

By: Cook of Colorado

H.B. No. 3636

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation, administration, powers, duties,
3 operation, and financing of the Colony Municipal Utility District
4 No. 1.

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

6 SECTION 1. DEFINITIONS. In this Act:

7 (1) "Board" means the board of directors of the
8 district.

9 (2) "Commission" means the Texas Commission on
10 Environmental Quality.

11 (3) "District" means the Colony Municipal Utility
12 District No. 1.

13 SECTION 2. CREATION. (a) A municipal utility district, to
14 be known as the Colony Municipal Utility District No. 1, is created
15 in Bastrop County, subject to approval by the City of Bastrop under
16 Section 8 of this Act and voter approval at a confirmation election
17 under Section 13 of this Act.

18 (b) The district is a governmental agency and a political
19 subdivision of this state.

20 SECTION 3. AUTHORITY FOR CREATION. The district is created
21 under and is essential to accomplish the purpose of Section 59,
22 Article XVI, Texas Constitution.

23 SECTION 4. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The
24 district is created to serve a public use and benefit.

1 (b) All of the land and other property included within the
2 boundaries of the district will be benefited by the works and
3 projects that are to be accomplished by the district under powers
4 conferred by Section 59, Article XVI, Texas Constitution.

5 SECTION 5. BOUNDARIES. The boundaries of the district are
6 as follows:

7 Approximately 1491.04 acres of land, consisting of the following
8 four tracts:

9 Tract 1: Approximately 697.62 acres, being all of that certain
10 1,403.432 acre tract described below; SAVE AND EXCEPT (i) that
11 550.032 acre tract or portion thereof described in the deed
12 recorded in Volume 1008, Page 428, Deed Records of Bastrop County,
13 Texas, and (ii) that 155.78 acre tract or portion thereof more fully
14 described below.

15 BEING a 1403.432 acre tract or parcel of land out of and being a part
16 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and
17 being a part of that certain tract said to contain 1375.57 acres
18 described in a deed from Texas Commerce Bank National Association
19 to John B. Duff and Robert E. Duff, dated December 4, 1989, recorded
20 in Volume 558, Page 486, Bastrop County Deed Records. Herein
21 described tract or parcel of land being more particularly described
22 by metes and bounds as follows:

23 BEGINNING at a 1/2 inch iron rod found at a fence corner in
24 the south line of the said Jose Manuel Bangs Survey and north line
25 of the Nancy Blakey Survey, A-98, and north line of The Woodlands, a
26 subdivision in said county as recorded in Plat Cabinet 2, Page 350A,
27 Bastrop County Plat Records, the west or southwest corner of that

1 certain 287.160 acre tract described in a deed from Eddie M.
2 Frazier, Jr., et ux, to Hughes Market Basket, Inc., recorded in
3 Volume 897, Page 179, Bastrop County Deed Records, for a southeast
4 corner of this tract.

5 THENCE with the south line of the Jose Manuel Bangs Survey,
6 the north line of the Nancy Blakey Survey, S 88 deg. 54 min. 47 sec.
7 W, at 1278.12 feet pass a 1/2 inch iron rod found at the northwest
8 corner of The Woodlands and northeast corner of the Joe L. Middleton
9 19.82 acre tract described in a deed recorded in Volume 314, Page
10 718, Bastrop County Deed Records, at approximately 2095 feet pass
11 the northwest corner of the Middleton tract and northeast corner of
12 the Ulysses Johnson 8.85 acre tract described in a deed recorded in
13 Volume 315, Page 67, Bastrop County Deed Records, at approximately
14 2530 feet past he northwest corner of the Bobby R. Taylor 7.96 acre
15 tract described in a deed recorded in Volume 323, Page 202, Bastrop
16 County Deed Records, in all, 2947.22 feet to a 1/2 inch iron rod
17 found at a fence corner, the southeast corner of that certain 8.285
18 acre tract described as Tract No. 2 in a deed from Robert W. Mayo to
19 Larry Kendrick, recorded in Volume 896, Page 106, Bastrop County
20 Deed Records, for the southwest corner of this tract.

21 THENCE N 00 deg. 12 min. 57 sec. W, at approximately 595.55
22 feet pass the northeast corner of the Kendrick 8.285 acre tract and
23 southeast corner of that certain 14.59 acre tract described in a
24 deed from Clara Hodge Powell to James Hoskins, recorded in Volume
25 633, Page 298, Bastrop County Deed Records, in all, 1204.17 feet to
26 a 1/2 inch iron rod found at the northeast corner of the Hoskins
27 tract, the southeast corner of that certain 19.165 acre tract

1 described in a deed to Dale Slaughter, recorded in Volume 894, Page
2 870, Bastrop County Deed Records, for an angle corner of this tract.

3 THENCE N 01 deg. 02 min. 54 sec. W, 361.30 feet to a 1/2 inch
4 iron rod found at the northeast corner of the Slaughter tract, the
5 southeast corner of the Viola McMarion, et al, 19.230 acre tract
6 described in a deed recorded in Volume 168, Page 167, Bastrop County
7 Deed Records, for an angle corner of this tract.

8 THENCE N 01 deg. 09 min. 55 sec. W, 391.65 feet to a 5/8 inch
9 iron rod found at the northeast corner of the McMarion tract, the
10 southeast corner of Greenfields, a subdivision as recorded in Plat
11 Cabinet 1, Page 192A Bastrop County Plat Records, for an angle
12 corner of this tract.

13 THENCE N 00 deg. 37 min. 02 sec. W, 423.90 feet to a 60d nail
14 found at a fence corner post, the northeast corner of Greenfields
15 subdivision, the southeast corner of the Leon Anderson 10.70 acre
16 tract described in an Affidavit of Heirship, recorded in Volume
17 815, Page 366, Bastrop County Deed Records, for an angle corner of
18 this tract.

19 THENCE N 00 deg. 35 min. 26 sec. W, 1530.51 feet to a 5/8 inch
20 iron rod found at a fence corner, the northeast corner of the
21 Anderson tract, for an interior corner of this tract.

