

1-1 By: Flores S.B. No. 2577  
 1-2 (In the Senate - Filed March 23, 2023; March 23, 2023, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 April 28, 2023, reported favorably by the following vote: Yeas 7,  
 1-5 Nays 0; April 28, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker			X	
1-14 Paxton	X			
1-15 West	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of the Atascosa County Municipal Utility  
 1-20 District No. 2; granting a limited power of eminent domain;  
 1-21 providing authority to issue bonds; providing authority to impose  
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
 1-25 Code, is amended by adding Chapter 7957A to read as follows:

1-26 CHAPTER 7957A. ATASCOSA COUNTY MUNICIPAL UTILITY DISTRICT NO. 2  
 1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7957A.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.  
 1-30 (2) "Commission" means the Texas Commission on  
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.

1-33 (4) "District" means the Atascosa County Municipal  
 1-34 Utility District No. 2.

1-35 Sec. 7957A.0102. NATURE OF DISTRICT. The district is a  
 1-36 municipal utility district created under Section 59, Article XVI,  
 1-37 Texas Constitution.

1-38 Sec. 7957A.0103. CONFIRMATION AND DIRECTOR ELECTION  
 1-39 REQUIRED. The temporary directors shall hold an election to  
 1-40 confirm the creation of the district and to elect five permanent  
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7957A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-43 temporary directors may not hold an election under Section  
 1-44 7957A.0103 until each municipality in whose corporate limits or  
 1-45 extraterritorial jurisdiction the district is located has  
 1-46 consented by ordinance or resolution to the creation of the  
 1-47 district and to the inclusion of land in the district.

1-48 Sec. 7957A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-49 (a) The district is created to serve a public purpose and benefit.

1-50 (b) The district is created to accomplish the purposes of:

1-51 (1) a municipal utility district as provided by  
 1-52 general law and Section 59, Article XVI, Texas Constitution; and

1-53 (2) Section 52, Article III, Texas Constitution, that  
 1-54 relate to the construction, acquisition, improvement, operation,  
 1-55 or maintenance of macadamized, graveled, or paved roads, or  
 1-56 improvements, including storm drainage, in aid of those roads.

1-57 Sec. 7957A.0106. INITIAL DISTRICT TERRITORY. (a) The  
 1-58 district is initially composed of the territory described by  
 1-59 Section 2 of the Act enacting this chapter.

1-60 (b) The boundaries and field notes contained in Section 2 of  
 1-61 the Act enacting this chapter form a closure. A mistake made in the

2-1 field notes or in copying the field notes in the legislative process  
 2-2 does not affect the district's:  
 2-3 (1) organization, existence, or validity;  
 2-4 (2) right to issue any type of bond for the purposes  
 2-5 for which the district is created or to pay the principal of and  
 2-6 interest on a bond;  
 2-7 (3) right to impose a tax; or  
 2-8 (4) legality or operation.

2-9 SUBCHAPTER B. BOARD OF DIRECTORS

2-10 Sec. 7957A.0201. GOVERNING BODY; TERMS. (a) The district  
 2-11 is governed by a board of five elected directors.

2-12 (b) Except as provided by Section 7957A.0202, directors  
 2-13 serve staggered four-year terms.

2-14 Sec. 7957A.0202. TEMPORARY DIRECTORS. (a) The temporary  
 2-15 board consists of:

- 2-16 (1) Bruce Bartlett;
- 2-17 (2) G. Bailey Woods, Jr.;
- 2-18 (3) Sloan Thomas;
- 2-19 (4) Andrew B. Price; and
- 2-20 (5) Foard Houston.

2-21 (b) Temporary directors serve until the earlier of:

2-22 (1) the date permanent directors are elected under  
 2-23 Section 7957A.0103; or

2-24 (2) the fourth anniversary of the effective date of  
 2-25 the Act enacting this chapter.

2-26 (c) If permanent directors have not been elected under  
 2-27 Section 7957A.0103 and the terms of the temporary directors have  
 2-28 expired, successor temporary directors shall be appointed or  
 2-29 reappointed as provided by Subsection (d) to serve terms that  
 2-30 expire on the earlier of:

2-31 (1) the date permanent directors are elected under  
 2-32 Section 7957A.0103; or

2-33 (2) the fourth anniversary of the date of the  
 2-34 appointment or reappointment.

2-35 (d) If Subsection (c) applies, the owner or owners of a  
 2-36 majority of the assessed value of the real property in the district  
 2-37 may submit a petition to the commission requesting that the  
 2-38 commission appoint as successor temporary directors the five  
 2-39 persons named in the petition. The commission shall appoint as  
 2-40 successor temporary directors the five persons named in the  
 2-41 petition.

2-42 SUBCHAPTER C. POWERS AND DUTIES

2-43 Sec. 7957A.0301. GENERAL POWERS AND DUTIES. The district  
 2-44 has the powers and duties necessary to accomplish the purposes for  
 2-45 which the district is created.

2-46 Sec. 7957A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-47 DUTIES. The district has the powers and duties provided by the  
 2-48 general law of this state, including Chapters 49 and 54, Water Code,  
 2-49 applicable to municipal utility districts created under Section 59,  
 2-50 Article XVI, Texas Constitution.

2-51 Sec. 7957A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
 2-52 Section 52, Article III, Texas Constitution, the district may  
 2-53 design, acquire, construct, finance, issue bonds for, improve,  
 2-54 operate, maintain, and convey to this state, a county, or a  
 2-55 municipality for operation and maintenance macadamized, graveled,  
 2-56 or paved roads, or improvements, including storm drainage, in aid  
 2-57 of those roads.

2-58 Sec. 7957A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-59 road project must meet all applicable construction standards,  
 2-60 zoning and subdivision requirements, and regulations of each  
 2-61 municipality in whose corporate limits or extraterritorial  
 2-62 jurisdiction the road project is located.

2-63 (b) If a road project is not located in the corporate limits  
 2-64 or extraterritorial jurisdiction of a municipality, the road  
 2-65 project must meet all applicable construction standards,  
 2-66 subdivision requirements, and regulations of each county in which  
 2-67 the road project is located.

2-68 (c) If the state will maintain and operate the road, the  
 2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.  
3-2 Sec. 7957A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3-3 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-4 applicable requirements of any ordinance or resolution that is  
3-5 adopted under Section 54.016 or 54.0165, Water Code, and that  
3-6 consents to the creation of the district or to the inclusion of land  
3-7 in the district.  
3-8 Sec. 7957A.0306. DIVISION OF DISTRICT. (a) The district  
3-9 may be divided into two or more new districts only if the district:  
3-10 (1) has no outstanding bonded debt; and  
3-11 (2) is not imposing ad valorem taxes.  
3-12 (b) This chapter applies to any new district created by the  
3-13 division of the district, and a new district has all the powers and  
3-14 duties of the district.  
3-15 (c) A new district created by the division of the district  
3-16 may not, at the time the new district is created, contain any land  
3-17 outside the area described by Section 2 of the Act enacting this  
3-18 chapter.  
3-19 (d) The board, on its own motion or on receipt of a petition  
3-20 signed by the owner or owners of a majority of the assessed value of  
3-21 the real property in the district, may adopt an order dividing the  
3-22 district.  
3-23 (e) The board may adopt an order dividing the district  
3-24 before or after the date the board holds an election under Section  
3-25 7957A.0103 to confirm the district's creation.  
3-26 (f) An order dividing the district must:  
3-27 (1) name each new district;  
3-28 (2) include the metes and bounds description of the  
3-29 territory of each new district;  
3-30 (3) appoint temporary directors for each new district;  
3-31 and  
3-32 (4) provide for the division of assets and liabilities  
3-33 between or among the new districts.  
3-34 (g) On or before the 30th day after the date of adoption of  
3-35 an order dividing the district, the district shall file the order  
3-36 with the commission and record the order in the real property  
3-37 records of each county in which the district is located.  
3-38 (h) Any new district created by the division of the district  
3-39 shall hold a confirmation and directors' election as required by  
3-40 Section 7957A.0103.  
3-41 (i) If the creation of the new district is confirmed, the  
3-42 new district shall provide the election date and results to the  
3-43 commission.  
3-44 (j) Any new district created by the division of the district  
3-45 must hold an election as required by this chapter to obtain voter  
3-46 approval before the district may impose a maintenance tax or issue  
3-47 bonds payable wholly or partly from ad valorem taxes.  
3-48 (k) Municipal consent to the creation of the district and to  
3-49 the inclusion of land in the district granted under Section  
3-50 7957A.0104 acts as municipal consent to the creation of any new  
3-51 district created by the division of the district and to the  
3-52 inclusion of land in the new district.  
3-53 Sec. 7957A.0307. STRATEGIC PARTNERSHIP AGREEMENT. The  
3-54 district may negotiate and enter into a written strategic  
3-55 partnership agreement with a municipality under Section 43.0751,  
3-56 Local Government Code.  
3-57 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
3-58 Sec. 7957A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
3-59 The district may issue, without an election, bonds and other  
3-60 obligations secured by:  
3-61 (1) revenue other than ad valorem taxes; or  
3-62 (2) contract payments described by Section  
3-63 7957A.0403.  
3-64 (b) The district must hold an election in the manner  
3-65 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-66 before the district may impose an ad valorem tax or issue bonds  
3-67 payable from ad valorem taxes.  
3-68 (c) The district may not issue bonds payable from ad valorem  
3-69 taxes to finance a road project unless the issuance is approved by a

4-1 vote of a two-thirds majority of the district voters voting at an  
 4-2 election held for that purpose.

4-3 Sec. 7957A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 4-4 authorized at an election held under Section 7957A.0401, the  
 4-5 district may impose an operation and maintenance tax on taxable  
 4-6 property in the district in accordance with Section 49.107, Water  
 4-7 Code.

4-8 (b) The board shall determine the tax rate. The rate may not  
 4-9 exceed the rate approved at the election.

4-10 Sec. 7957A.0403. CONTRACT TAXES. (a) In accordance with  
 4-11 Section 49.108, Water Code, the district may impose a tax other than  
 4-12 an operation and maintenance tax and use the revenue derived from  
 4-13 the tax to make payments under a contract after the provisions of  
 4-14 the contract have been approved by a majority of the district voters  
 4-15 voting at an election held for that purpose.

4-16 (b) A contract approved by the district voters may contain a  
 4-17 provision stating that the contract may be modified or amended by  
 4-18 the board without further voter approval.

4-19 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-20 Sec. 7957A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-21 OBLIGATIONS. The district may issue bonds or other obligations  
 4-22 payable wholly or partly from ad valorem taxes, impact fees,  
 4-23 revenue, contract payments, grants, or other district money, or any  
 4-24 combination of those sources, to pay for any authorized district  
 4-25 purpose.

4-26 Sec. 7957A.0502. TAXES FOR BONDS. At the time the district  
 4-27 issues bonds payable wholly or partly from ad valorem taxes, the  
 4-28 board shall provide for the annual imposition of a continuing  
 4-29 direct ad valorem tax, without limit as to rate or amount, while all  
 4-30 or part of the bonds are outstanding as required and in the manner  
 4-31 provided by Sections 54.601 and 54.602, Water Code.

4-32 Sec. 7957A.0503. BONDS FOR ROAD PROJECTS. At the time of  
 4-33 issuance, the total principal amount of bonds or other obligations  
 4-34 issued or incurred to finance road projects and payable from ad  
 4-35 valorem taxes may not exceed one-fourth of the assessed value of the  
 4-36 real property in the district.

4-37 SECTION 2. The Atascosa County Municipal Utility District  
 4-38 No. 2 initially includes all the territory contained in the  
 4-39 following area:

4-40 Being a boundary survey of 0.616 acre, more or less, of land  
 4-41 lying in Atascosa County, Texas, being out of and a part of E.S.  
 4-42 Harper Survey 1202, Abstract No. 366, Atascosa County, Texas. Said  
 4-43 0.616 acre being bounded on the northwest by the fenced  
 4-44 southeasterly margin of F.M. 1470 (Leming Drive); on the northeast  
 4-45 by 11.25 acres, James P. Shone, et ux., Book 857, Page 700 of the  
 4-46 Atascosa County Deed Records; and on the southeast by 4.52 acres  
 4-47 simultaneously surveyed this same day. Said 0.616 acre being more  
 4-48 particularly described by metes and bounds as follows: (The  
 4-49 courses, distances, areas and any coordinates cited herein or shown  
 4-50 on the corresponding survey plat conform to the Texas Coordinate  
 4-51 System, North American Datum 1983, Texas South Central Zone.) (All  
 4-52 corners called for as being set are marked on the ground with 1/2"  
 4-53 diameter rebar with plastic identification caps stamped  
 4-54 "RPLS/6418" attached unless otherwise noted or shown.)

4-55 BEGINNING at a found broken TxDOT Type I right-of-way  
 4-56 monument at the intersection of F.M. 1470 and an unnamed county  
 4-57 road, marking a deflection point of the herein described tract;

4-58 THENCE: N 26° 16' 04" E, with the southwesterly margin of F.M.  
 4-59 1470 and the herein described tract for a distance of 25.94 feet to  
 4-60 a 3" diameter pipe 3-way fence corner post at a point on the  
 4-61 ostensible common survey line of said Survey 1202 and I. Wautz  
 4-62 Survey 1176, Abstract No. 895, marking a deflection point of said  
 4-63 11.25 acres, and marking the north corner of the herein described  
 4-64 tract, from which a found TxDOT Type I right-of-way monument bears N  
 4-65 15° 48' 34" E at a distance of 24.43 feet;

4-66 THENCE: S 35° 21' 31" E, generally with the fence, with the  
 4-67 ostensible common survey line of said Survey 1202 and said Survey  
 4-68 1176, and with the common boundary line of said 11.25 acres and the  
 4-69 herein described tract for a distance of 1154.04 feet to a 3"

5-1 diameter pipe fence angle post marking a deflection point of said  
 5-2 11.25 acres, marking the west corner of said 4.52 acres, and marking  
 5-3 a deflection point of the herein described tract;

5-4       THENCE: S 56° 44' 15" E, with the common boundary line of said  
 5-5 4.52 acres and the herein described tract for a distance of 50.89  
 5-6 feet to an unmarked corner marking a deflection point of said 4.52  
 5-7 acres, and marking the east corner of the herein described tract;

5-8       THENCE: With the southwesterly margin of said unnamed county  
 5-9 road and the herein described tract for the following two (2) calls:

5-10       1.) N 79° 52' 38" W, for a distance of 59.02 feet to an  
 5-11 unmarked corner marking a deflection point of the herein described  
 5-12 tract;

5-13       2.) N 35° 21' 31" W, for a distance of 1147.02 feet to  
 5-14 the Place of Beginning and containing 0.616 acre, more or less, of  
 5-15 land within the herein described boundary according to an actual on  
 5-16 the ground survey made by Smyth Surveyors, Inc. and completed on  
 5-17 November 30, 2022.

5-18       Being a boundary survey of 101.73 acres, more or less, of land  
 5-19 lying in Atascosa County, Texas, being out of and a part of N. Mcada  
 5-20 Survey 1198, Abstract No. 566, and also being out of and a part of  
 5-21 that same certain tract called Tract II (328.52 acres) as described  
 5-22 in conveyance document to The J W Gorman Family Partnership, Ltd.,  
 5-23 recorded in Document Number 137428 of the Atascosa County Official  
 5-24 Public Records, Atascosa County, Texas. Said 101.73 acres being  
 5-25 bounded on the southeast by the fenced northwesterly margin of Red  
 5-26 Barn Road; on the northeast and northwest by 404.48 acres  
 5-27 simultaneously surveyed this same day; and on the southwest by a 40'  
 5-28 unnamed county road (unimproved). Said 101.73 acres being more  
 5-29 particularly described by metes and bounds as follows: (The  
 5-30 courses, distances, areas and any coordinates cited herein or shown  
 5-31 on the corresponding survey plat conform to the Texas Coordinate  
 5-32 System, North American Datum 1983, Texas South Central Zone.) (All  
 5-33 corners called for as being set are marked on the ground with 1/2"  
 5-34 diameter rebar with plastic identification caps stamped  
 5-35 "RPLS/6418" attached unless otherwise noted or shown.)

5-36       BEGINNING at an unmarked corner at a point on the fenced  
 5-37 northwesterly margin of Red Barn Road, at a point on a southeasterly  
 5-38 line of said Tract II, marking an exterior corner of said 404.48  
 5-39 acres, and marking the east corner of the herein described tract,  
 5-40 from which a 4.5" diameter pipe fence angle post marking a  
 5-41 deflection point of said 404.48 acres bears N 18° 36' 23" E at a  
 5-42 distance of 1644.49 feet;

5-43       THENCE: Crossing into and across Tract II, and generally with  
 5-44 the fence for the following thirteen (13) calls:

5-45       1.) N 72° 35' 23" W, for a distance of 464.92 feet to a  
 5-46 leaning 7" diameter cedar fence angle post marking a deflection  
 5-47 point of the herein described tract;

5-48       2.) N 24° 16' 53" W, for a distance of 222.53 feet to a 4.5"  
 5-49 diameter pipe 2-way fence corner post marking an interior corner of  
 5-50 the herein described tract;

5-51       3.) S 66° 54' 13" W, for a distance of 904.65 feet to a 3"  
 5-52 diameter pipe 2-way fence corner post marking a deflection point of  
 5-53 the herein described tract;

5-54       4.) N 67° 10' 57" W, for a distance of 20.12 feet to a 3"  
 5-55 diameter pipe 3-way fence corner post marking a deflection point of  
 5-56 the herein described tract;

5-57       5.) S 24° 00' 54" W, for a distance of 183.78 feet to a t-  
 5-58 post fence angle post marking a deflection point of the herein  
 5-59 described tract;

5-60       6.) S 24° 12' 38" W, for a distance of 641.60 feet to a 3"  
 5-61 diameter pipe fence angle post marking a deflection point of the  
 5-62 herein described tract;

5-63       7.) S 54° 15' 53" W, for a distance of 625.15 feet to a 3"  
 5-64 diameter pipe 2-way fence corner post marking a deflection point of  
 5-65 the herein described tract;

5-66       8.) S 02° 26' 22" E, for a distance of 20.35 feet to a 3"  
 5-67 diameter pipe fence angle post marking a deflection point of the  
 5-68 herein described tract;

5-69       9.) S 18° 20' 46" W, for a distance of 1138.27 feet to a 4.5"

6-1 diameter pipe 2-way fence corner post at a point on the ostensible  
 6-2 common survey line of said Survey 1198 and said Survey 1199, at a  
 6-3 point in the northeasterly margin of an unnamed county road, and  
 6-4 marking an interior corner of the herein described tract;

6-5 10.) S 70° 45' 38" E, with the ostensible common survey line  
 6-6 of said Survey 1198 and said Survey 1199, and with the northeasterly  
 6-7 margin of an unnamed county road for a distance of 563.24 feet to a  
 6-8 5" diameter cedar fence angle post marking a deflection point of the  
 6-9 herein described tract;

6-10 11.) S 70° 57' 07" E, with the ostensible common survey line  
 6-11 of said Survey 1198 and said Survey 1199, and with the northeasterly  
 6-12 margin of an unnamed county road for a distance of 593.07 feet to a  
 6-13 t-post fence angle post marking a deflection point of the herein  
 6-14 described tract;

6-15 12.) S 70° 48' 28" E, with the ostensible common survey line  
 6-16 of said Survey 1198 and said Survey 1199, and with the northeasterly  
 6-17 margin of an unnamed county road for a distance of 498.03 feet to a  
 6-18 2.5" diameter pipe fence angle post marking a deflection point of  
 6-19 the herein described tract;

6-20 13.) S 71° 01' 04" E, with the ostensible common survey line  
 6-21 of said Survey 1198 and said Survey 1199, and with the northeasterly  
 6-22 margin of an unnamed county road for a distance of 62.86 feet to a  
 6-23 4.5" diameter pipe fence angle post at the intersection of Red Barn  
 6-24 Road and an unnamed county road, and marking a deflection point of  
 6-25 the herein described tract;

6-26 THENCE: Generally with the fenced margin of Red Barn Road and  
 6-27 the herein described tract for the following two (2) calls:

6-28 1.) N 64° 53' 53" E, for a distance of 36.73 feet to a 4.5"  
 6-29 diameter pipe fence angle post marking a deflection point of the  
 6-30 herein described tract;

6-31 2.) N 18° 36' 23" E, for a distance of 2924.62 feet to the  
 6-32 Place of Beginning and containing 101.73 acres, more or less, of  
 6-33 land within the herein described boundary, according to an actual  
 6-34 on the ground survey made by Smyth Surveyors, Inc. and completed on  
 6-35 October 19, 2022.

6-36 Being a boundary survey of 404.48 acres, more or less, of land  
 6-37 lying in Atascosa County, Texas, being out of and parts of N. Mcada  
 6-38 Survey 1198, Abstract No. 566, I. Wautz Survey 1175, Abstract  
 6-39 No. 896, M. Moritz Survey 1292, Abstract No. 586, G. Hectorne  
 6-40 Survey 1199, Abstract No. 370, and W. Morrow Survey 1200, Abstract  
 6-41 No. 589, being out of and a part of John T. Horton Ranch, recorded  
 6-42 in Slide 25-A of the Atascosa County New Plat Cabinet, and also  
 6-43 being comprised of a composite of those same certain tracts called  
 6-44 Tract II (328.52 acres), Tract IV (remainder of 184.3 acres), and  
 6-45 Tract V (101.87 acres) as described in conveyance document to The J  
 6-46 W Gorman Family Partnership, Ltd., recorded in Document Number  
 6-47 137428 of the Atascosa County Official Public Records, Atascosa  
 6-48 County, Texas. Said 404.48 acres being bounded on the northwest by  
 6-49 the following: 1.) fenced southeasterly margin of F.M. 1470 (Leming  
 6-50 Drive), 2.) 26.73 acres, Maurilio Gonzales, Jr., PID: 16584 of the  
 6-51 Atascosa County Appraisal District, 3.) 81.60 acres, James P.  
 6-52 Shone, et ux., Book 707, Page 93 of the Atascosa County Deed  
 6-53 Records, and 4.) 11.25 acres, James P. Shone, et ux., Book 857, Page  
 6-54 700 of the Atascosa County Deed Records; on the southeast by the  
 6-55 fenced northwesterly margin of Red Barn Road; and on the southwest  
 6-56 by the following: 1.) 100 acres, Carolyn Daniel, Document Number  
 6-57 143664 of the Atascosa County Official Public Records, and 2.)  
 6-58 311.94 acres simultaneously surveyed this same day. Said 404.48  
 6-59 acres being more particularly described by metes and bounds as  
 6-60 follows: (The courses, distances, areas and any coordinates cited  
 6-61 herein or shown on the corresponding survey plat conform to the  
 6-62 Texas Coordinate System, North American Datum 1983, Texas South  
 6-63 Central Zone.) (All corners called for as being set are marked on  
 6-64 the ground with 1/2" diameter rebar with plastic identification  
 6-65 caps stamped "RPLS/6418" attached unless otherwise noted or shown.)

6-66 BEGINNING at a found TxDOT Type II right-of-way monument at a  
 6-67 point on the southeasterly margin of F.M. 1470, and marking the  
 6-68 north corner of the herein described tract;

6-69 THENCE: S 46° 38' 59" E, generally with the fence, and with the

7-1 southeasterly margin of F.M. 1470 and the herein described tract  
7-2 for a distance of 60.45 feet to a found TxDOT Type II right- of-way  
7-3 monument at the intersection of F.M. 1470 and Red Barn Road, and  
7-4 marking an exterior corner of the herein described tract;  
7-5 THENCE: Generally with the fenced margin of Red Barn Road and  
7-6 the herein described tract for the following four (4) calls:  
7-7 1.) S 18° 25' 10" W, passing the ostensible common survey  
7-8 line of said Survey 1175 and said Survey 1292 for a distance of  
7-9 939.25 feet to a 4.5" diameter pipe fence angle post marking a  
7-10 deflection point of the herein described tract;  
7-11 2.) S 19° 27' 20" E, passing the ostensible common survey  
7-12 line of said Survey 1175 and said Survey 1198, continuing on the  
7-13 same course for a distance of 194.92 feet to a 4.5" diameter pipe  
7-14 fence angle post marking a deflection point of the herein described  
7-15 tract;  
7-16 3.) S 18° 36' 23" W, for a distance of 1644.49 feet to an  
7-17 unmarked corner marking an exterior corner of the herein described  
7-18 tract;  
7-19 THENCE: Crossing into and across Tract II, and generally with  
7-20 the fence for the following thirteen (13) calls:  
7-21 14.) N 72° 35' 23" W, for a distance of 464.92 feet to a  
7-22 leaning 7" diameter cedar fence angle post marking a deflection  
7-23 point of the herein described tract;  
7-24 15.) N 24° 16' 53" W, for a distance of 222.53 feet to a 4.5"  
7-25 diameter pipe 2-way fence corner post marking an interior corner of  
7-26 the herein described tract;  
7-27 16.) S 66° 54' 13" W, for a distance of 904.65 feet to a 3"  
7-28 diameter pipe 2-way fence corner post marking a deflection point of  
7-29 the herein described tract;  
7-30 17.) N 67° 10' 57" W, for a distance of 20.12 feet to a 3"  
7-31 diameter pipe 3-way fence corner post marking a deflection point of  
7-32 the herein described tract;  
7-33 18.) S 24° 00' 54" W, for a distance of 183.78 feet to a t-  
7-34 post fence angle post marking a deflection point of the herein  
7-35 described tract;  
7-36 19.) S 24° 12' 38" W, for a distance of 641.60 feet to a 3"  
7-37 diameter pipe fence angle post marking a deflection point of the  
7-38 herein described tract;  
7-39 20.) S 54° 15' 53" W, for a distance of 625.15 feet to a 3"  
7-40 diameter pipe 2-way fence corner post marking a deflection point of  
7-41 the herein described tract;  
7-42 21.) S 02° 26' 22" E, for a distance of 20.35 feet to a 3"  
7-43 diameter pipe fence angle post marking a deflection point of the  
7-44 herein described tract;  
7-45 22.) S 18° 20' 46" W, for a distance of 1138.27 feet to a 4.5"  
7-46 diameter pipe 2-way fence corner post at a point on the ostensible  
7-47 common survey line of said Survey 1198 and said Survey 1199, at a  
7-48 point in the northeasterly margin of an unnamed county road, and  
7-49 marking an interior corner of the herein described tract;  
7-50 23.) S 70° 45' 38" E, with the ostensible common survey line  
7-51 of said Survey 1198 and said Survey 1199, and with the northeasterly  
7-52 margin of an unnamed county road for a distance of 563.24 feet to a  
7-53 5" diameter cedar fence angle post marking a deflection point of the  
7-54 herein described tract;  
7-55 24.) S 70° 57' 07" E, with the ostensible common survey line  
7-56 of said Survey 1198 and said Survey 1199, and with the northeasterly  
7-57 margin of an unnamed county road for a distance of 593.07 feet to a  
7-58 t-post fence angle post marking a deflection point of the herein  
7-59 described tract;  
7-60 25.) S 70° 48' 28" E, with the ostensible common survey line  
7-61 of said Survey 1198 and said Survey 1199, and with the northeasterly  
7-62 margin of an unnamed county road for a distance of 498.03 feet to a  
7-63 2.5" diameter pipe fence angle post marking a deflection point of  
7-64 the herein described tract;  
7-65 26.) S 71° 01' 04" E, with the ostensible common survey line  
7-66 of said Survey 1198 and said Survey 1199, and with the northeasterly  
7-67 margin of an unnamed county road for a distance of 62.86 feet to a  
7-68 4.5" diameter pipe fence angle post at the intersection of Red Barn  
7-69 Road and an unnamed county road, and marking a deflection point of

8-1 the herein described tract;

8-2       THENCE: Generally with the fenced margin of Red Barn Road and  
8-3 the herein described tract for the following three (3) calls:

8-4       3.) S 10° 11' 13" W, with the southeasterly margin of said  
8-5 unnamed county road and the herein described tract for a distance of  
8-6 40.83 feet to a 4.5" diameter pipe fence angle post at the  
8-7 intersection of Red Barn Road and an unnamed county road, and  
8-8 marking a deflection point of the herein described tract;

8-9       4.) S 18° 05' 52" E, for a distance of 63.42 feet to a 4.5"  
8-10 diameter pipe fence angle post marking a deflection point of the  
8-11 herein described tract;

8-12       5.) S 19° 15' 01" W, passing the ostensible common survey  
8-13 line of said Survey 1199 and said Survey 1200, continuing on the  
8-14 same course for a distance of 2557.83 feet to a leaning 9" diameter  
8-15 creosote fence angle post marking the east corner of said 100 acres,  
8-16 and marking the south corner of the herein described tract;

8-17       THENCE: Generally with the fence, and with the common  
8-18 boundary lines of said 100 acres and the herein described tract for  
8-19 the following four (4) calls:

8-20       1.) N 70° 50' 51" W, for a distance of 951.03 feet to a 4.5"  
8-21 diameter pipe 3-way fence corner post marking an interior corner of  
8-22 said 100 acres, and marking an exterior corner of the herein  
8-23 described tract;

8-24       2.) N 19° 24' 09" E, for a distance of 331.50 feet to an  
8-25 unmarked corner marking an exterior corner of said 100 acres, and  
8-26 marking an interior corner of the herein described tract;

8-27       3.) N 43° 41' 40" W, at 52.90 feet passing a 3" diameter pipe  
8-28 3-way fence corner post, continuing on the same course for a total  
8-29 distance of 635.25 feet to a 3" diameter pipe fence angle post  
8-30 marking a deflection point of said 100 acres, and marking a  
8-31 deflection point of the herein described tract;

8-32       4.) N 53° 40' 55" W, for a distance of 154.71 feet to a 3"  
8-33 diameter pipe 2-way fence corner post marking the north corner of  
8-34 said 100 acres, marking the east corner of said 311.94 acres, and  
8-35 marking a deflection point of the herein described tract;

8-36       THENCE: N 56° 44' 15" W, crossing into and across said Tract V  
8-37 and said Tract IV, and with the common boundary line of said 311.94  
8-38 acres, crossing the ostensible common survey line of said Survey  
8-39 1199 and said Survey 1200, continuing on the same course, crossing  
8-40 the ostensible common survey line of said Survey 1176 and said  
8-41 Survey 1199, continuing on the same course for a distance of 2768.17  
8-42 feet to a 3" diameter pipe fence angle post marking a deflection  
8-43 point of said 11.25 acres, marking a deflection point of said 311.94  
8-44 acres, and marking the west corner of the herein described tract;

8-45       THENCE: Generally with the fence, and with the common  
8-46 boundary lines of said 11.25 acres and the herein described tract  
8-47 for the following two (2) calls:

8-48       1.) S 79° 52' 38" E, for a distance of 79.02 feet to a 3"  
8-49 diameter pipe fence angle post, marking the south corner of said  
8-50 11.25 acres, and marking an interior corner of the herein described  
8-51 tract;

8-52       2.) N 53° 53' 08" E, for a distance of 296.62 feet to a found  
8-53 leaning 1/2" diameter rebar marking the common corner of said 11.25  
8-54 acres and said 81.60 acres, and marking a deflection point of the  
8-55 herein described tract;

8-56       THENCE: Generally with the fence, and with the common  
8-57 boundary line of said 81.60 acres and the herein described tract for  
8-58 the following four (4) calls:

8-59       1.) N 53° 51' 54" E, for a distance of 1255.14 feet to a 4.5"  
8-60 diameter pipe 3-way fence corner post at a point on the ostensible  
8-61 common survey line of said Survey 1198 and said Survey 1199, marking  
8-62 an exterior corner of said 81.60 acres, and marking an interior  
8-63 corner of the herein described tract;

8-64       2.) N 70° 48' 28" W, with the ostensible common survey line  
8-65 of said Survey 1198 and said Survey 1199 for a distance of 12.11  
8-66 feet to a 4.5" diameter pipe 2-way fence corner post marking the  
8-67 ostensible common survey corner of said Survey 1198 and said Survey  
8-68 1199, at a point on the ostensible southeasterly survey line of said  
8-69 Survey 1176, marking an interior corner of said 81.60 acres, and



9-1 marking an exterior corner of the herein described tract;

9-2 3.) N 55° 07' 54" E, with the ostensible common survey line  
9-3 of said Survey 1176 and said Survey 1198 for a distance of 625.25  
9-4 feet to a 3" diameter pipe 2-way fence corner post marking the  
9-5 ostensible common survey corner of said Survey 1176 and said Survey  
9-6 1175, marking an exterior corner of said 81.60 acres, and marking an  
9-7 interior corner of the herein described tract;

9-8 4.) N 35° 15' 11" W, with the ostensible common survey line  
9-9 of said Survey 1175 and said Survey 1176 for a distance of 532.31  
9-10 feet to a 3" diameter pipe 3-way fence corner post marking the south  
9-11 corner of said 26.73 acres, and marking an interior corner of the  
9-12 herein described tract;

9-13 THENCE: Generally with the fence, and with the common  
9-14 boundary line of said 26.73 acres and the herein described tract for  
9-15 the following two (2) calls:

9-16 1.) N 54° 27' 18" E, for a distance of 564.53 feet to a 3"  
9-17 diameter pipe 3-way fence corner post marking the east corner of  
9-18 said 26.73 acres, and marking an interior corner of the herein  
9-19 described tract;

9-20 2.) N 07° 14' 52" W, at 1318.99 feet passing a 4.5" diameter  
9-21 pipe 3-way fence corner post, continuing on the same course for a  
9-22 total distance of 1320.13 feet to an unmarked corner at a point on  
9-23 the southeasterly margin of F.M. 1470, marking the north corner of  
9-24 said 26.73 acres, and marking an exterior corner of the herein  
9-25 described tract;

9-26 THENCE: N 65° 54' 29" E, with the fenced southeasterly margin  
9-27 of F.M. 1470 and the herein described tract, at 251.24 feet passing  
9-28 a found TxDOT Type II right-of-way monument, continuing on the same  
9-29 course, at 2250.89 feet passing a found TxDOT Type II right- of-way  
9-30 monument, continuing on the same course, at 3750.75 feet passing a  
9-31 found TxDOT Type II right-of-way monument, continuing on the same  
9-32 course for a total distance of 4773.87 feet to the Place of  
9-33 Beginning and containing 404.48 acres, more or less, of land within  
9-34 the herein described boundary, of which approximately 4.52 acres  
9-35 lie within an unnamed county road (40' R.O.W.), of which  
9-36 approximately 2.17 acres lie within Old Pleasanton & Benton Road  
9-37 (60' R.O.W., platted, and unimproved), and of which approximately  
9-38 4.59 acres lie within enclosure fence (record title unknown),  
9-39 according to an actual on the ground survey made by Smyth Surveyors,  
9-40 Inc. and completed on September 28, 2022.

9-41 Being a boundary survey of 4.52 acres, more or less, of land  
9-42 lying in Atascosa County, Texas, and being out of and a part of G.  
9-43 Hectorne Survey 1199, Abstract No. 370, Atascosa County, Texas.  
9-44 Said 4.52 acres being bounded on the northeast by Tract II (328.52  
9-45 acres), The J W Gorman Family Partnership, Ltd., Document Number  
9-46 137428 of the Atascosa County Official Public Records; on the  
9-47 northwest by the following: 1.) 81.60 acres, James P. Shone, et ux.,  
9-48 Book 707, Page 93 of the Atascosa County Deed Records, and 2.) 11.25  
9-49 acres, James P. Shone, et ux., Book 857, Page 700 of the Atascosa  
9-50 County Deed Records; on the southwest by 0.616 acre simultaneously  
9-51 surveyed this same day; on the south by Tract IV (184.3 acres) The J  
9-52 W Gorman Family Partnership, Ltd., Document Number 137428 of the  
9-53 Atascosa County Official Public Records; and on the southeast by  
9-54 the fenced northwesterly margin of Red Barn Road. Said 4.52 acres  
9-55 being more particularly described by metes and bounds as follows:  
9-56 (The courses, distances, areas and any coordinates cited herein or  
9-57 shown on the corresponding survey plat conform to the Texas  
9-58 Coordinate System, North American Datum 1983, Texas South Central  
9-59 Zone.) (All corners called for as being set are marked on the ground  
9-60 with 1/2" diameter rebar with plastic identification caps stamped  
9-61 "RPLS/6418" attached unless otherwise noted or shown.)

9-62 BEGINNING at a 4.5" diameter pipe fence angle post at a point  
9-63 on the ostensible common survey line of said Survey 1199 and N.  
9-64 Mcada Survey 1198, Abstract No. 566, at the intersection of Red  
9-65 Barn Road and an unnamed county road, and marking an exterior corner  
9-66 of the herein described tract;

9-67 THENCE: S 10° 11' 13" W, with the southeasterly margin of said  
9-68 unnamed county road and the herein described tract for a distance of  
9-69 40.83 feet to a 4.5" diameter pipe fence angle post at the

10-1 intersection of Red Barn Road and an unnamed county road, and  
 10-2 marking an exterior corner of the herein described tract;

10-3 THENCE: With the southerly margin of said unnamed county road  
 10-4 and said 184.3 acres for the following five (5) calls:

10-5 1.) N 70° 52' 16" W, for a distance of 1715.73 feet to an  
 10-6 unmarked corner marking a deflection point of the herein described  
 10-7 tract;

10-8 2.) N 71° 28' 14" W, for a distance of 1614.73 feet to an  
 10-9 unmarked corner marking an interior corner of the herein described  
 10-10 tract;

10-11 3.) S 53° 51' 54" W, for a distance of 1234.46 feet to an  
 10-12 unmarked corner marking a deflection point of the herein described  
 10-13 tract;

10-14 4.) S 53° 53' 08" W, for a distance of 286.02 feet to an  
 10-15 unmarked corner marking an exterior corner of the herein described  
 10-16 tract;

10-17 5.) N 79° 52' 38" W, for a distance of 68.45 feet to an  
 10-18 unmarked corner marking the east corner of said 0.616 acre, and  
 10-19 marking a deflection point of the herein described tract;

10-20 THENCE: N 56° 44' 15" W, with the common boundary line of said  
 10-21 0.616 acre and the herein described tract for a distance of 50.89  
 10-22 feet to a 3" diameter pipe fence angle post marking a deflection  
 10-23 point of said 11.25 acres, marking a deflection point of said 0.616  
 10-24 acre, and marking the west corner of the herein described tract;

10-25 THENCE: Generally with the fence, and with the common  
 10-26 boundary lines of said 11.25 acres and the herein described tract  
 10-27 for the following two (2) calls:

10-28 3.) S 79° 52' 38" E, for a distance of 79.02 feet to a 3"  
 10-29 diameter pipe fence angle post, marking the south corner of said  
 10-30 11.25 acres, and marking an interior corner of the herein described  
 10-31 tract;

10-32 4.) N 53° 53' 08" E, for a distance of 296.62 feet to a found  
 10-33 leaning 1/2" diameter rebar marking the common corner of said 11.25  
 10-34 acres and said 81.60 acres, and marking a deflection point of the  
 10-35 herein described tract;

10-36 THENCE: N 53° 51' 54" E, generally with the fence, and with the  
 10-37 common boundary line of said 81.60 acres and the herein described  
 10-38 tract for a distance of 1255.14 feet to a 4.5" diameter pipe 3-way  
 10-39 fence corner post at a point on the ostensible common survey line of  
 10-40 said Survey 1198 and said Survey 1199, marking an exterior corner of  
 10-41 said 81.60 acres, at a point on a southwesterly line of said 328.52  
 10-42 acres, and marking the north corner of the herein described tract;

10-43 THENCE: With the ostensible common survey line of said Survey  
 10-44 1198 and said Survey 1199, and with the common boundary lines of  
 10-45 said 328.52 acres and the herein described tract for the following  
 10-46 two (2) calls:

10-47 3.) S 71° 28' 14" E, for a distance of 1635.61 feet to an  
 10-48 unmarked corner marking a deflection point of the herein described  
 10-49 tract;

10-50 4.) S 70° 52' 56" E for a distance of 1709.60 feet to the  
 10-51 Place of Beginning and containing 4.52 acres, more or less, of land  
 10-52 within the herein described boundary according to an actual on the  
 10-53 ground survey made by Smyth Surveyors, Inc. and completed on  
 10-54 November 30, 2022.

10-55 Being a boundary survey of 311.94 acres, more or less, of land  
 10-56 lying in Atascosa County, Texas, being out of and parts of G.  
 10-57 Hectorne Survey 1199, Abstract No. 370, W. Morrow Survey 1200,  
 10-58 Abstract No. 589, C. Horton Survey 1201, Abstract No. 380, and E.S.  
 10-59 Harper Survey 1202, Abstract No. 366, being out of and a part of  
 10-60 John T. Horton Ranch, recorded in Slide 25-A of the Atascosa County  
 10-61 New Plat Cabinet, and also being comprised of a composite of those  
 10-62 same certain tracts called Tract III (146.374 acres), Tract IV  
 10-63 (remainder of 184.3 acres), Tract V (101.87 acres), and Tract VI  
 10-64 (57.46 acres) as described in conveyance document to The J W Gorman  
 10-65 Family Partnership, Ltd., recorded in Document Number 137428 of the  
 10-66 Atascosa County Official Public Records, Atascosa County, Texas.  
 10-67 Said 311.94 acres being bounded on the northwest by the fenced  
 10-68 southeasterly margin of F.M. 1470 (Leming Drive); on the northeast  
 10-69 by 11.25 acres, James P. Shone, et ux., Book 857, Page 700 of the

11-1 Atascosa County Deed Records; on the southeast by 100 acres,  
 11-2 Carolyn Daniel, Document Number 143664 of the Atascosa County  
 11-3 Official Public Records; and on the southwest by the fenced  
 11-4 northeasterly margin of Strawberry City Road. Said 311.94 acres  
 11-5 being more particularly described by metes and bounds as follows:  
 11-6 (The courses, distances, areas and any coordinates cited herein or  
 11-7 shown on the corresponding survey plat conform to the Texas  
 11-8 Coordinate System, North American Datum 1983, Texas South Central  
 11-9 Zone.) (All corners called for as being set are marked on the ground  
 11-10 with 1/2" diameter rebar with plastic identification caps stamped  
 11-11 "RPLS/6418" attached unless otherwise noted or shown.)

11-12 BEGINNING at a 3" diameter pipe 2-way fence corner post  
 11-13 marking the north corner of said 100 acres, and marking the east  
 11-14 corner of the herein described tract;

11-15 THENCE: S 18° 52' 45" W, generally with the fence, passing the  
 11-16 ostensible common survey line of said Survey 1200 and said Survey  
 11-17 1201, continuing on the same course for a distance of 3122.32 feet  
 11-18 to a 3" diameter pipe 3-way fence corner post marking the west  
 11-19 corner of said 100 acres, and marking the south corner of the herein  
 11-20 described tract;

11-21 THENCE: Generally with the fenced northeasterly margin of  
 11-22 Strawberry City Road and the herein described tract for the  
 11-23 following three (3) calls:

11-24 1.) N 71° 46' 34" W, for a distance of 1069.95 feet to a 3"  
 11-25 diameter pipe fence angle post marking a deflection point of the  
 11-26 herein described tract;

11-27 2.) N 71° 35' 54" W, for a distance of 405.81 feet to a 3"  
 11-28 diameter pipe fence angle post marking a deflection point of the  
 11-29 herein described tract;

11-30 3.) N 70° 56' 03" W, for a distance of 2171.57 feet to a found  
 11-31 leaning TxDOT Type I right-of-way monument at the intersection of  
 11-32 Strawberry City Road and F.M. 1470, and marking a deflection point  
 11-33 of the herein described tract;

11-34 THENCE: Generally with the fenced southeasterly margin of  
 11-35 F.M. 1470 and the herein described tract for the following four (4)  
 11-36 calls:

11-37 1.) N 26° 01' 40" W, for a distance of 106.32 feet to a found  
 11-38 TxDOT Type II right-of-way monument at a point on the ostensible  
 11-39 common survey line of said Survey 1200 and said Survey 1201, and  
 11-40 marking the west corner of the herein described tract;

11-41 2.) N 19° 25' 08" E, with the ostensible common survey line  
 11-42 of said Survey 1200 and said Survey 1201, passing the ostensible  
 11-43 common survey corner of said Survey 1200 and said Survey 1201,  
 11-44 continuing on the same course, at 2898.84 feet passing a found TxDOT  
 11-45 Type II right-of-way monument, continuing on the same course,  
 11-46 passing the ostensible common survey line of said Survey 1200 and  
 11-47 said Survey 1202, continuing on the same course for a total distance  
 11-48 of 4363.12 feet to a found TxDOT Type II right-of-way monument  
 11-49 marking a deflection point of the herein described tract;

11-50 3.) N 83° 05' 12" E, for a distance of 66.64 feet to a found  
 11-51 broken TxDOT Type I right-of-way monument marking a deflection  
 11-52 point of the herein described tract;

11-53 4.) N 26° 16' 04" E, for a distance of 25.94 feet to a 3"  
 11-54 diameter pipe 3-way fence corner post at a point on the ostensible  
 11-55 common survey line of said Survey 1202 and I. Wautz Survey 1176,  
 11-56 Abstract No. 895, marking a deflection point of said 11.25 acres,  
 11-57 and marking the north corner of the herein described tract;

11-58 THENCE: S 35° 21' 31" E, generally with the fence, with the  
 11-59 ostensible common survey line of said Survey 1202 and said Survey  
 11-60 1176, and with the common boundary lines of said 11.25 acres and the  
 11-61 herein described tract for a distance of 1154.04 feet to a 3"  
 11-62 diameter pipe fence angle post marking a deflection point of said  
 11-63 11.25 acres, and marking a deflection point of the herein described  
 11-64 tract;

11-65 THENCE: S 56° 44' 15" E, crossing into and across said Tract IV  
 11-66 and said Tract V, crossing the ostensible common survey line of said  
 11-67 Survey 1176 and said Survey 1199, continuing on the same course,  
 11-68 crossing the ostensible common survey line of said Survey 1199 and  
 11-69 said Survey 1200, continuing on the same course for a distance of

12-1 2768.17 feet to the Place of Beginning and containing 311.94 acres,  
 12-2 more or less, of land within the herein described boundary, of which  
 12-3 approximately 0.61 acre lie within an unnamed county road (40'  
 12-4 R.O.W.), and of which approximately 2.76 acres lie within Old  
 12-5 Pleasanton & Benton Road (60' R.O.W., platted, and unimproved),  
 12-6 according to an actual on the ground survey made by Smyth Surveyors,  
 12-7 Inc. and completed on September 20, 2022.

12-8 Being a boundary survey of 399.52 acres, more or less, of land  
 12-9 lying in Atascosa County, Texas, being out of and parts of S.  
 12-10 Arreola Survey 1120, Abstract No. 37, S. Arreola Survey 1119,  
 12-11 Abstract No. 36, I. Wautz Survey 1175, Abstract No. 896, and M.  
 12-12 Moritz Survey 1292, Abstract No. 586, and also being that same  
 12-13 certain tract called Tract I (400.01 acres) as described in  
 12-14 conveyance document to The J W Gorman Family Partnership, Ltd.,  
 12-15 recorded in Document Number 137428 of the Atascosa County Official  
 12-16 Public Records, Atascosa County, Texas. Said 399.52 acres being  
 12-17 bounded on the southeast by the fenced northwesterly margin of F.M.  
 12-18 1470 (Leming Drive); on the west by 48.24 acres, Maurilio and Diane  
 12-19 Gonzales, Document Number 152961 of the Atascosa County Official  
 12-20 Public Records; on the northwest by the following: 1.) 101.21  
 12-21 acres, Maurilio and Diane Gonzales, Jr., Document Number 152953 of  
 12-22 the Atascosa County Official Public Records, 2.) 94.42 acres,  
 12-23 Maurilio and Diane Gonzales, Document Number 152956 of the Atascosa  
 12-24 County Official Public Records, and 3.) 100.00 acres, David L.  
 12-25 Domsch, Volume 173, Page 690 of the Atascosa Official Public  
 12-26 Records; and on the northeast by the fenced margin of Red Barn Road.  
 12-27 Said 399.52 acres being more particularly described by metes and  
 12-28 bounds as follows: (The courses, distances, areas and any  
 12-29 coordinates cited herein or shown on the corresponding survey plat  
 12-30 conform to the Texas Coordinate System, North American Datum 1983,  
 12-31 Texas South Central Zone.) (All corners called for as being set are  
 12-32 marked on the ground with 1/2" diameter rebar with plastic  
 12-33 identification caps stamped "RPLS/6418" attached unless otherwise  
 12-34 noted or shown.)

12-35 BEGINNING at an unmarked corner at a point on the  
 12-36 northwesterly margin of F.M. 1470, marking the southeast corner of  
 12-37 said 48.24 acres, and marking the south corner of the herein  
 12-38 described tract, from which a found TxDOT Type I right-of-way  
 12-39 monument bears S 65° 54' 36" W at a distance of 1453.64 feet;

12-40 THENCE: N 07° 18' 28" W, with the common boundary line of said  
 12-41 48.24 acres and the herein described tract, at 0.35 feet passing a  
 12-42 4.5" diameter pipe 3-way fence corner post, continuing on the same  
 12-43 course and now generally with the fence for a total distance of  
 12-44 1240.29 feet to a 3" diameter pipe 3-way fence corner post at a  
 12-45 point on the ostensible common survey line of said Survey 1175 and  
 12-46 S. Arreola Survey 1119, Abstract No. 36, marking a deflection point  
 12-47 of said 48.24 acres, marking the south corner of said 101.21 acres,  
 12-48 and marking an exterior corner of the herein described tract;

12-49 THENCE: N 54° 01' 39" E, generally with the fence, with the  
 12-50 ostensible common survey line of said Survey 1175 and said Survey  
 12-51 1119, and with the common boundary line of said 101.21 acres and the  
 12-52 herein described tract, passing the common corner of said 101.21  
 12-53 acres and said 94.42 acres, continuing on the same course and now  
 12-54 with the common boundary line of said 94.42 acres and the herein  
 12-55 described tract for a distance of 2591.83 feet to a 11" diameter  
 12-56 creosote 2-way fence corner post marking the ostensible common  
 12-57 survey corner of said Survey 1175 and said Survey 1119, at a point  
 12-58 on the ostensible southwesterly survey line of said Survey 1120,  
 12-59 marking the east corner of said 94.42 acres, and marking an interior  
 12-60 corner of the herein described tract;

12-61 THENCE: N 36° 08' 32" W, generally with the diverging fence,  
 12-62 with the ostensible common survey line of said Survey 1119 and said  
 12-63 Survey 1120, and with the common boundary line of said 94.42 acres  
 12-64 and the herein described tract for a distance of 2093.55 feet to a  
 12-65 found 5/8" diameter rebar with a plastic cap marked "JOHN  
 12-66 HOWARD/RPLS 4611" marking the south corner of said 100.00 acres,  
 12-67 and marking an exterior corner of the herein described tract;

12-68 THENCE: N 55° 00' 19" E, with the common boundary line of said  
 12-69 100.00 acres and the herein described tract for a distance of

13-1 3594.33 feet to a found 5/8" diameter rebar with a plastic cap  
 13-2 marked "JOHN HOWARD/RPLS 4611" at a point on the southwesterly  
 13-3 margin of Red Barn Road, marking the east corner of said 100.00  
 13-4 acres, and marking the north corner of the herein described tract;

13-5 THENCE: S 35° 14' 40" E, generally with the converging fence,  
 13-6 and with the southwesterly margin of Red Barn Road and the herein  
 13-7 described tract for a distance of 1793.52 feet to a 9" diameter  
 13-8 creosote fence angle post marking a deflection point of the herein  
 13-9 described tract;

13-10 THENCE: Generally with the fenced margin of Red Barn Road and  
 13-11 the herein described tract for the following four (4) calls:

13-12 4.) S 34° 53' 17" E, for a distance of 764.74 feet to a 9"  
 13-13 diameter creosote fence angle post marking a deflection point of  
 13-14 the herein described tract;

13-15 5.) S 13° 30' 50" E, passing the ostensible common survey  
 13-16 line of said Survey 1120 and said Survey 1292, continuing on the  
 13-17 same course for a distance of 221.66 feet to an 8" diameter creosote  
 13-18 fence angle post marking a deflection point of the herein described  
 13-19 tract;

13-20 6.) S 15° 45' 50" W, for a distance of 584.06 feet to an 8"  
 13-21 diameter creosote fence angle post marking a deflection point of  
 13-22 the herein described tract;

13-23 7.) S 18° 08' 23" W, for a distance of 1666.51 feet to a found  
 13-24 TxDOT Type II right-of-way monument at the intersection of Red Barn  
 13-25 Road and F.M. 1470, and marking a deflection point of the herein  
 13-26 described tract;

13-27 THENCE: With the fenced northwesterly margin of F.M. 1470 and  
 13-28 the herein described tract for the following two (2) calls:

13-29 1.) S 41° 45' 44" W, for a distance of 91.46 feet to an  
 13-30 unmarked corner marking a deflection point of the herein described  
 13-31 tract, from which point a 4.5" diameter pipe fence angle post bears  
 13-32 N 53° 54' 38" W at a distance of 2.48 feet;

13-33 2.) S 65° 54' 36" W, passing the ostensible common survey  
 13-34 line of said Survey 1292 and said Survey 1175, continuing on the  
 13-35 same course, at 1137.84 feet passing a found TxDOT Type II  
 13-36 right-of-way monument, continuing on the same course, at 2637.64  
 13-37 feet passing a found TxDOT Type II right-of-way monument,  
 13-38 continuing on the same course, at 3121.06 feet passing a found TxDOT  
 13-39 Type II right-of-way monument, continuing on the same course, at  
 13-40 4637.23 feet passing 1.12 feet to the right of a found TxDOT Type II  
 13-41 right-of-way monument, continuing on the same course, for a total  
 13-42 distance of 4858.45 feet to the Place of Beginning and containing  
 13-43 399.52 acres, more or less, of land within the herein described  
 13-44 boundary, according to an actual on the ground survey made by D. G.  
 13-45 Smyth & Co., Inc. and completed on August 26, 2022.

13-46 SECTION 3. (a) The legal notice of the intention to  
 13-47 introduce this Act, setting forth the general substance of this  
 13-48 Act, has been published as provided by law, and the notice and a  
 13-49 copy of this Act have been furnished to all persons, agencies,  
 13-50 officials, or entities to which they are required to be furnished  
 13-51 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 13-52 Government Code.

13-53 (b) The governor, one of the required recipients, has  
 13-54 submitted the notice and Act to the Texas Commission on  
 13-55 Environmental Quality.

13-56 (c) The Texas Commission on Environmental Quality has filed  
 13-57 its recommendations relating to this Act with the governor, the  
 13-58 lieutenant governor, and the speaker of the house of  
 13-59 representatives within the required time.

13-60 (d) All requirements of the constitution and laws of this  
 13-61 state and the rules and procedures of the legislature with respect  
 13-62 to the notice, introduction, and passage of this Act are fulfilled  
 13-63 and accomplished.

13-64 SECTION 4. (a) If this Act does not receive a two-thirds  
 13-65 vote of all the members elected to each house, Subchapter C, Chapter  
 13-66 7957A, Special District Local Laws Code, as added by Section 1 of  
 13-67 this Act, is amended by adding Section 7957A.0308 to read as  
 13-68 follows:

13-69 Sec. 7957A.0308. NO EMINENT DOMAIN POWER. The district may

14-1 not exercise the power of eminent domain.

14-2 (b) This section is not intended to be an expression of a  
14-3 legislative interpretation of the requirements of Section 17(c),  
14-4 Article I, Texas Constitution.

14-5 SECTION 5. This Act takes effect immediately if it receives  
14-6 a vote of two-thirds of all the members elected to each house, as  
14-7 provided by Section 39, Article III, Texas Constitution. If this  
14-8 Act does not receive the vote necessary for immediate effect, this  
14-9 Act takes effect September 1, 2023.

14-10

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