

1-1 By: Cook of Colorado (Senate Sponsor - Armbrister) H.B. No. 3636  
1-2 (In the Senate - Received from the House May 24, 2003;  
1-3 May 24, 2003, read first time and referred to Committee on  
1-4 Administration; May 26, 2003, reported favorably by the following  
1-5 vote: Yeas 7, Nays 0; May 26, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the creation, administration, powers, duties,  
1-9 operation, and financing of the Colony Municipal Utility District  
1-10 No. 1.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. DEFINITIONS. In this Act:

1-13 (1) "Board" means the board of directors of the  
1-14 district.

1-15 (2) "Commission" means the Texas Commission on  
1-16 Environmental Quality.

1-17 (3) "District" means the Colony Municipal Utility  
1-18 District No. 1.

1-19 SECTION 2. CREATION. (a) A municipal utility district, to  
1-20 be known as the Colony Municipal Utility District No. 1, is created  
1-21 in Bastrop County, subject to approval by the City of Bastrop under  
1-22 Section 8 of this Act and voter approval at a confirmation election  
1-23 under Section 13 of this Act.

1-24 (b) The district is a governmental agency and a political  
1-25 subdivision of this state.

1-26 SECTION 3. AUTHORITY FOR CREATION. The district is created  
1-27 under and is essential to accomplish the purpose of Section 59,  
1-28 Article XVI, Texas Constitution.

1-29 SECTION 4. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The  
1-30 district is created to serve a public use and benefit.

1-31 (b) All of the land and other property included within the  
1-32 boundaries of the district will be benefited by the works and  
1-33 projects that are to be accomplished by the district under powers  
1-34 conferred by Section 59, Article XVI, Texas Constitution.

1-35 SECTION 5. BOUNDARIES. The boundaries of the district are  
1-36 as follows:

1-37 Approximately 1491.04 acres of land, consisting of the following  
1-38 four tracts:

1-39 Tract 1: Approximately 697.62 acres, being all of that certain  
1-40 1,403.432 acre tract described below; SAVE AND EXCEPT (i) that  
1-41 550.032 acre tract or portion thereof described in the deed  
1-42 recorded in Volume 1008, Page 428, Deed Records of Bastrop County,  
1-43 Texas, and (ii) that 155.78 acre tract or portion thereof more fully  
1-44 described below.

1-45 BEING a 1403.432 acre tract or parcel of land out of and being a part  
1-46 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and  
1-47 being a part of that certain tract said to contain 1375.57 acres  
1-48 described in a deed from Texas Commerce Bank National Association  
1-49 to John B. Duff and Robert E. Duff, dated December 4, 1989, recorded  
1-50 in Volume 558, Page 486, Bastrop County Deed Records. Herein  
1-51 described tract or parcel of land being more particularly described  
1-52 by metes and bounds as follows:

1-53 BEGINNING at a 1/2 inch iron rod found at a fence corner in  
1-54 the south line of the said Jose Manuel Bangs Survey and north line  
1-55 of the Nancy Blakey Survey, A-98, and north line of The Woodlands, a  
1-56 subdivision in said county as recorded in Plat Cabinet 2, Page 350A,  
1-57 Bastrop County Plat Records, the west or southwest corner of that  
1-58 certain 287.160 acre tract described in a deed from Eddie M.  
1-59 Frazier, Jr., et ux, to Hughes Market Basket, Inc., recorded in  
1-60 Volume 897, Page 179, Bastrop County Deed Records, for a southeast  
1-61 corner of this tract.

1-62 THENCE with the south line of the Jose Manuel Bangs Survey,  
1-63 the north line of the Nancy Blakey Survey, S 88 deg. 54 min. 47 sec.  
1-64 W, at 1278.12 feet pass a 1/2 inch iron rod found at the northwest

2-1 corner of The Woodlands and northeast corner of the Joe L. Middleton  
 2-2 19.82 acre tract described in a deed recorded in Volume 314, Page  
 2-3 718, Bastrop County Deed Records, at approximately 2095 feet pass  
 2-4 the northwest corner of the Middleton tract and northeast corner of  
 2-5 the Ulysses Johnson 8.85 acre tract described in a deed recorded in  
 2-6 Volume 315, Page 67, Bastrop County Deed Records, at approximately  
 2-7 2530 feet past the northwest corner of the Bobby R. Taylor 7.96 acre  
 2-8 tract described in a deed recorded in Volume 323, Page 202, Bastrop  
 2-9 County Deed Records, in all, 2947.22 feet to a 1/2 inch iron rod  
 2-10 found at a fence corner, the southeast corner of that certain 8.285  
 2-11 acre tract described as Tract No. 2 in a deed from Robert W. Mayo to  
 2-12 Larry Kendrick, recorded in Volume 896, Page 106, Bastrop County  
 2-13 Deed Records, for the southwest corner of this tract.

2-14 THENCE N 00 deg. 12 min. 57 sec. W, at approximately 595.55  
 2-15 feet pass the northeast corner of the Kendrick 8.285 acre tract and  
 2-16 southeast corner of that certain 14.59 acre tract described in a  
 2-17 deed from Clara Hodge Powell to James Hoskins, recorded in Volume  
 2-18 633, Page 298, Bastrop County Deed Records, in all, 1204.17 feet to  
 2-19 a 1/2 inch iron rod found at the northeast corner of the Hoskins  
 2-20 tract, the southeast corner of that certain 19.165 acre tract  
 2-21 described in a deed to Dale Slaughter, recorded in Volume 894, Page  
 2-22 870, Bastrop County Deed Records, for an angle corner of this tract.

2-23 THENCE N 01 deg. 02 min. 54 sec. W, 361.30 feet to a 1/2 inch  
 2-24 iron rod found at the northeast corner of the Slaughter tract, the  
 2-25 southeast corner of the Viola McMarion, et al, 19.230 acre tract  
 2-26 described in a deed recorded in Volume 168, Page 167, Bastrop County  
 2-27 Deed Records, for an angle corner of this tract.

2-28 THENCE N 01 deg. 09 min. 55 sec. W, 391.65 feet to a 5/8 inch  
 2-29 iron rod found at the northeast corner of the McMarion tract, the  
 2-30 southeast corner of Greenfields, a subdivision as recorded in Plat  
 2-31 Cabinet 1, Page 192A Bastrop County Plat Records, for an angle  
 2-32 corner of this tract.

2-33 THENCE N 00 deg. 37 min. 02 sec. W, 423.90 feet to a 60d nail  
 2-34 found at a fence corner post, the northeast corner of Greenfields  
 2-35 subdivision, the southeast corner of the Leon Anderson 10.70 acre  
 2-36 tract described in an Affidavit of Heirship, recorded in Volume  
 2-37 815, Page 366, Bastrop County Deed Records, for an angle corner of  
 2-38 this tract.