22 THENCE with the north line of the Anderson 10.70 acre tract
23 and north line of that certain 21.602 acre tract described in a
24 Contract of Sale and Purchase from the Veteran's Land Board of Texas
25 to Thomas Michael Kenney, et al, recorded in Volume 882, Page 206,
26 Bastrop County Deed Records, the north line of that certain 31.10
27 acre tract described in 3 tracts in a deed from Robert Johnson, et

1 ux, to Doris R. Johnson, et al, recorded in Volume 311, page 493,
2 Bastrop County Deed Records, S 89 deg. 54 min. 47 sec. W, 611.10
3 feet to a 5/8 inch iron rod found; S 89 deg. 53 min. 59 sec. W,
4 592.44 feet to a 5/8 inch iron rod set for the southeast corner of
5 that certain 111 acre tract less highway described in a deed from
6 Jimmy E. Gerwin, et ux, to Edward F. Galwardi, et ux, recorded in
7 Volume 196, Page 460, Bastrop County Deed Records, for an upper
8 southwest corner of this tract, from which a 1/2 inch iron rod found
9 in the east line of Farm to Market Road No. 1209 bears S 89 deg. 53
10 min. 59 sec. W, 74.58 feet.

11 THENCE with the east line of the Galwardi 111 acre tract, N 00
12 deg. 00 min. 00 sec. E, 197.55 feet to a 5/8 inch iron rod set where
13 same intersects the east line of Farm to Market Road No. 1209.

14 THENCE with the east line of Farm to Market Road No. 1209, N
15 20 deg. 40 min. 16 sec. E, 362.32 feet to a concrete right-of-way
16 marker found; N 15 deg. 10 min. 11 sec. E, 201.43 feet to a 5/8 inch
17 iron rod set; N 20 deg. 40 min. 16 sec. E, 194.90 feet to a concrete
18 right-of-way marker found at the beginning of a curve to the right.

19 THENCE with the said curve to the right whose radius is
20 2824.79 feet; whose long chord bears N 26 deg. 51 min. 35 sec. E,
21 600.78 feet; 601.92 feet along the arc to a 1/2 inch iron rod found
22 at the southwest corner of that certain 4.751 acre tract described
23 in a deed from Robert T. Patterson to Wilfred Wilson, recorded in
24 Volume 692, Page 764, Bastrop County Deed Records, for an angle
25 corner of this tract.

26 THENCE with the south line of the Wilson 4.751 acre tract, N
27 82 deg. 26 min. 11 sec. E, 626.83 feet to the southeast corner of

1 same, a 1/2 inch iron rod found at a fence corner, for an interior
2 corner of this tract.

3 THENCE with the east line of the Wilson 4.751 acre tract, N 00
4 deg. 49 min. 36 sec. W, 592.67 feet to a 1/2 inch iron rod found at
5 the northeast corner of same in the southeast line of Farm to Market
6 Road No. 1209, for an angle corner of this tract.

7 THENCE with the southeast line of Farm to Market Road No.
8 1209, N 51 deg. 08 min. 14 sec. E, 466.02 feet to a concrete
9 right-of-way marker found; N 56 deg. 45 min. 57 sec. E, 200.98 feet
10 to a concrete right-of-way marker found; N 51 deg. 05 min. 39 sec.
11 E, 599.62 feet to a concrete right-of-way marker found; N 51 deg. 06
12 min. 14 sec, E, 100.34 feet to a right-of-way monument found; N 45
13 deg. 27 min. 49 sec. E, 200.85 feet to a concrete right-of-way
14 found; N 50 deg. 52 min. 25 sec. E, 33.38 feet to a 1/2 inch iron rod
15 found at the southwest corner of Forest Park Estates, a subdivision
16 as recorded in Plat Cabinet No. 3, Page 117B, Bastrop County Plat
17 Records, for an angle corner of this tract.

18 THENCE with the south line of Forest Park Subdivision and the
19 south line of that certain 25.877 acre tract described in a deed
20 from Toya L. Lutz to Gwendolyn E. Dennis, et al, recorded in Volume
21 726, Page 737, Bastrop County Deed Records, S 69 deg. 57 min. 03
22 sec. E, at 913.36 feet pass a 5/8 inch iron rod found at the
23 southeast corner of the Forest Park Estates and southwest corner of
24 the Dennis tract, in all, 1338.70 feet to the southeast corner of
25 the Dennis 25.877 acre tract, a 1/2 inch iron rod found at the west
26 corner of the Snyder Family Partnership, Ltd., 146 acre tract
27 described in Volume 561, Page 170, Bastrop County Deed Records, for

1 an angle corner of this tract.

2 THENCE with the southwest line of the Snyder 146 acre tract, S
3 45 deg. 20 min. 06 sec. E, 1108.96 feet to the south corner of same,
4 a 3/4 inch iron pipe found at a fence corner, the west corner of that
5 certain 163.258 acre tract described in a deed from Naomi Ekman to
6 Julian Lockwood, et ux, recorded in Volume 736, Page 680, Bastrop
7 County Deed Records, for an angle corner of this tract.

8 THENCE with the southwest line of the Lockwood 163.258 acre
9 tract, S 46 deg. 15 min. 57 sec. E, 1110.82 feet to the south corner
10 of same, a 1/2 inch iron rod found at a fence, for an interior corner
11 of this tract.

12 THENCE with the southeast line of the Lockwood 163.258 acre
13 tract, N 44 deg. 52 min. 11 sec. E, 4150.93 feet to a 1/2 inch iron
14 rod found; N 46 deg. 22 min. 35 sec. E, 817.62 feet to a 1/2 inch
15 iron rod found; N 44 deg. 18 min. 40 sec. E, 1148.99 feet to a 3/4
16 inch iron pipe found where same intersects the southeast line of
17 County Road No. 228, also known as Earhardt Road, at the termination
18 of same, for an angle corner of this tract.

19 THENCE with the southeast line of Earhardt Road, N 54 deg. 42
20 min. 04 sec. E, 100.62 feet to a 1/2 inch iron rod found; N 45 deg.
21 37 min. 33 sec. E, 4364.00 feet to a 1/2 inch iron rod found where
22 same intersects the southwest line of Farm to Market Road No. 969,
23 for the most northerly west corner of this tract.

