

1 AN ACT

2 relating to the creation of the Windsor Hills Municipal Management  
3 District No. 1; providing authority to issue bonds; providing  
4 authority to impose assessments.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
7 Code, is amended by adding Chapter 3946 to read as follows:

8 CHAPTER 3946. WINDSOR HILLS MUNICIPAL MANAGEMENT DISTRICT NO. 1

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3946.001. DEFINITIONS. In this chapter:

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

12 (2) "City" means the City of Midlothian, Texas.

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

15 (4) "Development agreement" means a development  
16 agreement between the city and One Windsor Hills, L.P., that  
17 establishes the standards that apply to development in the district  
18 and includes zoning provisions for the district that allow a  
19 maximum of 545 residential units.

20 (5) "Director" means a board member.

21 (6) "District" means the Windsor Hills Municipal  
22 Management District No. 1.

23 (7) "Finance plan" means a finance plan between the  
24 city and the district that includes a general description of

1 proposed improvement projects that will be financed by the  
2 district, an estimate of the costs for the proposed improvement  
3 projects, and the means of financing costs related to the planning,  
4 design, construction, and improvement of the proposed improvement  
5 projects.

6 Sec. 3946.002. PRECONDITION; EXPIRATION. (a) The district  
7 may not exercise any powers under this chapter until the  
8 development agreement and finance plan are executed.

9 (b) This chapter, including Section 3946.052, expires  
10 September 1, 2019, if the development agreement and finance plan  
11 are not executed by that date.

12 Sec. 3946.003. CREATION AND NATURE OF DISTRICT. The  
13 district is a special district created under Section 59, Article  
14 XVI, Texas Constitution.

15 Sec. 3946.004. PURPOSE; LEGISLATIVE FINDINGS. (a) The  
16 creation of the district is essential to accomplish the purposes of  
17 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
18 Texas Constitution, and other public purposes stated in this  
19 chapter. By creating the district and in authorizing the city and  
20 other political subdivisions to contract with the district, the  
21 legislature has established a program to accomplish the public  
22 purposes set out in Section 52-a, Article III, Texas Constitution.

23 (b) The creation of the district is necessary to promote,  
24 develop, encourage, and maintain employment, commerce,  
25 transportation, housing, tourism, recreation, the arts,  
26 entertainment, economic development, safety, and the public  
27 welfare in the district.

1       (c) This chapter and the creation of the district may not be  
2 interpreted to relieve the city from providing the level of  
3 services provided to the area in the district as of the effective  
4 date of the Act enacting this chapter. The district is created to  
5 supplement and not to supplant the city services provided in the  
6 district.

7       Sec. 3946.005. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
8 The district is created to serve a public use and benefit.

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

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

18       (d) The creation of the district is in the public interest  
19 and is essential to further the public purposes of:

20               (1) developing and diversifying the economy of the  
21 state;

22               (2) eliminating unemployment and underemployment;

23               (3) providing quality residential housing; and

24               (4) developing or expanding transportation and  
25 commerce.

26       (e) The district will:

27               (1) promote the health, safety, and general welfare of

1 residents, employers, potential employees, employees, visitors,  
2 and consumers in the district, and of the public;

3 (2) provide needed funding for the district to  
4 preserve, maintain, and enhance the economic health and vitality of  
5 the district territory as a residential community and business  
6 center; and

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

11 (f) Pedestrian ways along or across a street, whether at  
12 grade or above or below the surface, and street lighting, street  
13 landscaping, parking, and street art objects are parts of and  
14 necessary components of a street and are considered to be a street  
15 or road improvement.

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

19 Sec. 3946.006. INITIAL DISTRICT TERRITORY. (a) The  
20 district is initially composed of the territory described by  
21 Section 2 of the Act enacting this chapter.

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

26 (1) organization, existence, or validity;

27 (2) right to contract;

1           (3) authority to borrow money or issue any type of  
2 bonds or other obligations for a purpose for which the district is  
3 created;

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

6           (5) legality or operation.