2-39 THENCE N 00 deg. 35 min. 26 sec. W, 1530.51 feet to a 5/8 inch  
 2-40 iron rod found at a fence corner, the northeast corner of the  
 2-41 Anderson tract, for an interior corner of this tract.

2-42 THENCE with the north line of the Anderson 10.70 acre tract  
 2-43 and north line of that certain 21.602 acre tract described in a  
 2-44 Contract of Sale and Purchase from the Veteran's Land Board of Texas  
 2-45 to Thomas Michael Kenney, et al, recorded in Volume 882, Page 206,  
 2-46 Bastrop County Deed Records, the north line of that certain 31.10  
 2-47 acre tract described in 3 tracts in a deed from Robert Johnson, et  
 2-48 ux, to Doris R. Johnson, et al, recorded in Volume 311, page 493,  
 2-49 Bastrop County Deed Records, S 89 deg. 54 min. 47 sec. W, 611.10  
 2-50 feet to a 5/8 inch iron rod found; S 89 deg. 53 min. 59 sec. W,  
 2-51 592.44 feet to a 5/8 inch iron rod set for the southeast corner of  
 2-52 that certain 111 acre tract less highway described in a deed from  
 2-53 Jimmy E. Gerwin, et ux, to Edward F. Galwardi, et ux, recorded in  
 2-54 Volume 196, Page 460, Bastrop County Deed Records, for an upper  
 2-55 southwest corner of this tract, from which a 1/2 inch iron rod found  
 2-56 in the east line of Farm to Market Road No. 1209 bears S 89 deg. 53  
 2-57 min. 59 sec. W, 74.58 feet.

2-58 THENCE with the east line of the Galwardi 111 acre tract, N 00  
 2-59 deg. 00 min. 00 sec. E, 197.55 feet to a 5/8 inch iron rod set where  
 2-60 same intersects the east line of Farm to Market Road No. 1209.

2-61 THENCE with the east line of Farm to Market Road No. 1209, N  
 2-62 20 deg. 40 min. 16 sec. E, 362.32 feet to a concrete right-of-way  
 2-63 marker found; N 15 deg. 10 min. 11 sec. E, 201.43 feet to a 5/8 inch  
 2-64 iron rod set; N 20 deg. 40 min. 16 sec. E, 194.90 feet to a concrete  
 2-65 right-of-way marker found at the beginning of a curve to the right.

2-66 THENCE with the said curve to the right whose radius is  
 2-67 2824.79 feet; whose long chord bears N 26 deg. 51 min. 35 sec. E,  
 2-68 600.78 feet; 601.92 feet along the arc to a 1/2 inch iron rod found  
 2-69 at the southwest corner of that certain 4.751 acre tract described

3-1 in a deed from Robert T. Patterson to Wilfred Wilson, recorded in  
 3-2 Volume 692, Page 764, Bastrop County Deed Records, for an angle  
 3-3 corner of this tract.

3-4 THENCE with the south line of the Wilson 4.751 acre tract, N  
 3-5 82 deg. 26 min. 11 sec. E, 626.83 feet to the southeast corner of  
 3-6 same, a 1/2 inch iron rod found at a fence corner, for an interior  
 3-7 corner of this tract.

3-8 THENCE with the east line of the Wilson 4.751 acre tract, N 00  
 3-9 deg. 49 min. 36 sec. W, 592.67 feet to a 1/2 inch iron rod found at  
 3-10 the northeast corner of same in the southeast line of Farm to Market  
 3-11 Road No. 1209, for an angle corner of this tract.

3-12 THENCE with the southeast line of Farm to Market Road No.  
 3-13 1209, N 51 deg. 08 min. 14 sec. E, 466.02 feet to a concrete  
 3-14 right-of-way marker found; N 56 deg. 45 min. 57 sec. E, 200.98 feet  
 3-15 to a concrete right-of-way marker found; N 51 deg. 05 min. 39 sec.  
 3-16 E, 599.62 feet to a concrete right-of-way marker found; N 51 deg. 06  
 3-17 min. 14 sec, E, 100.34 feet to a right-of-way monument found; N 45  
 3-18 deg. 27 min. 49 sec. E, 200.85 feet to a concrete right-of-way  
 3-19 found; N 50 deg. 52 min. 25 sec. E, 33.38 feet to a 1/2 inch iron rod  
 3-20 found at the southwest corner of Forest Park Estates, a subdivision  
 3-21 as recorded in Plat Cabinet No. 3, Page 117B, Bastrop County Plat  
 3-22 Records, for an angle corner of this tract.

3-23 THENCE with the south line of Forest Park Subdivision and the  
 3-24 south line of that certain 25.877 acre tract described in a deed  
 3-25 from Toya L. Lutz to Gwendolyn E. Dennis, et al, recorded in Volume  
 3-26 726, Page 737, Bastrop County Deed Records, S 69 deg. 57 min. 03  
 3-27 sec. E, at 913.36 feet pass a 5/8 inch iron rod found at the  
 3-28 southeast corner of the Forest Park Estates and southwest corner of  
 3-29 the Dennis tract, in all, 1338.70 feet to the southeast corner of  
 3-30 the Dennis 25.877 acre tract, a 1/2 inch iron rod found at the west  
 3-31 corner of the Snyder Family Partnership, Ltd., 146 acre tract  
 3-32 described in Volume 561, Page 170, Bastrop County Deed Records, for  
 3-33 an angle corner of this tract.

3-34 THENCE with the southwest line of the Snyder 146 acre tract, S  
 3-35 45 deg. 20 min. 06 sec. E, 1108.96 feet to the south corner of same,  
 3-36 a 3/4 inch iron pipe found at a fence corner, the west corner of that  
 3-37 certain 163.258 acre tract described in a deed from Naomi Ekman to  
 3-38 Julian Lockwood, et ux, recorded in Volume 736, Page 680, Bastrop  
 3-39 County Deed Records, for an angle corner of this tract.

3-40 THENCE with the southwest line of the Lockwood 163.258 acre  
 3-41 tract, S 46 deg. 15 min. 57 sec. E, 1110.82 feet to the south corner  
 3-42 of same, a 1/2 inch iron rod found at a fence, for an interior corner  
 3-43 of this tract.

3-44 THENCE with the southeast line of the Lockwood 163.258 acre  
 3-45 tract, N 44 deg. 52 min. 11 sec. E, 4150.93 feet to a 1/2 inch iron  
 3-46 rod found; N 46 deg. 22 min. 35 sec. E, 817.62 feet to a 1/2 inch  
 3-47 iron rod found; N 44 deg. 18 min. 40 sec. E, 1148.99 feet to a 3/4  
 3-48 inch iron pipe found where same intersects the southeast line of  
 3-49 County Road No. 228, also known as Earhardt Road, at the termination  
 3-50 of same, for an angle corner of this tract.

