

By: Gattis

H.B. No. 3549

Substitute the following for H.B. No. 3549:

By: Puente

C.S.H.B. No. 3549

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the Williamson County Municipal Utility
3 District No. 21; providing authority to impose a tax and issue
4 bonds.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws
7 Code, is amended by adding Chapter 8132 to read as follows:

8 CHAPTER 8132. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 21

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8132.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the board of directors of the
12 district.

13 (2) "Director" means a member of the board.

14 (3) "District" means the Williamson County Municipal
15 Utility District No. 21.

16 Sec. 8132.002. NATURE OF DISTRICT. The district is a
17 municipal utility district in Williamson County created under and
18 essential to accomplish the purposes of Section 59, Article XVI,
19 Texas Constitution.

20 Sec. 8132.003. CONFIRMATION ELECTION REQUIRED. If the
21 creation of the district is not confirmed at a confirmation
22 election held under Section 8132.023 before September 1, 2009:

23 (1) the district is dissolved September 1, 2009,
24 except that:

1 (A) any debts incurred shall be paid;

2 (B) any assets that remain after the payment of
3 debts shall be transferred to Williamson County; and

4 (C) the organization of the district shall be
5 maintained until all debts are paid and remaining assets are
6 transferred; and

7 (2) this chapter expires September 1, 2012.

8 Sec. 8132.004. INITIAL DISTRICT TERRITORY. (a) The
9 district is initially composed of the territory described by
10 Section 2 of the Act creating this chapter.

11 (b) The boundaries and field notes contained in Section 2 of
12 the Act creating this chapter form a closure. A mistake made in the
13 field notes or in copying the field notes in the legislative process
14 does not affect:

15 (1) the organization, existence, or validity of the
16 district;

17 (2) the right of the district to impose taxes;

18 (3) the validity of the district's bonds, notes, or
19 indebtedness; or

20 (4) the legality or operation of the district or the
21 board.

22 Sec. 8132.005. APPLICABILITY OF OTHER WATER DISTRICTS LAW.
23 Except as otherwise provided by this chapter, Chapters 30, 49, and
24 54, Water Code, apply to the district.

25 [Sections 8132.006-8132.020 reserved for expansion]

26 SUBCHAPTER A1. TEMPORARY PROVISIONS

27 Sec. 8132.021. TEMPORARY DIRECTORS. (a) The temporary

1 board consists of:

- 2 (1) Tommy Cain;
3 (2) David Crist;
4 (3) Jeff Henley;
5 (4) Stanton Meeks; and
6 (5) Stephen Stilp.

7 (b) A temporary director is not required to own land in or
8 reside in the district.

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

15 (d) Temporary directors serve until the earlier of:

16 (1) the date directors are elected under Section
17 8132.023; or

18 (2) the date this chapter expires under Section
19 8132.003.

20 Sec. 8132.022. ORGANIZATIONAL MEETING OF TEMPORARY
21 DIRECTORS. As soon as practicable after all the temporary
22 directors have qualified under Section 49.055, Water Code, a
23 majority of the temporary directors shall convene the
24 organizational meeting of the district at a location in the
25 district agreeable to a majority of the directors.

26 Sec. 8132.023. CONFIRMATION AND INITIAL DIRECTORS'
27 ELECTION. (a) The temporary directors shall hold an election to

1 confirm the creation of the district and to elect five directors as
2 provided by Section 49.102, Water Code. If the creation of the
3 district is not confirmed at the initial election, the temporary
4 directors may hold a second election not sooner than the first
5 anniversary of the initial election.

6 (b) At the confirmation and initial directors' election the
7 board may submit to the voters a proposition to authorize:

8 (1) an issuance of bonds;

9 (2) a maintenance tax; or

10 (3) a tax to fund payments required under a contract.

11 (c) Section 41.001(a), Election Code, does not apply to a
12 confirmation and initial directors' election held under this
13 section.

14 Sec. 8132.024. INITIAL ELECTED DIRECTORS; TERMS. The
15 directors elected under Section 8132.023 shall draw lots to
16 determine which two shall serve terms expiring June 1 following the
17 first regularly scheduled election of directors under Section
18 8132.052 and which three shall serve until June 1 following the
19 second regularly scheduled election of directors.

20 Sec. 8132.025. EXPIRATION OF SUBCHAPTER. This subchapter
21 expires September 1, 2012.

22 [Sections 8132.026-8132.050 reserved for expansion]

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 8132.051. DIRECTORS; TERMS. (a) The district is
25 governed by a board of five directors.

26 (b) Directors serve staggered four-year terms that expire
27 June 1 of even-numbered years.

1 Sec. 8132.052. ELECTION OF DIRECTORS. On the uniform
2 election date in May of each even-numbered year, the appropriate
3 number of directors shall be elected.

4 [Sections 8132.053-8132.100 reserved for expansion]

5 SUBCHAPTER C. POWERS AND DUTIES

6 Sec. 8132.101. WASTEWATER TREATMENT FACILITY DESIGN
7 APPROVAL. The district must obtain the approval of the Brazos River
8 Authority for the design of any district wastewater treatment
9 facility.

10 Sec. 8132.102. WASTEWATER SERVICE PROVIDERS. Only the
11 Brazos River Authority or a provider approved by the Brazos River
12 Authority may provide wastewater service in the district.

13 Sec. 8132.103. COMPLIANCE WITH SEWER SERVICE AGREEMENT.
14 The district shall comply with the terms and conditions of the
15 "Agreement Regarding Sewer Service Areas and Customers by and
16 between Lower Colorado River Authority, Brazos River Authority,
17 City of Georgetown, City of Liberty Hill and Chisholm Trail Special
18 Utility District" dated February 1, 2005.

19 SECTION 2. The Williamson County Municipal Utility District
20 No. 21 initially includes all the territory contained in the
21 following area:

22 BEING approximately 530 acres of land, situated in the John
23 Hamilton Survey, Abstract No. 282, in Williamson County, Texas,
24 said land being those certain tracts of land, called 147.2 acres
25 (Save and Except 45.3 acres) as described in Tract "A", and called
26 79.33 acres, as described in Tract "B", as conveyed to Aubrey J.
27 Daniell and wife, Evangeline Jacob Daniell, by deed as recorded in

1 Volume 444, Page 325, of the Deed Records of Williamson County,
2 Texas, that certain tract of land, called 264.56 acres, as
3 described in a deed to Gerald Kucera of record in Volume 1965, Page
4 587, of the Official Records of Williamson County, Texas, as
5 described in Tract "C", that certain tract of land, called 1.31
6 acres, as conveyed to Gerald D. Kucera by deed recorded as Document
7 No. 2001010697 of the Official Records of Williamson County, Texas,
8 as described in Tract "D", and that certain tract of land, called
9 117.34 acres, as conveyed to Gerald Kucera by deed recorded as
10 Document No. 199962150 of the Official Records of Williamson
11 County, Texas, as described in Tract "E", SAVE AND EXCEPT that
12 portion of the above-referenced tracts included in the
13 extraterritorial jurisdiction of the City of Georgetown, Texas, as
14 of January 1, 2005. Those individual tracts being described as
15 follows:

16 Tract "A"

17 Beginning 50 varas South 19 East from the most Easterly Southeast
18 corner of a tract of 158.6 acres of land out of the C H Delaney and
19 John Hamilton Surveys, this day conveyed to Mamie James by Emily
20 Conaway, et al; thence North 19 West 674 varas to the most Easterly
21 Northeast corner of the said 158.6 acre tract of land; thence South
22 71 West 400 varas for the most Northerly Southwest corner of this
23 tract; thence North 19 West, at 138 varas, pass the Southwest corner
24 of School Lot, at 253 varas, the Northwest corner of said school
25 lot, for the most Westerly Northwest corner of this tract; thence
26 with the fence line North 71 East, at 115 varas pass the Northeast
27 corner of said school lot, and at 800 varas, a fence corner, and the

1 Northeast corner of a 100 acre tract of land conveyed by Ed Conaway
2 and wife to Emily Conaway by Deed dated November 25, 1924, and
3 recorded in Volume 217, Page 500, of the Deed Records of Williamson
4 County, Texas; thence North 19 West 292 varas, the Southwest corner
5 of a 142 4/5 acre tract of land out of said Hamilton Survey conveyed
6 to Mrs. Elizabeth Tucker by her father; thence North 71 East 396
7 varas to a fence corner on the South line of said 142 4/5 acre tract;
8 thence South 19 East 909 varas to a fence corner; thence South 71
9 West 396 varas to a fence corner; thence South 19 East 323 varas to
10 the Northeast corner of the Second Tract of land described in Deed
11 of even date herewith from Emily Conaway, et al to Rebecca Britton;
12 thence South 71 West 400 varas to the place of beginning, containing
13 147.2 acres of land. Said field notes include the school lot above
14 mentioned.

15 SAVE AND EXCEPT 45.3 acres out of that portion of the above
16 described lands which has been cultivated and is known as the
17 "Field", the most westerly line being the fence on the east side of
18 the Old Georgetown and Florence Road, extending East between the
19 fence on the north and south sides of the "Field" to a line parallel
20 to the pasture fence on the East line of the field, so as to include
21 45.3 acres and no more.

22 Tract "B"

23 FIRST TRACT: Beginning at the S E corner of a tract of 142-4/5 acres
24 conveyed to Mrs. Tucker, by her father, a stone for corner, from
25 which the S E corner of Mrs. Tucker's 200 acre tract brs N 19 W 51
26 grs and a large elm tree on the North Bank of Berry's Creek brs N 19
27 W 59 vrs and a post oak tree 14 inches in dia brs S 19 E 25 vrs;

1 Thence S 71 W with the south line of said 142-4/5 acre tract, 199.62
2 vrs a stake from which a Post Oak 5 inches in dia brs S 61-3/4 W
3 4-1/5 vrs and another post oak 5 inches in dia brs S 47½ E 2-1/5 vrs;
4 Thence S 19 E 909 vrs diameter brs N 19 W 9½ vrs 14 inches in
5 diameter brs S 71 W 3-3/5 vrs; Thence N 71 E 198.87 vrs to a stake
6 for a S E corner; Thence N 19 W 909 vrs to the place of beginning,
7 containing 32.08 acres of land more or less.

8 Second Tract: Beginning at the N W corner of the above described
9 tract; Thence S 19 E with the West line of the above described
10 tract, 909 vrs to a stake for the S W corner of the above described
11 tract and the S E corner hereof; Thence S 71 W 199 vrs to the S W
12 corner hereof; Thence N 19 W at 1293 vrs the center of Berry's Creek
13 from which an elm 20 inches in dia marked X brs N 42-10 E 25½ vrs, a
14 hackberry 18 inches in dia marked X brs N 20-19½ vrs; Thence down
15 said Creek with meanders of same about as follows: N 78 E 55 vrs; S
16 80 E 150 vrs; S 11 E 120 vrs; S 68½ E 150 vrs; N 88½ E 123 vrs to the S
17 E corner of the Tucker's Home tract and the S W corner of Mrs. Mary
18 M. Poole's home tract; Thence S 19 E 51 vrs to the N E corner of the
19 above mentioned tract of 32.08 acres; Thence S 71 W 199 vrs to the
20 place of beginning, containing 47-1/4 acres of land more or less.

21 Tract "C"

22 Field notes for a tract of 264.56 acres of land out of the John
23 Hamilton Survey, Abstract No. 282, in Williamson County, Texas;
24 being out of and a part of that tract of land described as
25 containing 261.44 acres in: (1) a deed from Russell Kinningham, et
26 ux, to Glenn Neans, dated July 8, 1976, and recorded in Volume 641,
27 Page 288 of the Deed Records of Williamson County, Texas; and (2) a

1 sales contract from Glenn Neans to Crest Homes (a Division of Mark
2 Electric, Inc.) that is dated October 3, 1978.

3 Beginning at the point of intersection of the center of Berrys
4 Creek, which bounds this tract along the north, with the northerly
5 projection of the northmost portion of an old wire fence line along
6 the west line of the above described 261.44 acre tract, said point
7 bearing N 16°26' W 47 ft. distant from a dead 12" tree trunk, at the
8 end of said fence line, on the south bank of said creek; said point
9 of intersection being at or near the following: (1) the northwest
10 corner of the above described 261.44 acre tract; (2) the northeast
11 corner of that 47.25 acre tract described in a deed from Frank
12 Conaway, et al, to Aubrey J. Daniell, et ux, dated March 20, 1961,
13 and recorded in Volume 444, Page 325 of the Deed Records; (3) the
14 southeast corner of that 200 acre tract described in a deed from
15 Laveta Tisdale, et al, to Wallace Suttles, dated September 4, 1946,
16 and recorded in Volume 339, Page 514 of the Deed Records; and (4)
17 the southwest corner of that 319 acre tract described in a deed from
18 George Meatsler, et ux, to Mary Poole, dated June 26, 1894, and
19 recorded in Volume 71, Page 272 of the Deed Records (said 319 acre
20 tract having been granted to the Cumberland Presbyterian Church
21 Orphans Home in the will of said Mary Poole which was dated February
22 3, 1944); for the POINT OF BEGINNING and Northwest corner hereof.

23 Thence leaving said Berrys Creek, and proceeding along the
24 aforementioned old wire fence line along the west line of said
25 261.44 acre tract and the upper east line of the above described
26 Daniell 47.25 acre tract, S 16°26' E, at 47 ft. pass the
27 aforementioned dead 12" tree trunk at the beginning of said fence,

1 in all 160.14 ft. to a fairly new cedar corner post at an ell corner,
2 as fenced, of said 47.25 acre tract, said point being the northeast
3 fence corner of that 32.08 acre tract described in the
4 aforementioned deed to Daniell.

5 Thence continuing along said old wire fence line along the west line
6 of said 261.44 acre tract, and along the east line of said Daniell
7 32.08 acre tract, as follows: S 17°08' E 193.56 ft., a post; S 18°38'
8 E 463.36 ft., a post; S 20°33' E 195.58 ft., a post; S 21°06' E 32.22
9 ft., a post; S 18°58' E 218.85 ft., a 17" Live Oak; S 21°06' E 130.80
10 feet, a post at the north end of a gate; S 28°09' E 16.75 ft., a post
11 at the south end of said gate; S 21°04' E 90.94 ft., a post; S 18°52' E
12 64.38 ft., a post; S 18°14' E 100.79 ft., a post; S 20°14' E 258.38
13 ft., a 13" Cedar; S 18°27' E 288.70 ft., a post; S 15°15' E 299.65
14 ft., a post; and S 12°59' E 78.58 ft. to an old corner post at the
15 southeast fence corner of said Daniell 32.08 acre tract, also being
16 the northeast fence corner of that 128 acre "FIRST TRACT" described
17 in a deed from Oscar M. Beaver, Jr, et ux, to Ernest G. Walston, et
18 al, dated June 20, 1962, and recorded in Volume 452, Page 382 of the
19 Deed Records.

20 Thence proceeding along a fairly new wire fence line, along the west
21 line of said 261.44 acre tract and the east line of said Walston 128
22 acre "FIRST TRACT" as follows: S 19°58' E 139.79 ft., a post; S 19°46'
23 E 471.85 ft., a post; S 19°42' E 1092.80 ft., a post in concrete; and
24 S 19°38' E 432.03 ft. to a large cedar corner post, in concrete, at
25 the southwest fence corner of said 261.44 acre tract; said point
26 being the northwest fence corner of that 1.5 acre tract, which is an
27 approximately 30 ft. wide land running along the south line of said

1 261.44 acre tract, described as the "SECOND TRACT" in the
2 aforementioned deed from Beaver to Walston; for the Southwest
3 corner hereof;
4 Thence leaving said Walston 128 acre east line, and proceeding
5 along an old wire fence line along the south line of said 261.44
6 acre tract and the north line of said Walston 1.5 acre "SECOND
7 TRACT", as follows; N 71°39' E 382.38 ft., a post; N 69°59' E 265.02
8 ft., a dead 5" tree trunk; N 71°35' E 587.40 ft., an 11" Cedar; N
9 74°20' E 416.14 ft., a 4" dead tree trunk in a cluster; N 79°18' E
10 362.23 ft., a 7" Oak; N 77°18' E 157.46 ft., a 5" tree; and N 70°57' E
11 44.50 ft. to an iron stake found, beside an old corner post, at the
12 southeast fence corner of said 261.44 acre tract and the northeast
13 fence corner of said 1.5 acre Walston tract; said point being in the
14 west fence line of that 4.39 acre tract described in a deed from
15 Russell Kinningham, et ux, to William O. Reed, Jr., dated February
16 15, 1979, and recorded in Volume 748, Page 630 of the Deed Records;
17 said point also being in the west fence line of that 100 acre tract
18 described in a deed from Oscar M. Beaver, Jr., et ux, to Edward Y.
19 Beaver, dated January 17, 1964, and recorded in Volume 465, Page 615
20 of the Deed Records; said point also being in the west line of a 30
21 ft. wide easement which was conveyed in the aforementioned deed
22 from Oscar Beaver to Ernest Walston, said easement beginning at the
23 southeast corner of the aforementioned 1.5 acre "SECOND TRACT" and
24 running northerly and parallel to the west line of that 324.3 acre
25 tract, described in a deed from Edward Y. Beaver, et al, to Oscar M.
26 Beaver, Jr., dated October 24, 1949, and recorded in Volume 358,
27 Page 335 of the Deed Records, for a distance of about "2776 ft." to

1 the south line of a "community road running easterly and westerly
2 through the Beaver and Brooks properties"; for the Southeast corner
3 hereof.

4 Thence proceeding along an old wire fence, along the east line of
5 said 261.44 acre tract and the west line of said Reed 4.39 acre
6 tract (and west line of said Edward Beaver 100 acre tract), N 13°36'
7 W 100.22 ft. to an iron stake set, west of a newer cedar post, at or
8 near the northwest corner of said Reed 4.39 acre tract and an ell
9 corner of said 261.44 acre tract, for an ell corner hereof.

10 Thence proceeding along a fairly new wire fence along the upper
11 north line of said Reed tract, N 76°58' E 31.69 ft. to an iron stake
12 found, beside a corner post, at an ell corner of said 261.44 acre
13 tract; for an ell corner hereof.

14 Thence proceeding along a fairly new wire fence line running along
15 the east line of said 261.44 acre tract, said fence also running
16 along that line described in a fence line agreement between Russell
17 Kinningham, et ux, and Edward Y. Beaver, et ux, dated July 8, 1976,
18 and recorded in Volume 641, Page 283 of the Deed Records, as
19 follows: N 16°36' W 367.71 ft., a large corner post, which bears N
20 85°04' E 11.8 ft. distant from an iron stake found in the remains of
21 an old wire fence line running in a northerly direction; N 16°55' W
22 710.60 ft., a post; N 17°17' W 470.20 ft., a post; N 17°25' W .52
23 ft., a post; N 17°44' W 382.69 ft., a post; N 17°28' W 392.16 ft., a
24 large post, at the south end of a gate, in the south margin of a
25 lane; leaving said fence, N 64°42' W 33.86 ft., an iron stake found
26 in the base of a broken off post; and N 20°41' W 44.16 ft. to a cedar
27 post, in concrete, at the present northwest fence corner of the land

1 owned by said Edward Beaver, also being the southwest corner of that
2 20 acre tract described in a sales contract from the Texas Veterans
3 Land Board to William Gray Bryant, Jr., dated July 13, 1974, and
4 recorded in Volume 591, Page 731 of the Deed Records; said point
5 also being at or near the most northwesterly corner of that 50 ft.
6 wide easement conveyed from Edward Y. Beaver, et ux, to Russell
7 Kinningham, dated October 15, 1974, and recorded in Volume 597,
8 Page 385 of the Deed Records (said easement connecting with three
9 additional easements, conveyed to Russell Kinningham of record in
10 Volume 597, Pages 382, 359 and 362 of the Deed Records of Williamson
11 County, Texas, which proceed northeasterly to Texas State Highway
12 195).

13 Thence proceeding along an old wire fence, along the east line of
14 said 261.44 acre tract and the west line of said Bryant 20 acre
15 tract, as follows: N 20°41' W 37.00 ft., a post; N 19°50' W 261.20
16 ft., a post; N 21°02' W 129.08 ft., a post; N 19°29' W 183.35 ft., a
17 post; N 17°14' W 707.51 ft., a post; N 18°02' W 593.71 ft., a post; N
18 17°11' W 267.60 ft., a 30" Live Oak; N 45°22' W 40.04 ft., a 12" Bois
19 d'Arc, on the south bank of the aforementioned Berrys Creek, at the
20 end of said fence line; and N 13°25' W 39.61 ft. to a point in the
21 center of said Creek, being at or near the northeast corner of said
22 261.44 acre tract and the northwest corner of said Bryant 20 acre
23 tract; said point also being at or near the following: (1) the
24 southeast corner of the aforementioned Mary Poole 319 acre tract;
25 and (2) an ell corner of that 177.79 acre tract described in a deed
26 from Oscar M. Beaver, Jr., et ux, to William Gray Bryant, Jr., et
27 ux, dated April 24, 1974, and recorded in Volume 586, Page 812 of

1 the Deed Records; for the Northeast corner hereof;
2 Thence proceeding up the center of said Berrys Creek, being the
3 north line of said 261.44 acre tract and the south line of said 319
4 acre tract, as follows: S 73°05' W 216.60 ft.; S 69°48' W 349.60 ft.;
5 N 77°53' W 174.00 ft.; N 64°57' W 147.40 ft.; N 67°04' W 151.00 ft.; S
6 62°52' W 547.60 ft.; S 80°32' W 122.40 ft.; S 70°13' W 177.00 ft.; S
7 20°34' W 240.00 ft.; S 30°22' W 197.60 ft.; S 81°33' W 151.00 ft.; and
8 S 88°33' W 100.70 ft. to the POINT OF BEGINNING, containing 264.56
9 acres of land.

10 Tract "D"

11 BEING 1.31 acres of land, situated in the John Hamilton Survey,
12 Abstract No. 282, in Williamson County, Texas, said land being a
13 portion of that certain Second Tract, called 1.5 acres, as conveyed
14 to Ernest G. Walston and Buford M. Homeyer by deed as recorded in
15 Volume 452, Page 382, of the Deed Records of Williamson County,
16 Texas. Surveyed on the ground in the month of September, 1999, under
17 the supervision of Don H. Bizzell, Registered Professional Land
18 Surveyor, and being more particularly described as follows;

19 BEGINNING at an iron pin found marking the Northeast corner of the
20 above-referenced Walston and Homeyer Second Tract, being the
21 Southeast corner of that certain tract of land, called 264.56
22 acres, as conveyed to Gerald Kucera by deed as recorded in Volume
23 1965, Page 587, of the Official Records of Williamson County,
24 Texas, being on the west line of that certain Tract II, called 4.39
25 acres, as conveyed to Robert C. Williamson and wife, Jo Ann
26 Williamson, by deed as recorded in Volume 873, Page 349, of the Deed
27 Records of Williamson County, Texas, for the Northeast corner

1 hereof;

2 THENCE, along the west line of the said Williamson Tract II, S 14°
3 22'E, 31.24 feet to an iron pin found marking the Southeast corner
4 of the said Walston and Homeyer Second Tract, being the Northeast
5 corner of that certain tract of land, called 117.34 acres as
6 conveyed to Gerald Kucera by deed recorded as Document No.
7 199962150 of the Official Public Records of Williamson County,
8 Texas, for the Southeast corner hereof;

9 THENCE, along the occupied south line of the said Walston and
10 Homeyer Second Tract, being the north line of the said 117.34 acre
11 Kucera tract, as follows; S 76° 25' 30" W, 256.33 feet to an iron pin
12 found; S 78° 56' W, 289.62 feet to an iron pin found; S 74° 09' W,
13 308.57 feet to an iron pin found; S 72° 17' W, 274.28 feet to an iron
14 pin found; S 71° 30' W, 277.22 feet to an iron pin found; S 70° 35' 30"
15 W, 266.63 feet to an iron pin found and S 70° 46' 30" W, 209.61 feet
16 to an iron pin set for the Southwest corner hereof; said point being
17 N 70° 46' 30" E, 60.00 feet from the most northerly Northwest corner
18 of the said 117.34 acre Kucera tract;

19 THENCE, N 19° 16' 30" W, 26.84 feet to a mag nail set in rock on the
20 occupied north line of the said Walston and Homeyer Second Tract,
21 being the south line of the said 264.56 acre Kucera tract, for the
22 Northwest corner hereof;

23 THENCE, along the occupied north line of the said Walston and
24 Homeyer Second Tract, being the south line of the said 264.56 acre
25 Kucera tract, as follows; N 71° 15' 30" E, 52.51 feet to an iron pin
26 set; N 69° 35' 30" E, 265.02 feet to an iron pin set; N 71° 11' 30" E,
27 587.40 feet to a spindle set in the east side of a 16" Cedar 6 feet

1 above ground; N 73° 56' 30" E, 416.14 feet to an iron pin set; N 78°
2 54' 30" E, 362.33 feet to an iron pin set; N 76° 54' 30" E, 157.46
3 feet to an iron pin set and N 70° 33' 30" E, 44.50 feet to the Place
4 of BEGINNING and containing 1.31 acres of land.

5 Tract "E"

6 BEING 117.34 acres of land, situated in the John Hamilton Survey,
7 Abstract No. 282 and the Frederick Foy Survey, Abstract No. 229, in
8 Williamson County, Texas, said land being that certain Tract One,
9 called 117.23 acres and that certain Tract Two, called 0.138 of an
10 acre, as conveyed to Keystar Whisperwood II, Ltd. by deed as
11 recorded in Volume 2510, Page 125, of the Official Records of
12 Williamson County, Texas. Surveyed on the ground in the month of
13 August, 1999, under the supervision of Don H. Bizzell, Registered
14 Professional Land Surveyor, and being more particularly described
15 as follows;

16 BEGINNING at an iron pin found at the Northwest corner of Jennings
17 Branch, an existing dedicated roadway, marking the Southwest corner
18 of the above-referenced Tract Two, being on the east line of the
19 Resubdivision of a Portion of Lot 16, Block One, Whisperwood I and a
20 0.0358 of an acre, a subdivision of record in Cabinet N, Slide 239,
21 of the Plat Records of Williamson County, Texas, marking the most
22 easterly Southwest corner of that certain tract of land, called
23 13.536 acres, as conveyed to Martin L. McCarley, by deed as recorded
24 in Volume 2445, Page 227, of the Official Records of Williamson
25 County, Texas, for the most westerly Southwest corner hereof;

26 THENCE, along the west and north lines of the said Tract Two, N 19°
27 33' W, at 29.92 feet pass an iron pin found marking the Northeast

1 corner of the said Resubdivision of a Portion of Lot 16, Block One,
2 Whisperwood I, and a 0.0358 of an acre, being an interior corner of
3 the said McCarley tract, for a total distance of 106.04 feet, in
4 all, to an iron pin set at the beginning of a curve to the right,
5 (Radius = 75.00 feet, Long Chord bears N 25° 42' E, 106.38 feet);
6 Thence, along the said curve for an arc distance of 118.26 feet to
7 an iron pin set for the Northeast corner of the said Tract Two,
8 being the most westerly Northwest corner of the above-referenced
9 Tract One and an interior corner of the said McCarley tract;
10 Thence, N 70° 28' 30" E, 280.30 feet to an iron pin found marking an
11 interior corner of the said Tract One, being the most easterly
12 Southeast corner of the said McCarley tract, for an interior corner
13 hereof;
14 THENCE, N 19° 16' 30" W, 804.04 feet to an iron pin found marking the
15 most northerly Northwest corner of the said Tract One, being the
16 Northeast corner of the said McCarley tract, and on the south line
17 of that certain Second Tract, called 1.5 acre, as conveyed to Ernest
18 G. Walston and Buford M. Homeyer by deed as recorded in Volume 452,
19 Page 382, of the Deed Records of Williamson County, Texas, for the
20 Northwest corner hereof;
21 THENCE, along the north line of the said Tract One, being the south
22 line of the said Walston and Homeyer tract, as follows; N 70° 46' 30"
23 E, 269.61 feet to an iron pin found; N 70° 35' 30" E, 266.63 feet to
24 an iron pin found; N 71° 30' E, 277.22 feet to an iron pin found; N
25 72° 17' E, 274.28 feet to an iron pin found; N 74° 09' E, 308.57 feet
26 to an iron pin found; N 78° 56' E, 289.62 feet to an iron pin found
27 and N 76° 25' 30" E, 256.33 feet to an iron pin found on the west line

1 of that certain Tract II, called 4.39 acres, as conveyed to Robert
2 C. Williamson and wife, Jo Ann Williamson, by deed as recorded in
3 Volume 873, Page 349, of the Deed Records of Williamson County,
4 Texas, marking the Northeast corner of the above-referenced Tract
5 One, being the Southeast corner of the said Walston and Homeyer
6 tract, for the Northeast corner hereof;

7 THENCE, along the east line of the said Tract One, being the west
8 line of the said Williamson Tract II, as follows; S 14° 54' 30" E,
9 53.14 feet to a nail set; S 20° 42' 30" E, 147.05 feet to a nail
10 found; S 27° 05' E, 470.13 feet to a nail found; S 29° 20' 30" E, 66.21
11 feet to an iron pin found; S 29° 52' E, 461.47 feet to a nail found; S
12 13° 35' 30" E, 44.93 feet to a nail found and S 3° 25' 30" E, 29.75
13 feet to an iron pin found marking the Southwest corner of the said
14 Williamson Tract II, being the Northwest corner of that certain
15 tract of land, called 15.00 acres, as described in a Contract of
16 Sale and Purchase between the Veteran's Land Board of Texas and
17 James Eugene Lax, of record in Volume 859, Page 912, of the Deed
18 Records of Williamson County, Texas, said Contract being assigned
19 to Coy Fancher by Assignment of Veteran's Land Board Contract of
20 Sale and Purchase of record in Volume 1774, Page 539, of the
21 Official Records of Williamson County, Texas, and continuing along
22 the west line of the said Fancher tract, S 2° 03' E, 46.95 feet to an
23 iron pin found; S 2° 17' 30" E, 188.35 feet to a nail found; S 12° 52'
24 30" E, 156.29 feet to a nail found; S 16° 28' 30" E, 160.13 feet to a
25 nail found at a 25" Live Oak; S 11° 25' 30" E, 105.55 feet to a nail
26 found; S 31° 21' E, 33.76 feet to a nail found; S 14° 20' 30" E, 174.86
27 feet to an iron pin found; S 15° 22' E, 337.70 feet to an iron pin

1 found and S 14° 59' 30" E, passing the common line between the John
2 Hamilton Survey, Abstract No. 282 and the Frederick Foy Survey,
3 Abstract No. 229, for a total distance of 356.22 feet, in all, to an
4 iron pin found at a fence corner marking the Southeast corner of the
5 above-referenced Tract One, being on the north line of that certain
6 Tract I, called 900.86 acres, as conveyed to John F. Yearwood by
7 deed as recorded in Volume 1813, Page 665, of the Official Records
8 of Williamson County, Texas, being the Southwest corner of the said
9 Fancher tract, for the Southeast corner hereof;

10 THENCE, S 70° 34' 30" W, 1229.98 feet to an iron pin found marking
11 the most southerly Southwest corner of the said Tract One, being on
12 the east line of Lot 9, Block Two, of Whisperwood I, a subdivision
13 of record in Cabinet I, Slide 102, of the Plat Records of Williamson
14 County, Texas, being the Northwest corner of the said Yearwood
15 tract, for the Southwest corner hereof;

16 THENCE, along the west line of the said Tract One, being the east
17 line of the said Whisperwood I, N 19° 17' 30" W, 130.08 feet to an
18 iron pin found marking the Northeast corner of the said Lot 9, Block
19 Two, being the most easterly corner of Lot 10, Block Two, of the
20 said Whisperwood I, being on, or near, the common line between the
21 Frederick Foy Survey, Abstract No. 229 and the John Hamilton
22 Survey, Abstract No. 282; N 66° 32' 30" W, 418.29 feet to an iron pin
23 found marking the Northeast corner of the said Lot 10, Block Two,
24 being the Southeast corner of Lot 11, Block Two, of the said
25 Whisperwood I, and N 19° 31' W, at 324.93 feet pass the Northeast
26 corner of the said Lot 11, Block Two, being the Southeast corner of
27 Lot 12, Block Two, of the said Whisperwood I, at 649.82 feet pass

1 the Northeast corner of the said Lot 12, Block Two , being the
2 Southeast corner of the said Lot 13, Block Two, for a total distance
3 of 974.89 feet, in all, to an iron pin found marking an interior
4 corner of the said Tract One, being the Northeast corner of the said
5 Lot 13, Block Two, for an interior corner hereof;

6 THENCE, along the north line of the said Lot 13, Block Two, S 70° 28'
7 30" W, 335.04 feet to an iron pin found marking a southwesterly
8 corner of the said Tract One, marking the Southeast corner of Lot
9 14, Block Two, of the said Whisperwood I, for a southwesterly corner
10 hereof;

11 THENCE, N 19° 29' 30" W, 650.10 feet to an iron pin found marking an
12 interior corner of the said Tract One, being the Northeast corner of
13 the said Lot 14, Block Two, for an interior corner hereof;

14 THENCE, along the south and east lines of the said Tract One, being
15 the north and west lines of the said Lot 14, Block Two, as follows; S
16 70° 28' 30" W, 320.19 feet to an iron pin set at the beginning of a
17 curve to the left, (Radius = 15.00 feet, Long Chord bears S 25° 13'
18 W, 21.28 feet);

19 Thence, along the said curve for an arc distance 23.66 feet to an
20 iron pin found;

21 Thence, S 19° 28' E, 106.07 feet to a railroad spike found at the
22 Northeast corner of the said Jennings Branch, marking the most
23 westerly Southeast corner of the said Tract One, for the most
24 westerly Southeast corner hereof;

25 THENCE, along the north line of the said Jennings Branch, S 70° 39'
26 30" W, at 30.01 feet pass a cotton picker spindle found marking the
27 most westerly Southwest corner of the said Tract One, being the most

1 southerly Southeast corner of the said Tract Two, for a total
2 distance of 59.95 feet, in all, to the Place of BEGINNING and
3 containing 117.34 acres of land.

4 SECTION 3. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

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

14 (c) The Texas Commission on Environmental Quality has filed
15 its recommendations relating to this Act with the governor, the
16 lieutenant governor, and the speaker of the house of
17 representatives within the required time.

18 (d) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act are fulfilled
21 and accomplished.

22 SECTION 4. This Act takes effect September 1, 2005.