7           Sec. 3946.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
8 DISTRICT LAW. Except as provided by this chapter, Chapter 375,  
9 Local Government Code, applies to the district.

10           Sec. 3946.008. CONFIRMATION AND DIRECTORS' ELECTION  
11 REQUIRED. The initial directors shall hold an election to confirm  
12 the creation of the district and to elect five permanent directors  
13 as provided by Section 49.102, Water Code.

14                           SUBCHAPTER B. BOARD OF DIRECTORS

15           Sec. 3946.051. GOVERNING BODY; TERMS. (a) The district is  
16 governed by a board of five elected directors.

17           (b) Except as provided by Section 3946.052, directors serve  
18 staggered four-year terms, with two or three directors' terms  
19 expiring May 31 of each even-numbered year.

20           Sec. 3946.052. INITIAL DIRECTORS. (a) The initial board  
21 consists of:

22                           (1) John Malloy;

23                           (2) Jon Hendrickson;

24                           (3) Suzanne Disette;

25                           (4) Katie Martin Brown; and

26                           (5) Christopher Alan Cain.

27           (b) Initial directors serve until the earlier of:

1           (1) the date permanent directors are elected under  
2 Section 3946.008; or

3           (2) June 1, 2021.

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

8           (1) the date permanent directors are elected under  
9 Section 3946.008; or

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

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

18           Sec. 3946.053. ELIGIBILITY. To be qualified to serve as a  
19 director, a person must meet the qualifications prescribed by  
20 Section 375.063, Local Government Code.

21           Sec. 3946.054. EX OFFICIO DIRECTORS. (a) The following  
22 persons serve ex officio as nonvoting directors:

23           (1) the city manager of the city; and

24           (2) the chief financial officer of the city.

25           (b) An ex officio director is entitled to speak on a matter  
26 before the board.

27           Sec. 3946.055. VACANCY. A vacancy on the board shall be

1 filled by the remaining members of the board for the unexpired term.

2 Sec. 3946.056. DIRECTOR'S OATH OR AFFIRMATION. A director  
3 shall file the director's oath or affirmation of office with the  
4 district, and the district shall retain the oath or affirmation in  
5 the district records.

6 Sec. 3946.057. OFFICERS. The board shall elect from among  
7 the directors a chair, a vice chair, and a secretary.

8 Sec. 3946.058. COMPENSATION. A director is entitled to  
9 receive fees of office and reimbursement for actual expenses in the  
10 manner provided by Section 49.060, Water Code. Sections 375.069 and  
11 375.070, Local Government Code, do not apply to the board.

12 Sec. 3946.059. LIABILITY INSURANCE. The district may  
13 obtain and pay for comprehensive general liability insurance  
14 coverage from a commercial insurance company or other source that  
15 protects and insures a director against personal liability and from  
16 all claims relating to:

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

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

20 (3) the actions of others acting on behalf of the  
21 district.

22 Sec. 3946.060. CONFLICTS OF INTEREST. Chapter 171, Local  
23 Government Code, governs conflicts of interest of directors.

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 3946.101. IMPROVEMENT PROJECTS. (a) The district may  
26 provide, or it may enter into contracts with a governmental or  
27 private entity to provide, the improvement projects described by

1 Subchapter D.

2 (b) An improvement project authorized under this chapter  
3 may be located inside or outside the district.

4 Sec. 3946.102. RULES; ENFORCEMENT. (a) The district may  
5 adopt rules:

- 6 (1) to administer or operate the district; or  
7 (2) for the use, enjoyment, availability, protection,  
8 security, and maintenance of the district's property and  
9 facilities.

10 (b) The district may enforce its rules by injunctive relief.

11 Sec. 3946.103. NAME CHANGE; NOTICE. (a) The board by  
12 resolution may change the district's name.

13 (b) The board shall give written notice of a name change to  
14 the city.