24 THENCE with the southwest line of Farm to Market Road No. 969,
25 S 44 deg. 55 min. 43 sec. E, 2087.84 feet to a 5/8 inch iron rod
26 found at the north corner of that certain 516.760 acre tract
27 described in a deed from Sam Johnson, et ux, to W.W. Oatman, et al,

1 recorded in Volume 917, Page 389, Bastrop County Deed Records, for
2 the most northerly east corner of this tract.

3 THENCE with the northwest line of the Oatman 516.760 acre
4 tract, S 45 deg. 25 min. 56 sec. W, 10,572.45 feet to the west corner
5 of same, a 1 1/2 inch iron pipe found at a fence corner for an
6 interior corner of this tract.

7 THENCE with the southwest line of the Oatman 516.760 acre
8 tract, S 44 deg. 51 min. 36 sec. E, 1937.50 feet to a 1/2 inch iron
9 rod found at an angle of the northwest line of the before mentioned
10 Hughes Market Basket 287.160 acre tract, for a lower east corner of
11 this tract.

12 THENCE with the northwest line of the Hughes Market Basket
13 287.160 acre tract, S 59 deg. 15 min. 52 sec. W, 1698.59 feet to a
14 fence angle post; S 59 deg. 24 min. 20 sec. W, 3614.89 feet to the
15 POINT OF BEGINNING, containing 1403.432

16 SAVE AND EXCEPT the following described 550.032 acre tract or
17 portion thereof:

18 BEING a 550.032 acre tract or parcel of land out of and being a part
19 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and
20 being a part of that certain tract said to contain 1375.57 acres
21 described in a deed from Texas Commerce Bank National Association
22 to John B. Duff and Robert E. Duff, dated December 4, 1989, recorded
23 in Volume 558, Page 486, Bastrop County Deed Records. Herein
24 described tract or parcel of land being more particularly described
25 by metes and bounds as follows:

26 COMMENCING FOR REFERENCE at a 1/2 inch iron rod found at a
27 fence corner in the south line of the said Jose Manuel Bangs Survey

1 and north line of the Nancy Blakey Survey, A-98, and north line of
2 The Woodlands, a subdivision in said county as recorded in Plat
3 Cabinet 2, Page 350A, Bastrop County Plat Records, the west or
4 southwest corner of that certain 287.160 acre tract described in a
5 deed from Eddie M. Frazier, Jr., et ux, to Hughes Market Basket,
6 Inc., recorded in Volume 897, Page 179, Bastrop County Deed
7 Records.

8 THENCE with the south line of the Jose Manuel Bangs Survey and
9 north line of the Nancy Blakey Survey, S 88 deg. 54 min. 47 sec. W,
10 557.92 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING,
11 the southeast corner of this tract.

12 THENCE continuing with the south line of the Jose Manuel
13 Bangs Survey, the north line of the Nancy Blakey Survey, S 88 deg.
14 54 min. 47 sec. W, at 720.20 feet pass a 1/2 inch iron rod found at
15 the northwest corner of the Woodlands and northeast corner of the
16 Joe L. Middleton 19.82 acre tract described in a deed recorded in
17 Volume 314, Page 718, Bastrop County Deed Records, at approximately
18 1537 feet pass the northwest corner of the Middleton tract and
19 northeast corner of the Ulysses Johnson 8.85 acre tract described
20 in a deed recorded in Volume 315, Page 67, Bastrop County Deed
21 Records, at approximately 1972 feet past he northwest corner of the
22 Bobby R. Taylor 7.96 acre tract described in a deed recorded in
23 Volume 323, Page 202, Bastrop County Deed Records, in all, 2389.30
24 feet to a 1/2 inch iron rod found at a fence corner, the southeast
25 corner of that certain 8.285 acre tract described as Tract No. 2 in
26 a deed from Robert W. Mayo to Larry Kendrick, recorded in Volume
27 896, Page 106, Bastrop County Deed Records, for the southwest

1 corner of this tract.

2 THENCE N 00 deg. 12 min. 57 sec. W, at approximately 595.55
3 feet pass the northeast corner of the Kendrick 8.285 acre tract and
4 southeast corner of that certain 14.59 acre tract described in a
5 deed from Clara Hodge Powell to James Hoskins, recorded in Volume
6 633, Page 298, Bastrop County Deed Records, in all, 1204.17 feet to
7 a 1/2 inch iron rod found at the northeast corner of the Hoskins
8 tract, the southeast corner of that certain 19.165 acre tract
9 described in a deed to Dale Slaughter, recorded in Volume 894, Page
10 870, Bastrop County Deed Records, for an angle corner of this tract.

11 THENCE N 01 deg. 02 min. 54 sec. W, 361.30 feet to a 1/2 inch
12 iron rod found at the northeast corner of the Slaughter tract, the
13 southeast corner of the Viola McMarion, et al, 19.230 acre tract
14 described in a deed recorded in Volume 168, Page 167, Bastrop County
15 Deed Records, for an angle corner of this tract.

16 THENCE N 01 deg. 09 min. 55 sec. W, 391.65 feet to a 5/8 inch
17 iron rod found at the northeast corner of the McMarion tract, the
18 southeast corner of Greenfields, a subdivision as recorded in Plat
19 Cabinet 1, Page 192A, Bastrop County Plat Records, for an angle
20 corner of this tract.

21 THENCE N 00 deg. 37 min. 02 sec. W, 423.90 feet to a 60d nail
22 found at a fence corner post, the northeast corner of Greenfields
23 subdivision, the southeast corner of the Leon Anderson 10.70 acre
24 tract described in an Affidavit of Heirship, recorded in Volume
25 815, Page 366, Bastrop County Deed Records, for an angle corner of
26 this tract.

27 THENCE N 00 deg. 35 min. 26 sec. W, 1530.51 feet to a 5/8 inch

1 iron rod found at a fence corner, the northeast corner of the
2 Anderson tract, for an interior corner of this tract.

3 THENCE with the north line of the Anderson 10.70 acre tract
4 and north line of that certain 21.602 acre tract described in a
5 Contract of Sale and Purchase from the Veteran's Land Board of Texas
6 to Thomas Michael Kenney, et al, recorded in Volume 882, Page 206,
7 Bastrop County Deed Records, the north line of that certain 31.10
8 acre tract described in 3 tracts in a deed from Robert Johnson, et
9 ux, to Doris R. Johnson, et al, recorded in Volume 311, page 493,
10 Bastrop County Deed Records, S 89 deg. 54 min. 47 sec. W, 611.10
11 feet to a 5/8 inch iron rod found; S 89 deg. 53 min. 59 sec. W,
12 592.44 feet to a 5/8 inch iron rod set for the southeast corner of
13 that certain 111 acre tract less highway described in a deed from
14 Jimmy E. Gerwin, et ux, to Edward F. Galwardi, et ux, recorded in
15 Volume 196, Page 460, Bastrop County Deed Records, for an upper
16 southwest corner of this tract, from which a 1/2 inch iron rod found
17 in the east line of Farm to Market Road No. 1209 bears S 89 deg. 53
18 min. 59 sec. W, 74.58 feet.

19 THENCE with the east line of the Galwardi 111 acre tract, N 00
20 deg. 00 min. 00 sec. E, 197.55 feet to a 5/8 inch iron rod set where
21 same intersects the east line of Farm to Market Road No. 1209.

22 THENCE with the east line of Farm to Market Road No. 1209, N
23 20 deg. 40 min. 16 sec. E, 362.32 feet to a concrete right-of-way
24 marker found; N 15 deg. 10 min. 11 sec. E, 201.43 feet to a 5/8 inch
25 iron rod set; N 20 deg. 40 min. 16 sec. E, 194.90 feet to a concrete
26 right-of-way marker found at the beginning of a curve to the right.

27 THENCE with the said curve to the right whose radius is

1 2824.79 feet; whose long chord bears N 26 deg. 51 min. 35 sec. E,
2 600.78 feet; 601.92 feet along the arc to a 1/2 inch iron rod found
3 at the southwest corner of that certain 4.751 acre tract described
4 in a deed from Robert T. Patterson to Wilfred Wilson, recorded in
5 Volume 692, Page 764, Bastrop County Deed Records, for an angle
6 corner of this tract.

7 THENCE with the south line of the Wilson 4.751 acre tract, N
8 82 deg. 26 min. 11 sec. E, 626.83 feet to the southeast corner of
9 same, a 1/2 inch iron rod found at a fence corner, for an interior
10 corner of this tract.

11 THENCE with the east line of the Wilson 4.751 acre tract, N 00
12 deg. 49 min. 36 sec. W, 592.67 feet to a 1/2 inch iron rod found at
13 the northeast corner of same in the southeast line of Farm to Market
14 Road No. 1209, for an angle corner of this tract.

15 THENCE with the southeast line of Farm to Market Road No.
16 1209, N 51 deg. 08 min. 14 sec. E, 466.02 feet to a concrete
17 right-of-way marker found; N 56 deg. 45 min. 57 sec. E, 200.98 feet
18 to a concrete right-of-way marker found; N 51 deg. 05 min. 39 sec.
19 E, 599.62 feet to a concrete right-of-way marker found; N 51 deg. 06
20 min. 14 sec. E, 1000.34 feet to a concrete right-of-way marker
21 found; N 45 deg. 27 min. 49 sec. E, 200.85 feet to a concrete
22 right-of-way found; N 50 deg. 52 min. 25 sec. E, 33.38 feet to a 1/2
23 inch iron rod found at the southwest corner of Forest Park Estates,
24 a subdivision as recorded in Plat Cabinet No. 3, Page 117B, Bastrop
25 County Plat Records, for an angle corner of this tract.

26 THENCE with the south line of Forest Park Estates and the
27 south line of that certain 25.877 acre tract described in a deed

1 from Toya L. Lutz to Gwendolyn E. Dennis, et al, recorded in Volume
2 726, Page 737, Bastrop County Deed Records, S 69 deg. 57 min. 03
3 sec. E, at 913.36 feet pass a 5/8 inch iron rod found at the
4 southeast corner of the Forest Park Estates and southwest corner of
5 the Dennis tract, in all, 1338.70 feet to the southeast corner of
6 the Dennis 25.877 acre tract, a 1/2 inch iron rod found at the west
7 corner of the Snyder Family Partnership, Ltd., 146 acre tract
8 described in Volume 561, Page 170, Bastrop County Deed Records, for
9 an angle corner of this tract.

10 THENCE with the southwest line of the Snyder 146 acre tract, S
11 45 deg. 20 min. 06 sec. E, 1108.96 feet to the south corner of same,
12 a 3/4 inch iron pipe found at a fence corner, the west corner of that
13 certain 163.258 acre tract described in a deed from Naomi Ekman to
14 Julian Lockwood, et ux, recorded in Volume 736, Page 680, Bastrop
15 County Deed Records, for an angle corner of this tract.

16 THENCE with the southwest line of the Lockwood 163.258 acre
17 tract, S 46 deg. 15 min. 57 sec. E, 1110.82 feet to the south corner
18 of same, a 1/2 inch iron rod found at a fence corner of same, an
19 interior corner of the Duff tract, for an angle corner of this
20 tract.

21 THENCE S 08 deg. 54 min. 56 sec. E, 207.27 feet to a 5/8 inch
22 iron rod set; S 09 deg. 59 min. 13 sec. W, 12220.00 feet to a 5/8
23 inch iron rod set; S 82 deg. 13 min. 5 sec. W, 2212.60 feet to a 5/8
24 inch iron rod set; S 30 deg. 51 min. 47 sec. E, 777.02 feet to a 5/8
25 inch iron rod set; S 06 deg. 05 min. 56 sec. W, 453.93 feet to a 5/8
26 inch iron rod set; S 30 deg. 51 min. 03 sec. E, 606.98 feet to a 5/8
27 inch iron rod set; S 17 deg. 23 min. 35 sec. W, 982.71 feet to a 5/8

