

By: Bucy

H.B. No. 4638

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the City of Leander Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3918 to read as follows:

CHAPTER 3918. LEANDER MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3918.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Leander.

(3) "Director" means a board member.

(4) "District" means the Leander Municipal Management District No. 1.

Sec. 3918.0102. CREATION AND NATURE OF DISTRICT. The Leander Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3918.0103. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

(b) By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the
2 legislature has established a program to accomplish the public
3 purposes set out in Section 52-a, Article III, Texas Constitution.

4 (c) The creation of the district is necessary to promote,
5 develop, encourage, and maintain employment, commerce,
6 transportation, tourism, recreation, the arts, entertainment,
7 economic development, safety, and the public welfare in the
8 district.

9 (d) This chapter and the creation of the district may not be
10 interpreted to relieve the city from providing the level of
11 services provided as of the effective date of the Act enacting this
12 chapter to the area in the district. The district is created to
13 supplement and not to supplant city services provided in the
14 district.

15 Sec. 3918.0104. FINDINGS OF BENEFIT AND PUBLIC USE. (a)
16 All land and other property included in the district will benefit
17 from the improvements and services to be provided by the district
18 under powers conferred by Sections 52 and 52-a, Article III, and
19 Section 59, Article XVI, Texas Constitution, and other powers
20 granted under this chapter.

21 (b) The district is created to serve a public use and
22 benefit.

23 (c) The creation of the district is in the public interest
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

4 (1) promote the health, safety, and general welfare of
5 residents, employers, potential employees, employees, visitors,
6 and consumers in the district, and of the public;

7 (2) provide needed funding for the district to
8 preserve, maintain, and enhance the economic health and vitality of
9 the district territory as a community and business center;

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

14 (4) provide for water, wastewater, drainage, road, and
15 recreational facilities for the district; and

16 (5) promote and secure expanded and improved
17 transportation and pedestrian facilities and systems designed to
18 benefit the land and property in the district, the employees,
19 employers, and consumers in the district, and the general public.

20 (e) Pedestrian ways along or across a street, whether at
21 grade or above or below the surface, and street lighting, street
22 landscaping, parking, and street art objects are parts of and
23 necessary components of road, transportation, and pedestrian
24 facilities and systems and are considered to be a street,
25 transportation, or pedestrian improvement.

26 (f) The district will not act as the agent or
27 instrumentality of any private interest even though the district

1 will benefit many private interests as well as the public.

2 Sec. 3918.0105. INITIAL DISTRICT TERRITORY. (a) The
3 district is initially composed of the territory described by
4 Section 2 of the Act enacting this chapter.

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

9 (1) organization, existence, or validity;

10 (2) right to issue any type of bonds for the purposes
11 for which the district is created or to pay the principal of and
12 interest on the bonds;

13 (3) right to impose or collect an assessment or tax; or

14 (4) legality or operation.

15 Sec. 3918.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

16 (a) All or any part of the area of the district is eligible to be
17 included in:

18 (1) a tax increment reinvestment zone created under
19 Chapter 311, Tax Code;

20 (2) a tax abatement reinvestment zone created under
21 Chapter 312, Tax Code; or

22 (3) an enterprise zone created under Chapter 2303,
23 Government Code.

24 (b) If the city creates a tax increment reinvestment zone
25 described by Subsection (a), the city and the board of directors of
26 the zone, by contract with the district, may grant money deposited
27 in the tax increment fund to the district to be used by the district

1 for:

2 (1) the purposes permitted for money granted to a
3 corporation under Section 380.002(b), Local Government Code; and

4 (2) any other district purpose, including the right to
5 pledge the money as security for any bonds or other obligations
6 issued by the district.

7 (c) A tax increment reinvestment zone created by the city in
8 the district is not subject to the limitations provided by Section
9 311.006, Tax Code.

10 Sec. 3918.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
11 DISTRICT LAW. Except as otherwise provided by this chapter,
12 Chapter 375, Local Government Code, applies to the district.

13 Sec. 3918.0108. LIMITED WAIVER OF SOVEREIGN IMMUNITY. The
14 district is considered to have waived sovereign immunity to suit by
15 the city for the purpose of adjudicating a claim for breach of the
16 development agreement described by Section 3918.0302.

17 Sec. 3918.0109. CONSTRUCTION OF CHAPTER. This chapter
18 shall be liberally construed in conformity with the findings and
19 purposes stated in this chapter.

20 Sec. 3918.0110. CONFLICT OF LAWS. In the event of a
21 conflict between this chapter and any other law, this chapter
22 prevails.

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 3918.0201. GOVERNING BODY; TERMS. (a) The district is
25 governed by a board of five directors who serve staggered terms of
26 four years with two or three directors' terms expiring June 1 after
27 the fourth anniversary of the date of the directors' appointment.

1 (b) The board may not create an executive committee to
2 exercise the powers of the board.

3 Sec. 3918.0202. QUALIFICATIONS OF DIRECTORS. To be
4 qualified to serve as a director, a person must be:

5 (1) an owner of property in the district;

6 (2) an owner of stock or a partnership or membership
7 interest, whether beneficial or otherwise, of a corporate owner of
8 an interest in property in the district;

9 (3) an owner of a beneficial interest in a trust, or a
10 trustee in a trust, that directly or indirectly owns property in the
11 district; or

12 (4) an agent, employee, or tenant of a person
13 described by Subdivision (1), (2), or (3).

14 Sec. 3918.0203. APPOINTMENT OF DIRECTORS. The governing
15 body of the city shall appoint directors from persons recommended
16 by the board.

17 Sec. 3918.0204. VACANCY. (a) If a vacancy occurs on the
18 board, the remaining directors shall appoint a director for the
19 remainder of the unexpired term.

20 (b) A director may resign from the board at any time.

21 Sec. 3918.0205. OFFICERS. The board shall elect from among
22 the directors a chair, a vice chair, and a secretary. The offices
23 of chair and secretary may not be held by the same person.

24 Sec. 3918.0206. COMPENSATION; EXPENSES. (a) A director
25 may not receive compensation for service on the board.

26 (b) A director is entitled to reimbursement for necessary
27 and reasonable expenses incurred in carrying out the duties and

1 responsibilities of the board. The total amount of expenses for
2 each director in one year may not exceed the amount approved by the
3 board.

4 Sec. 3918.0207. LIABILITY INSURANCE. The district may
5 obtain and pay for comprehensive general liability insurance
6 coverage from a commercial insurance company or other source that
7 protects and insures a director against personal liability and from
8 all claims relating to:

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

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

12 (3) the actions of others acting on behalf of the
13 district.

14 Sec. 3918.0208. BOARD MEETINGS. (a) The board shall hold
15 meetings at a place accessible to the public.

16 (b) The board must post notice of each meeting with the city
17 secretary not later than 72 hours before the scheduled time of the
18 meeting.

19 Sec. 3918.0209. INITIAL DIRECTORS. (a) On or after January
20 1, 2022, the owner or owners of a majority of the assessed value of
21 real property in the district may submit a petition to the governing
22 body of the city requesting that the governing body appoint five
23 persons as initial directors from a list of persons in the district.

24 (b) A petition must name more than five qualified persons.

25 (c) The governing body shall appoint as initial directors
26 five persons listed in the petition who are qualified to serve as
27 directors.

1 (d) The initial directors shall determine by lot which three
2 positions expire June 1 following the second anniversary of the
3 date of the appointment and which two positions expire June 1
4 following the fourth anniversary of the date of the appointment.

5 (e) This section expires September 1, 2027.

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 3918.0301. GENERAL POWERS AND DUTIES. (a) The
8 district has the powers and duties necessary to accomplish the
9 purposes for which the district is created.

10 (b) The board may not take any action or exercise any power
11 granted under this chapter other than to hold an initial
12 organizational meeting until the development agreement described
13 by Section 3918.0302 is approved by the city and executed by the
14 parties to the agreement.

15 Sec. 3918.0302. DEVELOPMENT AGREEMENT. (a) The city, the
16 owner of the majority of the land in the district, and any other
17 entities the city determines are necessary to the agreement may
18 execute a development agreement if approved by the city.

19 (b) This chapter expires on the fourth anniversary of the
20 effective date of the Act enacting this chapter if the development
21 agreement under Subsection (a) is not executed before that date.

22 Sec. 3918.0303. IMPROVEMENT PROJECTS AND SERVICES. (a) The
23 district, using any money available to the district for the
24 purpose, may provide, design, construct, acquire, improve,
25 relocate, operate, maintain, or finance an improvement project or
26 service authorized under this chapter or Chapter 375, Local
27 Government Code.

1 (b) The district may contract with a governmental or private
2 entity to carry out an action under Subsection (a).

3 (c) The implementation of a district project or service is a
4 governmental function or service for the purposes of Chapter 791,
5 Government Code.

6 (d) A district improvement project or service must comply
7 with:

8 (1) any city zoning and subdivision requirements; and

9 (2) city codes and ordinances.

10 (e) The district may not provide, conduct, or authorize an
11 improvement project on any street, highway, right-of-way, or
12 easement owned or controlled by the city unless the governing body
13 of the city by resolution consents to the improvement.

14 (f) An improvement project described by Subsection (a) may
15 be located:

16 (1) in the district; or

17 (2) in an area outside the district if the project is
18 for the purpose of extending a public infrastructure improvement
19 beyond the district's boundaries to a logical terminus.

20 Sec. 3918.0304. IMPROVEMENT PROJECT AND SERVICE IN
21 DEFINABLE AREA; BENEFIT BASIS. The district may undertake an
22 improvement project or service that confers a special benefit on a
23 definable area in the district and levy and collect a special
24 assessment on benefited property in the district in accordance
25 with:

26 (1) Chapter 372, Local Government Code; or

27 (2) Chapter 375, Local Government Code.

1 Sec. 3918.0305. LAW ENFORCEMENT SERVICES. To protect the
2 public interest, with the consent of the city by resolution, the
3 district may contract with a qualified party, including the city,
4 to provide supplemental and enhanced law enforcement and security
5 services in the district for a fee.

6 Sec. 3918.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
7 district, in coordination with the city, may engage in activities
8 that accomplish the economic development purposes of the district.

9 (b) The district may establish and provide for the
10 administration of one or more programs to promote state or local
11 economic development and to stimulate business and commercial
12 activity in the district, including programs to:

13 (1) make loans and grants of public money; and

14 (2) provide district personnel and services.

15 (c) The district may create economic development programs
16 and exercise the economic development powers that Chapter 380,
17 Local Government Code, provides to a municipality.

18 Sec. 3918.0307. PARKING FACILITIES. (a) The district may
19 acquire, lease as lessor or lessee, construct, develop, own,
20 operate, and maintain parking facilities or a system of parking
21 facilities, including lots, garages, parking terminals, or other
22 structures or accommodations for parking motor vehicles off the
23 streets and related appurtenances.

24 (b) The district's parking facilities serve the public
25 purposes of the district and are owned, used, and held for a public
26 purpose even if leased or operated by a private entity for a term of
27 years.

1 (c) The district's parking facilities are parts of and
2 necessary components of a street and are considered to be a street
3 or road improvement.

4 (d) The development and operation of the district's parking
5 facilities may be considered an economic development program.

6 Sec. 3918.0308. ADDING OR REMOVING TERRITORY. (a) The
7 board may add or remove territory as provided by Subchapter J,
8 Chapter 49, Water Code.

9 (b) The district may add or remove territory as described by
10 Subsection (a) only if the governing body of the city by ordinance
11 or resolution consents to the addition or removal.

12 Sec. 3918.0309. EXEMPT PROPERTY. The district may not
13 impose an impact fee, assessment, tax, or other charge on property
14 owned by the city, the county, or other political subdivision or on
15 property exempted under this section except as provided by
16 Subchapter H, Chapter 375, Local Government Code.

17 Sec. 3918.0310. NO EMINENT DOMAIN POWER. The district may
18 not exercise the power of eminent domain.

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

20 Sec. 3918.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The
21 board by resolution shall establish the number of directors'
22 signatures and the procedure required for a disbursement or
23 transfer of district money.

24 Sec. 3918.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
25 The board by resolution may impose and collect an assessment to
26 finance improvement projects and services authorized by this
27 chapter in all or any definable part of the district in the manner

1 provided by Subchapter F, Chapter 375, Local Government Code.

2 (b) An assessment, a reassessment, or an assessment
3 resulting from an addition to or correction of the assessment roll
4 by the district, penalties and interest on an assessment or
5 reassessment, an expense of collection, and reasonable attorney's
6 fees incurred by the district:

7 (1) are a first and prior lien against the property
8 assessed;

9 (2) are superior to any other lien or claim other than
10 a lien or claim for county, school district, or municipal ad valorem
11 taxes; and

12 (3) are the personal liability of and a charge against
13 the owners of the property even if the owners are not named in the
14 assessment proceedings.

15 (c) The lien is effective from the date of the board's
16 resolution imposing the assessment until the date the assessment is
17 paid. The board may enforce the lien in the same manner that the
18 board may enforce an ad valorem tax lien against real property.

19 (d) The board may make a correction to or deletion from the
20 assessment roll after providing notice and holding a hearing as
21 provided by Subchapter F, Chapter 375, Local Government Code.

22 Sec. 3918.0403. TAX AND ASSESSMENT ABATEMENTS. Without
23 additional procedures, the district may enter into a tax abatement
24 agreement.

25 Sec. 3918.0404. USE OF ELECTRICAL OR OPTICAL LINES. (a)
26 The district may impose an assessment to pay the cost of:

27 (1) burying, relocating, or removing electrical power

1 lines, telephone lines, cable or fiber-optic lines, or any other
2 type of electrical or optical line;

3 (2) removing poles and any elevated lines using the
4 poles; and

5 (3) reconnecting the lines described by Subdivision
6 (2) to the buildings or other improvements to which the lines were
7 connected.

8 (b) The assessment under Subsection (a) may not be imposed
9 on the property, including the equipment, rights-of-way,
10 easements, facilities, or improvements, of a telecommunications
11 provider as defined by Section 51.002, Utilities Code, or a cable
12 service provider or video service provider as defined by Section
13 66.002, Utilities Code, unless the property is used as office
14 space.

15 (c) The district may acquire, operate, or charge fees for
16 the use of the district conduits for:

17 (1) another person's:

18 (A) telecommunications network;

19 (B) fiber-optic cable; or

20 (C) electronic transmission line; or

21 (2) any other type of transmission line or supporting
22 facility.

23 (d) The district may not require a person to use a district
24 conduit.

25 SUBCHAPTER E. TAXES AND BONDS

26 Sec. 3918.0501. BONDS AND OTHER OBLIGATIONS. With the
27 consent of the governing body of the city by resolution in

1 accordance with Section 375.207, Local Government Code, the
2 district may issue bonds, notes, or other obligations payable
3 wholly or partly from ad valorem taxes or assessments in the manner
4 provided by Chapter 375, Local Government Code, or, if an
5 improvement financed by an obligation issued under this section
6 will be conveyed to or operated and maintained by a municipality or
7 other retail utility provider pursuant to an agreement with the
8 district entered into before the issuance of the obligation,
9 payable in the manner provided by Subchapter A, Chapter 372, Local
10 Government Code.

11 Sec. 3918.0502. TAX ELECTION REQUIRED. The district must
12 hold an election in the manner provided by Chapter 49, Water Code,
13 or, if applicable, Chapter 375, Local Government Code, to obtain
14 voter approval before the district may impose an ad valorem tax.

15 Sec. 3918.0503. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized by a majority of the district voters voting at an
17 election under Section 3918.0502, the district may impose an
18 operation and maintenance tax on taxable property in the district
19 in the manner provided by Section 49.107, Water Code, for any
20 district purpose, including to:

- 21 (1) maintain and operate the district;
22 (2) construct or acquire improvements; or
23 (3) provide a service.

24 (b) The board shall determine the operation and maintenance
25 tax rate. The rate may not exceed the rate approved at the
26 election.

27 Sec. 3918.0504. BONDS SECURED BY REVENUE OR CONTRACT

1 PAYMENTS. The district may issue, without an election, bonds
2 secured by:

3 (1) revenue other than ad valorem taxes, including
4 contract revenues; or

5 (2) contract payments, provided that the requirements
6 of Section 49.108, Water Code, have been met.

7 Sec. 3918.0505. BONDS SECURED BY AD VALOREM TAXES;
8 ELECTIONS. (a) If authorized at an election under Section
9 3918.0502, the district may issue bonds payable from ad valorem
10 taxes.

11 (b) Section 375.243, Local Government Code, does not apply
12 to the district.

13 (c) At the time the district issues bonds payable wholly or
14 partly from ad valorem taxes, the board shall provide for the annual
15 imposition of a continuing direct annual ad valorem tax, without
16 limit as to rate or amount, for each year that all or part of the
17 bonds are outstanding as required and in the manner provided by
18 Sections 54.601 and 54.602, Water Code.

19 (d) All or any part of any facilities or improvements that
20 may be acquired by a district by the issuance of its bonds may be
21 submitted as a single proposition or as several propositions to be
22 voted on at the election.

23 Sec. 3918.0506. WRITTEN AGREEMENT REGARDING SPECIAL
24 APPRAISALS. Before the district may issue bonds, the district and
25 any person to whom the board intends that proceeds of the bonds be
26 distributed, including the developer, another owner of land in the
27 district, and any entity acting as a lender to the developer or

1 other landowner for the purpose of a project relating to the
2 district, must enter into a written agreement that:

3 (1) waives for the term of the agreement the right to a
4 special appraisal with respect to taxation by the district under
5 Subchapters B, C, D, E, F, and H, Chapter 23, Tax Code; and

6 (2) remains in effect for 30 years and is binding on
7 the parties, on entities related to or affiliated with the parties,
8 and on their successors and assignees.

9 Sec. 3918.0507. EXEMPTION FROM CERTAIN SUPERVISION AND
10 APPROVAL REQUIREMENTS. Section 375.208, Local Government Code,
11 does not apply to the district.

12 SUBCHAPTER J. DISSOLUTION

13 Sec. 3918.0901. DISSOLUTION BY CITY. (a) The city may
14 dissolve the district in the manner provided by Section 375.263,
15 Local Government Code, only if the city also complies with any
16 dissolution procedures in the development agreement described by
17 Section 3918.0302.

18 (b) In the case of a conflict between Section 375.263, Local
19 Government Code, and the development agreement, the development
20 agreement controls.

21 SECTION 2. The Leander Municipal Management District No. 1
22 initially includes all territory contained in the following area:
23 Being all of that certain tract or parcel of land containing
24 115.7076 acres, more or less, comprised of those three (3) certain
25 tracts of land containing 22.781 acres, more or less, our of the
26 William Mancil Survey, Abstract No. 437 in Leander, Williamson
27 County, Texas, more described by metes and bounds shown on Exhibit

1 "A-1" attached hereto; 47.5871 acres, more or less, in the Talbot
2 Chambers Survey, Abstract No. 125 in Leander, Williamson County,
3 Texas, more described by metes and bounds shown on Exhibit "A-2"
4 attached hereto; 47.3395 acres, more or less, in the Talbot
5 Chambers Survey, Abstract No. 125 in Leander, Williamson County,
6 Texas, more described by metes and bounds shown on Exhibit "A-3"
7 attached hereto

8 EXHIBIT A-1

9 Talbot Chambers Survey, Abstract No. 125

10 Legal Description

11 BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 47.5871 ACRES
12 (2,072,892 SQUARE FEET) OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT
13 NO. 125, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED
14 269.836 ACRE TRACT CONVEYED TO RB 270 PARTNERSHIP, RECORDED IN
15 DOCUMENT NO. 2004036768 OF THE OFFICIAL PUBLIC RECORDS OF
16 WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID 47.5871 ACRES BEING
17 MORE PARTICULARLY DESCRIBED BY METES AND AS FOLLOWS:

18 BEGINNING, at a 1/2-inch iron rod with "Ward-5811" cap found in the
19 curving east right-of-way line of Mel Mathis Boulevard
20 (right-of-way varies), and being the southwest corner of a called
21 9.850 acre tract conveyed to Area Leander 1 LP, recorded in Document
22 No. 2016069577 (O.P.R.W.C.T.) and being in the north line of said
23 269.836 acre tract, for the northwest corner and POINT OF BEGINNING
24 hereof, from which a 1/2-inch iron rod with "Ward-5811" cap found at
25 point of tangency in the east right-of-way line of said Mel Mathis
26 Boulevard, and being in the west line of said 9.850 acre Area
27 Leander 1 LP tract, bears, 24.13 feet along the arc of a curve to the

1 right, having a radius of 999.00 feet, and whose chord bears
2 N18°36'59"W, a distance of 24.13 feet;

3 THENCE, leaving the east right-of-way line of said Mel Mathis
4 Boulevard, with the north line of said 269.836 acre RB 270
5 Partnership tract and the south line of said 9.850 acre Area Leander
6 1 LP tract, the following three (3) courses and distances:

7 1) N70°42'41"E, a distance of 938.70 feet to a 1/2-inch iron
8 rod found for an angle point hereof,

9 2) N70°36'57"E, a distance of 53.16 feet to a 1/2-inch iron
10 rod found for an angle point hereof, and

11 3) N71°20'07"E, a distance of 79.42 feet to a 1/2-inch iron
12 rod found for the northeast corner hereof, said point being the
13 southeast corner of said 9.850 acre Area Leander 1 LP tract, and
14 being in the north line of said 269.836 acre RB 270 Partnership
15 tract, and being in the west right-of-way line of US Highway 183A
16 (400' right-of-way, conveyed in Document No(s). 2004068741 and
17 2004088731 (O.P.R.W.C.T.);

18 THENCE, leaving the north line of said 269.836 acre RB 270
19 Partnership tract, with the west right-of-way line of said US
20 Highway 183A, over and across said 269.836 acre RB 270 Partnership
21 tract, S56°03'41"E, passing at a distance of 524.73 feet a TxDOT
22 Type II Brass Disc Monument with "CTRMA" stamp found, and
23 continuing for a total distance of 1,299.85 feet to a 1/2-inch iron
24 rod with "KHA" cap found for the southeast corner hereof, said point
25 being the northeast corner of a called 100.000 acre tract, conveyed
26 to Austin Community College District recorded in Document
27 No. 2010030836 (O.P.R.W.C.T.), from which a TxDOT Type II Brass

1 Disc Monument with "CTRMA" stamp found at a point of curvature in
2 the west right-of-way line of said US Highway 183A, and being in the
3 east line of said 100.000 acre Austin Community College District
4 tract bears, S56°03'41"E, a distance of 724.81 feet;

5 THENCE, over and across said 269.836 acre RB 270 Partnership tract,
6 with the north line of said 100.000 acre Austin Community College
7 District tract, the following three (3) courses and distances:

8 1) S33°55'23"W, a distance of 371.76 feet to a 5/8-inch iron
9 rod with aluminum "MWM" cap found for a point of curvature hereof,

10 2) 390.32 feet along the arc or a curve to the right, having
11 a radius of 630.00 feet, and whose chord bears S51°42'47"W, a
12 distance of 384.11 feet to a 5/8-inch iron rod with aluminum "MWM"
13 cap found for a point of tangency hereof, and

14 3) S69°24'42"W, a distance of 1,157.38 feet to a 1/2-inch
15 iron rod with "Ward-5811" cap set for the southwest corner hereof,
16 said point being the northwest corner of said 100.000 acre Austin
17 Community College District tract, and being in the east
18 right-of-way line of said Mel Mathis Boulevard;

19 THENCE, over and across said 269.836 acre RB 270 Partnership tract,
20 with the east right-of-way line of said Mel Mathis Boulevard, and
21 the west line of the herein described tract the following two (2)
22 courses and distances:

23 1) N20°34'14"W, a distance of 1,393.85 feet to a 1/2-inch
24 iron rod with "Ward-5811" cap set for a point of curvature hereof,
25 and

26 2) 22.41 along the arc of a curve to the right, having a
27 radius of 999.00 feet, and whose chord bears N19°55'40"W, a distance

1 of 22.41 feet to the POINT OF BEGINNING, and containing 47.5871
2 Acres (2,072,892 Square Feet) more or less.

3 NOTE:

4 All bearings are based on the Texas State Plane Coordinate System,
5 Grid North, Central Zone (4203), all distances were adjusted to
6 surface using a combined scale factor of 1.000138805545. See
7 attached sketch (reference drawing: 00508 47 Acre Tract.dwg)

8 EXHIBIT A-2

9 DOROTHY R. WINTERS EXEMPT FAMILY TRUST

10 WILLIAM MANCIL SURVEY, ASTRACT NO. 437

11 22.781 ACRES (992,343 SQ. FT.)

12 DESCRIPTION OF 22.781 ACRES (992,343 SQ. FT.) OF LAND SITUATED IN
13 WILLIAMSON COUNTY, TEXAS, OUT OF THE WILLIAM MANCIL SURVEY, ASTRACT
14 NO. 437, BEING A PORTION OF A 159.838 ACRE TRACT DESCRIBED IN A DEED
15 OF RECORD TO DOROTHY R. WINTERS EXEMPT FAMILY TRUST IN DOCUMENT NO.
16 2014021295 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY,
17 TEXAS; SAID 22.781 ACRES (992,343 SQ. FT.), BEING TWO TRACTS OF LAND
18 MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

19 TRACT 1:

20 BEGINNING at a 1/2" iron rod found in the easterly line of a 100 foot
21 wide right-of-way for railroad purposes, quitclaimed to the City of
22 Austin by deed of record in Volume 1417, Page 282, Official Records
23 of Williamson County, Texas, same being the westerly line of said
24 159.838 Acre Tract, at the southwesterly corner of a 3.733 acre
25 tract conveyed to Williamson County, Texas for street right-of-way
26 purposes (San Gabriel Parkway - R.O.W. width varies) by deed of
27 record in Document No. 2004068740, Official Public Records of

1 Williamson County, Texas, for the northwesterly corner of the
2 herein described tract;

3 THENCE over and across said 159.838 Acre Tract, with the southerly
4 line of said 3.733 Acre Tract, same being the northerly line of the
5 herein described tract the following two (2) courses:

6 1. N71°51'31"E, a distance of 261.37 feet to a 1/2" iron rod
7 found;

8 2. N71°29'44"E, a distance of 843.54 feet to an iron rod with
9 cap found at the most westerly corner of a 163 square foot tract
10 conveyed to Williamson County, Texas for street right-of-way
11 purposes (San Gabriel Parkway R.O.W. width varies) by deed of
12 record in Document No. 2010082651, Official Public Records of
13 Williamson County, Texas;

14 THENCE N72°06'36"E, continuing over and across said 159.838 Acre
15 Tract with the southerly line of said 163 square foot tract, same
16 being the northerly line of the herein described tract, a distance
17 of 81.22 feet to an iron rod with cap found in the westerly line of a
18 2.124 acre tract conveyed to Williamson County, Texas for street
19 right-of-way purposes (San Gabriel Parkway - R.O.W. width varies)
20 by deed of record in Document No. 2006066934, Official Public
21 Records of Williamson County, Texas, at the southwesterly corner of
22 said 163 Square Foot Tract;

23 THENCE continuing over and across said 159.838 Acre Tract with the
24 westerly and southerly lines of said 2.124 Acre Tract, same being
25 the northerly line of the herein described tract the following two
26 (2) courses:

27 1. S16°45'56"E, a distance of 8.41 feet to a cotton spindle

1 found at the southwesterly corner of said 2.124 Acre Tract ;

2 2. N69°57'17"E, a distance of 39.44 feet to an iron rod with
3 G&R Cap set at the northwesterly corner of a 0.821 acre tract
4 conveyed to The City of Leander, Texas for street right-of-way
5 purposes (Mel Mathis Avenue-80' R.O.W.) by deed of record in
6 Document No. 2012077074, Official Public Records of Williamson
7 County, Texas, for the northeasterly corner of the herein described
8 tract;

9 THENCE continuing over and across said 159.838 Acre Tract with the
10 westerly line of said 0.821 Acre Tract, same being the easterly line
11 of the herein described tract the following two (2) courses:

12 1. S71°55'56"E, a distance of 420.33 feet to an iron rod with
13 G&R Cap set at the point of curvature of a curve to the left;

14 2. Along said curve to the left, having a radius of 1079.00
15 feet, an arc length of 25.93 feet and a chord which bears
16 S18°37'14"E, a distance of 25.93 feet to an iron rod with G&R Cap set
17 in the northerly line of a 269.836 acre tract described in a deed of
18 record to RB 270 Partnership in Document No. 2004036768, Official
19 Public Records of Williamson County Texas, same being the southerly
20 line of said 159.838 Acre Tract, for the southeasterly corner of the
21 herein described tract;

22 THENCE with the southerly line of said 159.838 Acre Tract, same
23 being in part the northerly line of said 269.836 Acre Tract and in
24 part the northerly line of Lot 2, San Gabriel Park, a subdivision of
25 record in Cabinet Y. Slides 364-367, Plat Records of Williamson
26 County Texas, the following five (5) courses:

27 1. S70°42'59"W, a distance of 3.13 feet to an iron rod with

1 G&R Cap set at the common northerly corner of said 269.836 Acre
2 Tract and said Lot 2;

3 2. S71°12'01"W, a distance of 61.83 feet to a 1/2" iron rod
4 found;

5 3. S69°02'16"W, a distance of 90.38 feet to a 1/2" iron rod
6 found;

7 4. S70°43'16"W a distance of 728.63 feet to a 1/2" iron rod
8 found;

9 5. S70°11'21"W, a distance of 314.93 feet to a 1/2" iron rod
10 found in the easterly line of said 100 foot wide right-of-way for
11 railroad purposes and the westerly line of said 159.838 Acre Tract,
12 for the southwesterly corner of the herein described tract;

13 THENCE N21°11'57"W, with the common line of said 100 foot wide
14 right-of-way for railroad purposes and said 159.838 Acre Tract, a
15 distance of 477.91 feet to the POINT OF BEGINNING, containing an
16 area of 12.931 acres (563,261 sq. ft.) of land, more or less.

17 TRACT 2:

18 BEGINNING at a cotton spindle found in the westerly line of a 24.697
19 acre tract, conveyed to Williamson County, Texas for Highway 183-A
20 right-of-way purposes (400' R.O.W.) by deed of record in Document
21 No. 2004068741, Official Public Records of Williamson County,
22 Texas, for the northeasterly corner of the herein described tract;

23 THENCE S56°04'40"E, over and across said 159.818 Acre Tract, with
24 the westerly line of said 24.697 Acre Tract, same being the easterly
25 line of the herein described tract, a distance of 712.18 feet to a
26 1/2" iron rod found in northerly line of a 269.836 acre tract
27 described in a deed of record to RB 270 Partnership in Document No.

1 2004036768, Official Public Records of Williamson County Texas, for
2 the southeasterly corner of the herein described tract;

3 THENCE with the common line of said 159.838 Acre Tract and said
4 269.836 Acre Tract the following three (3) courses:

5 1. S71°18'14"W, a distance of 79.46 feet to a 1/2" iron rod
6 found;

7 2. S70°37'32"W, a distance of 53.16 feet to a 1/2" iron rod
8 found;

9 3. S70°42'59"W, a distance of 938.59 feet to an iron rod with
10 G&R Cap set at the southeasterly corner of a 0.821 acre tract
11 conveyed to The City of Leander, Texas for street right-of-way
12 purposes (Mel Mathis Avenue - 80' R.O.W.) by deed of record in
13 Document No. 2012077074, Official Public Records of Williamson
14 County, Texas, for the southwesterly corner of the herein described
15 tract;

16 THENCE leaving the common line of said 159.838 Acre Tract and said
17 269.836 Acre Tract and continuing over and across said 159.838 Acre
18 Tract with the easterly line of said 0.821 Acre Tract, same being
19 the westerly line of the herein described tract, the following two
20 (2) courses:

21 1. Along a curve to the right, having a radius of 999.00
22 feet, an arc length of 24.05 feet and a chord which bears
23 N18°37'19"W, a distance of 24.05 feet to an iron rod with G&R Cap set
24 at the end of said curve

25 2. N17°55'56"W, a distance of 423.28 feet to an iron rod with
26 G&R Cap set in the southerly line of a 2.124 acre tract conveyed to
27 Williamson County, Texas for street right-of-way purposes (San

1 Gabriel Parkway - R.O.W. width varies) by deed of record in Document
2 No. 2006066934, Official Public Records of Williamson County,
3 Texas, for the northwesterly corner of the herein described tract;
4 THENCE N69°57'17"E, continuing over and across said 159.838 Acre
5 Tract with the southerly line of said 2.124 Acre Tract, same being
6 the northerly line of the herein described tract, a distance of
7 115.16 feet to an iron rod with cap found at the southwesterly
8 corner of a 0.808 acre tract conveyed to Williamson County, Texas
9 for street right-of-way purposes (San Gabriel Parkway - R.O.W.
10 width varies) by deed of record in Document No. 2010082651,
11 Official Public Records of Williamson County, Texas;

12 THENCE continuing over and across said 159.838 Acre Tract with the
13 southerly line of said 0.808 Acre Tract, same being the northerly
14 line of the herein described tract, the following two (2) courses:

15 1. Along a curve to the left, having a radius of 1113.00
16 feet, an arc length of 444.24 feet and a chord which bears
17 N59°35'56"E, a distance of 441.30 feet to an iron rod with cap found
18 at the end of said curve;

19 2. N48°11'55"E, a distance of 93.35 feet to the POINT OF
20 BEGINNING, containing an area of 9.850 (429,082 sq. ft.) acres of
21 land, more or less. FOR A TOTAL AREA OF 22.781 (992,343 SQ. FT.)
22 ACRES OF LAND WITHIN TRACTS 1 AND 2.

23 EXHIBIT A-3

24 Talbot Chambers Survey, Abstract No. 125

25 Legal Description

26 BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 45.3395 ACRES
27 (1,974,990 SQUARE FEET) OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT

1 NO. 125, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 2, SAN
2 GABRIEL PARK, A SUBDIVISION RECORDED IN CABINET Y, SLIDES 364-367
3 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAID
4 45.3395 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND AS
5 FOLLOWS:

6 BEGINNING, at a 1/2-inch iron rod found in the east right-of-way
7 line of the Capital Metropolitan Transportation Authority Railroad
8 (100' right-of-way), conveyed in Document No. 2000020773 of the
9 Official Public Records of Williamson County, Texas
10 (O.P.R.W.C.T.), being the southwest corner of a called 12.931 acre
11 tract conveyed to Area Leander 1, L.P. in Document No. 2016069577
12 (O.P.R.W.C.T.), and being the northwest corner of said Lot 2, for
13 the northwest corner hereof, from which a 1/2-inch iron rod found at
14 the intersection of the south right-of-way line of San Gabriel
15 Parkway (right-of-way width varies), partially dedicated in
16 Document No. 2004068740 (O.P.R.W.C.T.), and the east right-of-way
17 line of said Railroad, bears N21°12'43"W, a distance of 477.90 feet;
18 THENCE, leaving the east right-of-way line of said Railroad, with
19 the common line of said 12.931 acre tract and said Lot 2, the
20 following four (4) courses and distances:

21 1) N70°11'45"E, a distance of 314.90 feet to a 1/2-inch iron
22 rod found for an angle point hereof,

23 2) N70°43'28"E, a distance of 728.71 feet to a 1/2-inch iron
24 rod found for an angle point hereof,

25 3) N69°06'10"E, a distance of 90.47 feet to a 1/2-inch iron
26 rod found for an angle point hereof, and

27 4) N71°06'42"E, a distance of 61.67 feet to a 1/2-inch iron

1 rod with "Ward-5811" cap set for the northeast corner hereof, being
2 an angle point in the west right-of-way line of Mel Mathis Boulevard
3 (right-of-way width varies), partially dedicated in Document
4 No. 2014077239 (O.P.R.W.C.T.), and being the northeast corner of
5 said Lot 2;

6 THENCE, with the west right-of-way line of said Mel Mathis
7 Boulevard and the east line of said Lot 2, the following three (3)
8 courses and distances:

9 1) S20°36'40"E, a distance of 1,117.48 feet to a 1/2-inch
10 iron rod with "Ward-5811" cap set for an angle point hereof,

11 2) S20°26'00"E, a distance of 27.68 feet to a 1/2-inch iron
12 rod with "Ward-5811" cap set for an angle point hereof, and

13 3) S20°29'52"E, a distance of 128.25 feet to a 1/2-inch iron
14 rod with "Ward-5811" cap set for an angle point hereof;

15 THENCE, with the east line of said Lot 2, in part being the west
16 right-of-way line of Mel Mathis Boulevard, and in part being the
17 west line of a called 3.827 acre tract conveyed to the City of
18 Leander, Texas in Document No. 2014005725 (O.P.R.W.C.T.),

19 S20°28'10"E, a distance of 493.39 feet to a 1/2-inch iron rod with
20 "Ward-5811" cap set for an angle point hereof and being an angle
21 point in the common line of said Lot 2 and said 3.827 acre tract;

22 THENCE, continuing with the common line of said Lot 2 and said 3.827
23 acre tract, the following seven (7) courses and distances:

24 1) S22°49'04"E, a distance of 50.01 feet to a 1/2-inch iron
25 rod with "Ward-5811" cap set for an angle point hereof,

26 2) S16°12'32"E, a distance of 67.74 feet to a 1/2-inch iron
27 rod with "Ward-5811" cap set for an angle point hereof,

1 3) S21°18'20"E, a distance of 61.32 feet to a 1/2-inch iron
2 rod with "Ward-5811" cap set for an angle point hereof,

3 4) S20°56'16"E, a distance of 136.77 feet to a 1/2-inch iron
4 rod with "Ward-5811" cap set for an angle point hereof

5 5) S21°13'59"E, a distance of 70.93 feet to a 1/2-inch iron
6 rod with "Ward-5811" cap set for an angle point hereof,

7 6) S25°02'37"E, a distance of 366.51 feet to a Mag nail with
8 "4Ward Boundary" washer set for an angle point hereof, and

9 7) S24°25'23"W, a distance of 17.00 feet to a calculated
10 point for southeast corner hereof, from which a 1/2-inch iron rod
11 found for an angle point in the common line of said Lot 2 and said
12 3.827 acre tract bears S24°25'23"W, a distance of 33.09 feet;

13 THENCE, over and across said Lot 2, the following twenty-five (25)
14 courses and distances:

15 1) N50°07'41"W, a distance of 60.74 feet to a calculated
16 point for an angle point hereof,

17 2) N73°38'59"W, a distance of 66.59 feet to a calculated
18 point for an angle point hereof,

19 3) N01°56'09"E, a distance of 123.08 feet to a calculated
20 point for an angle point hereof,

21 4) N57°13'47"W, a distance of 201.97 feet to a calculated
22 point for an angle point hereof,

23 5) N26°00'29"W, a distance of 171.59 feet to a calculated
24 point for an angle point hereof,

25 6) N54°28'17"W, a distance of 188.91 feet to a calculated
26 point for an angle point hereof,

27 7) N64°34'23"W, a distance of 73.26 feet to a calculated

- 1 point for an angle point hereof,
2 8) S70°35'47"W, a distance of 116.88 feet to a calculated
3 point for an angle point hereof,
4 9) N85°17'49"W, a distance of 101.63 feet to a calculated
5 point for an angle point hereof,
6 10) N64°04'31"W, a distance of 40.75 feet to a calculated
7 point for an angle point hereof,
8 11) N23°03'16"W, a distance of 40.58 feet to a calculated
9 point for an angle point hereof,
10 12) N23°06'23"E, a distance of 108.63 feet to a calculated
11 point for an angle point hereof,
12 13) N38°35'17"W, a distance of 36.64 feet to a calculated
13 point for an angle point hereof,
14 14) N82°04'13"W, a distance of 84.65 feet to a calculated
15 point for an angle point hereof,
16 15) N67°25'14"W, a distance of 33.59 feet to a calculated
17 point for an angle point hereof,
18 16) N28°42'54"W, a distance of 32.70 feet to a calculated
19 point for an angle point hereof,
20 17) N66°18'33"W, a distance of 60.73 feet to a calculated
21 point for an angle point hereof,
22 18) S58°21'10"W, a distance of 86.21 feet to a calculated
23 point for an angle point hereof,
24 19) S46°19'59"W, a distance of 131.18 feet to a calculated
25 point for an angle point hereof,
26 20) S57°26'06"W, a distance of 63.53 feet to a calculated
27 point for an angle point hereof,

1 21) N80°03'30"W, a distance of 169.03 feet to a calculated
2 point for an angle point hereof,

3 22) N51°26'55"W, a distance of 123.90 feet to a calculated
4 point for an angle point hereof,

5 23) N35°13'10"W, a distance of 149.36 feet to a calculated
6 point for an angle point hereof,

7 24) N18°38'44"W, a distance of 183.61 feet to a calculated
8 point for an angle point hereof,

9 25) N32°05'59"W, a distance of 222.61 feet to a calculated
10 point for an angle point hereof, said point being in the east
11 right-of-way line of said Railroad, and being in the west line of
12 said Lot 2, from which a 1/2-inch iron rod with "Ward-5811" cap set
13 in the common line of said Lot 2 and said Railroad, for the
14 northwest corner of a called 0.548 acre right-of-way dedication
15 conveyed in Document No. 2014003534 (O.P.R.W.C.T.), bears
16 S21°06'14"E, a distance of 930.19 feet;

17 THENCE, with the east right-of-way line of said Railroad and the
18 west line of said Lot 2, N21°06'14"W, a distance of 779.40 feet to
19 the POINT OF BEGINNING, and containing 45.3395 Acres (1,974,990
20 Square Feet) more or less.

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

1 (b) The governor, one of the required recipients, has
2 submitted the notice and Act to the Texas Commission on
3 Environmental Quality.

4 (c) The Texas Commission on Environmental Quality has filed
5 its recommendations relating to this Act with the governor,
6 lieutenant governor, and speaker of the house of representatives
7 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 respect
10 to the notice, introduction, and passage of this Act have been
11 fulfilled and accomplished.

12 SECTION 4. This Act takes effect January 1, 2022.