15 Sec. 3946.104. TERMS OF EMPLOYMENT; COMPENSATION. The  
16 board may employ and establish the terms of employment and  
17 compensation of an executive director or general manager and any  
18 other district employees the board considers necessary.

19 Sec. 3946.105. NO EMINENT DOMAIN POWER. The district may  
20 not exercise the power of eminent domain.

21 SUBCHAPTER D. IMPROVEMENT PROJECTS AND SERVICES

22 Sec. 3946.151. IMPROVEMENT PROJECTS AND SERVICES. Except  
23 as otherwise provided by this chapter, the district may provide, or  
24 contract with a governmental or private entity to provide, water,  
25 wastewater, drainage, or roadway projects, or related projects and  
26 services.

27 Sec. 3946.152. BOARD DETERMINATION REQUIRED. The district

1 may not undertake an improvement project unless the board  
2 determines the project is necessary to accomplish a public purpose  
3 of the district.

4 Sec. 3946.153. CITY REQUIREMENTS. (a) An improvement  
5 project must comply with any applicable city construction codes and  
6 construction ordinances.

7 (b) The district may not provide, conduct, or authorize any  
8 improvement project on the city's streets, highways,  
9 rights-of-way, or easements without the consent of the city.

10 Sec. 3946.154. ADDITIONAL CITY POWERS REGARDING  
11 IMPROVEMENT PROJECTS. (a) Except as otherwise provided by an  
12 agreement between the district and the city, the city may:

13 (1) by ordinance, order, resolution, or other  
14 directive require that title to all or any portion of an improvement  
15 project vest in the city; or

16 (2) by ordinance, order, resolution, or other  
17 directive authorize the district to own, encumber, maintain, and  
18 operate an improvement project or convey the project to the city at  
19 a later date.

20 (b) The district shall immediately comply with any city  
21 ordinance or resolution adopted under this section.

22 SUBCHAPTER E. CONTRACTS

23 Sec. 3946.201. GENERAL CONTRACT POWERS. The district may  
24 contract with any person to accomplish any district purpose.

25 Sec. 3946.202. CONTRACT TERMS. A contract the district  
26 enters into to carry out a purpose of this chapter may be on any  
27 terms and for any period the board determines, including an

1 obligation to issue a negotiable or nonnegotiable note or warrant  
2 payable to the city or any other person.

3 Sec. 3946.203. REIMBURSEMENT OF COSTS. The district may  
4 contract with any person for the payment, repayment, or  
5 reimbursement of costs incurred by that person on behalf of the  
6 district, including all or part of the costs of an improvement  
7 project and interest on the reimbursed cost.

8 Sec. 3946.204. CONTRACT FOR IMPROVEMENT PROJECT. (a) The  
9 district may contract with any person for the use, occupancy,  
10 lease, rental, operation, maintenance, or management of all or part  
11 of a proposed or existing improvement project.

12 (b) The district may apply for and contract with any person  
13 to receive, administer, and perform a duty or obligation of the  
14 district under a federal, state, local, or private gift, grant,  
15 loan, conveyance, transfer, bequest, or other financial assistance  
16 arrangement relating to the investigation, planning, analysis,  
17 study, design, acquisition, construction, improvement, completion,  
18 implementation, or operation by the district or others of a  
19 proposed or existing improvement project.

20 Sec. 3946.205. NO FURTHER CONTRACT AUTHORIZATION REQUIRED.  
21 Any person, including the city, may contract with the district to  
22 carry out the purposes of this chapter without further statutory or  
23 other kind of authorization.

24 SUBCHAPTER F. GENERAL FINANCIAL PROVISIONS

25 Sec. 3946.251. DEVELOPMENT AGREEMENT REQUIRED TO BORROW  
26 MONEY OR IMPOSE ASSESSMENTS. Before the district may issue bonds,  
27 impose assessments, or borrow money, the district must obtain from

1 the city confirmation that no defaults under the development  
2 agreement are known.