1 inch iron rod set; S 27 deg. 05 min. 03 sec. W, 442.97 feet to a 5/8
2 inch iron rod set; S 13 deg. 18 min. 19 sec. W, 495.33 feet to a 5/8
3 inch iron rod set; S 10 deg. 11 min. 21 sec. W, 937.54 feet to the
4 POINT OF BEGINNING, containing 550.032 acres of land, and

5 SAVE AND EXCEPT the following described 155.78 acre tract of land:
6 BEING a 155.78 acre tract of land out of and being a part of the JOSE
7 MANUEL BANGS SURVEY, A-5, in Bastrop County, Texas, and being a part
8 or portion of that certain 1375.57 acre tract described in a deed
9 from Texas Commerce Bank Association to John B. Duff and Robert E.
10 Duff, dated December 4, 1989, and recorded in Volume 558, on Page
11 486, of the Bastrop County Deed Records, and being more
12 particularly described by metes and bounds herein, to-wit;

13 BEGINNING at the southern most southeast corner that certain
14 550.032 acre tract described in a deed from John B. Duff, Trustee
15 and Robert E. Duff, Trustee, to Sabine Investment Company of Texas,
16 Inc., as recorded October 8, 1999, in Volume 1008, on page 428, of
17 the Bastrop County Deed Records;

18 THENCE, with the east boundary line of the afore referenced
19 550.032 acre Sabine tract, N10°11'21"E, 937.54 feet, to a 5/8 inch
20 iron rod; N13°18'19"E, 495.33 feet, to a 5/8" iron rod; N27°05'03"E,
21 442.97 feet, to a 5/8" iron rod; N17°23'35"E, 982.71 feet, to a 5/8"
22 iron rod; N06°05'26"E, 453.93 feet, to a 5/8" iron rod; N30°51'47"W,
23 777.02 feet, to a 5/8" iron rod; N82°13'55"E, 2,152.65 feet, to a
24 point for corner in the eastern most south boundary line of the said
25 Sabine 550.032 acre tract, in that certain Right of Way conveyed to
26 Koch Refining Company, L.P., as recorded in Volume 758, on Page 754,
27 of the Deed Records of Bastrop County, Texas;

1 THENCE S09°51'03"W, parallel with the afore said Koch
2 Pipeline R.O.W., 3,704.40 feet, to a point in a Southeasterly
3 boundary line of the afore referenced Duff 1375.57 acre tract,
4 same being a common boundary line with that certain 287.160 acre
5 tract described in a deed from Ed L. Hughes to EMHUGH, LTD., dated
6 June 19, 2000 and recorded in Volume 1059, on Page 442, of the Deed
7 Records of Bastrop County, Texas;

8 THENCE, S59°46'28"W, with the said common boundary line, at
9 978.16 feet, a 1/2 inch iron rod at a fence corner in the north line
10 of the Nancy Blakey Survey, A-98, and The Woodlands, a subdivision
11 as recorded in Plat Cabinet 2, on Pages 350A-352A, Bastrop County
12 Plat Records, the south line of the afore mentioned Jose Manuel
13 Bangs Survey, a southeast corner of the referenced Duff 1375.57
14 acre tract and the most westerly corner of the afore said EMHUGH
15 287.160 acre tract;

16 THENCE, S89°47'02"W, 1078.86 feet with the afore said north
17 boundary line of the Nancy Blakey Survey and Woodlands and the afore
18 said south boundary line of the Jose Manuel Bangs Survey and the
19 referenced Duff 1375.57 acre tract, to the point and place of
20 beginning and containing 155.78 acres of land.

21 Tract 2: All of that certain 416.251 acre tract (called 416.06
22 acres) described in the deed recorded in Volume 707, Page 288, Deed
23 Records of Bastrop County, Texas, further described by metes and
24 bounds as follows:

25 416.06 acres of land, more or less, out of the J. M. Bangs Survey in
26 Bastrop County, Texas, being a part of that certain 667.72 acre
27 tract conveyed to Leo M. Black by deed of record in Vol. 137, Pg. 68,

1 Deed Records of Bastrop County, Texas, and more particularly
2 described by metes and bounds as follows:

3 BEGINNING at an iron pipe at fence corner in the W. line of
4 the Bastrop-Utley Road at the S.E. corner of that certain 667.62 ac.
5 tract conveyed to Leo M. Black by deed of record in Vol. 137, Pg. 68,
6 Bastrop County Deed Records, for the S.E. corner of the tract herein
7 described;

8 THENCE with the S. line of said Black 667.72 ac. tract, S. 89
9 deg. 51' W, a distance of 11,131.52 ft. to a fence corner post at the
10 W. corner of the said Black 667.62 ac. for the W. corner of this
11 tract;

12 THENCE with the N. W. line of said Black 667.62 ac., N. 60
13 deg. 47' E. a distance of 4,135.32 ft to an iron pipe set for the
14 N.W. corner of this tract;

15 THENCE N. 89 deg. 51' E. a distance of 7,505.47 ft. to an iron
16 pipe in the W. line of the said Road for the N. E. corner of this
17 tract, being also the S. E. corner of the J. Hennesey 6.27 ac.
18 tract;

19 THENCE with the W. line of said county road as follows: S. 10
20 deg. 29' E. 271.44 ft.; S. 5 deg. 35' E. 544.22 ft.; S. 4 deg. 34' W.
21 1,084.56 ft., to the Place of Beginning, according to the survey
22 prepared by Claude F. Bush, Licensed State Land Surveyor, June,
23 1952; SAVE AND EXCEPT, however, that small strip of land along the
24 East line given to the County for the purpose of widening the public
25 road; and being the same property described in the Deed from Joe
26 Scott, et ux to Rayburn Stanley, et ux, dated September 20, 1962, of
27 record in Vol. 158, Pg. 350, Bastrop County Deed Records, to which

1 said deed and its record reference is hereby made for all pertinent
2 purposes.

3 Tract 3: All of that certain 287.160 acre tract described in the
4 deed recorded in Volume 658, Page 498, Deed Records of Bastrop
5 County, Texas, being more particularly described by metes and
6 bounds below, SAVE AND EXCEPT that certain 4.26 acre tract or parcel
7 thereof described by metes and bounds below:

8 BEING a 287.160 acre tract or parcel of land out of and being a part
9 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and
10 being a part of that certain 599.818 acre tract described in a deed
11 from J.H. Clipson, et al, to Eddie M. Frazier, Jr. and wife, Carol
12 M. Frazier, dated February 22, 1993, recorded in Volume 658, Page
13 498, Bastrop County Deed Records. Herein described tract or parcel
14 being more particularly described by metes and bounds as follows:

15 BEGINNING at a 1/2 inch iron rod found at a fence corner in
16 the north line of the Nancy Blakey Survey, A-98, and The Woodlands,
17 a subdivision as recorded in Plat Cabinet 2, Page 350A-352A,
18 Bastrop County Plat Records, the south line of the before mentioned
19 Jose Manuel Bangs Survey, an angle corner of the John Duff, et al,
20 1375.57 acre tract described in a deed recorded in Volume 558, Page
21 486, Bastrop County Deed Records, the most westerly corner of the
22 said 599.818 acre tract, for the most westerly corner of this tract.

23 THENCE with the south or southeast line of the Duff tract, the
24 north or northwest line of the said 599.818 acre tract, N 59 deg. 24
25 min. 18 sec. E. 3614.33 feet to a fence angle post; N 59 deg. 15 min.
26 44 sec. E, 1698.46 feet to a 1/2 inch iron rod found at a fence
27 corner, a east or southeast corner of the Duff tract in the

1 southwest line of that certain 516.76 acre tract described in a deed
2 from Methodist Home to Sam Johnson, et ux, recorded in Volume 685,
3 Page 522, Bastrop County Deed Records, an angle corner of the
4 599.818 acre tract, for an angle corner of this tract.

5 THENCE with the southwest line of the Johnson 516.76 acre
6 tract, S. 44 deg. 49 min. 40 sec. E, 195.39 feet to a 1/2 inch iron
7 rod found at a fence corner, the south corner of said 516.76 acre
8 tract, an interior corner of the said 599.818 acre tract, for an
9 interior corner of this tract.

10 THENCE with the southeast line of the Johnson 516.76 acre
11 tract and a northwest line of the said 599.818 acre tract, N 45 deg.
12 21 min. 40 sec. E, 1945.77 feet to a 1/2 inch iron rod set for the
13 north corner of this tract.

14 THENCE crossing said 599.818 acre tract, S 29 deg. 17 min. 28
15 sec. E. at 1316.94 feet pass the northwest corner of that certain
16 291.000 acre tract described in a deed from J.H. Clipson, Sr., et
17 al, to Gerald L. Kline, Jr., et ux, recorded in Volume 621, Page
18 565, Bastrop County Deed Records, continuing with the west line of
19 the Kline 291.000 acre tract a total distance of 2730.44 feet to a
20 1/2 inch iron rod found in the north or northwest line of that
21 certain 416.06 acre tract described in a deed from the Federal
22 Deposit Insurance Corporation to Edward L. Hughes recorded in
23 Volume 707, Page 288, Bastrop County Deed Records, the southwest
24 corner of the Kline tract, an angle corner of the said 599.818 acre
25 tract, for the east or southeast corner of this tract.

26 THENCE with the common line of the said 599.818 acre tract and
27 Hughes 416.06 acre tract, S 60 deg. 41 min. 11 sec. W 3129.02 feet to

1 a 5/8 inch iron rod found in the north line of the Nancy Blakey
2 Survey and The Woodlands Subdivision, the south line of the Jose
3 Manuel Bangs Survey, the west corner of the Hughes 416.06 acre
4 tract, an angle corner of the said 599.818 acre tract, for an angle
5 corner of this tract.

6 THENCE with the north line of the Nancy Blakey Survey and The
7 Woodlands Subdivision, the south line of the Jose Manuel Bangs
8 Survey and said 599.818 acre tract, S 89 deg. 43 min. 11 sec. W,
9 4700.83 feet to the POINT OF BEGINNING, containing 287.160 acres of
10 land,

11 SAVE AND EXCEPT that certain 4.26 acre tract or parcel thereof
12 described by metes and bounds as follows:

13 BEING that certain 4.26 acre tract of land out of and being a part of
14 the JOSE MANUEL BANGS SURVEY, A-5, in Bastrop County, Texas, and
15 being a part or portion of that certain 287.160 acre tract described
16 in a deed from Ed L. Hughes to EMHUGH, Ltd., dated June 19, 2000, and
17 recorded in Volume 1059, on Page 442, of the Bastrop County Deed
18 Records, and being more particularly described by metes and bounds
19 herein, to-wit;

20 BEGINNING at the western most corner that referenced EMHUGH
21 287.160 acre tract, same being the south east corner of that certain
22 1375.57 acre tract described in a deed from Texas Commerce Bank
23 National Association to John B. Duff, Trustee and Robert E. Duff,
24 dated December 4, 1989, as recorded, in Volume 558, on page 486, of
25 the Bastrop County Deed Records, in the south line of the afore
26 mentioned Jose Manuel Bangs Survey, in the north line of The
27 Woodlands, a subdivision in said county as recorded in Plat Cabinet

1 2, on Page 350A, of the Bastrop County Plat Records and the north
2 line of the Nancy Blakey Survey, A-98;

3 THENCE, N59°46'28"E, with the northwest line of the
4 referenced EMHUGH 287.160 acre tract and the southeast line of the
5 afore said Duff 1375.57 acre tract, 978.16 feet, to a point in that
6 certain Right of Way conveyed to Koch Refining Company, L.P., as
7 recorded in Volume 758, on Page 754, of the Deed Records of Bastrop
8 County, Texas;

9 THENCE S09°51'03"W, parallel with the afore said Koch
10 Pipeline R.O.W., 496.01 feet, to a point for corner in south line of
11 the referenced EMHUGH 287.160 acre tract, the south line of the
12 afore mentioned Jose Manuel Bangs Survey, the north line of the
13 afore said Woodlands and the north line of the afore mentioned Nancy
14 Blakey Survey;

15 THENCE, S89°47'02"W, 1078.86 feet with the afore said north
16 boundary line of the Nancy Blakey Survey and Woodlands and the afore
17 said south boundary line of the Jose Manuel Bangs Survey and the
18 referenced EMHUGH 287.160 acre tract, to the point and place of
19 beginning and containing 4.26 acres of land; and

20 Tract 4: Approximately 94.269 acres, being all of that certain
21 98.274 acre tract more fully described by metes and bounds
22 description below, SAVE AND EXCEPT that certain 4.005 acre tract or
23 parcel thereof described by metes and bounds descriptions below.

24 BEING a 98.274 acre tract or parcel of land out of and being a part
25 of the J.M. BANGS SURVEY, A-5, in Bastrop County, Texas, and being
26 all of that certain 95.00 acres described in a deed from Leonard S.
27 James and wife, Emma G. James to Arthur Mitchell, recorded in Vol.

1 204, Page 434, Bastrop County Deed Records. Said tract being a part
2 of that certain 304.34 acre tract described in a deed from J.J.
3 Hennesey, et al, to Leo M. Black, dated June 26, 1952, recorded in
4 Vol. 135, page 20, Bastrop County Deed Records. Herein described
5 98.274 acre tract or parcel being more particularly described by
6 metes and bounds as follows:

7 BEGINNING at a 1/2 inch iron rod found at a fence corner at
8 the intersection of the south line of the before mentioned J.M.
9 BANGS SURVEY and 304.34 acre tract and north line of the NANCY
10 BLAKEY SURVEY with the east line of Farm to Market Road No. 969 for
11 the southwest corner of this tract. Said point being in the north
12 line of that certain 1090 acre tract described as Tract #1 and set
13 aside to Sam Edith Higgins Ketha, et vir, in a Partition Deed
14 recorded in Vol. 161 Page 233, Bastrop County Deed Records.

15 THENCE with the east line of Farm to Market Road No. 969, N 02
16 deg 00 Min 57 Sec E, 1452.55 feet to a concrete right of way marker
17 found at the beginning of a curve to the left.

18 THENCE with the said curve to the left whose radius is 1472.40
19 feet; whose central angle is 07 deg 26 min 36 sec; whose long chord
20 bears N 01 deg 41 min 24 sec W, 191.15 feet, along the arc to a 5/8
21 inch iron rod set near a fence corner, the southwest corner of a
22 deed from Norman Hubert Karrer, et ux, to Lewis Roy Rhodes, it ux,
23 recorded in Vol. 210, Page 751, Bastrop County Deed Records for the
24 northwest corner of this tract.

25 THENCE with the south line of the Rhodes 8.63 acre tract, as
26 fenced, N 72 deg 35 min 02 sec E, 1403.14 feet to the southeast
27 corner of same, a 60d nail set in a 16 inch elm at fence corner on

1 the low bank of the Colorado River and east line of the before
2 mentioned 304.34 acre tract for the northeast corner of this tract.

3 THENCE with the meander of the low bank of the Colorado River,
4 the east line of the said 304.34 acre tract; S 39 deg 35 min 41 sec
5 E, 273.78 feet, S 39 deg 17 min 53 sec E, 109.94 feet; S 28 deg 28 min
6 40 sec E, 159.87 feet; S 27 deg 34 min 57 sec E, 218.39 feet; S 31 deg
7 57 min 25 sec E, 374.04 feet; S 48 deg 16 min 37 sec E, 143.52 feet; S
8 52 deg 31 min 13 sec E, 99.93 feet; S 42 deg 33 min 31 sec E, 301.31
9 feet; S 44 deg 54 min 55 sec E, 298.11 feet; S 46 deg 07 min 52 sec E,
10 305.52 feet; S 48 deg 53 min 04 sec E, 115.56 feet; S 40 deg 25 min 12
11 sec E, 333.17 feet; S 55 deg 52 min 39 sec E, 121.05 feet to the
12 southeast corner of the said 304.34 acre tract, the southeast
13 corner of the J.M. BANGS SURVEY and the northeast corner of the
14 NANCY BLAKEY SURVEY for the southeast corner of this tract. Said
15 point being the northeast corner of the before mentioned Ketha 1090
16 acre tract.

17 THENCE with the south line for the J.M. BANGS SURVEY and said
18 304.34 acre tract, the north line of the NANCY BLAKEY SURVEY and
19 Ketha 1090 acre tract, N 88 deg 31 min 09 sec W, at 50.00 feet pass a
20 5/8 inch iron rod set for reference, at 1139.21 feet pass a 5/8 inch
21 iron rod set where same intersects a fence line in all 3229.04 feet
22 to the POINT OF BEGINNING, containing 98.274 acre of land,
23 SAVE AND EXCEPT that certain 4.005 acre tract of land described as:
24 BEING a 4.005 acre tract or parcel of land out of and being a part of
25 the J.M. BANGS SURVEY, A-5, in Bastrop County, Texas, and being part
26 of that certain 95.00 acres described in a deed from Leonard S.
27 James and wife, Emma G. James to Arthur Mitchell, recorded in Vol.

1 204, Page 434, Bastrop County Deed Records. Said tract being a part
2 of that certain 304.34 acre tract described in a deed from J.J.
3 Hennesey, et al, to Leo M. Black, dated June 26, 1952, recorded in
4 Vol. 135, page 20, Bastrop County Deed Records. Herein described
5 4.005 acre tract or parcel being more particularly described by
6 metes and bounds as follows:

7 BEGINNING at the southeast corner of the referenced Black
8 304.34 acre tract, said point being the southeast corner of the
9 mentioned J.M. BANGS SURVEY and the northeast corner of the NANCY
10 BLAKEY SURVEY. Said point being the northeast corner of that
11 certain 1090 acre tract described as Tract #1 and set aside to Sam
12 Edith Higgins Ketha, et vir, in a Partition Deed recorded in Vol.
13 161 Page 233, Bastrop County Deed Records.

14 THENCE with the south line of the J.M. BANGS SURVEY, the south
15 line of the referenced Black 304.34 acre tract, the north line of
16 the NANCY BLAKEY SURVEY and north line of the afore said Ketha 1090
17 acre tract, N 88 deg 31 min 09 sec W, at 50.00 feet pass a 5/8 inch
18 iron rod for reference, at 1139.21 feet a 5/8 inch iron rod, at a
19 fence intersection;

20 THENCE with the meander of a fence: N 71 deg 58 min 03 sec E,
21 279.99 feet; N 72 deg 23 min 34 sec E, 185.14 feet; N74 deg 14 min 12
22 sec E, 149.19 feet; N 55 deg 11min 31 sec E, 105.95 feet; N 26 deg 35
23 min 01 sec E, 139.12 feet, to a point on the low bank of the Colorado
24 River, said point being in the east line of the referenced Black
25 304.34 acre tract;

26 THENCE with the meanders of the low bank of the Colorado
27 River, the east line of the said 304.34 acre tract; S 48 deg 53 min

1 04 sec E, 115.56 feet; S 40 deg 25 min 12 sec E, 333.17 feet; S 55 deg
2 52 min 39 sec E, 121.05 feet to the POINT OF BEGINNING, containing
3 4.005 acres of land.

4 SECTION 6. FINDINGS RELATIVE TO BOUNDARIES. The
5 legislature finds that the boundaries and field notes of the
6 district form a closure. If a mistake is made in the field notes or
7 in copying the field notes in the legislative process, the mistake
8 does not affect in any way:

9 (1) the organization, existence, or validity of the
10 district;

11 (2) the right of the district to impose taxes; or

12 (3) the legality or operation of the district or the
13 board.

14 SECTION 7. GENERAL POWERS. The district has all of the
15 rights, powers, privileges, authority, functions, and duties
16 provided by the general law of this state, including Chapters 49 and
17 54, Water Code, applicable to municipal utility districts created
18 under Section 59, Article XVI, Texas Constitution.

19 SECTION 8. CITY OF BASTROP. (a) The district is wholly
20 located within the extraterritorial jurisdiction of the City of
21 Bastrop. The district is subject to the requirements of municipal
22 ordinances of the City of Bastrop applicable to extraterritorial
23 areas, unless the municipality's governing body waives compliance.
24 Creation of the district is subject to approval by the City of
25 Bastrop under Sections 42.042, Local Government Code, and 54.016,
26 Water Code.

27 (b) Subject to the approval of the City of Bastrop, the

1 district may divide into two or more contiguous districts as
2 provided by Sections 51.749-51.758, Water Code.

3 SECTION 9. DEVELOPMENT AGREEMENT. The district may enter
4 into a written contract with the City of Bastrop that:

5 (1) guarantees the continuation of the
6 extraterritorial status of the district and its immunity from
7 annexation by the municipality for a period not to exceed 15 years;

8 (2) regulates development within the boundaries of the
9 district in a manner that the parties agree will further the health,
10 safety, and welfare of the residents of the district;

11 (3) contains other terms and considerations that the
12 parties agree are reasonable and appropriate; and

13 (4) may be renewed or extended for successive periods
14 not to exceed a total of 15 years.

15 SECTION 10. APPLICABILITY OF OTHER LAW. This Act prevails
16 over any provision of general law that is in conflict or
17 inconsistent with this Act.

18 SECTION 11. BOARD OF DIRECTORS. (a) The district is
19 governed by a board of five directors.

20 (b) Temporary directors serve until initial directors are
21 elected under Section 13 of this Act.

22 (c) Two of the initial directors serve until the first
23 election of permanent directors under Section 14 of this Act. Three
24 of the initial directors serve until the second election of
25 permanent directors under Section 14 of this Act.

26 (d) Permanent directors serve staggered four-year terms.

27 (e) Each director must qualify to serve as director in the

1 manner provided by Section 49.055, Water Code.

2 (f) A director serves until the director's successor has
3 qualified.

4 SECTION 12. TEMPORARY DIRECTORS. (a) The temporary board
5 consists of:

- 6 (1) Don Nolen;
- 7 (2) Kay Wesson;
- 8 (3) Ashley Mutschink;
- 9 (4) Jim Mills; and
- 10 (5) Steve Rivers.

11 (b) If a temporary director fails to qualify for office, the
12 temporary directors who have qualified shall appoint a person to
13 fill the vacancy. If at any time there are fewer than three
14 qualified temporary directors, the commission shall appoint the
15 necessary number of persons to fill all vacancies on the board.

16 SECTION 13. CONFIRMATION AND INITIAL DIRECTORS ELECTION.

17 (a) The temporary board shall call and hold an election to confirm
18 establishment of the district and to elect five initial directors
19 as provided by Section 49.102, Water Code.

20 (b) The initial directors elected shall draw lots to decide
21 which two shall serve terms lasting until replacement directors are
22 elected at the first regularly scheduled election of directors
23 under Section 14 of this Act and which three shall serve until the
24 second regularly scheduled election of directors.

25 (c) Section 41.001(a), Election Code, does not apply to a
26 confirmation and initial directors election held as provided by
27 this section.

1 SECTION 14. ELECTION OF DIRECTORS. (a) On the first
2 Saturday in May of the first even-numbered year after the year in
3 which the district is authorized to be created at a confirmation
4 election, an election shall be held in the district for the election
5 of two directors to replace the two initial directors serving
6 shorter terms from the confirmation election.

7 (b) On the first Saturday in May of each subsequent
8 even-numbered year following the election, the appropriate number
9 of directors shall be elected.

10 SECTION 15. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS.

11 (a) The legal notice of the intention to introduce this Act,
12 setting forth the general substance of this Act, has been published
13 as provided by law, and the notice and a copy of this Act have been
14 furnished to all persons, agencies, officials, or entities to which
15 they are required to be furnished under Section 59, Article XVI,
16 Texas Constitution, and Chapter 313, Government Code. The
17 governor, one of the required recipients, has submitted the notice
18 and Act to the commission.

19 (b) The commission has filed its recommendations relating
20 to this Act with the governor, lieutenant governor, and speaker of
21 the house of representatives within the required time.

22 (c) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act are fulfilled
25 and accomplished.

26 SECTION 16. EFFECTIVE DATE; EXPIRATION DATE. (a) This Act
27 takes effect September 1, 2003.

1 (b) If the creation of the district is not confirmed at a
2 confirmation election held under Section 13 of this Act before
3 September 1, 2005, this Act expires on that date.