



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER	144906
PAGE 1 OF	26
DATE:	3/18/2025

**SUBJECT: CONSIDERATION TO CREATE TARRANT COUNTY FRESH WATER
SUPPLY DISTRICT NO. 2 AND APPOINTMENT OF TEMPORARY
SUPERVISORS TO THE BOARD OF THE DISTRICT**

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider the creation of Tarrant County Fresh Water Supply District No. 2 (Tarrant County FWSD No. 2) and appoint five temporary supervisors to the Board of the District.

BACKGROUND

In early 2024, PMB Capital Investments, Tarrant County, and the City of Fort Worth conducted a series of discussions regarding cooperation to facilitate development of approximately 335 acres of land located in an area of Tarrant County generally known as "Bonds Ranch North." The development is a master planned community that consists of single-family lots, commercial acreage, open space and parkland, and dedicated acres for a potential school site and public safety building.

In an effort to work collaboratively and find a solution that allowed for future annexation of the development into the City of Fort Worth, a Fresh Water Supply District was a proposed solution. In Texas, Fresh Water Supply Districts (FWSDs) are governed by Chapters 49 and 53 of the Texas Water Code and are typically created to provide water, wastewater, infrastructure, and drainage services to rural or unincorporated areas. The creation of the FWSD helps to support rural development by providing essential utilities necessary for the future residents of this area, encourages economic growth by making the area more attractive and accessible for businesses, gives residents a local governing body to oversee services and debt, and allows the district to levy taxes and issue bonds to fund infrastructure. Upon the bonds being paid off, the development would then be annexed into the City of Fort Worth. On February 19, 2025, Tarrant County received the conceptual plan for this development, approved the petition and set the public hearing date. The Court is now asked to consider the formal creation of the district and the appointment of five temporary supervisors to the board of directors which will allow oversight to ensure the conceptual plan is adhered to. In addition to Tarrant County participation, the City of Fort Worth has approved a Resolution of Support for the creation of Tarrant County FWSD No. 2 and is working towards a Strategic Partnership Agreement and Development Agreement with the City so that when annexation does occur, it will meet City standards.

The Criminal District Attorney's Office has reviewed the order as to form.

FISCAL IMPACT

There is no fiscal impact to Tarrant County associated with the creation of the District. All fees will be paid by the developer and developer will be reimbursed by the issuance of bonds which are then paid back using fees generated by the developed properties within the District. All homeowners who reside within a District are noticed prior to purchasing or building a home within the District.

SUBMITTED BY	Administrator	PREPARED BY: APPROVED BY:	Maegan South
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ORDER NO. _____

**AN ORDER BY THE COMMISSIONERS COURT OF TARRANT
COUNTY, TEXAS UPON HEARING ON PETITION TO CREATE
TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 2;
ESTABLISHING TARRANT COUNTY FRESH WATER SUPPLY
DISTRICT NO. 2 AND DEFINING THE BOUNDARIES THEREOF;
AND CONTAINING OTHER PROVISIONS RELATING TO THE
SUBJECT**

WHEREAS, on February 19, 2025, there was presented to the Commissioners Court of Tarrant County, Texas (the *Court*), a petition (the *Petition*) requesting creation of a fresh water supply district to be known as Tarrant County Fresh Water Supply District No. 2 (the *District*), under the authority of Article XVI, Section 59, Texas Constitution and Chapter 53, Texas Water Code, as amended (*Chapter 53*), a copy of which Petition is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, upon presentation of the Petition, the Court, by resolution adopted on February 19, 2025, accepted the Petition and found the same to be administratively complete, ordered the conduct of a hearing (the *Hearing*) before the Court concerning the Petition at 10:00 a.m. on March 18, 2025, which is a date that is 15 days or more but no more than 30 days from the date of the Petition's presentation to the Court, and authorized the posting of the time, date, location and subject matter of the Hearing; and

WHEREAS, upon such Hearing being convened, there was presented proper proof and evidence, that notice of such Hearing had been provided in accordance with the applicable provisions of the Chapter 53; and

WHEREAS, at the Hearing, the Court invited any interested person, or their attorney, to appear and contend for or contest the creation of the District and to offer testimony pertinent to any issue presented, and heard evidence on the Petition and all issues with respect to the creation of the District, including evidence concerning (i) if the Petition was signed by the persons who hold title to land in the proposed District that represents a total value of more than 50% of the value of all the land in the proposed District, as indicated by the appraisal roll of the Tarrant Appraisal District; (ii) whether notice of the Hearing was properly given; (iii) whether the proposed improvements to be undertaken by the District would represent a public use and a public benefit and be conducive to public health; and

WHEREAS, the Hearing having been properly convened and, based upon the evidence and testimony there at presented, this Court finds as follows:

- a. That the Petition is in proper form and was signed by persons who hold title to land in the proposed District that represents a total value of more than 50% of the value of all the land in the proposed District, as indicated by the appraisal roll of the Tarrant Appraisal District, and was accompanied by a deposit of One Hundred and No/100 Dollars (\$100.00);
- b. That the Hearing was properly called, held, and conducted and that notice of the Hearing was posted within the County and the proposed District in accordance with the requirements of Chapter 53;
- c. That this Court has jurisdiction to consider the Petition and to hold and conduct hearings thereon and to enter upon the record and minutes of this Court its findings relative to the Hearing under the provisions of Chapter 53;
- d. That the allegations contained in the Petition are true and correct and the relief sought in the Petition should in all respects be granted;
- e. That creation of the proposed District and the development of the proposed improvements thereby are desirable, feasible, and practicable, would benefit the land within the proposed District, and would constitute a public use and a public benefit and would be conducive to public health; and
- f. That this meeting of the Court is open to the public and that proper notice has been given and posted as required by law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Commissioners Court of Tarrant County, Texas:

Section 1: The foregoing findings and judgments of this Court are hereby determined to be true, correct, and complete and are hereby approved and adopted.

Section 2: The requests included in the Petition are in all respects granted.

Section 3: Tarrant County Fresh Water Supply District No. 2 is hereby created and established, and the boundaries of such District are hereby defined as containing 335.000 acres of land, more or less, in Tarrant County, Texas, as more particularly described by metes and bounds in **Exhibit A** to the Petition (which description is hereby incorporated by reference for all purposes as if set forth in full herein).

Section 4: As a condition of creation of the District, the Court may require the conditions listed in **Exhibit B** (the *Creation Conditions*), attached hereto and incorporated herein for all purposes.

Section 5: The following individuals are hereby appointed to serve as temporary supervisors of the District, to serve as provided by law, and that each supervisor shall be entitled to per diems not to exceed the maximum amount allowed by law:

(1) _____;

(2) _____;

(3) _____;

(4) _____; and

(5) _____.

Section 6: That a copy of this Order and findings and judgments of this Court relative to the hearing on the Petition to create Tarrant County Fresh Water Supply District No. 2 shall be recorded in the minutes of this Court and in the Official Records of Tarrant County, Texas.

* * * * *

PASSED AND ADOPTED on this ____ day of _____, 2025.

TARRANT COUNTY, TEXAS

Tim O'Hare, County Judge

ATTEST:

County Clerk
Tarrant County, Texas

(SEAL)

Attachment:

Exhibit A - the Petition

Exhibit B - the Creation Conditions

Exhibit A
The Petition

**NOTICE OF HEARING ON PETITION REQUESTING CREATION
OF TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 2**

To all persons interested in the hearing concerning the petition for creation, organization and establishment (the "Petition") of Tarrant County Fresh Water Supply District No. 2 (the "District"), presented to the Commissioners Court of Tarrant County (the "Commissioners Court"):

Notice is hereby given that Commissioners Court received the Petition requesting creation, organization and establishment District at the regular meeting held by the Commissioners Court on February 19, 2025. Upon receipt and consideration of the Petition, the Commissioners Court set a public hearing concerning the Petition at 10:00 a.m. on March 18, 2025, at the G.K. Maenius Administration Building, Tarrant County Commissioners Courtroom, 5th Floor, 100 E. Weatherford Street, Fort Worth, Texas 76196, which is a place open and accessible to the public, and authorized the County Clerk of Tarrant County, Texas, to issue this notice providing the time, date, and location of said public hearing.

At the public hearing, the Commissioners Court will invite and consider evidence and testimony concerning the Petition; whether creation of the proposed District and the development of the proposed improvements thereby are desirable, feasible, and practicable and would constitute a public use and a public benefit and would be conducive to public health; and other matters relating to the subject.

Any person is entitled to appear at the public hearing, challenge the form and allegations of the Petition, and contest the proposition that the projects to be undertaken by the proposed District would benefit the land inside its boundaries.



County Clerk of Tarrant County, Texas

COURT ORDER NO. 144736

A RESOLUTION BY THE COMMISSIONERS COURT OF TARRANT COUNTY, TEXAS ACCEPTING A PETITION FOR CREATION OF TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 2; DECLARING PETITION TO ADMINISTRATIVELY COMPLETE; AND ORDERING HEARING

WHEREAS, on February 19, 2025, the Commissioners Court of Tarrant County (the *Court*) was presented a petition (the *Petition*) requesting creation, organization, and establishment of a fresh water supply district to be known as Tarrant County Fresh Water Supply District No. 2 (the *District*), under the authority of Article XVI, Section 59, Texas Constitution and Chapter 53, Texas Water Code, as amended (*Chapter 53*), a copy of which *Petition* is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, the *Petition* is signed by a person who holds title to land in the proposed *District* that represents a total value of more than 50 percent of the value of all the land in the proposed *District* as indicated by the appraisal roll of the Tarrant Appraisal District; and

WHEREAS, the *Petition* states in sufficient detail the boundaries of the proposed *District* as more specifically shown in the attached Conceptual Plan which is attached hereto as **Exhibit B**; the general nature of the projects proposed to be done; the necessity of the proposed *District*; the feasibility, practicality, and benefit of the proposed improvements to land within the proposed *District*; and proposes the name for the *District*; and

WHEREAS, in an effort to work collaboratively and find a solution that allows for future annexation of the development into the City of Fort Worth, the City of Fort Worth approved a Resolution granting conditional consent to the creation of this district, a copy of this Resolution is attached hereto as **Exhibit C** and is incorporated herein for all purposes; and

WHEREAS, the person who presented the *Petition* at the same time paid a deposit of One Hundred and 00/100 (\$100) dollars to the County Clerk of Tarrant County, Texas.

NOW, THEREFORE, BE IT RESOLVED, that we, the Commissioners Court of Tarrant County, find and declare the *Petition* to be administratively complete.

FURTHERMORE, BE IT RESOLVED, that, in accordance with Chapter 53, we, the Commissioners Court of Tarrant County hereby set the time and place for a hearing on the *Petition* as follows, which will be held beginning on the 15th day and ending the 30th day after the date the *Petition* is presented (the *Hearing*):

Time/Date of the Hearing: March 18, 2025, at 10:00 a.m.

Place of the Hearing: G.K. Maenius Administration Building,
Tarrant County Commissioners Courtroom, 5th Floor, 100 E.
Weatherford Street, Fort Worth, Texas 76196, a location open to the
public.

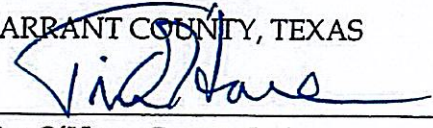
FURTHERMORE, BE IT RESOLVED, that the County Clerk is directed to issue notice of the above time and place of the Hearing, and in that notice the County Clerk shall include a statement that any person is entitled to appear at the Hearing, challenge the form and allegations of the Petition, and contest the proposition that the projects to be undertaken by the proposed District would benefit the land inside its boundaries (the Notice).

FURTHERMORE, BE IT RESOLVED, that a copy of the Notice shall be posted at the courthouse door and a copy at each of four different places inside the proposed District and that such person who posted the Notice shall provide to the Court a written sworn statement that the Notice was posted in accordance with this Court's resolution and all applicable provisions in Chapter 53.

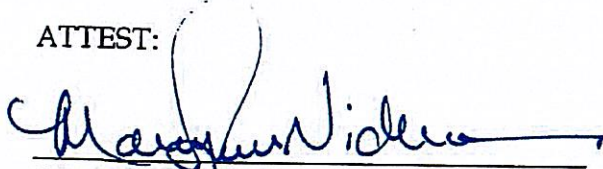
FURTHERMORE, BE IT RESOLVED, that we, the Commissioners Court of Tarrant County, shall have jurisdiction to determine all issues pertaining to the sufficiency of the Petition and shall allow any interested person to appear and offer testimony relative to the sufficiency of the Petition at the Hearing.

PASSED AND ADOPTED on this 19th day of Feb., 2025.

TARRANT COUNTY, TEXAS


Tim O'Hare, County Judge

ATTEST:


County Clerk
Tarrant County, Texas

Attachment:

- Exhibit A - the Petition
- Exhibit B - Conceptual Plan
- Exhibit C - City Resolution

EX A

Mary Louise Nicholson
MARY LOUISE NICHOLSON
COUNTY CLERK

**PETITION FOR CREATION, ORGANIZATION AND ESTABLISHMENT OF
TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 2**

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF TARRANT
COUNTY, TEXAS:

The undersigned, the owner of the land hereinafter described (the "Petitioner"), acting pursuant to the provisions of Chapters 49 and 53, Texas Water Code, as amended, and in keeping with the provisions of Article XVI, Section 59, of the Texas Constitution, respectfully petition for the creation, organization and establishment of a fresh water supply district and would show the following:

I.

The name of the proposed fresh water supply district is TARRANT COUNTY FRESH WATER SUPPLY DISTRICT NO. 2 (the "District").

II.

The District's boundaries will contain an area of 335.000 acres of land, more or less, situated wholly within Tarrant County, Texas, and in the extraterritorial jurisdiction of the City of Fort Worth, Texas, described by metes and bounds in Exhibit A attached hereto and incorporated herein for all purposes (the "Land"). All of the Land is within Tarrant County and may properly be included in the District.

III.

The Petitioner owns a majority in value of land in the proposed District as indicated by the tax rolls of the Tarrant Appraisal District. The Petitioner represents that there are no lienholders on the Land.

IV.

The District shall be organized under Article XVI, Section 59, of the Texas Constitution for any purpose authorized by Chapter 53 and Chapter 49, Texas Water Code, as amended, and any other applicable law.

V.

The general nature of the work proposed to be done by the District is the building, acquisition, construction, completion, carrying out, maintaining, protection, and in case of necessity, the addition to and rebuilding of all works and improvements necessary or proper to conserve, transport and distribute fresh water from any source; a sanitary sewer system and storm sewer system, to the extent permitted by law; and if approved by voters in the District, the assumption of the rights, authority, privileges, and functions of a road district under Article III, Section 52, of the Texas Constitution.

VI.

There is a necessity for the above-described improvements. The territory to be included in said proposed District is located wholly within the extraterritorial jurisdiction of the City of Fort Worth, Texas, and within Tarrant County, Texas, and will be developed for primarily residential purposes. There is not available within the area proposed to be included in the District an adequate waterworks system, sanitary sewer system, or road system, and the health and welfare of the present and future inhabitants of the District and of the areas adjacent thereto require the purchase, construction, acquisition, maintenance and operation of an adequate waterworks system, sanitary sewer system, storm sewer system, and road system.

VII.

The proposed improvements are feasible and practicable and would benefit the Land within the proposed District. There is an ample supply of water available, and the terrain of the territory to be included in the proposed District is such that a waterworks system, sanitary sewer system, storm sewer system, and road system can be constructed at a reasonable cost.

VIII.

The sum of one hundred dollars (\$100.00) has been deposited with the County Clerk of Tarrant County to cover expenses incident to the hearing on this petition.

WHEREFORE, Petitioner prays (1) this petition be properly filed as provided by law; (2) that upon filing of this petition, the Honorable Commissioners Court of Tarrant County, Texas, if it be in session, and if not, then the Honorable County Judge of Tarrant County, Texas, order that a hearing be set on this petition before said Commissioners Court or County Judge during the period beginning with the fifteenth (15th) day and ending with the thirtieth (30th) day after the date of such order; (3) that the County Clerk be ordered to issue notice informing all persons concerned of the time and place of such hearing and of their right to appear at the hearing and contend for or

contest the creation of the District; (4) that such notice be given and posted as required by law by posting notice of such hearing at the courthouse door and at four different places inside the proposed District for at least ten days before the date of the hearing; (5) that said hearing be held and conducted as required by law and, if upon such hearing it be found that this petition sets forth and conforms to the requirements of law and is signed by the owners of a majority in value of land in the proposed District, that notice of the hearing was given, that the proposed improvements are desirable, feasible, and practicable and conducive to public health, and that the District should be created, that the Commissioners Court so find and render its judgment reciting such findings and creating and establishing the District; (7) that the Commissioners Court appoint _____, _____, _____, _____, and _____ to serve as supervisors of the District in the manner provide by law; and (8) for such other proceedings and orders are proper and necessary and appropriate to the creation and organization of said District and to the execution of the purposes for which said District shall be created and organized.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED this 31st day of JANUARY, 2025.

PETITIONER:

By: BRN PIEDMONT, LLC, a Delaware limited liability company,

By: BOA SORTE LIMITED PARTNERSHIP,
an Arizona limited partnership, its sole member

By: BOA SORTE, LLC, an Arizona limited liability company, its general partner

By: [Signature]
Name: MATT MILGREN
Title: MANAGER

THE STATE OF TEXAS

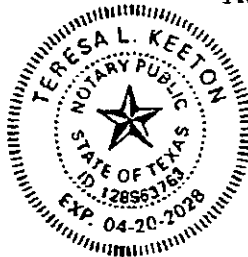
COUNTY OF TARRANT Dallas

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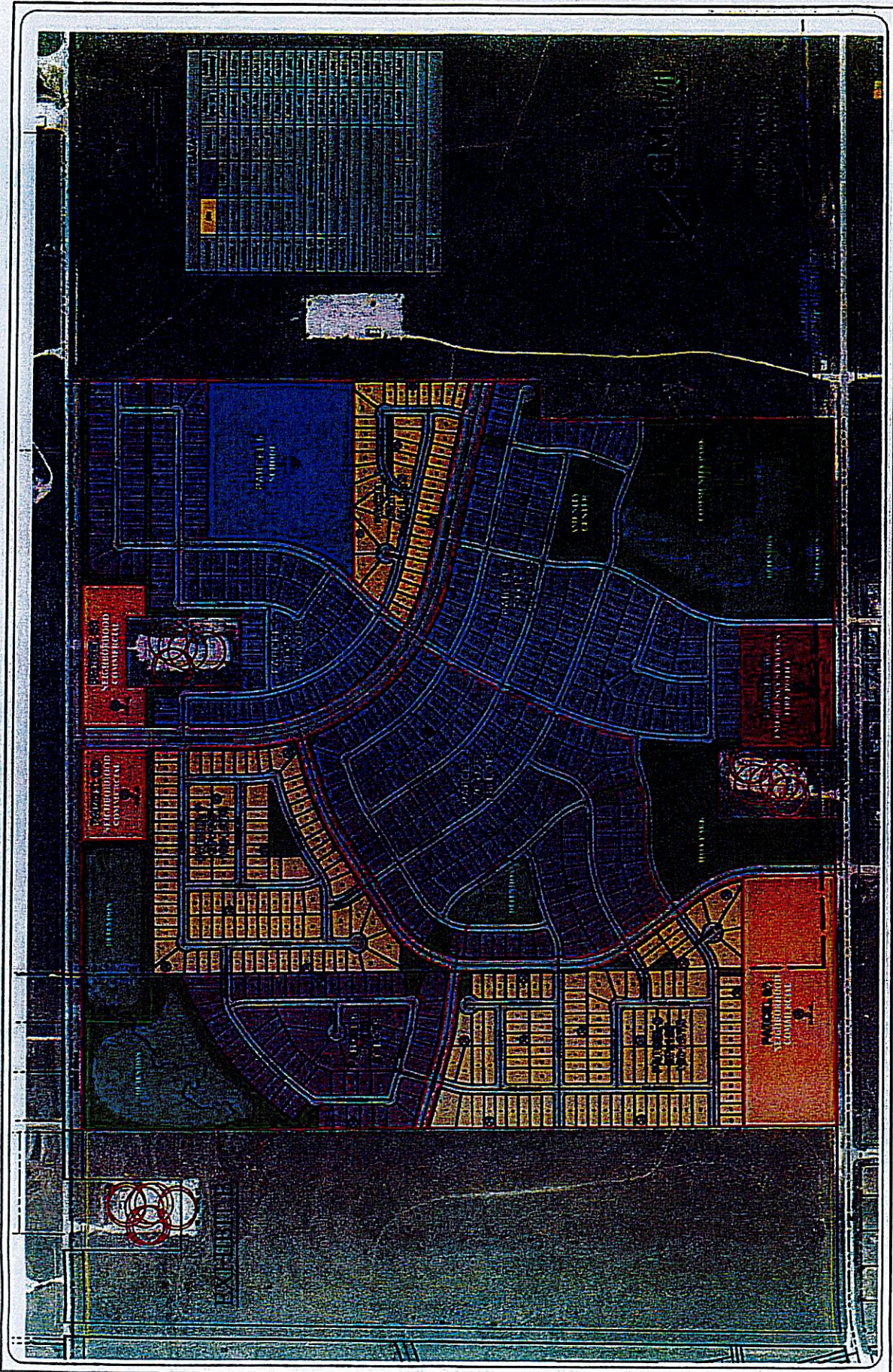
This instrument was acknowledged before me on the 31 day of January, 2025, by Matt Milgren Manager of BOA SORTE, LLC, an Arizona limited liability company, the General Partner of BOA SORTE LIMITED PARTNERSHIP, an Arizona limited partnership, the sole member of BRN PIEDMONT, LLC, a Delaware limited liability company, on behalf of said entity.

[Signature]
Notary Public, State of Texas

(NOTARY SEAL)



Ex. B



Ex. C

A RESOLUTION

NO. 6051-01-2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, GRANTING CONDITIONAL CONSENT TO THE CREATION OF A SPECIAL DISTRICT (FRESH WATER SUPPLY DISTRICT) PURSUANT TO ARTICLE XVI, SECTION 59 OF THE TEXAS CONSTITUTION AND THE INCLUSION OF 335 ACRES OF LAND INTO SAID DISTRICT; MAKING FINDINGS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Worth, Texas (the "City"), a home rule municipality created under the laws of the State of Texas, received a request for consent from BRN Piedmont, LLC ("BRN") to the creation of a special district pursuant to Article XVI, Section 59 of the Texas Constitution (the "District") encompassing 335 acres in Tarrant County, Texas, as more particularly described in Exhibit A, attached hereto and incorporated by reference (the "Land"); and

WHEREAS, BRN intends to develop the Land in the City's extraterritorial jurisdiction ("ETJ") as a mixed-use master-planned community in accordance with the attached Conceptual Plan in Exhibit B; and

WHEREAS, the District will be created pursuant to Article XVI, Section 59 of the Texas Constitution and Chapter 53 of the Texas Water Code, by order of the Tarrant County Commissioners Court as a Fresh Water Supply District and then the District will be converted into a Water Control and Improvement District organized pursuant to Article XVI, Section 59, of the Texas Constitution and Chapters 49 and 51 of the Texas Water Code, as amended; and

WHEREAS, Chapter 42 of the Texas Local Government Code provides that land within a municipality or its extraterritorial jurisdiction may not be included within a special district without such municipality's consent; and

WHEREAS, BRN and the City intend for the City to be the retail provider of water and wastewater service to the Land and BRN agrees to construct certain facilities and improvements necessary for the Project and the City's extension and expansion of its water and wastewater systems; and

WHEREAS, the City wishes to evidence its conditional support and consent for the creation of the District within the City's extraterritorial jurisdiction, subject to the terms of that certain development agreement and strategic partnership agreement to be negotiated between the City and BRN (the "Development Agreement") and the terms of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

Section 1. All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The City Council of the City (the "City Council") hereby grants its support and consent for the creation of a district created pursuant to Article XVI, Section 59, Texas Constitution, as amended, within its extraterritorial jurisdiction and the inclusion in the District of land described more fully in Exhibit A, and specifically conditioned upon the following:

2.1 The development of the Land will be in accordance with the Subdivision Ordinance of the City and all development and infrastructure policies, rules and regulations;

2.2 The District shall construct all facilities to serve the land in accordance with plans and specifications that have been approved by the City;

2.3 The City shall have the right to inspect all facilities being constructed by the District;

2.4 The City shall be the retail water and sewer provider to the District who shall pay outside city limit rates and all other charges applicable, and the City shall maintain all its rights and privileges under its Certificate of Necessity and Convenience;

2.5 The City's acknowledgement that the Conceptual Plan attached here to as Exhibit B reflects BRN's anticipated development, and the City does not oppose BRN's anticipated development in accordance with the Conceptual Plan;

2.6 The Land will be developed in accordance with the Neighborhood and Community Park Dedication Policy of the City of Fort Worth, Texas; and

2.7 The City will have the option to annex the Land into the City of Fort Worth upon dissolution of the District or satisfaction of bonds issued, whichever occurs first in time..

Section 3. The City Manager of the City is hereby authorized to execute any documents necessary to effectuate this Resolution.

Section 4. The City Council further states that it has not relinquished any rights, duties or powers relating to its regulatory control within its extraterritorial jurisdiction.

Section 5. The City Council further states that this Resolution is provided subject to and in reliance upon the terms of the certain Development Agreement and Strategic Partnership Agreement, which may be entered into by and between the City and BRN. The District shall execute a joinder and become a party to the Development Agreement upon its organization. The City does not consent to the organization of the District, election, or issuance of bonds from any revenue available to the District until the Development Agreement is executed, if at all, and this consent further requires the order of Tarrant County creating the district to contain a provision whereby the District, if created, shall be automatically dissolved without further action by the City if a Development Agreement is not approved and executed by the City on or before one hundred and twenty (120) days after the date of adoption of this Resolution.

Section 6. The City Council hereby finds and determines that sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted as a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Texas Open Meetings Act, contained in Chapter 551 of the Texas

Government Code, as amended, and that this meeting was open to the public and the subject matter of this Resolution and its contents have been discussed, considered and formally acted upon by the City Council. Further, the City Council ratifies, approves and confirms such written notice and the contents and posting thereof, and the foregoing fully complied with all applicable law.

Section 7. This Resolution shall be effective from and after its passage by the City Council.

Adopted this 28th day of January 2025.

ATTEST:

Jannette S. Goodall

Jannette S. Goodall, City Secretary



EXHIBIT A
(Legal Description of Property to be included in the District)

PROPERTY DESCRIPTION

STATE OF TEXAS:
COUNTY OF TARRANT:

BEING a tract of land situated in the M.E.P. & P. R.R. Co. Survey, Abstract No. 1138, the T. & P. R.R. Co. Survey, Abstract No. 1568, the R. Ganzara Survey, Abstract No. 563, the Y. Samora Survey, Abstract No. 1385, and the J.J. Holt Survey, Abstract No. 1892, Tarrant County, Texas, being all of that tract of land as described in deed to BRN Piedmont LLC, recorded in 0224031219, Official Public Records, Tarrant County, Texas (OPRTCT), being all of that tract of land as described in Quitclaim Deed to BRN Piedmont LLC, recorded in 0224031220, OPRTCT, and being more particularly described as follows:

BEGINNING at a 5/8" rebar capped Brookes Baker Surveyors found in the north line of Bonds Ranch Road (120' R.O.W. per Parcel A, Volume 13449, Page 39, Deed Records, Tarrant County, Texas) at the southeast corner of said BRN Piedmont tract and the southwest corner of TRACT I as described in deed to Pete and Jo Bonds Family Partnership, Ltd., recorded in 0213039813, OPRTCT, from which a 1" rebar found bears North 89 degrees 23 minutes 42 seconds East, 3323.10 (Deed 3323.17 feet);

THENCE South 89 degrees 23 minutes 42 seconds West, along the north line of said Bonds Ranch Road and the south line of said BRN Piedmont tract, a distance of 1681.01 feet to a 5/8" rebar capped Brookes Baker Surveyors found at the southeast corner of a remainder portion of a tract of land as described in deed to Bonds Ranch Investors II, Ltd., recorded in 0207444902, OPRTCT;

THENCE departing the north line of said Bonds Ranch Road, along the lines common to said BRN Piedmont tract and a remainder portion of said Bonds Ranch tract, as follows:

North 00 degrees 36 minutes 18 seconds West, a distance of 604.98 feet to a 5/8" rebar capped Brookes Baker Surveyors found;

South 89 degrees 23 minutes 42 seconds West, a distance of 360.06 feet 5/8" rebar capped Brookes Baker Surveyors found;

South 00 degrees 36 minutes 18 seconds East, a distance of 604.98 feet 5/8" rebar capped Brookes Baker Surveyors found in the north line of said Bonds Ranch Road at the southwest corner of a remainder portion of said Bonds Ranch tract;

THENCE South 89 degrees 23 minutes 42 seconds West, along the north line of said Bonds Ranch Road and the south line of said BRN Piedmont tract, a distance of 1573.83 feet to 1/2" rebar capped Goodwin & Marshall found at the southwest corner of said BRN Piedmont tract and the southeast corner of Tract 2 as described in deed to MMBonds 836, LLC, recorded in D224060969, OPRTCT, from which a 1" rebar found bears South 89 degrees 23 minutes 42 seconds West, 815.33 feet;

THENCE North 00 degrees 36 minutes 18 seconds West, departing the north line of said Bonds Ranch Road, along the west line of said BRN Piedmont tract and the east line of said MM Bonds 836 tract, at 3978.2 feet passing the center of the asphalt pavement within Peden Road (an apparent prescriptive right-of-way), continuing a total distance of 4008.29 feet to a 1/2" rebar capped GMCIVIL set in the south line of the final plat of Eagle Vista Estates, Phase One, an addition to Tarrant County, Texas as recorded in Cabinet A, Slide 2429, Plat Records, Tarrant County, Texas, from which a 1/2" rebar capped Goodwin & Marshall found bears North 00 degrees 36 minutes 18 seconds West, 7.12 feet;

THENCE North 89 degrees 35 minutes 52 seconds East, departing the east line of said MM Bonds 836 tract, along the south line of the final plat of said Eagle Vista Estates, Phase One, a distance of 820.91 feet to a 1/2" rebar capped MOSS 5122 found at the southeast corner of said final plat of said Eagle Vista Estates, Phase One and the southwest corner of a remainder portion of a tract of land as described in deed to Barbara Shelton, Trustee, recorded in D201240322, OPRTCT;

THENCE North 01 degrees 17 minutes 24 seconds West, along the east line of said Eagle Vista Estates, Phase One and the west line of said Shelton remainder tract, a distance of 7.44 feet;

THENCE North 89 degrees 34 minutes 32 seconds East, departing the east line of said Eagle Vista Estates, Phase One, across said Shelton tract, a distance of 3014.54 feet;

THENCE South 00 degrees 16 minutes 05 seconds East, across said Shelton tract, at a distance of 9.40 feet passing the south line of said Shelton tract, continuing along the east line of said BRN Piedmont tract and the west line of said Bonds TRACT I, at 38.4 feet passing the center of the asphalt pavement within said Peden Road, at a distance of 63.25 feet passing a 5/8" rebar capped Brookes Baker Surveyors found, continuing a total distance of 2483.34 feet to a 5/8" rebar capped Brookes Baker Surveyors found;

THENCE along the east line of said BRN Piedmont tract and the west line of said Bonds TRACT I, as follows:

South 89 degrees 36 minutes 39 seconds West, a distance of 200.27 feet (Deeds 200.27 & 200.24 feet) to a 5/8" rebar capped Brookes Baker Surveyors found;

South 00 degrees 23 minutes 43 seconds East, a distance of 1520.80 feet (Deeds 1520.80 feet & 1520.73 feet) to the POINT OF BEGINNING and containing 339.863 acres of land.

SAVE & EXCEPT from the 339.863 acre tract described above, that certain 5.001 acre tract of land described as follows:

BEING a tract of land situated in the Y. Samora Survey, Abstract No. 1385, Tarrant County, Texas, being a remainder portion of that tract of land as described in deed to Bonds Ranch Investors II, Ltd., recorded in D207444902, Official Public Records, Tarrant County, Texas (OPRTCT), being all of Well Site 1 as described in deed recorded in D208118160, DRTCT, and being more particularly described as follows:

COMMENCING at a 5/8" rebar capped Brookes Baker Surveyors found in the north line of Bonds Ranch Road (120' R.O.W. per Parcel A, Volume 13449, Page 39, Deed Records, Tarrant County, Texas) at the southeast corner of a tract of land as described in deed to BRN Piedmont LP, recorded in D224031219, OPRTCT and the southwest corner of TRACT I as described in deed to Pete and Jo Bonds Family Partnership, Ltd., recorded in D213039813, OPRTCT;

THENCE departing the north line of said Bond Ranch Road, along the east line of said BRN Piedmont tract and the west line of said Bonds TRACT I, as follows:

North 00 degrees 23 minutes 43 seconds West, a distance of 1520.80 feet to a 5/8" rebar capped Brookes Baker Surveyors found;

North 89 degrees 36 minutes 39 seconds East, a distance of 200.27 feet to a 5/8" rebar capped Brookes Baker Surveyors found;

North 00 degrees 16 minutes 05 seconds West, a distance of 2473.94 feet to a point in the south line of a tract of land as described in deed to Barbar Shelton, Trustee, recorded in 0201240322, OPRTCT, from which a 5/8" rebar capped Brookes Baker Surveyors found bears South 00 degrees 16 minutes 05 seconds East, 53.85 feet;

THENCE South 89 degrees 36 minutes 46 seconds West, along the south line of said Shelton tract, a distance of 1204.37 feet;

THENCE South 00 degrees 25 minutes 28 seconds East, departing the south line of said Shelton tract, across said BRN Piedmont tract, a distance of 306.64 feet to a 5/8" rebar capped Brookes Baker Surveyors found at the northeast corner of said 5.001 acre tract and the POINT OF BEGINNING;

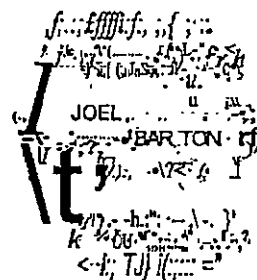
THENCE South 00 degrees 25 minutes 28 seconds East, a distance of 604.98 feet to a 5/8" rebar capped Brookes Baker Surveyors found at the southeast corner of said 5.001 acre tract;

THENCE South 89 degrees 34 minutes 32 seconds West, a distance of 360.06 feet to a 5/8" rebar capped Brookes Baker Surveyors found at the southwest corner of said 5.001 acre tract;

THENCE North 00 degrees 25 minutes 28 seconds West, a distance of 604.98 feet to a 5/8" rebar capped Brookes Baker Surveyors found at the northwest corner of said 5.001 acre tract;

THENCE North 89 degrees 34 minutes 32 seconds East, a distance of 360.06 feet to the POINT OF BEGINNING and containing 5.001 acres of land.

LEAVING a net acreage of 14,586,621 square feet or 334.863 acres of land, SAVE & EXCEPT any rights to the public and others in and along said Peden Road.



1/23 J12 02. 5

EXHIBIT B
Conceptual Plan

Exhibit B
Creation Conditions

1. Composition of Board of Supervisors. The County shall have the right to appoint five temporary supervisors, at its discretion, to serve on the board of supervisors (the "Board") for the District ("County Supervisors"). If a vacancy occurs on the Board during any period prior to a contested election within the District, the County shall have the unilateral right to recommend individuals to replace and fill vacancies on the Board resulting from a County Supervisor vacancy. Upon determination that a vacancy exists, the vacancy shall be filled by the remaining members of the Board, based on the recommendation of the County.

2. Joint Planning Meeting. The Petitioner and County shall participate in a semi-annual utility, drainage and road infrastructure planning meeting, which shall be held each year in January and July between the Petitioner, the engineer for the District, and the appropriate County staff to coordinate the development status, future utility requirements, and anticipated utility and road infrastructure demands within the District.

3. Joint Public Meeting. The County may request the Court and the Board hold a public hearing to present and discuss the infrastructure anticipated to be constructed in or benefitting the District in the following calendar year, any projects completed in the preceding calendar year, and a financial summary for the District. The meeting shall be open to the public with an opportunity for public comment.

4. Provision of District Agendas. The County shall be provided with the agenda for all Board meetings, and such meeting agendas shall be posted at the Tarrant County Courthouse in compliance with the Texas Public Information Act.

5. Consultation with County Regarding Debt Issuance.

(a) Prior to the issuance of any debt by the District, the Board or its consultants shall hold a meeting with the County's authorized representatives not less than 60 days prior to the bond sale date. The District shall provide to the County the following in connection with each bond sale:

- i. Preliminary Official Statement;
- ii. Maturity Schedule;
- iii. Cash Flow Schedule;
- iv. Draft bond resolution or indenture; and
- v. TCEQ bond application (if applicable)

(b) The County shall have an opportunity to review and comment on the foregoing bond issuance documents.

6. Transparency. The District must provide the following information on a publicly available website:

- (a) the name of each District supervisor;
- (b) the District mailing address, e-mail address, and phone number;
- (c) the contact information for each District supervisor;
- (d) the District's budget for the preceding two years;
- (e) the District's proposed or adopted budget for the current year, including the change in the amount of the District's budget from the preceding year to the current year, by dollar amount and percentage;
- (f) the amount of property tax revenue budgeted for maintenance and operations for the preceding two years and the current year;
- (g) the amount of property tax revenue budgeted for debt service for the preceding two years and the current year;
- (h) the maintenance and operations tax rate for the preceding two years;
- (i) the debt service tax rate for the preceding two years;
- (j) the proposed maintenance and operations tax rate for the current year;
- (k) the proposed debt service tax rate for the current year; and
- (l) the most recent financial audit.

9. Annexation or Exclusion of Land. The District shall not annex any additional lands to the District or exclude lands from the District without the prior written consent of the County.

10. Eminent Domain. The District shall only exercise its right of eminent domain to acquire necessary water or sewer easements outside the Property if (a) the Petitioner fails to acquire such interest in real property after good faith negotiation, and (b) the City of Fort Worth refuses to do so. The District agrees to give the County thirty (30) calendar days advance written notice of its intent to exercise its right of eminent domain.