3 Sec. 3946.252. BORROWING MONEY. The district may borrow  
4 money for a district purpose by issuing or executing bonds, notes,  
5 credit agreements, or other obligations of any kind found by the  
6 board to be necessary or appropriate for a district purpose. The  
7 bond, note, credit agreement, or other obligation must be secured  
8 by and payable from assessments or any other district revenue.

9 Sec. 3946.253. BONDS AND OTHER OBLIGATIONS. (a) The  
10 district may issue, by public or private sale, bonds, notes, or  
11 other obligations payable wholly or partly from assessments in the  
12 manner provided by Subchapter J, Chapter 375, Local Government  
13 Code.

14 (b) If the improvements financed by an obligation will be  
15 conveyed to or operated and maintained by a municipality or retail  
16 utility provider pursuant to an agreement between the district and  
17 the municipality or retail utility provider entered into before the  
18 issuance of the obligation, the obligation may be issued in the  
19 manner provided by Subchapter A, Chapter 372, Local Government  
20 Code.

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

26 (d) In addition to the sources of money described by  
27 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local

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

4 Sec. 3946.254. BOND MATURITY. Bonds may mature not more  
5 than 40 years from their date of issue.

6 Sec. 3946.255. ISSUER POWERS FOR CERTAIN PUBLIC  
7 IMPROVEMENTS. The district may exercise any power of an issuer  
8 under Chapter 1371, Government Code.

9 Sec. 3946.256. GENERAL POWERS REGARDING PAYMENT OF DISTRICT  
10 BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or  
11 secure the payment or repayment of any bond, note, or other  
12 temporary or permanent obligation or reimbursement or other  
13 contract with any person and the costs and expenses of the  
14 establishment, administration, and operation of the district and  
15 the district's costs or share of the costs or revenue of an  
16 improvement project or district contractual obligation or debt by:

17 (1) a lease, installment purchase contract, or other  
18 agreement; or

19 (2) any other revenue or resources of the district or  
20 other revenue authorized by the city, including revenue from a tax  
21 increment reinvestment zone created by the city.

22 Sec. 3946.257. ASSESSMENTS. (a) The district may impose an  
23 assessment on property in the district to pay the cost of any  
24 authorized district improvement or to pay the costs of establishing  
25 and operating the district in the manner provided for:

26 (1) a district under Subchapters A, E, and F, Chapter  
27 375, Local Government Code; or

1           (2) a municipality or county under Subchapter A,  
2 Chapter 372, Local Government Code.

3           (b) An assessment may not exceed the equivalent of 43 cents  
4 per \$100 of valuation on the average residential lot in the  
5 district.

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

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

13           (2) are superior to any other lien or claim other than  
14 a lien or claim for county, school district, or municipal ad valorem  
15 taxes.

16           (d) The lien of an assessment against property runs with the  
17 land. The portion of an assessment payment obligation that has not  
18 yet come due is not eliminated by the foreclosure of an ad valorem  
19 tax lien, and any purchaser of property in a foreclosure of an ad  
20 valorem tax lien takes the property subject to the assessment  
21 payment obligations that have not yet come due and to the lien and  
22 terms of the lien's payment under the applicable assessment  
23 ordinance or order.

24           (e) The board may make a correction to or deletion from the  
25 assessment roll that does not increase the amount of assessment of  
26 any parcel of land without providing notice and holding a hearing in  
27 the manner required for additional assessments.

1       Sec. 3946.258. COSTS FOR IMPROVEMENT PROJECTS. The  
2 district may undertake separately or jointly with other persons,  
3 including the city, all or part of the cost of an improvement  
4 project, including an improvement project that confers a general  
5 benefit on the entire district or a special benefit on a definable  
6 part of the district.

7       Sec. 3946.259. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
8 375.161, Local Government Code, does not apply to the district.