3-51 THENCE with the southeast line of Earhardt Road, N 54 deg. 42  
 3-52 min. 04 sec. E, 100.62 feet to a 1/2 inch iron rod found; N 45 deg.  
 3-53 37 min. 33 sec. E, 4364.00 feet to a 1/2 inch iron rod found where  
 3-54 same intersects the southwest line of Farm to Market Road No. 969,  
 3-55 for the most northerly west corner of this tract.

3-56 THENCE with the southwest line of Farm to Market Road No. 969,  
 3-57 S 44 deg. 55 min. 43 sec. E, 2087.84 feet to a 5/8 inch iron rod  
 3-58 found at the north corner of that certain 516.760 acre tract  
 3-59 described in a deed from Sam Johnson, et ux, to W.W. Oatman, et al,  
 3-60 recorded in Volume 917, Page 389, Bastrop County Deed Records, for  
 3-61 the most northerly east corner of this tract.

3-62 THENCE with the northwest line of the Oatman 516.760 acre  
 3-63 tract, S 45 deg. 25 min. 56 sec. W, 10,572.45 feet to the west corner  
 3-64 of same, a 1 1/2 inch iron pipe found at a fence corner for an  
 3-65 interior corner of this tract.

3-66 THENCE with the southwest line of the Oatman 516.760 acre  
 3-67 tract, S 44 deg. 51 min. 36 sec. E, 1937.50 feet to a /2 inch iron  
 3-68 rod found at an angle of the northwest line of the before mentioned  
 3-69 Hughes Market Basket 287.160 acre tract, for a lower east corner of

4-1 this tract.

4-2 THENCE with the northwest line of the Hughes Market Basket  
4-3 287.160 acre tract, S 59 deg. 15 min. 52 sec. W, 1698.59 feet to a  
4-4 fence angle post; S 59 deg. 24 min. 20 sec. W, 3614.89 feet to the  
4-5 POINT OF BEGINNING, containing 1403.432

4-6 SAVE AND EXCEPT the following described 550.032 acre tract or  
4-7 portion thereof:

4-8 BEING a 550.032 acre tract or parcel of land out of and being a part  
4-9 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and  
4-10 being a part of that certain tract said to contain 1375.57 acres  
4-11 described in a deed from Texas Commerce Bank National Association  
4-12 to John B. Duff and Robert E. Duff, dated December 4, 1989, recorded  
4-13 in Volume 558, Page 486, Bastrop County Deed Records. Herein  
4-14 described tract or parcel of land being more particularly described  
4-15 by metes and bounds as follows:

4-16 COMMENCING FOR REFERENCE at a 1/2 inch iron rod found at a  
4-17 fence corner in the south line of the said Jose Manuel Bangs Survey  
4-18 and north line of the Nancy Blakey Survey, A-98, and north line of  
4-19 The Woodlands, a subdivision in said county as recorded in Plat  
4-20 Cabinet 2, Page 350A, Bastrop County Plat Records, the west or  
4-21 southwest corner of that certain 287.160 acre tract described in a  
4-22 deed from Eddie M. Frazier, Jr., et ux, to Hughes Market Basket,  
4-23 Inc., recorded in Volume 897, Page 179, Bastrop County Deed  
4-24 Records.

4-25 THENCE with the south line of the Jose Manuel Bangs Survey and  
4-26 north line of the Nancy Blakey Survey, S 88 deg. 54 min. 47 sec. W,  
4-27 557.92 feet to a 5/8 inch iron rod set for the POINT OF BEGINNING,  
4-28 the southeast corner of this tract.

4-29 THENCE continuing with the south line of the Jose Manuel  
4-30 Bangs Survey, the north line of the Nancy Blakey Survey, S 88 deg.  
4-31 54 min. 47 sec. W, at 720.20 feet pass a 1/2 inch iron rod found at  
4-32 the northwest corner of the Woodlands and northeast corner of the  
4-33 Joe L. Middleton 19.82 acre tract described in a deed recorded in  
4-34 Volume 314, Page 718, Bastrop County Deed Records, at approximately  
4-35 1537 feet pass the northwest corner of the Middleton tract and  
4-36 northeast corner of the Ulysses Johnson 8.85 acre tract described  
4-37 in a deed recorded in Volume 315, Page 67, Bastrop County Deed  
4-38 Records, at approximately 1972 feet past the northwest corner of the  
4-39 Bobby R. Taylor 7.96 acre tract described in a deed recorded in  
4-40 Volume 323, Page 202, Bastrop County Deed Records, in all, 2389.30  
4-41 feet to a 1/2 inch iron rod found at a fence corner, the southeast  
4-42 corner of that certain 8.285 acre tract described as Tract No. 2 in  
4-43 a deed from Robert W. Mayo to Larry Kendrick, recorded in Volume  
4-44 896, Page 106, Bastrop County Deed Records, for the southwest  
4-45 corner of this tract.

4-46 THENCE N 00 deg. 12 min. 57 sec. W, at approximately 595.55  
4-47 feet pass the northeast corner of the Kendrick 8.285 acre tract and  
4-48 southeast corner of that certain 14.59 acre tract described in a  
4-49 deed from Clara Hodge Powell to James Hoskins, recorded in Volume  
4-50 633, Page 298, Bastrop County Deed Records, in all, 1204.17 feet to  
4-51 a 1/2 inch iron rod found at the northeast corner of the Hoskins  
4-52 tract, the southeast corner of that certain 19.165 acre tract  
4-53 described in a deed to Dale Slaughter, recorded in Volume 894, Page  
4-54 870, Bastrop County Deed Records, for an angle corner of this tract.

4-55 THENCE N 01 deg. 02 min. 54 sec. W, 361.30 feet to a 1/2 inch  
4-56 iron rod found at the northeast corner of the Slaughter tract, the  
4-57 southeast corner of the Viola McMarion, et al, 19.230 acre tract  
4-58 described in a deed recorded in Volume 168, Page 167, Bastrop County  
4-59 Deed Records, for an angle corner of this tract.

4-60 THENCE N 01 deg. 09 min. 55 sec. W, 391.65 feet to a 5/8 inch  
4-61 iron rod found at the northeast corner of the McMarion tract, the  
4-62 southeast corner of Greenfields, a subdivision as recorded in Plat  
4-63 Cabinet 1, Page 192A, Bastrop County Plat Records, for an angle  
4-64 corner of this tract.

4-65 THENCE N 00 deg. 37 min. 02 sec. W, 423.90 feet to a 60d nail  
4-66 found at a fence corner post, the northeast corner of Greenfields  
4-67 subdivision, the southeast corner of the Leon Anderson 10.70 acre  
4-68 tract described in an Affidavit of Heirship, recorded in Volume  
4-69 815, Page 366, Bastrop County Deed Records, for an angle corner of

5-1 this tract.

5-2 THENCE N 00 deg. 35 min. 26 sec. W, 1530.51 feet to a 5/8 inch  
5-3 iron rod found at a fence corner, the northeast corner of the  
5-4 Anderson tract, for an interior corner of this tract.

