECONDS EAST, A
15 DISTANCE OF 47.17 FEET TO A POINT FOR CORNER;
16 SOUTH 49 DEGREES 41 MINUTES 47 SECONDS EAST, A
17 DISTANCE OF 31.93 FEET TO A POINT FOR CORNER;
18 SOUTH 00 DEGREES 24 MINUTES 54 SECONDS EAST, A
19 DISTANCE OF 44.07 FEET TO A POINT FOR CORNER;
20 SOUTH 35 DEGREES 43 MINUTES 01 SECONDS EAST, A
21 DISTANCE OF 32.32 FEET TO A POINT FOR CORNER;
22 SOUTH 59 DEGREES 59 MINUTES 35 SECONDS EAST, A
23 DISTANCE OF 30.34 FEET TO A POINT FOR CORNER;
24 NORTH 82 DEGREES 08 MINUTES 38 SECONDS EAST, A
25 DISTANCE OF 48.35 FEET TO A POINT FOR CORNER;
26 NORTH 21 DEGREES 27 MINUTES 13 SECONDS EAST, A
27 DISTANCE OF 28.23 FEET TO A POINT FOR CORNER;

1 NORTH 05 DEGREES 01 MINUTES 00 SECONDS WEST, A
2 DISTANCE OF 63.46 FEET TO A POINT FOR CORNER;
3 NORTH 35 DEGREES 42 MINUTES 55 SECONDS EAST, A
4 DISTANCE OF 40.28 FEET TO A POINT FOR CORNER;
5 SOUTH 38 DEGREES 59 MINUTES 29 SECONDS EAST, A
6 DISTANCE OF 38.97 FEET TO A POINT FOR CORNER;
7 SOUTH 38 DEGREES 40 MINUTES 17 SECONDS EAST, A
8 DISTANCE OF 71.78 FEET TO A POINT FOR CORNER;
9 SOUTH 54 DEGREES 31 MINUTES 47 SECONDS EAST, A
10 DISTANCE OF 63.58 FEET TO A POINT FOR CORNER;
11 NORTH 87 DEGREES 25 MINUTES 38 SECONDS EAST, A
12 DISTANCE OF 85.26 FEET TO A POINT FOR CORNER;
13 NORTH 31 DEGREES 16 MINUTES 02 SECONDS EAST, A
14 DISTANCE OF 29.92 FEET TO A POINT FOR CORNER;
15 NORTH 41 DEGREES 02 MINUTES 30 SECONDS WEST, A
16 DISTANCE OF 33.52 FEET TO A POINT FOR CORNER;
17 NORTH 56 DEGREES 02 MINUTES 49 SECONDS WEST, A
18 DISTANCE OF 115.98 FEET TO A POINT FOR CORNER;
19 NORTH 23 DEGREES 58 MINUTES 56 SECONDS WEST, A
20 DISTANCE OF 27.56 FEET TO A POINT FOR CORNER;
21 NORTH 18 DEGREES 38 MINUTES 39 SECONDS EAST, A
22 DISTANCE OF 40.32 FEET TO A POINT FOR CORNER;
23 NORTH 36 DEGREES 51 MINUTES 02 SECONDS EAST, A
24 DISTANCE OF 76.38 FEET TO A POINT FOR CORNER;
25 NORTH 53 DEGREES 57 MINUTES 35 SECONDS EAST, A
26 DISTANCE OF 91.34 FEET TO A POINT FOR CORNER;
27 NORTH 01 DEGREES 12 MINUTES 05 SECONDS EAST, A

1 DISTANCE OF 72.26 FEET TO A POINT FOR CORNER;
2 NORTH 58 DEGREES 45 MINUTES 11 SECONDS WEST, A
3 DISTANCE OF 46.75 FEET TO A POINT FOR CORNER;
4 SOUTH 65 DEGREES 33 MINUTES 44 SECONDS WEST, A
5 DISTANCE OF 29.09 FEET TO A POINT FOR CORNER;
6 SOUTH 44 DEGREES 50 MINUTES 59 SECONDS WEST, A
7 DISTANCE OF 41.06 FEET TO A POINT FOR CORNER;
8 NORTH 33 DEGREES 14 MINUTES 16 SECONDS WEST, A
9 DISTANCE OF 23.85 FEET TO A POINT FOR CORNER;
10 NORTH 36 DEGREES 28 MINUTES 00 SECONDS WEST, A
11 DISTANCE OF 75.44 FEET TO A POINT FOR THE NORTHEAST CORNER
12 OF SAID 25.232 ACRE TRACT AND BEING IN THE APPROXIMATE
13 CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2740;
14 THENCE, ALONG A NORTH LINE OF SAID 607.070 ACRE TRACT AND THE
15 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2740, THE
16 FOLLOWING COURSES AND DISTANCES:
17 NORTH 87 DEGREES 23 MINUTES 19 SECONDS EAST, A
18 DISTANCE OF 457.22 FEET TO A POINT FOR CORNER;
19 NORTH 89 DEGREES 46 MINUTES 30 SECONDS EAST, A
20 DISTANCE OF 193.03 FEET TO A POINT FOR THE SOUTHEAST CORNER
21 OF A TRACT OF LAND CONVEYED AS "TRACT 1" TO LARRY L.
22 BRYANT, AS RECORDED IN VOLUME 491, PAGE 507, OFFICIAL
23 RECORDS, HUNT COUNTY, TEXAS;
24 THENCE, NORTH 18 DEGREES 51 MINUTES 07 SECONDS WEST, ALONG A
25 SOUTHWEST LINE OF SAID 607.070 ACRE TRACT, THE COMMON NORTHEAST
26 LINE OF SAID BRYANT TRACT 1 TRACT AND THE COMMON NORTHEAST LINE
27 OF A TRACT OF LAND CONVEYED AS "TRACT 2" TO LARRY L. BRYANT, AS

1 RECORDED IN VOLUME 491, PAGE 507, DEED RECORDS, HUNT COUNTY,
2 TEXAS, PASSING AT A DISTANCE OF 27.02 FEET, A WOOD FENCE CORNER
3 POST FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF
4 2768.37 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
5 STAMPED "CARTER BURGESS" SET FOR A NORTHWEST CORNER OF SAID
6 607.070 ACRE TRACT AND THE NORTHEAST CORNER OF SAID BRYANT TRACT
7 2, SAID POINT ALSO BEING ON THE SOUTH LINE OF AFORESAID 40.089
8 ACRE TRACT;
9 THENCE, SOUTH 89 DEGREES 57 MINUTES 22 SECONDS EAST, ALONG THE
10 NORTH LINE OF SAID 607.070 ACRE TRACT AND THE COMMON SOUTH LINE
11 OF SAID 40.089 ACRE TRACT, A DISTANCE OF 891.69 FEET TO THE
12 POINT OF BEGINNING, AND CONTAINING 625.044 ACRES OF LAND, MORE
13 OR LESS.
14 TRACT 6
15 BEING A 1.172 ACRE TRACT OF LAND SITUATED IN THE M.F. JONES
16 SURVEY, ABSTRACT NO. 542, HUNT COUNTY, TEXAS, AND BEING ALL OF A
17 1.172 ACRE TRACT OF LAND, CONVEYED TO WALTON TEXAS, L.P., AS
18 RECORDED IN VOLUME 1780, PAGE 53, OFFICIAL PUBLIC RECORDS, HUNT
19 COUNTY, TEXAS. SAID 1.172 ACRE TRACT, WITH BEARING BASIS OF GRID
20 NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83
21 (CORS96, EPOCH DATE 2002), DETERMINED BY GPS OBSERVATIONS
22 BETWEEN JULIAN DAY 253, 2004 AND JULIAN DAY 259, 2004,
23 CALCULATED FROM COLLIN CORS ARP (PID-DF8982) AND DALLAS CORS ARP
24 (PID-DF8984), BEING MORE PARTICULARLY DESCRIBED BY METES AND
25 BOUNDS AS FOLLOWS:
26 BEGINNING AT A 5/8 INCH IRON ROD WITH AN ALUMINUM TXDOT MONUMENT
27 FOUND FOR THE NORTHWEST CORNER OF SAID 1.172 ACRE TRACT, A

1 NORTHEAST CORNER OF A 13.6509 ACRE TRACT OF LAND CONVEYED AS
2 "PARCEL 27" TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 1581,
3 PAGE 81, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND THE SOUTHEAST
4 CORNER OF A 16.7163 ACRE TRACT OF LAND CONVEYED AS "PARCEL 26"
5 TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 1617, PAGE 466,
6 OFFICIAL RECORDS, HUNT COUNTY, TEXAS, SAID POINT ALSO BEING ON
7 THE SOUTH LINE OF A 40.089 ACRE TRACT OF LAND CONVEYED TO AREY
8 FAMILY LIVING TRUST, AS RECORDED IN VOLUME 756, PAGE 263, DEED
9 RECORDS, HUNT COUNTY, TEXAS;
10 THENCE, SOUTH 89 DEGREES 57 MINUTES 22 SECONDS EAST, ALONG THE
11 NORTH LINE OF SAID 1.172 ACRE TRACT, THE COMMON SOUTH LINE OF
12 SAID 40.089 ACRE TRACT, THE COMMON SOUTH LINE OF A 2.162 ACRE
13 TRACT OF LAND CONVEYED TO RICHARD A. HAGOOD, AS RECORDED IN
14 VOLUME 879, PAGE 524, DEED RECORDS, HUNT COUNTY, TEXAS AND THE
15 COMMON SOUTH LINE OF A 1.003 ACRE TRACT OF LAND CONVEYED TO
16 PEGGY ELLIOTT, AS RECORDED IN VOLUME 778, PAGE 405, OFFICIAL
17 RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF 425.81 FEET TO A 5/8
18 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS"
19 SET FOR THE NORTHEAST CORNER OF SAID 1.172 ACRE TRACT AND THE
20 SOUTHEAST CORNER OF SAID 1.003 ACRE TRACT, SAID POINT ALSO BEING
21 ON THE WEST RIGHT-OF-WAY LINE OF F.M. 36 (A 80' RIGHT-OF-WAY);
22 THENCE, SOUTH 00 DEGREES 26 MINUTES 28 SECONDS EAST, ALONG THE
23 EAST LINE OF SAID 1.172 ACRE TRACT AND THE COMMON WEST RIGHT-OF-
24 WAY LINE OF SAID F.M. 36, A DISTANCE OF 159.69 FEET TO A 5/8
25 INCH IRON ROD WITH A ALUMINUM TXDOT MONUMENT FOUND FOR A
26 SOUTHEAST CORNER OF SAID 1.172 ACRE TRACT AND A NORTHEAST CORNER
27 OF SAID 13.6509 ACRE TRACT;

1 THENCE, ALONG THE SOUTH LINE OF SAID 1.172 ACRE TRACT AND THE
2 COMMON NORTHEAST LINE OF SAID 13.6509 ACRE TRACT, THE FOLLOWING
3 COURSES AND DISTANCES:

4 SOUTH 60 DEGREES 25 MINUTES 29 SECONDS WEST, A
5 DISTANCE OF 97.50 FEET TO A POINT FOR CORNER;

6 NORTH 58 DEGREES 41 MINUTES 38 SECONDS WEST, A DISTANCE OF
7 400.56 FEET TO THE POINT OF BEGINNING, CONTAINING 1.172 ACRES OF
8 LAND, MORE OR LESS.

9 TRACT 7

10 BEING A 255.975 ACRE TRACT OF LAND SITUATED IN THE ENOS MURPHY
11 SURVEY, ABSTRACT NO. 647, HUNT COUNTY, TEXAS, AND BEING ALL OF A
12 255.975 ACRE TRACT OF LAND CONVEYED AS "TRACT ONE" TO WALTON
13 TEXAS, L.P., AS RECORDED IN VOLUME 1637, PAGE 620, OFFICIAL
14 PUBLIC RECORDS, HUNT COUNTY, TEXAS (O.R.H.C.T.), SAID 255.975
15 ACRE TRACT WITH REFERENCE BEARING OF GRID NORTH, TEXAS STATE
16 PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE
17 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253,
18 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM COLLIN CORS ARP
19 (PID-DF8982) AND DALLAS CORS ARP (PID-DF8984), BEING MORE
20 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

21 BEGINNING AT A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF
22 SAID 255.975 ACRE TRACT AND THE SOUTHWEST CORNER OF A 1.548 ACRE
23 TRACT OF LAND CONVEYED TO BILLY CAUSEY, AS RECORDED IN VOLUME
24 1423, PAGE 135, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND BEING
25 ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 380 (A VARIABLE
26 WIDTH RIGHT-OF-WAY);

27 THENCE, ALONG THE SOUTH LINE OF SAID 255.975 ACRE TRACT AND THE

1 COMMON NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 380, THE
2 FOLLOWING COURSES AND DISTANCES:

3 NORTH 89 DEGREES 21 MINUTES 30 SECONDS WEST, A
4 DISTANCE OF 1216.11 FEET TO A 1/2 INCH IRON ROD FOUND FOR
5 CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT
6 HAVING A CENTRAL ANGLE OF 39 DEGREES 00 MINUTES 38 SECONDS,
7 A RADIUS OF 2025.45 FEET, A CHORD BEARING OF NORTH 69
8 DEGREES 51 MINUTES 10 SECONDS WEST, A CHORD LENGTH OF
9 1352.57 FEET;

10 ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC LENGTH
11 OF 1379.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

12 NORTH 50 DEGREES 20 MINUTES 51 SECONDS WEST, A
13 DISTANCE OF 2810.50 FEET TO A 1/2 INCH IRON ROD FOUND FOR
14 THE SOUTHWEST CORNER OF SAID 255.975 ACRE TRACT;

15 THENCE, NORTH 00 DEGREES 00 MINUTES 39 SECONDS EAST, ALONG THE
16 WEST LINE OF SAID 255.975 ACRE TRACT, THE COMMON EAST LINE OF A
17 TRACT OF LAND CONVEYED TO FLOYD INDEPENDENT SCHOOL DISTRICT, AS
18 RECORDED IN VOLUME 389, PAGE 415, DEED RECORDS, HUNT COUNTY,
19 TEXAS AND THE COMMON EAST LINE OF A TRACT OF LAND CONVEYED TO
20 BLAND I.S.D., AS RECORDED IN VOLUME 147, PAGE 216, OFFICIAL
21 RECORDS, HUNT COUNTY, TEXAS, PASSING AT A DISTANCE OF 1075.86
22 FEET A 1/2 INCH IRON ROD FOUND, CONTINUING IN ALL A TOTAL
23 DISTANCE OF 1077.01 FEET TO A POINT FOR THE NORTHWEST CORNER OF
24 SAID 255.975 ACRE TRACT AND THE NORTHEAST CORNER OF SAID BLAND
25 I.S.D. TRACT, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF
26 KANSAS CITY SOUTHERN RAILROAD (A 100' RIGHT-OF-WAY);

27 THENCE, SOUTH 84 DEGREES 06 MINUTES 14 SECONDS EAST, ALONG A

1 NORTH LINE OF SAID 255.975 ACRE TRACT AND THE COMMON SOUTH
2 RIGHT-OF-WAY LINE OF SAID KANSAS CITY SOUTHERN RAILROAD, A
3 DISTANCE OF 4359.60 FEET TO A POINT FOR A NORTHEAST CORNER OF
4 SAID 255.975 ACRE TRACT AND THE NORTHWEST CORNER OF A 2.001 ACRE
5 TRACT OF LAND CONVEYED TO GEORGE S. WILSON, AS RECORDED IN
6 VOLUME 1247, PAGE 514, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
7 THENCE, SOUTH 00 DEGREES 11 MINUTES 51 SECONDS EAST, ALONG AN
8 EAST LINE OF SAID 255.975 ACRE TRACT AND THE COMMON WEST LINE OF
9 SAID 2.001 ACRE TRACT, PASSING AT A DISTANCE OF 0.45 FEET, A 1/2
10 INCH IRON ROD FOUND, CONTINUING IN ALL A TOTAL DISTANCE OF
11 296.81 FEET TO A 3/8 INCH IRON ROD FOUND FOR A INTERIOR ELL
12 CORNER OF SAID 255.975 ACRE TRACT AND THE SOUTHWEST CORNER OF
13 SAID 2.001 ACRE TRACT;
14 THENCE, SOUTH 84 DEGREES 06 MINUTES 47 SECONDS EAST, ALONG A
15 NORTH LINE OF SAID 255.975 ACRE TRACT AND THE COMMON SOUTH LINE
16 OF SAID 2.001 ACRE TRACT, A DISTANCE OF 295.50 FEET TO A 1/2
17 INCH IRON ROD FOUND FOR A NORTHEAST CORNER OF SAID 255.975 ACRE
18 TRACT AND THE SOUTHEAST CORNER OF SAID 2.001 ACRE TRACT, SAID
19 POINT BEING ON THE WEST LINE OF PALO VERDE RANCH, AN ADDITION TO
20 HUNT COUNTY, AS RECORDED IN CABINET C, PAGE 239, PLAT RECORDS,
21 HUNT COUNTY, TEXAS;
22 THENCE, SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, ALONG AN
23 EAST LINE OF SAID 255.975 ACRE TRACT, THE COMMON WEST LINE OF
24 SAID PALO VERDE RANCH AND THE COMMON WEST LINE OF AFORESAID
25 1.548 ACRE TRACT, A DISTANCE OF 2575.08 FEET TO THE POINT OF
26 BEGINNING, AND CONTAINING 255.975 ACRES OF LAND MORE OR LESS.
27 TRACT 8

1 BEING A 144.638 ACRE TRACT OF LAND SITUATED IN THE ENOS MURPHY
2 SURVEY, ABSTRACT NO. 647, HUNT COUNTY, TEXAS, AND BEING ALL OF A
3 144.638 ACRE TRACT OF LAND CONVEYED AS "TRACT D" TO WALTON
4 TEXAS, L.P., AS RECORDED IN VOLUME 1637, PAGE 551, OFFICIAL
5 PUBLIC RECORDS, DENTON COUNTY, TEXAS. SAID 144.638 ACRE TRACT
6 WITH REFERENCE BEARING OF GRID NORTH, TEXAS STATE PLANE
7 COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE
8 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253,
9 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM COLLIN CORS ARP
10 (PID-DF8982) AND DALLAS CORS ARP (PID-DF8984), BEING MORE
11 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
12 BEGINNING AT A 1/2 INCH CAPPED IRON ROD FOUND FOR THE SOUTHWEST
13 CORNER OF SAID 144.638 ACRE TRACT AND THE SOUTHEAST CORNER OF A
14 99.45 ACRE TRACT OF LAND CONVEYED TO DAWN MORGAN AND COLLEEN
15 ANDREWS, AS RECORDED IN VOLUME 81, PAGE 830, OFFICIAL RECORDS,
16 HUNT COUNTY, TEXAS AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF
17 U.S. HIGHWAY 380 (A VARIABLE WIDTH RIGHT-OF-WAY);
18 THENCE, NORTH 01 DEGREES 18 MINUTES 23 SECONDS WEST, ALONG THE
19 WEST LINE OF SAID 144.638 ACRE TRACT AND THE COMMON EAST LINE OF
20 SAID 99.45 ACRE TRACT, A DISTANCE OF 572.27 FEET TO A 1/2 INCH
21 CAPPED IRON ROD FOUND FOR CORNER;
22 THENCE, SOUTH 88 DEGREES 41 MINUTES 42 SECONDS WEST, ALONG A
23 SOUTH LINE OF SAID 144.638 ACRE TRACT AND A COMMON NORTH LINE OF
24 SAID 99.45 ACRE TRACT, A DISTANCE OF 164.47 FEET TO A 3/8 INCH
25 IRON ROD FOUND FOR CORNER;
26 THENCE, NORTH 00 DEGREES 10 MINUTES 33 SECONDS EAST, ALONG THE
27 WEST LINE OF SAID 144.638 ACRE TRACT AND THE COMMON EAST LINE OF

1 SAID 99.45 ACRE TRACT, PASSING AT A DISTANCE OF 2003.03 FEET A
2 1/2 INCH CAPPED IRON ROD FOUND FOR WITNESS, CONTINUING IN ALL A
3 TOTAL DISTANCE OF 2003.56 FEET TO A POINT FOR THE NORTHWEST
4 CORNER OF SAID 144.638 ACRE TRACT AND THE NORTHEAST CORNER OF
5 SAID 99.45 ACRE TRACT, SAID POINT BEING ON THE SOUTH RIGHT-OF-
6 WAY LINE OF KANSAS CITY SOUTHERN RAILROAD (A 100' RIGHT-OF-WAY);
7 THENCE, SOUTH 84 DEGREES 05 MINUTES 43 SECONDS EAST, ALONG THE
8 NORTH LINE OF SAID 144.638 ACRE TRACT AND THE COMMON SOUTH
9 RIGHT-OF-WAY LINE OF SAID KANSAS CITY SOUTHERN RAILROAD, A
10 DISTANCE OF 2964.04 FEET TO A POINT FOR THE NORTHEAST CORNER OF
11 SAID 144.638 ACRE TRACT, SAID POINT BEING IN THE APPROXIMATE
12 CENTERLINE OF HUNT COUNTY ROAD NO. 1065 (A VARIABLE WIDTH RIGHT-
13 OF-WAY), FROM WHICH A 1/2 INCH CAPPED IRON ROD FOUND BEARS,
14 NORTH 84 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 26.47
15 FEET AND A 1/2 INCH CAPPED IRON ROD FOUND BEARS, SOUTH 00
16 DEGREES 52 MINUTES 45 SECONDS EAST, A DISTANCE OF 0.28 FEET;
17 THENCE, SOUTH 00 DEGREES 52 MINUTES 45 SECONDS EAST, ALONG THE
18 EAST LINE OF SAID 144.638 ACRE TRACT AND THE APPROXIMATE
19 CENTERLINE OF SAID HUNT COUNTY ROAD NO. 1065, A DISTANCE OF
20 1061.49 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND FOR A SOUTHEAST
21 CORNER OF SAID 144.638 ACRE TRACT AND THE NORTHEAST CORNER OF A
22 2.500 ACRE TRACT OF LAND CONVEYED TO GARY SLACK AND SANDRA
23 SLACK, AS RECORDED IN VOLUME 276, PAGE 581, OFFICIAL RECORDS,
24 HUNT COUNTY, TEXAS;
25 THENCE, SOUTH 89 DEGREES 27 MINUTES 55 SECONDS WEST, ALONG A
26 SOUTH LINE OF SAID 144.638 ACRE TRACT AND THE COMMON NORTH LINE
27 OF SAID 2.500 ACRE TRACT, A DISTANCE OF 686.05 FEET TO A 3/8

1 INCH IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 144.638
2 ACRE TRACT AND THE NORTHWEST CORNER OF SAID 2.500 ACRE TRACT;
3 THENCE, SOUTH 00 DEGREES 24 MINUTES 09 SECONDS EAST, ALONG THE
4 EAST LINE SAID 144.638 ACRE TRACT, A DISTANCE OF 1260.19 FEET TO
5 A 3/8 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID
6 144.638 ACRE TRACT AND THE SOUTHWEST CORNER OF A 2.326 ACRE
7 TRACT OF LAND CONVEYED TO WALTER WILLIAMS AND DIANNA WILLIAMS,
8 AS RECORDED IN VOLUME 450, PAGE 169, OFFICIAL RECORDS, HUNT
9 COUNTY, TEXAS AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF
10 AFORESAID U.S. HIGHWAY 380;
11 THENCE, NORTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, ALONG THE
12 SOUTH LINE OF SAID 144.638 ACRE TRACT AND THE COMMON NORTH
13 RIGHT-OF-WAY LINE OF SAID U.S. 380, A DISTANCE OF 695.21 FEET TO
14 A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A 0.99
15 ACRE TRACT OF LAND CONVEYED TO KELLY HARDIN AND BEITA HARDIN, AS
16 RECORDED IN VOLUME 164, PAGE 205, OFFICIAL RECORDS, HUNT COUNTY,
17 TEXAS;
18 THENCE, NORTH 02 DEGREES 16 MINUTES 10 SECONDS EAST, ALONG THE
19 EAST LINE OF SAID 0.99 ACRE TRACT, A DISTANCE OF 303.40 FEET TO
20 A 1/2 INCH CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER OF
21 SAID 0.99 ACRE TRACT;
22 THENCE, NORTH 89 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG THE
23 NORTH LINE OF SAID 0.99 ACRE TRACT, A DISTANCE OF 128.78 FEET TO
24 A 1/2 INCH CAPPED IRON ROD FOUND FOR THE NORTHWEST CORNER OF
25 SAID 0.99 ACRE TRACT;
26 THENCE, SOUTH 06 DEGREES 37 MINUTES 33 SECONDS WEST, ALONG THE
27 WEST LINE OF SAID 0.99 ACRE TRACT, A DISTANCE OF 307.57 FEET TO

1 A 3/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.99
2 ACRE TRACT, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF
3 AFORESAID U.S. HIGHWAY 380;

4 THENCE, ALONG THE SOUTH LINE OF SAID 144.638 ACRE TRACT AND THE
5 COMMON NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 380, THE
6 FOLLOWING COURSES AND DISTANCES:

7 NORTH 87 DEGREES 51 MINUTES 23 SECONDS WEST, A
8 DISTANCE OF 965.93 FEET TO A 5/8 INCH CAPPED IRON ROD WITH
9 A YELLOW PLACTIC CAP STAMPED "CARTER BURGESS" SET FOR
10 CORNER;

11 NORTH 82 DEGREES 08 MINUTES 45 SECONDS WEST, A
12 DISTANCE OF 100.50 FEET TO A 5/8 INCH CAPPED IRON ROD WITH
13 A YELLOW PLACTIC CAP STAMPED "CARTER BURGESS" SET FOR
14 CORNER;

15 NORTH 87 DEGREES 51 MINUTES 23 SECONDS WEST, A
16 DISTANCE OF 129.20 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND
17 FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT
18 HAVING A CENTRAL ANGLE OF 00 DEGREES 44 MINUTES 25 SECONDS,
19 A RADIUS OF 5789.71 FEET, A CHORD BEARING OF NORTH 88
20 DEGREES 13 MINUTES 36 SECONDS WEST, A CHORD LENGTH OF 74.79
21 FEET;

22 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF
23 74.79 FEET, TO THE POINT OF BEGINNING, AND CONTAINING
24 144.638 ACRES OF LAND, MORE OR LESS.

25 TRACT 9

26 BEING A 1036.347 ACRE TRACT OF LAND SITUATED IN THE A.J. DAVIS
27 SURVEY, ABSTRACT NO. 273, THE WILLIAM EARL SURVEY, ABSTRACT NO.

1 287 AND THE HIRAM THOMPSON SURVEY, ABSTRACT NO. 1030, HUNT
2 COUNTY, TEXAS, AND BEING ALL OF A 49.640 ACRE TRACT OF LAND,
3 CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1717, PAGE
4 264, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING ALL
5 OF A 160.531 ACRE TRACT OF LAND CONVEYED AS "TRACT 1" TO WALTON
6 TEXAS, L.P., AS RECORDED IN VOLUME 1551, PAGE 268, OFFICIAL
7 PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING ALL OF A 107.419
8 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS RECORDED
9 IN VOLUME 1777, PAGE 456, OFFICIAL PUBLIC RECORDS, HUNT COUNTY,
10 TEXAS AND BEING ALL OF A 109.434 ACRE TRACT OF LAND CONVEYED TO
11 WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1729, PAGE 261,
12 OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING PART OF A
13 486.151 ACRE TRACT OF LAND CONVEYED TO WALTON TEXAS, L.P., AS
14 RECORDED IN VOLUME 1632, PAGE 199, OFFICIAL PUBLIC RECORDS, HUNT
15 COUNTY, TEXAS AND BEING ALL OF A 130.725 ACRE TRACT OF LAND
16 CONVEYED TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1551, PAGE
17 268, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS. SAID 1036.347
18 ACRE TRACT, WITH REFERENCE BEARING OF GRID NORTH, TEXAS STATE
19 PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE
20 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253,
21 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM COLLIN CORS ARP
22 (PID-DF8982) AND DALLAS CORS ARP (PID-DF8984), BEING MORE
23 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
24 BEGINNING AT A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
25 STAMPED "CARTER BURGESS" SET FOR THE SOUTHWEST CORNER OF SAID
26 49.640 ACRE TRACT AND THE SOUTHEAST CORNER OF A 45 ACRE TRACT OF
27 LAND CONVEYED TO ALTON WEATHERLY AND WIFE, BEULAH WEATHERLY, AS

1 RECORDED IN VOLUME 649, PAGE 485, DEED RECORDS, HUNT COUNTY,
2 TEXAS, SAID POINT BEING ON THE NORTHWEST RIGHT-OF-WAY LINE OF
3 THE NORTHEAST TEXAS RURAL RAIL TRANSPORTATION DISTRICT RIGHT-OF-
4 WAY (A 100' RIGHT-OF-WAY), AS RECORDED IN VOLUME 987, PAGE 38,
5 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
6 THENCE, NORTH 00 DEGREES 02 MINUTES 59 SECONDS WEST, ALONG THE
7 WEST LINE OF SAID 49.640 ACRE TRACT, THE COMMON EAST LINE OF
8 SAID 45 ACRE TRACT AND THE COMMON EAST LINE OF A 60 ACRE TRACT
9 OF LAND CONVEYED AS "TRACT 1" TO ALTON RAY WEATHERLY, AS
10 RECORDED IN VOLUME 233, PAGE 778, OFFICIAL RECORDS, HUNT COUNTY,
11 TEXAS, A DISTANCE OF 1408.34 FEET TO A 5/8 INCH IRON ROD WITH A
12 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE
13 NORTHWEST CORNER OF SAID 49.640 ACRE TRACT AND AN INTERIOR ELL
14 CORNER OF SAID 60 ACRE TRACT;
15 THENCE, NORTH 88 DEGREES 41 MINUTES 55 SECONDS EAST, ALONG THE
16 NORTH LINE OF SAID 49.640 ACRE TRACT AND THE COMMON SOUTH LINE
17 OF SAID 60 ACRE TRACT, A DISTANCE OF 990.55 FEET TO A 5/8 INCH
18 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
19 FOR THE SOUTHEAST CORNER OF SAID 60 ACRE TRACT AND A SOUTHWEST
20 CORNER OF AFORESAID 160.531 ACRE TRACT;
21 THENCE, NORTH 00 DEGREES 19 MINUTES 00 SECONDS WEST, ALONG THE
22 WEST LINE OF SAID 160.531 ACRE TRACT AND THE COMMON EAST LINE OF
23 SAID 60 ACRE TRACT, PASSING AT A DISTANCE OF 2033.82 FEET A 1/2
24 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED "STOVALL" FOUND
25 FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 2064.15 FEET
26 TO A 1/2 INCH IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID
27 160.531 ACRE TRACT, SAID POINT BEING IN THE APPROXIMATE

1 CENTERLINE OF HUNT COUNTY ROAD NO. 2152 (A VARIABLE WIDTH
2 PRESCRIPTIVE RIGHT-OF-WAY);
3 THENCE, ALONG THE SOUTH LINE OF SAID 160.531 ACRE TRACT AND THE
4 APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2152, THE
5 FOLLOWING COURSES AND DISTANCES:
6 SOUTH 83 DEGREES 19 MINUTES 04 SECONDS WEST, A
7 DISTANCE OF 235.03 FEET TO A 5/8 INCH IRON ROD WITH A
8 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
9 SOUTH 89 DEGREES 03 MINUTES 33 SECONDS WEST, A
10 DISTANCE OF 1005.35 FEET TO A 1/2 INCH IRON ROD FOUND FOR A
11 SOUTHWEST CORNER OF SAID 160.531 ACRE TRACT AND THE
12 NORTHWEST CORNER OF AFORESAID 60 ACRE TRACT, SAID POINT
13 BEING ON THE EAST LINE OF A 101.94 ACRE TRACT OF LAND
14 CONVEYED TO MARTHA FAYE MAREK "TRUSTEE", AS RECORDED IN
15 VOLUME 920, PAGE 216, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
16 THENCE, NORTH 00 DEGREES 03 MINUTES 33 SECONDS EAST, ALONG THE
17 WEST LINE OF SAID 160.531 ACRE TRACT AND THE COMMON EAST LINE OF
18 SAID 101.94 ACRE TRACT, A DISTANCE OF 1568.33 FEET TO A 1/2 INCH
19 IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 160.531 ACRE
20 TRACT AND THE NORTHEAST CORNER OF SAID 101.94 ACRE TRACT, SAID
21 POINT BEING ON THE SOUTH LINE OF A 145.49 ACRE TRACT OF LAND
22 CONVEYED TO BILL WAIDELICH AND DAWN WAIDELICH, AS RECORDED IN
23 VOLUME 1214, PAGE 633, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
24 THENCE, SOUTH 89 DEGREES 14 MINUTES 06 SECONDS EAST, ALONG THE
25 NORTH LINE OF SAID 160.531 ACRE TRACT, A DISTANCE OF 2777.03
26 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
27 "CARTER BURGESS" SET FOR A SOUTHWEST CORNER OF AFORESAID 107.419

1 ACRE TRACT, SAID POINT BEING ON THE EAST LINE OF A 46.704 ACRE
2 TRACT OF LAND CONVEYED TO WILLIAM C. WAIDELICH AND WIFE, DAWN L.
3 WAIDELICH BY DEED RECORDED IN VOLUME 1465, PAGE 250, OFFICIAL
4 RECORDS, HUNT COUNTY, TEXAS;

5 THENCE, ALONG THE WEST LINE OF SAID 107.419 ACRE TRACT AND THE
6 COMMON EAST LINE OF SAID 46.704 ACRE TRACT, THE FOLLOWING
7 COURSES AND DISTANCES:

8 NORTH 00 DEGREES 16 MINUTES 59 SECONDS WEST, A
9 DISTANCE OF 1702.68 FEET TO A 5/8 INCH IRON ROD WITH A
10 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR AN
11 INTERIOR ELL CORNER OF SAID 107.419 ACRE TRACT AND A
12 NORTHEAST CORNER OF SAID 46.704 ACRE TRACT;

13 SOUTH 89 DEGREES 43 MINUTES 02 SECONDS WEST, A
14 DISTANCE OF 427.44 FEET TO A 5/8 INCH IRON ROD WITH A
15 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR A
16 SOUTHWEST CORNER OF SAID 107.419 ACRE TRACT AND AN INTERIOR
17 ELL CORNER OF SAID 46.704 ACRE TRACT;

18 NORTH 00 DEGREES 17 MINUTES 12 SECONDS WEST, PASSING
19 AT A DISTANCE OF 476.12 FEET, A 5/8 INCH IRON ROD WITH A
20 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR
21 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 501.12 FEET
22 TO A POINT FOR THE NORTHWEST CORNER OF SAID 107.419 ACRE
23 TRACT AND THE NORTHEAST CORNER OF SAID 46.704 ACRE TRACT,
24 SAID POINT BEING ON THE SOUTH LINE OF A 63.75 ACRE TRACT OF
25 LAND CONVEYED TO WILLIAM DALE SIEBERT AND DEBBIE LYNN
26 SIEBERT, AS RECORDED IN VOLUME 1298, PAGE 608, OFFICIAL
27 RECORDS, HUNT COUNTY, TEXAS AND BEING IN THE APPROXIMATE

1 CENTERLINE OF HUNT COUNTY ROAD NO. 2150 (A VARIABLE WIDTH
2 PRESCRIPTIVE RIGHT-OF-WAY);
3 THENCE, SOUTH 89 DEGREES 34 MINUTES 56 SECONDS EAST, ALONG THE
4 NORTH LINE OF SAID 107.419 ACRE TRACT, THE COMMON SOUTH LINE OF
5 SAID 63.75 ACRE TRACT AND THE COMMON SOUTH LINE OF A 96.68 ACRE
6 TRACT OF LAND CONVEYED TO BO AUSTIN MOSELEY, AS RECORDED IN
7 VOLUME 771, PAGE 60, OFFICIAL RECORDS, HUNT COUNTY, TEXAS,
8 PASSING AT A DISTANCE OF 371.38 FEET, A 5/8 INCH IRON ROD FOUND
9 FOR THE SOUTHEAST CORNER OF A SAID 63.75 ACRE TRACT AND THE
10 SOUTHWEST CORNER OF SAID 96.68 ACRE TRACT, CONTINUING IN ALL A
11 TOTAL DISTANCE OF 2078.98 FEET TO A POINT FOR THE NORTHEAST
12 CORNER OF SAID 107.419 ACRE TRACT AND THE NORTHWEST CORNER OF
13 AFORESAID 109.434 ACRE TRACT, FROM WHICH A 5/8 INCH IRON ROD
14 WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR
15 WITNESS BEARS, SOUTH 00 DEGREES 32 MINUTES 36 SECONDS WEST, A
16 DISTANCE OF 25.00 FEET;
17 THENCE, SOUTH 89 DEGREES 34 MINUTES 50 SECONDS EAST, ALONG THE
18 NORTH LINE OF SAID 109.434 ACRE TRACT AND THE COMMON SOUTH LINE
19 OF SAID 96.68 ACRE TRACT, PASSING AT A DISTANCE OF 1898.82 FEET,
20 A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
21 BURGESS" SET FOR THE NORTHEAST CORNER OF SAID 109.434 ACRE TRACT
22 AND THE SOUTHEAST CORNER OF SAID 96.68 ACRE TRACT, CONTINUING IN
23 ALL A TOTAL DISTANCE OF 1909.26 FEET, A 1/2 INCH IRON ROD FOUND
24 ON THE WEST LINE OF AFORESAID 486.151 ACRE TRACT;
25 THENCE, NORTH 01 DEGREES 11 MINUTES 20 SECONDS EAST, A DISTANCE
26 OF 105.38 FEET TO A POINT FOR A NORTHWEST CORNER OF SAID 486.151
27 ACRE TRACT AND THE SOUTHWEST CORNER OF A 141.842 ACRE TRACT OF

1 LAND CONVEYED AS "TRACT 3" TO THOMAS BETHELL OLIVER, AS RECORDED
2 IN VOLUME 1331, PAGE 543, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
3 THENCE, ALONG THE NORTH LINE OF SAID 486.151 ACRE TRACT AND THE
4 COMMON SOUTH LINE OF SAID 141.842 ACRE TRACT, THE FOLLOWING
5 COURSES AND DISTANCES:

6 SOUTH 89 DEGREES 57 MINUTES 59 SECONDS EAST, PASSING
7 AT A DISTANCE OF 20.80 FEET, A 3/8 INCH IRON ROD FOUND FOR
8 WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1883.17 FEET
9 TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
10 "CARTER BURGESS" SET FOR CORNER;

11 SOUTH 89 DEGREES 47 MINUTES 39 SECONDS EAST, A
12 DISTANCE OF 2130.29 FEET TO A 5/8 INCH IRON ROD WITH A
13 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR AN
14 INTERIOR ELL CORNER OF SAID 486.151 ACRE TRACT AND THE
15 SOUTHEAST CORNER OF SAID 141.842 ACRE TRACT;

16 THENCE, NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST, ALONG THE
17 WEST LINE OF SAID 486.151 ACRE TRACT, THE COMMON EAST LINE OF
18 SAID 141.842 ACRE TRACT AND THE COMMON EAST LINE OF A 100.078
19 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO THOMAS BETHELL
20 OLIVER, AS RECORDED IN VOLUME 1331, PAGE 543, OFFICIAL RECORDS,
21 HUNT COUNTY, TEXAS, A DISTANCE OF 3352.95 FEET TO A 5/8 INCH
22 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
23 FOR A NORTHWEST CORNER OF SAID 486.151 ACRE TRACT AND A
24 NORTHEAST CORNER OF SAID 100.078 ACRE TRACT, SAID POINT BEING ON
25 THE SOUTH LINE OF A 1.6 ACRE TRACT OF LAND CONVEYED TO WILLIAM
26 RENOLD SCHWENE AND WIFE, BETTY MARIE SCHWENE, AS RECORDED IN
27 VOLUME 741, PAGE 167, DEED RECORDS, HUNT COUNTY, TEXAS;

1 THENCE, NORTH 89 DEGREES 40 MINUTES 23 SECONDS EAST, ALONG A
2 NORTH LINE OF SAID 486.151 ACRE TRACT AND THE COMMON SOUTH LINE
3 OF SAID 1.6 ACRE TRACT, A DISTANCE OF 91.11 FEET TO A 5/8 INCH
4 IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
5 FOR THE SOUTHEAST CORNER OF SAID 1.6 ACRE TRACT;

6 THENCE, NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST, ALONG A
7 WEST LINE OF SAID 486.151 ACRE TRACT AND THE COMMON EAST LINE OF
8 SAID 1.6 ACRE TRACT, A DISTANCE OF 191.25 FEET TO A POINT FOR
9 CORNER ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 380 (A
10 VARIABLE WIDTH RIGHT-OF-WAY);

11 THENCE, OVER AND ACROSS SAID 486.151 ACRE TRACT, ALONG THE SOUTH
12 RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 380, THE FOLLOWING
13 COURSES AND DISTANCES:

14 SOUTH 88 DEGREES 09 MINUTES 41 SECONDS EAST, A
15 DISTANCE OF 101.10 FEET TO A POINT FOR CORNER;

16 SOUTH 89 DEGREES 53 MINUTES 20 SECONDS EAST, A
17 DISTANCE OF 1840.99 FEET TO A POINT FOR CORNER IN THE
18 APPROXIMATE CENTERLINE OF EAST CADDO CREEK;

19 THENCE, ALONG THE EAST LINE OF SAID 486.151 ACRE TRACT AND THE
20 APPROXIMATE CENTERLINE OF SAID EAST CADDO CREEK, THE FOLLOWING
21 COURSES AND DISTANCES:

22 SOUTH 25 DEGREES 36 MINUTES 22 SECONDS EAST, A
23 DISTANCE OF 35.71 FEET TO A POINT FOR CORNER;

24 SOUTH 25 DEGREES 40 MINUTES 23 SECONDS EAST, A
25 DISTANCE OF 50.12 FEET TO A POINT FOR CORNER;

26 SOUTH 45 DEGREES 18 MINUTES 51 SECONDS EAST, A
27 DISTANCE OF 54.74 FEET TO A POINT FOR CORNER;

1 SOUTH 40 DEGREES 46 MINUTES 48 SECONDS EAST, A
2 DISTANCE OF 55.18 FEET TO A POINT FOR CORNER;
3 SOUTH 23 DEGREES 12 MINUTES 03 SECONDS EAST, A
4 DISTANCE OF 49.94 FEET TO A POINT FOR CORNER;
5 SOUTH 22 DEGREES 37 MINUTES 02 SECONDS EAST, A
6 DISTANCE OF 56.38 FEET TO A POINT FOR CORNER;
7 SOUTH 35 DEGREES 48 MINUTES 36 SECONDS EAST, A
8 DISTANCE OF 34.90 FEET TO A POINT FOR CORNER;
9 SOUTH 46 DEGREES 25 MINUTES 52 SECONDS EAST, A
10 DISTANCE OF 109.50 FEET TO A POINT FOR CORNER;
11 SOUTH 20 DEGREES 12 MINUTES 36 SECONDS EAST, A
12 DISTANCE OF 52.08 FEET TO A POINT FOR CORNER;
13 SOUTH 16 DEGREES 48 MINUTES 12 SECONDS WEST, A
14 DISTANCE OF 57.47 FEET TO A POINT FOR CORNER;
15 SOUTH 30 DEGREES 57 MINUTES 58 SECONDS WEST, A
16 DISTANCE OF 49.17 FEET TO A POINT FOR CORNER;
17 NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A
18 DISTANCE OF 25.53 FEET TO A POINT FOR CORNER;
19 NORTH 83 DEGREES 21 MINUTES 07 SECONDS WEST, A
20 DISTANCE OF 59.04 FEET TO A POINT FOR CORNER;
21 NORTH 71 DEGREES 47 MINUTES 41 SECONDS WEST, A
22 DISTANCE OF 158.23 FEET TO A POINT FOR CORNER;
23 SOUTH 64 DEGREES 21 MINUTES 25 SECONDS WEST, A
24 DISTANCE OF 41.64 FEET TO A POINT FOR CORNER;
25 SOUTH 34 DEGREES 31 MINUTES 50 SECONDS WEST, A
26 DISTANCE OF 47.87 FEET TO A POINT FOR CORNER;
27 SOUTH 62 DEGREES 09 MINUTES 54 SECONDS WEST, A

1 DISTANCE OF 40.28 FEET TO A POINT FOR CORNER;
2 SOUTH 61 DEGREES 52 MINUTES 02 SECONDS WEST, A
3 DISTANCE OF 36.85 FEET TO A POINT FOR CORNER;
4 NORTH 45 DEGREES 36 MINUTES 47 SECONDS WEST, A
5 DISTANCE OF 47.60 FEET TO A POINT FOR CORNER;
6 SOUTH 50 DEGREES 27 MINUTES 29 SECONDS WEST, A
7 DISTANCE OF 33.95 FEET TO A POINT FOR CORNER;
8 SOUTH 15 DEGREES 27 MINUTES 50 SECONDS WEST, A
9 DISTANCE OF 44.64 FEET TO A POINT FOR CORNER;
10 SOUTH 25 DEGREES 23 MINUTES 54 SECONDS EAST, A
11 DISTANCE OF 56.80 FEET TO A POINT FOR CORNER;
12 SOUTH 70 DEGREES 28 MINUTES 51 SECONDS EAST, A
13 DISTANCE OF 65.46 FEET TO A POINT FOR CORNER;
14 SOUTH 56 DEGREES 46 MINUTES 51 SECONDS EAST, A
15 DISTANCE OF 37.55 FEET TO A POINT FOR CORNER;
16 SOUTH 73 DEGREES 19 MINUTES 16 SECONDS EAST, A
17 DISTANCE OF 81.91 FEET TO A POINT FOR CORNER;
18 SOUTH 64 DEGREES 09 MINUTES 46 SECONDS EAST, A
19 DISTANCE OF 73.55 FEET TO A POINT FOR CORNER;
20 SOUTH 22 DEGREES 23 MINUTES 30 SECONDS WEST, A
21 DISTANCE OF 28.48 FEET TO A POINT FOR CORNER;
22 SOUTH 34 DEGREES 23 MINUTES 46 SECONDS WEST, A
23 DISTANCE OF 90.07 FEET TO A POINT FOR CORNER;
24 SOUTH 80 DEGREES 24 MINUTES 39 SECONDS WEST, A
25 DISTANCE OF 62.13 FEET TO A POINT FOR CORNER;
26 SOUTH 10 DEGREES 45 MINUTES 23 SECONDS WEST, A
27 DISTANCE OF 48.93 FEET TO A POINT FOR CORNER;

1 SOUTH 29 DEGREES 44 MINUTES 38 SECONDS EAST, A
2 DISTANCE OF 92.80 FEET TO A POINT FOR CORNER;
3 SOUTH 02 DEGREES 05 MINUTES 57 SECONDS EAST, A
4 DISTANCE OF 36.82 FEET TO A POINT FOR CORNER;
5 SOUTH 34 DEGREES 45 MINUTES 50 SECONDS WEST, A
6 DISTANCE OF 30.29 FEET TO A POINT FOR CORNER;
7 SOUTH 70 DEGREES 15 MINUTES 44 SECONDS WEST, A
8 DISTANCE OF 38.39 FEET TO A POINT FOR CORNER;
9 SOUTH 86 DEGREES 21 MINUTES 32 SECONDS WEST, A
10 DISTANCE OF 41.41 FEET TO A POINT FOR CORNER;
11 SOUTH 46 DEGREES 48 MINUTES 17 SECONDS WEST, A
12 DISTANCE OF 36.43 FEET TO A POINT FOR CORNER;
13 SOUTH 04 DEGREES 24 MINUTES 19 SECONDS EAST, A
14 DISTANCE OF 68.88 FEET TO A POINT FOR CORNER;
15 SOUTH 33 DEGREES 46 MINUTES 04 SECONDS EAST, A
16 DISTANCE OF 49.33 FEET TO A POINT FOR CORNER;
17 NORTH 71 DEGREES 58 MINUTES 56 SECONDS EAST, A
18 DISTANCE OF 137.16 FEET TO A POINT FOR CORNER;
19 SOUTH 41 DEGREES 28 MINUTES 06 SECONDS EAST, A
20 DISTANCE OF 47.36 FEET TO A POINT FOR CORNER;
21 SOUTH 21 DEGREES 37 MINUTES 14 SECONDS EAST, A
22 DISTANCE OF 51.95 FEET TO A POINT FOR CORNER;
23 SOUTH 61 DEGREES 12 MINUTES 01 SECONDS EAST, A
24 DISTANCE OF 52.64 FEET TO A POINT FOR CORNER;
25 SOUTH 44 DEGREES 50 MINUTES 44 SECONDS EAST, A
26 DISTANCE OF 45.41 FEET TO A POINT FOR CORNER;
27 SOUTH 27 DEGREES 09 MINUTES 55 SECONDS EAST, A

1 DISTANCE OF 48.59 FEET TO A POINT FOR CORNER;
2 SOUTH 24 DEGREES 25 MINUTES 45 SECONDS WEST, A
3 DISTANCE OF 36.62 FEET TO A POINT FOR CORNER;
4 SOUTH 59 DEGREES 09 MINUTES 28 SECONDS WEST, A
5 DISTANCE OF 22.19 FEET TO A POINT FOR CORNER;
6 NORTH 53 DEGREES 25 MINUTES 12 SECONDS WEST, A
7 DISTANCE OF 62.19 FEET TO A POINT FOR CORNER;
8 SOUTH 88 DEGREES 37 MINUTES 00 SECONDS WEST, A
9 DISTANCE OF 64.81 FEET TO A POINT FOR CORNER;
10 SOUTH 67 DEGREES 02 MINUTES 28 SECONDS WEST, A
11 DISTANCE OF 68.99 FEET TO A POINT FOR CORNER;
12 SOUTH 21 DEGREES 27 MINUTES 30 SECONDS WEST, A
13 DISTANCE OF 59.43 FEET TO A POINT FOR CORNER;
14 SOUTH 24 DEGREES 42 MINUTES 37 SECONDS EAST, A
15 DISTANCE OF 47.30 FEET TO A POINT FOR CORNER;
16 SOUTH 38 DEGREES 19 MINUTES 33 SECONDS EAST, A
17 DISTANCE OF 57.09 FEET TO A POINT FOR CORNER;
18 SOUTH 43 DEGREES 23 MINUTES 35 SECONDS EAST, A
19 DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;
20 SOUTH 14 DEGREES 33 MINUTES 05 SECONDS WEST, A
21 DISTANCE OF 33.68 FEET TO A POINT FOR CORNER;
22 SOUTH 36 DEGREES 58 MINUTES 45 SECONDS WEST, A
23 DISTANCE OF 38.64 FEET TO A POINT FOR CORNER;
24 SOUTH 72 DEGREES 11 MINUTES 16 SECONDS WEST, A
25 DISTANCE OF 51.29 FEET TO A POINT FOR CORNER;
26 SOUTH 71 DEGREES 13 MINUTES 55 SECONDS WEST, A
27 DISTANCE OF 38.54 FEET TO A POINT FOR CORNER;

1 SOUTH 08 DEGREES 07 MINUTES 42 SECONDS EAST, A
2 DISTANCE OF 43.84 FEET TO A POINT FOR CORNER;
3 SOUTH 08 DEGREES 59 MINUTES 59 SECONDS EAST, A
4 DISTANCE OF 41.61 FEET TO A POINT FOR CORNER;
5 SOUTH 16 DEGREES 27 MINUTES 12 SECONDS WEST, A
6 DISTANCE OF 44.05 FEET TO A POINT FOR CORNER;
7 SOUTH 85 DEGREES 01 MINUTES 38 SECONDS WEST, A
8 DISTANCE OF 39.94 FEET TO A POINT FOR CORNER;
9 NORTH 62 DEGREES 51 MINUTES 43 SECONDS WEST, A
10 DISTANCE OF 66.82 FEET TO A POINT FOR CORNER;
11 SOUTH 61 DEGREES 17 MINUTES 22 SECONDS WEST, A
12 DISTANCE OF 33.01 FEET TO A POINT FOR CORNER;
13 SOUTH 20 DEGREES 41 MINUTES 04 SECONDS WEST, A
14 DISTANCE OF 53.28 FEET TO A POINT FOR CORNER;
15 SOUTH 15 DEGREES 11 MINUTES 21 SECONDS EAST, A
16 DISTANCE OF 50.90 FEET TO A POINT FOR CORNER;
17 SOUTH 28 DEGREES 52 MINUTES 22 SECONDS EAST, A
18 DISTANCE OF 55.94 FEET TO A POINT FOR CORNER;
19 SOUTH 07 DEGREES 28 MINUTES 58 SECONDS WEST, A
20 DISTANCE OF 48.60 FEET TO A POINT FOR CORNER;
21 SOUTH 69 DEGREES 40 MINUTES 09 SECONDS WEST, A
22 DISTANCE OF 39.87 FEET TO A POINT FOR CORNER;
23 NORTH 70 DEGREES 51 MINUTES 40 SECONDS WEST, A
24 DISTANCE OF 63.99 FEET TO A POINT FOR CORNER;
25 SOUTH 56 DEGREES 46 MINUTES 56 SECONDS WEST, A
26 DISTANCE OF 60.62 FEET TO A POINT FOR CORNER;
27 SOUTH 09 DEGREES 03 MINUTES 25 SECONDS EAST, A

1 DISTANCE OF 56.57 FEET TO A POINT FOR CORNER;
2 SOUTH 26 DEGREES 27 MINUTES 47 SECONDS WEST, A
3 DISTANCE OF 48.69 FEET TO A POINT FOR CORNER;
4 NORTH 84 DEGREES 20 MINUTES 44 SECONDS WEST, A
5 DISTANCE OF 75.21 FEET TO A POINT FOR CORNER;
6 NORTH 74 DEGREES 04 MINUTES 53 SECONDS WEST, A
7 DISTANCE OF 49.73 FEET TO A POINT FOR CORNER;
8 SOUTH 38 DEGREES 58 MINUTES 17 SECONDS WEST, A
9 DISTANCE OF 72.37 FEET TO A POINT FOR CORNER;
10 SOUTH 14 DEGREES 20 MINUTES 24 SECONDS WEST, A
11 DISTANCE OF 64.86 FEET TO A POINT FOR CORNER;
12 SOUTH 66 DEGREES 39 MINUTES 01 SECONDS EAST, A
13 DISTANCE OF 132.16 FEET TO A POINT FOR CORNER;
14 NORTH 88 DEGREES 52 MINUTES 22 SECONDS EAST, A
15 DISTANCE OF 36.45 FEET TO A POINT FOR CORNER;
16 SOUTH 65 DEGREES 59 MINUTES 20 SECONDS EAST, A
17 DISTANCE OF 31.29 FEET TO A POINT FOR CORNER;
18 SOUTH 08 DEGREES 20 MINUTES 17 SECONDS WEST, A
19 DISTANCE OF 61.26 FEET TO A POINT FOR CORNER;
20 SOUTH 58 DEGREES 05 MINUTES 44 SECONDS WEST, A
21 DISTANCE OF 47.27 FEET TO A POINT FOR CORNER;
22 NORTH 83 DEGREES 06 MINUTES 06 SECONDS WEST, A
23 DISTANCE OF 52.67 FEET TO A POINT FOR CORNER;
24 SOUTH 63 DEGREES 23 MINUTES 50 SECONDS WEST, A
25 DISTANCE OF 76.84 FEET TO A POINT FOR CORNER;
26 SOUTH 51 DEGREES 52 MINUTES 35 SECONDS WEST, A
27 DISTANCE OF 37.19 FEET TO A POINT FOR CORNER;

1 SOUTH 33 DEGREES 08 MINUTES 46 SECONDS WEST, A
2 DISTANCE OF 39.40 FEET TO A POINT FOR CORNER;
3 SOUTH 18 DEGREES 19 MINUTES 54 SECONDS WEST, A
4 DISTANCE OF 45.83 FEET TO A POINT FOR CORNER;
5 SOUTH 04 DEGREES 33 MINUTES 41 SECONDS WEST, A
6 DISTANCE OF 49.19 FEET TO A POINT FOR CORNER;
7 SOUTH 20 DEGREES 10 MINUTES 09 SECONDS WEST, A
8 DISTANCE OF 49.87 FEET TO A POINT FOR CORNER;
9 SOUTH 57 DEGREES 26 MINUTES 31 SECONDS WEST, A
10 DISTANCE OF 65.23 FEET TO A POINT FOR CORNER;
11 SOUTH 75 DEGREES 39 MINUTES 48 SECONDS WEST, A
12 DISTANCE OF 55.82 FEET TO A POINT FOR CORNER;
13 SOUTH 10 DEGREES 19 MINUTES 44 SECONDS WEST, A
14 DISTANCE OF 57.10 FEET TO A POINT FOR CORNER;
15 SOUTH 54 DEGREES 43 MINUTES 34 SECONDS EAST, A
16 DISTANCE OF 72.46 FEET TO A POINT FOR CORNER;
17 SOUTH 85 DEGREES 41 MINUTES 21 SECONDS EAST, A
18 DISTANCE OF 53.15 FEET TO A POINT FOR CORNER;
19 SOUTH 73 DEGREES 03 MINUTES 31 SECONDS EAST, A
20 DISTANCE OF 44.74 FEET TO A POINT FOR CORNER;
21 SOUTH 54 DEGREES 32 MINUTES 09 SECONDS EAST, A
22 DISTANCE OF 47.14 FEET TO A POINT FOR CORNER;
23 SOUTH 06 DEGREES 46 MINUTES 32 SECONDS EAST, A
24 DISTANCE OF 54.30 FEET TO A POINT FOR CORNER;
25 SOUTH 16 DEGREES 27 MINUTES 12 SECONDS EAST, A
26 DISTANCE OF 34.33 FEET TO A POINT FOR CORNER;
27 SOUTH 39 DEGREES 52 MINUTES 15 SECONDS WEST, A

1 DISTANCE OF 49.92 FEET TO A POINT FOR CORNER;
2 SOUTH 82 DEGREES 15 MINUTES 48 SECONDS WEST, A
3 DISTANCE OF 39.17 FEET TO A POINT FOR CORNER;
4 SOUTH 70 DEGREES 23 MINUTES 37 SECONDS WEST, A
5 DISTANCE OF 65.00 FEET TO A POINT FOR CORNER;
6 SOUTH 78 DEGREES 17 MINUTES 09 SECONDS WEST, A
7 DISTANCE OF 45.45 FEET TO A POINT FOR CORNER;
8 SOUTH 79 DEGREES 43 MINUTES 00 SECONDS WEST, A
9 DISTANCE OF 63.13 FEET TO A POINT FOR CORNER;
10 SOUTH 66 DEGREES 28 MINUTES 11 SECONDS WEST, A
11 DISTANCE OF 46.31 FEET TO A POINT FOR CORNER;
12 SOUTH 16 DEGREES 14 MINUTES 21 SECONDS WEST, A
13 DISTANCE OF 105.54 FEET TO A POINT FOR CORNER;
14 SOUTH 13 DEGREES 54 MINUTES 09 SECONDS WEST, A
15 DISTANCE OF 57.22 FEET TO A POINT FOR CORNER;
16 SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A
17 DISTANCE OF 58.30 FEET TO A POINT FOR CORNER;
18 SOUTH 11 DEGREES 34 MINUTES 33 SECONDS EAST, A
19 DISTANCE OF 50.34 FEET TO A POINT FOR CORNER;
20 SOUTH 55 DEGREES 36 MINUTES 10 SECONDS EAST, A
21 DISTANCE OF 38.21 FEET TO A POINT FOR CORNER;
22 SOUTH 26 DEGREES 38 MINUTES 22 SECONDS EAST, A
23 DISTANCE OF 163.01 FEET TO A POINT FOR CORNER;
24 SOUTH 36 DEGREES 54 MINUTES 37 SECONDS EAST, A
25 DISTANCE OF 97.24 FEET TO A POINT FOR CORNER;
26 SOUTH 54 DEGREES 11 MINUTES 55 SECONDS EAST, A
27 DISTANCE OF 53.65 FEET TO A POINT FOR CORNER;

1 SOUTH 70 DEGREES 36 MINUTES 58 SECONDS EAST, A
2 DISTANCE OF 41.54 FEET TO A POINT FOR CORNER;
3 NORTH 43 DEGREES 27 MINUTES 19 SECONDS EAST, A
4 DISTANCE OF 101.71 FEET TO A POINT FOR CORNER;
5 SOUTH 61 DEGREES 22 MINUTES 07 SECONDS EAST, A
6 DISTANCE OF 80.55 FEET TO A POINT FOR CORNER;
7 SOUTH 04 DEGREES 18 MINUTES 58 SECONDS EAST, A
8 DISTANCE OF 176.96 FEET TO A POINT FOR CORNER;
9 SOUTH 04 DEGREES 48 MINUTES 01 SECONDS WEST, A
10 DISTANCE OF 37.36 FEET TO A POINT FOR CORNER;
11 SOUTH 52 DEGREES 35 MINUTES 53 SECONDS WEST, A
12 DISTANCE OF 56.54 FEET TO A POINT FOR CORNER;
13 SOUTH 66 DEGREES 24 MINUTES 43 SECONDS WEST, A
14 DISTANCE OF 35.91 FEET TO A POINT FOR CORNER;
15 SOUTH 58 DEGREES 18 MINUTES 10 SECONDS WEST, A
16 DISTANCE OF 54.25 FEET TO A POINT FOR CORNER;
17 SOUTH 24 DEGREES 03 MINUTES 12 SECONDS WEST, A
18 DISTANCE OF 84.09 FEET TO A POINT FOR CORNER;
19 SOUTH 29 DEGREES 49 MINUTES 03 SECONDS WEST, A
20 DISTANCE OF 38.07 FEET TO A POINT FOR CORNER;
21 SOUTH 77 DEGREES 36 MINUTES 13 SECONDS EAST, A
22 DISTANCE OF 68.66 FEET TO A POINT FOR CORNER;
23 NORTH 87 DEGREES 24 MINUTES 53 SECONDS EAST, A
24 DISTANCE OF 93.05 FEET TO A POINT FOR CORNER;
25 NORTH 80 DEGREES 29 MINUTES 04 SECONDS EAST, A
26 DISTANCE OF 54.50 FEET TO A POINT FOR CORNER;
27 NORTH 56 DEGREES 17 MINUTES 37 SECONDS EAST, A

1 DISTANCE OF 49.21 FEET TO A POINT FOR CORNER;
2 NORTH 46 DEGREES 07 MINUTES 57 SECONDS EAST, A
3 DISTANCE OF 44.53 FEET TO A POINT FOR CORNER;
4 SOUTH 66 DEGREES 41 MINUTES 17 SECONDS EAST, A
5 DISTANCE OF 76.94 FEET TO A POINT FOR CORNER;
6 SOUTH 31 DEGREES 47 MINUTES 43 SECONDS EAST, A
7 DISTANCE OF 50.02 FEET TO A POINT FOR CORNER;
8 SOUTH 00 DEGREES 37 MINUTES 41 SECONDS EAST, A
9 DISTANCE OF 37.54 FEET TO A POINT FOR CORNER;
10 SOUTH 50 DEGREES 10 MINUTES 47 SECONDS WEST, A
11 DISTANCE OF 38.12 FEET TO A POINT FOR CORNER;
12 SOUTH 03 DEGREES 38 MINUTES 07 SECONDS EAST, A
13 DISTANCE OF 82.68 FEET TO A POINT FOR CORNER;
14 SOUTH 07 DEGREES 39 MINUTES 53 SECONDS WEST, A
15 DISTANCE OF 57.13 FEET TO A POINT FOR CORNER;
16 SOUTH 05 DEGREES 24 MINUTES 28 SECONDS EAST, A
17 DISTANCE OF 49.76 FEET TO A POINT FOR CORNER;
18 SOUTH 37 DEGREES 58 MINUTES 56 SECONDS EAST, A
19 DISTANCE OF 45.42 FEET TO A POINT FOR CORNER;
20 SOUTH 50 DEGREES 05 MINUTES 38 SECONDS EAST, A
21 DISTANCE OF 43.22 FEET TO A POINT FOR CORNER;
22 SOUTH 34 DEGREES 51 MINUTES 09 SECONDS EAST, A
23 DISTANCE OF 54.06 FEET TO A POINT FOR CORNER;
24 SOUTH 02 DEGREES 19 MINUTES 17 SECONDS WEST, A
25 DISTANCE OF 38.60 FEET TO A POINT FOR CORNER;
26 SOUTH 66 DEGREES 31 MINUTES 08 SECONDS WEST, A
27 DISTANCE OF 33.16 FEET TO A POINT FOR CORNER;

1 SOUTH 73 DEGREES 06 MINUTES 42 SECONDS WEST, A
2 DISTANCE OF 43.33 FEET TO A POINT FOR CORNER;
3 SOUTH 85 DEGREES 04 MINUTES 51 SECONDS WEST, A
4 DISTANCE OF 48.53 FEET TO A POINT FOR CORNER;
5 SOUTH 71 DEGREES 53 MINUTES 06 SECONDS WEST, A
6 DISTANCE OF 60.97 FEET TO A POINT FOR CORNER;
7 SOUTH 63 DEGREES 04 MINUTES 11 SECONDS WEST, A
8 DISTANCE OF 64.45 FEET TO A POINT FOR CORNER;
9 SOUTH 71 DEGREES 00 MINUTES 09 SECONDS WEST, A
10 DISTANCE OF 52.84 FEET TO A POINT FOR CORNER;
11 SOUTH 41 DEGREES 20 MINUTES 57 SECONDS WEST, A
12 DISTANCE OF 50.82 FEET TO A POINT FOR CORNER;
13 SOUTH 42 DEGREES 15 MINUTES 31 SECONDS EAST, A
14 DISTANCE OF 79.42 FEET TO A POINT FOR CORNER;
15 SOUTH 67 DEGREES 35 MINUTES 52 SECONDS EAST, A
16 DISTANCE OF 45.70 FEET TO A POINT FOR CORNER;
17 SOUTH 53 DEGREES 29 MINUTES 49 SECONDS EAST, A
18 DISTANCE OF 47.98 FEET TO A POINT FOR CORNER;
19 SOUTH 33 DEGREES 43 MINUTES 45 SECONDS WEST, A
20 DISTANCE OF 50.14 FEET TO A POINT FOR CORNER;
21 SOUTH 27 DEGREES 16 MINUTES 15 SECONDS WEST, A
22 DISTANCE OF 44.77 FEET TO A POINT FOR CORNER;
23 SOUTH 29 DEGREES 27 MINUTES 41 SECONDS EAST, A
24 DISTANCE OF 52.99 FEET TO A POINT FOR CORNER;
25 SOUTH 58 DEGREES 38 MINUTES 56 SECONDS EAST, A
26 DISTANCE OF 33.07 FEET TO A POINT FOR CORNER;
27 SOUTH 73 DEGREES 48 MINUTES 49 SECONDS EAST, A

1 DISTANCE OF 44.32 FEET TO A POINT FOR CORNER;
2 SOUTH 52 DEGREES 58 MINUTES 40 SECONDS EAST, A
3 DISTANCE OF 51.32 FEET TO A POINT FOR CORNER;
4 SOUTH 29 DEGREES 32 MINUTES 15 SECONDS EAST, A
5 DISTANCE OF 51.26 FEET TO A POINT FOR CORNER;
6 SOUTH 09 DEGREES 20 MINUTES 34 SECONDS EAST, A
7 DISTANCE OF 42.22 FEET TO A POINT FOR CORNER;
8 SOUTH 14 DEGREES 35 MINUTES 22 SECONDS WEST, A
9 DISTANCE OF 42.17 FEET TO A POINT FOR CORNER;
10 SOUTH 35 DEGREES 48 MINUTES 26 SECONDS WEST, A
11 DISTANCE OF 147.22 FEET TO A POINT FOR CORNER;
12 SOUTH 64 DEGREES 36 MINUTES 48 SECONDS WEST, A
13 DISTANCE OF 38.17 FEET TO A POINT FOR CORNER;
14 SOUTH 84 DEGREES 38 MINUTES 40 SECONDS WEST, A
15 DISTANCE OF 36.79 FEET TO A POINT FOR CORNER;
16 SOUTH 44 DEGREES 42 MINUTES 48 SECONDS WEST, A
17 DISTANCE OF 43.57 FEET TO A POINT FOR CORNER;
18 SOUTH 08 DEGREES 06 MINUTES 49 SECONDS EAST, A
19 DISTANCE OF 48.67 FEET TO A POINT FOR CORNER;
20 SOUTH 24 DEGREES 06 MINUTES 06 SECONDS WEST, A
21 DISTANCE OF 38.35 FEET TO A POINT FOR CORNER;
22 SOUTH 52 DEGREES 12 MINUTES 10 SECONDS WEST, A
23 DISTANCE OF 58.11 FEET TO A POINT FOR CORNER;
24 NORTH 87 DEGREES 01 MINUTES 39 SECONDS WEST, A
25 DISTANCE OF 107.40 FEET TO A POINT FOR CORNER;
26 SOUTH 24 DEGREES 15 MINUTES 49 SECONDS WEST, A
27 DISTANCE OF 56.46 FEET TO A POINT FOR CORNER;

1 SOUTH 31 DEGREES 21 MINUTES 37 SECONDS EAST, A
2 DISTANCE OF 82.11 FEET TO A POINT FOR CORNER;
3 SOUTH 42 DEGREES 39 MINUTES 43 SECONDS WEST, A
4 DISTANCE OF 21.72 FEET TO A POINT FOR CORNER;
5 SOUTH 51 DEGREES 59 MINUTES 02 SECONDS WEST, A
6 DISTANCE OF 51.81 FEET TO A POINT FOR CORNER;
7 NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A
8 DISTANCE OF 45.62 FEET TO A POINT FOR CORNER;
9 SOUTH 10 DEGREES 17 MINUTES 14 SECONDS WEST, A
10 DISTANCE OF 56.75 FEET TO A POINT FOR CORNER;
11 SOUTH 10 DEGREES 29 MINUTES 10 SECONDS EAST, A
12 DISTANCE OF 39.70 FEET TO A POINT FOR CORNER;
13 SOUTH 23 DEGREES 08 MINUTES 45 SECONDS EAST, A
14 DISTANCE OF 96.71 FEET TO A POINT FOR CORNER;
15 SOUTH 42 DEGREES 05 MINUTES 00 SECONDS EAST, A
16 DISTANCE OF 93.05 FEET TO A POINT FOR CORNER;
17 SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A
18 DISTANCE OF 41.05 FEET TO A POINT FOR CORNER;
19 SOUTH 29 DEGREES 36 MINUTES 27 SECONDS EAST, A
20 DISTANCE OF 41.19 FEET TO A POINT FOR CORNER;
21 SOUTH 75 DEGREES 47 MINUTES 51 SECONDS EAST, A
22 DISTANCE OF 57.38 FEET TO A POINT FOR CORNER;
23 SOUTH 34 DEGREES 54 MINUTES 53 SECONDS EAST, A
24 DISTANCE OF 44.25 FEET TO A POINT FOR CORNER;
25 SOUTH 23 DEGREES 00 MINUTES 46 SECONDS EAST, A
26 DISTANCE OF 76.74 FEET TO A POINT FOR CORNER;
27 NORTH 68 DEGREES 01 MINUTES 59 SECONDS EAST, A

1 DISTANCE OF 90.86 FEET TO A POINT FOR CORNER;
2 NORTH 23 DEGREES 09 MINUTES 21 SECONDS EAST, A
3 DISTANCE OF 52.81 FEET TO A POINT FOR CORNER;
4 NORTH 04 DEGREES 57 MINUTES 13 SECONDS EAST, A
5 DISTANCE OF 66.00 FEET TO A POINT FOR CORNER;
6 NORTH 76 DEGREES 05 MINUTES 57 SECONDS EAST, A
7 DISTANCE OF 70.77 FEET TO A POINT FOR CORNER;
8 SOUTH 65 DEGREES 39 MINUTES 19 SECONDS EAST, A
9 DISTANCE OF 44.96 FEET TO A POINT FOR CORNER;
10 SOUTH 19 DEGREES 27 MINUTES 06 SECONDS WEST, A
11 DISTANCE OF 42.56 FEET TO A POINT FOR CORNER;
12 SOUTH 33 DEGREES 37 MINUTES 03 SECONDS WEST, A
13 DISTANCE OF 70.72 FEET TO A POINT FOR CORNER;
14 SOUTH 21 DEGREES 52 MINUTES 46 SECONDS WEST, A
15 DISTANCE OF 116.52 FEET TO A POINT FOR CORNER;
16 SOUTH 01 DEGREES 06 MINUTES 28 SECONDS EAST, A
17 DISTANCE OF 55.45 FEET TO A POINT FOR CORNER;
18 SOUTH 46 DEGREES 26 MINUTES 43 SECONDS EAST, A
19 DISTANCE OF 51.29 FEET TO A POINT FOR CORNER;
20 SOUTH 61 DEGREES 23 MINUTES 17 SECONDS EAST, A
21 DISTANCE OF 29.07 FEET TO A POINT FOR CORNER;
22 NORTH 81 DEGREES 11 MINUTES 19 SECONDS EAST, A
23 DISTANCE OF 46.44 FEET TO A POINT FOR CORNER;
24 NORTH 53 DEGREES 17 MINUTES 44 SECONDS EAST, A
25 DISTANCE OF 55.43 FEET TO A POINT FOR CORNER;
26 NORTH 47 DEGREES 47 MINUTES 58 SECONDS EAST, A
27 DISTANCE OF 149.42 FEET TO A POINT FOR CORNER;

1 NORTH 74 DEGREES 16 MINUTES 37 SECONDS EAST, A
2 DISTANCE OF 43.79 FEET TO A POINT FOR CORNER;
3 SOUTH 65 DEGREES 27 MINUTES 13 SECONDS EAST, A
4 DISTANCE OF 70.18 FEET TO A POINT FOR CORNER;
5 SOUTH 28 DEGREES 14 MINUTES 31 SECONDS EAST, A
6 DISTANCE OF 43.56 FEET TO A POINT FOR THE SOUTHEAST CORNER
7 OF SAID 486.151 CRE TRACT, SAID POINT BEING ON THE
8 NORTHWEST RAILROAD RIGHT-OF-WAY CONVEYED TO NORTHEAST
9 TEXAS RURAL RAIL TRANSPORTATION DISTRICT BY DEED RECORDED
10 IN VOLUME 987, PAGE 38, OFFICIAL RECORDS, HUNT COUNTY,
11 TEXAS;
12 THENCE, SOUTH 67 DEGREES 43 MINUTES 16 SECONDS WEST, ALONG THE
13 SOUTH LINE OF SAID 486.151 ACRE TRACT AND THE COMMON NORTHWEST
14 RAILROAD RIGHT-OF-WAY LINE, PASSING AT A DISTANCE OF 157.72
15 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
16 "CARTER BURGESS" SET FOR WITNESS, PASSING AT A DISTANCE OF
17 3459.94 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
18 STAMPED "CARTER BURGESS" SET FOR A SOUTHWEST CORNER OF SAID
19 486.151 ACRE TRACT AND A SOUTHEAST CORNER OF AFORESAID 130.725
20 ACRE TRACT, CONTINUING ALONG THE SOUTH LINE OF SAID 130.725 ACRE
21 TRACT AND THE COMMON NORTHWEST RAILROAD RIGHT-OF-WAY LINE, IN
22 ALL A TOTAL DISTANCE OF 5455.52 FEET TO A 1/2 INCH IRON ROD WITH
23 A ORANGE PLASTIC CAP STAMPED "STOVALL" FOUND FOR THE NORTHEAST
24 CORNER OF A 12.50 ACRE TRACT OF LAND CONVEYED TO VETERANS LAND
25 BOARD OF THE STATE OF TEXAS, AS RECORDED IN VOLUME 1298, PAGE
26 56, OFFICIAL RECORDS, HUNT COUNTY, TEXAS;
27 THENCE, NORTH 89 DEGREES 56 MINUTES 05 SECONDS WEST, ALONG THE

1 SOUTH LINE OF SAID 130.725 ACRE TRACT AND THE COMMON NORTH LINE
2 OF SAID 12.50 ACRE TRACT, A DISTANCE OF 1007.97 FEET TO A 1/2
3 INCH IRON ROD FOUND FOR CORNER AND BEING THE BEGINNING OF A
4 TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91 DEGREES
5 50 MINUTES 41 SECONDS, WITH A RADIUS OF 135.00 FEET, A CHORD
6 BEARING OF NORTH 44 DEGREES 00 MINUTES 45 SECONDS WEST, A CHORD
7 LENGTH OF 193.97 FEET;

8 THENCE, ALONG SAID TANGENT CURVE TO THE RIGHT, AND CONTINUING
9 ALONG THE SOUTH LINE OF SAID 130.725 ACRE TRACT, THE COMMON
10 NORTHEAST LINE SAID 12.50 ACRE TRACT AND THE COMMON NORTHEAST
11 LINE OF A 10.0 ACRE TRACT OF LAND CONVEYED TO JOE WESTLEY SCOTT
12 AND DORIS LYNN SCOTT, AS RECORDED IN VOLUME 1297, PAGE 383,
13 OFFICIAL RECORDS, HUNT COUNTY, TEXAS, AN ARC LENGTH OF 216.40
14 FEET TO A 1/2 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED
15 "STOVALL" FOUND FOR CORNER;

16 THENCE, NORTH 01 DEGREES 54 MINUTES 36 SECONDS EAST, ALONG THE
17 WEST LINE OF SAID 130.725 ACRE TRACT AND THE COMMON EAST LINE OF
18 SAID 10.0 ACRE SCOTT TRACT, A DISTANCE OF 428.97 FEET TO A 1/2
19 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED "STOVALL" FOUND
20 FOR THE NORTHEAST CORNER OF SAID 10.0 ACRE SCOTT TRACT AND BEING
21 ON THE SOUTH LINE OF A 10.00 ACRE TRACT OF LAND CONVEYED TO BILL
22 SUDDITH AND LORI SUDDITH, AS RECORDED IN VOLUME 1330, PAGE 337,
23 OFFICIAL RECORDS, HUNT COUNTY, TEXAS;

24 THENCE, NORTH 89 DEGREES 46 MINUTES 26 SECONDS EAST, ALONG A
25 NORTH LINE OF SAID 130.725 ACRE TRACT AND THE COMMON SOUTH LINE
26 OF SAID 10.00 ACRE SUDDITH TRACT, A DISTANCE OF 10.26 FEET TO A
27 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER

1 BURGESS" SET FOR AN INTERIOR ELL CORNER OF SAID 130.725 ACRE
2 TRACT AND THE SOUTHEAST CORNER OF SAID 10.00 ACRE SUDDITH TRACT;
3 THENCE, NORTH 00 DEGREES 41 MINUTES 23 SECONDS EAST, ALONG THE
4 WEST LINE OF SAID 130.725 ACRE TRACT AND THE COMMON EAST LINE OF
5 SAID 10.00 ACRE SUDDITH TRACT, A DISTANCE OF 1147.61 FEET TO A
6 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
7 BURGESS" SET FOR AN INTERIOR ELL CORNER OF SAID 130.725 ACRE
8 TRACT AND THE NORTHEAST CORNER OF SAID 10.00 ACRE SUDDITH TRACT;
9 THENCE, SOUTH 89 DEGREES 46 MINUTES 17 SECONDS WEST, ALONG A
10 SOUTH LINE OF SAID 130.725 ACRE TRACT AND THE COMMON NORTH LINE
11 OF SAID 10.00 ACRE SUDDITH TRACT, PASSING AT A DISTANCE OF 12.43
12 FEET, A POINT FOR A SOUTHWEST CORNER OF SAID 130.725 ACRE TRACT
13 AND THE SOUTHEAST CORNER OF AFORESAID 109.434 ACRE TRACT,
14 CONTINUING ALONG THE SOUTH LINE OF SAID 109.434 ACRE TRACT, THE
15 COMMON NORTH LINE OF SAID 10.00 ACRE SUDDITH TRACT, THE COMMON
16 NORTH LINE OF A 10.00 ACRE TRACT OF LAND CONVEYED TO DUSTY GENE
17 PATE, AS RECORDED IN VOLUME 1492, PAGE 74, OFFICIAL RECORDS,
18 HUNT COUNTY, TEXAS, THE COMMON NORTH LINE OF A 10.00 ACRE TRACT
19 OF LAND CONVEYED TO RASHID Y. NAFIKOV AND WIFE, BECKIE R.
20 NAFIKOV, AS RECORDED IN VOLUME 1466, PAGE 26, OFFICIAL RECORDS,
21 HUNT COUNTY, TEXAS AND THE COMMON NORTH LINE OF A 20.00 ACRE
22 TRACT OF LAND CONVEYED TO MASON TODD SANFORD AND JODEE LYNETTE
23 SANFORD, AS RECORDED IN VOLUME 1588, PAGE 96, OFFICIAL RECORDS,
24 HUNT COUNTY, TEXAS, IN ALL A TOTAL DISTANCE OF 1909.73 FEET TO A
25 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
26 BURGESS" SET FOR THE SOUTHWEST CORNER OF SAID 109.434 ACRE TRACT
27 AND BEING ON THE EAST LINE OF AFORESAID 107.419 ACRE TRACT, FROM

1 WHICH A 1/2 INCH IRON ROD FOUND, BEARS NORTH 47 DEGREES 34
2 MINUTES 07 SECONDS EAST, A DISTANCE OF 2.06 FEET;
3 THENCE, SOUTH 00 DEGREES 32 MINUTES 36 SECONDS WEST, ALONG THE
4 EAST LINE OF SAID 107.419 ACRE TRACT AND THE COMMON WEST LINE OF
5 SAID 20.00 ACRE TRACT, A DISTANCE OF 1137.38 FEET TO A 1/2 INCH
6 CAPPED IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID 107.419
7 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID 20.000 ACRE TRACT
8 AND BEING IN THE APPROXIMATE CENTERLINE OF AFORESAID HUNT COUNTY
9 ROAD NO. 2152;
10 THENCE, NORTH 89 DEGREES 54 MINUTES 14 SECONDS WEST, ALONG THE
11 SOUTH LINE OF SAID 107.419 ACRE TRACT AND THE APPROXIMATE
12 CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2152, A DISTANCE OF
13 587.54 FEET TO A 1/2 INCH CAPPED IRON ROD FOUND FOR A SOUTHWEST
14 CORNER OF SAID 107.419 ACRE TRACT AND BEING THE SOUTHEAST CORNER
15 OF A 10.00 ACRE TRACT OF LAND CONVEYED TO JASON CROOK AND
16 MICHELLE CROOK, AS RECORDED IN VOLUME 1461, PAGE 276, OFFICIAL
17 RECORDS, HUNT COUNTY, TEXAS;
18 THENCE, NORTH 00 DEGREES 24 MINUTES 02 SECONDS EAST, ALONG A
19 WEST LINE OF SAID 107.419 ACRE TRACT AND THE COMMON EAST LINE OF
20 SAID 10.00 ACRE CROOK TRACT, A DISTANCE OF 1466.69 FEET TO A 1/2
21 INCH IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 107.419
22 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 10.00 ACRE CROOK
23 TRACT;
24 THENCE, NORTH 89 DEGREES 14 MINUTES 06 SECONDS WEST, ALONG A
25 SOUTH LINE OF SAID 107.419 ACRE TRACT AND THE COMMON NORTH LINE
26 OF SAID 10.00 ACRE CROOK TRACT, A DISTANCE OF 596.27 FEET TO A
27 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER

1 BURGESS" SET FOR THE NORTHEAST CORNER OF AFORESAID 160.531 ACRE
2 TRACT;
3 THENCE, SOUTH 00 DEGREES 15 MINUTES 33 SECONDS WEST, ALONG THE
4 EAST LINE OF SAID 160.531 ACRE TRACT, PASSING AT A DISTANCE OF
5 7.11 FEET, A 1/2 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED
6 "STOVALL" FOUND FOR THE NORTHWEST CORNER OF A 10.00 ACRE TRACT
7 OF LAND CONVEYED TO JOSEPH ENGELHARDT AND MELISSA ENGELHARDT, AS
8 RECORDED IN VOLUME 1447, PAGE 578, OFFICIAL RECORDS, HUNT
9 COUNTY, TEXAS, CONTINUING ALONG THE EAST LINE OF SAID 160.531
10 ACRE TRACT AND THE COMMON WEST LINE OF SAID 10.00 ACRE
11 ENGELHARDT TRACT, PASSING AT A DISTANCE OF 1441.93 FEET A 1/2
12 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED "STOVALL" FOUND
13 FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1471.82 FEET
14 TO A 1/2 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED
15 "STOVALL" FOUND FOR A SOUTHEAST CORNER OF SAID 160.531 ACRE
16 TRACT AND THE SOUTHWEST CORNER OF SAID 10.00 ACRE ENGELHARDT
17 TRACT AND BEING IN THE APPROXIMATE CENTERLINE OF AFORESAID HUNT
18 COUNTY ROAD NO. 2152;
19 THENCE, NORTH 89 DEGREES 43 MINUTES 39 SECONDS WEST, ALONG A
20 SOUTH LINE OF SAID 160.531 ACRE TRACT, THE COMMON NORTH LINE OF
21 A 26.256 ACRE TRACT OF LAND CONVEYED TO BRENDA JEAN HALL, AS
22 RECORDED IN VOLUME 734, PAGE 246, OFFICIAL RECORDS, HUNT COUNTY,
23 TEXAS, THE COMMON NORTH LINE OF A 27.74 ACRE TRACT OF LAND
24 CONVEYED TO JOHN D. BARNES AND ASHLEY L. BARNES, AS RECORDED IN
25 VOLUME 1487, PAGE 428, OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND
26 THE APPROXIMATE CENTERLINE OF SAID HUNT COUNTY ROAD NO. 2152, A
27 DISTANCE OF 928.87 FEET TO A 1/2 INCH IRON ROD WITH A ORANGE

1 PLASTIC CAP STAMPED "STOVALL" FOUND FOR AN INTERIOR ELL CORNER
2 OF SAID 160.531 ACRE TRACT AND THE NORTHWEST CORNER OF SAID
3 27.74 ACRE TRACT;
4 THENCE, SOUTH 00 DEGREES 21 MINUTES 44 SECONDS EAST, ALONG THE
5 EAST LINE OF SAID 160.531 ACRE TRACT AND THE COMMON WEST LINE OF
6 SAID 27.74 ACRE TRACT, PASSING AT A DISTANCE OF 29.88 FEET, A
7 1/2 INCH IRON ROD WITH A ORANGE PLASTIC CAP STAMPED "STOVALL"
8 FOUND FOR WITNESS, CONTINUING IN ALL A TOTAL DISTANCE OF 1513.70
9 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;
10 THENCE, SOUTH 02 DEGREES 28 MINUTES 50 SECONDS EAST, CONTINUING
11 ALONG THE EAST LINE OF SAID 160.531 ACRE TRACT, THE COMMON WEST
12 LINE OF SAID 27.74 ACRE TRACT AND THE COMMON WEST LINE OF A
13 26.00 ACRE TRACT OF LAND CONVEYED TO TERRY W. MORAN AND WIFE,
14 DONNA K. MORAN, AS RECORDED IN VOLUME 466, PAGE 531, OFFICIAL
15 RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF 561.44 FEET TO A 1/2
16 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID 160.531
17 ACRE TRACT AND AN EXTERIOR ELL CORNER OF SAID 26.00 ACRE TRACT,
18 SAID POINT BEING ON THE NORTH LINE OF AFORESAID 49.640 ACRE
19 TRACT;
20 THENCE, NORTH 87 DEGREES 29 MINUTES 46 SECONDS EAST, ALONG THE
21 NORTH LINE OF SAID 49.640 ACRE TRACT AND THE COMMON SOUTH LINE
22 OF SAID 26.00 ACRE TRACT, A DISTANCE OF 178.47 FEET TO A 1/2
23 IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 49.640 ACRE
24 TRACT AND BEING AN INTERIOR ELL CORNER OF SAID 26.00 ACRE TRACT;
25 THENCE, SOUTH 00 DEGREES 23 MINUTES 40 SECONDS WEST, ALONG THE
26 EAST LINE OF SAID 49.640 ACRE TRACT AND THE COMMON WEST LINE OF
27 SAID 26.00 ACRE TRACT, PASSING AT A DISTANCE OF 520.63 FEET A

1 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 26.00
2 ACRE TRACT, CONTINUING IN ALL A TOTAL DISTANCE OF 531.79 FEET TO
3 A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER
4 BURGESS" SET FOR CORNER ON THE NORTHWEST RIGHT-OF-WAY LINE OF
5 AFORESAID NORTHEAST TEXAS RURAL RAIL TRANSPORTATION DISTRICT
6 RIGHT-OF-WAY;
7 THENCE, SOUTH 67 DEGREES 43 MINUTES 16 SECONDS WEST, ALONG THE
8 NORTHWEST RIGHT-OF-WAY LINE OF SAID NORTHEAST TEXAS RURAL RAIL
9 TRANSPORTATION DISTRICT RIGHT-OF-WAY, A DISTANCE OF 2402.00 FEET
10 TO THE POINT OF BEGINNING, AND CONTAINING 1036.347 ACRES OF
11 LAND, MORE OR LESS.
12 TRACT 10
13 BEING A 112.809 ACRE TRACT OF LAND SITUATED IN THE HIRAM
14 THOMPSON SURVEY, ABSTRACT NO. 1030, HUNT COUNTY, TEXAS, AND
15 BEING ALL OF A 11.444 ACRE TRACT OF LAND, CONVEYED AS "TRACT 3"
16 TO WALTON TEXAS, L.P., AS RECORDED IN VOLUME 1551, PAGE 268,
17 OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS AND BEING ALL OF A
18 101.365 ACRE TRACT OF LAND CONVEYED AS "TRACT 2" TO WALTON
19 TEXAS, L.P., AS RECORDED IN VOLUME 1632, PAGE 199, OFFICIAL
20 PUBLIC RECORDS, HUNT COUNTY, TEXAS. SAID 112.809 ACRE TRACT,
21 WITH REFERENCE BEARING OF GRID NORTH, TEXAS STATE PLANE
22 COORDINATES, NORTH CENTRAL ZONE, NAD83 (CORS96, EPOCH DATE
23 2002), DETERMINED BY GPS OBSERVATIONS BETWEEN JULIAN DAY 253,
24 2004 AND JULIAN DAY 259, 2004, CALCULATED FROM COLLIN CORS ARP
25 (PID-DF8982) AND DALLAS CORS ARP (PID-DF8984), BEING MORE
26 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
27 BEGINNING AT A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP

1 STAMPED "CARTER BURGESS" SET FOR THE SOUTHWEST CORNER OF SAID
2 11.444 ACRE TRACT, SAID POINT BEING ON THE SOUTHEAST RIGHT-OF-
3 WAY LINE CONVEYED TO THE NORTHEAST TEXAS RURAL RAIL
4 TRANSPORTATION DISTRICT, AS RECORDED IN VOLUME 987, PAGE 38,
5 OFFICIAL RECORDS, HUNT COUNTY, TEXAS (A 100' RIGHT-OF-WAY);
6 THENCE, NORTH 67 DEGREES 43 MINUTES 16 SECONDS EAST, ALONG THE
7 NORTHWEST LINE OF SAID 11.444 ACRE TRACT AND THE COMMON
8 SOUTHEAST RIGHT-OF-WAY LINE OF SAID NORTHEAST TEXAS RURAL RAIL
9 TRANSPORTATION DISTRICT RIGHT-OF-WAY, PASSING AT A DISTANCE OF
10 1683.23 FEET, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP
11 STAMPED "CARTER BURGESS" SET FOR THE NORTHEAST CORNER OF SAID
12 11.444 ACRE TRACT AND THE NORTHWEST CORNER OF AFORESAID 101.365
13 ACRE TRACT, CONTINUING ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF
14 SAID NORTHEAST TEXAS RURAL RAIL TRANSPORTATION DISTRICT RIGHT-
15 OF-WAY AND THE COMMON NORTHWEST LINE OF SAID 101.365 ACRE TRACT,
16 PASSING AT A DISTANCE OF 5025.51 FEET A 5/8 INCH IRON ROD WITH A
17 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR WITNESS,
18 CONTINUING IN ALL A TOTAL DISTANCE OF 5145.89 FEET TO A POINT
19 FOR THE NORTHEAST CORNER OF SAID 101.365 ACRE TRACT, SAID POINT
20 BEING IN THE APPROXIMATE CENTERLINE OF EAST CADDO CREEK;
21 THENCE, ALONG THE EAST LINE OF SAID 101.365 ACRE TRACT AND THE
22 APPROXIMATE CENTERLINE OF SAID EAST CADDO CREEK, THE FOLLOWING
23 COURSES AND DISTANCES:
24 SOUTH 01 DEGREES 06 MINUTES 11 SECONDS WEST, A
25 DISTANCE OF 77.37 FEET TO A POINT FOR CORNER;
26 SOUTH 39 DEGREES 19 MINUTES 04 SECONDS EAST, A
27 DISTANCE OF 57.39 FEET TO A POINT FOR CORNER;

1 SOUTH 67 DEGREES 30 MINUTES 20 SECONDS EAST, A
2 DISTANCE OF 49.61 FEET TO A POINT FOR CORNER;
3 NORTH 82 DEGREES 31 MINUTES 08 SECONDS EAST, A
4 DISTANCE OF 52.99 FEET TO A POINT FOR CORNER;
5 NORTH 50 DEGREES 07 MINUTES 46 SECONDS EAST, A
6 DISTANCE OF 58.06 FEET TO A POINT FOR CORNER;
7 NORTH 72 DEGREES 36 MINUTES 41 SECONDS EAST, A
8 DISTANCE OF 54.06 FEET TO A POINT FOR CORNER;
9 NORTH 89 DEGREES 10 MINUTES 22 SECONDS EAST, A
10 DISTANCE OF 52.05 FEET TO A POINT FOR CORNER;
11 NORTH 82 DEGREES 23 MINUTES 49 SECONDS EAST, A
12 DISTANCE OF 72.80 FEET TO A POINT FOR CORNER;
13 SOUTH 38 DEGREES 51 MINUTES 56 SECONDS EAST, A
14 DISTANCE OF 41.88 FEET TO A POINT FOR CORNER;
15 SOUTH 25 DEGREES 40 MINUTES 43 SECONDS EAST, A
16 DISTANCE OF 44.54 FEET TO A POINT FOR CORNER;
17 SOUTH 28 DEGREES 14 MINUTES 34 SECONDS WEST, A
18 DISTANCE OF 50.94 FEET TO A POINT FOR CORNER;
19 SOUTH 38 DEGREES 11 MINUTES 06 SECONDS WEST, A
20 DISTANCE OF 43.28 FEET TO A POINT FOR CORNER;
21 SOUTH 35 DEGREES 50 MINUTES 33 SECONDS WEST, A
22 DISTANCE OF 61.59 FEET TO A POINT FOR CORNER;
23 SOUTH 21 DEGREES 31 MINUTES 26 SECONDS WEST, A
24 DISTANCE OF 57.18 FEET TO A POINT FOR CORNER;
25 SOUTH 01 DEGREES 01 MINUTES 51 SECONDS EAST, A
26 DISTANCE OF 48.41 FEET TO A POINT FOR CORNER;
27 SOUTH 41 DEGREES 05 MINUTES 32 SECONDS EAST, A

1 DISTANCE OF 49.10 FEET TO A POINT FOR CORNER;
2 SOUTH 67 DEGREES 02 MINUTES 42 SECONDS EAST, A
3 DISTANCE OF 48.96 FEET TO A POINT FOR CORNER;
4 NORTH 74 DEGREES 44 MINUTES 11 SECONDS EAST, A
5 DISTANCE OF 100.28 FEET TO A POINT FOR CORNER;
6 NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A
7 DISTANCE OF 45.35 FEET TO A POINT FOR CORNER;
8 SOUTH 45 DEGREES 25 MINUTES 08 SECONDS EAST, A
9 DISTANCE OF 29.77 FEET TO A POINT FOR CORNER;
10 SOUTH 11 DEGREES 24 MINUTES 08 SECONDS WEST, A
11 DISTANCE OF 43.39 FEET TO A POINT FOR CORNER;
12 SOUTH 34 DEGREES 31 MINUTES 44 SECONDS WEST, A
13 DISTANCE OF 97.07 FEET TO A POINT FOR CORNER;
14 SOUTH 06 DEGREES 24 MINUTES 26 SECONDS WEST, A
15 DISTANCE OF 46.36 FEET TO A POINT FOR CORNER;
16 SOUTH 29 DEGREES 55 MINUTES 06 SECONDS EAST, A
17 DISTANCE OF 44.26 FEET TO A POINT FOR CORNER;
18 SOUTH 17 DEGREES 30 MINUTES 45 SECONDS EAST, A
19 DISTANCE OF 40.07 FEET TO A POINT FOR CORNER;
20 SOUTH 03 DEGREES 17 MINUTES 08 SECONDS WEST, A
21 DISTANCE OF 39.72 FEET TO A POINT FOR CORNER;
22 SOUTH 18 DEGREES 33 MINUTES 58 SECONDS WEST, A
23 DISTANCE OF 48.81 FEET TO A POINT FOR CORNER;
24 SOUTH 27 DEGREES 47 MINUTES 44 SECONDS WEST, A
25 DISTANCE OF 40.47 FEET TO A POINT FOR CORNER;
26 SOUTH 52 DEGREES 02 MINUTES 46 SECONDS WEST, A
27 DISTANCE OF 43.72 FEET TO A POINT FOR CORNER;

1 NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A
2 DISTANCE OF 36.66 FEET TO A POINT FOR CORNER;
3 SOUTH 62 DEGREES 48 MINUTES 15 SECONDS WEST, A
4 DISTANCE OF 36.24 FEET TO A POINT FOR CORNER;
5 SOUTH 15 DEGREES 48 MINUTES 57 SECONDS EAST, A
6 DISTANCE OF 24.06 FEET TO A POINT FOR CORNER;
7 SOUTH 26 DEGREES 01 MINUTES 32 SECONDS EAST, A
8 DISTANCE OF 78.76 FEET TO A POINT FOR CORNER;
9 SOUTH 45 DEGREES 13 MINUTES 56 SECONDS EAST, A
10 DISTANCE OF 38.27 FEET TO A POINT FOR CORNER;
11 SOUTH 68 DEGREES 38 MINUTES 44 SECONDS EAST, A
12 DISTANCE OF 45.54 FEET TO A POINT FOR CORNER;
13 NORTH 62 DEGREES 56 MINUTES 56 SECONDS EAST, A
14 DISTANCE OF 35.99 FEET TO A POINT FOR CORNER;
15 NORTH 70 DEGREES 50 MINUTES 10 SECONDS EAST, A
16 DISTANCE OF 32.56 FEET TO A POINT FOR CORNER;
17 SOUTH 44 DEGREES 52 MINUTES 57 SECONDS EAST, A
18 DISTANCE OF 37.35 FEET TO A POINT FOR CORNER;
19 SOUTH 02 DEGREES 12 MINUTES 49 SECONDS EAST, A
20 DISTANCE OF 31.61 FEET TO A POINT FOR CORNER;
21 SOUTH 13 DEGREES 07 MINUTES 19 SECONDS WEST, A
22 DISTANCE OF 26.36 FEET TO A POINT FOR CORNER;
23 NORTH 79 DEGREES 24 MINUTES 48 SECONDS WEST, A
24 DISTANCE OF 33.15 FEET TO A POINT FOR CORNER;
25 SOUTH 59 DEGREES 15 MINUTES 34 SECONDS WEST, A
26 DISTANCE OF 45.76 FEET TO A POINT FOR CORNER;
27 SOUTH 66 DEGREES 13 MINUTES 34 SECONDS WEST, A

1 DISTANCE OF 52.78 FEET TO A POINT FOR CORNER;
2 SOUTH 80 DEGREES 48 MINUTES 29 SECONDS WEST, A
3 DISTANCE OF 63.78 FEET TO A POINT FOR CORNER;
4 NORTH 86 DEGREES 44 MINUTES 16 SECONDS WEST, A
5 DISTANCE OF 44.24 FEET TO A POINT FOR CORNER;
6 NORTH 73 DEGREES 30 MINUTES 55 SECONDS WEST, A
7 DISTANCE OF 52.94 FEET TO A POINT FOR CORNER;
8 NORTH 54 DEGREES 54 MINUTES 24 SECONDS WEST, A
9 DISTANCE OF 109.44 FEET TO A POINT FOR CORNER;
10 SOUTH 76 DEGREES 27 MINUTES 57 SECONDS WEST, A
11 DISTANCE OF 50.71 FEET TO A POINT FOR CORNER;
12 SOUTH 39 DEGREES 23 MINUTES 54 SECONDS WEST, A
13 DISTANCE OF 36.91 FEET TO A POINT FOR CORNER;
14 SOUTH 01 DEGREES 40 MINUTES 47 SECONDS EAST, A
15 DISTANCE OF 45.35 FEET TO A POINT FOR CORNER;
16 SOUTH 15 DEGREES 28 MINUTES 22 SECONDS EAST, A
17 DISTANCE OF 51.06 FEET TO A POINT FOR CORNER;
18 SOUTH 04 DEGREES 29 MINUTES 55 SECONDS WEST, A
19 DISTANCE OF 52.89 FEET TO A POINT FOR CORNER;
20 SOUTH 18 DEGREES 30 MINUTES 16 SECONDS WEST, A
21 DISTANCE OF 52.25 FEET TO A POINT FOR CORNER;
22 SOUTH 38 DEGREES 36 MINUTES 34 SECONDS WEST, A
23 DISTANCE OF 37.33 FEET TO A POINT FOR CORNER;
24 SOUTH 70 DEGREES 20 MINUTES 48 SECONDS WEST, A
25 DISTANCE OF 41.98 FEET TO A POINT FOR CORNER;
26 SOUTH 50 DEGREES 20 MINUTES 56 SECONDS WEST, A
27 DISTANCE OF 46.13 FEET TO A POINT FOR CORNER;

1 SOUTH 12 DEGREES 39 MINUTES 23 SECONDS WEST, A
2 DISTANCE OF 40.57 FEET TO A POINT FOR CORNER;
3 SOUTH 10 DEGREES 07 MINUTES 14 SECONDS EAST, A
4 DISTANCE OF 30.63 FEET TO A POINT FOR CORNER;
5 SOUTH 04 DEGREES 04 MINUTES 36 SECONDS WEST, A
6 DISTANCE OF 31.50 FEET TO A POINT FOR CORNER;
7 SOUTH 26 DEGREES 30 MINUTES 07 SECONDS WEST, A
8 DISTANCE OF 80.81 FEET TO A POINT FOR CORNER;
9 SOUTH 21 DEGREES 22 MINUTES 25 SECONDS EAST, A
10 DISTANCE OF 19.98 FEET TO A POINT FOR CORNER;
11 SOUTH 67 DEGREES 55 MINUTES 36 SECONDS EAST, A
12 DISTANCE OF 86.29 FEET TO A POINT FOR CORNER;
13 SOUTH 80 DEGREES 26 MINUTES 11 SECONDS EAST, A
14 DISTANCE OF 61.03 FEET TO A POINT FOR CORNER;
15 SOUTH 32 DEGREES 22 MINUTES 26 SECONDS EAST, A
16 DISTANCE OF 33.59 FEET TO A POINT FOR CORNER;
17 SOUTH 47 DEGREES 51 MINUTES 48 SECONDS WEST, A
18 DISTANCE OF 71.01 FEET TO A POINT FOR CORNER;
19 NORTH 81 DEGREES 14 MINUTES 36 SECONDS WEST, A
20 DISTANCE OF 66.86 FEET TO A POINT FOR CORNER;
21 SOUTH 86 DEGREES 10 MINUTES 14 SECONDS WEST, A
22 DISTANCE OF 52.30 FEET TO A POINT FOR CORNER;
23 SOUTH 53 DEGREES 48 MINUTES 37 SECONDS WEST, A
24 DISTANCE OF 45.72 FEET TO A POINT FOR CORNER;
25 SOUTH 14 DEGREES 33 MINUTES 01 SECONDS WEST, A
26 DISTANCE OF 51.11 FEET TO A POINT FOR CORNER;
27 SOUTH 22 DEGREES 41 MINUTES 08 SECONDS WEST, A

1 DISTANCE OF 36.54 FEET TO A POINT FOR CORNER;
2 NORTH 78 DEGREES 53 MINUTES 01 SECONDS WEST, A
3 DISTANCE OF 60.46 FEET TO A POINT FOR CORNER;
4 NORTH 56 DEGREES 40 MINUTES 28 SECONDS WEST, A
5 DISTANCE OF 43.84 FEET TO A POINT FOR CORNER;
6 NORTH 79 DEGREES 57 MINUTES 46 SECONDS WEST, A
7 DISTANCE OF 41.99 FEET TO A POINT FOR CORNER;
8 SOUTH 56 DEGREES 41 MINUTES 33 SECONDS WEST, A
9 DISTANCE OF 190.59 FEET TO A POINT FOR CORNER;
10 SOUTH 29 DEGREES 21 MINUTES 59 SECONDS WEST, A
11 DISTANCE OF 42.58 FEET TO A POINT FOR CORNER;
12 SOUTH 13 DEGREES 53 MINUTES 55 SECONDS EAST, A
13 DISTANCE OF 40.07 FEET TO A POINT FOR CORNER;
14 SOUTH 49 DEGREES 06 MINUTES 39 SECONDS EAST, A
15 DISTANCE OF 31.26 FEET TO A POINT FOR CORNER;
16 SOUTH 35 DEGREES 05 MINUTES 08 SECONDS EAST, A
17 DISTANCE OF 31.57 FEET TO A POINT FOR CORNER;
18 SOUTH 74 DEGREES 32 MINUTES 37 SECONDS EAST, A
19 DISTANCE OF 34.53 FEET TO A POINT FOR THE SOUTHEAST CORNER
20 OF AFORESAID 101.365 ACRE TRACT AND BEING ON THE NORTH
21 RIGHT-OF-WAY LINE OF F.M. 3211 (A VARIABLE WIDTH RIGHT-OF-
22 WAY);
23 THENCE, ALONG THE SOUTH LINE OF SAID 101.365 ACRE TRACT AND THE
24 COMMON NORTH RIGHT-OF-WAY LINE OF SAID F.M. 3211, THE FOLLOWING
25 COURSES AND DISTANCES:
26 SOUTH 89 DEGREES 58 MINUTES 29 SECONDS WEST, A
27 DISTANCE OF 85.16 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW

1 PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
2 SOUTH 84 DEGREES 15 MINUTES 51 SECONDS WEST, A
3 DISTANCE OF 100.50 FEET TO A 5/8 INCH IRON ROD WITH A
4 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
5 SOUTH 89 DEGREES 58 MINUTES 29 SECONDS WEST, A
6 DISTANCE OF 900.13 FEET TO A 5/8 INCH IRON ROD WITH A
7 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER
8 AND THE BEGINNING OF TANGENT CURVE TO THE LEFT HAVING A
9 CENTRAL ANGLE OF 18 DEGREES 29 MINUTES 36 SECONDS, A RADIUS
10 OF 1195.92 FEET, A CHORD BEARING OF SOUTH 80 DEGREES 43
11 MINUTES 41 SECONDS WEST, A CHORD LENGTH OF 384.33 FEET;
12 ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF
13 386.01 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC
14 CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
15 NORTH 71 DEGREES 18 MINUTES 24 SECONDS WEST, A
16 DISTANCE OF 140.73 FEET TO A 5/8 INCH IRON ROD WITH A
17 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;
18 SOUTH 32 DEGREES 55 MINUTES 09 SECONDS WEST, A
19 DISTANCE OF 30.46 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE
20 NORTHEAST CORNER OF A 319.1422 ACRE TRACT OF LAND CONVEYED
21 TO R&D AYCOCK, LTD., AS RECORDED IN VOLUME 824, PAGE 358,
22 OFFICIAL RECORDS, HUNT COUNTY, TEXAS AND BEING IN THE
23 APPROXIMATE CENTERLINE OF HUNT COUNTY ROAD NO. 2184 (A
24 VARIABLE WIDTH PRESCRIPTIVE RIGHT-OF-WAY);
25 THENCE, SOUTH 89 DEGREES 38 MINUTES 39 SECONDS WEST, ALONG THE
26 SOUTH LINE OF SAID 101.365 ACRE TRACT, A DISTANCE OF 1264.32
27 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED

1 "CARTER BURGESS" SET FOR THE SOUTHWEST CORNER OF SAID 101.365
2 ACRE TRACT AND THE SOUTHEAST CORNER OF AFORESAID 11.444 ACRE
3 TRACT;

4 THENCE, NORTH 89 DEGREES 58 MINUTES 53 SECONDS WEST, ALONG THE
5 SOUTH LINE OF SAID 11.444 ACRE TRACT, A DISTANCE OF 1561.08 FEET
6 TO THE POINT OF BEGINNING, AND CONTAINING 112.809 ACRES OF LAND,
7 MORE OR LESS.

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

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

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

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

27 ARTICLE 4. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 524

1 SECTION 4.01. Subtitle F, Title 6, Special District Local
2 Laws Code, is amended by adding Chapter 8354 to read as follows:

3 CHAPTER 8354. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 524

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8354.001. DEFINITIONS. In this chapter:

6 Sec. 8354.001. DEFINITIONS. In this chapter:

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

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

9 (3) "District" means the Harris County Municipal
10 Utility District No. 524.

11 Sec. 8354.002. NATURE OF DISTRICT. The district is a
12 municipal utility district created under Section 59, Article
13 XVI, Texas Constitution.

14 Sec. 8354.003. CONFIRMATION AND DIRECTORS' ELECTION
15 REQUIRED. The temporary directors shall hold an election to
16 confirm the creation of the district and to elect five permanent
17 directors as provided by Section 49.102, Water Code.

18 Sec. 8354.004. CONSENT OF MUNICIPALITY REQUIRED. The
19 temporary directors may not hold an election under Section
20 8354.003 until each municipality in whose corporate limits or
21 extraterritorial jurisdiction the district is located has
22 consented by ordinance or resolution to the creation of the
23 district and to the inclusion of land in the district.

24 Sec. 8354.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

25 (a) The district is created to serve a public purpose and
26 benefit.

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

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

3 (2) Section 52, Article III, Texas Constitution, that
4 relate to the construction, acquisition, or improvement of
5 macadamized, graveled, or paved roads described by Section
6 54.234, Water Code, or improvements, including storm drainage,
7 in aid of those roads.

8 Sec. 8354.006. INITIAL DISTRICT TERRITORY. (a) The
9 district is initially composed of the territory described by
10 Section 2 of the Act creating this chapter.

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

15 (1) organization, existence, or validity;

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

19 (3) right to impose a tax; or

20 (4) legality or operation.

21 [Sections 8354.007-8354.050 reserved for expansion]

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 8354.051. GOVERNING BODY; TERMS. (a) The district
24 is governed by a board of five elected directors.

25 (b) Except as provided by Section 8354.052, directors
26 serve staggered four-year terms.

27 Sec. 8354.052. TEMPORARY DIRECTORS. (a) On or after the

1 effective date of the Act creating this chapter, the owner or
2 owners of a majority of the assessed value of the real property
3 in the district may submit a petition to the Texas Commission on
4 Environmental Quality requesting that the commission appoint as
5 temporary directors the five persons named in the petition. The
6 commission shall appoint as temporary directors the five persons
7 named in the petition.

8 (b) Temporary directors serve until the earlier of:

9 (1) the date permanent directors are elected under
10 Section 8354.003; or

11 (2) the fourth anniversary of the effective date of
12 the Act creating this chapter.

13 (c) If permanent directors have not been elected under
14 Section 8354.003 and the terms of the temporary directors have
15 expired, successor temporary directors shall be appointed or
16 reappointed as provided by Subsection (d) to serve terms that
17 expire on the earlier of:

18 (1) the date permanent directors are elected under
19 Section 8354.003; or

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

22 (d) If Subsection (c) applies, the owner or owners of a
23 majority of the assessed value of the real property in the
24 district may submit a petition to the Texas Commission on
25 Environmental Quality requesting that the commission appoint as
26 successor temporary directors the five persons named in the
27 petition. The commission shall appoint as successor temporary

1 directors the five persons named in the petition.

2 [Sections 8354.053-8354.100 reserved for expansion]

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 8354.101. GENERAL POWERS AND DUTIES. The district
5 has the powers and duties necessary to accomplish the purposes
6 for which the district is created.

7 Sec. 8354.102. 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
10 Code, applicable to municipal utility districts created under
11 Section 59, Article XVI, Texas Constitution.

12 Sec. 8354.103. AUTHORITY FOR ROAD PROJECTS. (a) Under
13 Section 52, Article III, Texas Constitution, the district may
14 design, acquire, construct, finance, issue bonds for, improve,
15 and convey to this state, a county, or a municipality for
16 operation and maintenance macadamized, graveled, or paved roads
17 described by Section 54.234, Water Code, or improvements,
18 including storm drainage, in aid of those roads.

19 (b) The district may exercise the powers provided by this
20 section without submitting a petition to or obtaining approval
21 from the Texas Commission on Environmental Quality as required
22 by Section 54.234, Water Code.

23 Sec. 8354.104. APPROVAL OF ROAD PROJECT. (a) The
24 district may not undertake a road project authorized by Section
25 8354.103 unless:

26 (1) each municipality or county that will operate and
27 maintain the road has approved the plans and specifications of

1 the road project, if a municipality or county will operate and
2 maintain the road; or

3 (2) the Texas Transportation Commission has approved
4 the plans and specifications of the road project, if the state
5 will operate and maintain the road.

6 (b) Except as provided by Subsection (a), the district is
7 not required to obtain approval from the Texas Transportation
8 Commission to design, acquire, construct, finance, issue bonds
9 for, improve, or convey a road project.

10 Sec. 8354.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
11 OR RESOLUTION. The district shall comply with all applicable
12 requirements of any ordinance or resolution that is adopted
13 under Section 54.016 or 54.0165, Water Code, and that consents
14 to the creation of the district or to the inclusion of land in
15 the district.

16 Sec. 8354.106. LIMITATION ON USE OF EMINENT DOMAIN. The
17 district may not exercise the power of eminent domain outside
18 the district to acquire a site or easement for:

19 (1) a road project authorized by Section 8354.103; or
20 (2) a recreational facility as defined by Section
21 49.462, Water Code.

22 Sec. 8354.107. DIVISION OF DISTRICT. (a) The district
23 may be divided into two or more new districts only if the
24 district:

25 (1) has no outstanding bonded debt; and
26 (2) is not imposing ad valorem taxes.

27 (b) This chapter applies to any new district created by

1 the division of the district, and a new district has all the
2 powers and duties of the district.

3 (c) Any new district created by the division of the
4 district may not, at the time the new district is created,
5 contain any land outside the area described by Section 2 of the
6 Act creating this chapter.

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

11 (e) The board may adopt an order dividing the district
12 before or after the date the board holds an election under
13 Section 8354.003 to confirm the district's creation.

14 (f) An order dividing the district:

15 (1) shall:

16 (A) name each new district;

17 (B) include the metes and bounds of each new
18 district;

19 (C) appoint temporary directors for each new
20 district, or provide that the owner or owners of a majority of
21 the assessed value of the real property in each new district may
22 submit a petition to the Texas Commission on Environmental
23 Quality requesting that the commission appoint as temporary
24 directors the five persons named in the petition; and

25 (D) provide for the division of assets and
26 liabilities between or among the new districts; and

27 (2) is subject to a confirmation election in each new

1 district.

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

7 (h) Any new district created by the division of the
8 district shall hold a confirmation and directors' election as
9 required by Section 8354.003. The results of that election must
10 be filed as required by Sections 49.102(e) and (f), Water Code.
11 If the voters of a new district do not confirm the creation of
12 the new district, the assets, liabilities, territory, and
13 governance of the new district revert to the original district.

14 (i) Municipal consent to the creation of the district and
15 to the inclusion of land in the district granted under Section
16 8354.004 acts as municipal consent to the creation of any new
17 district created by the division of the district and to the
18 inclusion of land in the new district.

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

24 Sec. 8354.108. FIREFIGHTING AND EMERGENCY MEDICAL
25 SERVICES. Subchapter L, Chapter 49, Water Code, applies to the
26 district.

27 [Sections 8354.109-8354.150 reserved for expansion]

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 8354.151. ELECTIONS REGARDING TAXES OR BONDS. (a)

3 The district may issue, without an election, bonds and other
4 obligations secured by:

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

6 (2) contract payments described by Section 8354.153.

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

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

15 Sec. 8354.152. OPERATION AND MAINTENANCE TAX. (a) If

16 authorized at an election held under Section 8354.151, the
17 district may impose an operation and maintenance tax on taxable
18 property in the district in accordance with Section 49.107,
19 Water Code.

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

22 Sec. 8354.153. CONTRACT TAXES. (a) In accordance with

23 Section 49.108, Water Code, the district may impose a tax other
24 than an operation and maintenance tax and use the revenue
25 derived from the tax to make payments under a contract after the
26 provisions of the contract have been approved by a majority of
27 the district voters voting at an election held for that purpose.

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

4 [Sections 8354.154-8354.200 reserved for expansion]

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 8354.201. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or
10 any combination of those sources, to pay for any authorized
11 district purpose.

12 Sec. 8354.202. TAXES FOR BONDS. At the time the district
13 issues bonds payable wholly or partly from ad valorem taxes, the
14 board shall provide for the annual imposition of a continuing
15 direct ad valorem tax, without limit as to rate or amount, while
16 all or part of the bonds are outstanding as required and in the
17 manner provided by Sections 54.601 and 54.602, Water Code.

18 Sec. 8354.203. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other
20 obligations issued or incurred to finance road projects and
21 payable from ad valorem taxes may not exceed one-fourth of the
22 assessed value of the real property in the district.

23 SECTION 4.02. The Harris County Municipal Utility District
24 No. 524 initially includes all the territory contained in the
25 following area: 990.804 acres in 5 non-contiguous tracts out of
26 Sections 9, 10, 15, and 16 of Harris County School Land Survey,
27 Abstract No 332, recorded in Vol 17, Pg 222 of the Deed Records

1 of Harris County, Texas and including within Tracts 1, 2, 3, and
2 4 an unnamed 66 foot roadway as shown on the plat of said Harris
3 County School Land being granted by Commissioners Award recorded
4 in Vol 7448, Pg 181, HCDR; said roadway does not exist
5 physically on the ground: (All bearings used herein are based on
6 Highway Right-of-Way Maps provided by the Texas Department of
7 Transportation)

8 Tract 1

9 A tract or parcel of land containing 255.572 acres (11,132,730
10 square feet) out of Lots 9, 10, 15, and 16 of Section 9 and
11 Lots 1, 2, 7, & 8 of Section 16 of said Harris County School
12 Land Survey, Abstract No 332, Harris County, Texas; said 255.572
13 acres being that same tract of land called 257.230 acres
14 described by deed recorded in HCCF No M577056 ("Tract 1",
15 therein) and conveyed to Delta Troy Interests, Ltd by deed
16 recorded in X381657 and more particularly described by metes and
17 bounds as follows:

18 COMMENCING at a State Department of Highways and Public
19 Transportation Horizontal Control Monument located in the
20 southerly right-of-way line of U.S. 290, 160.00 feet at right
21 angles from the centerline, across from Engineers Station
22 109+27.74;

23 THENCE along said southerly right-of-way line, clockwise,
24 following the arc of a 1855.86 foot radius curve-to-the-right,
25 subtending a central angle of 03 degrees 20 min 18 seconds,
26 through an arc length of 108.13 feet (chord bearing of South 66
27 degrees 23 minutes 38 seconds East, 108.12 feet) to a 5/8 inch

1 iron rod found marking the POINT OF BEGINNING and most northerly
2 Northeast corner of the herein described tract, same being the
3 East corner of that called 12.4147 acre tract of land conveyed
4 to Peter S. Terpstra, Trustee by deed recorded in HCCF No
5 20060246633;

6 THENCE continuing along said right-of-way line and said curve,
7 subtending a central angle of 06 degrees 36 minutes 09 seconds,
8 through an arc length of 213.86 feet (chord bearing of South 61
9 degrees 25 minutes 25 seconds East, 213.74 feet) to a 5/8 inch
10 iron rod set marking the end of said curve; said point being
11 located in the southerly right-of-way line of U.S. 290, 202.32
12 feet at right angles from the centerline, across from Engineers
13 Station 112+46.53;

14 THENCE continuing along said right-of-line line, following the
15 arc of a 1963.86 foot radius curve-to-the-left (radius point of
16 said curve falls along a bearing of North 31 degrees 52 minutes
17 42 seconds East), subtending a central angle of 12 degrees 31
18 minutes 54 seconds, through an arc length of 429.54 feet (chord
19 bearing of South 64 degrees 23 minutes 15 seconds East, 428.68
20 feet) to a 5/8 inch iron rod set marking a point-of-tangency in
21 the southerly right-of-way line; said point-of-tangency being
22 located in the southerly right-of-way line of U.S. 290, 249.10
23 feet at right angles from the centerline, across from Engineers
24 Station 116+72.65;

25 THENCE South 70 degrees 39 minutes 12 seconds East, along said
26 right-of-way line, a distance of 382.15 feet to a 5/8 inch iron
27 rod set marking the Northerly end of cut-back corner at the

1 southwest corner of the intersection of said U.S. 290 and
2 Binford Road; said corner being located in the southerly right-
3 of-way line of U.S. 290, 249.10 feet at right angles from the
4 centerline, across from Engineers Station 120+54.80;
5 THENCE South 30 degrees 37 minutes 41 seconds East, along said
6 cut-back, a distance of 95.73 feet to a 5/8 inch iron rod set
7 marking the Southerly end of said cut-back and the most Easterly
8 Northeast corner of the herein described tract; said corner
9 being located in the southerly right-of-way line of U.S. 290,
10 310.37 feet at right angles from the centerline, across from
11 Engineers Station 121+28.11;
12 THENCE South 09 degrees 03 minutes 59 seconds East, along the
13 westerly right-of-way of said Binford Road (right-of-way varies
14 at this point), a distance of 452.04 feet to a 5/8 inch iron rod
15 set marking an angle point in said right-of-way line; a 1 inch
16 iron pipe found bears South 03 degrees 41 minutes 58 seconds
17 East, 35.93 feet from said angle point;
18 THENCE South 02 degrees 39 minutes 08 seconds East, along the
19 westerly right-of-way line of said Binford Road (66' right-of-
20 way) and crossing Lots 9 and 16 of said Section 9 and Lots 1 and
21 8 of Section 16, a distance of 3953.90 feet (call: 3954.35 feet)
22 to a 5/8 inch iron rod set marking the Southeast corner of the
23 herein described tract, same being the Northwest corner of the
24 intersection of U.S. 290 (old)/State Highway 6 (aka Hempstead
25 Highway) and said Binford Road; a 5/8 inch iron rod found bears
26 North 68 degrees 08 minutes 01 seconds West, 4.54 feet from said
27 corner;

1 THENCE North 68 degrees 08 minutes 01 seconds West, along the
2 Northerly right-of-way line of said U.S. 290 (old)/State Highway
3 6 (aka Hempstead Highway) and crossing Lots 8, 7, and 2 of said
4 Section 16, a distance of 2899.51 feet (call: 2897.66 feet) to a
5 5/8 inch iron set marking the Southwest corner of the herein
6 described tract, same being the Southeast corner of that called
7 30.213 acre tract of land conveyed to Michael L. Perry and Edna
8 A. Perry by deed recorded in HCCF No U717338; a 5/8 inch iron
9 rod found bears South 02 degrees 24 minutes 55 seconds East,
10 7.01 feet from said corner;

11 THENCE North 02 degrees 24 minutes 55 seconds West, along the
12 Easterly line of said 30.213 acres, same being the Westerly line
13 of Lot 2 of said Section 16 and of Lots 15, 10, and 7 of said
14 Section 9, and with the Easterly line of that called 70.801 acre
15 tract conveyed to A.J. Foyt, Jr. by deed recorded in HCCF No
16 U071611 and that called 11.15 acre tract conveyed to L.J.
17 Hakemack and wife, Ney Hakemack, by deed recorded in HCCF No
18 P056681, a distance of 3736.61 feet (call: 3753.11 feet) to a
19 point for corner at the Northwest corner of the herein described
20 tract, same being the Southwest corner of the aforesaid 12.4147
21 acre Terpstra Tract;

22 THENCE North 87 degrees 11 minutes 26 seconds East, along the
23 Southerly line of said 12.4147 acre tract, a distance of 1612.53
24 feet (call: 1623.36 feet) to the Point of Beginning and
25 containing 255.572 Acres (11,132,730 square feet) of land.

26 Tract 2

27 A tract or parcel of land containing 440.146 acres (19,172,762

1 square feet) out of Lots 11-15 of Section 10 and Lots 1-12, 15,
2 & 16 of Section 15 of said Harris County School Land Survey,
3 Abstract No 332, Harris County, Texas; said 440.146 acres out of
4 that same tract of land called 451.6392 acres described by deed
5 recorded in HCCF No M577056 ("Tract 2-A", therein) and conveyed
6 to Delta Troy Interests, Ltd by deed recorded in X381657 and
7 more particularly described by metes and bounds as follows:

8 COMMENCING at a State Department of Highways and Public
9 Transportation Horizontal Control Monument located in the
10 southerly right-of-way line of U.S. 290, 160.00 feet at right
11 angles from the centerline, across from Engineers Station
12 109+27.74;

13 THENCE South 70 degrees 39 minutes 12 seconds East, a distance
14 of 1690.16 feet to a point-of-curvature in the former southerly
15 right-of-way line of said U.S. 290; said point-of-curvature
16 being located 160.00 feet at right angles from the centerline,
17 across from Engineers Station 126+17.90;

18 THENCE along said former southerly right-of-way line, clockwise,
19 following the arc of a 7479.44 foot radius curve-to-the-right
20 (radius point of said curve falls along a bearing of South 19
21 degrees 20 minutes 48 seconds West), subtending a central angle
22 of 03 degrees 05 min 32 seconds, through an arc length of 403.66
23 feet (chord bearing of South 69 degrees 06 minutes 26 seconds
24 East, 403.61 feet) to a 5/8 inch iron rod set in the current
25 Southerly right-of-way line of said U.S. 290 marking the POINT
26 OF BEGINNING and the most Easterly Northwest corner of the
27 herein described tract; said point being located 160.00 feet at

1 right angles from the centerline, across from Engineers Station
2 130+30.21;
3 THENCE continuing along said right-of-way line and said curve,
4 subtending a central angle of 13 degrees 42 minutes 56 seconds,
5 through an arc length of 1790.44 feet (chord bearing of South 60
6 degrees 42 minutes 12 seconds East, 1786.17 feet) to a 5/8 inch
7 iron rod set marking a point-of-tangency in said right-of-way
8 line; said point being located in the southerly right-of-way
9 line of U.S. 290, 160.00 feet at right angles from the
10 centerline, across from Engineers Station 148+59.00;
11 THENCE South 53 degrees 50 minutes 44 seconds East, along said
12 right-of-way line, a distance of 2795.16 feet (call: 2793.73
13 feet - TxDOT) to a 5/8 inch iron rod found marking a point-of-
14 curvature in said right-of-way line;
15 THENCE along said southerly right-of-way line, clockwise,
16 following the arc of a 532.96 foot radius curve-to-the-right,
17 subtending a central angle of 51 degrees 31 min 30 seconds
18 (call: 51 degrees 32 minutes 51 seconds - TxDOT), through an arc
19 length of 478.76 feet (call: 479.28 feet - TxDOT) (chord bearing
20 of South 28 degrees 04 minutes 59 seconds East, 463.29 feet) to
21 a 5/8 inch iron rod found marking a point-of-tangency in said
22 southerly right-of-way line;
23 THENCE South 02 degrees 19 minutes 14 seconds East (call: South
24 02 degrees 17 minutes 53 seconds East - TxDOT), along said
25 southerly right-of-way line, a distance of 187.88 feet (call:
26 188.32 feet - TxDOT) to a 5/8 inch iron rod found marking a
27 point-of-curvature in said southerly right-of-way line;

1 THENCE counter-clockwise continuing along said right-of-way line
2 and a 612.96 foot radius curve-to-the-left, subtending a central
3 angle of 24 degrees 29 minutes 23 seconds (call: 24 degrees 34
4 minutes 06 seconds), through an arc length of 261.99 feet (call:
5 262.84 feet) (chord bearing of South 14 degrees 33 minutes 56
6 seconds East, 260.00 feet) to a 5/8 inch iron rod set for
7 corner, same being the most Northerly corner of that called
8 1.939 acre tract of land conveyed to the State of Texas as a
9 Drainage Easement for Highway Purposes by deed recorded in HCCF
10 No R450176 out of that called 30 acre residue of that called
11 920.21 acre Schindler "First Tract" as described by deed
12 recorded in Vol 2187, Pg 525, HCDR;

13 THENCE South 63 degrees 11 minutes 23 seconds West (call: South
14 63 degrees 08 minutes 01 seconds West), along the northwesterly
15 line of said 1.939 acre tract, a distance of 620.23 feet (call:
16 620.08 feet) to a 5/8 inch iron rod set at the northwesterly
17 corner of said 1.939 acre tract;

18 THENCE South 02 degrees 19 minutes 14 seconds East (call: South
19 02 degrees 17 minutes 53 seconds East), along the westerly line
20 of said 1.939 acre tract, passing at a distance of 1102.28 feet
21 (call: 1100.29 feet) a 1/2 inch iron rod found marking the
22 Southwest corner of said 1.939 acre and 30 acre tract and the
23 Northwest corner of that called 10.298 acre tract conveyed to
24 MRJ Wood Products by deed recorded in HCCF No U232228,
25 continuing along the westerly line of said 10.298 acre tract, a
26 total distance of 1502.28 feet (call: 1500.29 feet) to a 5/8
27 inch iron rod set for corner, same being the southwest corner of

1 said 10.298 acre tract;

2 THENCE North 87 degrees 40 minutes 46 seconds East (call: North
3 87 degrees 42 minutes 07 seconds East), along the southerly line
4 of said 10.298 acre tract, a distance of 1121.41 feet to a 5/8
5 inch iron rod set in the Westerly right-of-way line of Kickapoo
6 Road marking the most Northerly Southeast corner of the herein
7 described tract, same being the southeasterly corner of said
8 10.298 acre tract;

9 THENCE South 02 degrees 19 minutes 14 seconds East (call: South
10 02 degrees 17 minutes 53 seconds East), along the Westerly
11 right-of-way line of said Kickapoo Road, a distance of 939.31
12 feet (call: 938.70 feet) to a 1 inch iron pipe found for corner,
13 same being the Northeast corner of that called 2.401 acre tract
14 conveyed to Leaman Building Materials by deed recorded in HCCF
15 No X159580 ("Tract One");

16 THENCE North 68 degrees 08 minutes 01 seconds West, along the
17 northerly line of said 2.401 acre tract, a distance of 597.94
18 feet (call: 600.00') to a 5/8 inch iron rod set for corner, same
19 being the Northwest corner of said 2.401 acre tract;

20 THENCE South 02 degrees 19 minutes 14 seconds East, along the
21 westerly line of said 2.401 acre tract and that called 1.804
22 acre tract also conveyed to said Leaman Building Materials in
23 said HCCF No X159580 ("Tract Two"), a distance of 362.42 feet
24 (call: 363.00 feet) to a 5/8 inch iron rod set in the northerly
25 right-of-way line of U.S. 290 (old)/State Highway 6 (aka
26 Hempstead Highway) marking the most Southerly Southeast corner
27 of the herein described tract; a 1 inch iron rod found bears

1 South 02 degrees 19 minutes 14 seconds East, 2.33 feet from said
2 property corner; a 2 inch iron rod found marking the Northeast
3 corner of the intersection of said Kickapoo Road and said U.S.
4 290 (old)/State Highway 6 (aka Hempstead Highway) bears South 68
5 degrees 08 minutes 01 seconds East, 670.29 feet from said
6 property corner;

7 THENCE North 68 degrees 08 minutes 01 seconds West, along the
8 northerly right-of-way line of said U.S. 290 (old)/State Highway
9 6 (aka Hempstead Highway), a distance of 5170.99 feet (call:
10 5167.61 feet) to a 5/8 inch iron rod set marking the Southwest
11 corner of the herein described tract, same being the Northeast
12 corner of the intersection of Binford Road and said U.S. 290
13 (old)/State Highway 6 (aka Hempstead Highway); a 5/8 inch iron
14 rod set marking the Northwest corner of said intersection bears
15 North 68 degrees 08 minutes 01 seconds West, 72.54 feet from
16 which a 5/8 inch iron rod found bears North 68 degrees 08
17 minutes 01 seconds West, 4.54 feet;

18 THENCE North 02 degrees 39 minutes 08 seconds West, along the
19 Easterly right-of-way of said Binford Road (66' right-of-way), a
20 distance of 3983.74 feet (call: 3984.16 feet) to a 5/8 inch iron
21 rod set marking an angle point in said Easterly right-of-way
22 line;

23 THENCE North 03 degrees 59 minutes 00 seconds East, continuing
24 along the Easterly right-of-way of said Binford Road (right-of-
25 way varies at this point), a distance of 370.66 feet to a 5/8
26 inch iron rod set marking the Southerly end of cut-back corner
27 at the southeast corner of the intersection of the aforesaid

1 U.S. 290 (new) and said Binford Road; said corner being located
2 in the southerly right-of-way line of U.S. 290, 326.25 feet at
3 right angles from the centerline, across from Engineers Station
4 123+06.25;

5 THENCE North 56 degrees 39 minutes 54 seconds East, along said
6 cut-back, a distance of 97.00 feet to a 5/8 inch iron rod set
7 marking the most Northerly Northwest corner of the herein
8 described tract; said corner being located in the southerly
9 right-of-way line of U.S. 290, 249.10 feet at right angles from
10 the centerline, across from Engineers Station 123+65.05;

11 THENCE South 70 degrees 39 minutes 12 seconds East, along said
12 right-of-way line, a distance of 107.61 feet to a 5/8 inch iron
13 rod set marking a point-of-curvature in said right-of-way line;
14 said point-of-curvature being located in the southerly right-of-
15 way line of U.S. 290, 249.10 feet at right angles from the
16 centerline, across from Engineers Station 124+72.67;

17 THENCE continuing along said right-of-line line, counter-
18 clockwise, following the arc of a 1963.86 foot radius curve-to-
19 the-left (radius point of said curve falls along a bearing of
20 North 19 degrees 20 minutes 48 seconds East), subtending a
21 central angle of 16 degrees 13 minutes 27 seconds, through an
22 arc length of 556.10 feet (chord bearing of South 78 degrees 45
23 minutes 56 seconds East, 554.24 feet) to the POINT OF BEGINNING
24 and containing 440.146 acres (19,172,762 square feet) of land.

25 Tract 3

26 A tract or parcel of land containing 10.536 acres (458,955
27 square feet) out of Lot 1 of Section 15 of said Harris County

1 School Land Survey, Abstract No 332, Harris County, Texas; said
2 10.536 acres being that same tract of land called 10.5483 acres
3 described by deed recorded in HCCF No M577056 ("Tract 3",
4 therein) and conveyed to Delta Troy Interests, Ltd by deed
5 recorded in X381657 and more particularly described by metes and
6 bounds as follows:

7 BEGINNING at a 1/2 inch iron rod found marking the Northwest
8 corner of the intersection of the northerly right-of-way line of
9 U.S. 290 and the westerly right-of-way line of Kickapoo Road
10 (66' right-of-way), same being the Southeast corner of the
11 herein described tract;

12 THENCE North 87 degrees 42 minutes 07 seconds West, along the
13 northerly right-of-way line of said U.S. 290, a distance of
14 468.34 feet to a 5/8 inch iron rod set marking a point-of-
15 curvature in said northerly right-of-way line; a 3/8 inch iron
16 rod found bears South 56 degrees 27 minutes 32 seconds East,
17 2.03 feet from said point-of-curvature;

18 THENCE clockwise along said northerly right-of-way line and
19 following a 532.96 foot radius curve-to-the-right, subtending a
20 central angle of 38 degrees 27 minutes 09 seconds, through an
21 arc length of 357.68 feet (chord bearing of North 73 degrees 04
22 minutes 18 seconds West, 351.01 feet) to a 5/8 inch iron rod set
23 marking a point-of-tangency in said northerly right-of-way line;
24 said point-of-tangency being located in the northerly right-of-
25 way line of U.S. 290, 160.00 feet at right angles from the
26 centerline, across from Engineers Station 174+17.41;

27 THENCE North 53 degrees 50 minutes 44 seconds West, along said

1 northerly right-of-way line, a distance of 595.14 feet (call:
2 596.40 feet) to a 5/8 inch iron rod set marking the Northwest
3 corner of the herein described tract in the common line of Lot
4 16 of Section 10 and said Lot 1 of Section 15;
5 THENCE North 87 degrees 57 minutes 51 seconds East, along said
6 common line, same being the centerline of the aforesaid unnamed
7 66' roadway, a distance of 1266.25 feet (call: 1266.84 feet) to
8 a 5/8 inch iron rod set in the westerly right-of-way line of
9 said Kickapoo Road marking the Northeast corner of the herein
10 described tract; a 1 inch iron pipe found marking the Southeast
11 corner of the called 78.9245 acre Schindler tract bears North 02
12 degrees 15 minutes 05 seconds West, 33.00 feet for reference;
13 THENCE South 02 degrees 15 minutes 05 seconds East, along the
14 westerly right-of-way line of said Kickapoo Road, a distance of
15 479.89 feet (call: 480.13 feet) to the POINT OF BEGINNING and
16 containing 10.536 acres (458,955 square feet) of land.

17 Tract 4

18 A tract or parcel of land containing 283.558 acres (12,351,801
19 square feet) out of Lots 1, 2, 3, 6-11, 15, & 16 of Section 10
20 of said Harris County School Land Survey, Abstract No 332,
21 Harris County, Texas; said 283.558 acres being out of that tract
22 of land called 393.3575 acres described by deed recorded in HCCF
23 No M577056 ("Tract 4-A", therein) and conveyed to Delta Troy
24 Interests, Ltd by deed recorded in X381657 and more particularly
25 described by metes and bounds as follows:

26 BEGINNING at a 5/8 inch iron rod set marking the Northeast
27 corner of the herein described tract, same being the southwest

1 corner of the intersection of Kickapoo Road and said FM 2920
2 (aka Waller-Tomball Road); a 1 inch iron pipe found bears South
3 02 degrees 15 minutes 05 seconds East, 0.99 foot from said
4 property corner;
5 THENCE South 02 degrees 15 minutes 05 seconds East (call: South
6 02 degrees 17 minutes 53 seconds East), along the westerly
7 right-of-way line of said Kickapoo Road (66' right-of-way), a
8 distance of 2592.60 feet (HCCF No M798918; call: 2593.01 feet-
9 HCCF No M577056) to a 5/8 inch iron rod set marking the most
10 northerly Southeast corner of the herein described tract, same
11 being in the common line of Lots 8 and 9 of said Section 10 and
12 being the Northeast corner of that called 78.9245 acre Schindler
13 tract of land described in HCCF No M798918 and that called
14 23.6773 acre tract out of same conveyed to Michael McDonald and
15 wife, Kimela McDonald, by deed recorded in HCCF No X611580; a
16 5/8 inch iron rod found bears North 87 degrees 33 minutes 33
17 seconds East, 2.99 feet from said corner;
18 Thence South 87 degrees 33 minutes 33 seconds West, along the
19 common line of said Lots 8 and 9, same being the northerly line
20 of said 78.9245 acre Schindler tract, a distance of 1316.56 feet
21 (call: 1316.44 feet - HCCF No M798918) to a 1 inch iron pipe
22 found for corner, same being the common corner of Lots 7, 8, 9,
23 and 10 of said Section 10 and the Northwest corner of said
24 78.9245 acre Schindler tract; a capped iron rod found bears
25 North 41 degrees 57 minutes 18 seconds East, 12.64 feet from
26 said corner;
27 THENCE South 02 degrees 31 minutes 48 seconds East, along the

1 common line of Lots 9, 10, 15, and 16 of said Section 10, same
2 being the westerly line of said 78.9245 acre Schindler tract,
3 passing at a distance of 2618.58 feet (call: 2617.89 feet- HCCF
4 No M798918) a 1 inch iron pipe found marking the most Southwest
5 corner of said 78.9245 acre Schindler tract, same being in the
6 northerly line of the aforesaid unnamed 66' roadway, continuing
7 a total distance of 2621.94 feet (call: 2631.01 feet) to a 5/8
8 inch iron rod set in the northerly right-of-way line of the
9 aforesaid U.S. 290 marking the most southerly Southeast corner
10 of the herein described tract;

11 THENCE North 53 degrees 50 minutes 44 seconds West, along the
12 northerly right-of-way line of said U.S. 290, a distance of
13 1915.33 feet (call: 1917.64 feet) to a 5/8 inch iron rod set
14 marking a point-of-curvature in the northerly right-of-way line
15 of U.S. 290, 160.00 feet at right angles from the centerline,
16 across from Engineers Station 148+59.00;

17 THENCE along said northerly right-of-way line, counter-
18 clockwise, following the arc of a 7799.44 foot radius curve-to-
19 the-left, subtending a central angle of 04 degrees 50 min 53
20 seconds, through an arc length of 659.96 feet (chord bearing of
21 North 55 degrees 16 minutes 11 seconds West, 659.76 feet) to the
22 Southwest corner of the herein described tract, same being the
23 Southeast corner of that called 107.6370 acre tract conveyed to
24 Peter S. Terpstra by deed recorded in HCCF No 20070033123; a 3/8
25 inch iron rod found bears South 79 degrees 56 minutes 25 seconds
26 West, 0.88 foot from said corner;

27 THENCE North 02 degrees 18 minutes 00 seconds West, crossing

1 Lots 11, 6, and 3 of said Section 10 and along the easterly line
2 of said 107.6370 acre tract, a distance of 3638.55 feet (call:
3 3639.80 feet) to a 5/8 inch iron rod set in the southerly right-
4 of-way line of FM 2920 (aka Waller-Tomball Road - 100' right-of-
5 way) marking the Northwest corner of the herein described tract,
6 same being the Northeast corner of said 107.6370 acres; 5/8 inch
7 iron rods found marking the northeast and northwest corners of a
8 10'x20' SWBT easement dedicated by instrument recorded in HCCF
9 No H844991 bear South 87 degrees 42 minutes 00 seconds West,
10 along said southerly right-of-way line at 379.81 feet and 399.81
11 feet, respectively, from said property corner;
12 THENCE North 87 degrees 42 minutes 00 seconds East, along said
13 southerly right-of-way line, passing at 2940.90 feet a 5/8 inch
14 iron rod found marking the northeast corner of a 20'x20' SWBT
15 easement dedicated by instrument recorded in HCCF No H844992,
16 continuing a total distance of 3341.68 feet (call: 3335.99 feet)
17 to the POINT OF BEGINNING and containing 283.558 acres
18 (12,351,801 square feet) of land.

19 Tract 5

20 Being 0.992 acre (43,220 square feet) out of Lot 1, Section 9 of
21 Harris County School Land Survey, Abstract No 332 and being that
22 called 1 acre conveyed to Leon Schindler and R.G. Schindler by
23 deed recorded in Volume 2187, Page 525 of the Deed Records of
24 Harris County, Texas; said 0.992 acre fronting 208.00 feet on
25 Binford Road and being surrounded on three sides by that called
26 127.96 acre tract conveyed to Peter S. Terpstra, Trustee, by
27 deed recorded in HCCF Nos 20060246634 & 20060246637; said 0.992

1 acre also being that same tract of land called 1 acre conveyed
2 to Leon Schindler and R.G. Schindler by deed recorded in Vol
3 2187, Pg 525, HCDR ("Fourth Tract", therein) and called 0.9922
4 acre as described by deed recorded in HCCF No M577056 ("Tract
5 5", therein) and conveyed to Delta Troy Interests, Ltd by deed
6 recorded in X381657 and more particularly described by metes and
7 bounds as follows:

8 COMMENCING at a 5/8 inch iron rod found marking the Southerly
9 end of cut-back corner at the northwest corner of the
10 intersection of the aforesaid U.S. 290 (new) and Binford Road;
11 said corner being located in the northerly right-of-way line of
12 U.S. 290, 248.90 feet at right angles from the centerline,
13 across from Engineers Station 118+23.58;

14 THENCE North 56 degrees 39 minutes 54 seconds East, along said
15 cut-back, a distance of 97.00 feet to a point in the westerly
16 right-of-way line of said Binford Road at the Northerly end of
17 said cut-back;

18 THENCE North 03 degrees 59 minutes 00 seconds East, along the
19 westerly right-of-way line of said Binford Road (right-of-way
20 varies at this point), a distance of 370.87 feet to a 5/8 inch
21 iron rod found marking an angle point in said westerly right-of-
22 way line;

23 THENCE North 02 degrees 42 minutes 01 seconds West, along the
24 westerly right-of-way line of said Binford Road (66' right-of-
25 way), a distance of 1690.50 feet to a 1 inch iron pipe found
26 marking the POINT OF BEGINNING and southeast corner of the
27 herein described tract;

1 THENCE South 89 degrees 52 minutes 54 seconds West, crossing
2 said Lot 1 of Section 9, a distance of 208.00 feet to a 5/8 inch
3 iron rod set marking the southwest corner of the herein
4 described tract; a 5/8 inch iron rod found bears North 14
5 degrees 12 minutes 39 seconds East, 2.36 feet from said corner;
6 THENCE North 02 degrees 42 seconds 01 seconds West (call: North
7 02 degrees 41 seconds 16 seconds West, crossing said Lot 1 of
8 Section 9, a distance of 208.00 feet to a 5/8 inch iron rod set
9 marking the northwest corner of the herein described tract;
10 THENCE North 89 degrees 52 minutes 54 seconds East, crossing
11 said Lot 1 of Section 9, a distance of 208.00 feet to a 1 inch
12 iron pipe found in the westerly right-of-way line of said
13 Binford Road (66' right-of-way) marking the northeast corner of
14 the herein described tract;

15 THENCE South 02 degrees 42 minutes 01 seconds East (call:
16 South 02 degrees 41 minutes 16 seconds East, along the westerly
17 right-of-way line of said Binford Road, a distance of 208.00
18 feet to the POINT OF BEGINNING and containing 0.992 acre (43,220
19 square feet) of land.

20 SECTION 4.03. (a) The legal notice of the intention to
21 introduce this article, setting forth the general substance of
22 this article of this Act, has been published as provided by law,
23 and the notice and a copy of this article have been furnished to
24 all persons, agencies, officials, or entities to which they are
25 required to be furnished under Section 59, Article XVI, Texas
26 Constitution, and Chapter 313, Government Code.

27 (b) The governor, one of the required recipients, has

1 submitted the notice and article to the Texas Commission on
2 Environmental Quality.

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

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

11 ARTICLE 5. HARRIS-GALVESTON SUBSIDENCE DISTRICT AND FORT BEND

12 SUBSIDENCE DISTRICT

13 SECTION 5.01. Sections 8801.204(a) and (c), Special
14 District Local Laws Code, are amended to read as follows:

15 (a) If it appears that a person has violated or is
16 violating or threatening to violate this chapter or a rule,
17 permit, or other order of the district issued or adopted under
18 this chapter, the district may institute an action in a district
19 court in the district for:

20 (1) injunctive relief to restrain the person from
21 continuing the violation or threat of violation;

22 (2) the assessment and recovery of a civil penalty
23 of:

24 (A) not less than \$50 and not more than \$5,000
25 for each violation and for each day of a continuing violation,
26 if the person is not a political subdivision or an agency of a
27 political subdivision; or

1 (B) if the person is a political subdivision or
2 an agency of a political subdivision, an amount equal to the
3 greater of:

4 (i) 120 percent of the sum of the fees
5 assessed against the person and the amount the person would have
6 paid to an alternative water supplier; or

7 (ii) \$5,000 for each violation and for each
8 day of a continuing violation; or

9 (3) both injunctive relief and civil penalties.

10 (c) At the request of the board, or the general manager if
11 authorized by the board, the attorney general shall institute
12 and conduct an action against any person in the name of the
13 district for injunctive relief or to recover a civil penalty, or
14 both.

15 SECTION 5.02. Sections 43(a) and (b), Chapter 1045, Acts
16 of the 71st Legislature, Regular Session, 1989, are amended to
17 read as follows:

18 (a) If a person has violated, is violating, or is
19 threatening to violate a provision of this Act or a rule,
20 regulation, permit, or other order of the district, the district
21 may bring a civil action in a district court within the district
22 for:

23 (1) an injunction to restrain the person from
24 continuing the violation or the threat of violation;

25 (2) the assessment and recovery of [~~7~~ for] a civil
26 penalty of:

27 (A) not less than \$50 nor more than \$5,000 for

1 each violation and for each day of violation, if the person is
2 not a political subdivision or an agency of a political
3 subdivision; or

4 (B) if the person is a political subdivision or
5 an agency of a political subdivision, an amount equal to the
6 greater of:

7 (i) 120 percent of the sum of the fees
8 assessed against the person and the amount the person would have
9 paid to an alternative water supplier; or

10 (ii) \$5,000 for each violation and for each
11 day of a continuing violation; or

12 (3) [~~for~~] both injunctive relief and civil penalty.

13 (b) At the request of the board, or the general manager if
14 authorized by the board, the attorney general shall institute
15 and conduct an [the] action against any person in the name of
16 the district for injunctive relief or to recover a civil
17 penalty, or both. However, the district in its sole discretion
18 may employ attorneys of its choice to institute the action.

19 ARTICLE 6. PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

20 SECTION 6.01. The purpose of Chapter 8855, Special
21 District Local Laws Code, as added by this article, is to
22 establish the powers and authority of a certain district to be
23 created in a part of this state that under Chapter 35, Water
24 Code, the Texas Commission on Environmental Quality has
25 designated a priority groundwater management area.

26 SECTION 6.02. Subtitle H, Title 6, Special District Local
27 Laws Code, is amended by adding Chapter 8855 to read as follows:

1 CHAPTER 8855. PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 8855.001. DEFINITIONS. In this chapter:

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

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

7 (3) "District" means the Prairielands Groundwater
8 Conservation District.

9 Sec. 8855.002. NATURE OF DISTRICT; FINDINGS. (a) The
10 district is a groundwater conservation district initially
11 composed of Ellis, Hill, Johnson, and Somervell Counties created
12 under and essential to accomplish the purposes of Section 59,
13 Article XVI, Texas Constitution.

14 (b) The district is created to serve a public use and
15 benefit.

16 (c) All of the land and other property included within the
17 boundaries of the district will be benefited by the works and
18 projects that are to be accomplished by the district under
19 powers conferred by this chapter and by Chapter 36, Water Code.

20 (d) Any fees imposed by the district under this chapter
21 are necessary to pay for the costs of accomplishing the purposes
22 of the district, including the conservation and management of
23 groundwater resources, as provided by this chapter and Section
24 59, Article XVI, Texas Constitution.

25 Sec. 8855.003. DISTRICT TERRITORY. The initial boundaries
26 of the district are coextensive with the boundaries of Ellis,
27 Hill, Johnson, and Somervell Counties.

1 Sec. 8855.004. APPLICABILITY OF OTHER GROUNDWATER
2 CONSERVATION DISTRICT LAW. Except as otherwise provided by this
3 chapter, Chapter 36, Water Code, applies to the district.

4 Sec. 8855.005. CONSTRUCTION OF CHAPTER. This chapter
5 shall be liberally construed to achieve the purposes expressed
6 by this chapter and Chapter 36, Water Code. A power granted by
7 this chapter or Chapter 36, Water Code, shall be broadly
8 interpreted to achieve that intent and those purposes.

9 [Sections 8855.006-8855.020 reserved for expansion]

10 SUBCHAPTER B. INITIAL ORGANIZATION

11 Sec. 8855.021. APPOINTMENT OF INITIAL DIRECTORS. (a) The
12 district is governed by a board of eight initial directors
13 appointed as provided by Section 8855.051(a).

14 (b) Initial directors shall be appointed not later than
15 the 90th day after the effective date of the Act enacting this
16 chapter. If after the 90th day fewer than eight initial
17 directors have been appointed, each unfilled initial director
18 position shall be considered a vacancy and filled by the
19 remaining initial directors.

20 (c) Except as provided under Subsection (b) for failure to
21 appoint an initial director, if a vacancy occurs on the board in
22 a position for which an initial director has previously been
23 appointed, the appointing county commissioners court for the
24 vacant position shall appoint a person to fill the vacancy in a
25 manner that meets the representational requirements of Section
26 8855.051.

27 (d) To be eligible to serve as an initial director, a

1 person must be a registered voter in the appointing county.

2 (e) Each initial director must qualify to serve as a
3 director under Section 36.055, Water Code.

4 Sec. 8855.022. ORGANIZATIONAL MEETING OF INITIAL
5 DIRECTORS. As soon as practicable after all the initial
6 directors have qualified under Section 36.055, Water Code, a
7 majority of the initial directors shall convene the
8 organizational meeting of the district at a location in the
9 district agreeable to a majority of the directors. If an
10 agreement on location cannot be reached, the organizational
11 meeting shall be held at a suitable location on the Hill College
12 campus in Cleburne, Johnson County, Texas.

13 Sec. 8855.023. INITIAL TERMS. (a) The two initial
14 directors appointed from each county shall draw lots to
15 determine which director serves an initial term expiring August
16 31, 2011, and which director serves an initial term expiring
17 August 31, 2013.

18 (b) Each successor director shall be appointed and shall
19 serve in accordance with Subchapter C.

20 [Sections 8855.024-8855.050 reserved for expansion]

21 SUBCHAPTER C. BOARD OF DIRECTORS

22 Sec. 8855.051. GOVERNING BODY; TERMS. (a) Except as
23 provided by Subchapter D, the district is governed by a board of
24 eight directors appointed as follows:

25 (1) two directors appointed by the Ellis County
26 Commissioners Court;

27 (2) two directors appointed by the Hill County

1 Commissioners Court;

2 (3) two directors appointed by the Johnson County
3 Commissioners Court; and

4 (4) two directors appointed by the Somervell County
5 Commissioners Court.

6 (b) Directors serve staggered four-year terms, with the
7 term of one director from each of the four counties expiring on
8 August 31 of each odd-numbered year.

9 (c) A director may serve multiple consecutive terms.

10 Sec. 8855.052. DIRECTOR ELIGIBILITY; QUALIFICATION.

11 (a) To be eligible to serve as a director, a person must be a
12 registered voter in the appointing county.

13 (b) Each director must qualify to serve under Section
14 36.055, Water Code.

15 Sec. 8855.053. VACANCIES. If a vacancy occurs on the
16 board, the appointing county commissioners court for the vacant
17 position shall appoint a person to fill the vacancy. Section
18 36.051(c), Water Code, does not apply to the district.

19 Sec. 8855.054. COMPENSATION; REIMBURSEMENT.

20 (a) Notwithstanding Sections 36.060(a) and (d), Water Code, a
21 director may not receive compensation for performing the duties
22 of director.

23 (b) A director is entitled to reimbursement of actual
24 expenses reasonably and necessarily incurred while engaging in
25 activities on behalf of the district.

26 [Sections 8855.055-8855.070 reserved for expansion]

27 SUBCHAPTER D. DISTRICT EXPANSION

1 Sec. 8855.071. EXPANSION OF DISTRICT BOUNDARIES.

2 (a) After the effective date of the Act enacting this chapter,
3 the district territory described in Section 8855.003 shall be
4 expanded to include all of the territory in Navarro County, and
5 the governing board described by Section 8855.051(a) shall be
6 expanded to 10 members and include two directors appointed by
7 the Navarro County Commissioners Court, if:

8 (1) pursuant to Chapter 35, Water Code, the Texas
9 Commission on Environmental Quality designates all or any
10 portion of the territory in Navarro County as a priority
11 groundwater management area; and

12 (2) following the designation described by
13 Subdivision (1), the commissioners court of Navarro County:

14 (A) adopts a resolution that states, "By this
15 action of the Navarro County Commissioners Court, all of the
16 territory in Navarro County, Texas, shall, as of the date of
17 this resolution, be included in the boundaries of the
18 Prairielands Groundwater Conservation District"; and

19 (B) appoints two directors who are registered to
20 vote in Navarro County to the board.

21 (b) A person appointed under this section must qualify to
22 serve under Section 36.055, Water Code.

23 (c) At the first regular meeting of the board following
24 the qualification of both directors, the two directors appointed
25 under this section shall draw lots to determine which director
26 serves a term expiring August 31 of the first odd-numbered year
27 after the directors' appointment, and which director serves a

1 term expiring August 31 of the next odd-numbered year.

2 (d) A director appointed under this section shall
3 otherwise serve in accordance with Subchapter C.

4 [Sections 8855.072-8855.100 reserved for expansion]

5 SUBCHAPTER E. POWERS AND DUTIES

6 Sec. 8855.101. GROUNDWATER CONSERVATION DISTRICT POWERS
7 AND DUTIES. Except as provided by this chapter, the district
8 has the powers and duties provided by the general law of this
9 state applicable to groundwater conservation districts created
10 under Section 59, Article XVI, Texas Constitution, including
11 Chapter 36, Water Code.

12 Sec. 8855.102. CONTRACTS. The district may enter into a
13 contract with any person, public or private, for any purpose
14 authorized by law.

15 Sec. 8855.103. APPLICABILITY OF DISTRICT REGULATIONS.
16 Groundwater regulation under this chapter applies to all persons
17 except as exempted from permitting under Section 36.117, Water
18 Code, or this chapter.

19 Sec. 8855.104. WELL SPACING RULES; EXEMPTIONS. (a)
20 Except as provided by Subsection (b), the district shall exempt
21 from the well spacing requirements adopted by the district any
22 well that is completed on or before the effective date of those
23 requirements.

24 (b) The district may provide by rule that a well may lose
25 its exemption under this section if the well is modified in a
26 manner that substantially increases the capacity of the well
27 after the effective date of the well spacing requirements

1 adopted by the district.

2 (c) Except as provided by this section and notwithstanding
3 Section 8855.103, the district may require a well or class of
4 wells exempt from permitting under Chapter 36, Water Code, to
5 comply with the well spacing requirements adopted by the
6 district. The district shall apply well spacing requirements
7 uniformly to any well or class of wells based on the size or
8 capacity of the well and without regard to the type of use of
9 the groundwater produced by the well.

10 Sec. 8855.105. REGISTRATION AND REPORTING REQUIREMENTS FOR
11 CERTAIN EXEMPT WELLS. The district may adopt rules that require
12 the owner or operator of a well or class of wells exempt from
13 permitting under Section 36.117, Water Code, to register the
14 well with the district and, except for a well exempt from
15 permitting under Section 36.117(b)(1), to report groundwater
16 withdrawals from the well using reasonable and appropriate
17 reporting methods and frequency.

18 Sec. 8855.106. ENFORCEMENT. (a) The district may enforce
19 this chapter against any person in the manner provided by
20 Chapter 36, Water Code. In lieu of a remedy available to the
21 district under Section 36.102, Water Code, or in addition to
22 those remedies, the district may impose a fee in addition to a
23 fee assessed under Section 8855.152 on a person producing
24 groundwater in violation of a district order or rule, including
25 the failure or refusal to comply with any district order or rule
26 relating to reducing or ceasing groundwater use. The purpose of
27 a fee authorized by this subsection is to serve as a

1 disincentive to producing groundwater except as authorized by
2 the district.

3 (b) A fee imposed under Subsection (a) may not exceed an
4 amount equal to 10 times the amount of a fee assessed under
5 Section 8855.152.

6 [Sections 8855.107-8855.150 reserved for expansion]

7 SUBCHAPTER F. GENERAL FINANCIAL PROVISIONS

8 Sec. 8855.151. TAXES PROHIBITED. The district may not
9 impose a tax. Sections 36.020(a) and 36.201-36.204, Water Code,
10 do not apply to the district.

11 Sec. 8855.152. DISTRICT REVENUES. (a) The district by
12 rule, resolution, or order may establish, amend, pledge,
13 encumber, spend the proceeds from, and assess to any person
14 production fees, based on the amount of groundwater authorized
15 by permit to be withdrawn from a well or on the amount of water
16 actually withdrawn, to enable the district to fulfill its
17 purposes and regulatory functions as provided by this chapter.
18 The district may use revenue generated by fees it assesses for
19 any lawful purpose.

20 (b) Notwithstanding any provision of general law to the
21 contrary, a fee authorized by Subsection (a) may not exceed:

22 (1) \$1 per acre-foot annually for groundwater used
23 for agricultural purposes; or

24 (2) 30 cents per thousand gallons annually for
25 groundwater used for nonagricultural purposes.

26 (c) Notwithstanding any provision of general law or this
27 chapter to the contrary, if any, the district may assess a

1 production fee under this section for groundwater produced from
2 a well or class of wells exempt from permitting under Section
3 36.117, Water Code, except for a well exempt from permitting
4 under Section 36.117(b)(1). A production fee assessed by the
5 district under this subsection must be based on the amount of
6 groundwater actually withdrawn from the well and may not exceed
7 the amount established by the district for permitted uses under
8 Subsection (b)(2) of this section.

9 (d) Notwithstanding Section 36.1071(f), Water Code, the
10 district by rule, resolution, or order before the adoption of
11 its management plan may:

12 (1) establish, assess, and enforce the collection of
13 production fees under this section; and

14 (2) establish and enforce metering and reporting
15 requirements, except for a well exempt from permitting under
16 Section 36.117(b)(1), Water Code.

17 (e) The district by rule may establish a temporary or
18 permanent discounted fee rate for persons who prepay production
19 fees to the district under this section on or before the dates
20 established by district rule.

21 SECTION 6.03. (a) The legal notice of the intention to
22 introduce this article of this Act, setting forth the general
23 substance of this article, has been published as provided by
24 law, and the notice and a copy of this article have been
25 furnished to all persons, agencies, officials, or entities to
26 which they are required to be furnished under Section 59,
27 Article XVI, Texas Constitution, and Chapter 313, Government

1 Code.

2 (b) The governor has submitted the notice and this article
3 to the Texas Commission on Environmental Quality.

4 (c) The Texas Commission on Environmental Quality has
5 filed its recommendations relating to this article with the
6 governor, lieutenant governor, and 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
10 respect to the notice, introduction, and passage of this article
11 are fulfilled and accomplished.

12 ARTICLE 7. CALHOUN COUNTY GROUNDWATER CONSERVATION DISTRICT

13 SECTION 7.01. Subtitle H, Title 6, Special District Local
14 Laws Code, is amended by adding Chapter 8860 to read as follows:

15 CHAPTER 8860. CALHOUN COUNTY GROUNDWATER

16 CONSERVATION DISTRICT

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 8860.001. DEFINITIONS. In this chapter:

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

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

22 (3) "District" means the Calhoun County Groundwater
23 Conservation District.

24 Sec. 8860.002. NATURE OF DISTRICT. The district is a
25 groundwater conservation district in Calhoun County created
26 under and essential to accomplish the purposes of Section 59,
27 Article XVI, Texas Constitution.

1 Sec. 8860.003. CONFIRMATION ELECTION REQUIRED. If the
2 creation of the district is not confirmed at a confirmation
3 election held under Section 8860.022 before December 31, 2014:

4 (1) the district is dissolved December 31, 2014,
5 except that:

6 (A) any debts incurred shall be paid;

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

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

12 (2) this chapter expires September 1, 2016.

13 Sec. 8860.004. LEGISLATIVE FINDINGS. (a) The organization
14 of the district is feasible and practicable.

15 (b) All land in and residents of the district will benefit
16 from the creation of the district.

17 (c) The creation of the district is a public necessity and
18 will provide a public benefit.

19 Sec. 8860.005. INITIAL DISTRICT TERRITORY. The initial
20 boundaries of the district are coextensive with the boundaries
21 of Calhoun County.

22 Sec. 8860.006. CONFLICTS OF LAW. This chapter prevails
23 over any provision of general law, including a provision of
24 Chapter 36, Water Code, that is in conflict or is inconsistent
25 with this chapter.

26 [Sections 8860.007-8860.020 reserved for expansion]

27 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1 Sec. 8860.021. APPOINTMENT OF TEMPORARY DIRECTORS. (a)

2 Not later than September 11, 2009, the Calhoun County
3 Commissioners Court shall appoint five temporary directors as
4 follows:

5 (1) one temporary director from each of the four
6 commissioners precincts in the county to represent the precincts
7 in which the temporary directors reside; and

8 (2) one temporary director who resides in the
9 district to represent the district at large.

10 (b) To be qualified to serve as a temporary director, a
11 person must be a resident of Calhoun County who is at least 18
12 years of age.

13 (c) If a temporary director fails to qualify for office or
14 a vacancy occurs on the temporary board, the remaining temporary
15 directors shall appoint a qualified person to fill the vacancy.
16 If at any time there are fewer than three qualified temporary
17 directors, the Calhoun County Commissioners Court shall appoint
18 the necessary number of persons to fill all vacancies on the
19 board.

20 (d) The temporary directors shall select from among
21 themselves a president, a vice president, and a secretary.

22 (e) Temporary directors serve until the earlier of:

23 (1) the date the creation of the district is
24 confirmed at an election held under Section 8860.022; or

25 (2) September 1, 2013.

26 (f) If the creation of the district has not been confirmed
27 under Section 8860.022 and the terms of the temporary directors

1 have expired, successor temporary directors shall be appointed
2 in the manner provided by Subsection (a) to serve terms that
3 expire on the earliest of:

4 (1) the date the district's creation is confirmed at
5 an election held under Section 8860.022;

6 (2) the date the requirements of Section 8860.003(1)
7 are fulfilled; or

8 (3) September 1, 2016.

9 Sec. 8860.022. CONFIRMATION ELECTION. (a) Not later than
10 October 1, 2009, the temporary directors shall meet and shall
11 order an election to be held in the district not later than
12 September 1, 2010, to confirm the creation of the district.

13 (b) The ballot for the election shall be printed to
14 provide for voting for or against the proposition: "The creation
15 of the Calhoun County Groundwater Conservation District and the
16 imposition of a fee to pay the maintenance and operating costs
17 of the district."

18 (c) The temporary board may include other propositions on
19 the ballot that the board considers necessary.

20 (d) Section 41.001(a), Election Code, does not apply to an
21 election held under this section.

22 (e) If a majority of the votes cast at the election are in
23 favor of confirming the district's creation, the temporary
24 directors shall declare the district created. If a majority of
25 the votes cast are not in favor of confirming the district's
26 creation, the district's creation is not confirmed. The
27 temporary directors shall file a copy of the election results

1 with the Texas Commission on Environmental Quality.

2 (f) If the district's creation is not confirmed at an
3 election held under this section, the temporary directors may
4 order one or more subsequent elections to be held to confirm the
5 creation of the district not earlier than the first anniversary
6 of the preceding confirmation election. If the district's
7 creation is not confirmed at an election held under this section
8 on or before December 31, 2014, the district is dissolved in
9 accordance with Section 8860.003.

10 Sec. 8860.023. INITIAL DIRECTORS. (a) If the creation of
11 the district is confirmed at an election held under Section
12 8860.022, the temporary directors take office as initial
13 directors of the district, and:

14 (1) the directors for precincts 1 and 3 serve terms
15 that expire on the date of the first regular meeting of the
16 board after the first regularly scheduled directors' election
17 held under Section 8860.024; and

18 (2) the directors for precincts 2 and 4 and the
19 director serving at large serve terms that expire on the date of
20 the first regular meeting of the board after the second
21 regularly scheduled directors' election.

22 (b) If for any reason a director elected at the first or
23 second regularly scheduled election of directors is not
24 qualified to take office at the first regular meeting of the
25 board following the elected director's election, the initial
26 director for that position shall continue to serve until a
27 successor qualifies.

1 Sec. 8860.024. FIRST ELECTION OF PERMANENT DIRECTORS. On
2 the uniform election date prescribed by Section 41.001, Election
3 Code, in November of the first even-numbered year after the year
4 in which the district is authorized to be created at a
5 confirmation election, an election shall be held in the district
6 for the election of two directors for precincts 1 and 3.

7 Sec. 8860.025. EXPIRATION OF SUBCHAPTER. This subchapter
8 expires December 1, 2016.

9 [Sections 8860.026-8860.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8860.051. DIRECTORS; TERMS. (a) The district is
12 governed by a board of five elected directors.

13 (b) Except for the temporary and initial directors,
14 directors serve staggered terms of four years, with two or three
15 directors' terms expiring on the date of the first regular
16 meeting of the board after an election of directors under
17 Section 8860.053.

18 (c) If a vacancy occurs in the office of director, the
19 board shall appoint a person to fill the vacancy until the next
20 regularly scheduled election of directors. If the position is
21 not scheduled to be filled at the election, the person elected
22 shall serve only for the remainder of the unexpired term.

23 (d) Notwithstanding Section 36.060, Water Code, a director
24 is not entitled to receive compensation for performing the
25 duties of a director.

26 (e) The board may authorize a director to receive
27 reimbursement for the director's reasonable expenses incurred

1 while engaging in activities on behalf of the district.

2 Sec. 8860.052. METHOD OF ELECTING DIRECTORS: COMMISSIONERS
3 PRECINCTS. (a) The directors of the district shall be elected
4 according to the commissioners precinct method as provided by
5 this section.

6 (b) One director shall be elected by the voters of the
7 entire district, and one director shall be elected from each
8 county commissioners precinct by the voters of that precinct.

9 (c) Except as provided by Subsection (e), to be eligible
10 to be a candidate for or to serve as director at large, a person
11 must be a registered voter in the district. To be a candidate
12 for or to serve as director from a county commissioners
13 precinct, a person must be a registered voter of that precinct.

14 (d) A person shall indicate on the application for a place
15 on the ballot:

16 (1) the precinct that the person seeks to represent;
17 or

18 (2) that the person seeks to represent the district
19 at large.

20 (e) When the boundaries of the county commissioners
21 precincts are redrawn after each federal decennial census to
22 reflect population changes, a director in office on the
23 effective date of the change, or a director elected or appointed
24 before the effective date of the change whose term of office
25 begins on or after the effective date of the change, shall serve
26 in the precinct to which elected or appointed even though the
27 change in boundaries places the person's residence outside the

1 precinct for which the person was elected or appointed.

2 Sec. 8860.053. ELECTION DATE. The district shall hold an
3 election to elect the appropriate number of directors on the
4 uniform election date prescribed by Section 41.001, Election
5 Code, in November of each even-numbered year.

6 [Sections 8860.054-8860.100 reserved for expansion]

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8860.101. GENERAL POWERS AND DUTIES. Except as
9 otherwise provided by this chapter, the district has all of the
10 rights, powers, privileges, functions, and duties provided by
11 the general law of this state, including Chapter 36, Water Code,
12 applicable to groundwater conservation districts created under
13 Section 59, Article XVI, Texas Constitution.

14 Sec. 8860.102. CERTAIN PERMIT DENIALS PROHIBITED. The
15 district may not deny the owner of a tract of land, or the
16 owner's lessee, who does not have a well equipped to produce
17 more than 25,000 gallons each day on the tract, either a permit
18 to drill a well on the tract or the privilege to produce
19 groundwater from the tract, subject to district rules.

20 Sec. 8860.103. MITIGATION ASSISTANCE. In addition to the
21 authority granted by Chapter 36, Water Code, the district may
22 assist in the mediation between landowners regarding the loss of
23 existing groundwater supply of exempt domestic and livestock
24 users due to the groundwater pumping of others.

25 Sec. 8860.104. PROHIBITION ON DISTRICT USE OF EMINENT
26 DOMAIN POWER. The district may not exercise the power of eminent
27 domain.

1 [Sections 8860.105-8860.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8860.151. FEES. (a) The board by rule may impose a
4 reasonable fee on each well for which a permit is issued by the
5 district and that is not exempt from regulation by the district.

6 The fee may be based on:

7 (1) the size of column pipe used by the well; or

8 (2) the actual, authorized, or anticipated amount of
9 water to be withdrawn from the well.

10 (b) In addition to a fee imposed under Subsection (a), the
11 district may impose a reasonable fee or surcharge for an export
12 fee using one of the following methods:

13 (1) a fee negotiated between the district and the
14 transporter; or

15 (2) a combined production and export fee.

16 (c) Fees authorized by this section may be assessed
17 annually and may be used to fund the cost of district
18 operations.

19 Sec. 8860.152. TAXES PROHIBITED. The district may not
20 impose a tax and does not have the authority granted by Sections
21 36.020 and 36.201-36.204, Water Code, relating to taxes.

22 SECTION 7.02. (a) The legal notice of the intention to
23 introduce this article of this Act, setting forth the general
24 substance of this article, has been published as provided by
25 law, and the notice and a copy of this article have been
26 furnished to all persons, agencies, officials, or entities to
27 which they are required to be furnished under Section 59,

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

3 (b) The governor has submitted the notice and this article
4 of this Act to the Texas Commission on Environmental Quality.

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

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

13 ARTICLE 8. COMAL COUNTY WATER CONTROL AND IMPROVEMENT

14 DISTRICT NO. 5

15 SECTION 8.01. Subtitle I, Title 6, Special District Local
16 Laws Code, is amended by adding Chapter 9036 to read as follows:

17 CHAPTER 9036. COMAL COUNTY WATER CONTROL AND IMPROVEMENT

18 DISTRICT NO. 5

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 9036.001. 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 Comal County Water Control
24 and Improvement District No. 5.

25 Sec. 9036.002. NATURE OF DISTRICT. The district is a
26 water control and improvement district created under Section 59,
27 Article XVI, Texas Constitution.

1 Sec. 9036.003. CONFIRMATION AND DIRECTORS' ELECTION
2 REQUIRED. The temporary directors shall hold an election to
3 confirm the creation of the district and to elect five permanent
4 directors as provided by Section 49.102, Water Code.

5 Sec. 9036.004. CONSENT REQUIRED. (a) The temporary
6 directors may not hold an election under Section 9036.003 until:

7 (1) each municipality in whose corporate limits or
8 extraterritorial jurisdiction the district is located has
9 consented by ordinance or resolution to the creation of the
10 district and to the inclusion of land in the district;

11 (2) each municipality in whose extraterritorial
12 jurisdiction the district is located has:

13 (A) approved and entered into a strategic
14 partnership agreement with the district under Section 43.0751,
15 Local Government Code; and

16 (B) approved and entered into a development
17 agreement with the owners of land in the district under Section
18 212.172, Local Government Code;

19 (3) an agreement that addresses the provision of
20 water and wastewater treatment to the land in the district has
21 been approved and entered into by:

22 (A) each municipality in whose extraterritorial
23 jurisdiction the district is located;

24 (B) the commissioners court of each county in
25 which the district is located;

26 (C) a retail or wholesale provider of water and
27 wastewater treatment; and

1 (D) the owners of land in the district;

2 (4) the commissioners court of each county in which
3 the district is located has issued an order making the findings
4 under Sections 51.021(a)(1), (2), (3), and (4), Water Code; and

5 (5) the commissioners court of each county in which
6 the district is located has approved and entered into an
7 agreement with the district that must include, but is not
8 limited to, provisions relating to the use of county right-of-
9 way, the district's exercise of the power of eminent domain
10 outside the boundaries of the district, drainage serving the
11 land in the district, platting of land in the district, and the
12 provision of water and wastewater treatment to the land in the
13 district.

14 (b) A municipality that contains district territory in its
15 corporate limits or extraterritorial jurisdiction may include in
16 its consent to the creation of the district any restriction on
17 or condition to the consent, including a limitation on the
18 powers of the district otherwise granted by this chapter.

19 (c) Sections 51.022 through 51.025, Water Code, do not
20 apply to the district or the order of the county under
21 Subsection (a)(4).

22 Sec. 9036.005. EXTRATERRITORIAL STATUS. All of the land
23 included in the district, as approved by the City of Bulverde
24 for inclusion in the district, is included in the
25 extraterritorial jurisdiction of the City of Bulverde on
26 adoption of the resolution or ordinance consenting to the
27 creation of the district by the governing body of the City of

1 Bulverde.

2 Sec. 9036.006. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

3 (a) The district is created to serve a public purpose and
4 benefit.

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

6 (1) a water control and improvement district as
7 provided by general law and Section 59, Article XVI, Texas
8 Constitution, as limited by this chapter, including the disposal
9 of waste and control of storm water; and

10 (2) Section 52, Article III, Texas Constitution, as
11 limited by this chapter, that relate to the construction,
12 acquisition, improvement, operation, or maintenance of
13 macadamized, graveled, or paved roads, or improvements,
14 including storm drainage, in aid of those roads.

15 Sec. 9036.007. INITIAL DISTRICT TERRITORY. (a) The
16 district is initially composed of the territory described by
17 Section 2 of the Act creating this chapter.

18 (b) The boundaries and field notes contained in Section 2
19 of the Act creating this chapter form a closure. A mistake made
20 in the field notes or in copying the field notes in the
21 legislative process does not affect the district's:

22 (1) organization, existence, or validity;

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

26 (3) right to impose a tax; or

27 (4) legality or operation.

1 [Sections 9036.008-9036.050 reserved for expansion]

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 9036.051. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 9036.052, directors
6 serve staggered four-year terms.

7 Sec. 9036.052. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Robert W. Fischer;

10 (2) John Genovese;

11 (3) Scot Giese;

12 (4) Gary Rauser; and

13 (5) James N. Young.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 9036.003; or

17 (2) the fourth anniversary of the effective date of
18 the Act creating this chapter.

19 (c) If permanent directors have not been elected under
20 Section 9036.003 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 9036.003; or

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

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

8 [Sections 9036.053-9036.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 9036.101. GENERAL POWERS AND DUTIES. The district
11 has the powers and duties, as limited by this chapter, necessary
12 to accomplish the purposes for which the district is created.

13 Sec. 9036.102. WATER CONTROL AND IMPROVEMENT DISTRICT
14 POWERS AND DUTIES. The district has the powers and duties
15 provided by the general law of this state, including Chapters 49
16 and 51, Water Code, applicable to water control and improvement
17 districts created under Section 59, Article XVI, Texas
18 Constitution, including the powers and duties that relate to the
19 disposal of waste and control of storm water under Section
20 51.331, Water Code, as limited by this chapter.

21 Sec. 9036.103. AUTHORITY FOR ROAD PROJECTS. Under Section
22 52, Article III, Texas Constitution, as limited by this chapter,
23 the district may design, acquire, construct, finance, issue
24 bonds for, improve, operate, maintain, and convey to this state,
25 a county, or a municipality for operation and maintenance
26 macadamized, graveled, or paved roads, or improvements,
27 including storm drainage, in aid of those roads.

1 Sec. 9036.104. APPROVAL OF ROAD PROJECT. (a) The

2 district may not undertake a road project authorized by Section
3 9036.103 unless:

4 (1) the proposed road project complies with
5 applicable municipal or county subdivision ordinances or
6 regulations; or

7 (2) the Texas Transportation Commission has approved
8 the plans and specifications of the road project, if the state
9 will operate and maintain the road.

10 (b) Except as provided by Subsection (a), the district is
11 not required to obtain approval from the Texas Transportation
12 Commission to design, acquire, construct, finance, issue bonds
13 for, improve, or convey a road project.

14 Sec. 9036.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
15 OR RESOLUTION. The district shall comply with all applicable
16 requirements of any ordinance or resolution that is adopted
17 under Section 42.042 or 42.0425, Local Government Code, and that
18 consents to the creation of the district or to the inclusion of
19 land in the district.

20 Sec. 9036.106. LIMITATION ON USE OF EMINENT DOMAIN. (a)
21 The district shall not exercise the power of eminent domain
22 outside the district to acquire a site or easement for:

23 (1) a road project authorized by Section 9036.103; or

24 (2) a recreational facility as defined by Section
25 49.462, Water Code.

26 (b) The district shall not exercise the power of eminent
27 domain outside the boundaries of the district for any purpose

1 unless the proposed exercise is approved by a written resolution
2 of the commissioners court of each county in which the district
3 is located.

4 Sec. 9036.107. WATER AND WASTEWATER INFRASTRUCTURE. The
5 district may not construct any water or wastewater improvement
6 unless the plans and specifications for the improvement have
7 been approved by Comal County, the City of Bulverde, and any
8 wholesale provider of water or wastewater treatment to the
9 district.

10 [Sections 9036.108-9036.150 reserved for expansion]

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Sec. 9036.151. ELECTIONS REGARDING TAXES OR BONDS. (a)
13 The district may issue, without an election, bonds and other
14 obligations secured by:

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

16 (2) contract payments described by Section 9036.153.

17 (b) The district must hold an election in the manner
18 provided by Chapters 49 and 51, Water Code, to obtain voter
19 approval before the district may impose an ad valorem tax or
20 issue bonds payable from ad valorem taxes.

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

25 Sec. 9036.152. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized at an election held under Section 9036.151, the
27 district may impose an operation and maintenance tax on taxable

1 property in the district in accordance with Section 49.107,
2 Water Code.

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

5 Sec. 9036.153. CONTRACT TAXES. (a) In accordance with
6 Section 49.108, Water Code, the district may impose a tax other
7 than an operation and maintenance tax and use the revenue
8 derived from the tax to make payments under a contract after the
9 provisions of the contract have been approved by a majority of
10 the district voters voting at an election held for that purpose.

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

14 [Sections 9036.154-9036.200 reserved for expansion]

15 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

16 Sec. 9036.201. AUTHORITY TO ISSUE BONDS AND OTHER
17 OBLIGATIONS. The district may issue bonds or other obligations
18 payable wholly or partly from ad valorem taxes, impact fees,
19 revenue, contract payments, grants, or other district money, or
20 any combination of those sources, to pay for any authorized
21 district purpose.

22 Sec. 9036.202. TAXES FOR BONDS. At the time the district
23 issues bonds payable wholly or partly from ad valorem taxes, the
24 board shall provide for the annual imposition of a continuing
25 direct ad valorem tax, without limit as to rate or amount, while
26 all or part of the bonds are outstanding as required and in the
27 manner provided by Section 51.433, Water Code.

1 Sec. 9036.203. BONDS FOR ROAD PROJECTS. At the time of
2 issuance, the total principal amount of bonds or other
3 obligations issued or incurred to finance road projects and
4 payable from ad valorem taxes may not exceed one-fourth of the
5 assessed value of the real property in the district.

6 SECTION 8.02. The Comal County Water Control and
7 Improvement District No. 5 initially includes all the territory
8 contained in the following area:

9 PART 1:

10 TRACT 1A:

11 A 5.128 acre tract of land out of Lot 2 of the Erna
12 Subdivision recorded in Volume 13, Page 137 of the Map and Plat
13 Records of Comal County, Texas, out of that 5.911 acre tract of
14 land conveyed to Travis Arthur Weidner in General Warranty Deed
15 recorded in Document # 200506007503 of the Official Records of
16 Comal County, Texas, out of the Agapito Gaytan Survey No. 194,
17 Abstract No. 174, in the City of Bulverde, Comal County, Texas.
18 Said 5.128 acre tract being more fully described as follows with
19 bearings being based on the North American Datum of 1983 (CORS
20 1996), from the Texas State Plane Coordinate System established
21 for the South Central Zone, and the west right-of-way line of
22 U.S. Highway 281:

23 COMMENCING: At a point for the southeast corner of said Lot
24 2, the south corner of Lot 104 of Saddleridge Subdivision Unit 1
25 recorded in Volume 13, Pages 42-48 of the Map and Plat Records
26 of Comal County, Texas, on the west right-of-way line of U.S.
27 Highway 281, a variable width right-of-way at this point;

1 THENCE: N 55°59'38" W, along and with the southwest line of
2 said Lot 104 and Lot 94 of said Saddleridge Subdivision, a
3 northeast line of said Lot 2, a distance of 319.40 feet to the
4 POINT OF BEGINNING of the herein described tract, a point on the
5 northwest line of the City Limits of Bulverde;

6 S 70°48'13" W, departing the southwest line of said
7 Lot 94, over and across said Lot 2, a distance of 497.49 feet to
8 a point on the north line of a 10.00 acre tract recorded in
9 Document Number 9806013846 of the Official Records of Comal
10 County, Texas, a south line of said Lot 2;

11 THENCE: N 86°10'47" W, along and with the north line of
12 said 10.00 acre tract, a south line of said Lot 2, a distance of
13 194.76 feet to a point for an angle;

14 THENCE: S 88°26'59"W, along and with the north line of said
15 10.00 acre tract, the south line of said Lot 2, a distance of
16 60.09 feet to a point, the southwest corner of said Lot 2, the
17 southeast corner of Lot 101 of said Saddleridge Subdivision Unit
18 1;

19 THENCE: N 05°46'24"E, departing the line of said 10.00 acre
20 tract, and along and with the west line of said Lot 2 and the
21 east line of said Lot 101 a distance of 503.26 feet to a point,
22 the northwest corner of said Lot 2, the northeast corner of Lot
23 101, an angle in the south line of Lot 95 of said Saddleridge
24 Subdivision Unit 1;

25 THENCE: S 76°13'48"E, along and with the south line of said
26 Lot 95, and with the north line of said Lot 2, a distance of
27 139.91 feet to a point for an angle;

1 THENCE: S 72°01'55"E, along and with the south line of said
2 Lot 95 and the north line of said Lot 2, a distance of 183.51
3 feet to the southeast corner of said Lot 95, the southwest
4 western corner of Lot 94 of said Saddleridge Subdivision Unit 1;

5 THENCE: S 51°16'22"E, along and with the southwest line of
6 said Lot 94 and the north line of said Lot 2, a distance of
7 136.67 feet to a point for an angle;

8 THENCE: S 55°59'38" E, along and with the southwest line of
9 said Lot 94 and the north line of said Lot 2, a distance of
10 309.44 feet to the POINT OF BEGINNING and containing 5.128 acres
11 in Comal County, Texas.

12 TRACT 1B:

13 A 10.922 acre tract of land being a portion of Bulverde
14 Commercial Subdivision recorded in Volume 13, Page 1 of the Map
15 and Plat Records of Comal County, Texas, and a portion of the
16 Bulverde Commercial Subdivision, Unit 2 recorded in Volume 13,
17 Page 57 of the Map and Plat Records of Comal County, also being
18 out of the Agapito Gayton Survey Number 194, Abstract Number
19 174, Comal County, Texas. Said 10.922 acre tract being more
20 fully described as follows, with bearings based on the plats of
21 said subdivisions.

22 COMMENCING: At a point on the south right-of-way line of
23 F.M. 1863, a variable width right-of-way, at the north corner of
24 said Bulverde Commercial Subdivision, the northwest corner of
25 the said Bulverde Commercial Subdivision Unit 2, at the cutback
26 to the east right-of-way line of U.S. 281, a variable width
27 right-of-way;

1 THENCE: S 83°58'18"E, along and with the south right-of-way
2 line of said F.M. 1863, the north line of said Bulverde
3 Commercial Subdivision Unit 2, a distance of 352.79 feet to a
4 point, for the northwest corner of a 45.81 acre tract of land
5 being the remainder of that Save & Except 50.00 acre tract
6 conveyed to Cibolo Valley Ranch, LTD in Correction Special
7 Warranty Deed recorded in Document 200006010170 of the Official
8 Records of Comal County, Texas;

9 THENCE: S 00°07'13" E, along and with said Bulverde
10 Commercial Subdivision Unit 2, the west line of said 45.81 acre
11 tract, a distance of 402.70 feet to a point on the south line of
12 the City Limits of Bulverde line, the POINT OF BEGINNING;

13 THENCE: S 00°07'13" E, continuing along and with said
14 Bulverde Commercial Subdivision Unit 2, the west line of said
15 45.81 acre tract, a distance of 36.13 feet to a point for the
16 southeast corner of said Bulverde Commercial Subdivision Unit 2
17 a re-entrant corner of said 45.81 acre tract;

18 THENCE: S 69°12'48" W, along and with the south line of
19 said Bulverde Commercial Subdivision Unit 2, a north line of
20 said 45.81 acre tract a distance of 374.53 feet to a point for
21 the southwest corner of said Bulverde Commercial Subdivision
22 Unit 2, the northwest corner of said 45.81 acre tract, a point
23 on the east line of said Bulverde Commercial Subdivision;

24 THENCE: S 00°07'12" E, along and with the east line of said
25 Bulverde Commercial Subdivision, the west line of said 45.81
26 acre tract a distance of 734.07 feet to a point for the
27 southeast corner of said Bulverde Commercial Subdivision, the

1 north corner of a 92.37 acre tract recorded in Volume 739, Page
2 202 of the Deed Records of Comal County, Texas;

3 THENCE: S 77°53'26" W, departing the west line of said
4 45.81 acre tract, the north line of said 92.37 acre tract a
5 distance of 644.66 feet to a point on curve in the northeast
6 right-of-way line of Ancestral Trail, a 60-foot private street
7 dedicated in the Weidner Subdivision Unit 1, recorded in Volume
8 11, Pages 330-331 of the Map and Plat Records of Comal County,
9 Texas, a southwest line of said Bulverde Commercial Subdivision;

10 THENCE: Along the northeast right-of-way line of said
11 Ancestral Trail, the southwest line of said Bulverde Commercial
12 Subdivision, with a non-tangent curve to the left said curve
13 having a radial bearing of S 65°58'51" W, a radius of 630.00
14 feet, a central angle of 18°57'04", a chord bearing and distance
15 of N 33°29'41" W, 207.43 feet, an arc length of 208.38 feet to a
16 point of tangency;

17 THENCE: N 42°58'13" W, continuing along and with the
18 northeast right-of-way line of said Ancestral Trail, the
19 southwest line of said Bulverde Commercial Subdivision, a
20 distance of 18.13 feet to a point on the southeast City Limit of
21 Bulverde line;

22 THENCE: Departing the northeast right-of-way line of said
23 Ancestral Trail, over and across said Bulverde Commercial
24 Subdivision and Bulverde Commercial Subdivision Unit 2, along
25 and with said City Limit line the following calls and distances:

26 N 36°09'58" E, a distance of 122.57 feet to a
27 point;

1 N 41°02'38" E, a distance of 663.67 feet to a
2 point;

3 N 34°28'22" E, a distance of 360.94 feet to a
4 point;

5 THENCE: S 83°28'46" E, a distance of 395.83 feet to the
6 POINT OF BEGINNING, and containing 10.922 acres in Comal County,
7 Texas.

8 TRACT 1C:

9 A 1.430 acre tract of land out of that 10.00 acre tract
10 conveyed to Dam Investments, Ltd. in Document Number 9806013846
11 of the Official Records of Comal County, Texas, and Pecos Blue
12 Moon L.P. in Document Number 9606007045 of the Official Records
13 of Comal County, Texas, out of the Agapito Gaytan Survey No.
14 194, Abstract No. 174, Comal County, Texas. Said 1.430 acre
15 tract being more fully described as follows, with bearings based
16 on the North American Datum of 1983 (CORS 1996), from the Texas
17 Coordinate System established for the South Central Zone.

18 BEGINNING: At a point at the intersection of the east
19 right-of-way line of Saddleridge Drive, a variable width private
20 right-of-way, and Saddleridge Court a 60' private right-of-way
21 as shown in Saddleridge Subdivision Unit 1 recorded in Volume
22 13, Pages 42-48 of the Map and Plat Records of Comal County,
23 Texas, the northwest corner of the said 10.00 acre tract;

24 THENCE: N 88°25'43" E, along and with the south line of
25 said Saddleridge Court, the north line of said 10.00 acre tract,
26 at a distance of 283.64 feet passing a found 1/2" iron rod being
27 at the southwest corner of Lot 101 of said Saddleridge

1 Subdivision Unit 1, continuing along and with the south line of
2 said Lot 101 at a distance of 490.91 passing a found pk nail
3 being the southeast corner of said Lot 101 and the southwest
4 corner of Lot 2 of the Erna Subdivision recorded in Volume 13,
5 Page 137 of the Map and Plat Records of Comal County, Texas, and
6 continuing for a total distance of 551.20 feet to a point;

7 THENCE: S 86°10'47" E, along and with the north line of
8 said 10.00 acre tract and the south line of said Lot 2 a
9 distance of 194.76 feet to a point;

10 THENCE: Departing the north line of said 10.00 acre tract
11 and the south line of said Lot 2, over and across said 10.00
12 acres the following calls and distances:

13 S 70°44'16" W, a distance of 268.86 feet to a
14 point;

15 S 88°25'43" W, a distance of 488.95 feet to a point on
16 the east right-of-way line of said Saddleridge Drive;

17 THENCE: N 01°34'17" W, a distance of 100.00 feet to the
18 POINT OF BEGINNING, and containing 1.430 acres in the City of
19 Bulverde, Comal County, Texas.

20 TRACT 1D:

21 A 38.367 acre tract out of a 45.81 acre tract of land being
22 the remainder of that Save & Except 50.00 acre tract conveyed to
23 Cibolo Valley Ranch, LTD in Correction Special Warranty Deed
24 recorded in Document 200006010170 of the Official Records of
25 Comal County, Texas and being part of a 140.0 acre tract
26 conveyed to Fritz Voges in Deed recorded in Volume M, Pages 746-
27 747 of the Deed Records of Comal County, also being out of the

1 Agapito Gayton Survey Number 194, Abstract Number 174, Comal
2 County, Texas. Said 38.367 acre tract being more fully described
3 as follows, bearings being based on the North American Datum of
4 1983, (CORS 1996), from Texas Coordinate System established for
5 the South Central Zone:

6 COMMENCING: At a point on the south right-of-way line of
7 F.M. 1863 at a point for a northwest corner of a 140 acre tract
8 recorded in Doc #200006010170 of the Deed Records of Comal
9 County, the northeast corner of said 45.81 acre tract;

10 THENCE: S 00°30'11"E, departing south right-of-way line of
11 said F.M. 1863, along and with the east line of said 45.81 acre
12 tract, a west line of said 140 acres, a distance of 402.61 feet
13 to a point on the south Bulverde City Limit line, the north line
14 of the Bulverde Extra-Territorial Jurisdiction, the POINT OF
15 BEGINNING for the herein described tract;

16 THENCE: S 00°30'11" E, departing the south Bulverde City
17 Limit line, the north line of the Bulverde Extra-Territorial
18 Jurisdiction, along and with the east line of said 45.81 acre
19 tract, a west line of said 140 acres a distance of 1419.71 feet
20 to a point for the southeast corner of the said 45.81 acre
21 tract, a re-entrant corner of the said 140 acres;

22 THENCE: S 89°27'30"W, along and with the south line of said
23 45.81 acre tract, a distance of 1152.01 feet to a point, the
24 southwest corner of this 45.81 acre tract, a point on the east
25 line of a 92.37 acre tract recorded in Volume 739, Page 202 of
26 the Deed Records of Comal County, a northwest corner of said 140
27 acre tract;

1 THENCE: N 00°36'44"W, along and with the west line of said
2 45.81 acre tract, the east line of said 92.37 acre tract,
3 passing the southeast corner of the Bulverde Commercial
4 Subdivision Unit 2 recorded in Volume 13, Page 1 of the Map and
5 Plat Records of Comal County, Texas, the northeast corner of
6 said 92.37 acre tract, and continuing along and with the east
7 line of said Bulverde Commercial Subdivision Unit 2 for a total
8 distance of 1343.61 feet to a point for the southwest corner of
9 said Lot 10, a northwest corner of the said 45.81 acre tract;

10 THENCE: N 68°43'16"E, along and with the south line of said
11 Lot 10, a distance of 374.53 feet to a point, the southeast
12 corner of said Lot 10 a re-entrant corner of the said 45.81 acre
13 tract;

14 THENCE: N 00°36'45" W, along and with the east line of said
15 Lot 10, a west line of said 45.81 acre tract a distance of 36.13
16 feet to a point on the south Bulverde City Limit line, the north
17 line of the Bulverde Extra-Territorial Jurisdiction;

18 THENCE: S 83°58'18" E, departing the east line of said Lot
19 10, a west line of said 45.81 acre tract, along and with said
20 city limit line a distance of 809.72 feet to the POINT OF
21 BEGINNING, and containing 38.367 acres in the Comal County,
22 Texas.

23 TRACT 1E:

24 A 116.2 acre, or 5,063,012 square feet more or less, tract
25 of land being all of that called 115.596 acre tract described in
26 conveyance to Dora Uecker Williamson, Wilfred Uecker and Eugene
27 Uecker in Deed of Gift recorded in Document No. 200606015932 of

1 the Official Records of Comal County, Texas, out of the Agapito
2 Gayton Survey No. 194, Abstract 174, of Comal County, Texas.
3 Said 116.2 acre tract being more fully described as follows with
4 bearings being based on the North American Datum of 1983 (CORS
5 1996), from the Texas Coordinate System established for the
6 South Central Zone and the south right-of-way of State Farm to
7 Market road No. 1863 (F.M. 1863), right-of-way varies:

8 BEGINNING: At a point on the south right-of-way line of
9 said F.M. 1863, the northeast corner of a 140 acre tract (Tract
10 2) recorded in Document No. 9906009079 of the Official Records
11 of Comal County, Texas, the northwest corner of said called
12 115.596 acre tract;

13 THENCE: Along and with the south right-of-way line of said
14 F.M. 1863, the north line of said called 115.596 acre tract the
15 following calls and distances:

16 S 89°26'32"E, a distance of 162.58 feet to a
17 point;

18 S 83°57'24"E, a distance of 219.14 feet to a found
19 point, a point of non-tangent curvature;

20 Northeasterly, along the arc of a curve to the left,
21 said curve having a radial bearing of N 06°04'31" E, a radius of
22 1472.70 feet, a central angle of 31°02'38", a chord bearing and
23 distance of N 80°33'12" E, 788.21 feet, for an arc length of
24 797.94 feet to a point, a point of non-tangency;

25 N 64°59'35"E, a distance of 519.99 feet to a point, a
26 point of non-tangent curvature;

27 Northeasterly, along the arc of a curve to the right,

1 said curve having a radial bearing of S 24°56'32" E, a radius of
2 1392.70 feet, a central angle of 22°08'45", a chord bearing and
3 distance of N 76°07'50" E, 534.96 feet, for an arc length of
4 538.30 feet to a point, a point of non-tangency;

5 N 87°04'25"E, a distance of 321.44 feet to a point, a
6 point of curvature;

7 Northeasterly, along the arc of a curve to the left,
8 said curve having a radius of 1472.70 feet, a central angle of
9 2°53'47", a chord bearing and distance of N 85°37'32" E, 74.44
10 feet, for an arc length of 74.45 feet to a point, the northwest
11 corner of a remaining portion of a 261.17 acre tract recorded in
12 Volume 68, Pages 631-633 of the Deed Records of Comal County,
13 Texas, the northeast corner of said called 115.596 acre tract;

14 THENCE: Departing the south right-of-way line of said F.M.
15 1863, along and with the west line of said remaining portion of
16 a 261.17 acre tract, an east line of said called 115.596 acre
17 tract the following calls and distances:

18 S 00°58'32"E, a distance of 110.71 feet to a point;

19 S 57°21'19"E, a distance of 308.75 feet to a point;

20 S 43°37'43"E, a distance of 138.58 feet to a point, on
21 the centerline of the Cibolo Creek, the west line of a 220.5
22 acre tract recorded in Volume 2631, Pages 165-166 of the
23 Official Records of Comal County, Texas;

24 THENCE: Along and with the centerline of Cibolo Creek, the
25 west line of said 220.5 acre tract the following calls and
26 distances:

27 S 21°43'47"W, a distance of 138.53 feet to a point;

1 S 06°54'23"W, a distance of 157.52 feet to a point;
2 S 12°50'20"E, a distance of 191.11 feet to a point;
3 S 15°52'34"W, a distance of 252.92 feet to a point;
4 S 44°59'18"W, a distance of 130.66 feet to a point;
5 S 04°26'32"W, a distance of 590.43 feet to a point;
6 S 18°22'43"E, a distance of 120.64 feet to a point,
7 the northeast corner of a 387.057 acre tract, the southeast
8 corner of the aforementioned called 115.596 acre tract;

9 THENCE: S 89°40'01"W, departing the west line of said 220.5
10 acre tract, along and with the north line of said 387.057 acre
11 tract, a south line of said called 115.596 acre tract, at a
12 distance of 906.4 feet passing point for the northeast corner of
13 a 3.002 acre tract recorded in Volume 862, Pages 874-877 of the
14 Official Records of Comal County, Texas and continuing for a
15 total distance of 1310.37 feet to a point, from which a found
16 1/2" iron rod bears N 14°43'14"E, 0.81 feet;

17 THENCE: S 14°52'59"W, along and with an east line of said
18 called 115.596 acre tract, the west line of said 3.002 acre
19 tract, at a distance of 241.2 feet passing the northwest corner
20 of a 0.238 acre tract recorded in Document No. 464834 of the
21 Official Records of Comal County, Texas and continuing for a
22 total distance of 302.43 feet to a point, a common angle point
23 of said 0.238 acre tract and said called 115.596 acre tract;

24 THENCE: S 00°18'53"W, continuing with an east line of said
25 called 115.596 acre tract, the west line of said 0.238 acre
26 tract, a distance of 132.14 feet to a point on the north line of
27 the aforementioned 387.057 acre tract, a southeast corner of

1 said called 115.596 acre tract, the southwest corner of said
2 0.238 acre tract;

3 THENCE: S 89°31'19"W, along and with the north line of said
4 387.057 acre tract, a south line of said called 115.596 acre
5 tract, a distance of 1299.77 feet to a point, on the east line
6 of the aforementioned 140 acre tract (Tract 2), the northwest
7 corner of said 387.057 acre tract, the southwest corner of said
8 called 115.596 acre tract;

9 THENCE: Along and with the east line of said 140 acre tract
10 (Tract 2), the west line of said 115.596 acre tract the
11 following calls and distances:

12 N 00°38'45"W, a distance of 999.92 feet to a point;

13 N 00°18'24"W, a distance of 855.96 feet to the POINT
14 OF BEGINNING and containing 116.2 acres in Comal County, Texas.

15 TRACT 1F:

16 A 15.538 acre tract of land being a portion of Lot 827A and
17 all of Lot 827B of The Crossing at 46 subdivision recorded in
18 Volume 15, Pages 275-276 and all of Lots 828 and 829 of the
19 River Crossing subdivision Unit Four, recorded in Volume 14,
20 Page 219-220 and all of Lots 56, 57 and 58 of the Ridgeview Oaks
21 West subdivision, recorded in Volume 3, Pages 28-29 all of the
22 Map and Plat Records of Comal County, Texas, out of the Theo
23 Miller Survey No. 323, Abstract 384, Comal County, Texas. Said
24 15.538 acre tract being more fully described as follows, with
25 bearings based on the North American Datum of 1983 (CORS 1996),
26 from the Texas Coordinate System established for the South
27 Central Zone.

1 COMMENCING: At a point at the southwest end of the cutback
2 line at the intersection of the north right-of-way line of State
3 Highway 46, a 130-foot right-of-way at this point, with the west
4 right-of-way line of River Way, a 60-foot right-of-way dedicated
5 in the River Crossing Subdivision recorded in Volume 14, Pages
6 19-20 of the Map and Plat Records of Comal County, Texas, for
7 the southeast corner of said Lot 827A;

8 THENCE: N 43°48'10" E, along and with the southeast line of
9 said Lot 827A a distance of 35.36 feet to a point the northwest
10 cutback line of the intersection of the north right-of-way line
11 of said State Highway 46, the west right-of-way line of said
12 River Way;

13 N 01°13'22" W, along and with the west right-of-way
14 line of said River Way, the east line of said Lot 827A a
15 distance of 215.00 feet to the POINT OF BEGINNING, a point on
16 the north City Limits of Bulverde line;

17 THENCE: S 88°48'10" W, departing the west right-of-way line
18 of said River Way, over and across said Lot 827A, along and with
19 said city limit line a distance of 736.65 feet to a point on the
20 east line of said Lot 58; the west line of said Lot 827A;

21 THENCE: S 00°10'10" E, along and with the east line of said
22 Lot 58, the west line of said 827A and the said city limit line
23 a distance of 43.48 feet to a point for the northeast corner of
24 said Lot 59, the southeast corner of said Lot 58, a point on the
25 west line of said Lot 827A;

26 THENCE: N 89°51'24" W, along and with the north line of
27 said Lot 59, the south line of said Lot 58 and the said city

1 limit line a distance of 399.64 feet to a point on the east
2 right-of-way line of Rainbow Drive, a 60-foot right-of-way
3 dedicated in the said Ridgeview Oaks-West subdivision, the
4 northwest corner of said Lot 59, the southwest corner of said
5 Lot 58;

6 THENCE: N 00°08'36" E, departing said city limit line,
7 along and with the east right-of-way line of said Rainbow Drive,
8 the west line of said Lots 58 and 57, a distance of 452.60 feet
9 to the northwest corner of said Lot 57, the southwest corner of
10 Lot 56 of said Ridgeview Oaks-West subdivision;

11 THENCE: N 00°06'58" E, and with the east right-of-way line
12 of said Rainbow Drive, the west line of said Lot 56 a distance
13 of 226.30 feet to a point for the northwest corner of said Lot
14 56, the southwest corner of Lot 55 of the said Ridgeview Oaks-
15 West subdivision;

16 THENCE: S 89°53'02" E, departing the east right-of-way line
17 of said Rainbow Drive, along and with the north line of said Lot
18 56, the south line of said Lot 55, a distance of 395.79 feet to
19 a point on the west line of said Lot 828, the northeast corner
20 of said Lot 56, the southeast corner of said Lot 55;

21 THENCE: S 01°00'39" E, along and with the east line of said
22 Lot 56, the west line of said Lot 828 a distance of 38.33 feet
23 to a point for the southwest corner of said Lot 828, the
24 northwest corner of said Lot 827A;

25 THENCE: S 89°55'56" E, departing the east line of said Lot
26 56, along and with the south line of said Lot 828, the north
27 line of said Lot 827A, a distance of 601.02 feet to a point on

1 the west right-of-way line of said River Way, the southeast
2 corner of said Lot 828, a northeast corner of said Lot 827A;

3 THENCE: S 18°58'49" E, along and with the west right-of-way
4 line of said River Way, the east line of said Lot 827A and 827B
5 a distance of 365.99 feet to a point of curvature;

6 THENCE: Along the west right-of-way line of said River Way,
7 the east line of said Lot 827B with a tangent curve to the right
8 said curve having radius of 270.00 feet, a central angle of
9 17°45'27", a chord bearing and distance of S 10°06'06" E, 83.35
10 feet, an arc length of 83.68 feet to a point of tangency;

11 THENCE: S 01°13'22" E, along and with the west right-of-way
12 line of said River Way, the east line of said Lot 827A and 827B
13 a distance of 153.08 feet to the POINT OF BEGINNING, and
14 containing 15.538 acres in the Comal County, Texas.

15 PART 2:

16 TRACT 2A:

17 All that certain 105.5 acres of land in the John Kaderli
18 Survey No. 449, Abstract No. 308, and the Jacob Kaderli Survey
19 No. 465, Abstract No. 309, Comal County Texas, which is the
20 remainder of the 196.62 acre tract described in the deed to Gary
21 Eldon Bartlett recorded under Volume 764, Pages 643-649,
22 Official Records, Comal County, Texas, and being more
23 particularly described by metes and bounds as follows: (All
24 bearings based on the Texas State Plane Coordinate System, South
25 Central Zone)

26 COMMENCING at a 1/2" iron rod found in the east line of
27 Stahl Road, said iron rod is common to the southwest corner of

1 said 196.62 acre tract, and is common to the southwest corner of
2 a 21.00 acre tract described in the deed from Gary Eldon
3 Bartlett and wife, Brandy Kay Bartlett to Stephen C. Lundgren
4 and wife, Diane K Lundgren, recorded under Document No.
5 9806013761, Official Public Records of Real Property, Comal
6 County, Texas;

7 THENCE N 24° 55' 33" W - 88.10' along said east line of
8 Stahl Road and west line of said 21.00 acre tract to a 1/2" iron
9 rod found for the POINT OF BEGINNING;

10 THENCE N 24° 55' 33" W - 58.91' along said east line of
11 Stahl Road and west line of the before mentioned 196.62 acre
12 tract to a 3/4" iron rod set common to an angle corner of the
13 herein described tract;

14 THENCE N 00° 47' 14" W - 1071.68' along said east line of
15 Stahl Road and west line of said 196.62 acre tract to a 3/4"
16 iron rod set common to an angle corner of the herein described
17 tract;

18 THENCE N 01° 09' 20" E - 583.04' continuing along said east
19 line of Stahl Road and west line of said 196.62 acre tract to a
20 3/4" iron rod set common to the southwest corner of a 2.889 acre
21 tract described as Lot 1, Bartlett's Paradise Valley
22 Subdivision, in Plat recorded under Volume 10, Page 174, Map and
23 Plat Records, Comal County, Texas;

24 THENCE along the lines of said Lot 1 the following:

25 S 88° 47' 33" E - 1030.80' along the south line of
26 said Lot 1 to a 1/2" iron rod found common to an angle corner of
27 the herein described tract;

1 S 49° 19' 58" E - 250.00' along the south line of said
2 Lot 1 to a 1/2" iron rod found common to an angle corner of the
3 herein described tract;

4 N 40° 40' 02" E - 250.00' along the south line of said
5 Lot 1 to a 1/2" iron rod found common to the most easterly
6 corner of said Lot 1, an angle corner of the herein described
7 tract;

8 N 49° 19' 58" W - 250.00' along the north line of said
9 Lot 1 to a 1/2" iron rod found common to an angle corner of the
10 herein described tract;

11 S 40° 40' 02" W - 172.29' along the north line of said
12 Lot 1 to a 1/2" iron rod found common to an angle corner of the
13 herein described tract;

14 N 88° 47' 33" W - 1080.24' along the north line of
15 said Lot 1 to a 3/4" iron rod set in the east line of said Stahl
16 Road and the west line of said 196.62 acre tract common to the
17 northwest corner of said Lot 1 an angle corner of the herein
18 described tract;

19 THENCE N 01° 09' 20" E - 289.12' along said east line of
20 Stahl Road and west line of said 196.62 acre tract to a 3/4"
21 iron rod set common to an angle corner of the herein described
22 tract;

23 THENCE N 41° 05' 30" E - 228.89' continuing along said east
24 line of Stahl Road and west line of said 196.62 acre tract to a
25 3/4" iron rod set common to an angle corner of the herein
26 described tract;

27 THENCE S 61° 25' 07" E - 553.95' departing said east line

1 of Stahl Road and into said 196.62 acre tract to a 3/4" iron rod
2 set common to an angle corner of the herein described tract;

3 THENCE N 42° 47' 59" E - 460.00' to a 3/4" iron rod set in
4 the southerly line of a 21.0 acre tract described in deed to
5 Peter J. Almquist from Andrew T. Almquist recorded under
6 Document No. 200506033008, Official Public Records of Real
7 Property, Comal County, Texas, said line also being the
8 northerly line of the before mentioned 196.62 acre tract and
9 common to an angle corner of the herein described tract;

10 THENCE S 63° 26' 23" E - 251.06' along the southerly line
11 of said 21.0 acre tract to a 3/4" iron rod set common to an
12 angle point of the herein described tract;

13 THENCE N 89° 32' 35" E - 1156.22' along the southerly line
14 of said 21.0 acre tract, at 421.56' pass a 1/2" iron rod found,
15 to a 3/4" iron rod set common to an angle corner of a 36.513
16 acre tract described in deed to Randy and Kellye Harris from
17 Andrew T. Almquist recorded under Document No. 200206003624,
18 Official Public Records of Real Property, Comal County, Texas,
19 said iron is common to the northeast corner of the herein
20 described tract;

21 THENCE S 00° 06' 34" E - 817.22' along the westerly line of
22 said 36.513 acre tract to a 3/4" iron rod set common to an angle
23 point of the said 36.513 acre tract, and common to the northwest
24 corner of a 3.814 acre tract described in deed to Randy Harris
25 from Gary Eldon Bartlett recorded under Document No.
26 200306031386, Official Public Records of Real Property, Comal
27 County, Texas, said iron common to an angle corner of the herein

1 described tract;

2 THENCE S 03° 48' 08" E - 183.53' along the westerly line of
3 said Harris tract to a 3/4" iron rod set common to the west
4 corner of said Harris tract and common to an angle corner of the
5 herein described tract;

6 THENCE S 33° 50' 35" E - 658.91' along the southwesterly
7 line of said Harris tract to a 3/4" iron rod set common to the
8 most southerly corner of said Harris tract and common to an
9 angle corner of the herein described tract;

10 THENCE S 00° 35' 26" E - 42.43' to a 3/8" iron rod found
11 common to the northeast corner of the aforementioned Lundgren
12 21.00 acre tract and common to the southeast corner of the
13 herein described tract;

14 THENCE along the north line of said Lundgren 21.00 acre
15 tract the following:

16 S 82° 44' 47" W - 56.36' along the north line of said
17 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
18 angle corner of the herein described tract;

19 N 87° 02' 05" W - 125.63' along the north line of said
20 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
21 angle corner of the herein described tract;

22 N 79° 52' 35" W - 140.95' along the north line of said
23 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
24 angle corner of the herein described tract;

25 S 62° 58' 32" W - 551.30' along the north line of said
26 Lundgren 21.00 acre tract to a 1/2" iron rod found for an angle
27 corner of the herein described tract;

1 N 70° 28' 33" W - 492.76' along the north line of said
2 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
3 angle corner of the herein described tract;

4 S 09° 44' 51" E - 104.00' along the north line of said
5 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
6 angle corner of the herein described tract;

7 N 86° 04' 19" W - 75.76' along the north line of said
8 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
9 angle corner of the herein described tract;

10 S 07° 47' 29" W - 173.03' along the north line of said
11 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
12 angle corner of the herein described tract;

13 S 16° 51' 24" W - 287.11' along the north line of said
14 Lundgren 21.00 acre tract to a 1/2" iron rod found common to an
15 angle corner of the herein described tract;

16 THENCE S 89° 49' 45" W - 1250.21 along the north line of said
17 Lundgren 21.00 acre tract to the POINT OF BEGINNING of the
18 herein described tract and containing 105.5 acres of land.

19 TRACT 2B:

20 All that certain 21.00 acres of land in the John Kaderli
21 Survey No. 449, Abstract No. 308, the Jacob Kaderli Survey No.
22 465, Abstract No. 309, the F.H. Faigaux Survey, No. 578,
23 Abstract No. 169 and in the J. Rittimann Survey No. 579,
24 Abstract No. 500, Comal County Texas, which is all of the land
25 described in the deed from Gary Eldon Bartlett and wife Brandy
26 K. Bartlett to Stephen C. Lundgren and wife Diane K. Lundgren,
27 recorded under Document No. 9806013761, Official Public Records

1 of Real Property, Comal County, Texas, and being more
2 particularly described by metes and bounds as follows: (All
3 bearings based on the Texas State Plane Coordinate System, South
4 Central Zone)

5 BEGINNING at a 1/2" iron rod found in the east line of
6 Stahl Road, said iron rod is the southwest corner of a 196.62
7 acre tract described in the deed from Brandy Kay Bartlett to
8 Gary Eldon Bartlett recorded under Document No. 200206018898,
9 Official Public Records of Real Property, Comal County, Texas;

10 THENCE N 24° 55' 33" W - 88.10' along said east line of
11 Stahl Road and west line of said 196.62 acre tract to a 1/2"
12 iron rod found common to the northwest corner of the herein
13 described tract;

14 THENCE N 89° 49' 45" E - 1250.21' to a 1/2" iron rod found
15 common to an angle corner of the herein described tract;

16 THENCE N 16° 51' 24" E - 287.11' to a 1/2" iron rod found
17 common to an angle corner of the herein described tract;

18 THENCE N 07° 47' 29" E - 173.03' to a 1/2" iron rod found
19 common to an angle corner of the herein described tract;

20 THENCE S 86° 04' 19" E - 75.76' to a 1/2" iron rod found
21 common to an angle corner of the herein described tract;

22 THENCE N 09° 44' 51" W - 104.00' to a 1/2" iron rod found
23 common to an angle corner of the herein described tract;

24 THENCE S 70° 28' 33" E - 492.76' to a 1/2" iron rod found
25 common to an angle corner of the herein described tract;

26 THENCE N 62° 58' 32" E - 551.30' to a 1/2" iron rod found
27 common to an angle corner of the herein described tract;

1 THENCE S 79° 52' 35" E - 140.95' to a 1/2" iron rod found
2 common to an angle corner of the herein described tract;

3 THENCE S 87° 02' 05" E - 125.63' to a 1/2" iron rod found
4 common to an angle corner of the herein described tract;

5 THENCE N 82° 44' 47" E - 56.36' to a 3/8" iron rod found
6 common to the northeast corner of the herein described tract;

7 THENCE S 00° 43' 14" E - 680.91' to a 1/2" iron rod found
8 common to the northwest corner of the 43.547 acre tract
9 described in deed from Mark B. Wagner, et al to Helena Kleck
10 Vivian recorded under Document No. 200106022554, Official Public
11 Records of Real Property, Comal County, Texas, common to the
12 southeast corner of the herein described tract;

13 THENCE S 89° 49' 45" W - 2661.99' along the north line of
14 said 43.547 acre tract to the POINT OF BEGINNING of the herein
15 described tract and containing 21.00 acres of land.

16 TRACT 2C:

17 All that certain 2.889 acres of land in the John Kaderli
18 Survey No. 449, Abstract No. 308, and the Jacob Kaderli Survey
19 No. 465, Abstract No. 309, Comal County Texas, which is all of
20 the land described as Lot 1, Bartlett's Paradise Valley
21 Subdivision, recorded under Volume 10, Page 174, Plat Records,
22 Comal County, Texas, and being more particularly described by
23 metes and bounds as follows: (All bearings based on the Texas
24 State Plane Coordinate System, South Central Zone)

25 COMMENCING at a 1/2" iron rod found in the east line of
26 Stahl Road, said iron rod is common to the southwest corner of a
27 196.62 acre tract described in the deed from Brandy Kay Bartlett

1 to Gary Eldon Bartlett recorded under Document No. 200206018898,
2 Deed Records, Comal County, Texas;

3 THENCE N 24° 55' 33" W - 147.01' along said east line of
4 Stahl Road and west line of said 196.62 acre tract to a 3/4"
5 iron rod set for an angle corner;

6 THENCE N 00° 47' 14" W - 1071.68' along said east line of
7 Stahl Road and west line of said 196.62 acre tract to a 3/4"
8 iron rod set for an angle corner;

9 THENCE N 01° 09' 20" E - 583.04' along said east line of
10 Stahl Road and west line of said 196.62 acre tract to a 3/4"
11 iron rod set for the POINT OF BEGINNING;

12 THENCE N 01° 09' 20" E - 60.00' to a 3/4" iron rod set for
13 the northwest corner of the herein described tract;

14 THENCE S 88° 47' 33" E - 1080.24' to a 1/2" iron rod found
15 for an angle corner of the herein described tract;

16 THENCE N 40° 40' 02" E - 172.29' to a 1/2" iron rod found
17 for the most northerly corner of the herein described tract;

18 THENCE S 49° 19' 58" E - 250.00' to a 1/2" iron rod found
19 for the most easterly corner of the herein described tract;

20 THENCE S 40° 40' 02" W - 250.00' to a 1/2" iron rod found
21 for the most southerly corner of the herein described tract;

22 THENCE N 49° 19' 58" W - 250.00' to a 1/2" iron rod found
23 for an angle corner of the herein described tract;

24 THENCE N 88° 47' 33" W - 1030.80' to the POINT OF BEGINNING
25 of the herein described tract and containing 2.889 acres of
26 land.

27 TRACT 2D:

1 All that certain 497.9 acres of land in the Daniel Lewis
2 Survey No. 347, Abstract No. 367, the M. Jamison Survey No. 697,
3 Abstract No. 298, and the John Byland Survey No. 438, Abstract
4 No. 50, Comal County Texas, which is all of the land described
5 in the deed from Edward H. Knowlton and wife, Ann Knowlton to
6 Paul G. Silber Jr. and wife, Phyllis Silber, and in the deed
7 from Paradise Valley Corporation to Paul G. Silber Jr. recorded
8 under Volume 147, Page 404 and Volume 331, Page 879, Deed
9 Records, Comal County, Texas, respectively, and being more
10 particularly described by metes and bounds as follows: (All
11 bearings based on the Texas State Plane Coordinate System, South
12 Central Zone)

13 BEGINNING at a 39" diameter Live Oak tree, said tree is
14 common to the southeast corner of a 20.000 acre tract described
15 in the deed from Jane K. Kleck to Cantu Medical Association
16 recorded under Volume 424, Page 822 Deed Records, Comal County,
17 Texas, said tree common to the southwest corner of the herein
18 described tract;

19 THENCE N 00° 30' 25" W - 3004.27' along the east line of
20 said Cantu Medical Association tract, the east line of a 43.567
21 acre tract described in deed from Helena Kleck Vivian to Mark B.
22 Wagner and Barbara Wagner recorded under Document No.
23 200106022370 Official Public Records of Real Property, Comal
24 County Texas, the east line of a 43.547 acre tract described in
25 deed from Mark D. Wagner and wife, Barbara Wagner and Pamela
26 Wyrick and husband Jerry Lynn Wyrick to Helena Kleck Vivian
27 recorded under Document No. 200106022554, Official Public

1 Records of Real Property, Comal County Texas, and the west line
2 of the herein described tract to a 1/2" iron rod found, said
3 iron rod is common to the southwest corner of a 21.00 acre tract
4 described in the deed from Gary Eldon Bartlett and wife, Brandy
5 K. Bartlett to Stephen C. Lundgren and wife, Diane K. Lundgren,
6 recorded under Document No. 9806013761, Official Public Records
7 of Real Property, Comal County Texas, said iron rod is common to
8 an angle point of the herein described tract;

9 THENCE N 00° 43' 14" W - 680.91' along the east line of
10 Lundgren tract and the west line of the herein described tract
11 to a 3/8" iron rod found common to the northeast corner of said
12 Lundgren tract, the southwest corner of a 36.513 acre tract
13 described in the deed from Andrew T. Almquist to Randy and
14 Kellye Harris, recorded under Document No. 200206003624,
15 Official Public Records of Real Property, Comal County Texas,
16 and the northwest corner of the herein described tract;

17 THENCE along the south line of said Harris tract and the
18 north line of the herein described tract the following:

19 N 81° 00' 20" E - 156.49' along the south line of said
20 Harris tract to a 3/8" iron rod found for an angle corner of the
21 herein described tract;

22 N 70° 25' 04" E - 417.66' along the south line of said
23 Harris tract to a 3/4" iron rod set for an angle corner of the
24 herein described tract;

25 N 78° 48' 24" E - 845.87' along the south line of said
26 Harris tract to a fence corner found for an angle corner of the
27 herein described tract;

1 S 83° 53' 55" E - 185.15' along the south line of said
2 Harris tract to a 12" wood post found for an angle corner of the
3 herein described tract;

4 N 81° 55' 55" E - 471.21' along the south line of said
5 Harris tract to a fence corner found for an angle corner of the
6 herein described tract;

7 THENCE N 08° 09' 17" W -120.10' along the easterly line of
8 said Harris tract to a 1/2" iron rod found for the most
9 southerly corner of a 31.89 acre tract described in the deed
10 from Gibbons-Markey Family Limited Partnership to Keith L.
11 Markey, and wife Donna Gibbons Markey recorded under Document
12 No. 200306000632, Official Public Records of Real Property,
13 Comal County Texas, said iron rod common to an angle corner of
14 the herein described tract;

15 THENCE N 77° 55' 49" E - 2075.17' along the south line of
16 said Markey tract, and the south line of a 49.35 acre tract
17 described in the deed from General Investment Corporation to
18 John S. Best and wife, Janet E. Best recorded under Document No.
19 9806012293, Official Public Records of Real Property, Comal
20 County, Texas, to a 3/4" iron rod set common to an angle corner
21 of the herein described tract;

22 THENCE N 77° 53' 33" E - 334.95' along the south line of
23 said Best tract to a fence corner found common to the southeast
24 corner of the said Best tract and an angle point of the herein
25 described tract;

26 THENCE N 00° 39' 34" W - 30.71' along the east line of said
27 Best tract to a fence corner found common to the most westerly

1 southwest corner of a 149.879 acre tract described in the deed
2 from the Estate of Jocelyn Welsch to Paul G. Silber, Jr.
3 recorded under Document No. 200506036460, Official Public
4 Records of Real Property, Comal County, Texas, said fence corner
5 common to an angle corner of the herein described tract;

6 THENCE along the southerly line of said Silber tract and
7 the northerly line of the herein described tract the following:

8 N 79° 20' 11" E - 30.39' along the southerly line of
9 said Silber tract to a fence corner found common to an angle
10 corner of the herein described tract;

11 S 00° 47' 49" E - 376.76' along the southerly line of
12 said Silber tract to a fence corner found common to an angle
13 corner of the herein described tract;

14 S 53° 34' 35" E - 2463.58' along the southerly line of
15 said Silber tract to a 12" wood post found common to an angle
16 corner of the herein described tract;

17 S 87° 30' 35" E - 93.33' along the southerly line of
18 said Silber tract to a 3/8" iron rod found in the westerly
19 right-of-way line of Smithson Valley Road, said iron rod common
20 to the southeast corner of said Silber tract and the most
21 easterly corner of the herein described tract;

22 THENCE along the westerly right-of-way line of Smithson
23 Valley Road and the easterly line of the herein described tract
24 the following:

25 S 27° 12' 54" W - 433.94' to a 3/4" iron rod set
26 common to an angle corner of the herein described tract;

27 S 34° 37' 54" W - 1343.20' to a 1/2" iron rod found

1 common to an angle corner of the herein described tract;
2 S 32° 06' 54" W - 620.30' to a 1/2" iron rod found
3 common to an angle corner of the herein described tract;
4 S 51° 47' 54" W - 148.65' to a 3/8" iron rod found
5 common to the southeast corner of the herein described tract;
6 THENCE N 88° 32' 20" W - 683.94' along the northerly line
7 of Oak Village North, Unit No. 2 as shown in Plat recorded under
8 Volume 3, Page 22, Map and Plat Records, Comal County, Texas,
9 and along the south line of the herein described tract to a
10 fence corner found for an angle corner of the herein described
11 tract;
12 THENCE along the northerly line of said Oak Village North
13 and the south line of the herein described tract the following:
14 S 86° 30' 29" W - 177.79' along the northerly line of
15 said Oak Village North to a 3/4" iron rod set common to an angle
16 corner of the herein described tract;
17 S 85° 57' 02" W - 754.60' along the northerly line of
18 said Oak Village North, at 689.40' pass a 1/2" iron rod found
19 common to the northeast corner of lot 358, said Oak Village
20 North, to a 3/4" iron rod set common to an angle corner of the
21 herein described tract;
22 S 86° 06' 02" W - 599.19' along the northerly line of
23 said Oak Village North, at 359.23' pass a 1/2" iron rod found
24 common to the northeast corner of lot 219, said Oak Village
25 North, to a railroad tie fence corner found common to an angle
26 corner of the herein described tract;
27 S 01° 41' 27" E - 667.40' along the northerly line of

1 said Oak Village North, at 210.51 pass a 1/2" iron rod found
2 common to the southwest corner of lot 218, at 510.07' pass a
3 1/2" iron rod found common to the southwest corner of lot 215,
4 said Oak Village North, to a fence corner found common to an
5 angle corner of the herein described tract;

6 S 89° 45' 19" W - 163.00' along the northerly line of
7 said Oak Village North to a 1/2" iron rod found common to an
8 angle corner of the herein described tract;

9 N 89° 59' 53" W - 560.04' along the northerly line of
10 said Oak Village North, at 445.60' pass a 1/2" iron rod found
11 common to the northeast corner of Lot 206, said Oak Village
12 North, to a 3/4" iron rod set common to an angle corner of the
13 herein described tract;

14 S 89° 42' 21" W - 1430.20' along the northerly line of
15 said Oak Village North, at 35.52' pass a 1/2" iron rod found
16 common to the northeast corner of Lot 205, at 635.14' pass a
17 1/2" iron rod found for the northeast corner of Lot 201, at
18 995.69' pass a 1/2" iron rod found for the northeast corner of
19 Lot 199, said Oak Village North, to a 3/4" iron rod set common
20 to an angle corner of the herein described tract;

21 THENCE S 89° 22' 40" W - 294.30' to a 3/8" iron rod found
22 common to the northwest corner of said Oak Village North and the
23 northeast corner of Lot 2, McGuffin Subdivision as shown on Plat
24 recorded under Volume 11, Page 248, Map and Plat Records, Comal
25 County, Texas, and an angle corner of the herein described
26 tract;

27 THENCE S 89° 44' 24" W - 395.56' along the north line of

1 said Lot 2 to the POINT OF BEGINNING of the herein described
2 tract and containing 497.9 acres of land.

3 TRACT 2E:

4 All that certain 152.8 acres of land in the M. Jamison
5 Survey No. 697, Abstract No. 298, the F.W. Foerster Survey No.
6 850, Abstract No. 879, and the John Byland Survey No. 438,
7 Abstract No. 50, Comal County Texas, which is all of the land
8 described in the deed from the Estate of Jocelyn Welsch to Paul
9 G. Silber Jr. recorded under Document No. 200506036460, Official
10 Public Records of Real Property, Comal County, Texas, and being
11 more particularly described by metes and bounds as follows:
12 (All bearings based on the Texas State Plane Coordinate System,
13 South Central Zone)

14 BEGINNING at a 3/8" iron rod found in the westerly right-
15 of-way line of Smithson Valley Road, said iron rod is common to
16 a southeasterly corner of a 97.459 acre tract described in the
17 deed from Paradise Valley Corporation to Paul G. Silber, Jr.
18 recorded under Volume 331, Page 879 Deed Records, Comal County,
19 Texas, said iron rod common to the southeast corner of the
20 herein described tract;

21 THENCE along the northerly line of said Silber tract and
22 the southerly line of the herein described tract the following:

23 N 87° 30' 35" W - 93.33' along the northerly line of
24 said Silber tract to a 12" wood post found common to an angle
25 corner of the herein described tract;

26 N 53° 34' 35" W - 2463.58' along the northerly line of
27 said Silber tract to a fence corner found common to an angle

1 corner of the herein described tract;

2 N 00° 47' 49" W - 376.76' along the northerly line of
3 said Silber tract to a fence corner found common to an angle
4 corner of the herein described tract;

5 THENCE S 79° 20' 11" W - 30.39' along the northerly line of
6 said Silber tract to a fence corner found common to a point in
7 the east line of a 49.35 acre tract described in the deed from
8 General Investment Corporation to John S. Best and wife, Janet
9 E. Best recorded under Document No. 9806012293, Official Public
10 Records of Real Property, Comal County, Texas and an angle
11 corner of the herein described tract;

12 THENCE N 00° 39' 34" W - 772.93' along the east line of
13 said Best tract to a 3/8" iron rod found common to an angle
14 corner in the east line of said Best tract, the south line of
15 Lot 26, Stoney Ridge, Unit I as shown on Plat recorded under
16 Volume 5, Page 300, Map and Plat Records, Comal County, Texas,
17 said iron rod is common to the northwest corner of the herein
18 described tract;

19 THENCE along the south line of said Stoney Ridge and the
20 north line of the herein described tract the following:

21 N 73° 32' 31" E - 254.01' along the south line of said
22 Stoney Ridge to a 3/4" iron rod set common to an angle corner of
23 said Stoney Ridge and the herein described tract;

24 N 75° 12' 31" E - 147.00' along the south line of said
25 Stoney Ridge to a 3/4" iron rod set common to an angle corner of
26 said Stoney Ridge and the herein described tract;

27 N 77° 40' 31" E - 1042.30' along the south line of

1 said Stoney Ridge, at 433.34' pass a 1/2" iron rod found common
2 to the southeast corner of Lot 28, Stoney Ridge; at 492.81' pass
3 a 1/2" iron rod found common to the southwest corner of Lot 29
4 Stoney Ridge; at 834.63' pass a 1/2" iron rod found common to
5 the southeast corner of Lot 29 Stoney Ridge to a 3/4" iron rod
6 set common to an angle corner of said Stoney Ridge and the
7 herein described tract;

8 N 77° 17' 31" E - 452.72' along the south line of said
9 Stoney Ridge at 127.57' pass a 1/2" iron rod found common to the
10 southeast corner of Lot 30, Stoney Ridge; to a 3/4" iron rod set
11 common to an angle corner of said Stoney Ridge and the herein
12 described tract;

13 THENCE S 60° 31' 06" E - 448.57' along the south line of
14 said Stoney Ridge, at 234.76' pass a 1/2" iron rod found common
15 to the southeast corner of Lot 32, Stoney Ridge, said iron rod
16 is common to the southwest corner of a 34.00 acre tract
17 described in the deed from Anita Richards Mayer, Trustee to
18 Robert J. Nash and Gerri S. Nash recorded under Document No.
19 9806017120 Official Public Records of Real Property, Comal
20 County, Texas, to a 3/4" iron rod set common to an angle corner
21 of the herein described tract;

22 THENCE S 60° 11' 06" E - 957.40' continuing along the south
23 line of said Nash tract to a 3/4" iron rod set common to an
24 angle corner of the herein described tract;

25 THENCE S 59° 41' 06" E - 269.40' continuing along the south
26 line of said Nash tract to a 3/4" iron rod set common to an
27 angle corner of the herein described tract;

1 THENCE S 60° 39' 06" E - 457.10' along the south line of
2 said Nash tract, at 338.89' pass a 1/2" iron rod found common to
3 the southeast corner of said Nash tract and the southwest corner
4 of Lot 1 of the aforementioned Stoney Ridge, to a 3/4" iron rod
5 set common to an angle corner of the herein described tract;

6 THENCE S 56° 29' 06" E - 72.50' along the south line of
7 said Lot 1 to a 3/4" iron rod set common to an angle corner of
8 the herein described tract;

9 THENCE S 51° 36' 06" E - 129.01' along the south line of
10 said Lot 1 to a fence corner found in the westerly right-of-way
11 line of Smithson Valley Road common to the northeast corner of
12 the herein described tract;

13 THENCE along the westerly right-of-way line of said
14 Smithson Valley Road and the easterly line of the herein
15 described tract the following:

16 S 48° 51' 02" W - 560.70' along the westerly right-of-
17 way line of said Smithson Valley Road to a 3/4" iron rod set
18 common to an angle corner of Smithson Valley Road and the herein
19 described tract;

20 S 62° 23' 50" W - 860.63' along the westerly right-of-
21 way line of said Smithson Valley Road, at 541.43' pass a 3/8"
22 iron rod found common to the northeasterly corner of a 2.881
23 acre tract described in the aforementioned deed from the Estate
24 of Jocelyn Welsch to Paul G. Silber Jr. recorded under Document
25 No. 200506036460, Official Public Records of Real Property,
26 Comal County, Texas, and designated as Tract II, to a 3/4" iron
27 rod set common to an angle corner of said Smithson Valley Road

1 and the herein described tract;

2 S 27° 02' 50" W - 134.10' along the westerly right-of-
3 way line of said Smithson Valley Road, to a 3/8" iron rod found
4 common to the southwesterly corner of said Tract II and an angle
5 corner of said Smithson Valley Road and the herein described
6 tract;

7 THENCE S 26° 47' 25" W - 1095.86' along the westerly right-
8 of-way line of said Smithson Valley Road, to the POINT OF
9 BEGINNING of the herein described tract and containing 152.8
10 acres of land.

11 PART 3

12 An 72.51 acre, or 3,158,644 square feet more or less, tract
13 of land being out of the remaining portion of 183.555 acre tract
14 conveyed to Berryman Properties, Ltd. in Special Warranty Deed
15 recorded in Volume 739, Pages 146-149 of the Deed Records of
16 Comal County, Texas, out of the Carl George Survey No. 432 and
17 Phillip Wagner Survey No. 573, Comal County, Texas. Said 72.51
18 acre tract being more fully described as follows, with bearings
19 established from the Texas Coordinate System as established from
20 the North American Datum of 1983(CORS96) for the South Central
21 Zone and based on the south right-of-way line of State Highway
22 46, a variable width right-of-way;

23 COMMENCING: At a found 1/2" iron rod with yellow cap marked
24 "Pape-Dawson", the south right-of-way line of State Highway 46,
25 a variable width right-of-way as shown in the retracement survey
26 TXDOT file SAT021501RA, the northeast corner of Travel Mart
27 Subdivision recorded in Volume 9, Page 312 of the Map and Plat

1 Records of Comal County, Texas, a northwest corner of said
2 remaining portion of 183.555 acre tract, from which a found
3 Texas Department of Transportation monument with a brass plate
4 bears a chord bearing and distance of S 66°37'32"W, 239.55 feet
5 and arc length of 241.30 feet to the northeast corner of said
6 Travel Mart Subdivision and the intersection of the southeast
7 right-of-way line of U.S. Highway 281, a variable width right-
8 of-way and the south right-of-way line of said State Highway 46;

9 THENCE: Along and with the south right-of-way line of said
10 State Highway 46 and the north line of said remaining portion of
11 183.555 acre tract, the following calls and distances:

12 Northeasterly, along the arc of a curve to the right,
13 said curve having a radial bearing of S 11°23'33" E, a radius of
14 576.94 feet, a central angle of 10°15'10", a chord bearing and
15 distance of N 83°44'02" E, 103.10 feet, an arc length of 103.24
16 feet to a set 1/2" iron rod with yellow cap marked "Pape-
17 Dawson";

18 N 88°51'37"E, a distance of 417.14 feet to a found
19 Texas Department of Transportation monument with a brass plate;

20 N 45°36'42"E, a distance of 15.32 feet to a found
21 Texas Department of Transportation monument with a brass plate;

22 N 88°47'15"E, a distance of 184.35 feet to a found
23 1/2" iron rod with yellow cap marked "Pape-Dawson", the west
24 right-of-way line of Berry Oaks Drive, a private street, also
25 being Lot 1, Drainage, Electric, Gas, Telephone, Cable T.V., and
26 Water Easement out of Berry Oaks Subdivision Unit 1 recorded in
27 Volume 11, Pages 393-396 of the Map and Plat Records of Comal

1 County, Texas;

2 THENCE: Departing the south right-of-way line of State
3 Highway 46, along and with the west line of said Berry Oaks
4 Drive and the east line of said remaining portion of 183.555
5 acre tract, the following calls and distances:

6 S 01°25'26"E, a distance of 4.66 feet to a found 1/2"
7 iron rod with yellow cap marked "Pape-Dawson", a point of non
8 tangent curvature;

9 Southeasterly, along the arc of a curve to the right,
10 said curve having a radial bearing of S 01°27'35" E, a radius of
11 25.00 feet, a central angle of 92°07'18", a chord bearing and
12 distance of S 45°23'56" E, 36.00 feet, an arc length of 40.20
13 feet to a found 1/2" iron rod with yellow cap marked "Pape-
14 Dawson";

15 Southwesterly, along the arc of a curve to the right,
16 said curve having a radial bearing of N 89°20'17" W, a radius of
17 707.00 feet, a central angle of 7°24'45", a chord bearing and
18 distance of S 04°22'05" W, 91.40 feet, an arc length of 91.47
19 feet to a found 1/2" iron rod, from which a found 1/2" iron rod
20 bears N 10°28'11"E a distance of 4.59 feet;

21 S 08°04'28"W, a distance of 19.93 feet to a found 1/2"
22 iron rod with yellow cap marked "Pape-Dawson";

23 Southwesterly, along the arc of a curve to the left,
24 said curve having a radial bearing of S 82°19'30" E, a radius of
25 350.00 feet, a central angle of 09°40'30", a chord bearing and
26 distance of S 02°50'16" W, 59.03 feet, an arc length of 59.10
27 feet to a found 1/2" iron rod with yellow cap marked "Pape-

1 Dawson" and the POINT OF BEGINNING;

2 Southwesterly, along a curve to the left said curve
3 having a radial bearing of N 88°00'01" E, a radius of 350.00
4 feet, a central angle of 03°08'17", a chord bearing and distance
5 of S 03°34'08" E, 19.17 feet, an arc length of 19.17 feet to a
6 set 1/2" iron rod with yellow cap marked "Pape-Dawson", being
7 the northeast corner of Lot 2R of said Berry Oaks Subdivision
8 Unit 1;

9 THENCE: S 87°26'47"W, departing the east right-of-way line
10 of said Berry Oaks Drive and along and with the north line of
11 said Lot 2R, a distance of 303.41 feet to a found 1/2" iron rod
12 with cap marked "ACE";

13 THENCE: Along and with the west line of said Berry Oaks
14 Subdivision Unit 1 and the east line of said remaining portion
15 of 183.555 acre tract, the following calls and distances:

16 S 23°42'23"E, a distance of 694.70 feet to a found
17 1/2" iron rod with cap marked "ACE", being a west angle point of
18 Lot 5R of said Berry Oaks Subdivision;

19 S 05°38'29"E, a distance of 162.30 feet to a found
20 1/2" iron rod, being the southwest corner of said Lot 5R;

21 N 71°57'28"E, along and with the south line of said
22 Lot 5R, a distance of 311.16 feet to a set 1/2" iron rod with
23 yellow cap marked "Pape-Dawson", being the southeast corner of
24 said Lot 5R, in the east right-of-way line of said Berry Oaks
25 Drive;

26 S 18°02'32"E, along and with the east right-of-way
27 line of said Berry Oaks Drive, a distance of 60.00 feet to a set

1 1/2" iron rod with yellow cap marked "Pape-Dawson", the
2 northeast corner of Lot 7R of said Berry Oaks Subdivision;

3 S 71°57'28"W, along and with the north line of said
4 Lot 7R, a distance of 324.35 feet to a found 1/2" iron rod,
5 being the northwest corner of said Lot 7R;

6 S 19°42'10"W, a distance of 84.84 feet to a found 1/2"
7 iron rod with cap marked "ACE", being a west angle point of said
8 Lot 7R;

9 S 09°39'41"W, a distance of 226.86 feet to a found
10 1/2" iron rod with cap marked "ACE", being a west angle point of
11 Lot 8R of said Berry Oaks Subdivision;

12 S 05°16'46"E, a distance of 441.98 feet to a found
13 1/2" iron rod with cap marked "ACE", being the southwest corner
14 of Lot 10R and the northwest corner of Lot 11R of said Berry
15 Oaks Subdivision;

16 S 37°37'14"E, a distance of 986.25 feet to a found
17 1/2" iron rod with cap marked "ACE", being the southwest corner
18 of Lot 15R and a west angle point of Lot 17R of said Berry Oaks
19 Subdivision;

20 S 48°46'32"E, a distance of 695.56 feet to a found
21 1/2" iron rod with cap marked "ACE", being the southeast corner
22 of Lot 18R and the southwest corner of Lot 19R of said Berry
23 Oaks Subdivision;

24 S 61°49'54"E, a distance of 385.79 feet to a set 1/2"
25 iron rod with yellow cap marked "Pape-Dawson", being the
26 southeast corner of Lot 19R, in the west right-of-way line of
27 Stahl Lane, a variable width right-of-way, from which a found

1 1/2" iron rod with cap marked "ACE" bears S64°00'16"E a distance
2 of 0.65 feet;

3 THENCE: S 00°14'31"E, departing said Berry Oaks
4 Subdivision, along and with the west line of said Stahl Lane, a
5 distance of 103.55 feet to a set 1/2" iron rod with yellow cap
6 marked "Pape-Dawson", the beginning of a tangent curve to the
7 right;

8 THENCE: Southwesterly, along and with the west line of said
9 Stahl Lane and the said curve to the right, said curve having a
10 radius of 663.42 feet, a central angle of 67°45'22", a chord
11 bearing and distance of S 33°38'10" W, 739.62 feet, an arc
12 length of 784.54 feet to a set 1/2" iron rod with yellow cap
13 marked "Pape-Dawson", the southeast corner of said remaining
14 portion of 183.555 acre tract, the east line of a 47.97 acre
15 tract recorded in Document #9806006222 of the Official Records
16 of Comal County, Texas;

17 THENCE: N 38°46'18"W, departing the west right-of-way line
18 of said Stahl Lane, along and with the south line of said
19 remaining portion of 183.555 acre tract and the north line of
20 said 47.97 acre tract, a distance of 117.96 feet to a found 1/2"
21 iron rod, being the east line of a 30' Ingress-Egress Easement
22 recorded in Volume 284, Pages 407-411 of the Official Records of
23 Comal County, Texas;

24 THENCE: N 00°53'07''E, along and with the east line of said
25 easement, a distance of 224.63 feet to a found 1/2" iron rod,
26 being the south line of a called 0.50 acre cemetery tract
27 recorded in Volume 284, Pages 407-411 of the Official Records of

1 Comal County, Texas, being the northeast corner of said
2 easement;

3 THENCE: N 89°44'36"E, a distance of 117.83 feet (117.60'
4 Deed) to a found 1/2" iron rod, being the southeast corner of
5 said called 0.50 acre tract;

6 THENCE: N 00°08'03"E, a distance of 147.58 feet (147.60'
7 Deed) to a found 1/2" iron rod, being the northeast corner of
8 said called 0.50 acre tract;

9 THENCE: N 89°47'54"W, a distance of 147.92 feet (147.60'
10 Deed) to a found 1/2" iron rod, being the northwest corner of
11 said called 0.50 acre tract;

12 THENCE: S 00°05'59"W, along and with the west line of said
13 easement, a distance of 148.37 feet (147.60' Deed) to a found
14 1/2" iron rod, the southwest corner of said called 0.50 acre
15 tract and being the northwest corner of said easement;

16 THENCE: S 00°53'07"W, along and with the west line of said
17 easement, a distance of 188.24 feet to a set 1/2" iron rod with
18 yellow cap marked "Pape-Dawson", the southwest corner of said
19 easement, the south line of said remaining portion of 183.555
20 acre tract and the north line of said 47.97 acre tract;

21 THENCE: N 38°46'18"W, along and with the south line of said
22 remaining portion of 183.555 acre tract and the north line of
23 said 47.97 acre tract, at a distance of 1380.24 feet passing a
24 found 1/2" iron rod being the upper northwest corner of said
25 47.97 acre tract and the northeast corner of Hogan/281
26 Subdivision recorded in Volume 10, Page 277 of the Map and Plat
27 Records of Comal County, Texas and continuing a total distance

1 of 1585.70 feet (1585.15' Deed) to a found 1/2" iron rod;

2 THENCE: N 62°19'48" W, along and with the south line of
3 said remaining portion of 183.555 acre tract and the north line
4 of said Hogan/281 Subdivision, a distance of 1361.30 feet to a
5 set 1/2" iron rod with yellow cap marked "Pape-Dawson";

6 THENCE: Over and across said remaining portion of 183.555
7 acre tract, the following calls and distances:

8 N 14°59'26" E, a distance of 759.78 feet to a set 1/2"
9 iron rod with yellow cap marked "Pape-Dawson";

10 N 24°00'39" E, a distance of 712.83 feet to a set 1/2"
11 iron rod with yellow cap marked "Pape-Dawson";

12 N 14°05'08" E, a distance of 373.23 feet to a set 1/2"
13 iron rod with yellow cap marked "Pape-Dawson";

14 Northeasterly, along a non-tangent curve to the right
15 said curve having a radial bearing of S 12°26'18" E, a radius of
16 376.94 feet, a central angle of 11°17'54", a chord bearing and
17 distance of N 83°12'40" E, 74.21 feet, an arc length of 74.33
18 feet to a set 1/2" iron rod with yellow cap marked "Pape-
19 Dawson";

20 N 88°51'37" E, a distance of 496.43 feet to a set 1/2"
21 iron rod with yellow cap marked "Pape-Dawson";

22 N 45°36'42" E, a distance of 15.46 feet to a to a set
23 1/2" iron rod with yellow cap marked "Pape-Dawson";

24 N 88°47'15" E, a distance of 114.05 feet to the POINT
25 OF BEGINNING and containing 72.51 acres in Comal County, Texas.

26 PART 4:

27 TRACT 4A:

1 A 20.29 acres or 883,763 square feet more or less, tract of
2 land, out of the Johann Rittmann Survey No. 579, Abstract No.
3 500 Comal, County, Texas and being all of a 20.0000 acre tract
4 of land conveyed to Raul S. Cantu Family Partnership No. 1 of
5 record in Volume 958 Page 824 and described in Volume 646 Page
6 848, Official Public Records of Comal County, Texas, and being
7 more particularly described by metes and bounds as follows:

8 BEGINNING: At a found 1/2" iron rod in the east right of
9 way line of Stahl Road, for the southwest corner of a 11.706
10 acre tract of land conveyed to Barbara Ancira Ruebenson of
11 record in Document No. 200706020345, Official Public Records of
12 Comal County, Texas and for the northwest corner of the 20.0000
13 acre tract and this tract, from which a 1/2" iron rod found for
14 the southerly northwest corner of the 11.706 acre tract bears N
15 00°00'41" W a distance of 40.04 feet.

16 THENCE: S 89°50'29" E with the south line of the 11.706
17 acre tract and the north line of the 20.0000 acre tract and this
18 tract a distance of 1182.37 feet to a found 1/2" iron rod in the
19 west line of a 497.9 acre tract of land conveyed to 633-4S
20 Ranch, LTD. of record in Document No. 200706014474, Official
21 Public Records of Comal County, Texas, for the southeast corner
22 of the 11.706 acre tract and for the northeast corner of the
23 20.000 acre tract and this tract.

24 THENCE: S 00°36'37" E with the west line of the 497.9 acre
25 tract and with the east line of the 20.0000 acre tract and this
26 tract a distance of 738.23 feet to a 48" Live Oak Tree, for the
27 southwest corner of the 497.9 acre tract and in the north line

1 of a 15.165 acre tract known as Lot 2, McGuffin Subdivision of
2 record in Volume 11 Page 248, Plat Records of Comal County,
3 Texas and for the southeast corner of the 20.0000 acre tract and
4 this tract, from which a found 3/8" iron rod for the northeast
5 corner of the 15.165 acre tract bears N 89°42'57" E a distance
6 of 395.84 feet.

7 THENCE: with a north line of the 15.165 acre tract and the
8 north line of a 32.182 acre tract of land conveyed to Henry F.
9 Wagner of record in Document No. 200106022364, Official Public
10 Records of Comal County, Texas and the south line of the 20.0000
11 acre tract and this tract the following calls and distances:

12 1) S 89°46'45" W, a distance of 275.52 feet to a found 1/2"
13 iron rod for the northwest corner of the 15.165 acre tract and
14 an angle point, and

15 2) S 89°25'00" W, a distance of 916.73 feet to a set 1/2"
16 iron rod with a blue plastic cap stamped "KFW SURVEYING" in the
17 east right of way line of Stahl Road for the southwest corner of
18 the 20.0000 acre tract and this.

19 THENCE: N 00°09'02" E with the east right of way line of
20 Stahl Road and the west line of the 20.0000 acre tract and this
21 tract a distance of 751.86 feet to the POINT OF BEGINNING and
22 containing 20.29 acres.

23 TRACT 4B:

24 BEING 149.984 ACRES OF LAND BEING OUT OF THE F.H. FAIGAUX
25 SURVEY NO. 787, ABSTRACT NO. 767, IN COMAL COUNTY, TEXAS, AND
26 BEING OUT OF THAT CERTAIN 155.956 ACRE TRACT OF LAND DESCRIBED
27 IN A DEED DATED MAY 20, 1975, FROM EDDIE LUX TO VIRGIL K.

1 KNOWLTON RECORDED IN VOLUME 227, PAGE 604, OF THE DEED RECORDS
2 OF COMAL COUNTY, TEXAS, AND BEING ALL OF THOSE CERTAIN TWO
3 TRACTS OF LAND DESCRIBED IN TWO SEPARATE DEEDS DATED JULY 10,
4 1984, EXECUTED BY VIRGIL K. KNOWLTON, ET UX, ONE TRACT BEING
5 148.395 ACRES OF LAND, WHICH DEED IS RECORDED IN VOLUME 398,
6 PAGE 33, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND THE
7 OTHER TRACT BEING 4.116 ACRES OF LAND, WHICH DEED IS RECORDED IN
8 VOLUME 398, PAGE 42, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS,
9 SAID 149.984 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY
10 METES AND BOUNDS AS FOLLOWS:

11 COMMENCING AT AN IRON ROD FOUND AT A POINT IN THE WEST
12 RIGHT-OF-WAY-LINE OF STAHL LANE AT THE MOST NORTHERLY NORTHEAST
13 CORNER OF SAID 155.956 ACRE TRACT OF LAND, BEING THE MOST
14 SOUTHERLY SOUTHEAST CORNER OF THAT CERTAIN CLYDE JOHNSON AND
15 SONS HEREFORD RANCH, LTD 151.956 ACRE TRACT OF LAND, RECORDED IN
16 DOCUMENT NO. 200006037239, OF THE OFFICIAL PUBLIC RECORDS OF
17 SAID COUNTY, AND BEING A POINT IN THE NORTH LINE OF THAT CERTAIN
18 V.S. AND TERRI D. KANE 6.020 ACRE TRACT OF LAND, RECORDED IN
19 VOLUME 398, PAGE 30, OF THE DEED RECORDS OF SAID COUNTY, FOR THE
20 POINT OF COMMENCEMENT HEREOF;

21 THENCE, WITH A PORTION OF SAID RIGHT-OF-WAY LINE AND WITH
22 THE EAST LINE OF SAID 6.020 ACRES OF LAND THE FOLLOWING TWO (2)
23 COURSES:

24 1) S 50°03'43" E, A DISTANCE OF 319.25 FEET TO AN IRON ROD
25 FOUND AT A POINT IN SAID LINE;

26 2) S 24°19'45" E, A DISTANCE OF 214.71 FEET TO AN IRON ROD
27 SET AT THE SOUTHEAST CORNER OF SAID 6.020 ACRES OF LAND, FOR THE

1 POINT OF BEGINNING HEREOF;

2 THENCE, WITH A PORTION OF SAID RIGHT-OF-WAY LINE AND WITH A
3 PORTION OF THE EAST LINE OF SAID 155.956 ACRE TRACT OF LAND THE
4 FOLLOWING NINE (9) COURSES:

5 1) S 24°19'45" E, A DISTANCE OF 288.35 FEET TO AN IRON ROD
6 FOUND;

7 2) S 61°24'18" E, A DISTANCE OF 809.86 FEET TO AN IRON ROD
8 FOUND;

9 3) S 71°39'27" E, A DISTANCE OF 390.70 FEET TO AN IRON ROD
10 FOUND;

11 4) S 33°11'33" E, A DISTANCE OF 16.90 FEET TO AN IRON ROD
12 FOUND;

13 5) S 06°04'41" E, A DISTANCE OF 213.95 FEET TO AN IRON ROD
14 FOUND;

15 6) S 00°29'28" W, A DISTANCE OF 1,475.86 FEET TO AN IRON
16 ROD SET

17 7) S 59°19'00" W, A DISTANCE OF 200.06 FEET TO AN IRON ROD
18 SET

19 8) S 88°57'00" W, A DISTANCE OF 388.95 FEET TO AN IRON ROD
20 SET

21 9) S 45°59'00" W, A DISTANCE OF 30.40 FEET TO AN IRON ROD
22 SET AT THE NORTHEAST CORNER OF THAT CERTAIN JOYCE LUX 0.616 OF
23 AN ACRE OF LAND, FOR THE SOUTHEAST CORNER HEREOF;

24 THENCE, WITH THE NORTH LINE OF SAID 0.516 OF AN ACRE OF
25 LAND AND WITH THE SOUTH LINE OF SAID 155.956 ACRE TRACT OF LAND
26 THE FOLLOWING FOUR (4) COURSES:

27 1) S 89°36'00" W, A DISTANCE OF 1,019.90 FEET TO AN IRON

1 ROD SET AT AN ANGLE POINT IN SAID LINE;

2 2) N 35°32'00" W, A DISTANCE OF 13.20 FEET TO AN IRON ROD
3 SET AT AN ANGLE POINT IN SAID LINE;

4 3) S 72°04'00" W, A DISTANCE OF 51.70 FEET TO AN IRON ROD
5 SET AT AN ANGLE POINT IN SAID LINE;

6 4) N 89°49'00" W, A DISTANCE OF 968.30 FEET TO AN IRON ROD
7 SET AT THE NORTHEAST CORNER OF THAT CERTAIN CLYDE JOHNSON AND
8 SONS HEREFORD RANCH, LTD 10.600 ACRE TRACT OF LAND, SAME BEING
9 THE SOUTHEAST CORNER OF THAT CERTAIN CLYDE JOHNSON AND SONS
10 HEREFORD RANCH, LTD 151.900 ACRE TRACT OF LAND, BOTH RECORDED IN
11 DOCUMENT NO. 200006037239, OF THE OFFICIAL PUBLIC RECORDS OF
12 SAID COUNTY, FOR THE SOUTHWEST CORNER HEREOF;

13 THENCE, WITH THE EAST LINE OF SAID HEREFORD RANCH, LTD
14 151.900 ACRES OF LAND AND WITH THE WEST LINE OF SAID 155.956
15 ACRE TRACT OF LAND, N 00°40'00" W, A DISTANCE OF 3,017.30 FEET
16 TO AN IRON ROD FOUND AT A POINT IN THE SOUTH LINE OF SAID
17 HEREFORD RANCH, LTD 151.956 ACRE TRACT OF LAND, FOR THE
18 NORTHWEST CORNER HEREOF;

19 THENCE, WITH A PORTION OF SAID SOUTH LINE OF SAID 151.956
20 ACRE TRACT OF LAND AND WITH A PORTION OF THE NORTH LINE OF SAID
21 155.956 ACRE TRACT OF LAND, S 89°57'00" E, A DISTANCE OF 655.62
22 FEET TO AN IRON ROD SET AT A POINT IN SAID LINE AT THE NORTHWEST
23 CORNER OF SAID KANE 6.020 ACRE TRACT OF LAND, FOR A POINT IN THE
24 NORTH LINE HEREOF;

25 THENCE, THROUGH SAID 155.956 ACRE TRACT OF LAND WITH THE
26 WEST AND SOUTH LINE OF SAID KANE 6.020 ACRE TRACT OF LAND THE
27 FOLLOWING TWO (2) COURSES:

1 1) S 00°40'00" E, A DISTANCE OF 400.33 FEET TO AN IRON ROD
2 SET, FOR AN INSIDE CORNER HEREOF;

3 2) S 89°57'00" E, A DISTANCE OF 782.69 FEET TO THE POINT OF
4 BEGINNING AND CONTAINING 149.984 ACRES OF LAND, MORE OR LESS.

5 PART 5

6 FIELDNOTE DESCRIPTION of a 210.971 acre tract of land
7 situated within Comal County, Texas, out of the Christian Hanz
8 Survey Number 452, Abstract 263, the Agapita Nava Survey Number
9 451, Abstract 432 and the Johann Moegelin Survey Number 575,
10 Abstract 423 and being comprised of all of Lot 1, Block 2,
11 KESTREL AIR PARK as shown by plat recorded in Volume 12, Pages
12 314-316, Comal County Map and Plat records, together with 16.210
13 acres out of a certain 25.422 acre tract of land conveyed unto
14 DJL Ventures Inc, by warranty deed executed November 27, 2006
15 and recorded in Document Number 200606050149, Comal County
16 Official Records, together with 0.519 acres out of a certain
17 3.827 acre tract of land conveyed unto James R. and Cecelia
18 Leininger by warranty deed executed April 8, 1987 and recorded
19 in Volume 564, Page 360, Comal County Deed Records, together
20 with 25.502 acres out of a remaining portion of a certain
21 412.1351 acre tract of land conveyed unto James R. Leininger by
22 warranty deed executed December 29, 1982 and recorded in Volume
23 338, Page 466, said Deed Records, together with a certain 35.00
24 acre tract of land and a certain 5.058 acre tract of land
25 conveyed unto DJL Ventures, Inc by warranty deed executed
26 December 27, 2006 and recorded in Document Number 200706009043,
27 said Official Records, together with a called 123.995 acre tract

1 conveyed unto DJL Ventures, Inc by warranty deed executed
2 January 3, 2007 and recorded in Document Number 200706009042,
3 said Official Records, in all said 210.971 acre tract being more
4 particularly described as follows:

5 BEGINNING at a 1/2" iron rod found at the intersection of
6 the westerly right-of-way line of U.S. Highway 281 (a variable
7 width public right-of-way) with the northerly incorporated
8 limits of City of Bulverde as described in the POLITICAL
9 BOUNDARY DESCRIPTION OF A 1.8 SQUARE MILE TRACT OF LAND FOR THE
10 CITY OF BULVERDE NORTHWEST - INCORPORATION LIMITS, dated October
11 8, 2001; same being the common southeast corner of said Lot 1,
12 Block 2, KESTREL AIR PARK and the northeast corner of said
13 25.422 acre tract, also being the eastern most corner and POINT
14 OF BEGINNING of this tract.

15 THENCE, along said northerly incorporated city limit line
16 and with the common south line of said Lot 1 and the north line
17 of said 25.422 acre tract, North 88° 16' 26" West, 200.70 feet
18 to a point for corner in the incorporated city limit line
19 running 200 feet west of, and parallel with, the westerly right-
20 of-way line of said U.S. Highway 281.

21 THENCE, across said 25.422 acre tract and with said line
22 running 200 feet west of, and parallel with, said westerly
23 right-of-way line as follows:

24 South 03° 03' 10" East, 256.79 feet to a point for
25 corner.

26 South 05° 51' 08" East, 710.05 to a point at the
27 beginning of a non-tangent curve concave to the west, whose

1 radius point bears South 84° 07' 05" West and whose chord
2 bearing and distance is South 01° 25' 05" West, 884.34 feet,

3 And southerly with the arc of said curve through a
4 central angle of 14° 36' 01", an arc distance of 886.73 feet to
5 a point for corner situated in the incorporated city limit line
6 running perpendicular to the centerline of said U.S. Highway
7 281, said perpendicular line being situated approximately 2,200
8 feet north of the centerline of State Highway 46 (a 100 foot
9 wide public right-of-way).

10 THENCE along said perpendicular line, North 81° 16' 54"
11 West, at 106.16 feet pass the common south line of said 25.422
12 acre tract and the north line of said 3.827 acre tract, in all a
13 distance of 270.53 feet to a point for corner situated in the
14 incorporated city limit line running 470 feet west of, and
15 parallel with, the westerly right-of-way line said U.S. Highway
16 281.

17 THENCE, along said line running 470 feet west of, and
18 parallel with, said westerly right-of-way line, South 14° 54'
19 38" West, at 178.41 feet pass the common west line of said 3.827
20 acre tract and the east line of said 412.1351 acre tract, in all
21 a distance of 756.85 feet to a point for corner in the north
22 line of a 9.156 acre tract of land conveyed unto J. David
23 Bamberger by correction deed executed February 9, 1981 and
24 recorded in Volume 308, Page 202, said Deed Records.

25 THENCE, departing said line running 470 feet west of, and
26 parallel with, said westerly right-of-way line, South 76° 50'
27 42" West, 88.53 feet to a 1/2" iron rod found in the east line

1 of said 412.1351 acre tract and at the northwest corner of said
2 9.156 acre tract.

3 THENCE, along the common west line of said 9.156 acre tract
4 and east line of said 412.1351 acre tract, South $01^{\circ} 13' 43''$
5 East, 281.04 feet to its intersection with said incorporated
6 city limit line running 470 feet west of, and parallel with,
7 said westerly right-of-way line.

8 THENCE, across said 412.1351 acre tract and with said line
9 running 470 feet west of, and parallel with, said westerly
10 right-of-way line, South $14^{\circ} 54' 38''$ West, 379.03 feet to a
11 point for corner situated in the incorporated city limit line
12 running 750 feet north of, and parallel with, the northerly
13 right-of-way line of said State Highway 46, same being the
14 southeast corner of this tract and the beginning of a non-
15 tangent curve concave to the north whose radius point bears
16 North $04^{\circ} 50' 53''$ East, 10,662.25 feet and whose chord bearing
17 and distance is North $84^{\circ} 29' 03''$ West, 248.50 feet.

18 THENCE, along said line running 750 feet north of, and
19 parallel with, said northerly right-of-way line and westerly
20 with the arc of said curve through a central angle of $01^{\circ} 20'$
21 $08''$, an arc distance of 248.51 feet to a point for corner.

22 THENCE, continuing across said 412.1351 acre tract and
23 along said line running 750 feet north of, and parallel with,
24 said northerly right-of-way line, North $83^{\circ} 56' 15''$ West, 475.45
25 feet to a point for corner in the west line of WINDMILL RANCH
26 SUBDIVISION, UNIT 1, as shown by plat recorded in Volume 12,
27 Pages 321 - 324, said Map and Plat Records for the southerly

1 southwest corner of this tract, and from whence a 1/2" iron rod
2 found at the southeast corner of said WINDMILL RANCH
3 SUBDIVISION, UNIT 1, bears South 00° 05' 07" West, 4.89 feet.

4 THENCE, continuing with said incorporated city limit line,
5 North 00° 05' 07" East, 774.87 feet to a 1/2" iron rod found and
6 North 00° 42' 29" West, at 311.99 feet pass a 1/2" iron rod set
7 at the common southwest corner of said 35.00 acre tract and a
8 northerly corner of the remaining portion of said 412.1351 acre
9 tract, in all a distance of 644.29 feet to an 8" cedar fence
10 post found on the west line of said 35.00 acre tract, at the
11 common northeast corner of said WINDMILL RANCH SUBDIVISION, UNIT
12 1 and the southeast corner of said called 123.995 acre tract.

13 THENCE, continuing with said incorporated city limit line
14 and along the common north line of said WINDMILL RANCH
15 SUBDIVISION, UNIT 1, the south line of said called 123.995 acre
16 tract and the south line of this tract as follows:

17 North 89° 28' 10" West, 1490.92 feet to a 1/2" iron
18 rod found.

19 and North 89° 39' 20" West, 1508.06 feet to a 1/2"
20 iron rod found at the common northwest corner of said WINDMILL
21 RANCH SUBDIVISION, UNIT 1, the east corner of WINDMILL RANCH
22 SUBDIVISION, UNIT 2 according to the plat recorded in Volume 13,
23 Pages 31 and 32, said Map and Plat Records, the southwest corner
24 of said called 123.995 acre tract and the westerly southwest
25 corner of this tract.

26 THENCE, continuing with said incorporated city limit line,
27 North 00° 01' 22" East, at 872.34 feet pass a 1/2" iron rod

1 found at the common north corner of said WINDMILL RANCH
2 SUBDIVISION, UNIT 2 and the southeast corner of WINDMILL RANCH
3 SUBDIVISION, UNIT 3 according to the plat recorded in Volume 13,
4 Pages 33-36, said Map and Plat Records, at 1742.32 feet pass a
5 1/2" iron rod found at the northeast corner of Lot 84 as shown
6 by plat of said WINDMILL RANCH SUBDIVISION, UNIT 3, in all a
7 distance of 1742.99 feet to a 1/2" iron rod set on the south
8 line of KESTREL AIR PARK according to the plat recorded in
9 Volume 12, Pages 314-316, said Map and Plat Records for the
10 northwest corner of said called 123.995 acre tract and the
11 northwest corner of this tract.

12 THENCE, departing said incorporated city limit line, North
13 89° 35' 20" East, 2,627.46 feet, along the south line of said
14 KESTREL AIR PARK, to a 1/2" iron rod found on the south right-
15 of-way line of Flightline Drive (a 60 foot wide Private Street)
16 as shown by plat of said KESTREL AIR PARK.

17 THENCE, along said south right-of-way line, North 89° 29'
18 45" East, at 727.93 feet pass a 1/2" iron rod found at the
19 common northeast corner of said 123.995 acre tract and the
20 northwest corner of said 5.058 acre tract, in all a distance of
21 750.21 feet to a 1/2" iron rod found at the west corner of said
22 Lot 1, Block 2, KESTREL AIR PARK and at the beginning of a non-
23 tangent curve to the left whose radius point bears North 00° 29'
24 59" East, 360.00 feet and whose chord bearing and distance is
25 North 79° 06' 14" East, 142.26 feet,

26 THENCE, continuing along said south right-of-way line and
27 with the common north line of said Lot 1, Block 2, KESTREL AIR

1 PARK and the north line of this tract the following courses:

2 Northeasterly along the arc of said curve through a
3 central angle of $22^{\circ} 47' 30''$, an arc distance of 143.20 feet to
4 a 1/2" iron rod found.

5 North $66^{\circ} 45' 47''$ East, 174.00 feet to a 1/2" iron rod
6 found at the beginning of a tangent curve to the right having a
7 radius of 250.00 feet and a chord bearing and distance of North
8 $86^{\circ} 43' 18''$ East, 170.67 feet,

9 Easterly with the arc of said curve through a central
10 angle of $39^{\circ} 55' 02''$, an arc distance of 174.17 feet to a 1/2"
11 iron rod found.

12 South $73^{\circ} 19' 11''$ East, 42.33 feet to a 1/2" iron rod
13 found at the beginning of a tangent curve to the left having a
14 radius 330.00 feet and a chord bearing and distance of South 80°
15 $50' 39''$ East, 86.43 feet,

16 Easterly with the arc of said curve through a central
17 angle of $15^{\circ} 02' 55''$, an arc distance of 86.67 feet to a mag
18 nail found.

19 South $88^{\circ} 22' 06''$ East, 190.99 feet to a 1/2" iron rod
20 found at the beginning of a tangent curve to the right having a
21 radius of 500.00 feet and a chord bearing and distance of South
22 $85^{\circ} 19' 27''$ East, 53.11 feet,

23 Easterly with the arc of said curve through a central
24 angle of $06^{\circ} 05' 19''$, an arc distance of 53.13 feet to a 1/2"
25 iron rod found.

26 South $82^{\circ} 16' 47''$ East, 97.67 feet to 1/2" iron rod
27 found at the beginning of a tangent curve to the left having a

1 radius of 500.00 feet and a chord bearing and distance of South
2 85° 19' 27" East, 53.11 feet,

3 Easterly with the arc of said curve through a central
4 angle of 06° 05' 19", an arc distance of 53.13 feet to a 1/2"
5 iron rod found.

6 And South 88° 21' 34" East, 127.32 feet to a 1/2" iron
7 rod found at the intersection of said south right-of-way line
8 and the westerly right-of-way line of said U.S. Highway 281,
9 same being at the common northeast corner of said Lot 1, Block
10 2, KESTREL AIR PARK and the northeast corner of this tract.

11 THENCE, along said westerly right-of-way line, South 03°
12 03' 10" East, at 134.71 feet to the point of POINT OF BEGINNING.

13 CONTAINING in all 210.971 acres or 9,189,882 square feet of
14 land, more or less.

15 SECTION 8.03. (a) The legal notice of the intention to
16 introduce this article of this Act, setting forth the general
17 substance of this article, has been published as provided by
18 law, and the notice and a copy of this article have been
19 furnished to all persons, agencies, officials, or entities to
20 which they are required to be furnished under Section 59,
21 Article XVI, Texas Constitution, and Chapter 313, Government
22 Code.

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

26 (c) The Texas Commission on Environmental Quality has
27 filed its recommendations relating to this article with the

1 governor, the lieutenant governor, and the speaker of the house
2 of representatives within the required time.

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

7 ARTICLE 9. LAJITAS UTILITY DISTRICT NO. 1 OF BREWSTER COUNTY

8 SECTION 9.01. Subtitle X, Title 6, Special District Local
9 Laws Code, is amended by adding Chapter 11002 to read as
10 follows:

11 CHAPTER 11002. LAJITAS UTILITY DISTRICT NO. 1 OF BREWSTER
12 COUNTY

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 11002.001. DEFINITIONS. In this chapter:

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

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

17 (3) "District" means the Lajitas Utility District No.
18 1 of Brewster County.

19 Sec. 11002.002. NATURE OF DISTRICT. The district is a
20 utility district with combined powers created under Section 59,
21 Article XVI, Texas Constitution.

22 Sec. 11002.003. CONFIRMATION AND DIRECTORS' ELECTION
23 REQUIRED. The temporary directors shall hold an election to
24 confirm the creation of the district and to elect five permanent
25 directors as provided by Section 49.102, Water Code.

26 Sec. 11002.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

27 (a) The district is created to serve a public purpose and

1 benefit.

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

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

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

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

15 (3) Section 52-a, Article III, Texas Constitution,
16 that relate to the development and diversification of the
17 economy of this state and other purposes of that section.

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

20 (1) further the public purposes of developing and
21 diversifying the economy of the state;

22 (2) eliminate unemployment and underemployment; and

23 (3) develop or expand transportation and commerce.

24 (e) The district will:

25 (1) promote the health, safety, and general welfare
26 of residents, employers, potential employees, employees,
27 visitors, and consumers in the district, and of the public;

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

5 (3) promote the health, safety, welfare, and
6 enjoyment of the public by providing pedestrian ways and by
7 landscaping and developing certain areas in the district, which
8 are necessary for the restoration, preservation, and enhancement
9 of scenic beauty.

10 (f) Pedestrian ways along or across a street, whether at
11 grade or above or below the surface, and street lighting, street
12 landscaping, parking, and street art objects are parts of and
13 necessary components of a street and are considered to be a
14 street or road improvement.

15 (g) The district is not an agent or instrumentality of a
16 private interest even though the district will benefit private
17 interests as well as the public.

18 Sec. 11002.005. INITIAL DISTRICT TERRITORY. (a) The
19 district is initially composed of the territory described by
20 Section 2 of the Act creating this chapter.

21 (b) The boundaries and field notes contained in Section 2
22 of the Act creating this chapter form a closure. A mistake made
23 in the field notes or in copying the field notes in the
24 legislative process does not affect the district's:

25 (1) organization, existence, or validity;

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

1 interest on a bond;

2 (3) right to impose a tax; or

3 (4) legality or operation.

4 [Sections 11002.006-11002.050 reserved for expansion]

5 SUBCHAPTER B. BOARD OF DIRECTORS

6 Sec. 11002.051. GOVERNING BODY; TERMS. (a) The district
7 is governed by a board of five elected directors.

8 (b) Except as provided by Section 11002.052, directors
9 serve staggered four-year terms.

10 Sec. 11002.052. TEMPORARY DIRECTORS. (a) The temporary
11 board consists of:

12 (1) Brent Ratliff;

13 (2) George Kutch;

14 (3) John Nolan;

15 (4) Renee Lorenz; and

16 (5) H. C. Ross.

17 (b) If a temporary director fails to qualify for office,
18 the temporary directors who have qualified shall appoint a
19 person to fill the vacancy.

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

21 (1) the date permanent directors are elected under
22 Section 11002.003; or

23 (2) the fourth anniversary of the effective date of
24 the Act creating this chapter.

25 (d) If permanent directors have not been elected under
26 Section 11002.003 and the terms of the temporary directors have
27 expired, successor temporary directors shall be appointed or

1 reappointed as provided by Subsection (e) to serve terms that
2 expire on the earlier of:

3 (1) the date permanent directors are elected under
4 Section 11002.003; or

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

7 (e) If Subsection (d) applies, the owner or owners of a
8 majority of the assessed value of the real property in the
9 district may submit a petition to the Texas Commission on
10 Environmental Quality requesting that the commission appoint as
11 successor temporary directors the five persons named in the
12 petition. The commission shall appoint as successor temporary
13 directors the five persons named in the petition.

14 [Sections 11002.053-11002.100 reserved for expansion]

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 11002.101. GENERAL POWERS AND DUTIES. The district
17 has the powers and duties necessary to accomplish the purposes
18 for which the district is created.

19 Sec. 11002.102. MUNICIPAL UTILITY DISTRICT POWERS AND
20 DUTIES. The district has the powers and duties provided by the
21 general law of this state, including Chapters 49 and 54, Water
22 Code, applicable to municipal utility districts created under
23 Section 59, Article XVI, Texas Constitution.

24 Sec. 11002.103. IMPROVEMENT PROJECTS AND SERVICES. The
25 district may provide improvement projects and services in the
26 same manner as a municipal management district under Section
27 375.112, Local Government Code.

1 Sec. 11002.104. AUTHORITY FOR ROAD PROJECTS. (a) Under
2 Section 52, Article III, Texas Constitution, the district may
3 design, acquire, construct, finance, issue bonds for, improve,
4 and convey to this state, a county, or a municipality for
5 operation and maintenance macadamized, graveled, or paved roads
6 described by Section 54.234, Water Code, or improvements,
7 including storm drainage, in aid of those roads.

8 (b) The district may exercise the powers provided by this
9 section without submitting a petition to or obtaining approval
10 from the Texas Commission on Environmental Quality as required
11 by Section 54.234, Water Code.

12 Sec. 11002.105. APPROVAL OF ROAD PROJECT. (a) The
13 district may not undertake a road project authorized by Section
14 11002.104 unless:

15 (1) each county that will operate and maintain the
16 road has approved the plans and specifications of the road
17 project, if a county will operate and maintain the road; or

18 (2) the Texas Transportation Commission has approved
19 the plans and specifications of the road project, if the state
20 will operate and maintain the road.

21 (b) Except as provided by Subsection (a), the district is
22 not required to obtain approval from the Texas Transportation
23 Commission to design, acquire, construct, finance, issue bonds
24 for, improve, or convey a road project.

25 Sec. 11002.106. COMPLIANCE WITH MUNICIPAL CONSENT
26 ORDINANCE OR RESOLUTION. The district shall comply with all
27 applicable requirements of any ordinance or resolution that is

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

4 Sec. 11002.107. LIMITATION ON USE OF EMINENT DOMAIN. The
5 district may not exercise the power of eminent domain outside
6 the district to acquire a site or easement for:

7 (1) a road project authorized by Section 11002.104;

8 or

9 (2) a recreational facility as defined by Section
10 49.462, Water Code.

11 Sec. 11002.108. ELECTRIC POWER FACILITIES. The district
12 may construct, acquire, improve, maintain, and operate electric
13 power generating, transmission, and distribution facilities and
14 improvements in aid of these facilities.

15 Sec. 11002.109. AIRPORT. The district may construct,
16 acquire, improve, maintain, and operate an airport and
17 improvements in aid of the airport.

18 Sec. 11002.110. EXERCISE OF POWERS OF DEVELOPMENT
19 CORPORATION. The district may exercise the powers of a
20 corporation created under the Development Corporation Act
21 (Subtitle C1, Title 12, Local Government Code).

22 Sec. 11002.111. DIVISION OF DISTRICT. (a) The district
23 may be divided into two or more new districts only if the
24 district:

25 (1) has no outstanding bonded debt; and

26 (2) is not imposing ad valorem taxes.

27 (b) This chapter applies to any new district created by

1 the division of the district, and a new district has all the
2 powers and duties of the district.

3 (c) Any new district created by the division of the
4 district may not, at the time the new district is created,
5 contain any land outside the area described by Section 2 of the
6 Act creating this chapter.

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

11 (e) The board may adopt an order dividing the district
12 before or after the date the board holds an election under
13 Section 11002.003 to confirm the district's creation.

14 (f) An order dividing the district shall:

15 (1) name each new district;

16 (2) include the metes and bounds of each new
17 district;

18 (3) appoint temporary directors for each new
19 district; and

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

22 (g) On or before the 30th day after the date of adoption
23 of an order dividing the district, the district shall file the
24 order with the Texas Commission on Environmental Quality and
25 record the order in the real property records of each county in
26 which the district is located.

27 (h) Any new district created by the division of the

1 district shall hold a confirmation and directors' election as
2 required by Section 11002.003.

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

8 (j) If the voters of a new district do not confirm the
9 creation of the new district, the assets, obligations,
10 territory, and governance of the new district revert to that of
11 the original district.

12 [Sections 11002.112-11002.150 reserved for expansion]

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 11002.151. ELECTIONS REGARDING TAXES OR BONDS. (a)

15 The district may issue, without an election, bonds and other
16 obligations secured by:

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

18 (2) contract payments described by Section 11002.153.

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

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

27 Sec. 11002.152. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized at an election held under Section 11002.151, the
2 district may impose an operation and maintenance tax on taxable
3 property in the district in accordance with Section 49.107,
4 Water Code.

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

7 Sec. 11002.153. CONTRACT TAXES. (a) In accordance with
8 Section 49.108, Water Code, the district may impose a tax other
9 than an operation and maintenance tax and use the revenue
10 derived from the tax to make payments under a contract after the
11 provisions of the contract have been approved by a majority of
12 the district voters voting at an election held for that purpose.

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

16 Sec. 11002.154. HOTEL OCCUPANCY TAX. The district may
17 impose a hotel occupancy tax in the same manner as a
18 municipality and for the same purposes as provided by Chapter
19 351, Tax Code. A tax imposed under this section may not exceed
20 the maximum rate provided in Section 351.003(a), Tax Code.

21 Sec. 11002.155. SALES AND USE TAX. (a) The district may
22 impose a sales and use tax if authorized by a majority of the
23 voters of the district voting at an election called for that
24 purpose. Revenue from the tax may be used for any purpose for
25 which ad valorem tax revenue of the district may be used.

26 (b) The district may not adopt a sales and use tax if as a
27 result of the adoption of the tax the combined rate of all sales

1 and use taxes imposed by the district and other political
2 subdivisions of this state having territory in the district
3 would exceed two percent at any location in the district.

4 (c) If the voters of the district approve the adoption of
5 the tax at an election held on the same election date on which
6 another political subdivision adopts a sales and use tax or
7 approves an increase in the rate of its sales and use tax and as
8 a result the combined rate of all sales and use taxes imposed by
9 the district and other political subdivisions of this state
10 having territory in the district would exceed two percent at any
11 location in the district, the election to adopt a sales and use
12 tax under this chapter has no effect.

13 (d) Chapter 321, Tax Code, applies to the imposition,
14 computation, administration, enforcement, and collection of the
15 sales and use tax imposed by this section except to the extent
16 it is inconsistent with this chapter.

17 Sec. 11002.156. ASSESSMENTS. The district may levy and
18 collect special assessments in the same manner and for the same
19 purposes as a municipal management district as provided in
20 Subchapter F, Chapter 375, Local Government Code.

21 [Sections 11002.157-11002.200 reserved for expansion]

22 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

23 Sec. 11002.201. AUTHORITY TO ISSUE BONDS AND OTHER
24 OBLIGATIONS. The district may issue bonds or other obligations
25 payable wholly or partly from ad valorem taxes, impact fees,
26 revenue, contract payments, grants, hotel occupancy taxes, sales
27 and use taxes, other district money, or any combination of those

1 sources to pay for any authorized district purpose.

2 Sec. 11002.202. TAXES FOR BONDS. (a) At the time the
3 district issues bonds payable wholly or partly from ad valorem
4 taxes, the board shall provide for the annual imposition of an
5 ad valorem tax, without limit as to rate or amount, as required
6 by Section 54.601, Water Code.

7 (b) The board shall annually impose the tax while all or
8 part of the bonds are outstanding. Sections 54.601 and 54.602,
9 Water Code, govern the amount and rate of the tax.

10 Sec. 11002.203. BONDS FOR ROAD PROJECTS. At the time of
11 issuance, the total principal amount of bonds or other
12 obligations issued or incurred to finance road projects and
13 payable from ad valorem taxes may not exceed one-fourth of the
14 assessed value of the real property in the district.

15 SECTION 9.02. The Lajitas Utility District No. 1 of
16 Brewster County initially includes all the territory contained
17 in the following area:

18 Tract 1

19 Being parts of the following Surveys:

20 T. C. Ry. Co. Surveys, Block 341

21 G. C. & S.F. Ry. Co. Surveys, Block G-12

22 M. K. & TE. Ry. Co. Surveys, Block G-5

23 Beginning at a rock mound found for the northeast corner of
24 Section 73 and the northwest corner of Section 72, Block 341, T.
25 C. Ry. Co. Surveys common with the northeast corner of Section
26 59, the northwest corner of Section 60, Block G-12, G. C. & SF
27 Ry. Co. Surveys in Brewster County, Texas this being the Place

1 of Beginning of this survey description of property located
2 north of the center line of FM Highway 170;
3 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
4 north section line of said Section 73 to a rock mound located at
5 the northwest corner of said Section 73 common to the northeast
6 corner of Section 84, Block 341;
7 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
8 north section line of said Section 84 a rock mound located at
9 the northwest corner of said Section 84, common to the northeast
10 corner of Section 85, Block 341;
11 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
12 north section line of said Section 85 to a rock mound located at
13 the northeast corner of Section 96, common with the southeast
14 corner of Section 56 Block 341;
15 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet along the
16 east section line of said Section 56 to a rock mound located at
17 the northeast corner of said Section 56, common with the
18 northwest corner of Section 57, and the southwest corner of
19 Section 44, Block 12;
20 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
21 north section line of said Section 56 to a rock mound located at
22 the northwest corner of said Section 56, common the northeast
23 corner of Section 55, Block 341;
24 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet along the
25 east section line of said Section 48 to a rock mound located at
26 the southeast corner of said Section 47; common with the
27 southeast corner of Section 47, and the southwest corner of

1 Section 46, Block 341;
2 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet along the
3 east section line of said Section 47 to a rock mound located at
4 the northeast corner of said Section 47; common with the
5 southeast corner of Section 103, and the northwest corner of
6 Section 46, Block 341
7 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet along the
8 east section line of said Section 103 to a rock mound located at
9 the northeast corner of said Section 103; common with the
10 southeast corner of Section 102, Block G-5;
11 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
12 north section line of said Section 103 to a rock mound located
13 at the northeast corner of Section 105;
14 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet along the
15 east section line of said Section 105 to a rock mound located at
16 the northeast corner of Section 92; common with the northwest
17 corner of Section 102 , Block G-5;
18 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
19 north section line of said Section 105 and the east line of
20 Section 106 to a rock mound located at the northwest corner of
21 said Section 105;
22 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
23 west section line of said Section 105 and the east line of
24 Section 106 to a rock mound located at the southwest corner of
25 said Section 105;
26 THENCE N 89° 38' 51" E, a distance of 5,277.8 feet along the
27 south section line of said Section 105 to a rock mound located

1 at the southeast corner of said Section 105, common with the
2 northwest corner of Section 103, Block G-5;
3 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
4 west section line of said Section 103 to a rock mound located at
5 the northwest corner of said Section 47, common with the
6 southwest corner of Section 103, Block G-5;
7 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
8 west section line of said Section 47 to a rock mound located at
9 the northwest corner of said Section 48;
10 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
11 west section line of said Section 48 to a rock mound located at
12 the northwest corner of said Section 55, common with the
13 southeast corner of Section 49, Block G-12,
14 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
15 west section line of said Section 55 from a rock mound located
16 at the northwest corner of said Section 55, common with the
17 southwest corner of Section 48, Block G-12, from which face of
18 bluff bears S 70° W and the south point of rim bears N 84° 30'
19 W;
20 THENCE N 89° 38' 51" E, a distance of 5,277.8 feet along the
21 south section line of said Section 55 to a rock mound located at
22 the southwest corner of said Section 56, common with the
23 northwest corner of Section 96, Block 341;
24 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
25 west section line of said Section 96 to a rock mound located at
26 the northeast corner of said Section 98, common with the
27 northwest corner of Section 95, Block 341; a rock mound located

1 at the northwest corner of said Section 95, common with the
2 southwest corner of Section 96, Block 341, from which Emory Peak
3 bears S 80° 45' E and a rock mound bears East 40 vares, this
4 rock mound, also being the northeast corner of Section 98, and
5 the southeast corner of Section 97 all in Block 341;
6 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
7 west section line of said Section 95 to a rock mound located at
8 the southeast corner of Section 98;
9 THENCE S 89° 38' 51" W, a distance of 5,277.8 feet along the
10 south section line of said Section 98 to a rock mound located at
11 the southwest corner of said Section 98;
12 THENCE N 00° 21' 09" W, a distance of 5,277.8 feet (called 1,900
13 vares) along the east section line of Section 101 to a rock
14 mound located at the northwest corner of said Section 98;
15 THENCE S 89° 38' 51" W, a distance of 4,333.4 feet along the
16 north section line of said Section 101 to a rock mound located
17 on the east line Section 36;
18 THENCE N 00° 21' 09" W, a distance of 1,466.7 feet along the
19 east section line of said Section 36 to a rock mound common with
20 the northwest corner with Section 101, Block 341;
21 THENCE S 89° 38' 51" W (called East), a distance of 2,638.9 feet
22 along the north section line of said Section 36 to a rock mound
23 located at the northwest corner of said Section 36;
24 THENCE S 00° 21' 09" E (called North), a distance of 50.6 feet,
25 more or less, along the west section line of said Section 36 to
26 a rock mound located at the northeast corner of said Section 35,
27 continuing 7,389.7 feet, to the north right-of-way line of FM

1 Highway 170;
2 THENCE S 00° 21' 09" E (called North), a distance of 60.0 feet,
3 more or less, along the west section line of said Section 36 to
4 the center line of said of FM Highway 170;
5 THENCE along the established center line as follows;
6 THENCE N 86° 22' 11.64" E, a distance of 669.91 feet along the
7 center line of the right-of-way line of F. M. Highway 170 to
8 point located at the beginning of a curve to the left having a
9 center line central angle of 10° 10' 58.5" Left, a Radius of
10 1,909.86 feet;
11 THENCE around the said curve to the left, a distance of 339.43
12 feet, to a point of tangent;
13 THENCE N 76° 11' 13.08" E, a distance of 203.77 feet along the
14 center line of the right-of-way line of F. M. Highway 170 to
15 point located at the beginning of a curve to the right having a
16 center line central angle of 62° 55' 02.1" Right, a Radius of
17 818.51 feet;
18 THENCE around the said curve to the right, a distance of 898.82
19 feet, to a point of tangent;
20 THENCE S 40° 53' 44.8"E, a distance of 1,564.13 feet along the
21 center line of the right-of-way line of F. M. Highway 170 to a
22 point located on the Section line between Sections 36 and 37,
23 and continuing on a distance of 72.2 feet to the beginning of a
24 curve to the left, having a center line central angle of 50° 46'
25 37.1" left, a R = 954.93 feet;
26 THENCE around the said curve to the left, a distance of 846.28
27 feet, to a point of tangent;

1 THENCE N 88° 19' 38" E, a distance of 747.91 feet along the
2 center line of the right-of-way line of F. M. Highway 170 to
3 point located at the beginning of a curve to the left having a
4 center line central angle of 33° 39 ' 17" left , a R = 1,909.86
5 feet;
6 THENCE around the said curve to the left, a distance of 670.43
7 feet, to a point located on the Section line between Sections 37
8 and 100, and continuing on a distance of 451.4 feet to a point
9 of tangent;
10 THENCE N 54° 40' 21"E, a distance of 2,677.46 feet along the
11 center line of the right-of-way line of F. M. Highway 170 to a
12 point located on the Section line between Sections 100 and 99,
13 and continuing on a distance of 3,073.0 feet to the beginning of
14 a curve to the right, having a center line central angle of 44°
15 08' 21" 'right, a R = 1,273.24 feet; and this Easement is
16 described an recorded in Volume 133 Page 435 of the Brewster
17 County Deed Records;
18 THENCE around the said curve to the right, a distance of 980.87
19 feet, to a point of tangent;
20 THENCE S 81° 11' 18" E, a distance of 672.9 feet along the
21 center line of the right-of-way line of F. M. Highway 170 to
22 point located at the beginning of a curve to the left having a
23 center line central angle of 43° 21' 04" left , a R = 818.51
24 feet;
25 THENCE around the said curve to the left, a distance of 419.60
26 feet, to a point located on the Section line between Sections 99
27 and 94, and continuing on a distance of 199.7 feet to a point of

1 tangent, and this Easement is described an recorded in Volume
2 133 Page 436 of the Brewster County Deed Records;
3 THENCE N 55° 27' 37.7" E, a distance of 82.6 feet along the
4 center line of the right-of-way line of F. M. Highway 170 to a
5 point located on the Section line between Sections 94 and 95,
6 and continuing on a distance of 5,266.18 feet to the beginning
7 of a curve to the right, having a center line central angle of
8 25° 53' 27.6" right, a R = 1,432.39 feet;
9 THENCE around the said curve to the right, a distance of 647.28
10 feet, to a point of tangent;
11 THENCE N 81° 21' 05.4" E, a distance of 267.0 feet along the
12 center line of the right-of-way line of F. M. Highway 170 to a
13 point located on the Section line between Sections 95 and 86,
14 and continuing on a distance of 995.5 feet to the beginning of a
15 curve to the right, having a center line central angle of 61°
16 36' 29.6" right, a R = 881.47 feet ;
17 THENCE around the said curve to the right, a distance of 947.82
18 feet, to a point of tangent;
19 THENCE S 37° 02' 25" E, a distance of 1,119.4 feet along the
20 center line of the right-of-way line of F. M. Highway 170 to
21 point located at the beginning of a curve to the left having a
22 center line central angle of 56° 48' 15.5" left , a R = 1,145.92
23 feet;
24 THENCE around the said curve to the left, a distance of 1,136.09
25 feet, to a point of tangent;
26 THENCE N 86° 09'19.5" E, a distance of 1,899.44 feet along the
27 center line of the right-of-way line of F. M. Highway 170 to the

1 beginning of a curve to the left, having a center line central
2 angle of 11° 33' 03.2" left, a R = 5,729.58 feet and this
3 Easement is described an recorded in Volume 133 Page 437 of the
4 Brewster County Deed Records;
5 THENCE around the said curve to the left, a distance of 1,155.09
6 feet, to a point of tangent;
7 THENCE N 74° 36' 16.3" E, a distance of 1,512.63 feet along the
8 center line of the right-of-way line of F. M. Highway 170 to
9 point located at the beginning of a curve to the left having a
10 center line central angle of 16° 44' 06.5" left , a R = 2,864.79
11 feet;
12 THENCE around the said curve to the left, a distance of 836.76
13 feet, to a point of tangent;
14 THENCE N 57° 52' 09.7 " E, a distance of 807.2 feet along the
15 center line of the right-of-way line of F. M. Highway 170 to
16 point located at the beginning of a curve to the left having a
17 center line central angle of 04° 00' 03" left , a R = 11,459.16
18 feet;
19 THENCE around the said curve to the left, a distance of 800.19
20 feet, to a point of tangent;
21 THENCE N 61° 52' 13.1" E, a distance of 807.2 feet along the
22 center line of the right-of-way line of F. M. Highway 170 to a
23 point located on the Section line between Sections 83 and 74, ,
24 and this Easement is described an recorded in Volume 4 Page 166
25 of the Brewster County Deed Records, and continuing on a
26 distance of 2,714.68 feet a point located on the Section line
27 between Sections 74 and 73, and continuing on a distance of 20.1

1 feet for a total distance of 3,541.98 feet to the beginning of a
2 curve to the left, having a center line central angle of $26^{\circ} 39'$
3 $56.7''$ left, a $R = 1,637.02$ feet; and this Easement is described
4 an recorded in Volume 133 Page 438 of the Brewster County Deed
5 Records;
6 THENCE around the said curve to the left, a distance of 761.88
7 feet, to a point of tangent;
8 THENCE N $35^{\circ} 12' 16.4''$ E, a distance of 538.0 feet along the
9 center line of the right-of-way line of F. M. Highway 170 to
10 point located at the beginning of a curve to the right having a
11 center line central angle of $27^{\circ} 06' 51''$ right, a $R = 1,909.86$
12 feet ;
13 THENCE around the said curve to the right, a distance of 903.81
14 feet, to a point of tangent;
15 THENCE N $62^{\circ} 19' 08.1''$ E, a distance of 264.68 feet along the
16 center line of the right-of-way line of F. M. Highway 170 to
17 point located at the beginning of a curve to the left having a
18 center line central angle of $13^{\circ} 50' 09.2''$ Left, a $R = 2,864.79$;
19 THENCE around the said curve to the left, a distance of 691.79
20 feet, to a point of tangent;
21 THENCE N $48^{\circ} 28' 59''$ E, a distance of 46.84 feet along the
22 center line of the right-of-way line of F. M. Highway 170 to a
23 point located on the Section line between Sections 73 and 72;
24 THENCE N $02^{\circ} 35' 58''$ W (called North), a distance of 1,799.22
25 feet, more or less, along the east line of said Section 73 to a
26 rock mound, this being the Place of Beginning of this survey
27 description of property located north of the centerline of FM

1 Highway 170; The land area contained within this description is
2 7,949.704 acres, more or less, including a sixty (60.0) foot
3 wide (one half of a 120.0 foot wide right-of-way) strip of land
4 along the north half of FM Highway 170.

5 Tract 2

6 Being parts of the following Surveys:

7 T. C. Ry. Co. Surveys, Block 341

8 G. H. & S.A. Ry. Co. Surveys, Block 17

9 Commencing at a rock mound found for the northeast corner of
10 Section 73 and the northwest corner of Section 72, Block 341, T.
11 C. Ry. Co. Surveys common with the southeast corner of Section
12 59, the northwest corner of Section 60, Block G-12, G. C. & SF
13 Ry. Co. Surveys in Brewster County, Texas;

14 THENCE S 02° 35' 58" E (called South), a distance of 1,799.22
15 feet along the east section line of said Section 73 to iron rod
16 located on the south right-of-way line of F M Highway 170 on the
17 section line between Section 72 and Section 73 Block 341, T. C.
18 Ry. Co. Surveys in Brewster County, Texas, this being the Place
19 of Beginning;

20 THENCE S 00° 48' 31" W, a distance of 3,480.68 feet along the
21 said east line of said Section 73 and the west line of Section
22 72 to a rock mound located at the southeast corner of said
23 Section 73 common to the southwest corner of said Section 72 and
24 the northwest corner of Section 64 Block 341;

25 THENCE N 89° 38' 51" E , a distance of 5,277.8 feet along the
26 north section line of said Section 64 a rock mound located at
27 the northeast corner of said Section 64 common to the northwest

1 corner of said Section 65 and the southwest corner of Section 71
2 Block 341;
3 THENCE N 00° 21' 00" W, a distance of 5,277.8 feet along the
4 west section line of said Section 71 to a rock mound located at
5 the northeast corner of said Section 72 common to the northwest
6 corner of said Section 71 and the southwest corner of Section 70
7 Block 341 and the southeast corner of Section 60 Block G-12;
8 THENCE N 00° 21' 09" W, a distance of 2,631.36 feet along the
9 west section line of said Section 70 and the east section line
10 of Section 60 to a iron rod located on the south right-of-way
11 line of F M Highway 170, described being 120 feet in width in
12 total width with the south right-of-way line located 60 feet
13 from the center line of the road, and this Easement is described
14 an recorded in Volume 133 Page 438 of the Brewster County Deed
15 Records;
16 THENCE N 64° 13' 04" E, a distance of 869.0 feet along the south
17 right-of-way line of F. M. Highway 170 to an iron rod set by
18 Walker;
19 THENCE S 16° 33' 44" E, a distance of 444.09 feet to an iron rod
20 set by Walker;
21 THENCE S 36° 44' 19" E, a distance of 348.44 feet to an iron rod
22 set by Walker;
23 THENCE S 08° 07' 25" E, a distance of 679.25 feet to an iron rod
24 set by Walker;
25 THENCE N 89° 38' 51" E, a distance of 2,980.6 feet along the
26 north section line of said Section 71 a rock mound located at
27 the northeast corner of said Section 71, common to the northwest

1 corner of said Section 68 Block 341;
2 THENCE S 00° 21' 09" E, a distance of 5,277.8 feet along the
3 east section line of said Section 71 to a rock mound located at
4 the northeast corner of said Section 71 common to the northwest
5 corner of said Section 67 Block 341;
6 THENCE N 89° 38' 51" E, a distance of 5,277.8 feet, more or
7 less, along the north section line of said Section 67 to a rock
8 mound located at the northeast corner of said Section 67 on the
9 west section line of Section 299 Block G-12;
10 THENCE S 00° 21' 09" E, a distance of 3,997.3 feet, more or
11 less, along the east section line of said Section 67 to a rock
12 mound located at the southeast corner of said Section 67 common
13 to the west section line of Section 299 Block G-12 and the north
14 section line of Section 34 Block 17;
15 THENCE N 40° 00' E, a distance of 3,777.8 feet, more or less,
16 along the north section line of said Section 34 Block 17 to a
17 rock mound located at the northeast corner of Section 34 and the
18 southwest corner of Section 35 Block 17;
19 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
20 along the east section line of said Section 34 Block 17 to a
21 rock mound located at the northern most corner of Section 33 and
22 the western most corner of Section 36 Block 17;
23 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
24 along the east section line of said Section 33 Block 17 to a
25 rock mound located at the northern most corner of Section 32 and
26 the western most corner of Section 37 Block 17;
27 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,

1 along the east section line of said Section 32 Block 17 to a
2 rock mound located at the northern most corner of Section 31 and
3 the western most corner of Section 38 Block 17;
4 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
5 along the east section line of said Section 31 Block 17 to a
6 rock mound located at the eastern most corner of Section 31 and
7 the western most corner of Section 39 Block 17;
8 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
9 along the south section line of said Section 31 Block 17 to a
10 rock mound located at the northern most corner of
11 Section 25 and the western most corner of Section 30 Block 17;
12 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
13 along the east section line of said Section 25 Block 17 to a
14 rock mound located at the eastern most corner of Section 25 and
15 the western most corner of Section 29 Block 17, being a point on
16 the boundary line of the Big Bend National Park;
17 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
18 along the south section line of said Section 25 Block 17 to a
19 rock mound located at the southern most corner of Section 25 and
20 the western most corner of Section 26 Block 17, being a point on
21 the boundary line of the Big Bend National Park;
22 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
23 along the west section line of said Section 25 Block 17 along
24 the boundary line of the Big Bend National Park;
25 to a rock mound located at the western most corner of
26 Section 25 and the southern most corner of Section 24 Block 17;
27 THENCE N 40° 00' E, a distance of 5,277.8 feet, more or less,

1 along the north section line of said Section 25 Block 17 to a
2 rock mound located at the northern most corner of Section 25 and
3 the southern most corner of Section 31 Block 17;
4 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
5 along the west section line of said Section 31 Block 17 to a
6 rock mound located at the eastern most corner of Section 23 and
7 the southern most corner of Section 32 Block 17;
8 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
9 along the south section line of said Section 23 Block 17 to a
10 rock mound located at the southern most corner of Section 23 and
11 the northern most corner of Section 17 Block 17;
12 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
13 along the east section line of said Section 17 Block 17 to a
14 rock mound located at the eastern most corner of Section 17 and
15 the northern most corner of Section 16 Block 17, being a point
16 on the boundary line of the Big Bend National Park;
17 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
18 along the south section line of said Section 17 Block 17 along
19 the boundary line of the Big Bend National Park to a rock mound
20 located at the southern most corner of Section 17 and the
21 western most corner of Section 16 Block 17;
22 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
23 along the west section line of said Section 17 Block 17 along
24 the boundary line of the Big Bend National Park to a rock mound
25 located at the western most corner of Section 17 and the eastern
26 most corner of Section 9 Block 17;
27 THENCE N 40° 00' E, a distance of 5,277.8 feet, more or less,

1 along the north section line of said Section 17 Block 17 to a
2 rock mound located at the northern most corner of Section 17 and
3 the southern most corner of Section 23 Block 17;
4 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
5 along the west section line of said Section 23 Block 17 to a
6 rock mound located at the western most corner of Section 23 and
7 the southern most corner of Section 22 Block 17;
8 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
9 along the south section line of said Section 19 Block 17 to a
10 rock mound located at the southern most corner of Section 19 and
11 the northern most corner of Section 9 Block 17;
12 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
13 along the east section line of said Section 9 Block 17 to a rock
14 mound located at the eastern most corner of Section 9 and the
15 northern most corner of Section 10 Block 17, being a point on
16 the boundary line of the Big Bend National Park;
17 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
18 along the south section line of said Section 9 Block 17 along
19 the boundary line of the Big Bend National Park to a rock mound
20 located at the southern most corner of Section 9 and the western
21 most corner of Section 9 Block 17;
22 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
23 along the west section line of said Section 9 Block 17 along the
24 boundary line of the Big Bend National Park to a rock mound
25 located at the western most corner of Section 9 and the eastern
26 most corner of Section 5 Block 17;
27 THENCE N 40° 00' E, a distance of 5,277.8 feet, more or less,

1 along the north section line of said Section 9 Block 17 to a
2 rock mound located at the northern most corner of Section 9 and
3 the southern most corner of Section 19 Block 17;
4 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
5 along the west section line of said Section 19 Block 17 to a
6 rock mound located at the western most corner of Section 19 and
7 the eastern most corner of Section 8 Block 17;
8 THENCE N 40° 00' E, a distance of 5,277.8 feet, more or less,
9 along the north section line of said Section 19 Block 17 to a
10 rock mound located at the northern most corner of Section 19 and
11 the southern most corner of Section 21 Block 17;
12 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
13 along the west section line of said Section 21 Block 17 to a
14 rock mound located at the western most corner of Section 21 and
15 the northern most corner of Section 20 Block 17, this point
16 being on the common line with Section 66 Block 341;
17 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
18 along the north section line of said Section 20 Block 17 and the
19 southeasterly line of said Section 66 to a rock mound at the
20 northern most corner of Section 7 Block 17;
21 THENCE S 50° 00' E, a distance of 5,277.8 feet, more or less,
22 along the east section line of said Section 7 Block 17 to a rock
23 mound located at the eastern most corner of Section 7 and the
24 northern most corner of Section 8 Block 17
25 THENCE S 40° 00' W, a distance of 5,277.8 feet, more or less,
26 along the south section line of said Section 7 Block 17 to a
27 rock mound located at the southern most corner of Section 7 and

1 the eastern most corner of Section 6 Block 17 , being a point on
2 the boundary line of the Big Bend National Park;
3 THENCE N 50° 00' W, a distance of 5,277.8 feet, more or less,
4 along the west section line of said Section 7 Block 17 along the
5 boundary line of the Big Bend National Park to a rock mound
6 located at the western most corner of Section 7 and the eastern
7 most corner of Section 6 Block 17, being a point on the
8 southeast line of Section 61 Block 341;
9 THENCE N 40° 00' E, a distance of 2,065.8 feet, more or less,
10 along the north section line of said Section 7 Block 17 and the
11 southeast section line of Section 62 Block 341 to a rock mound
12 located at the northeasterly most corner of Section 61 Block 341
13 being a point on the boundary line of the Big Bend National
14 Park;
15 THENCE N 88° 51' 19" W, a distance of 6,375.1 feet along the
16 section line between said Section 61 and Section 62 being the
17 boundary line of the Big Bend National Park to a rock mound
18 located at the southwest most corner of Section 62 on the east
19 line of Section 76 Block 341;
20 THENCE S 01° 11' 14" W, a distance of 675.0 feet along the east
21 line of said Section 76 being the boundary line of the Big Bend
22 National Park to a rock mound located at the southeast most
23 corner of Section 76 on the north line of Section 61 Block 341;
24 THENCE N 88° 46' 10" W, a distance of 5,277.8 feet along the
25 south section line of Section 76 between said Section 61 and 78
26 being the boundary line of the Big Bend National Park to a rock
27 mound located at the southwest most corner of Section 76 on the

1 east line of Section 81 Block 341;
2 THENCE N 88° 46' 10" W, a distance of 5,277.8 feet along the
3 south section line of Section 81 between said Section 60 being
4 the boundary line of the Big Bend National Park to a rock mound
5 located at the southwest most corner of Section 81 on the east
6 line of Section 88 Block 341;
7 THENCE N 88° 46' 10" W, a distance of 5,277.8 feet along the
8 south section line of Section 88 between said Section 89 being
9 the boundary line of the Big Bend National
10 Park to a rock mound located at the southwest most corner of
11 Section 88 on the east line of Section 93 Block 341;
12 THENCE N 88° 46' 10" W, a distance of 4,874.2 feet along the
13 south section line of Section 93 between said Section 41 being
14 the boundary line of the Big Bend National Park to a rock mound
15 located at the southwest most corner of Section 93 on the east
16 line of Section 41 Block 341;
17 THENCE N 00° 49' 07" E, a distance of 2080.0 feet, more or less,
18 along the west section line of Section 93 located between said
19 Section 41 being the boundary line of the Big Bend National Park
20 to a rock mound located at the southeast most corner of Section
21 92 on the east line of Section 41 Block 341;
22 THENCE N 88° 43' 49" W, a distance of 2,001.5 feet, more or
23 less, along the south section line of Section 92 Block 341 and
24 the north line of Section 41, being the boundary line of the Big
25 Bend National Park, to a rock mound located at the northwest
26 most corner of Section 41;
27 THENCE S 01° 16' 11" W, a distance of 316.1 feet, more or less,

1 along the west section line of Section 41 and the offset east
2 line of Section 92, being the boundary line of the Big Bend
3 National Park, to a rock mound located on the south line of
4 Section 92;

5 THENCE N 88° 43' 49" W, a distance of 2,334.6 feet, more or
6 less, along the south section line of Section 92 Block 341 and
7 the north line of Section 48, being the boundary line of the Big
8 Bend National Park, to a rock mound and concrete marker located
9 at the southwest most corner of Section 92;

10 THENCE N 01° 16' 11" E, a distance of 1,908.1 feet along the
11 section line between said Section 92 and Section 49, being the
12 boundary line of the Big Bend National Park, to a rock mound and
13 concrete marker located at the southeast most corner of Section
14 100 Block 341 at the northeast corner of Section 49;

15 THENCE N 88° 43' 49" W, a distance of 2,632.6 feet, more or
16 less, along the south section line of Section 100 Block 341 and
17 the north line of Section 49, being the boundary line of the Big
18 Bend National Park, to a rock mound and concrete marker located
19 at the northwest most corner of Section 49 and the southwest
20 corner of Section 100;

21 THENCE S 01° 16' 12" W, a distance of 4,599.4 feet, more or
22 less, along the west section line of Section 49 , being the
23 boundary line of the Big Bend National Park, to a rock mound
24 located on the south line of Section 37 and being the northeast
25 corner of Section 38 Block 341;

26 THENCE N 88° 43' 49" W, a distance of 3,330.3 feet, more or
27 less, along the south section line of Section 37 Block 341 and

1 the north line of Section 38, being the boundary
2 line of the Big Bend National Park, to a rock mound and located
3 at the meanders of the Rio Grande at the southwest most corner
4 of said Section 37 and the northwest most corner of Section 38;
5 THENCE along the east meandering line of the bank of the Rio
6 Grande, as identified in the year of April 2007, described as
7 follows:

8 N 20° 07' 30" E, a distance of 335.53 feet
9 S 87° 27' 30" E, a distance of 877.59 feet
10 N 25° 19' 25" E, a distance of 219.65 feet
11 N 11° 41' 28" E, a distance of 511.26 feet
12 N 23° 23' 39" E, a distance of 510.57 feet
13 N 19° 19' 32" E, a distance of 645.17 feet
14 N 02° 03' 28" E, a distance of 270.32 feet
15 N 20° 01' 04" E, a distance of 337.82 feet
16 N 38° 01' 14" E, a distance of 827.59 feet
17 N 38° 19' 39" W, a distance of 754.08 feet
18 N 07° 15' 04" W, a distance of 1,333.57 feet
19 N 23° 27' 17" W, a distance of 926.79 feet
20 N 23° 27' 17" W, a distance of 115.86 feet
21 N 17° 48' 38" W, a distance of 580.31 feet
22 N 11° 49' 17" W, a distance of 461.28 feet
23 N 23° 38' 37" W, a distance of 802.90 feet
24 N 05° 44' 52" W, a distance of 99.91 feet to the beginning
25 of a curve to the left with a central angle of 77° 38' 50"
26 having a cord bearing of N 44° 34' 17" W with a cord length of
27 681.47 feet a radius of 543.50 feet and continuing along the

1 bank of the Rio Grande
2 N 83° 23' 43" W, a distance of 222.82 feet
3 S 84° 41' 58" W, a distance of 732.79 feet to a point on
4 the west section line of Section 36 Block 341;
5 THENCE N 00° 21' 09" W, a distance of 94.84 feet , more or less,
6 to a point on the center line of the right-of-way line of F M
7 Highway 170, and this Easement is described an recorded in
8 Volume 133 Page 460 - 461 of the Brewster County Deed Records;
9 THENCE along the said center line of the right-of-way line of F
10 M Highway 170 described as follows:
11 THENCE N 86° 22' 11.64" E, a distance of 669.91 feet along the
12 center line of the right-of-way line of F. M. Highway 170 to
13 point located at the beginning of a curve to the left having a
14 center line central angle of 10° 10' 58.5" Left, a Radius of
15 1,909.86 feet;
16 THENCE around the said curve to the left, a distance of 339.43
17 feet, to a point of tangent;
18 THENCE N 76° 11' 13.08" E, a distance of 203.77 feet along the
19 center line of the right-of-way line of F. M. Highway 170 to
20 point located at the beginning of a curve to the right having a
21 center line central angle of 62 55' 02.1" Right , a Radius of
22 818.51 feet;
23 THENCE around the said curve to the right, a distance of 898.82
24 feet, to a point of tangent;
25 THENCE S 40° 53' 44.8"E, a distance of 1,564.13 feet along the
26 center line of the right-of-way line of F. M. Highway 170 to a
27 point located on the Section line between Sections 36 and 37,

1 and continuing on a distance of 72.2 feet to the beginning of a
2 curve to the left, having a center line central angle of 50° 46'
3 37.1" left, a R = 954.93 feet;
4 THENCE around the said curve to the left, a distance of 846.28
5 feet, to a point of tangent;
6 THENCE N 88° 19' 38" E, a distance of 747.91 feet along the
7 center line of the right-of-way line of F. M. Highway 170 to
8 point located at the beginning of a curve to the left having a
9 center line central angle of 33° 39 ' 17" left , a R = 1,909.86
10 feet;
11 THENCE around the said curve to the left, a distance of 670.43
12 feet, to a point located on the Section line between Sections 37
13 and 100, and continuing on a distance of 451.4 feet to a point
14 of tangent;
15 THENCE N 54° 40' 21"E, a distance of 2,677.46 feet along the
16 center line of the right-of-way line of F. M. Highway 170 to a
17 point located on the Section line between Sections 100 and 99,
18 and continuing on a distance of 3,073.0 feet to the beginning of
19 a curve to the right, having a center line central angle of 44
20 08' 21""right, a R = 1,273.24 feet; and this Easement is
21 described and recorded in Volume 133 Page 435 of the Brewster
22 County Deed Records;
23 THENCE around the said curve to the right, a distance of 980.87
24 feet, to a point of tangent;
25 THENCE S 81° 11' 18" E, a distance of 672.9 feet along the
26 center line of the right-of-way line of F. M. Highway 170 to
27 point located at the beginning of a curve to the left having a

1 center line central angle of 43° 21' 04" left , a R = 818.51
2 feet;
3 THENCE around the said curve to the left, a distance of 419.60
4 feet, to a point located on the Section line between Sections 99
5 and 94, and continuing on a distance of 199.7 feet to a point of
6 tangent, and this Easement is described an recorded in Volume
7 133 Page 436 of the Brewster County Deed Records;
8 THENCE N 55° 27' 37.7" E, a distance of 82.6 feet along the
9 center line of the right-of-way line of F. M. Highway 170 to a
10 point located on the Section line between Sections 94 and 95,
11 and continuing on a distance of 5,266.18 feet to the beginning
12 of a curve to the right, having a center line central angle of
13 25° 53' 27.6" right, a R = 1,432.39 feet;
14 THENCE around the said curve to the right, a distance of 647.28
15 feet, to a point of tangent;
16 THENCE N 81° 21' 05.4" E, a distance of 267.0 feet along the
17 center line of the right-of-way line of F. M. Highway 170 to a
18 point located on the Section line between Sections 95 and 86,
19 and continuing on a distance of 995.5 feet to the beginning of a
20 curve to the right, having a center line central angle of 61°
21 36' 29.6" right, a R = 881.47 feet ;
22 THENCE around the said curve to the right, a distance of 947.82
23 feet, to a point of tangent;
24 THENCE S 37° 02' 25" E, a distance of 1,119.4 feet along the
25 center line of the right-of-way line of F. M. Highway 170 to
26 point located at the beginning of a curve to the left having a
27 center line central angle of 56° 48' 15.5" left , a R = 1,145.92

1 feet;

2 THENCE around the said curve to the left, a distance of 1,136.09
3 feet, to a point of tangent;

4 THENCE N 86° 09'19.5" E, a distance of 1899.44 feet along the
5 center line of the right-of-way line of F. M. Highway 170 to the
6 beginning of a curve to the left, having a center line central
7 angle of 11° 33' 03.2" left, a R = 5,729.58 feet and this
8 Easement is described an recorded in Volume 133 Page 437 of the
9 Brewster County Deed Records;

10 THENCE around the said curve to the left, a distance of 1,155.09
11 feet, to a point of tangent;

12 THENCE N 74° 36' 16.3" E, a distance of 1,512.63 feet along the
13 center line of the right-of-way line of F. M. Highway 170 to
14 point located at the beginning of a curve to the left having a
15 center line central angle of 16° 44' 06.5" left , a R = 2,864.79
16 feet;

17 THENCE around the said curve to the left, a distance of 836.76
18 feet, to a point of tangent;

19 THENCE N 57° 52' 09.7 " E, a distance of 807.2 feet along the
20 center line of the right-of-way line of F. M. Highway 170 to
21 point located at the beginning of a curve to the left having a
22 center line central angle of 04° 00' 03" left , a R = 11,459.16
23 feet;

24 THENCE around the said curve to the left, a distance of 800.19
25 feet, to a point of tangent;

26 THENCE N 61° 52' 13.1" E, a distance of 807.2 feet along the
27 center line of the right-of-way line of F. M. Highway 170 to a

1 point located on the Section line between Sections 83 and 74, ,
2 and this Easement is described an recorded in Volume 4 Page 166
3 of the Brewster County Deed Records, and continuing on a
4 distance of 2,714.68 feet a point located on the Section line
5 between Sections 74 and 73, and continuing on a distance of 20.1
6 feet for a total distance of 3,541.98 feet to the beginning of a
7 curve to the left, having a center line central angle of 26° 39'
8 56.7" left, a R = 1,637.02 feet; and this Easement is described
9 an recorded in Volume 133 Page 438 of the Brewster County Deed
10 Records;

11 THENCE around the said curve to the left, a distance of 761.88
12 feet, to a point of tangent;

13 THENCE N 35° 12' 16.4" E, a distance of 538.0 feet along the
14 center line of the right-of-way line of F. M. Highway 170 to
15 point located at the beginning of a curve to the right having a
16 center line central angle of 27° 06' 51" right, a R = 1,909.86
17 feet ;

18 THENCE around the said curve to the right, a distance of 903.81
19 feet, to a point of tangent;

20 THENCE N 62° 19' 08.1" E, a distance of 264.68 feet along the
21 center line of the right-of-way line of F. M. Highway 170 to
22 point located at the beginning of a curve to the left having a
23 center line central angle of 13° 50' 09.2" Left, a R = 2,864.79;

24 THENCE around the said curve to the left, a distance of 691.79
25 feet, to a point of tangent;

26 THENCE N 48° 28' 59" E, a distance of 46.84 feet along the
27 center line of the right-of-way line of F. M. Highway 170 to a

1 point located on the Section line between Sections 73 and 72,
2 this being the Place of Beginning of this survey description of
3 property located south of the centerline of FM Highway 170. The
4 land area contained within this description is 19,908.976 acres,
5 more or less, including a sixty (60.0) foot wide (one half of a
6 120.0 foot wide right-of-way) strip of land along the south half
7 of FM Highway 170.

8 Save and Except:

9 Comanche Hills, a subdivision in Lajitas, Brewster County,
10 Texas, as same appears in Plat Envelope No. 186 in the Plat
11 Records of Brewster County, Texas.

12 Comanche Mesa, a subdivision in Lajitas, Brewster County, Texas,
13 as same appears in Plat Envelope No. 171 in the Plat Records of
14 Brewster County, Texas.

15 Mesa Vista, a subdivision in Lajitas, Brewster County, Texas, as
16 same appears in Plat Envelope No. 193 in the Plat Records of
17 Brewster County, Texas.

18 Riverview, a subdivision in Lajitas, Brewster County, Texas, as
19 same appears in Plat Envelope No. 170 in the Plat Records of
20 Brewster County, Texas.

21 All of the San Carlos Condominiums, a Condominium Regime
22 recorded in Volume 1, Page 1 and amended in Volume 1, Page 71 et
23 seq. and Volume 1, Page 83 et seq., of the Condominium Records
24 of Brewster County, Texas.

25 All of the Lajitas-Boardwalk Condominiums, a Condominium Regime
26 in Brewster County, Texas, as same appears in Plat Envelope No.
27 288B in the Plat Records of Brewster County, Texas.

1 All of Sections 7, 9, 17, 19, 21, 22, 23, 25, 31, 32, 33 and 34,
2 Block 17, G.H. & S.A. Ry. Co., Brewster County, Texas, being
3 7,680 acres in all, more or less.

4 From Section 65, Block 341, T.C. Ry. Co., Brewster County,
5 Texas:

6 SE/4 of the SW/4, being 40 acres;
7 NE/4 of the SE/4, being 40 acres;
8 N/2 of the NE/4, being 80 acres; and
9 NW/4, being 160 acres.

10 From Section 67, Block 341, T.C. Ry. Co., Brewster County,
11 Texas:

12 23.13 acres conveyed in Volume 249, Page 555 of the
13 Deed Records of Brewster County, Texas;
14 NW/4, being 160 acres;
15 NE/4, being 160 acres;
16 NW/4 of the SW/4, being 40 acres; and
17 NW/4 of the SE/4, being 40 acres.

18 A 76.06 acre tract of land south of FM Highway 170 in Section
19 73, Block 341, T.C. Ry. Co., Brewster County, Texas, conveyed in
20 Volume 123, Page 367 of the Deed Records of Brewster County,
21 Texas.

22 The E/2 of the SE/4 of Section 76, Block 341, T.C. Ry. Co.,
23 Brewster County, Texas, being 80 acres in all, more or less.

24 From Section 82, Block 341, T.C. Ry. Co., Brewster County,
25 Texas:

26 A 13.82 acre tract of land conveyed in Volume 258,
27 Page 757 of the Deed Records of Brewster County, Texas; and

1 A 14.07 acre tract of land conveyed in Volume 16, Page
2 4 of the Official Public Records of Brewster County, Texas.
3 From Section 84, Block 341, T.C. Ry. Co., Brewster County,
4 Texas:

5 N/2 of the SE/4, being 80 acres;
6 NW/4, being 160 acres;
7 S/2 of the SW/4, being 80 acres; and
8 NE/4, being 160 acres.

9 All of Section 88, Block 341, T.C. Ry. Co., Brewster County,
10 Texas, being 640 acres in all, more or less.

11 From Section 99, Block 341, T.C. Ry. Co., Brewster County,
12 Texas:

13 A 89.6 acre tract of land conveyed in Volume 6, Page
14 432 of the Official Public Records of Brewster County,
15 Texas; and

16 A 99.2 acre tract of land conveyed in Volume 226, Page
17 329 of the Official Public Records of Brewster County,
18 Texas.

19 From Section 100, Block 341, T.C. Ry. Co., Brewster County,
20 Texas:

21 A 1.233 acre tract of land conveyed in Volume 226,
22 Page 223 of the Deed Records of Brewster County, Texas,
23 described therein as a 0.965 acre tract of land.

24 A 1.40 acre tract of land conveyed in Volume 68, Page
25 36 of the Official Public Records of Brewster County,
26 Texas, as more particularly described below:

27 Metes and bounds description of a

1 1.40 acre tract of land out of Survey 100
2 (Tract 2) described in Vol. 9, p. 179,
3 Corrected Field Note Records, and depicted
4 on a plat filed in Vol. 9, P. 189, Corrected
5 Field Note Records, Block 341, T.C. Ry. Co.
6 Surveys, Brewster County, Texas and being
7 more particularly described as follows:

8 BEGINNING at a 1/2" iron rod and
9 cap marked "WALKER 4425" set for the
10 Northwest corner of this tract, from which a
11 National Park monument in a fence corner
12 found in the East line of Survey 37 for the
13 Northwest corner of Survey 39 and the
14 Southwest corner of Survey 100, said Block
15 341, bears South 26 deg. 08'49" West 1605.64
16 feet;

17 THENCE North 31 deg. 35'00" East
18 294.86 feet to a 1/2" iron rod and cap
19 marked "WALKER 4425" set for the Northeast
20 corner of this tract;

21 THENCE South 31 deg 36'10" East
22 53.20 feet to a 1/2" iron rod and cap marked
23 "WALKER 4425" set;

24 THENCE South 8 deg. 50'02" West,
25 57.00 feet to a 1/2" iron rod and cap marked
26 "WALKER 4425" set;

27 THENCE South 18 deg. 35'24" East

1 122.12 feet to a 1/2" iron rod and cap
2 marked "WALKER 4425" set;

3 THENCE South 78 deg. 42'12" East
4 246.26 feet to a 1/2" iron rod and cap
5 marked "WALKER 4425" set for the Southeast
6 corner of this tract;

7 THENCE South 38 deg. 29'05" West
8 206.20 feet to a 1/2" iron rod and cap
9 marked "WALKER 4425" set for the Southwest
10 corner of this tract;

11 THENCE North 32 deg. 25'55" West
12 69.47 feet to a 1/2" iron rod and cap marked
13 "WALKER 4425" set;

14 THENCE North 59 deg. 34'57" West
15 159.83 feet to a 1/2" iron rod and cap
16 marked "WALKER 4425" set;

17 THENCE North 76 deg. 26'32" West
18 154.83 feet to the point of beginning.

19 Bearings and distances are based
20 on the Texas Coordinate System, South
21 Central Zone NAD 1927.

22 All of the Rio Vista Subdivision, as shown in Volume 114, Page
23 317 of the Official Public Records of Brewster County and as
24 more particularly described below:

25 Metes and bounds description of a
26 1.06 Acre tract of land, out of Survey 36,
27 Block 341, T.C. Ry.Co. Surveys, Brewster

1 County, Texas, said 1.06 acre tract being
2 more particularly described as follows:

3 BEGINNING at a point for corner at
4 the Northeast corner of a 1.06 acre tract
5 described in Vol. 74, P. 105, Official
6 Public Records;

7 THENCE South 2 deg. 30'27" West
8 122.32 feet with the East line of said 1.06
9 acre tract to a 60d nail previously set by
10 me for a corner of said 1.06 acre tract;

11 THENCE South 11 deg. 02'25" East
12 164.89 feet to a 1/2" iron rod and cap
13 marked "WALKER 4425" set for the Southeast
14 corner of this tract;

15 THENCE South 75 deg. 40' West
16 passing at 12 feet a 1/2" iron rod and a cap
17 marked "WALKER 4425" and continuing in all
18 149.83 feet to a point for corner and the
19 Southwest corner of said tract;

20 THENCE North 9 deg. 18'52" West
21 192.05 feet to a point for corner;

22 THENCE North 3 deg. 35' West
23 141.13 feet to a point for corner and the
24 northwest corner of said 1.06 acre tract;

25 THENCE South 86 deg. 40'17" East
26 159.12 feet to the POINT OF BEGINNING and
27 containing more or less, 46,130.04 square

1 feet or 1.06 acres.

2 Bearings and distances are based
3 on the Texas Coordinate System, South
4 Central Zone NAD 1927.

5 All of the land south of the center line of FM Highway 170 in
6 Section 36, Block 341, T.C. Ry. Co., Brewster County, Texas, as
7 more particularly described below:

8 Metes and bounds description of a
9 102.1 acre tract of land out of Section 36,
10 Block 341, T.C. Ry.Co. Surveys, Brewster
11 County, Texas and being more particularly
12 described as follows:

13 BEGINNING at a point in Section 36
14 on the center line of FM Highway 170, 120
15 foot right-of-way and this Easement is
16 described and recorded in Volume 133 Page
17 460 - 461 of the Brewster County Deed
18 Records;

19 THENCE N 86° 22' 11.64" E, a
20 distance of 669.91 feet along the center
21 line of the right-of-way line of F. M.
22 Highway 170 to point located at the
23 beginning of a curve to the left having a
24 center line central angle of 10° 10' 58.5"
25 Left, a Radius of 1,909.86 feet;

26 THENCE around the said curve to
27 the left, a distance of 339.43 feet, to a

1 point of tangent;

2 THENCE N 76° 11' 13.08" E, a
3 distance of 203.77 feet along the center
4 line of the right-of-way line of F. M.
5 Highway 170 to point located at the
6 beginning of a curve to the right having a
7 center line central angle of 62 55' 02.1"
8 Right , a Radius of 818.51 feet;

9 THENCE around the said curve to
10 the right, a distance of 898.82 feet, to a
11 point of tangent;

12 THENCE S 40° 53' 44.8"E, a
13 distance of 1,564.13 feet along the center
14 line of the right-of-way line of F. M.
15 Highway 170 to a point located on the
16 Section line between Sections 36 and 37;

17 THENCE S 00° 21' 09"E, a distance
18 of 3922.76 feet along the Section line
19 between the east line of Section 36 and the
20 west line of Section 37;

21 THENCE along the east meandering
22 line of the bank of the Rio Grande, as
23 identified in the year of April 2007,
24 described as follows:

25 N 38° 19' 39" W, a distance
26 of 720.19 feet

27 N 07° 15' 04" W, a distance

1 of 1,333.57 feet
2 N 23° 27' 17" W, a distance
3 of 926.79 feet
4 N 23° 27' 17" W, a distance
5 of 115.86 feet
6 N 17° 48' 38" W, a distance
7 of 580.31 feet
8 N 11° 49' 17" W, a distance
9 of 461.28 feet
10 N 23° 38' 37" W, a distance
11 of 802.90 feet
12 N 05° 44' 52" W, a distance
13 of 99.91 feet to the beginning of a curve to
14 the left with a central angle of 77° 38' 50"
15 and having a cord bearing of N 44° 34' 17" W
16 with a cord length of 681.47 feet and a
17 radius of 543.50 feet and continuing along
18 the bank of the Rio Grande;
19 N 83° 23' 43" W, a distance
20 of 222.82 feet
21 S 84° 41' 58" W, a distance
22 of 732.798 feet to a point on the west
23 section line of Section 36 Block 341:
24 THENCE N 00° 21' 09" W, a distance
25 of 94.84 feet , more or less, to the center
26 line of the right-of-way line of F M Highway
27 170 and to THE POINT OF BEGINNING

1 containing, 4,447,180 square feet or 102.1
2 acres, more or less.

3 Bearings and distances are based
4 on the Texas Coordinate System, South
5 Central Zone NAD 1927.

6 All of the land south of the center line of FM Highway 170 in
7 Section 98, Block 341, T.C. Ry. Co., Brewster County, Texas, as
8 more particularly described below:

9 Being a 82.8 acre tract of land
10 located in and a part of Block 341, T.C. Ry.
11 Co. Surveys and being the southeastern
12 corner of Section 98 south of the center
13 line of FM Highway 170 more particularly
14 described as follows:

15 BEGINNING at a rock mound located
16 at the southeast corner of Section 98;

17 THENCE S 89° 38' 51" W a distance
18 of 3622.72 feet to a point for corner in the
19 centerline of Highway FM 170;

20 THENCE N 54° 40' 21"E, a distance
21 of 2,085.95 feet along the center line of
22 the right-of-way line of F. M. Highway 170
23 to point located at the beginning of a curve
24 to the right having a center line central
25 angle of 44° 08' 21" Right, a Radius of
26 1273.24 feet; and this Easement is described
27 and recorded in Volume 133 Page 435 of the

1 Brewster County Deed Records;

2 THENCE around said curve to the
3 right, a distance of 980.87 feet, to a point
4 of tangent;

5 THENCE S 81° 11' 18" E, a distance
6 of 672.9 feet along the center line of the
7 right-of-way line of F. M. Highway 170 to
8 point located at the beginning of a curve to
9 the left having a center line central angle
10 of 22° 18' 48" left , a Radius of 818.51
11 feet;

12 THENCE around said curve to the
13 left, a distance of 318.76 to a point for
14 corner in the centerline of Highway FM 170;

15 THENCE S 00° 21' 09" E, a distance
16 of 1313.24 to the POINT OF BEGINNING and
17 containing more or less, 3,608,000 square
18 feet or 82.8 acres of land.

19 SECTION 9.03. (a) The legal notice of the intention to
20 introduce this article of this Act, setting forth the general
21 substance of this article, has been published as provided by
22 law, and the notice and a copy of this article have been
23 furnished to all persons, agencies, officials, or entities to
24 which they are required to be furnished under Section 59,
25 Article XVI, Texas Constitution, and Chapter 313, Government
26 Code.

27 (b) The governor, one of the required recipients, has

1 submitted the notice and article of this Act to the Texas
2 Commission on Environmental Quality.

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

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

11 ARTICLE 10. COASTAL WATER AUTHORITY

12 SECTION 10.01. Section 3A, Chapter 601, Acts of the 60th
13 Legislature, Regular Session, 1967, is amended to read as
14 follows:

15 Sec. 3A. The Authority may develop and generate electric
16 energy by any means, including [~~for use by the Authority or the~~
17 ~~City of Houston by~~] wind turbines and [~~or~~] hydroelectric
18 facilities. Any energy generated by the Authority must first be
19 made available to the Authority and to the City of Houston.

20 SECTION 10.02. Chapter 601, Acts of the 60th Legislature,
21 Regular Session, 1967, is amended by adding Section 3E to read
22 as follows:

23 Sec. 3E. The Authority may participate in a wetland
24 mitigation program under Chapter 221, Natural Resources Code.

25 SECTION 10.03. Section 4, Chapter 601, Acts of the 60th
26 Legislature, Regular Session, 1967, is amended by amending
27 Subsection (b) and adding Subsection (b-1) to read as follows:

1 (b) The Authority shall have and is hereby authorized,
2 subject to the provisions contained herein, to exercise the
3 powers, rights, privileges, and functions of establishing,
4 acquiring, and extending a park or park system and the Authority
5 shall be authorized to improve and equip its park or park system
6 in any manner considered by its board to be appropriate
7 including the construction, purchase, lease, and other
8 acquisition of such park facilities as shall be desirable in the
9 full and adequate development of the park or park system and
10 once established and improved the Authority shall be authorized
11 from time to time to improve, repair, extend, operate, and
12 maintain such park or park system and the park facilities and
13 other improvements situated thereon and relating thereto. 'Park
14 facilities,' as used herein, means any and all improvements to,
15 or equipment to be placed in, a park, which in the judgment of
16 the board is or will be appropriate, necessary, or useful in the
17 establishment and operation of a park or park system and which
18 will be used or useful by the public in its enjoyment and use
19 thereof, including without limitation, roads, paths, ornaments,
20 public utilities and all types and all lines, systems, and
21 facilities incident thereto, buildings of every type (including
22 but not limited to those related to or useful in the
23 accommodation, lodging, housing, and feeding of the members of
24 the public who may frequent the park) and amusement equipment
25 and facilities of all types. 'Park,' as used herein, means any
26 area of land or interest therein which is now owned or may
27 hereafter be acquired by the Authority and which is adjacent to

1 the main or lateral canals of the Authority and which in the
2 judgment of the board is or will be appropriate, necessary or
3 useful as and which is or will be dedicated, used, and devoted
4 by the board to use by the public as a playground or place of
5 rest, resort, recreation, exercise, sport, pleasure, amusement,
6 or enjoyment, or any area of land or interest in an area of land
7 to be used as open space or wetlands or for reforestation or
8 other uses that reduce, offset, or capture greenhouse gases or
9 other emissions, or provide mitigation of other environmental
10 impacts, provided that the use of the area of land or interest
11 in the area of land is in connection with or useful for an
12 existing or planned Authority project or facility or other
13 authorized use [~~in connection with the beneficial use of the~~
14 ~~main or lateral canals to which it is adjacent~~]. 'Park system,'
15 as used herein, means more than one park whether or not
16 contiguous.

17 The Authority shall be authorized to acquire property of
18 any kind, or any interest therein, necessary or convenient to
19 the exercise of the powers, rights, privileges, and functions
20 conferred pursuant to this Section 4(b); provided, however, that
21 the authority shall not acquire such parks and/or park system by
22 the exercise of eminent domain.

23 Each park and park system acquired or established under the
24 provisions hereof shall be under and subject to the control and
25 management of the board, and the board shall have the continuous
26 general power to manage and operate the affairs of the same as
27 it may consider appropriate, including without limitation the

1 power to employ such personnel for management or policing
2 purposes, or otherwise, to enter into such contracts and
3 agreements extending over such periods of time, to provide for
4 the sale, rental, or use of such products in the park or park
5 system as shall be considered necessary to the full, complete,
6 proper, and efficient development, administration, and operation
7 of the park or park system.

8 The Authority shall have the express general power and
9 authority to make, grant, accept, and enter into all leases, and
10 all concession, rental, operating, or other contracts and
11 agreements covering or relating to any part or all of the land
12 comprising any park, park system, or park facilities, which the
13 board shall deem necessary or convenient to carry out any of the
14 purposes and powers granted hereby, upon such terms and
15 conditions and for such length or period of time as may be
16 prescribed herein. Any such contract, lease, or agreement may
17 be entered into with any person, real or artificial, any
18 corporation, municipal or private, any governmental agency or
19 bureau, including the United States government and the State of
20 Texas, agencies and political subdivisions thereof, and the
21 board may make contracts, leases, and agreements with any such
22 persons, corporation, or entities for the acquisition,
23 financing, construction, or operation of any park, park system,
24 or park facilities or other improvements in or connected with or
25 incident to any park or park system.

26 Any and all such contracts, leases, and agreements, to be
27 effective, shall be authorized by order or resolution of the

1 board, shall be executed by its president and attested by its
2 secretary, or it may be executed by such other person or persons
3 as the board may direct, and the same shall be binding upon the
4 Authority without reference to any other statute or statutes.

5 The board shall be expressly authorized to adopt and
6 enforce such rules and regulations relating to the use,
7 operation, management, administration, and policing of its park
8 or park system and related waters controlled by it as it may
9 consider appropriate, including, without limitation, the zoning
10 or dividing of each park or park system into such zones or
11 divisions as it may consider appropriate and in the interest of
12 such park or park system as a whole, and it may restrict and
13 prescribe the activities that may be conducted in each such zone
14 or division.

15 The board shall be authorized to fix, impose, and collect
16 such fees, tolls, rents, rates, and charges for entry to, or use
17 of, the park or park system and park facilities controlled by it
18 as it may deem necessary, with other sources of funds available
19 to it, to support the acquisition, maintenance, upkeep, repair,
20 improvement, and operation of such park or park system.

21 The board is hereby authorized to accept grants,
22 gratuities, advances, and loans in any form from any source
23 approved by the board including the United States Government or
24 any agency thereof, the State of Texas or any agency thereof,
25 any private or public corporation, and any other person, for the
26 purpose of promoting, establishing, and accomplishing the
27 objectives and purposes and powers herein set forth, and to make

1 and enter into such concessions, agreements, and covenants as
2 the board considers appropriate in connection therewith.

3 (b-1) The Authority may exercise any of its existing
4 powers, including its parks powers, to carry out a project or
5 activity that reduces, offsets, or captures and sequesters
6 greenhouse gases or other emissions as provided by law. The
7 Authority may contract with a private or public entity to sell
8 or trade credits, offsets, tax credits, or other similar
9 marketable instruments authorized by law and available to the
10 Authority attributable to any such project or activity. The
11 Authority may pledge any stream of revenue from any such
12 transaction to the issuance of bonds or notes to fund any
13 authorized purpose of the Authority. The Authority may contract
14 with any other governmental entity to issue bonds or notes
15 secured by a stream of revenue from the entity attributable to
16 any such project or activity. The proceeds of the bonds may be
17 used to fund any authorized purpose of the Authority or any
18 joint project with the participating governmental entity.

19 SECTION 10.04. (a) The legal notice of the intention to
20 introduce this article of this Act, setting forth the general
21 substance of this article, has been published as provided by
22 law, and the notice and a copy of this article have been
23 furnished to all persons, agencies, officials, or entities to
24 which they are required to be furnished under Section 59,
25 Article XVI, Texas Constitution, and Chapter 313, Government
26 Code.

27 (b) The governor, one of the required recipients, has

1 submitted the notice and article to the Texas Commission on
2 Environmental Quality.

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

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

11 ARTICLE 11. UPPER GUADALUPE RIVER AUTHORITY

12 SECTION 11.01. Chapter 642, Acts of the 80th Legislature,
13 Regular Session, 2007, is amended by adding Section 1A to read
14 as follows:

15 Sec. 1A. To help facilitate the statewide and regional
16 goals of making efficient and responsible use of the state's
17 water resources, the Upper Guadalupe River Authority may
18 contract to provide any Kerr County entity, and may otherwise
19 use in Kerr County, water for municipal use under Permit No.
20 5394A, which was issued to the Upper Guadalupe River Authority
21 by the Texas Natural Resource Conservation Commission, the
22 predecessor agency to the Texas Commission on Environmental
23 Quality. This section supersedes Permit No. 5394A, and
24 specifically Special Condition No. 5D.i of the permit, to the
25 extent of any conflict.

26 ARTICLE 12. LAKEWAY MUNICIPAL UTILITY DISTRICT

27 SECTION 12.01. DEFINITIONS. In this article:

1 (1) "Additional voting area" means the territory
2 described by Section 12.04 of this article.

3 (2) "Board" means the board of directors of the
4 district.

5 (3) "District" means the Lakeway Municipal Utility
6 District.

7 SECTION 12.02. BOARD OF DIRECTORS. (a) The district is
8 governed by a board of seven directors elected in accordance
9 with Chapters 49 and 54, Water Code.

10 (b) Except as provided by Section 12.05 of this article,
11 directors serve staggered terms of four years.

12 SECTION 12.03. EFFECT OF ADDITIONAL VOTING AREA ON VOTING
13 RIGHTS, ELIGIBILITY FOR OFFICE, AND TAXING AUTHORITY. (a) The
14 qualified voters residing in the additional voting area are
15 entitled to vote only in district elections for the election of
16 directors. The voters in the additional voting area may not
17 vote on any district bond or tax propositions.

18 (b) The board by rule shall establish procedures to timely
19 notify qualified voters residing in the additional voting area
20 of the locations of polling places for each election of district
21 directors.

22 (c) Notwithstanding Section 54.102, Water Code, a resident
23 of the additional voting area is eligible to be a candidate for
24 or to be elected to the board.

25 (d) The district may not impose a tax on any property in
26 or any resident of the additional voting area.

27 SECTION 12.04. ADDITIONAL VOTING AREA. The additional

1 voting area is that territory in certain subdivisions, the plats
2 of which are recorded in the plat records of Travis County,
3 Texas, as follows: Lakeway Section One, recorded in Volume 17,
4 Page 65; Lakeway Section Two, recorded in Volume 17, Page 74;
5 Lakeway Section Three, recorded in Volume 22, Page 20; Lakeway
6 Section Four, recorded in Volume 25, Page 29; Lakeway Section
7 Four-B, recorded in Volume 35, Page 12; Lakeway Section Five,
8 recorded in Volume 30, Page 12; Lakeway Section Six, recorded in
9 Volume 31, Page 30; Lakeway Section Seven, recorded in Volume
10 32, Page 42; Resubdivision of Lot 434-A, Lakeway Section 7-A,
11 recorded in Volume 71, Page 26; Lakeway Section Eight, recorded
12 in Volume 34, Page 28; Lakeway Section Nine, recorded in Volume
13 40, Page 2; Resubdivision of Lakeway Section Nine & Thirteen,
14 recorded in Volume 62, Page 16; Lakeway Section Ten, recorded in
15 Volume 44, Page 10; Lakeway Section Eleven, recorded in Volume
16 41, Page 41; Lakeway Section Twelve, recorded in Volume 46, Page
17 1; Lakeway Section Thirteen, recorded in Volume 46, Page 16;
18 Lakeway Section Fourteen, recorded in Volume 44, Page 8; Lakeway
19 Section 15, recorded in Volume 77, Page 149; Lakeway Section
20 Sixteen, recorded in Volume 49, Page 39; Lakeway Section 16-A,
21 recorded in Volume 59, Page 19; Lakeway Section Sixteen-B,
22 recorded in Volume 59, Page 65; Lakeway Section 16-C, recorded
23 in Volume 59, Page 18; Lakeway Section 16-D, recorded in Volume
24 60, Page 57; Lakeway Section Seventeen, recorded in Volume 50,
25 Page 74; Lakeway Section 17-A, recorded in Volume 54, Page 67;
26 Amendment Plat of Lots 443-A, 444-A & 445-A, Lakeway Section
27 Four-A and Lot 446, Lakeway Section Four, recorded at Volume 91,

1 Page 49; Lakeway Section 4-C, recorded at Volume 38, Page 24;
2 Confirming Plat of Lot 1, Lakeway Section 4-D (310 Seashell),
3 recorded at Volume 98, Page 160; Lakeway Section 4-E, recorded
4 at Volume 82, Page 355; Lakeway Section 16-G, recorded at Volume
5 88, Page 320; Moore's Treetops a Resubdivision of a Portion of
6 Lakeway Section 4, recorded at Volume 79, Page 320-321; Derby
7 Addition Resubdivision of Lots 270, 271 & 272 Lakeway Section 2,
8 recorded at Volume 82, Page 50.

9 SECTION 12.05. ELECTION OF DIRECTORS IN 2010. (a) Not
10 earlier than the 15th day or later than the sixth day before the
11 date of the first district election held in which the residents
12 of the additional voting area are entitled to vote, the district
13 shall publish notice in the form of a quarter-page advertisement
14 in the newspaper of general circulation in the district
15 notifying the residents that they are eligible to vote in the
16 election and state the location of all polling places for the
17 residents.

18 (b) On the uniform election date in May of 2010, four
19 directors shall be elected to the board. The directors elected
20 to the two additional positions on the board created by this
21 article shall draw lots to determine which director serves a
22 two-year term and which director serves a four-year term.

23 SECTION 12.06. NOTICE. (a) The legal notice of the
24 intention to introduce this article of this Act, setting forth
25 the general substance of this article, has been published as
26 provided by law, and the notice and a copy of this article have
27 been furnished to all persons, agencies, officials, or entities

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

4 (b) The governor has submitted the notice and this article
5 of this Act to the Texas Commission on Environmental Quality.

6 (c) The Texas Commission on Environmental Quality has
7 filed its recommendations relating to this article of this Act
8 with the governor, lieutenant governor, and speaker of the house
9 of 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
12 respect to the notice, introduction, and passage of this article
13 of this Act are fulfilled and accomplished.

14 ARTICLE 13. CARRIZO-WILCOX AQUIFER GROUNDWATER
15 CONSERVATION DISTRICTS

16 SECTION 13.01. DEFINITION. In this article, "commission"
17 means the Texas Commission on Environmental Quality.

18 SECTION 13.02. STUDY. (a) The commission shall conduct a
19 study regarding the impact on the entire Carrizo-Wilcox aquifer
20 of rules and plans adopted by groundwater conservation districts
21 in whose boundaries the aquifer is located and of determinations
22 made by groundwater conservation districts in connection with
23 the joint planning process relating to groundwater management
24 areas in whose boundaries the aquifer is located. In conducting
25 the study, the commission shall examine:

26 (1) whether the rules and plans adopted by each
27 groundwater conservation district:

1 (A) are based on sound scientific principles;

2 (B) adequately conserve and protect the aquifer
3 and ensure the achievement of the applicable desired future
4 condition for each part of the district; and

5 (C) are likely to affect other groundwater
6 conservation districts or groundwater management areas;

7 (2) whether each district is enforcing substantial
8 compliance with its rules;

9 (3) whether the desired future conditions established
10 under Section 36.108, Water Code, in each groundwater management
11 area are reasonable and based on sound scientific principles,
12 and whether the rules adopted by each district are designed to
13 achieve the applicable desired future condition;

14 (4) other long-term impacts of the applicable rules
15 and plans on the aquifer, taking into consideration:

16 (A) projected population and agricultural,
17 municipal, and industrial demands for water from the aquifer
18 within the groundwater conservation districts; and

19 (B) other appropriate factors as determined by
20 commission rule; and

21 (5) whether the presence of contaminants in the
22 recharge area of the aquifer and the potential pollution of the
23 aquifer are issues that should be addressed and, if so, by whom.

24 (b) The Texas Water Development Board and the Bureau of
25 Economic Geology of The University of Texas at Austin shall
26 assist the commission in conducting the study under this
27 section.

1 (c) The commission may contract with any appropriate
2 person to assist the commission in conducting the study under
3 this section.

4 SECTION 13.03. REPORT. Not later than December 31, 2012,
5 the commission shall report the results of the study conducted
6 under this Act to the governor, the lieutenant governor, the
7 speaker of the house of representatives, and the standing
8 committees in the senate and the house of representatives that
9 have primary jurisdiction over natural resources. The report
10 may include the commission's recommendations for legislation to
11 address any areas of concern.

12 SECTION 13.04. NO APPROPRIATION. This article of this Act
13 does not make an appropriation. A provision in this article
14 that creates a new governmental program, creates a new
15 entitlement, or imposes a new duty on a governmental entity is
16 not mandatory during a fiscal period for which the legislature
17 has not made a specific appropriation to implement the
18 provision.

19 SECTION 13.05. EXPIRATION. This article of this Act
20 expires August 31, 2013.

21 ARTICLE 14. EFFECTIVE DATES

22 SECTION 13.01. (a) Except as provided by Subsection (b)
23 of this section, this Act takes effect September 1, 2009.

24 (b) Articles 2, 3, 4, 5, 8, 9, 10, 11, 12, and 13 of this
25 Act take effect immediately if this Act receives a vote of two-
26 thirds of all the members elected to each house, as provided by
27 Section 39, Article III, Texas Constitution. If this Act does

1 not receive the vote necessary for immediate effect, Articles 2,
2 3, 4, 5, 8, 9, 10, 11, 12, and 13 of this Act take effect
3 September 1, 2009.

4 (c) A reference within an article of this Act to the
5 effective date of the Act shall be construed as a reference to
6 the effective date of the article containing the reference.

House Bill 3335
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

ARTICLE 1. GENERAL LAW PROVISIONS

No equivalent provision.

SECTION _____. Extends the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) critical groundwater problem evaluation period from 25 years to 50 years.

SECTION 1.01. Same as Senate version.

SECTION _____. Authorizes TCEQ to adopt rules for the creation of a groundwater conservation district (GCD) or the addition of a primary groundwater management area (PMGA) to an existing GCD for any PGMA that was designated as a critical area before September 1, 1997.

SECTION 1.02. Same as Senate version.

No equivalent provision.

SECTION _____. Requires that a groundwater district created for a priority groundwater management area be composed of territory within two or more contiguous counties, unless TCEQ determines that a district composed of territory within noncontiguous counties will result in more effective or efficient groundwater management.. Provides that a groundwater district created for a priority groundwater management area may be composed of territory that exists within the boundaries of a single county only if the territory within the county is the only area within the designated PGMA that is not within a district, or there are other areas within the designated PGMA. Authorizes TCEQ to consider territory in two separately designated PGMA's to be within the same designated PGMA if the PGMA's share a common boundary with one or more aquifers and TCEQ determines that a district composed for territory within the two areas will result in more effective groundwater management.

SECTION 1.03. Same as Senate version.

No equivalent provision.

SECTION _____. Requires a groundwater conservation district board to vote on the addition of priority groundwater management areas to the district no later than 120 days after receiving TCEQ's recommendation that the areas be added. Requires that the confirmation election for the board's vote be held no later than 270 days after the date of the board's vote. Provides that if the proposition is defeated, or the district's board rejects TCEQ's recommendation, TCEQ shall create a groundwater district for the PGMA no later than two years after the commission

SECTION 1.04. Same as Senate version.

issued its initial order, or 180 days after that second anniversary if the Legislature is in session and a bill has been filed to create a district in all or part of the area. If TCEQ creates a groundwater conservation district for a priority groundwater management area, TCEQ may modify the recommendation issued in its order for the district creation to reflect the failure of an area to be added to an existing district or to account for the creation of any new districts or the addition of any other territory in the PGMA to an existing district provided that such modification does not affect the district creation deadlines.

No equivalent provision.

SECTION ____ Authorizes a groundwater conservation district to adopt and submit to the TWDB executive administrator a resolution delaying the due date for a new or readopted management plan to a date not later than the first anniversary of the last date the district receives an amount of managed available groundwater from the executive administrator, in lieu of the applicable deadline, if the district is required to submit a plan on a date that is before the first anniversary of the date the executive administrator provides to the district an amount of managed available groundwater. The amendment prohibits a district that elects to delay submission of its management plan from adopting a new rule or amending an existing rule limiting groundwater production.

SECTION 1.05. Same as Senate version.

No equivalent provision.

SECTION ____ Amends Chapter 36, Water Code, to prohibit a person from drilling a well in the portion of a territory of a groundwater district that is located within 100 feet of the gradient boundary of the Frio, North Llano, South Llano, Llano, West Nueces, Nueces, or San Saba rivers, or any tributary of those rivers. The prohibition does not apply to wells that are exempt for domestic and livestock use and are incapable of producing more than 10 gallons per minute or 16 acre-feet per year.

SECTION 1.06. Similar to Senate version; limits prohibition to reaches of certain rivers and their tributaries located within the Real Edwards Conservation and Reclamation District.

SECTION 1. Amends Section 49.101, Water Code, to allow a district's board to contract with a person to serve as the district's elections secretary. Exempts a district election from the requirement that election judges provide notice of their appointments and that county precincts serve as election precincts for the purpose of the district's election. Exempts district election judges from the requirement that they be a qualified voter of the precinct for which they are a judge; requires that a person be a registered voter of the county in which the district is located in order to serve as a district election judge. The bill exempts a district from the requirement that it use electronic voting machines for district elections if the election is a confirmation election or an election other than one in which a federal office appears on the

SECTION 1.03. Same as House version.

SECTION 1.07. Same as House version.

ballot that is held jointly with a confirmation election on the same date. The bill also exempts districts from the electronic voting machine requirement if the most recent district directors election was not held, or fewer than 250 voters voted at the most recently held election. The bill requires that a district eligible for the exemption to the requirement that they use electronic voting machines post notice in a newspaper of general circulation and mail notice to each voter within the district regarding the district's intention to hold the election without using electronic voting machines. The notice must include information on how any voter within the district may request the use of electronic voting machines to accommodate a person with a disability, and how such a request may be made. A district is required to comply with a request to use electronic voting machines.

SECTION 2. Adds Section 49.1045, Water Code, to allow a district with ten or fewer registered voters that holds an election jointly with a county to provide for the certification of the voting results if the election results indicate that there were more votes cast in the election than the number of registered voters in the district. The bill allows a district to certify election results by having each person whose signature is on the sign-in sheet for the joint election certify the manner in which they voted and that they were a qualified voter on the day of the election, and that the certified votes shall be used as the election results.

SECTION 3. Amends Section 49.107, Water Code, to except a municipal management district that provides water, sewer, drainage, reclamation, flood control, road, or park and recreational services from the prohibition on the taxation of single-family residential property by such a district.

SECTION 4. Amends Section 49.108, Water Code, to require that a contract be open to inspection by the public at least ten days before an authorization election for that contract, and to provide that a contract is not required as an attached exhibit to the order calling for the election. The bill provides that a single contract may contain multiple purposes or facilities authorized by one or more constitutional provisions, and that such a contract may be submitted for voter approval in a single proposition. The bill provides that a contract between districts for the provision of facilities or services is not required to specify the maximum amount of bonds or expenditures authorized under the contract if the contract provides that the service area cannot be enlarged without the consent of at least two-thirds of districts that are in the

SECTION 1.04. Same as House version.

SECTION 1.05. Same as House version.

SECTION 1.06. Same as House version.

SECTION 1.08. Same as House version.

SECTION 1.09. Same as House version.

SECTION 1.10. Same as House version.

service area or served by facilities services provided for in the contract. The bill provides that a contract may generally describe the facilities to be acquired or financed by the district without reference to specific constitutional provisions.

SECTION 5. Amends Section 49.151(c), Water Code, to authorize a district's board to allow disbursement or transfer of funds by electronic means.

SECTION 6. Amends Section 49.194, Water Code, to allow special water authorities to file their accounts and records audit with the executive director of the Texas Commission on Environmental Quality within 160 days after the close of their fiscal year.

SECTION 7. Amends Section 49.213, Water Code, to provide that a written contract between an district and any person for the provision of goods and services to the district is a contract subject to Subchapter I, Chapter 271, Local Government Code. The bill provides that a district and any person waives sovereign immunity to suit for adjudicating a claim for a breach of contract, subject to the terms and conditions of Subchapter I, Chapter 271, Local Government Code.

SECTION 8. Amends Section 49.216, Water Code, to require a peace officer who is directly employed by a district to take an oath and execute a bond. The bill provides that a peace officer contracted for by a district is an independent contractor and that the district is responsible for the officer's actions only to the extent provided by law for other independent contractors.

SECTION 9. Amends Section 49.273(d), Water Code, to change the deadline for the notice requirement for contracts over \$50,000 from 21 days before the opening of bids, to 14 days.

SECTION 10. Amends Section 49.351, Water Code, to provide that a district that funds fire-fighting services with revenue, including mandatory fees or voluntary contributions, is not required to submit a plan for financing fire-fighting services to the Texas Commission on Environmental Quality, or hold an election at which voters may vote to approve or reject the plan. The bill makes conforming changes. The bill provides that if a district includes a voluntary payment for fire fighting services on its water bill, and a customer makes a partial payment of their bill that includes a contribution for fire-fighting

SECTION 1.07. Same as House version.

SECTION 1.08. Same as House version.

SECTION 1.09. Similar to House version. Adds provision that a district may enter into contracts for the establishment, administration, and enforcement of a groundwater reduction plan to comply with the regulatory requirements of a political subdivision whose main office if located in a county with a population of 3.3 million or more, of in an adjacent county. Makes conforming change.

SECTION 1.10. Same as House version.

SECTION 1.11. Same as House version.

SECTION 1.12. Same as House version.

SECTION 1.11. Same as House version.

SECTION 1.12. Same as House version.

SECTION 1.13. Same as Senate version.

SECTION 1.14. Same as House version.

SECTION 1.15. Same as House version.

SECTION 1.16. Same as House version.

services, the district shall apply any payments received first to water and sewer services, and the remainder for fire-fighting services.

SECTION 11. Amends Section 49.4645(a), Water Code, to clarify that the one percent limitation on bonds issued by districts for parks and recreational purposes only applies to bonds supported by ad valorem taxes.

SECTION 12. Amends Section 51.523, Water Code, to expand the provisions required for a ballot establishing a defined area within a water control and improvement district.

SECTION 13. Amends Section 51.527, Water Code, to provide that unless a maintenance tax is imposed within a defined area within a WCID, once the bonds issued for the defined area are paid off or defeased, the district's board may declare the area dissolved or repeal the defined area designation, and cease imposing taxes therein.

No equivalent provision.

SECTION 14. Amends Section 54.236, Water Code, to allow municipal utility districts that have acquired powers to develop roads or parks and recreational facilities to issue bonds for street lights. The bill requires that street lighting or security lighting be installed on property owned by the district.

SECTION 15. Amends Section 54.739, Water Code, to allow for the substitution of land within a municipal utility district for land outside of the district of equal value once the district has obtained voter approval for the issuance of, or sold, bonds payable from ad valorem taxes.

SECTION 16. Amends Section 54.744, Water Code, to provide that, for the purposes of a district's consideration of applications for lands inclusion within the district, the taxable value of included property means the market value of the property if, before or contemporaneously with the inclusion of the property in the district, the owner waives the right to a special appraisal of the property.

SECTION 1.13. Same as House version.

SECTION 1.14. Same as House version.

SECTION 1.15. Same as House version.

SECTION____. Provides that Section 54.016(f), which relates to allocation agreements between municipal utility districts and cities, does not apply to cities or districts located within Harris County, or a county adjacent to Harris County (Montgomery, Liberty, Chambers, Galveston, Brazoria, Fort Bend, and Waller).

SECTION 1.16. Same as House version.

SECTION 1.17. Same as House version.

SECTION 1.18. Same as House version.

SECTION 1.17. Same as House version.

SECTION 1.18. Same as House version.

SECTION 1.19. Same as House version.

SECTION 1.20. Same as Senate version.

SECTION 1.21. Same as House version.

SECTION 1.22. Same as House version.

SECTION 1.23. Same as House version.

No equivalent provision.

SECTION _____. Amends Chapter 67, governing non-profit water supply or sewer service corporations, to require a candidate for a non-profit WSC board submit a consent form, biography, and qualifications statement to the board's secretary-treasurer at least 70 days before the board's annual meeting. Requires the board's secretary-treasurer to include all eligible names on the ballot for the board of directors, and to mail that ballot, along with each candidate's biographical and qualifications information, to each member or shareholder. Provides that a member or shareholder may vote in an election in person, by delivering a ballot via proxy at the annual meeting, mailing a ballot in, or dropping off a ballot and the WSC's office. Prohibits any person from using any type of incentive to encourage another person to act as that person's proxy in a director's election. Allows a WSC to provide incentives to obtain proxies to encourage attendance at a meeting to establish a quorum. Requires an independent election auditor to receive and count the ballots before the annual meeting is adjourned, and defines process for counting and reporting of election results.

SECTION 1.24. Same as Senate version.

No equivalent provision.

SECTION _____. The bill requires that the independent election auditor be selected at each annual meeting for the following annual meeting for district director elections. Provides that the independent election auditor is not required to be an election judge or actual auditor, however the election auditor may not be associated with the WSC as an employee or director or candidate for director.

SECTION 1.25. Same as Senate version.

No equivalent provision.

SECTION _____. The bill requires any WSC with 500 or more members to undergo an annual audit of the corporation's fiscal accounts and records.

SECTION 1.26. Same as Senate version.

SECTION 17. Amends Section 388.005, Health and Safety Code, to exempt the electricity consumption of a water district or a groundwater district involving water or wastewater processing functions from certain energy efficiency goals and reporting requirements. The bill also strikes reference to state agencies in the section title.

SECTION 1.19. Same as House version.

SECTION 1.27. Same as House version.

SECTION 18. Amends Section 43.0751(a)(1), Local Government Code, to define a district for the purposes of strategic partnership agreement under a limited purpose annexation as a conservation or reclamation district operating under Chapter 49, Water Code.

SECTION 1.20. Same as House version.

SECTION 1.28. Same as House version.

SECTION 19. Amends Section 43.0751, Local Government Code, to provide that in order for an area to be annexed into a city under a limited purpose annexation within a strategic partnership agreement

SECTION 1.21. Same as House version.

SECTION 1.29. Same as House version.

between a district and a city, the area must be within the city's extraterritorial jurisdiction and contiguous to the corporate or limited purpose boundaries of the city unless the district consents to the noncontiguous annexation pursuant to a strategic partnership agreement with the city.

No equivalent provision.

SECTION ___. Implementation language relating to changes to Section 35.007, Water Code.

SECTION 1.30. Same as Senate version.

No equivalent provision.

SECTION 1.22. Implementation language relating to changes in Section 35.012 and 36.0151, Water Code.

SECTION 1.31. Same as Senate version.

No equivalent provision.

SECTION 1.23. Implementation language relating to changes in Section 35.012 and 36.0151, Water Code.

SECTION 1.32. Same as Senate version.

No equivalent provision.

SECTION ___. Savings provision.

SECTION 1.33. Same as Senate version.

No equivalent provision.

SECTION ___. Implementation language relating to changes in Section 36.1072, Water Code.

SECTION 1.34. Same as Senate version.

No equivalent provision.

SECTION ___. Implementation language relating to changes in Section 36.1165, Water Code.

SECTION 1.35. Same as Senate version.

No equivalent provision.

SECTION ___. Legislative finding relating to allocation agreements under Section 54.016(f), Water Code.

SECTION 1.36. Same as Senate version.

No equivalent provision.

SECTION ___. Implementation language relating to the addition of Section 67.0085, Water Code.

SECTION 1.37. Same as Senate version.

No equivalent provision.

SECTION ___. Implementation language relating to water supply or sewer service corporation selection of independent election auditors.

SECTION 1.38. Same as Senate version.

ARTICLE 2. SIENNA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY

No equivalent provision.

Creates Sienna Ranch MUD 1 of Collin County. Authorizes district to issue bonds for roads; requires that roads meet city, county, or state requirements. Requires that the district comply with the requirements of a municipal consent ordinance. Authorizes the city of Nevada to annex a portion of the MUD under an agreement entered into before the Act; provides that the MUD may be dissolved and all its obligations assumed by Nevada; provides that the district and city taxes under an

Same as Senate version.

allocation agreement may exceed the current city tax rate (note that current law governing allocation agreements prohibits the combined taxes from exceeding the city rate). Prohibits district from exercising power of eminent domain outside of district boundaries for recreational facilities or roads. Authorizes the district to implement and O&M tax provided that it is authorized by voters. Authorizes the district to impose an additional tax to the O&M to pay for a contract that has been approved by voters. Requires 2/3 voter approval of road bonds; limits the amount of bonds that may be issued for road purposes to 1/4 of the assessed value of the real property in the district.

ARTICLE 3. HUNT COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

No equivalent provision.

Creates Hunt County Municipal Utility District Number 1. Introduced version creates the Clearwater Ranch Municipal Utility District Number 1. Authorizes district to issue bonds for roads; requires that roads meet city, county, or TxDOT requirements. Requires that the district comply with the requirements of a municipal consent ordinance. Prohibits district from exercising power of eminent domain outside of district boundaries for recreational facilities or roads. Allows for the division of the district if the district has not issued bonds or imposed ad valorem taxes. Authorizes the district to implement and O&M tax provided that it is authorized by voters. Authorizes the district to impose an additional tax to the O&M to pay for a contract that has been approved by voters. Requires 2/3 voter approval of road bonds; limits the amount of bonds that may be issued for road purposes to 1/4 of the assessed value of the real property in the district. Authorizes the City of Greenville to annex MUD only if the district has developed improvements to serve 90 percent of its territory or if the annexation occurs at least 15 years after the MUD's confirmation election. Authorizes the district to construct, acquire, improve, maintain, and operate rail facilities and improvements in aid of those facilities. Prohibits confirmation election for MUD until a portion of land within the MUD is included in Greenville's ETJ, and a development agreement for that land is executed between the owners and the City of Greenville.

Same as Senate version.

ARTICLE 4. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 524

No equivalent provision.

Creates Harris County MUD 524. Authorizes district to issue bonds for roads; allows district to issue road bonds without submitting a petition to or obtaining approval from TCEQ. Prohibits district from issuing

Same as Senate version.

bonds for a road project unless the city, county, or TxDOT approve the specifications for the road project and agree to maintain and operate the roads. Requires that the district comply with the requirements of the city's consent ordinance. Prohibits district from exercising power of eminent domain outside of district boundaries for recreational facilities or roads. Allows district to divide. Authorizes the district to implement an O&M tax provided that it is authorized by voters. Authorizes the district to impose an additional tax to the O&M to pay for a contract that has been approved by voters. Requires 2/3 voter approval of road bonds; limits the amount of bonds that may be issued for road purposes to 1/4 of the assessed value of the real property in the district.

ARTICLE 5. HARRIS-GALVESTON SUBSIDENCE DISTRICT AND FORT BEND SUBSIDENCE DISTRICT

No equivalent provision.

Authorizes the Harris Galveston Subsidence District (HGSD) and the Fort Bend Subsidence District (FBSD) to assess and recover a civil penalty between \$50 and \$5,000 against a person other than a political subdivision for each violation, or day of a continuing violation of the district's rules. If a political subdivision commits a violation, HGSD and FBSD may assess and recover a civil penalty amount equal to the greater of 120 percent of the sum of the fees assessed against the subdivision and the amount the subdivision would have paid to an alternative water supplier, or \$5,000 for each violation and for each day of a continuing violation. The bill clarifies that the attorney general shall, upon the request of the HGSD and the FBSD board or general manager, institute and conduct an action against any person in the name of the district for injunctive relief or to recover a civil penalty, or both.

Same as Senate version.

ARTICLE 6. PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

No equivalent provision

SECTION 2.02. Creates the Prairielands Groundwater Conservation District, within Ellis, Hill, Johnson, and Somervell Counties. Provides that the district's territory shall include Navarro County after the Act's effective date, and provides for the appointment of two directors to the district's board by the County's commissioners court.

Same as Senate version.

No equivalent provision.

SECTION 2.03. Implementation language relating to the creation of the Prairielands Groundwater Conservation District.

Same as Senate version.

ARTICLE 7. CALHOUN COUNTY GROUNDWATER CONSERVATION DISTRICT

No equivalent provision.

Creates Calhoun County Groundwater Conservation District. Prohibits the district from denying the owner of a tract of land who does not have a well equipped to produce more than 25,000 gallons each day on the tract, either a permit to drill a well on the tract or the privilege to produce groundwater from the tract, subject to district rules. Authorizes the district to assist in the mediation between landowners regarding the loss of existing groundwater supply of exempt domestic and livestock users due to the groundwater pumping of others. Prohibits the district from exercising the power of eminent domain. Prohibits the district from levying taxes.

Same as Senate version.

ARTICLE 8. COMAL COUNTY WATER CONTROL IMPROVEMENT DISTRICT NO. 5

No equivalent provision.

Creates the Comal County Water Control Improvement District Number 5. Authorizes district to issue bonds for roads; allows district to issue road bonds without submitting a petition to or obtaining approval from TCEQ. Prohibits district from issuing bonds for a road project unless the city or county have approved the project, or TxDOT has approved the project. Requires that the district comply with the requirements of the city's consent decree. Prohibits district from exercising power of eminent domain outside of district boundaries for recreational facilities or roads. Further prohibits the district from exercising its power of eminent domain outside the district without county commissioner consent. Prohibits the district from constructing any water or wastewater improvement unless approved by Comal County, the City of Bulverde, and any wholesale provider of water or wastewater treatment to the district. Authorizes the district to implement and O&M tax provided that it is authorized by voters. Authorizes the district to impose an additional tax to the O&M to pay for a contract that has been approved by voters. Requires 2/3 voter approval of road bonds; limits the amount of bonds that may be issued for road purposes to 1/4 of the assessed value of the real property in the district.

Same as Senate version.

ARTICLE 9. LAJITAS UTILITY DISTRICT NO. 1 OF BREWSTER COUNTY

No equivalent provision.

Creates Lajitas Utility District Number 1 of Brewster County. Provides district with powers of a MUD and municipal management district. Authorizes district to build roads, operate electric power facilities, develop and operate an airport, and exercise the powers of a development corporation. Requires district's compliance with city consent decree. Prohibits district from exercising power of eminent

Same as Senate version.

domain outside of district for road or recreational purposes. Allows for division of the district if the district has not issued bonds or imposed ad valorem taxes. Requires district election to issue bonds supported by property taxes. Requires 2/3 voter approval of bonds for road purposes. Allows district to levy a hotel occupancy tax and a sales tax, provided that the sales tax is approved by voters. Allows the district to levy and collect special assessments.

ARTICLE 10. COASTAL WATER AUTHORITY

No equivalent provision.

Authorizes the Coastal Water Authority (authority) to develop and generate electric energy by any means, rather than develop and generate electric energy for use by the authority or the City of Houston, including wind turbines and hydroelectric facilities, rather than by wind turbines and hydroelectric facilities. Requires any energy generated by the authority to first be made available to the authority and to the City of Houston. Authorizes the authority to participate in a wetland mitigation program. Redefines the definition of "park". Authorizes the authority to exercise any of its existing powers, including its parks powers, to carry out a project or activity that reduces, offsets, or captures and sequesters greenhouse gases or other emissions as provided by law. Authorizes the authority to contract with a private or public entity to sell or trade credits, offsets, tax credits, or other similar marketable instruments authorized by law and available to the authority attributable to any such project or activity. Authorizes the authority to pledge any stream of revenue from any such transaction to the issuance of bonds or notes secured by a stream of revenue from the entity attributable to any such project or activity. Authorizes the proceeds of the bonds to be used to fund any authorized purpose of the authority or any joint project with the participating governmental entity.

Same as Senate version.

ARTICLE 11. UPPER GUADALUPE RIVER AUTHORITY

No equivalent provision.

Allows the Upper Guadalupe River Authority to contract to provide any Kerr County entity, and may otherwise use in Kerr County, water for municipal use under a permit issued to the Upper Guadalupe River Authority by Texas Commission on Environmental Quality. Provides that the bill supersedes the Authority's initial permit, and any conflicting clause within that permit.

Same as Senate version.

ARTICLE 12. LAKEWAY MUNICIPAL UTILITY DISTRICT

No equivalent provision.

Establishes a seven member board of directors for Lakeway MUD. Adds additional territory to the voting area of the MUD, and allows for residents of the additional area to participate in board elections.

Same as Senate version.

ARTICLE 13. CARRIZO-WILCOX AQUIFER GROUNDWATER CONSERVATION DISTRICTS

No equivalent provision.

Requires that TCEQ, in cooperation with the Texas Water Development Board and the Bureau of Economic Geology of the University of Texas at Austin, study the effects of rules, plans, and decisions adopted by groundwater conservation districts and groundwater management area planning groups on the Carrizo-Wilcox aquifer. TCEQ shall report the results of its study to the governor, lieutenant governor, speaker of the house, and appropriate standing legislative committees by 31 December 2012. The report may include TCEQ's recommendations for legislation to address any areas of concern.

Same as Senate version.

ARTICLE 14. EFFECTIVE DATES

SECTION 3.01. Provides that the Act takes effect on 1 September 2009. SECTIONS 1.01 and 1.02, which take effect immediately upon receipt of two-thirds vote from each chamber, or 1 September 2009.

Provides that certain articles take effect on 1 September 2009, other articles take effect immediately upon receipt of 2/3 vote.

No equivalent provision.

Senate Amendment _____. Increases the monthly charge that the Bastrop County Water Control and Improvement District may impose for each undeveloped lot from \$5 to \$15. Prohibits the board from increasing the monthly charge for a developed or undeveloped lot by more than \$3 for any calendar year. Allows the board to grant an exemption to an increase in the monthly charge to the owner of a lot in the district who is 65 year or older or disabled. Expands the uses for which monies received through the monthly charge may be applied to include the purchase of equipment necessary to maintain or repair public streets or roadways in the district. Requires that no less than 15 percent of the monies received from a monthly charge assessed on undeveloped lots be used for road maintenance.

No equivalent provision.

No equivalent provision.

Senate Amendment _____. Changes the territory, board of directors composition, and fees assessed by the Barton-Springs Edwards Aquifer Conservation District. Exempts the district from the general election provisions applicable to groundwater conservation districts. Divides the district into seven single-member districts for electing directors. Allows district to assess a water use fee against the City of Austin that

No equivalent provision.

is the lesser of \$900,000 or 60 percent of the total funding the district expects to receive for the next fiscal year from water use fees assessed against Austin and other nonexempt users. Expands the district's territory. The bill also requires that the district hold a ratification election to confirm the annexation of territory as approved by the Act.

No equivalent provision.

Senate Amendment _____. Creates the Harrison County Groundwater Conservation District. Provides a director's per diem of \$50 per day, capped at \$3000 per year. Prohibits the district from purchasing, selling, transporting, or distributing surface or groundwater for any purpose. Prohibits district from exercising power of eminent domain. Requires that the district participate in the regional groundwater management area. Limits ad valorem taxes to \$0.015 per \$100 valuation. Authorizes fees for well permits; authorizes export fees. Authorizes the district to issue bonds not to exceed \$500,000 at any time.

No equivalent provisions.

Creates the Riverbend Water Resources District, a conservation and reclamation district, located in the northeast portion of Texas. The district includes the cities of Annona, Avery, DeKalb, Hooks, Maud, New Boston, Texarkana, Texas, Wake Village and the Red River Redevelopment Authority; each city or entity shall select its own representative to the District's board. Allows the board to hold telephone conference call meetings for open or closed meetings only if the meeting is a special called meeting requiring immediate action, and a quorum of the board cannot meet at one location. Provides that a board member may be recalled by the governing body of the city or authority that appointed them. Provides that a director is not entitled to compensation, but may be reimbursed for travel expenses. Provides that a board position is not a civil office, and would not disqualify other elected officials from office. Authorizes the board to adopt rules and regulations for sanitary water and sewer systems, prevent waste or unauthorized use of water, and regulate residence, hunting, fishing, boating, and camping, and all recreational and business privileges on any body or stream of water, or any body of land, or any easement owned or controlled by the district (per 51.127-51.130). Authorizes the district to issue bonds. Authorizes the district to acquire any and all storage rights and storage capacity in a reservoir or other water source inside or outside the boundaries of the district, and acquire the right to take water from that reservoir or source, subject to the rights or permits held by municipalities or other persons. Allows the district to develop facilities inside and out of the district boundaries that the board determines as necessary or useful for the exercise of a district power. Provides that the district has all rights, powers, and privileges necessary

or useful to enable it to acquire, provide, supply, deliver, and sell water, whether processed or unprocessed, raw or potable, inside or outside its boundaries to any person for any beneficial purpose. Allows political subdivisions to contact with district for water, waste collection, or other district purposes. Allows a political subdivision to convey property to the district. Prohibits the district from levying property taxes, or creating a debt payable by property taxes. Requires that bonds issued by district be secured by district revenue or any other source of district revenue.

No equivalent provision.

Senate Amendment _____. Requires an election on the appointment of a conservator for the purpose of dissolving the Bexar Metropolitan Water District on the November 2009 uniform election date. If the proposition to dissolve the district is approved by voters, TCEQ shall appoint a conservator to administer the disposition of the District's property, assets, and debts. If the proposition to dissolve the district fails, TCEQ shall appoint a qualified conservator to rehabilitate the district. The amendment authorizes TCEQ to appoint a subsequent conservator for the district for certain causes.

No equivalent provision.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst, Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3335** by Callegari (Relating to the powers of conservation and reclamation districts and water supply corporations and the creation and powers of certain conservation and reclamation districts; providing authority to impose taxes and issue bonds; granting limited power of eminent domain.), **Conference Committee Report**

Estimated Two-year Net Impact to General Revenue Related Funds for HB3335, Conference Committee Report: a negative impact of (\$300,000) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$50,000)
2011	(\$250,000)
2012	\$0
2013	\$0
2014	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1
2010	(\$50,000)
2011	(\$250,000)
2012	\$0
2013	\$0
2014	\$0

Fiscal Analysis

The bill would require the Texas Commission on Environmental Quality (TCEQ) to conduct a study regarding the impact on the Carrizo-Wilcox aquifer of rules and plans adopted by groundwater conservation districts (GCDs) and of joint planning determinations made by GCDs in the groundwater management area planning process. The bill provides that the Water Development Board and University of Texas Bureau of Economic Geology would assist the TCEQ in conducting the study, and that the TCEQ would be authorized to contract with any appropriate person for assistance to conduct the study. The bill requires the TCEQ to report the results of the study to the Legislature no later than December 31, 2012, and authorizes the TCEQ to include recommendations for legislation in

the report to address any areas of concern.

The bill would also amend various sections of the Water Code and the Special District Local Laws Code regarding powers and duties of certain districts.

Methodology

The required study will involve detailed evaluation of: 20 Carrizo-Wilcox GCDs and a similar number of adjacent GCDs plans, rules, implementation of desired future conditions, and enforcement efforts; three Carrizo-Wilcox groundwater management areas and six adjacent groundwater management area desired future condition determinations; data and projections from ten regional water plans; data and projections from the state water plan; and any other appropriate factors determined by the TCEQ. This estimate assumes that the TCEQ would contract for the study, and that the study would cost \$300,000, that the costs would be paid out of the General Revenue Fund over two years, and that a contract for the study would be executed in 2011.

This estimate assumes that any costs to the Water Development Board and the University of Texas assisting with the study could be absorbed using existing agency resources.

Local Government Impact

The proposed changes to statute would have varying fiscal impacts on each applicable district.

Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board, 720 The University of Texas System Administration

LBB Staff: JOB, DB, SD, ZS, TL

Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 3335 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

H. Galligan
(name)

5-32-69
(date)