9       Sec. 3946.260. NO IMPACT FEES. The district may not impose  
10 an impact fee.

11       Sec. 3946.261. NO AD VALOREM TAX. The district may not  
12 impose an ad valorem tax.

13                               SUBCHAPTER G. DISSOLUTION

14       Sec. 3946.301. DISSOLUTION BY CITY ORDINANCE. (a) The city  
15 by ordinance may dissolve the district.

16               (b) The city may not dissolve the district until:

17                       (1) the district's outstanding debt or other  
18 obligations have been repaid, assumed, or discharged, including the  
19 defeasance of any outstanding bonds or other obligations through  
20 the issuance of debt by the city; and

21                       (2) each party to the development agreement fulfills  
22 the party's obligations under the agreement and the plan, including  
23 a district obligation to reimburse a developer or owner for the  
24 costs of an improvement project or service.

25       Sec. 3946.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

26       (a) If the dissolved district has bonds or other obligations  
27 outstanding secured by and payable from assessments or other

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

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

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

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

11 Sec. 3946.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
12 After the city dissolves the district, the city assumes, subject to  
13 the appropriation and availability of funds, the obligations of the  
14 district, including any bonds or other debt payable from  
15 assessments or other district revenue.

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

18 SECTION 2. The Windsor Hills Municipal Management District  
19 No. 1 initially includes all the territory contained in the  
20 following area:

21 TRACT ONE

22 BEING a tract of land out of the JOSEPH STEWART Survey,  
23 Abstract Number 961, M.E.P. & P.R.R. COMPANY Survey, Abstract  
24 Number 761, JAMES JONES Survey, Abstract Number 583, ALLEN REEVES  
25 Survey, Abstract Number 939 and the B.F. BERRY Survey, Abstract  
26 Number 1547 and being part of a tract of land described to One  
27 Windsor Hills L.P. as recorded in Volume 2199, Page 2425, Volume

1 2181, Page 1640 and Volume 2206, Page 1415, Deed Records, Ellis  
2 County, Texas, and being more particularly described by metes and  
3 bounds as follows:

4 BEGINNING at the northwesterly corner of a tract of land  
5 described to One Windsor Hills L.P. in Volume 2206, Page 1415, Deed  
6 Records, Ellis County, Texas, and the southwesterly corner of a  
7 tract of land described to Suburban Residential, L.P. as recorded  
8 in Volume 2061, Page 1487, Deed Records, Ellis County, Texas, said  
9 point also being in the easterly right-of-way of U.S. Highway  
10 Number 287 (a variable width right-of-way).

11 THENCE North  $59^{\circ}34'56''$  East along said common line and  
12 departing said east right-of-way line passing at a distance of  
13 223.98 feet the easterly line of said Suburban Residential, L.P.  
14 tract and the westerly line of said tract of land described to One  
15 Windsor Hills, L.P. in Volume 2181, Page 1640 in all a total  
16 distance of 2878.85 feet to a point for corner;