5-5 THENCE with the north line of the Anderson 10.70 acre tract  
5-6 and north line of that certain 21.602 acre tract described in a  
5-7 Contract of Sale and Purchase from the Veteran's Land Board of Texas  
5-8 to Thomas Michael Kenney, et al, recorded in Volume 882, Page 206,  
5-9 Bastrop County Deed Records, the north line of that certain 31.10  
5-10 acre tract described in 3 tracts in a deed from Robert Johnson, et  
5-11 ux, to Doris R. Johnson, et al, recorded in Volume 311, page 493,  
5-12 Bastrop County Deed Records, S 89 deg. 54 min. 47 sec. W, 611.10  
5-13 feet to a 5/8 inch iron rod found; S 89 deg. 53 min. 59 sec. W,  
5-14 592.44 feet to a 5/8 inch iron rod set for the southeast corner of  
5-15 that certain 111 acre tract less highway described in a deed from  
5-16 Jimmy E. Gerwin, et ux, to Edward F. Galwardi, et ux, recorded in  
5-17 Volume 196, Page 460, Bastrop County Deed Records, for an upper  
5-18 southwest corner of this tract, from which a 1/2 inch iron rod found  
5-19 in the east line of Farm to Market Road No. 1209 bears S 89 deg. 53  
5-20 min. 59 sec. W, 74.58 feet.

5-21 THENCE with the east line of the Galwardi 111 acre tract, N 00  
5-22 deg. 00 min. 00 sec. E, 197.55 feet to a 5/8 inch iron rod set where  
5-23 same intersects the east line of Farm to Market Road No. 1209.

5-24 THENCE with the east line of Farm to Market Road No. 1209, N  
5-25 20 deg. 40 min. 16 sec. E, 362.32 feet to a concrete right-of-way  
5-26 marker found; N 15 deg. 10 min. 11 sec. E, 201.43 feet to a 5/8 inch  
5-27 iron rod set; N 20 deg. 40 min. 16 sec. E, 194.90 feet to a concrete  
5-28 right-of-way marker found at the beginning of a curve to the right.

5-29 THENCE with the said curve to the right whose radius is  
5-30 2824.79 feet; whose long chord bears N 26 deg. 51 min. 35 sec. E,  
5-31 600.78 feet; 601.92 feet along the arc to a 1/2 inch iron rod found  
5-32 at the southwest corner of that certain 4.751 acre tract described  
5-33 in a deed from Robert T. Patterson to Wilfred Wilson, recorded in  
5-34 Volume 692, Page 764, Bastrop County Deed Records, for an angle  
5-35 corner of this tract.

5-36 THENCE with the south line of the Wilson 4.751 acre tract, N  
5-37 82 deg. 26 min. 11 sec. E, 626.83 feet to the southeast corner of  
5-38 same, a 1/2 inch iron rod found at a fence corner, for an interior  
5-39 corner of this tract.

5-40 THENCE with the east line of the Wilson 4.751 acre tract, N 00  
5-41 deg. 49 min. 36 sec. W, 592.67 feet to a 1/2 inch iron rod found at  
5-42 the northeast corner of same in the southeast line of Farm to Market  
5-43 Road No. 1209, for an angle corner of this tract.

5-44 THENCE with the southeast line of Farm to Market Road No.  
5-45 1209, N 51 deg. 08 min. 14 sec. E, 466.02 feet to a concrete  
5-46 right-of-way marker found; N 56 deg. 45 min. 57 sec. E, 200.98 feet  
5-47 to a concrete right-of-way marker found; N 51 deg. 05 min. 39 sec.  
5-48 E, 599.62 feet to a concrete right-of-way marker found; N 51 deg. 06  
5-49 min. 14 sec. E, 1000.34 feet to a concrete right-of-way marker  
5-50 found; N 45 deg. 27 min. 49 sec. E, 200.85 feet to a concrete  
5-51 right-of-way found; N 50 deg. 52 min. 25 sec. E, 33.38 feet to a 1/2  
5-52 inch iron rod found at the southwest corner of Forest Park Estates,  
5-53 a subdivision as recorded in Plat Cabinet No. 3, Page 117B, Bastrop  
5-54 County Plat Records, for an angle corner of this tract.

5-55 THENCE with the south line of Forest Park Estates and the  
5-56 south line of that certain 25.877 acre tract described in a deed  
5-57 from Toya L. Lutz to Gwendolyn E. Dennis, et al, recorded in Volume  
5-58 726, Page 737, Bastrop County Deed Records, S 69 deg. 57 min. 03  
5-59 sec. E, at 913.36 feet pass a 5/8 inch iron rod found at the  
5-60 southeast corner of the Forest Park Estates and southwest corner of  
5-61 the Dennis tract, in all, 1338.70 feet to the southeast corner of  
5-62 the Dennis 25.877 acre tract, a 1/2 inch iron rod found at the west  
5-63 corner of the Snyder Family Partnership, Ltd., 146 acre tract  
5-64 described in Volume 561, Page 170, Bastrop County Deed Records, for  
5-65 an angle corner of this tract.

5-66 THENCE with the southwest line of the Snyder 146 acre tract, S  
5-67 45 deg. 20 min. 06 sec. E, 1108.96 feet to the south corner of same,  
5-68 a 3/4 inch iron pipe found at a fence corner, the west corner of that  
5-69 certain 163.258 acre tract described in a deed from Naomi Ekman to

6-1 Julian Lockwood, et ux, recorded in Volume 736, Page 680, Bastrop  
6-2 County Deed Records, for an angle corner of this tract.

6-3 THENCE with the southwest line of the Lockwood 163.258 acre  
6-4 tract, S 46 deg. 15 min. 57 sec. E, 1110.82 feet to the south corner  
6-5 of same, a 1/2 inch iron rod found at a fence corner of same, an  
6-6 interior corner of the Duff tract, for an angle corner of this  
6-7 tract.

6-8 THENCE S 08 deg. 54 min. 56 sec. E, 207.27 feet to a 5/8 inch  
6-9 iron rod set; S 09 deg. 59 min. 13 sec. W, 12220.00 feet to a 5/8  
6-10 inch iron rod set; S 82 deg. 13 min. 5 sec. W, 2212.60 feet to a 5/8  
6-11 inch iron rod set; S 30 deg. 51 min. 47 sec. E, 777.02 feet to a 5/8  
6-12 inch iron rod set; S 06 deg. 05 min. 56 sec. W, 453.93 feet to a 5/8  
6-13 inch iron rod set; S 30 deg. 51 min. 03 sec. E, 606.98 feet to a 5/8  
6-14 inch iron rod set; S 17 deg. 23 min. 35 sec. W, 982.71 feet to a 5/8  
6-15 inch iron rod set; S 27 deg. 05 min. 03 sec. W, 442.97 feet to a 5/8  
6-16 inch iron rod set; S 13 deg. 18 min. 19 sec. W, 495.33 feet to a 5/8  
6-17 inch iron rod set; S 10 deg. 11 min. 21 sec. W, 937.54 feet to the  
6-18 POINT OF BEGINNING, containing 550.032 acres of land, and

6-19 SAVE AND EXCEPT the following described 155.78 acre tract of land:  
6-20 BEING a 155.78 acre tract of land out of and being a part of the JOSE  
6-21 MANUEL BANGS SURVEY, A-5, in Bastrop County, Texas, and being a part  
6-22 or portion of that certain 1375.57 acre tract described in a deed  
6-23 from Texas Commerce Bank Association to John B. Duff and Robert E.  
6-24 Duff, dated December 4, 1989, and recorded in Volume 558, on Page  
6-25 486, of the Bastrop County Deed Records, and being more  
6-26 particularly described by metes and bounds herein, to-wit;

6-27 BEGINNING at the southern most southeast corner that certain  
6-28 550.032 acre tract described in a deed from John B. Duff, Trustee  
6-29 and Robert E. Duff, Trustee, to Sabine Investment Company of Texas,  
6-30 Inc., as recorded October 8, 1999, in Volume 1008, on page 428, of  
6-31 the Bastrop County Deed Records;

6-32 THENCE, with the east boundary line of the afore referenced  
6-33 550.032 acre Sabine tract, N10°11'21"E, 937.54 feet, to a 5/8 inch  
6-34 iron rod; N13°18'19"E, 495.33 feet, to a 5/8" iron rod; N27°05'03"E,  
6-35 442.97 feet, to a 5/8" iron rod; N17°23'35"E, 982.71 feet, to a 5/8"  
6-36 iron rod; N06°05'26"E, 453.93 feet, to a 5/8" iron rod; N30°51'47"W,  
6-37 777.02 feet, to a 5/8" iron rod; N82°13'55"E, 2,152.65 feet, to a  
6-38 point for corner in the eastern most south boundary line of the said  
6-39 Sabine 550.032 acre tract, in that certain Right of Way conveyed to  
6-40 Koch Refining Company, L.P., as recorded in Volume 758, on Page 754,  
6-41 of the Deed Records of Bastrop County, Texas;

6-42 THENCE S09°51'03"W, parallel with the afore said Koch  
6-43 Pipeline R.O.W., 3,704.40 feet, to a point in a Southeasterly  
6-44 boundary line of the afore referenced Duff 1375.57 acre tract,  
6-45 same being a common boundary line with that certain 287.160 acre  
6-46 tract described in a deed from Ed L. Hughes to EMHUGH, LTD., dated  
6-47 June 19, 2000 and recorded in Volume 1059, on Page 442, of the Deed  
6-48 Records of Bastrop County, Texas;

6-49 THENCE, S59°46'28"W, with the said common boundary line, at  
6-50 978.16 feet, a 1/2 inch iron rod at a fence corner in the north line  
6-51 of the Nancy Blakey Survey, A-98, and The Woodlands, a subdivision  
6-52 as recorded in Plat Cabinet 2, on Pages 350A-352A, Bastrop County  
6-53 Plat Records, the south line of the afore mentioned Jose Manuel  
6-54 Bangs Survey, a southeast corner of the referenced Duff 1375.57  
6-55 acre tract and the most westerly corner of the afore said EMHUGH  
6-56 287.160 acre tract;

6-57 THENCE, S89°47'02"W, 1078.86 feet with the afore said north  
6-58 boundary line of the Nancy Blakey Survey and Woodlands and the afore  
6-59 said south boundary line of the Jose Manuel Bangs Survey and the  
6-60 referenced Duff 1375.57 acre tract, to the point and place of  
6-61 beginning and containing 155.78 acres of land.

6-62 Tract 2: All of that certain 416.251 acre tract (called 416.06  
6-63 acres) described in the deed recorded in Volume 707, Page 288, Deed  
6-64 Records of Bastrop County, Texas, further described by metes and  
6-65 bounds as follows:

6-66 416.06 acres of land, more or less, out of the J. M. Bangs Survey in  
6-67 Bastrop County, Texas, being a part of that certain 667.72 acre  
6-68 tract conveyed to Leo M. Black by deed of record in Vol. 137, Pg. 68,  
6-69 Deed Records of Bastrop County, Texas, and more particularly

7-1 described by metes and bounds as follows:

7-2 BEGINNING at an iron pipe at fence corner in the W. line of  
7-3 the Bastrop-Utley Road at the S.E. corner of that certain 667.62 ac.  
7-4 tract conveyed to Leo M. Black by deed of record in Vol. 137, Pg. 68,  
7-5 Bastrop County Deed Records, for the S.E. corner of the tract herein  
7-6 described;

7-7 THENCE with the S. line of said Black 667.72 ac. tract, S. 89  
7-8 deg. 51' W, a distance of 11,131.52 ft. to a fence corner post at the  
7-9 W. corner of the said Black 667.62 ac. for the W. corner of this  
7-10 tract;

7-11 THENCE with the N. W. line of said Black 667.62 ac., N. 60  
7-12 deg. 47' E. a distance of 4,135.32 ft to an iron pipe set for the  
7-13 N.W. corner of this tract;

7-14 THENCE N. 89 deg. 51' E. a distance of 7,505.47 ft. to an iron  
7-15 pipe in the W. line of the said Road for the N. E. corner of this  
7-16 tract, being also the S. E. corner of the J. Hennesey 6.27 ac.  
7-17 tract;

7-18 THENCE with the W. line of said county road as follows: S. 10  
7-19 deg. 29' E. 271.44 ft.; S. 5 deg. 35' E. 544.22 ft.; S. 4 deg. 34' W.  
7-20 1,084.56 ft., to the Place of Beginning, according to the survey  
7-21 prepared by Claude F. Bush, Licensed State Land Surveyor, June,  
7-22 1952; SAVE AND EXCEPT, however, that small strip of land along the  
7-23 East line given to the County for the purpose of widening the public  
7-24 road; and being the same property described in the Deed from Joe  
7-25 Scott, et ux to Rayburn Stanley, et ux, dated September 20, 1962, of  
7-26 record in Vol. 158, Pg. 350, Bastrop County Deed Records, to which  
7-27 said deed and its record reference is hereby made for all pertinent  
7-28 purposes.

7-29 Tract 3: All of that certain 287.160 acre tract described in the  
7-30 deed recorded in Volume 658, Page 498, Deed Records of Bastrop  
7-31 County, Texas, being more particularly described by metes and  
7-32 bounds below, SAVE AND EXCEPT that certain 4.26 acre tract or parcel  
7-33 thereof described by metes and bounds below:

7-34 BEING a 287.160 acre tract or parcel of land out of and being a part  
7-35 of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and  
7-36 being a part of that certain 599.818 acre tract described in a deed  
7-37 from J.H. Clipson, et al, to Eddie M. Frazier, Jr. and wife, Carol  
7-38 M. Frazier, dated February 22, 1993, recorded in Volume 658, Page  
7-39 498, Bastrop County Deed Records. Herein described tract or parcel  
7-40 being more particularly described by metes and bounds as follows:

7-41 BEGINNING at a 1/2 inch iron rod found at a fence corner in  
7-42 the north line of the Nancy Blakey Survey, A-98, and The Woodlands,  
7-43 a subdivision as recorded in Plat Cabinet 2, Page 350A-352A,  
7-44 Bastrop County Plat Records, the south line of the before mentioned  
7-45 Jose Manuel Bangs Survey, an angle corner of the John Duff, et al,  
7-46 1375.57 acre tract described in a deed recorded in Volume 558, Page  
7-47 486, Bastrop County Deed Records, the most westerly corner of the  
7-48 said 599.818 acre tract, for the most westerly corner of this tract.

7-49 THENCE with the south or southeast line of the Duff tract, the  
7-50 north or northwest line of the said 599.818 acre tract, N 59 deg. 24  
7-51 min. 18 sec. E. 3614.33 feet to a fence angle post; N 59 deg. 15 min.  
7-52 44 sec. E, 1698.46 feet to a 1/2 inch iron rod found at a fence  
7-53 corner, a east or southeast corner of the Duff tract in the  
7-54 southwest line of that certain 516.76 acre tract described in a deed  
7-55 from Methodist Home to Sam Johnson, et ux, recorded in Volume 685,  
7-56 Page 522, Bastrop County Deed Records, an angle corner of the  
7-57 599.818 acre tract, for an angle corner of this tract.

7-58 THENCE with the southwest line of the Johnson 516.76 acre  
7-59 tract, S. 44 deg. 49 min. 40 sec. E, 195.39 feet to a 1/2 inch iron  
7-60 rod found at a fence corner, the south corner of said 516.76 acre  
7-61 tract, an interior corner of the said 599.818 acre tract, for an  
7-62 interior corner of this tract.

7-63 THENCE with the southeast line of the Johnson 516.76 acre  
7-64 tract and a northwest line of the said 599.818 acre tract, N 45 deg.  
7-65 21 min. 40 sec. E, 1945.77 feet to a 1/2 inch iron rod set for the  
7-66 north corner of this tract.

7-67 THENCE crossing said 599.818 acre tract, S 29 deg. 17 min. 28  
7-68 sec. E. at 1316.94 feet pass the northwest corner of that certain  
7-69 291.000 acre tract described in a deed from J.H. Clipson, Sr., et

8-1 al, to Gerald L. Kline, Jr., et ux, recorded in Volume 621, Page  
 8-2 565, Bastrop County Deed Records, continuing with the west line of  
 8-3 the Kline 291.000 acre tract a total distance of 2730.44 feet to a  
 8-4 1/2 inch iron rod found in the north or northwest line of that  
 8-5 certain 416.06 acre tract described in a deed from the Federal  
 8-6 Deposit Insurance Corporation to Edward L. Hughes recorded in  
 8-7 Volume 707, Page 288, Bastrop County Deed Records, the southwest  
 8-8 corner of the Kline tract, an angle corner of the said 599.818 acre  
 8-9 tract, for the east or southeast corner of this tract.

8-10 THENCE with the common line of the said 599.818 acre tract and  
 8-11 Hughes 416.06 acre tract, S 60 deg. 41 min. 11 sec. W 3129.02 feet to  
 8-12 a 5/8 inch iron rod found in the north line of the Nancy Blakey  
 8-13 Survey and The Woodlands Subdivision, the south line of the Jose  
 8-14 Manuel Bangs Survey, the west corner of the Hughes 416.06 acre  
 8-15 tract, an angle corner of the said 599.818 acre tract, for an angle  
 8-16 corner of this tract.

8-17 THENCE with the north line of the Nancy Blakey Survey and The  
 8-18 Woodlands Subdivision, the south line of the Jose Manuel Bangs  
 8-19 Survey and said 599.818 acre tract, S 89 deg. 43 min. 11 sec. W,  
 8-20 4700.83 feet to the POINT OF BEGINNING, containing 287.160 acres of  
 8-21 land,

8-22 SAVE AND EXCEPT that certain 4.26 acre tract or parcel thereof  
 8-23 described by metes and bounds as follows:

8-24 BEING that certain 4.26 acre tract of land out of and being a part of  
 8-25 the JOSE MANUEL BANGS SURVEY, A-5, in Bastrop County, Texas, and  
 8-26 being a part or portion of that certain 287.160 acre tract described  
 8-27 in a deed from Ed L. Hughes to EMHUGH, Ltd., dated June 19, 2000, and  
 8-28 recorded in Volume 1059, on Page 442, of the Bastrop County Deed  
 8-29 Records, and being more particularly described by metes and bounds  
 8-30 herein, to-wit;

8-31 BEGINNING at the western most corner that referenced EMHUGH  
 8-32 287.160 acre tract, same being the south east corner of that certain  
 8-33 1375.57 acre tract described in a deed from Texas Commerce Bank  
 8-34 National Association to John B. Duff, Trustee and Robert E. Duff,  
 8-35 dated December 4, 1989, as recorded, in Volume 558, on page 486, of  
 8-36 the Bastrop County Deed Records, in the south line of the afore  
 8-37 mentioned Jose Manuel Bangs Survey, in the north line of The  
 8-38 Woodlands, a subdivision in said county as recorded in Plat Cabinet  
 8-39 2, on Page 350A, of the Bastrop County Plat Records and the north  
 8-40 line of the Nancy Blakey Survey, A-98;

8-41 THENCE, N59°46'28"E, with the northwest line of the  
 8-42 referenced EMHUGH 287.160 acre tract and the southeast line of the  
 8-43 afore said Duff 1375.57 acre tract, 978.16 feet, to a point in that  
 8-44 certain Right of Way conveyed to Koch Refining Company, L.P., as  
 8-45 recorded in Volume 758, on Page 754, of the Deed Records of Bastrop  
 8-46 County, Texas;

8-47 THENCE S09°51'03"W, parallel with the afore said Koch  
 8-48 Pipeline R.O.W., 496.01 feet, to a point for corner in south line of  
 8-49 the referenced EMHUGH 287.160 acre tract, the south line of the  
 8-50 afore mentioned Jose Manuel Bangs Survey, the north line of the  
 8-51 afore said Woodlands and the north line of the afore mentioned Nancy  
 8-52 Blakey Survey;

8-53 THENCE, S89°47'02"W, 1078.86 feet with the afore said north  
 8-54 boundary line of the Nancy Blakey Survey and Woodlands and the afore  
 8-55 said south boundary line of the Jose Manuel Bangs Survey and the  
 8-56 referenced EMHUGH 287.160 acre tract, to the point and place of  
 8-57 beginning and containing 4.26 acres of land; and

8-58 Tract 4: Approximately 94.269 acres, being all of that certain  
 8-59 98.274 acre tract more fully described by metes and bounds  
 8-60 description below, SAVE AND EXCEPT that certain 4.005 acre tract or  
 8-61 parcel thereof described by metes and bounds descriptions below.

8-62 BEING a 98.274 acre tract or parcel of land out of and being a part  
 8-63 of the J.M. BANGS SURVEY, A-5, in Bastrop County, Texas, and being  
 8-64 all of that certain 95.00 acres described in a deed from Leonard S.  
 8-65 James and wife, Emma G. James to Arthur Mitchell, recorded in Vol.  
 8-66 204, Page 434, Bastrop County Deed Records. Said tract being a part  
 8-67 of that certain 304.34 acre tract described in a deed from J.J.  
 8-68 Hennesey, et al, to Leo M. Black, dated June 26, 1952, recorded in  
 8-69 Vol. 135, page 20, Bastrop County Deed Records. Herein described



9-1 98.274 acre tract or parcel being more particularly described by  
9-2 metes and bounds as follows:

9-3 BEGINNING at a 1/2 inch iron rod found at a fence corner at  
9-4 the intersection of the south line of the before mentioned J.M.  
9-5 BANGS SURVEY and 304.34 acre tract and north line of the NANCY  
9-6 BLAKEY SURVEY with the east line of Farm to Market Road No. 969 for  
9-7 the southwest corner of this tract. Said point being in the north  
9-8 line of that certain 1090 acre tract described as Tract #1 and set  
9-9 aside to Sam Edith Higgins Ketha, et vir, in a Partition Deed  
9-10 recorded in Vol. 161 Page 233, Bastrop County Deed Records.

9-11 THENCE with the east line of Farm to Market Road No. 969, N 02  
9-12 deg 00 Min 57 Sec E, 1452.55 feet to a concrete right of way marker  
9-13 found at the beginning of a curve to the left.

9-14 THENCE with the said curve to the left whose radius is 1472.40  
9-15 feet; whose central angle is 07 deg 26 min 36 sec; whose long chord  
9-16 bears N 01 deg 41 min 24 sec W, 191.15 feet, along the arc to a 5/8  
9-17 inch iron rod set near a fence corner, the southwest corner of a  
9-18 deed from Norman Hubert Karrer, et ux, to Lewis Roy Rhodes, it ux,  
9-19 recorded in Vol. 210, Page 751, Bastrop County Deed Records for the  
9-20 northwest corner of this tract.

9-21 THENCE with the south line of the Rhodes 8.63 acre tract, as  
9-22 fenced, N 72 deg 35 min 02 sec E, 1403.14 feet to the southeast  
9-23 corner of same, a 60d nail set in a 16 inch elm at fence corner on  
9-24 the low bank of the Colorado River and east line of the before  
9-25 mentioned 304.34 acre tract for the northeast corner of this tract.

9-26 THENCE with the meander of the low bank of the Colorado River,  
9-27 the east line of the said 304.34 acre tract; S 39 deg 35 min 41 sec  
9-28 E, 273.78 feet, S 39 deg 17 min 53 sec E, 109.94 feet; S 28 deg 28 min  
9-29 40 sec E, 159.87 feet; S 27 deg 34 min 57 sec E, 218.39 feet; S 31 deg  
9-30 57 min 25 sec E, 374.04 feet; S 48 deg 16 min 37 sec E, 143.52 feet; S  
9-31 52 deg 31 min 13 sec E, 99.93 feet; S 42 deg 33 min 31 sec E, 301.31  
9-32 feet; S 44 deg 54 min 55 sec E, 298.11 feet; S 46 deg 07 min 52 sec E,  
9-33 305.52 feet; S 48 deg 53 min 04 sec E, 115.56 feet; S 40 deg 25 min 12  
9-34 sec E, 333.17 feet; S 55 deg 52 min 39 sec E, 121.05 feet to the  
9-35 southeast corner of the said 304.34 acre tract, the southeast  
9-36 corner of the J.M. BANGS SURVEY and the northeast corner of the  
9-37 NANCY BLAKEY SURVEY for the southeast corner of this tract. Said  
9-38 point being the northeast corner of the before mentioned Ketha 1090  
9-39 acre tract.

9-40 THENCE with the south line for the J.M. BANGS SURVEY and said  
9-41 304.34 acre tract, the north line of the NANCY BLAKEY SURVEY and  
9-42 Ketha 1090 acre tract, N 88 deg 31 min 09 sec W, at 50.00 feet pass a  
9-43 5/8 inch iron rod set for reference, at 1139.21 feet pass a 5/8 inch  
9-44 iron rod set where same intersects a fence line in all 3229.04 feet  
9-45 to the POINT OF BEGINNING, containing 98.274 acre of land,  
9-46 SAVE AND EXCEPT that certain 4.005 acre tract of land described as:  
9-47 BEING a 4.005 acre tract or parcel of land out of and being a part of  
9-48 the J.M. BANGS SURVEY, A-5, in Bastrop County, Texas, and being part  
9-49 of that certain 95.00 acres described in a deed from Leonard S.  
9-50 James and wife, Emma G. James to Arthur Mitchell, recorded in Vol.  
9-51 204, Page 434, Bastrop County Deed Records. Said tract being a part  
9-52 of that certain 304.34 acre tract described in a deed from J.J.  
9-53 Hennesey, et al, to Leo M. Black, dated June 26, 1952, recorded in  
9-54 Vol. 135, page 20, Bastrop County Deed Records. Herein described  
9-55 4.005 acre tract or parcel being more particularly described by  
9-56 metes and bounds as follows:

9-57 BEGINNING at the southeast corner of the referenced Black  
9-58 304.34 acre tract, said point being the southeast corner of the  
9-59 mentioned J.M. BANGS SURVEY and the northeast corner of the NANCY  
9-60 BLAKEY SURVEY. Said point being the northeast corner of that  
9-61 certain 1090 acre tract described as Tract #1 and set aside to Sam  
9-62 Edith Higgins Ketha, et vir, in a Partition Deed recorded in Vol.  
9-63 161 Page 233, Bastrop County Deed Records.

9-64 THENCE with the south line of the J.M. BANGS SURVEY, the south  
9-65 line of the referenced Black 304.34 acre tract, the north line of  
9-66 the NANCY BLAKEY SURVEY and north line of the afore said Ketha 1090  
9-67 acre tract, N 88 deg 31 min 09 sec W, at 50.00 feet pass a 5/8 inch  
9-68 iron rod for reference, at 1139.21 feet a 5/8 inch iron rod, at a  
9-69 fence intersection;

10-1           THENCE with the meander of a fence: N 71 deg 58 min 03 sec E,  
 10-2 279.99 feet; N 72 deg 23 min 34 sec E, 185.14 feet; N74 deg 14 min 12  
 10-3 sec E, 149.19 feet; N 55 deg 11min 31 sec E, 105.95 feet; N 26 deg 35  
 10-4 min 01 sec E, 139.12 feet, to a point on the low bank of the Colorado  
 10-5 River, said point being in the east line of the referenced Black  
 10-6 304.34 acre tract;

10-7           THENCE with the meanders of the low bank of the Colorado  
 10-8 River, the east line of the said 304.34 acre tract; S 48 deg 53 min  
 10-9 04 sec E, 115.56 feet; S 40 deg 25 min 12 sec E, 333.17 feet; S 55 deg  
 10-10 52 min 39 sec E, 121.05 feet to the POINT OF BEGINNING, containing  
 10-11 4.005 acres of land.

10-12           SECTION 6. FINDINGS RELATIVE TO BOUNDARIES.           The  
 10-13 legislature finds that the boundaries and field notes of the  
 10-14 district form a closure. If a mistake is made in the field notes or  
 10-15 in copying the field notes in the legislative process, the mistake  
 10-16 does not affect in any way:

- 10-17           (1) the organization, existence, or validity of the
- 10-18 district;
- 10-19           (2) the right of the district to impose taxes; or
- 10-20           (3) the legality or operation of the district or the
- 10-21 board.

10-22           SECTION 7. GENERAL POWERS. The district has all of the  
 10-23 rights, powers, privileges, authority, functions, and duties  
 10-24 provided by the general law of this state, including Chapters 49 and  
 10-25 54, Water Code, applicable to municipal utility districts created  
 10-26 under Section 59, Article XVI, Texas Constitution.

10-27           SECTION 8. CITY OF BASTROP. (a) The district is wholly  
 10-28 located within the extraterritorial jurisdiction of the City of  
 10-29 Bastrop. The district is subject to the requirements of municipal  
 10-30 ordinances of the City of Bastrop applicable to extraterritorial  
 10-31 areas, unless the municipality's governing body waives compliance.  
 10-32 Creation of the district is subject to approval by the City of  
 10-33 Bastrop under Sections 42.042, Local Government Code, and 54.016,  
 10-34 Water Code.

10-35           (b) Subject to the approval of the City of Bastrop, the  
 10-36 district may divide into two or more contiguous districts as  
 10-37 provided by Sections 51.749-51.758, Water Code.

10-38           SECTION 9. DEVELOPMENT AGREEMENT. The district may enter  
 10-39 into a written contract with the City of Bastrop that:

- 10-40           (1) guarantees the continuation of the
- 10-41 extraterritorial status of the district and its immunity from
- 10-42 annexation by the municipality for a period not to exceed 15 years;
- 10-43           (2) regulates development within the boundaries of the
- 10-44 district in a manner that the parties agree will further the health,
- 10-45 safety, and welfare of the residents of the district;
- 10-46           (3) contains other terms and considerations that the
- 10-47 parties agree are reasonable and appropriate; and
- 10-48           (4) may be renewed or extended for successive periods
- 10-49 not to exceed a total of 15 years.

10-50           SECTION 10. APPLICABILITY OF OTHER LAW. This Act prevails  
 10-51 over any provision of general law that is in conflict or  
 10-52 inconsistent with this Act.

10-53           SECTION 11. BOARD OF DIRECTORS. (a) The district is  
 10-54 governed by a board of five directors.

10-55           (b) Temporary directors serve until initial directors are  
 10-56 elected under Section 13 of this Act.

10-57           (c) Two of the initial directors serve until the first  
 10-58 election of permanent directors under Section 14 of this Act. Three  
 10-59 of the initial directors serve until the second election of  
 10-60 permanent directors under Section 14 of this Act.

- 10-61           (d) Permanent directors serve staggered four-year terms.
- 10-62           (e) Each director must qualify to serve as director in the
- 10-63 manner provided by Section 49.055, Water Code.
- 10-64           (f) A director serves until the director's successor has
- 10-65 qualified.

10-66           SECTION 12. TEMPORARY DIRECTORS. (a) The temporary board  
 10-67 consists of:

- 10-68           (1) Don Nolen;
- 10-69           (2) Kay Wesson;

- 11-1 (3) Ashley Mutschink;
- 11-2 (4) Jim Mills; and
- 11-3 (5) Steve Rivers.

11-4 (b) If a temporary director fails to qualify for office, the  
 11-5 temporary directors who have qualified shall appoint a person to  
 11-6 fill the vacancy. If at any time there are fewer than three  
 11-7 qualified temporary directors, the commission shall appoint the  
 11-8 necessary number of persons to fill all vacancies on the board.

11-9 SECTION 13. CONFIRMATION AND INITIAL DIRECTORS ELECTION.

11-10 (a) The temporary board shall call and hold an election to confirm  
 11-11 establishment of the district and to elect five initial directors  
 11-12 as provided by Section 49.102, Water Code.

11-13 (b) The initial directors elected shall draw lots to decide  
 11-14 which two shall serve terms lasting until replacement directors are  
 11-15 elected at the first regularly scheduled election of directors  
 11-16 under Section 14 of this Act and which three shall serve until the  
 11-17 second regularly scheduled election of directors.

11-18 (c) Section 41.001(a), Election Code, does not apply to a  
 11-19 confirmation and initial directors election held as provided by  
 11-20 this section.

11-21 SECTION 14. ELECTION OF DIRECTORS. (a) On the first

11-22 Saturday in May of the first even-numbered year after the year in  
 11-23 which the district is authorized to be created at a confirmation  
 11-24 election, an election shall be held in the district for the election  
 11-25 of two directors to replace the two initial directors serving  
 11-26 shorter terms from the confirmation election.

11-27 (b) On the first Saturday in May of each subsequent  
 11-28 even-numbered year following the election, the appropriate number  
 11-29 of directors shall be elected.

11-30 SECTION 15. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS.

11-31 (a) The legal notice of the intention to introduce this Act,  
 11-32 setting forth the general substance of this Act, has been published  
 11-33 as provided by law, and the notice and a copy of this Act have been  
 11-34 furnished to all persons, agencies, officials, or entities to which  
 11-35 they are required to be furnished under Section 59, Article XVI,  
 11-36 Texas Constitution, and Chapter 313, Government Code. The  
 11-37 governor, one of the required recipients, has submitted the notice  
 11-38 and Act to the commission.

11-39 (b) The commission has filed its recommendations relating  
 11-40 to this Act with the governor, lieutenant governor, and speaker of  
 11-41 the house of representatives within the required time.

11-42 (c) All requirements of the constitution and laws of this  
 11-43 state and the rules and procedures of the legislature with respect  
 11-44 to the notice, introduction, and passage of this Act are fulfilled  
 11-45 and accomplished.

11-46 SECTION 16. EFFECTIVE DATE; EXPIRATION DATE. (a) This Act

11-47 takes effect September 1, 2003.

11-48 (b) If the creation of the district is not confirmed at a  
 11-49 confirmation election held under Section 13 of this Act before  
 11-50 September 1, 2005, this Act expires on that date.

11-51 \* \* \* \* \*