

WHEREAS, in 1975, the City of Dallas annexed property for the development of Lake Ray Hubbard which expanded the City of Dallas' extraterritorial jurisdiction east and south of the lake property into Rockwall and Kaufman Counties; and

WHEREAS, Kaufman County Municipal Utility District No. 5, formerly Lake Vista Municipal Utility District No. 1, was originally consented to by City Council on February 13, 2002, by Resolution No. 02-0685; and

WHEREAS, the Patricia Louise Clements Trust has contracted to sell approximately 257 acres of its family holdings east of Lake Ray Hubbard to Travis Ranch Addition and/or its assignees; and

WHEREAS, the approximately 257 acres are located within the City of Dallas' extraterritorial jurisdiction; and

WHEREAS, Section 54.0165 of the Texas Water Code and Section 42.0425 of the Texas Local Government Code require an applicant to request municipal consent to expand a Municipal Utility District within a city's extraterritorial jurisdiction; and

WHEREAS, Section 51A-8.105 of the Dallas Development Code extends plat regulations to all applicable development activity within the extraterritorial jurisdiction of the City; and

WHEREAS, on April 14, 2015, the Patricia Louise Clements Trust filed the necessary application/petition with the Sustainable Development and Construction Department requesting the city's consent for the addition of approximately 257 acres into the Kaufman County Municipal Utility District No. 5 within Dallas' extraterritorial jurisdiction east of Lake Ray Hubbard; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City of Dallas hereby consents to and the City Manager is instructed to create such documents, if any, as required to evidence the City of Dallas' consent to the addition of approximately 257 acres to the Kaufman County Municipal Utility District No. 5, as depicted on the attached property description, within the City of Dallas' extraterritorial jurisdiction east of Lake Ray Hubbard in Kaufman County.

Section 2. That consent to the addition of the Kaufman County Municipal Utility District No. 5 within the City of Dallas' extraterritorial jurisdiction includes the requirement that all development must comply with Article VIII, "Plat Regulations," of the Dallas Development Code.

Section 3. That as a condition of the consent given by the City of Dallas, pursuant to Texas Water Code Section 54.016(e) and (g), the Municipal Utility District shall be subject to the following terms and provisions:

- (a) That the Municipal Utility District must construct all facilities in accordance with plans and specification swchich have been approved by the City of Dallas.
- (b) That the City of Dallas shall have the right to inspect all facilities being constructed by the Municipal Utility District.
- (c) That the Municipal Utility District may only issue bonds for the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:
 - (i) provide a water supply for municipal uses, domestic uses, and commercial purposes;
 - (ii) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
 - (iii) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the district; and
 - (iv) provide payment of organization expenses, operation expenses during construction and interest during construction.
- (d) That the City of Dallas shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent juridsction restraining, compelling, or requiring the Municipal Utility District and its officals to observe and comply with the terms and provisions prescribed by this resolution.

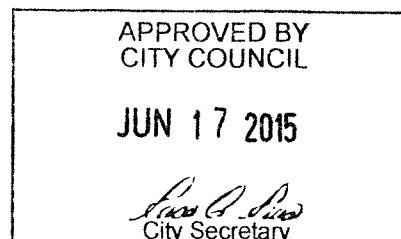
Section 4. That the City Council further hereby notifies the Municipal Utility Districts, its residents, and property owners that the Texas Local Government Code allows the City of Dallas to annex any portion of the district located within the City of Dallas' exteraterritorial jurisdiction, and the City of Dallas hereby requests that the Municipal Utility District includes a statement in the form required under Section 49.452 of the Texas Water Code reflecting the possibility of annexation by the City of Dallas.

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By Casem Buyos
Assistant City Attorney



BEING a 257.535 acre tract of land situated in the S. Wood Survey, Abstract No. 574, the J.R. Conner Survey, Abstract No. 100, and the W. M. Conner Survey, Abstract No. 92, Kaufman County, Texas, and being part of a tract of land described in a Deed dated December 12, 1970 to Clemgil Realty, Inc., as recorded in Volume 543 Page 540, Deed Records of Kaufman County, Texas (D.R.K.C.T), and being all of that certain tract of land described in Deed to Patricia Louise Clements, Trustee, Patricia Louise Clements Trust U/A Dated May 2, 2012, as recorded in Instrument No. 2012-0010306 (Volume 4144, Page 327), Official Public Records, Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod with a yellow plastic cap stamped "IALFF ASSOC. INC.", hereinafter referred to as 'with cap', on the south end of a corner clip at the intersection of the southwest right-of-way line of F.M. 740 (90 feet wide) with the northwest right-of-way line of F.M. 460 (90 feet wide);

THENCE North 07° 13' 10" East, along said corner clip, a distance of 67.35 feet to a point for corner on said southwest right-of-way line;

THENCE North 44° 54' 45" West, departing said corner clip and along said southwest right-of-way line, a distance of 153.28 feet to a point for the point of curvature of a circular curve to the right having a radius of 1477.38 feet;

THENCE Northwesterly, continuing along said southwest right-of-way line and along said curve, through a central angle of 08° 10' 18", an arc distance of 210.71 feet to a point for corner on the westerly right-of-way line of Old Heath Road (old alignment of F.M. 740);

THENCE North 44° 54' 45" West, departing said southwest right-of-way line and said curve and along said westerly right-of-way line of Old Heath Road, a distance of 422.12 feet to a point for the point of curvature of a circular curve to the right having a radius of 166.37 feet;

THENCE Northwesterly, along said westerly right-of-way line, crossing Ray Hubbard Drive (County Road No. 227) and along said curve to the right, through a central angle of 51° 34' 29", an arc distance of 149.75 feet to a point at the intersection of said westerly right-of-way line with the southwest line of a tract of land described in a Warranty Deed with Vendor's Lien dated may 17, 1991 to George E. Miller, Jr., as recorded in Volume 1021, Page 911, D.R.K.C.T;

THENCE North 44° 32' 25" West, departing said westerly right-of-way line and said curve and along said southwest line, a distance of 422.14 feet to a 1/2- inch found iron rod with cap for the most westerly corner of said Miller tract;

THENCE South 45° 27' 35" West, departing said westerly right-of-way line and said curve and along said southwest line, a distance of 32.35 feet to a point for corner at the approximate centerline of the aforementioned Ray Hubbard Drive;

THENCE along said approximate centerline the following calls:

North 44° 08' 54" West, a distance of 1260.11 feet to a point for corner;

North 43° 53' 30" West, a distance of 686.88 feet to a point for corner;

North 43° 36' 19" West, a distance of 550.13 feet to a nail set for the POINT OF BEGINNING;

North 43° 11' 55" West, a distance of 190.86 feet to a nail set for corner;

North 46° 17' 13" West, a distance of 100.45 feet to a nail set for the point of curvature of a circular curve to the left having a radius of 752.63 feet;

Northwesterly, along said curve to the left, through a central angle of 38° 06' 56", an arc distance of 500.68 feet to a nail set for the point of tangency;

North 84° 24' 10" West, a distance of 102.77 feet to a nail set for corner;

North 87° 08' 33" West, a distance of 101.91 feet to a nail set for corner;

North 89° 49' 32" West, a distance of 199.30 feet to a nail set for corner;

South 89° 19' 30" West, a distance of 200.60 feet to a nail set for corner;

North 89° 35' 46" West, a distance of 179.93 feet to a nail set for corner;

North 88° 58' 31" West, a distance of 73.77 feet to a nail set for corner;

North 84° 50' 05" West, a distance of 73.00 feet to a nail set for the point of curvature of a circular curve to the right having a radius of 255.32 feet;

Northwesterly, along said curve to the right, through a central angle of 36° 00' 55", an arc distance of 160.49 feet to a nail set for the point of tangency;

North 48° 49' 06" West, a distance of 48.28 feet to a nail set for corner;

North 44° 53' 11" West, a distance of 190.00 feet to a nail set for corner;

North 45° 08' 23" West, a distance of 354.80 feet to a nail set for corner;

North 45° 19' 05" West, a distance of 146.93 feet to a nail set for corner;

North 42° 53' 30" West, a distance of 37.53 feet to a nail set for the point of curvature of a circular curve to the right having a radius of 418.75 feet;

Northwesterly, along said curve to the right, through a central angle of 50° 28' 40", an arc distance of 368.92 feet to a nail set for the point of tangency;

North 07° 35' 10" East, a distance of 180.68 feet to a nail set for corner;

North 07° 03' 37" East, a distance of 163.18 feet to a nail set for corner;

North 04° 47' 48" East, a distance of 28.22 feet to a nail set for corner;

North 12° 21' 44" East, a distance of 132.28 feet to a nail set for corner;

North 17° 32' 05" East, a distance of 82.78 feet to a nail set for corner;

North 18° 40' 07" East, a distance of 94.60 feet to a nail set for the point of curvature of a circular curve to the right having a radius of 700.33 feet;

Northeasterly, along said curve to the right, through a central angle of 17° 05' 32", an arc distance of 208.92 feet to a nail set for the point of tangency;

North 35° 45' 40" East, a distance of 64.83 feet to a nail set for corner;

North 37° 29' 33" East, a distance of 261.43 feet to a nail set for corner;

North 36° 19' 53" East, a distance of 55.31 feet to a nail set for corner on the northerly west line of the aforementioned Clemgil Realty, Inc. tract recorded in Volume 543, Page 540, D.R.K.C.T., said point also being on the southeast line of a tract of land described in a Special Warranty Deed dated April 12, 1991 to J.M. Tuggle, as recorded in Volume 1032, Page 331, D.R.K.C.T.;

THENCE North 43° 36' 10" East, along said west line and said southeast line and more or less along said Ray Hubbard Drive,

a distance of 140.80 feet to a point for corner;

THENCE North 00° 10' 09" West, departing said southeast line and along said west line and said Ray Hubbard Drive, a distance of 1000.00 feet to a point for corner, said point being the southeast corner of a tract of Land described in a Warranty Deed dated August 4, 1964 to the City of Dallas as recorded in Volume 473, Page 180, D.R.K,C.T, as modified by City of Dallas field survey, from which a found Brass Disk in concrete stamped "City of Dallas Elevation Marker C2-9/C3- 1" bears South 72° 44' 37" West, a distance of 31.09 feet;

THENCE North 01° 08' 25" West, continuing along said west line and said Ray Hubbard Drive, a distance of 677.08 feet to a nail found for corner at the approximate centerline of said Ray Hubbard Drive, same being the northwest corner of aforesaid Clements tract;

THENCE South 89° 57' 41" East, departing said west line and said Ray Hubbard Drive, a distance of 2,121.36 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 52° 55' 23" East, a distance of 1,450.84 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 50° 18' 15" West, a distance of 817.25 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 05° 51' 22" West, a distance of 1258.86 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 80° 31' 58" East, a distance of 279.75 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 15° 11' 07" West, a distance of 838.69 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 45° 14' 28" West, a distance of 870.99 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 07° 28' 57" West, a distance of 78.76 feet to a 1/2-inch found iron rod with cap for corner;

THENCE South 37° 02' 55" West, a distance of 133.56 feet to a nail found for corner;

THENCE South 46° 12' 59" West, a distance of 25.62 feet to the POINT OF BEGINNING AND CONTAINING 257.535 acres of land, more or less.