17 THENCE North  $30^{\circ}22'31''$  West, a distance of 623.90 feet to a  
18 point for corner;

19 THENCE North  $81^{\circ}43'06''$  East, a distance of 488.08 feet to a  
20 point for corner;

21 THENCE North  $72^{\circ}00'40''$  East, a distance of 320.19 feet to a  
22 point for corner;

23 THENCE North  $71^{\circ}30'14''$  East, a distance of 275.16 feet to a  
24 point for corner;

25 THENCE North  $60^{\circ}21'33''$  East, a distance of 306.11 feet to a  
26 point for corner;

27 THENCE North  $60^{\circ}52'42''$  East, a distance of 324.51 feet to a

1 point for corner;  
2           THENCE North 62°51'56" East, a distance of 737.24 feet to a  
3 point for corner;  
4           THENCE North 77°31'00" East, a distance of 184.84 feet to a  
5 point for corner;  
6           THENCE South 54°36'52" East, a distance of 94.36 feet to a  
7 point for corner;  
8           THENCE South 45°11'54" East, a distance of 143.80 feet to a  
9 point for corner;  
10           THENCE North 00°06'23" East, a distance of 2809.23 feet to a  
11 point for corner, said point being at the beginning of tangent curve  
12 to the right whose chord bears North 04°50'09" East, and a chord  
13 length of 454.89;  
14           THENCE in a northeasterly direction with said curve to the  
15 right having a central angle 09°53'05", with a radius of 2640.00  
16 feet, an arc length of 455.45 feet to a point for corner, said point  
17 being in the northeasterly line of said tract of land described to  
18 One Windsor Hills, L.P. in Volume 2199, Page 2425, and southerly  
19 line of a tract of land described to JAS Holdings, L.L.C. as  
20 recorded in Volume 2051, Page 2082, Deed Records, Ellis County,  
21 Texas;  
22           THENCE North 88°55'17" East, along said common line a distance  
23 of 627.82 feet to a point for corner;  
24           THENCE South 01°20'17" East continuing along said common line  
25 a distance of 491.92 feet to a point for corner;  
26           THENCE North 87°52'20" East continuing along said common line  
27 a distance of 765.58 feet to a point for corner;

1           THENCE North 89°07'31" East continuing along said common line  
2 a distance of 1045.64 feet to a point for corner said point being in  
3 the apparent westerly line of Quarry Road (a variable width  
4 right-of-way);

5           THENCE along said Quarry Road the following calls: South  
6 00°31'02" East, a distance of 2176.51 feet to a point for corner;  
7 South 00°12'55" West, a distance of 619.03 feet to a point for  
8 corner; South 00°11'45" West, a distance of 2361.69 feet to a point  
9 for corner, said point being the northerly line of a tract of land  
10 described to Fulson Midlothian Partners L.P., in Volume 2220, Page  
11 0194, Deed Records, Ellis County, Texas;

12           THENCE South 73°40'45" West, departing said Quarry Road, a  
13 distance of 1024.70 feet to a point for corner, said point being in  
14 the easterly line of said tract of land described to One Windsor  
15 Hills, L.P. in Volume 2206, Page 1415, and the northerly line of  
16 said Fulson Midlothian Partners L.P. tract;

17           THENCE South 30°37'38" East, continuing along said common  
18 line a distance of 350.99 feet to a point for corner;

19           THENCE South 59°15'58" West, continuing along said common  
20 line a distance of 3738.60 feet to a point for corner;

21           THENCE South 00°20'54" West, continuing along said common  
22 line a distance of 423.54 feet to a point for corner, said point  
23 being in the said northerly right-of-way line of U.S. Highway  
24 Number 287;

25           THENCE along said northerly right-of-way line of U.S. Highway  
26 Number 287 the following calls: North 63°06'06" West, a distance of  
27 291.86 feet to a point for corner; North 59°56'14" West, a distance

1 of 490.32 feet to a point for corner; North 57°00'04" West, a  
2 distance of 447.27 feet to a point for corner; North 56°34'07" West,  
3 a distance of 486.37 feet to a point for corner; North 50°47'17"  
4 West, a distance of 387.41 feet to a point for corner; North  
5 49°12'36" West, a distance of 604.08 feet to a point for corner;  
6 North 48°29'20" West, a distance of 123.15 feet to a point for  
7 corner, said point being in the southeasterly line of a tract of  
8 land described to City of Midlothian, Cause Number 04-C-3616 County  
9 Court of Law, Ellis County, Texas;

10       THENCE North 41°28'19" East, departing the said northerly  
11 right-of-way line of U.S Highway 287, a distance of 100.00 feet to a  
12 point for corner;

13       THENCE North 48°53'44" West continuing along said common line  
14 a distance of 99.72 feet to a point for corner;

