

1-1 By: Gattis (Senate Sponsor - Ogden) H.B. No. 3549  
1-2 (In the Senate - Received from the House May 20, 2005;  
1-3 May 20, 2005, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 21, 2005, reported favorably by  
1-5 the following vote: Yeas 5, Nays 0; May 21, 2005, sent to  
1-6 printer.)

1-7 HOUSE COMMITTEE SUBSTITUTE FOR H.B. NO. 3549 RECEIVED IN THE FORM OF  
1-8 ENGROSSED RIDER IN LIEU OF A FULL ENGROSSMENT

1-9 A BILL TO BE ENTITLED  
1-10 AN ACT

1-11 relating to the creation of the Williamson County Municipal Utility  
1-12 District No. 21; providing authority to impose a tax and issue  
1-13 bonds.

1-14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-15 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-16 Code, is amended by adding Chapter 8132 to read as follows:

1-17 CHAPTER 8132. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 21

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8132.001. DEFINITIONS. In this chapter:

1-20 (1) "Board" means the board of directors of the  
1-21 district.

1-22 (2) "Director" means a member of the board.

1-23 (3) "District" means the Williamson County Municipal  
1-24 Utility District No. 21.

1-25 Sec. 8132.002. NATURE OF DISTRICT. The district is a  
1-26 municipal utility district in Williamson County created under and  
1-27 essential to accomplish the purposes of Section 59, Article XVI,  
1-28 Texas Constitution.

1-29 Sec. 8132.003. CONFIRMATION ELECTION REQUIRED. If the  
1-30 creation of the district is not confirmed at a confirmation  
1-31 election held under Section 8132.023 before September 1, 2009:

1-32 (1) the district is dissolved September 1, 2009,  
1-33 except that:

1-34 (A) any debts incurred shall be paid;

1-35 (B) any assets that remain after the payment of  
1-36 debts shall be transferred to Williamson County; and

1-37 (C) the organization of the district shall be  
1-38 maintained until all debts are paid and remaining assets are  
1-39 transferred; and

1-40 (2) this chapter expires September 1, 2012.

1-41 Sec. 8132.004. INITIAL DISTRICT TERRITORY. (a) The  
1-42 district is initially composed of the territory described by  
1-43 Section 2 of the Act creating this chapter.

1-44 (b) The boundaries and field notes contained in Section 2 of  
1-45 the Act creating this chapter form a closure. A mistake made in the  
1-46 field notes or in copying the field notes in the legislative process  
1-47 does not affect:

1-48 (1) the organization, existence, or validity of the  
1-49 district;

1-50 (2) the right of the district to impose taxes;

1-51 (3) the validity of the district's bonds, notes, or  
1-52 indebtedness; or

1-53 (4) the legality or operation of the district or the  
1-54 board.

1-55 Sec. 8132.005. APPLICABILITY OF OTHER WATER DISTRICTS LAW.  
1-56 Except as otherwise provided by this chapter, Chapters 30, 49, and  
1-57 54, Water Code, apply to the district.

1-58 [Sections 8132.006-8132.020 reserved for expansion]

1-59 SUBCHAPTER A1. TEMPORARY PROVISIONS

1-60 Sec. 8132.021. TEMPORARY DIRECTORS. (a) The temporary  
1-61 board consists of:

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

2-6 (b) A temporary director is not required to own land in or  
 2-7 reside in the district.

2-8 (c) If a temporary director fails to qualify for office, the  
 2-9 temporary directors who have qualified shall appoint a person to  
 2-10 fill the vacancy. If at any time there are fewer than three  
 2-11 qualified temporary directors, the Texas Commission on  
 2-12 Environmental Quality shall appoint the necessary number of persons  
 2-13 to fill all vacancies on the board.

2-14 (d) Temporary directors serve until the earlier of:  
 2-15 (1) the date directors are elected under Section  
 2-16 8132.023; or  
 2-17 (2) the date this chapter expires under Section  
 2-18 8132.003.

2-19 Sec. 8132.022. ORGANIZATIONAL MEETING OF TEMPORARY  
 2-20 DIRECTORS. As soon as practicable after all the temporary  
 2-21 directors have qualified under Section 49.055, Water Code, a  
 2-22 majority of the temporary directors shall convene the  
 2-23 organizational meeting of the district at a location in the  
 2-24 district agreeable to a majority of the directors.

2-25 Sec. 8132.023. CONFIRMATION AND INITIAL DIRECTORS'  
 2-26 ELECTION. (a) The temporary directors shall hold an election to  
 2-27 confirm the creation of the district and to elect five directors as  
 2-28 provided by Section 49.102, Water Code. If the creation of the  
 2-29 district is not confirmed at the initial election, the temporary  
 2-30 directors may hold a second election not sooner than the first  
 2-31 anniversary of the initial election.

2-32 (b) At the confirmation and initial directors' election the  
 2-33 board may submit to the voters a proposition to authorize:

- 2-34 (1) an issuance of bonds;
- 2-35 (2) a maintenance tax; or
- 2-36 (3) a tax to fund payments required under a contract.

2-37 (c) Section 41.001(a), Election Code, does not apply to a  
 2-38 confirmation and initial directors' election held under this  
 2-39 section.

2-40 Sec. 8132.024. INITIAL ELECTED DIRECTORS; TERMS. The  
 2-41 directors elected under Section 8132.023 shall draw lots to  
 2-42 determine which two shall serve terms expiring June 1 following the  
 2-43 first regularly scheduled election of directors under Section  
 2-44 8132.052 and which three shall serve until June 1 following the  
 2-45 second regularly scheduled election of directors.

2-46 Sec. 8132.025. EXPIRATION OF SUBCHAPTER. This subchapter  
 2-47 expires September 1, 2012.

2-48 [Sections 8132.026-8132.050 reserved for expansion]

2-49 SUBCHAPTER B. BOARD OF DIRECTORS

2-50 Sec. 8132.051. DIRECTORS; TERMS. (a) The district is  
 2-51 governed by a board of five directors.

2-52 (b) Directors serve staggered four-year terms that expire  
 2-53 June 1 of even-numbered years.

2-54 Sec. 8132.052. ELECTION OF DIRECTORS. On the uniform  
 2-55 election date in May of each even-numbered year, the appropriate  
 2-56 number of directors shall be elected.

2-57 [Sections 8132.053-8132.100 reserved for expansion]

2-58 SUBCHAPTER C. POWERS AND DUTIES

2-59 Sec. 8132.101. WASTEWATER TREATMENT FACILITY DESIGN  
 2-60 APPROVAL. The district must obtain the approval of the Brazos River  
 2-61 Authority for the design of any district wastewater treatment  
 2-62 facility.

2-63 Sec. 8132.102. WASTEWATER SERVICE PROVIDERS. Only the  
 2-64 Brazos River Authority or a provider approved by the Brazos River  
 2-65 Authority may provide wastewater service in the district.

2-66 Sec. 8132.103. COMPLIANCE WITH SEWER SERVICE AGREEMENT.  
 2-67 The district shall comply with the terms and conditions of the  
 2-68 "Agreement Regarding Sewer Service Areas and Customers by and  
 2-69 between Lower Colorado River Authority, Brazos River Authority,

3-1 City of Georgetown, City of Liberty Hill and Chisholm Trail Special  
 3-2 Utility District" dated February 1, 2005.

3-3 SECTION 2. The Williamson County Municipal Utility District  
 3-4 No. 21 initially includes all the territory contained in the  
 3-5 following area:

3-6 BEING approximately 530 acres of land, situated in the John  
 3-7 Hamilton Survey, Abstract No. 282, in Williamson County, Texas,  
 3-8 said land being those certain tracts of land, called 147.2 acres  
 3-9 (Save and Except 45.3 acres) as described in Tract "A", and called  
 3-10 79.33 acres, as described in Tract "B", as conveyed to Aubrey J.  
 3-11 Daniell and wife, Evangeline Jacob Daniell, by deed as recorded in  
 3-12 Volume 444, Page 325, of the Deed Records of Williamson County,  
 3-13 Texas, that certain tract of land, called 264.56 acres, as  
 3-14 described in a deed to Gerald Kucera of record in Volume 1965, Page  
 3-15 587, of the Official Records of Williamson County, Texas, as  
 3-16 described in Tract "C", that certain tract of land, called 1.31  
 3-17 acres, as conveyed to Gerald D. Kucera by deed recorded as Document  
 3-18 No. 2001010697 of the Official Records of Williamson County, Texas,  
 3-19 as described in Tract "D", and that certain tract of land, called  
 3-20 117.34 acres, as conveyed to Gerald Kucera by deed recorded as  
 3-21 Document No. 199962150 of the Official Records of Williamson  
 3-22 County, Texas, as described in Tract "E", SAVE AND EXCEPT that  
 3-23 portion of the above-referenced tracts included in the  
 3-24 extraterritorial jurisdiction of the City of Georgetown, Texas, as  
 3-25 of January 1, 2005. Those individual tracts being described as  
 3-26 follows:

3-27 Tract "A"

3-28 Beginning 50 varas South 19 East from the most Easterly Southeast  
 3-29 corner of a tract of 158.6 acres of land out of the C H Delaney and  
 3-30 John Hamilton Surveys, this day conveyed to Mamie James by Emily  
 3-31 Conaway, et al; thence North 19 West 674 varas to the most Easterly  
 3-32 Northeast corner of the said 158.6 acre tract of land; thence South  
 3-33 71 West 400 varas for the most Northerly Southwest corner of this  
 3-34 tract; thence North 19 West, at 138 varas, pass the Southwest corner  
 3-35 of School Lot, at 253 varas, the Northwest corner of said school  
 3-36 lot, for the most Westerly Northwest corner of this tract; thence  
 3-37 with the fence line North 71 East, at 115 varas pass the Northeast  
 3-38 corner of said school lot, and at 800 varas, a fence corner, and the  
 3-39 Northeast corner of a 100 acre tract of land conveyed by Ed Conaway  
 3-40 and wife to Emily Conaway by Deed dated November 25, 1924, and  
 3-41 recorded in Volume 217, Page 500, of the Deed Records of Williamson  
 3-42 County, Texas; thence North 19 West 292 varas, the Southwest corner  
 3-43 of a 142 4/5 acre tract of land out of said Hamilton Survey conveyed  
 3-44 to Mrs. Elizabeth Tucker by her father; thence North 71 East 396  
 3-45 varas to a fence corner on the South line of said 142 4/5 acre tract;  
 3-46 thence South 19 East 909 varas to a fence corner; thence South 71  
 3-47 West 396 varas to a fence corner; thence South 19 East 323 varas to  
 3-48 the Northeast corner of the Second Tract of land described in Deed  
 3-49 of even date herewith from Emily Conaway, et al to Rebecca Britton;  
 3-50 thence South 71 West 400 varas to the place of beginning, containing  
 3-51 147.2 acres of land. Said field notes include the school lot above  
 3-52 mentioned.

3-53 SAVE AND EXCEPT 45.3 acres out of that portion of the above  
 3-54 described lands which has been cultivated and is known as the  
 3-55 "Field", the most westerly line being the fence on the east side of  
 3-56 the Old Georgetown and Florence Road, extending East between the  
 3-57 fence on the north and south sides of the "Field" to a line parallel  
 3-58 to the pasture fence on the East line of the field, so as to include  
 3-59 45.3 acres and no more.

3-60 Tract "B"

3-61 FIRST TRACT: Beginning at the S E corner of a tract of 142-4/5 acres  
 3-62 conveyed to Mrs. Tucker, by her father, a stone for corner, from  
 3-63 which the S E corner of Mrs. Tucker's 200 acre tract brs N 19 W 51  
 3-64 grs and a large elm tree on the North Bank of Berry's Creek brs N 19  
 3-65 W 59 vrs and a post oak tree 14 inches in dia brs S 19 E 25 vrs;  
 3-66 Thence S 71 W with the south line of said 142-4/5 acre tract, 199.62  
 3-67 vrs a stake from which a Post Oak 5 inches in dia brs S 61-3/4 W  
 3-68 4-1/5 vrs and another post oak 5 inches in dia brs S 47 1/2 E 2-1/5 vrs;  
 3-69 Thence S 19 E 909 vrs diameter brs N 19 W 9 1/2 vrs 14 inches in

4-1 diameter brs S 71 W 3-3/5 vrs; Thence N 71 E 198.87 vrs to a stake  
 4-2 for a S E corner; Thence N 19 W 909 vrs to the place of beginning,  
 4-3 containing 32.08 acres of land more or less.  
 4-4 Second Tract: Beginning at the N W corner of the above described  
 4-5 tract; Thence S 19 E with the West line of the above described  
 4-6 tract, 909 vrs to a stake for the S W corner of the above described  
 4-7 tract and the S E corner hereof; Thence S 71 W 199 vrs to the S W  
 4-8 corner hereof; Thence N 19 W at 1293 vrs the center of Berry's Creek  
 4-9 from which an elm 20 inches in dia marked X brs N 42-10 E 25½ vrs, a  
 4-10 hackberry 18 inches in dia marked X brs N 20-19½ vrs; Thence down  
 4-11 said Creek with meanders of same about as follows: N 78 E 55 vrs; S  
 4-12 80 E 150 vrs; S 11 E 120 vrs; S 68½ E 150 vrs; N 88½ E 123 vrs to the S  
 4-13 E corner of the Tucker's Home tract and the S W corner of Mrs. Mary  
 4-14 M. Poole's home tract; Thence S 19 E 51 vrs to the N E corner of the  
 4-15 above mentioned tract of 32.08 acres; Thence S 71 W 199 vrs to the  
 4-16 place of beginning, containing 47-1/4 acres of land more or less.

## Tract "C"

4-17 Field notes for a tract of 264.56 acres of land out of the John  
 4-18 Hamilton Survey, Abstract No. 282, in Williamson County, Texas;  
 4-19 being out of and a part of that tract of land described as  
 4-20 containing 261.44 acres in: (1) a deed from Russell Kinningham, et  
 4-21 ux, to Glenn Neans, dated July 8, 1976, and recorded in Volume 641,  
 4-22 Page 288 of the Deed Records of Williamson County, Texas; and (2) a  
 4-23 sales contract from Glenn Neans to Crest Homes (a Division of Mark  
 4-24 Electric, Inc.) that is dated October 3, 1978.  
 4-25 Beginning at the point of intersection of the center of Berrys  
 4-26 Creek, which bounds this tract along the north, with the northerly  
 4-27 projection of the northmost portion of an old wire fence line along  
 4-28 the west line of the above described 261.44 acre tract, said point  
 4-29 bearing N 16°26' W 47 ft. distant from a dead 12" tree trunk, at the  
 4-30 end of said fence line, on the south bank of said creek; said point  
 4-31 of intersection being at or near the following: (1) the northwest  
 4-32 corner of the above described 261.44 acre tract; (2) the northeast  
 4-33 corner of that 47.25 acre tract described in a deed from Frank  
 4-34 Conaway, et al, to Aubrey J. Daniell, et ux, dated March 20, 1961,  
 4-35 and recorded in Volume 444, Page 325 of the Deed Records; (3) the  
 4-36 southeast corner of that 200 acre tract described in a deed from  
 4-37 Laveta Tisdale, et al, to Wallace Suttles, dated September 4, 1946,  
 4-38 and recorded in Volume 339, Page 514 of the Deed Records; and (4)  
 4-39 the southwest corner of that 319 acre tract described in a deed from  
 4-40 George Meatsler, et ux, to Mary Poole, dated June 26, 1894, and  
 4-41 recorded in Volume 71, Page 272 of the Deed Records (said 319 acre  
 4-42 tract having been granted to the Cumberland Presbyterian Church  
 4-43 Orphans Home in the will of said Mary Poole which was dated February  
 4-44 3, 1944); for the POINT OF BEGINNING and Northwest corner hereof.  
 4-45 Thence leaving said Berrys Creek, and proceeding along the  
 4-46 aforementioned old wire fence line along the west line of said  
 4-47 261.44 acre tract and the upper east line of the above described  
 4-48 Daniell 47.25 acre tract, S 16°26' E, at 47 ft. pass the  
 4-49 aforementioned dead 12" tree trunk at the beginning of said fence,  
 4-50 in all 160.14 ft. to a fairly new cedar corner post at an ell corner,  
 4-51 as fenced, of said 47.25 acre tract, said point being the northeast  
 4-52 fence corner of that 32.08 acre tract described in the  
 4-53 aforementioned deed to Daniell.  
 4-54 Thence continuing along said old wire fence line along the west line  
 4-55 of said 261.44 acre tract, and along the east line of said Daniell  
 4-56 32.08 acre tract, as follows: S 17°08' E 193.56 ft., a post; S 18°38'  
 4-57 E 463.36 ft., a post; S 20°33' E 195.58 ft., a post; S 21°06' E 32.22  
 4-58 ft., a post; S 18°58' E 218.85 ft., a 17" Live Oak; S 21°06' E 130.80  
 4-59 feet, a post at the north end of a gate; S 28°09' E 16.75 ft., a post  
 4-60 at the south end of said gate; S 21°04' E 90.94 ft., a post; S 18°52' E  
 4-61 64.38 ft., a post; S 18°14' E 100.79 ft., a post; S 20°14' E 258.38  
 4-62 ft., a 13" Cedar; S 18°27' E 288.70 ft., a post; S 15°15' E 299.65  
 4-63 ft., a post; and S 12°59' E 78.58 ft. to an old corner post at the  
 4-64 southeast fence corner of said Daniell 32.08 acre tract, also being  
 4-65 the northeast fence corner of that 128 acre "FIRST TRACT" described  
 4-66 in a deed from Oscar M. Beaver, Jr, et ux, to Ernest G. Walston, et  
 4-67 al, dated June 20, 1962, and recorded in Volume 452, Page 382 of the  
 4-68 Deed Records.  
 4-69

5-1 Thence proceeding along a fairly new wire fence line, along the west  
5-2 line of said 261.44 acre tract and the east line of said Walston 128  
5-3 acre "FIRST TRACT" as follows: S 19°58' E 139.79 ft., a post; S 19°46'  
5-4 E 471.85 ft., a post; S 19°42' E 1092.80 ft., a post in concrete; and  
5-5 S 19°38' E 432.03 ft. to a large cedar corner post, in concrete, at  
5-6 the southwest fence corner of said 261.44 acre tract; said point  
5-7 being the northwest fence corner of that 1.5 acre tract, which is an  
5-8 approximately 30 ft. wide land running along the south line of said  
5-9 261.44 acre tract, described as the "SECOND TRACT" in the  
5-10 aforementioned deed from Beaver to Walston; for the Southwest  
5-11 corner hereof;

5-12 Thence leaving said Walston 128 acre east line, and proceeding  
5-13 along an old wire fence line along the south line of said 261.44  
5-14 acre tract and the north line of said Walston 1.5 acre "SECOND  
5-15 TRACT", as follows; N 71°39' E 382.38 ft., a post; N 69°59' E 265.02  
5-16 ft., a dead 5" tree trunk; N 71°35' E 587.40 ft., an 11" Cedar; N  
5-17 74°20' E 416.14 ft., a 4" dead tree trunk in a cluster; N 79°18' E  
5-18 362.23 ft., a 7" Oak; N 77°18' E 157.46 ft., a 5" tree; and N 70°57' E  
5-19 44.50 ft. to an iron stake found, beside an old corner post, at the  
5-20 southeast fence corner of said 261.44 acre tract and the northeast  
5-21 fence corner of said 1.5 acre Walston tract; said point being in the  
5-22 west fence line of that 4.39 acre tract described in a deed from  
5-23 Russell Kinningham, et ux, to William O. Reed, Jr., dated February  
5-24 15, 1979, and recorded in Volume 748, Page 630 of the Deed Records;  
5-25 said point also being in the west fence line of that 100 acre tract  
5-26 described in a deed from Oscar M. Beaver, Jr., et ux, to Edward Y.  
5-27 Beaver, dated January 17, 1964, and recorded in Volume 465, Page 615  
5-28 of the Deed Records; said point also being in the west line of a 30  
5-29 ft. wide easement which was conveyed in the aforementioned deed  
5-30 from Oscar Beaver to Ernest Walston, said easement beginning at the  
5-31 southeast corner of the aforementioned 1.5 acre "SECOND TRACT" and  
5-32 running northerly and parallel to the west line of that 324.3 acre  
5-33 tract, described in a deed from Edward Y. Beaver, et al, to Oscar M.  
5-34 Beaver, Jr., dated October 24, 1949, and recorded in Volume 358,  
5-35 Page 335 of the Deed Records, for a distance of about "2776 ft." to  
5-36 the south line of a "community road running easterly and westerly  
5-37 through the Beaver and Brooks properties"; for the Southeast corner  
5-38 hereof.

5-39 Thence proceeding along an old wire fence, along the east line of  
5-40 said 261.44 acre tract and the west line of said Reed 4.39 acre  
5-41 tract (and west line of said Edward Beaver 100 acre tract), N 13°36'  
5-42 W 100.22 ft. to an iron stake set, west of a newer cedar post, at or  
5-43 near the northwest corner of said Reed 4.39 acre tract and an ell  
5-44 corner of said 261.44 acre tract, for an ell corner hereof.

5-45 Thence proceeding along a fairly new wire fence along the upper  
5-46 north line of said Reed tract, N 76°58' E 31.69 ft. to an iron stake  
5-47 found, beside a corner post, at an ell corner of said 261.44 acre  
5-48 tract; for an ell corner hereof.

5-49 Thence proceeding along a fairly new wire fence line running along  
5-50 the east line of said 261.44 acre tract, said fence also running  
5-51 along that line described in a fence line agreement between Russell  
5-52 Kinningham, et ux, and Edward Y. Beaver, et ux, dated July 8, 1976,  
5-53 and recorded in Volume 641, Page 283 of the Deed Records, as  
5-54 follows: N 16°36' W 367.71 ft., a large corner post, which bears N  
5-55 85°04' E 11.8 ft. distant from an iron stake found in the remains of  
5-56 an old wire fence line running in a northerly direction; N 16°55' W  
5-57 710.60 ft., a post; N 17°17' W 470.20 ft., a post; N 17°25' W .52  
5-58 ft., a post; N 17°44' W 382.69 ft., a post; N 17°28' W 392.16 ft., a  
5-59 large post, at the south end of a gate, in the south margin of a  
5-60 lane; leaving said fence, N 64°42' W 33.86 ft., an iron stake found  
5-61 in the base of a broken off post; and N 20°41' W 44.16 ft. to a cedar  
5-62 post, in concrete, at the present northwest fence corner of the land  
5-63 owned by said Edward Beaver, also being the southwest corner of that  
5-64 20 acre tract described in a sales contract from the Texas Veterans  
5-65 Land Board to William Gray Bryant, Jr., dated July 13, 1974, and  
5-66 recorded in Volume 591, Page 731 of the Deed Records; said point  
5-67 also being at or near the most northwesterly corner of that 50 ft.  
5-68 wide easement conveyed from Edward Y. Beaver, et ux, to Russell  
5-69 Kinningham, dated October 15, 1974, and recorded in Volume 597,

6-1 Page 385 of the Deed Records (said easement connecting with three  
 6-2 additional easements, conveyed to Russell Kinningham of record in  
 6-3 Volume 597, Pages 382, 359 and 362 of the Deed Records of Williamson  
 6-4 County, Texas, which proceed northeasterly to Texas State Highway  
 6-5 195).  
 6-6 Thence proceeding along an old wire fence, along the east line of  
 6-7 said 261.44 acre tract and the west line of said Bryant 20 acre  
 6-8 tract, as follows: N 20°41' W 37.00 ft., a post; N 19°50' W 261.20  
 6-9 ft., a post; N 21°02' W 129.08 ft., a post; N 19°29' W 183.35 ft., a  
 6-10 post; N 17°14' W 707.51 ft., a post; N 18°02' W 593.71 ft., a post; N  
 6-11 17°11' W 267.60 ft., a 30" Live Oak; N 45°22' W 40.04 ft., a 12" Bois  
 6-12 d'Arc, on the south bank of the aforementioned Berrys Creek, at the  
 6-13 end of said fence line; and N 13°25' W 39.61 ft. to a point in the  
 6-14 center of said Creek, being at or near the northeast corner of said  
 6-15 261.44 acre tract and the northwest corner of said Bryant 20 acre  
 6-16 tract; said point also being at or near the following: (1) the  
 6-17 southeast corner of the aforementioned Mary Poole 319 acre tract;  
 6-18 and (2) an ell corner of that 177.79 acre tract described in a deed  
 6-19 from Oscar M. Beaver, Jr., et ux, to William Gray Bryant, Jr., et  
 6-20 ux, dated April 24, 1974, and recorded in Volume 586, Page 812 of  
 6-21 the Deed Records; for the Northeast corner hereof;  
 6-22 Thence proceeding up the center of said Berrys Creek, being the  
 6-23 north line of said 261.44 acre tract and the south line of said 319  
 6-24 acre tract, as follows: S 73°05' W 216.60 ft.; S 69°48' W 349.60 ft.;  
 6-25 N 77°53' W 174.00 ft.; N 64°57' W 147.40 ft.; N 67°04' W 151.00 ft.; S  
 6-26 62°52' W 547.60 ft.; S 80°32' W 122.40 ft.; S 70°13' W 177.00 ft.; S  
 6-27 20°34' W 240.00 ft.; S 30°22' W 197.60 ft.; S 81°33' W 151.00 ft.; and  
 6-28 S 88°33' W 100.70 ft. to the POINT OF BEGINNING, containing 264.56  
 6-29 acres of land.

6-30 Tract "D"

6-31 BEING 1.31 acres of land, situated in the John Hamilton Survey,  
 6-32 Abstract No. 282, in Williamson County, Texas, said land being a  
 6-33 portion of that certain Second Tract, called 1.5 acres, as conveyed  
 6-34 to Ernest G. Walston and Buford M. Homeyer by deed as recorded in  
 6-35 Volume 452, Page 382, of the Deed Records of Williamson County,  
 6-36 Texas. Surveyed on the ground in the month of September, 1999, under  
 6-37 the supervision of Don H. Bizzell, Registered Professional Land  
 6-38 Surveyor, and being more particularly described as follows;  
 6-39 BEGINNING at an iron pin found marking the Northeast corner of the  
 6-40 above-referenced Walston and Homeyer Second Tract, being the  
 6-41 Southeast corner of that certain tract of land, called 264.56  
 6-42 acres, as conveyed to Gerald Kucera by deed as recorded in Volume  
 6-43 1965, Page 587, of the Official Records of Williamson County,  
 6-44 Texas, being on the west line of that certain Tract II, called 4.39  
 6-45 acres, as conveyed to Robert C. Williamson and wife, Jo Ann  
 6-46 Williamson, by deed as recorded in Volume 873, Page 349, of the Deed  
 6-47 Records of Williamson County, Texas, for the Northeast corner  
 6-48 hereof;  
 6-49 THENCE, along the west line of the said Williamson Tract II, S 14°  
 6-50 22'E, 31.24 feet to an iron pin found marking the Southeast corner  
 6-51 of the said Walston and Homeyer Second Tract, being the Northeast  
 6-52 corner of that certain tract of land, called 117.34 acres as  
 6-53 conveyed to Gerald Kucera by deed recorded as Document No.  
 6-54 199962150 of the Official Public Records of Williamson County,  
 6-55 Texas, for the Southeast corner hereof;  
 6-56 THENCE, along the occupied south line of the said Walston and  
 6-57 Homeyer Second Tract, being the north line of the said 117.34 acre  
 6-58 Kucera tract, as follows; S 76° 25' 30" W, 256.33 feet to an iron pin  
 6-59 found; S 78° 56' W, 289.62 feet to an iron pin found; S 74° 09' W,  
 6-60 308.57 feet to an iron pin found; S 72° 17' W, 274.28 feet to an iron  
 6-61 pin found; S 71° 30' W, 277.22 feet to an iron pin found; S 70° 35' 30"  
 6-62 W, 266.63 feet to an iron pin found and S 70° 46' 30" W, 209.61 feet  
 6-63 to an iron pin set for the Southwest corner hereof; said point being  
 6-64 N 70° 46' 30" E, 60.00 feet from the most northerly Northwest corner  
 6-65 of the said 117.34 acre Kucera tract;  
 6-66 THENCE, N 19° 16' 30" W, 26.84 feet to a mag nail set in rock on the  
 6-67 occupied north line of the said Walston and Homeyer Second Tract,  
 6-68 being the south line of the said 264.56 acre Kucera tract, for the  
 6-69 Northwest corner hereof;

7-1 THENCE, along the occupied north line of the said Walston and  
 7-2 Homeyer Second Tract, being the south line of the said 264.56 acre  
 7-3 Kucera tract, as follows; N 71° 15' 30" E, 52.51 feet to an iron pin  
 7-4 set; N 69° 35' 30" E, 265.02 feet to an iron pin set; N 71° 11' 30" E,  
 7-5 587.40 feet to a spindle set in the east side of a 16" Cedar 6 feet  
 7-6 above ground; N 73° 56' 30" E, 416.14 feet to an iron pin set; N 78°  
 7-7 54' 30" E, 362.33 feet to an iron pin set; N 76° 54' 30" E, 157.46  
 7-8 feet to an iron pin set and N 70° 33' 30" E, 44.50 feet to the Place  
 7-9 of BEGINNING and containing 1.31 acres of land.

## Tract "E"

7-10 BEING 117.34 acres of land, situated in the John Hamilton Survey,  
 7-11 Abstract No. 282 and the Frederick Foy Survey, Abstract No. 229, in  
 7-12 Williamson County, Texas, said land being that certain Tract One,  
 7-13 called 117.23 acres and that certain Tract Two, called 0.138 of an  
 7-14 acre, as conveyed to Keystar Whisperwood II, Ltd. by deed as  
 7-15 recorded in Volume 2510, Page 125, of the Official Records of  
 7-16 Williamson County, Texas. Surveyed on the ground in the month of  
 7-17 August, 1999, under the supervision of Don H. Bizzell, Registered  
 7-18 Professional Land Surveyor, and being more particularly described  
 7-19 as follows;

7-20 BEGINNING at an iron pin found at the Northwest corner of Jennings  
 7-21 Branch, an existing dedicated roadway, marking the Southwest corner  
 7-22 of the above-referenced Tract Two, being on the east line of the  
 7-23 Resubdivision of a Portion of Lot 16, Block One, Whisperwood I and a  
 7-24 0.0358 of an acre, a subdivision of record in Cabinet N, Slide 239,  
 7-25 of the Plat Records of Williamson County, Texas, marking the most  
 7-26 easterly Southwest corner of that certain tract of land, called  
 7-27 13.536 acres, as conveyed to Martin L. McCarley, by deed as recorded  
 7-28 in Volume 2445, Page 227, of the Official Records of Williamson  
 7-29 County, Texas, for the most westerly Southwest corner hereof;

7-30 THENCE, along the west and north lines of the said Tract Two, N 19°  
 7-31 33' W, at 29.92 feet pass an iron pin found marking the Northeast  
 7-32 corner of the said Resubdivision of a Portion of Lot 16, Block One,  
 7-33 Whisperwood I, and a 0.0358 of an acre, being an interior corner of  
 7-34 the said McCarley tract, for a total distance of 106.04 feet, in  
 7-35 all, to an iron pin set at the beginning of a curve to the right,  
 7-36 (Radius = 75.00 feet, Long Chord bears N 25° 42' E, 106.38 feet);

7-37 Thence, along the said curve for an arc distance of 118.26 feet to  
 7-38 an iron pin set for the Northeast corner of the said Tract Two,  
 7-39 being the most westerly Northwest corner of the above-referenced  
 7-40 Tract One and an interior corner of the said McCarley tract;

7-41 Thence, N 70° 28' 30" E, 280.30 feet to an iron pin found marking an  
 7-42 interior corner of the said Tract One, being the most easterly  
 7-43 Southeast corner of the said McCarley tract, for an interior corner  
 7-44 hereof;

7-45 THENCE, N 19° 16' 30" W, 804.04 feet to an iron pin found marking the  
 7-46 most northerly Northwest corner of the said Tract One, being the  
 7-47 Northeast corner of the said McCarley tract, and on the south line  
 7-48 of that certain Second Tract, called 1.5 acre, as conveyed to Ernest  
 7-49 G. Walston and Buford M. Homeyer by deed as recorded in Volume 452,  
 7-50 Page 382, of the Deed Records of Williamson County, Texas, for the  
 7-51 Northwest corner hereof;

7-52 THENCE, along the north line of the said Tract One, being the south  
 7-53 line of the said Walston and Homeyer tract, as follows; N 70° 46' 30"  
 7-54 E, 269.61 feet to an iron pin found; N 70° 35' 30" E, 266.63 feet to  
 7-55 an iron pin found; N 71° 30' E, 277.22 feet to an iron pin found; N  
 7-56 72° 17' E, 274.28 feet to an iron pin found; N 74° 09' E, 308.57 feet  
 7-57 to an iron pin found; N 78° 56' E, 289.62 feet to an iron pin found  
 7-58 and N 76° 25' 30" E, 256.33 feet to an iron pin found on the west line  
 7-59 of that certain Tract II, called 4.39 acres, as conveyed to Robert  
 7-60 C. Williamson and wife, Jo Ann Williamson, by deed as recorded in  
 7-61 Volume 873, Page 349, of the Deed Records of Williamson County,  
 7-62 Texas, marking the Northeast corner of the above-referenced Tract  
 7-63 One, being the Southeast corner of the said Walston and Homeyer  
 7-64 tract, for the Northeast corner hereof;

7-65 THENCE, along the east line of the said Tract One, being the west  
 7-66 line of the said Williamson Tract II, as follows; S 14° 54' 30" E,  
 7-67 53.14 feet to a nail set; S 20° 42' 30" E, 147.05 feet to a nail  
 7-68 found; S 27° 05' E, 470.13 feet to a nail found; S 29° 20' 30" E, 66.21  
 7-69

8-1 feet to an iron pin found; S 29° 52' E, 461.47 feet to a nail found; S  
 8-2 13° 35' 30" E, 44.93 feet to a nail found and S 3° 25' 30" E, 29.75  
 8-3 feet to an iron pin found marking the Southwest corner of the said  
 8-4 Williamson Tract II, being the Northwest corner of that certain  
 8-5 tract of land, called 15.00 acres, as described in a Contract of  
 8-6 Sale and Purchase between the Veteran's Land Board of Texas and  
 8-7 James Eugene Lax, of record in Volume 859, Page 912, of the Deed  
 8-8 Records of Williamson County, Texas, said Contract being assigned  
 8-9 to Coy Fancher by Assignment of Veteran's Land Board Contract of  
 8-10 Sale and Purchase of record in Volume 1774, Page 539, of the  
 8-11 Official Records of Williamson County, Texas, and continuing along  
 8-12 the west line of the said Fancher tract, S 2° 03' E, 46.95 feet to an  
 8-13 iron pin found; S 2° 17' 30" E, 188.35 feet to a nail found; S 12° 52'  
 8-14 30" E, 156.29 feet to a nail found; S 16° 28' 30" E, 160.13 feet to a  
 8-15 nail found at a 25" Live Oak; S 11° 25' 30" E, 105.55 feet to a nail  
 8-16 found; S 31° 21' E, 33.76 feet to a nail found; S 14° 20' 30" E, 174.86  
 8-17 feet to an iron pin found; S 15° 22' E, 337.70 feet to an iron pin  
 8-18 found and S 14° 59' 30" E, passing the common line between the John  
 8-19 Hamilton Survey, Abstract No. 282 and the Frederick Foy Survey,  
 8-20 Abstract No. 229, for a total distance of 356.22 feet, in all, to an  
 8-21 iron pin found at a fence corner marking the Southeast corner of the  
 8-22 above-referenced Tract One, being on the north line of that certain  
 8-23 Tract I, called 900.86 acres, as conveyed to John F. Yearwood by  
 8-24 deed as recorded in Volume 1813, Page 665, of the Official Records  
 8-25 of Williamson County, Texas, being the Southwest corner of the said  
 8-26 Fancher tract, for the Southeast corner hereof;  
 8-27 THENCE, S 70° 34' 30" W, 1229.98 feet to an iron pin found marking  
 8-28 the most southerly Southwest corner of the said Tract One, being on  
 8-29 the east line of Lot 9, Block Two, of Whisperwood I, a subdivision  
 8-30 of record in Cabinet I, Slide 102, of the Plat Records of Williamson  
 8-31 County, Texas, being the Northwest corner of the said Yearwood  
 8-32 tract, for the Southwest corner hereof;  
 8-33 THENCE, along the west line of the said Tract One, being the east  
 8-34 line of the said Whisperwood I, N 19° 17' 30" W, 130.08 feet to an  
 8-35 iron pin found marking the Northeast corner of the said Lot 9, Block  
 8-36 Two, being the most easterly corner of Lot 10, Block Two, of the  
 8-37 said Whisperwood I, being on, or near, the common line between the  
 8-38 Frederick Foy Survey, Abstract No. 229 and the John Hamilton  
 8-39 Survey, Abstract No. 282; N 66° 32' 30" W, 418.29 feet to an iron pin  
 8-40 found marking the Northeast corner of the said Lot 10, Block Two,  
 8-41 being the Southeast corner of Lot 11, Block Two, of the said  
 8-42 Whisperwood I, and N 19° 31' W, at 324.93 feet pass the Northeast  
 8-43 corner of the said Lot 11, Block Two, being the Southeast corner of  
 8-44 Lot 12, Block Two, of the said Whisperwood I, at 649.82 feet pass  
 8-45 the Northeast corner of the said Lot 12, Block Two, being the  
 8-46 Southeast corner of the said Lot 13, Block Two, for a total distance  
 8-47 of 974.89 feet, in all, to an iron pin found marking an interior  
 8-48 corner of the said Tract One, being the Northeast corner of the said  
 8-49 Lot 13, Block Two, for an interior corner hereof;  
 8-50 THENCE, along the northline of the said Lot 13, Block Two, S 70° 28'  
 8-51 30" W, 335.04 feet to an iron pin found marking a southwesterly  
 8-52 corner of the said Tract One, marking the Southeast corner of Lot  
 8-53 14, Block Two, of the said Whisperwood I, for a southwesterly corner  
 8-54 hereof;  
 8-55 THENCE, N 19° 29' 30" W, 650.10 feet to an iron pin found marking an  
 8-56 interior corner of the said Tract One, being the Northeast corner of  
 8-57 the said Lot 14, Block Two, for an interior corner hereof;  
 8-58 THENCE, along the south and east lines of the said Tract One, being  
 8-59 the north and west lines of the said Lot 14, Block Two, as follows; S  
 8-60 70° 28' 30" W, 320.19 feet to an iron pin set at the beginning of a  
 8-61 curve to the left, (Radius = 15.00 feet, Long Chord bears S 25° 13'  
 8-62 W, 21.28 feet);  
 8-63 Thence, along the said curve for an arc distance 23.66 feet to an  
 8-64 iron pin found;  
 8-65 Thence, S 19° 28' E, 106.07 feet to a railroad spike found at the  
 8-66 Northeast corner of the said Jennings Branch, marking the most  
 8-67 westerly Southeast corner of the said Tract One, for the most  
 8-68 westerly Southeast corner hereof;  
 8-69 THENCE, along the north line of the said Jennings Branch, S 70° 39'



9-1 30" W, at 30.01 feet pass a cotton picker spindle found marking the  
9-2 most westerly Southwest corner of the said Tract One, being the most  
9-3 southerly Southeast corner of the said Tract Two, for a total  
9-4 distance of 59.95 feet, in all, to the Place of BEGINNING and  
9-5 containing 117.34 acres of land.

9-6 SECTION 3. (a) The legal notice of the intention to  
9-7 introduce this Act, setting forth the general substance of this  
9-8 Act, has been published as provided by law, and the notice and a  
9-9 copy of this Act have been furnished to all persons, agencies,  
9-10 officials, or entities to which they are required to be furnished  
9-11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
9-12 Government Code.

9-13 (b) The governor, one of the required recipients, has  
9-14 submitted the notice and Act to the Texas Commission on  
9-15 Environmental Quality.

9-16 (c) The Texas Commission on Environmental Quality has filed  
9-17 its recommendations relating to this Act with the governor, the  
9-18 lieutenant governor, and the speaker of the house of  
9-19 representatives within the required time.

9-20 (d) All requirements of the constitution and laws of this  
9-21 state and the rules and procedures of the legislature with respect  
9-22 to the notice, introduction, and passage of this Act are fulfilled  
9-23 and accomplished.

9-24 SECTION 4. This Act takes effect September 1, 2005.

9-25 \* \* \* \* \*