15       THENCE South 41°38'09" West continuing along said common line  
16 a distance of 99.36 feet to a point for corner, said point being in  
17 the said northerly right-of-way line of U.S. Highway 287;

18       THENCE along said northerly right-of-way line of U.S. Highway  
19 Number 287 the following calls: North 48°36'14" West, a distance of  
20 247.58 feet to a point for corner; North 42°50'51" West, a distance  
21 of 458.34 feet to a point for corner; North 51°04'02" West, a  
22 distance of 466.39 feet to a point for corner; North 27°30'07" West,  
23 a distance of 3.46 feet to the POINT OF BEGINNING, containing  
24 29,532,612 square feet or 677.97 acres, more or less.

25 TRACT TWO

26       BEING a tract of land out of the ALLEN REEVES Survey,  
27 Abstract Number 939 and being part of a tract of land described to

1 One Windsor Hills L.P. as recorded in Volume 2202, Page 2425, Deed  
2 Records, Ellis County, Texas, and being more particularly described  
3 by metes and bounds as follows:

4 BEGINNING at the southeasterly corner of a tract of land  
5 described to One Windsor Hills L.P. Tract 2 in Volume 2202, Page  
6 1295, Deed Records, Ellis County, Texas, said point also being in  
7 the southwesterly line of a tract of land described to City of  
8 Midlothian in Volume 491, Page 081, Deed Records, Ellis County,  
9 Texas, said point also being in the apparent northerly line of Auger  
10 Road (a variable width right-of-way);

11 THENCE along said northerly line of Auger Road the following  
12 calls: South  $81^{\circ}59'52''$  West, a distance of 520.79 feet to a point for  
13 corner; North  $84^{\circ}51'18''$  West, a distance of 617.43 feet to a point  
14 for corner; South  $79^{\circ}50'03''$  West, a distance of 442.41 feet to a  
15 point for corner, said point also being in the apparent easterly  
16 line of Quarry Road (a variable width right-of-way) and also being  
17 in the westerly line of said One Windsor Hills, L.P. Tract Two;

18 THENCE North  $00^{\circ}09'14''$  West, a distance of 2342.31 feet to a  
19 point for corner, said point being in the southwesterly line of a  
20 tract of land described to North Texas Cement Company in Volume 846,  
21 Page 138, Deed Records, Ellis County, Texas;

22 THENCE North  $88^{\circ}56'09''$  East departing said easterly line of  
23 Quarry Road and continuing along said common line a distance of  
24 563.53 feet to a point for corner;

25 THENCE North  $00^{\circ}21'10''$  West, continuing along said common  
26 line a distance of 250.88 feet to a point for corner;

27 THENCE North  $89^{\circ}56'37''$  East, a distance of 2097.82 feet to

1 appoint for corner, said point being in the westerly line of a tract  
2 of land described to City of Midlothian in Volume 2451, Page 0414,  
3 Deed Records, Ellis County, Texas;

4       THENCE South 00°22'22" East, continuing along said common  
5 line a distance of 1414.75 feet to a point for corner;

6       THENCE South 89°25'13" West, a distance of 563.27 feet to a  
7 point for corner;

8       THENCE South 36°57'24" West, a distance of 156.39 feet to a  
9 point for corner;

10       THENCE South 42°37'28" West, a distance of 220.86 feet to a  
11 point for corner;

12       THENCE South 17°07'08" West, a distance of 110.49 feet to a  
13 point for corner;

14       THENCE South 29°56'28" West, a distance of 283.81 feet to a  
15 point for corner;

16       THENCE South 83°24'38" West, a distance of 135.84 feet to a  
17 point for corner.

18       THENCE South 02°33'31" East, a distance of 435.91 feet to the  
19 POINT OF BEGINNING, containing 5,604,605 square feet or 128.66  
20 acres, more or less.

21 TRACT THREE

22       BEING a tract of land out of the ALLEN REEVES Survey, Abstract  
23 Number 939 and being part of a tract of land described to Jas  
24 Holdings, LLC, as recorded in Volume 2051, Page 2082, Deed Records,  
25 Ellis County, Texas, and being more particularly described by metes  
26 and bounds as follows:

27       BEGINNNG at the northwesterly line of said Holdings tract,

1 said point being at the intersection of the southerly line of Gifco  
2 Road and the westerly line of Quarry Road;

3       THENCE South 06°40'47" West, a distance of 443.05 feet to a  
4 point for corner;

5       THENCE South 06°09'13" East, a distance of 220.20 feet to a  
6 point for corner;

7       THENCE South 10°13'13" East, a distance of 536.49 feet to a  
8 point for corner;

9       THENCE South 08°58'47" West, a distance of 136.00 feet to a  
10 point for corner;

11       THENCE South 10°19'36" West, a distance of 210.10 feet to a  
12 point for corner;

13       THENCE South 00°07'52" East, a distance of 565.79 feet to a  
14 point for corner, said point being in the southerly line of said  
15 Holdings tract and the northerly line of a tract of land described  
16 to One Windsor Hills, L.P. as recorded in Volume 2199, Page 2425,  
17 Deed Records, Ellis County, Texas;

18       THENCE with said common line the following calls: South  
19 89°07'31" West, a distance of 1045.64 feet to a point for corner;  
20 South 87°52'20" West, a distance of 765.58 feet to a point for  
21 corner; North 01°20'17" West, a distance of 491.92 feet to a point  
22 for corner; South 88°55'27" West, a distance of 627.82 feet to a  
23 point for corner, said point being at the beginning of a non-tangent  
24 curve to the right whose chord bears North 31°16'58" East, a  
25 distance of 1935.46 feet;

26       THENCE in a northeasterly direction with said non-tangent  
27 curve to the right having a central angle of 43°00'28", with a radius

1 of 2640.00 feet, an arc length of 1981.66 feet to a point for  
2 corner, said point being in the northerly line of said Holdings  
3 tract;

4 THENCE North 89°50'10" East, along the northerly line of said  
5 Holdings tract a distance of 1436.81 feet to the POINT OF BEGINNING,  
6 containing 4,273,854 square feet or 98.11 acres, more or less.

7 SECTION 3. (a) The legislature finds that the Windsor Hills  
8 Municipal Management District No. 1 created under Chapter 3907,  
9 Special District Local Laws Code, as added by Chapter 858 (H.B.  
10 3836), Acts of the 82nd Legislature, Regular Session, 2011, did not  
11 execute a development agreement and finance plan by September 1,  
12 2012. Therefore, Chapter 3907, Special District Local Laws Code,  
13 expired by operation of Section 3907.002(b), Special District Local  
14 Laws Code, on September 1, 2012.

15 (b) The legislature finds that the Windsor Hills Municipal  
16 Management District No. 1 created under Chapter 3907A, Special  
17 District Local Laws Code, as added by Chapter 253 (H.B. 518), Acts  
18 of the 83rd Legislature, Regular Session, 2013, did not execute a  
19 development agreement and finance plan by September 1, 2015.  
20 Therefore, Chapter 3907A, Special District Local Laws Code, expired  
21 by operation of Section 3907A.002(b), Special District Local Laws  
22 Code, on September 1, 2015.

23 SECTION 4. (a) The legal notice of the intention to  
24 introduce this Act, setting forth the general substance of this  
25 Act, has been published as provided by law, and the notice and a  
26 copy of this Act have been furnished to all persons, agencies,  
27 officials, or entities to which they are required to be furnished

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

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

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3136 was passed by the House on May 19, 2017, by the following vote: Yeas 139, Nays 5, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3136 on May 25, 2017, by the following vote: Yeas 145, Nays 2, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3136 was passed by the Senate, with amendments, on May 24, 2017, by the following vote: Yeas 29, Nays 2.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor