

By: Fraser

S.B. No. 1821

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Flatrock Springs Municipal Management District; granting authority for taxation and the issuance of bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3818 to read as follows:

CHAPTER 3818. FLATROCK SPRINGS MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3818.001. DEFINITIONS. In this chapter:

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

(2) "District" means the Flatrock Springs Municipal Management District.

Sec. 3818.002. FLATROCK SPRINGS MUNICIPAL MANAGEMENT DISTRICT. (a) The Flatrock Springs Municipal Management District is created in Burnet County. The district is a political subdivision of the state, a governmental agency, and a body politic and corporate.

(b) The name of the district may be changed by resolution of the board.

(c) The district is created under and is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 1-g, Article VIII, Texas Constitution, and other public

1 purposes stated in this chapter.

2 Sec. 3818.003. DISTRICT TERRITORY. (a) The district is
3 composed of the territory described by Section 2 of the Act creating
4 this chapter.

5 (b) The boundaries and field notes of the district contained
6 in Section 2 of the Act creating this chapter form a closure. A
7 mistake made in the field notes or in copying the field notes in the
8 legislative process does not affect:

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

11 (2) the right of the district to levy and collect taxes
12 or issue bonds;

13 (3) the district's right to enter into any type of
14 contract for the purposes for which the district is created; or

15 (4) the legality or operation of the district or the
16 board.

17 Sec. 3818.004. LEGISLATIVE DECLARATIONS AND FINDINGS OF
18 PUBLIC BENEFIT. (a) The legislature finds that all of the land and
19 other property included within the boundaries of the district will
20 be benefited by the works, services, and projects that are to be
21 accomplished by the district under the powers conferred by Sections
22 52 and 52-a, Article III, and Section 1-g, Article VIII, Texas
23 Constitution, and other powers granted under this chapter.

24 (b) The creation of the district is essential to accomplish
25 the purposes of Sections 52 and 52-a, Article III, and Section 1-g,
26 Article VIII, Texas Constitution, and to accomplish the other
27 public uses, benefits, and purposes of this chapter.

1 (c) The legislature finds that the creation of the district:

2 (1) is essential to the conservation and beneficial
3 use of the water, land, soil, and other natural resources in or
4 adjacent to the district;

5 (2) is essential to further the public purposes of the
6 economic development and diversification of the state, the
7 elimination of unemployment and underemployment, and the
8 stimulation and development of transportation and commerce;

9 (3) will promote the health, safety, and general
10 welfare of residents, employers, employees, and consumers in the
11 district and in Burnet County and of the public; and

12 (4) is in the public interest.

13 (d) The district's operations and the district's
14 improvement projects will enable the district to preserve,
15 maintain, and enhance the economic health and vitality of the area
16 in the district as a community, residential, recreational,
17 business, and commerce center. The district will further promote
18 the health, safety, welfare, education, convenience, and enjoyment
19 of the public by improving, landscaping, and developing certain
20 areas in and adjacent to the district and providing public services
21 and facilities in and adjacent to the district that are necessary
22 for the restoration, preservation, enhancement, and enjoyment of
23 scenic beauty.

24 Sec. 3818.005. CONSTRUCTION OF CHAPTER. This chapter shall
25 be liberally construed in conformity with the findings and purposes
26 stated in this chapter.

27 Sec. 3818.006. APPLICABILITY OF OTHER LAW. This chapter

1 prevails over any provision of general law that is in conflict or
2 inconsistent with this chapter. Any general law which supplements
3 the power and authority of the district, to the extent not in
4 conflict or inconsistent with this chapter, is adopted and
5 incorporated herein by reference.

6 Sec. 3818.007. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.

7 (a) A municipality in whose extraterritorial jurisdiction the
8 district is located may not adopt an ordinance or resolution or take
9 any other action that:

10 (1) impairs the ability of the district to exercise
11 its own powers under this chapter; or

12 (2) limits the ability of the district to finance,
13 construct, operate, or provide the improvements and services
14 authorized in this chapter.

15 (b) The district and a municipality in whose
16 extraterritorial jurisdiction the district is located may enter
17 into development agreements under Subchapter G, Chapter 212, Local
18 Government Code, concerning development of the property within the
19 district and annexation of all or a portion of the district by the
20 municipality.

21 [Sections 3818.008-3818.020 reserved for expansion]

22 SUBCHAPTER A-1. TEMPORARY PROVISIONS

23 Sec. 3818.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) Sandy Jenkins;

26 (2) Pat Dickey;

27 (3) Vi Cloud;

1 (4) Terry Turner; and

2 (5) Jack Cooley.

3 (b) If a temporary director fails to qualify for office, the
4 temporary directors who have qualified shall appoint a person to
5 fill the vacancy.

6 (c) Temporary directors serve until initial directors are
7 elected under Section 3818.022.

8 Sec. 3818.022. INITIAL DIRECTORS' ELECTION. In the manner
9 provided by Section 49.102, Water Code, the temporary board of
10 directors shall call and hold an election to elect five initial
11 directors.

12 Sec. 3818.023. INITIAL ELECTED DIRECTORS; TERMS. The
13 directors elected under Section 3818.022 shall draw lots to
14 determine which two shall serve until the first regularly scheduled
15 election of directors under Section 3818.052 and which three shall
16 serve until the second regularly scheduled election of directors.

17 Sec. 3818.024. EXPIRATION OF SUBCHAPTER. This subchapter
18 expires September 1, 2010.

19 [Sections 3818.025-3818.050 reserved for expansion]

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 3818.051. BOARD OF DIRECTORS. (a) The district is
22 governed by a board of five directors.

23 (b) Directors serve staggered four-year terms.

24 (c) Each director must qualify to serve as a director in the
25 manner provided by Sections 49.052, 49.055, and 54.025, Water Code,
26 as applicable.

27 (d) A director serves until the director's successor has

1 qualified.

2 (e) A vacancy in the office of director because of the
3 death, resignation, or removal of the director shall be filled by
4 the remaining members of the board by appointing a qualified person
5 for the unexpired term.

6 Sec. 3818.052. ELECTION OF DIRECTORS. On the uniform
7 election date, established by the Election Code, in May of each
8 even-numbered year, the appropriate number of directors shall be
9 elected.

10 [Sections 3818.053-3818.100 reserved for expansion]

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 3818.101. GENERAL POWERS OF DISTRICT. (a) The
13 district has all of the rights, powers, privileges, authority, and
14 functions:

15 (1) of a district created under Chapter 375, Local
16 Government Code, except:

17 (A) the rights, powers, privileges, authority,
18 and functions unique to a conservation and reclamation district
19 created under Section 59, Article XVI, Texas Constitution; and

20 (B) as otherwise provided by this chapter;

21 (2) of a municipality or a county under Chapter 372,
22 Local Government Code;

23 (3) of a corporation under Section 4B, Development
24 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
25 Statutes); and

26 (4) provided by the general laws of the state
27 authorizing:

1 (A) programs and the making of loans and grants
2 of public money for economic development permitted under Section
3 52-a, Article III, Texas Constitution; and

4 (B) the development of property under Section
5 1-g, Article VIII, Texas Constitution.

6 (b) The powers incorporated by reference in Subsection (a)
7 include the power to issue bonds or other obligations and to levy,
8 assess, and collect ad valorem taxes, assessments, and impact fees
9 and apply the proceeds of the taxes, assessments, or fees to the
10 payment of debt, contract payments, or maintenance and operating
11 expenses, and the district may exercise such powers.

12 (c) Without limiting any of the powers referenced in this
13 chapter, the district has all powers necessary or required to
14 accomplish the purposes for which the district was created.

15 Sec. 3818.102. IMPROVEMENT PROJECTS. (a) The district may
16 provide, or it may enter into contracts with a governmental or
17 private entity to provide, improvement projects.

18 (b) A district improvement project may include the
19 following types of improvement projects or activities in support of
20 or incidental to those projects, whether individual, intermittent,
21 or continuing and whether located or conducted within or outside
22 the district, for the planning, design, construction, acquisition,
23 lease, rental, lease-purchase, installment purchase, improvement,
24 provision of furnishings, equipment, rehabilitation, repair,
25 reconstruction, relocation, use, management, operation, or
26 maintenance of any works, improvements, or facilities or the
27 provision, support, enhancement, improvement, extension, or

1 expansion of services, whether provided to, for, by, or on behalf of
2 the district, for the accomplishment of the public purposes of the
3 district:

4 (1) landscaping; lighting, banners, and signs;
5 streets or sidewalks; hike and bike paths and trails, pedestrian
6 walkways, skywalks, crosswalks, or tunnels; highway right-of-way
7 or transit corridor beautification and improvements; fiber optic
8 cables and networks; parks, trails, lakes, gardens, recreational
9 facilities, open space, scenic areas, and related exhibits and
10 preserves; and any other public improvements, facilities, or
11 services similar to the improvements, facilities, or services
12 described by this subdivision;

13 (2) the removal, razing, demolition, or clearing of
14 land or improvements in connection with an improvement project;

15 (3) the acquisition and improvement of land and other
16 property for the mitigation of the environmental effects of an
17 improvement project;

18 (4) the acquisition of real or personal property or an
19 interest in real or personal property in connection with an
20 authorized improvement project; and

21 (5) any special or supplemental services for the
22 improvement and promotion of the district or adjacent areas or for
23 the protection of public health and safety within or adjacent to the
24 district, including health and sanitation, public safety,
25 security, development, advertising, promotion, elimination of
26 traffic congestion, and recreational improvements, enhancements,
27 and services.

1 (c) The district may undertake an improvement project
2 separately or jointly with another person and pay all or part of the
3 costs of an improvement project, including an improvement project
4 that:

5 (1) improves, enhances, or supports public safety and
6 security and law enforcement within and adjacent to the district;

7 (2) confers a general benefit on the entire district
8 and the areas adjacent to the district; or

9 (3) confers a special benefit on a definable part of
10 the district, which may be all or part of the district.

11 (d) When applicable to a particular improvement project,
12 the district may enter into a contract with any private or
13 governmental entity to own, acquire, lease, lease-purchase,
14 construct, operate, or maintain, jointly or otherwise, an
15 improvement project. The contract may provide:

16 (1) that any payments due under the contract are
17 payable from and are secured by a pledge of a specified part of the
18 revenues of one or more improvement projects;

19 (2) for the levying of an ad valorem or maintenance tax
20 to make payments due under the contract; or

21 (3) that the payments due under the contract be made
22 from a combination of revenues from one or more improvement
23 projects and taxes.

24 Sec. 3818.103. PUBLIC SAFETY. (a) The district may not
25 employ peace officers, but may contract for off-duty peace officers
26 to provide public safety and security services in connection with a
27 special event, holiday, period with high traffic congestion, or

1 similar circumstance.

2 (b) The board by rule may regulate the private use of public
3 roadways, open spaces, parks, sidewalks, and similar public areas.
4 The rules may provide for the safe and orderly use of public
5 roadways, open spaces, parks, sidewalks, and similar public areas
6 or facilities.

7 Sec. 3818.104. EMPLOYEES; COMPENSATION. The board may
8 employ and establish the terms of employment and compensation of an
9 executive director, a general manager, and any other operating
10 officer of the district the board considers necessary.

11 Sec. 3818.105. BORROWING MONEY. The district may borrow
12 money for the corporate purposes of the district.

13 Sec. 3818.106. CONTRACTS; GRANTS; DONATIONS. (a) The
14 district may contract with any person to accomplish the purposes of
15 this chapter including contracting for the payment, repayment, or
16 reimbursement, out of tax proceeds or any other specified source of
17 funds, of costs, including carrying costs, incurred by the person
18 on behalf of the district, including all or part of the costs of an
19 improvement project.

20 (b) The district may apply for and contract with a person to
21 receive, administer, and perform the district's duties and
22 obligations under any federal, state, local, or private gift,
23 grant, loan, conveyance, transfer, bequest, donation, or other
24 financial assistance arrangement relating to the investigation,
25 planning, analysis, study, design, acquisition, construction,
26 improvement, completion, implementation, or operation by the
27 district or others of a proposed or existing improvement project.

1 (c) The district may contract with the state or a state
2 agency, city, county, other political subdivision, corporation, or
3 other person to carry out the purposes of this chapter on such terms
4 and conditions and for such period of time as the board may
5 determine. The state or a state agency, city, county, other
6 political subdivision, corporation, individual, or other entity
7 may contract with the district to carry out the purposes of this
8 chapter without any further authorization, notwithstanding any
9 other law or charter provision to the contrary.

10 Sec. 3818.107. RULES. The district may adopt and enforce
11 rules for:

- 12 (1) the administration and operation of the district;
13 (2) the use, enjoyment, availability, protection,
14 security, and maintenance of the district's properties and
15 facilities; and
16 (3) the provision of public safety and security in the
17 district.

18 Sec. 3818.108. FEES; CHARGES. The district may:

- 19 (1) establish and collect user fees, concession fees,
20 admission fees, rental charges, or other similar fees or charges;
21 and
22 (2) apply the proceeds from those fees or charges for
23 the enjoyment, sale, rental, or other use of the district's
24 facilities, services, properties, or improvement projects.

25 Sec. 3818.109. PAYMENT OF EXPENSES. The district may
26 provide or secure the payment or repayment of the costs and expenses
27 of the establishment, administration, and operation of the district

1 and the district's costs or share of the costs on any improvement
2 project, or the district's contractual obligation or indebtedness,
3 by or through:

4 (1) a lease, lease-purchase agreement, installment
5 purchase contract, or other agreement with any person;

6 (2) a tax, assessment, user fee, concession fee, or
7 rental charge; or

8 (3) any other revenues or resources of the district.

9 [Sections 3818.110-3818.150 reserved for expansion]

10 SUBCHAPTER D. DISSOLUTION

11 Sec. 3818.151. DISSOLUTION OF DISTRICT. (a) The district
12 may be dissolved as provided by Subchapter M, Chapter 375, Local
13 Government Code.

14 (b) If the district has debt and is dissolved, the district
15 shall remain in existence solely for the limited purpose of
16 discharging its bonds or other obligations according to their terms.

17 SECTION 2. The Flatrock Springs Municipal Management
18 District includes all the territory contained in the following
19 described area:

20 BEING 1056.98 acres of land consisting of approximately 7.77
21 acres out of the W. Giesecke Survey No. 1508, Abstract No. 1551,
22 approximately 40.56 acres out of the J. Barton Survey No. 418,
23 Abstract No. 135 and approximately 1008.65 acres out of the
24 Guadalupe Flores Survey No. 7, Abstract No. 304 of Burnet County,
25 Texas and being described in four tracts as follows:

26 (a) TRACT ONE, being 1026.22 acres, consisting of
27 approximately 7.77 acres out of the W. Giesecke Survey No. 1508,

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1 Abstract No. 1551, 40.56 acres out of the J. Barton Survey No. 418,
2 Abstract No. 135 and 977.89 acres out of the Guadalupe Flores Survey
3 No. 7, Abstract No. 304 of Burnet County, Texas, and being a remnant
4 of 1095.093 acres described in a deed to Josephine Schieffer,
5 recorded in Volume 168, Page 389 of the Burnet County Deed Records,
6 Burnet County, Texas, and being more particularly described as
7 follows:

8 Beginning at a $\frac{1}{2}$ inch steel stake found for the Northeast
9 corner of said remnant of 1095.093 acres being the Southeast corner
10 of Channel Oaks, Section II, the Plat of which is recorded in
11 Volume 1, Page 230 of the Burnet County Plat Records and being in
12 the West line of that certain 12.19 acres conveyed to John Randall,
13 recorded in Volume 486, Page 905 of the Burnet County Deed Records,
14 as shown on the plat of Lake Marble Falls Subdivision, an unrecorded
15 subdivision,

16 Thence with the West line of said Lake Marble Falls
17 Subdivision, the West line of that certain 200.7 acres conveyed to
18 J. E. Roper recorded in Volume 87, Page 483 and Volume 88, Page 620
19 of the Burnet County Deed Records, and with the East line of said
20 remnant of 1095.093 acres, South 01 degrees 40 minutes 05 seconds
21 East (South 00 degrees 45 minutes East) 9,534.99 ft. a $\frac{1}{2}$ inch steel
22 stake set with plastic surveyor cap stamped R.P.L.S. No. 1877, in
23 the West line of the Old Highway No. 108 (Burnet County 77/275
24 B.C.D.R.),

25 Thence with the West line of said Highway No. 108, South 09
26 degrees 58 minutes 34 seconds West (South 11 degrees 00 minutes
27 West) 662.29 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap

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1 stamped R.P.L.S. No. 1877 for the beginning point of a curve to the
2 right,

3 Thence continuing with the West line of said Highway No. 108
4 and said curve to the right, the radius of which is 3769.64 ft.,
5 through a delta angle of 05 degrees 06 minutes 46 seconds, an arc of
6 336.38 ft., and a chord bearing and distance of South 12 degrees 31
7 minutes 58 seconds West 336.27 ft., a $\frac{1}{2}$ inch steel stake set with
8 plastic surveyor cap stamped R.P.L.S. No. 1877 for the end point of
9 said curve to the right, in the West line of U.S. Highway No. 281
10 (State of Texas 120/632 B.C.D.R.)

11 Thence South 23 degrees 24 minutes 55 seconds West (South 24
12 degrees 21 minutes West) 588.00 ft. a brass highway monument found
13 for the North corner of that certain 10.30 acres conveyed to the
14 State of Texas, recorded in Volume 212, Page 49 of the Burnet County
15 Deed Records,

16 Thence with the West line of said 10.30 acres South 36 degrees
17 38 minutes 26 seconds West (South 37 degrees 36 minutes 45 seconds
18 West) 1134.58 ft. (1134.80 ft.) a brass highway monument found,
19 South 44 degrees 06 minutes 29 seconds West (South 45 degrees 03
20 minutes 30 seconds West) 1061.61 ft. (1061.84 ft.) a brass monument
21 found, South 76 degrees 10 minutes 25 seconds West (South 77 degrees
22 10 minutes 30 seconds West) 485.98 ft. (485.96 ft.) a brass highway
23 monument found, and North 77 degrees 21 minutes 12 seconds West
24 (North 76 degrees 22 minutes 45 seconds West) 400.36 ft. (400.50
25 ft.) a concrete highway monument found for the West corner of said
26 10.30 acres in the North line of State Highway No. 71 (State of
27 Texas, Tract 2, 111/640 B.C.D.R.),

1 Thence continuing with the North line of said State Highway
2 No. 71, North 74 degrees 29 minutes 20 seconds West (North 73
3 degrees 31 minutes West) at 940.39 ft. passing a concrete highway
4 monument found and in all a total distance of 942.77 ft. (942.4 ft.)
5 a 5/8 inch steel stake found therein for the Southeast corner of
6 that certain portion of 246.6 acres conveyed to Hugo Hohernberger
7 and Bertha C. Hohernberger, Homestead Designation recorded in
8 Volume 139, Page 578 of the Burnet County Deed Records, from which
9 point a concrete highway monument found bears North 74 degrees 28
10 minutes 35 seconds West 2307.26 ft.,

11 Thence leaving the North line of said State Highway No. 71,
12 with the East line of said 246.6 acres, North 01 degrees 39 minutes
13 30 seconds West (North 00 degrees 48 minutes West) 3200.25 ft.
14 (3200.5 ft.) a fence post found for the Northeast corner of same,

15 Thence with the North line of said 246.6 acres with fence
16 posts found, South 86 degrees 36 minutes 52 seconds West (West)
17 408.02 ft. (509.0 ft.), South 77 degrees 44 minutes 11 seconds West
18 (South 79 degrees 25 minutes West) 200.78 ft. (257.0 ft.), South 60
19 degrees 19 minutes 06 seconds West 106.41 ft., and South 35 degrees
20 07 minutes 05 seconds West (South 36 degrees 49 minutes West) 243.44
21 ft. (242.1 ft.) a fence post found therein, for the most Easterly
22 Southeast corner of that certain Tract No. 2, 460.869 acres
23 described in a certificate of release of Federal Estate Tax Lien,
24 recorded in Volume 712, Page 730 Official Public Records of Burnet
25 County, Texas, ref: Volume 168, Page 397 Burnet County Deed
26 Records, from which point a gate post found bears South 35 degrees
27 07 minutes 05 seconds West (South 36 degrees 49 minutes West) 29.85

1 ft. (31.7 ft.),

2 Thence with the East line of said 460.869 acres, North 01
3 degrees 35 minutes 40 seconds West (North 00 degrees 09 minutes
4 East) 2739.44 ft. (2736.9 ft.) a fence post found for the Northeast
5 corner of same, in the South line of that certain remnant of 590
6 acres conveyed to H.R. Anderson recorded in Volume 80, Page 593 of
7 the Burnet County Deed Records,

8 Thence with the South line of said 590 acres, North 87 degrees
9 30 minutes 27 seconds East (North 89 degrees 13 minutes East) 636.59
10 ft. (632.5 ft.) a $\frac{1}{2}$ inch steel stake found for the Southeast corner
11 of said 590 acres and the Southwest corner of that certain 67.23
12 acres conveyed to Jane Benedum recorded in Volume 481, Page 837 of
13 the Burnet County Deed of Records,

14 Thence with the South line of said 67.23 acres, South 86
15 degrees 22 minutes 03 seconds East (South 84 degrees 33 minutes
16 East) 203.24 ft. (206.5 ft.) a $\frac{1}{2}$ inch steel stake found for the
17 Southeast corner of said 67.23 acres,

18 Thence with the East line of said 67.23 acres and the East
19 line of that certain 17.47 acres conveyed to Jane Benedum recorded
20 in Volume 481, Page 833 of the Burnet County Deed Records, North 01
21 degrees 30 minutes 44 seconds West (North 00 degrees 16 minutes 45
22 seconds West) 1193.24 ft. (1193.35 ft.) a fence post found, North 01
23 degrees 49 minutes 14 seconds West (North 00 degrees 35 minutes 15
24 seconds West) 295.61 ft. (295.64 ft.) a computed point, North 01
25 degrees 43 minutes 19 seconds West (North 00 degrees 29 minutes 20
26 seconds West) 2305.18 ft. (2305.40 ft.) a $\frac{1}{2}$ inch steel stake found,
27 North 01 degrees 34 minutes 39 seconds West (North 00 degrees 20

1 minutes 40 seconds West) 1140.92 ft. (1140.68 ft.) a ½ inch steel
2 stake found and North 01 degrees 40 minutes 49 seconds West (North
3 00 degrees 26 minutes 50 seconds West) 374.06 ft., a computed point
4 therein for the Southwest corner of that certain 29.99 acres
5 described as 30.000 acres conveyed to the Alexandria Schieffer
6 Husted, Harry Husted, Nancy Nelsen and Tom L. Nelsen recorded in
7 Volume 470, Page 189 of the Burnet County Deed Records, from which
8 point a ½ inch steel stake found bears North 89 degrees 58 minutes
9 37 seconds East 0.31 ft.,

10 Thence with the South line of said 30.000 acres North 89
11 degrees 58 minutes 37 seconds East (North 89 degrees 09 minutes 14
12 seconds East) 1338.48 ft. a ½ inch steel stake found for the
13 Southeast corner of said 30.000 acres,

14 Thence with the East line of said 30.000 acres North 01
15 degrees 45 minutes 47 seconds West (North 00 degrees 51 minutes 11
16 seconds West) 1485.96 ft. (1485.45 ft.) a computed point for the
17 Northeast corner of said 30.000 acres in the South line of said
18 Channel Oaks Subdivision, from which computed point a ½ inch steel
19 stake found bears North 01 degrees 45 minutes 47 seconds West 3.25
20 ft.,

21 Thence with the South line of said Channel Oaks Subdivision,
22 North 88 degrees 15 minutes 43 seconds East (East) 800.60 ft. a ½
23 inch steel stake set with plastic surveyor cap stamped R.P.L.S. No.
24 1877, North 88 degrees 38 minutes 31 seconds East (South 89 degrees
25 45 minutes East) 454.17 ft. (454.4 ft.) a ½ inch steel stake found,
26 North 87 degrees 53 minutes 19 seconds East (North 89 degrees 33
27 minutes East) 407.13 ft. (406.9 ft.) a ½ inch steel stake found and

1 North 88 degrees 01 minutes 57 seconds East (North 89 degrees 54
2 minutes East) 695.86 ft. (696 ft.) to the place of beginning;

3 (b) TRACT TWO, being 0.75 acre out of the Guadalupe Flores
4 Survey No. 7, abstract No. 304 of Burnet County, Texas, and being
5 those certain Lot Nos. 1 and 2 and a portion of 3 of Channel Oaks,
6 Section II, the plat of which is recorded in Volume 1, Page 230 of
7 the Burnet County Plat Records, and being that same tract conveyed
8 to Alexandria Husted, recorded in Volume 470, Page 189 of the Burnet
9 County Deed Records, and being more particularly described as
10 follows:

11 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
12 cap stamped R.P.L.S. No. 1877 in the South line of R. M. Highway No.
13 2147 for the Northwest corner of said Lot No. 1 and the Northwest
14 corner of said Husted Tract, and the Northeast corner of that
15 certain 17.47 acres conveyed to the Jane Benedum recorded in Volume
16 481, Page 833 of the Burnet County Deed Records, from which point a
17 concrete highway monument found bears, South 74 degrees 04 minutes
18 09 seconds West (South 74 degrees 53 minutes West) 241.68 ft.
19 (241.95 ft.),

20 Thence with the South line of said R. M. Highway No. 2147 and
21 the North line of said Lot Nos. 1, 2 and 3, North 74 degrees 04
22 minutes 09 seconds East (North 74 degrees 53 minutes East) 500.60
23 ft. a $\frac{1}{2}$ inch steel stake found for the Northeast corner of said
24 Husted Tract and the Northwest corner of that certain 0.655 acre
25 recorded in Volume 428, Page 795 of the Burnet County Deed Records,
26 from which $\frac{1}{2}$ inch steel stake found a concrete highway monument
27 found bears North 74 degrees 04 minutes 09 seconds East (North 74

1 degrees 53 minutes East) 245.99 ft.,

2 Thence with the West line of said 0.655 acre and the East line
3 of said Husted Tract, South 01 degrees 55 minutes 13 seconds East
4 (South 00 degrees 54 minutes 46 seconds East) 128.65 ft. (129.12
5 ft.) a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap stamped
6 R.P.L.S. NO. 1877, for the Southwest corner of said 0.655 acre, the
7 Southeast corner of said Husted Tract and the Northwest corner of
8 that certain 15.00 acres conveyed to Joe David Offield and Bena Jane
9 Offield recorded in Volume 428, Page 792 of the Burnet County Deed
10 Records,

11 Thence with the South line of said Lot Nos. 1, 2 and 3 and the
12 South line of said Husted Tract, South 88 degrees 15 minutes 43
13 seconds West (West) 485.73 ft. a $\frac{1}{2}$ inch steel stake set in the East
14 line of said 17.47 acres for the Southwest corner of said Lot No. 1
15 and the Southwest corner of said Husted Tract,

16 Thence with the East line of said 17.47 acres, the West line
17 of said Lot No. 1 and the West line of said Husted Tract, North 01
18 degrees 40 minutes 49 seconds West (North 00 degrees 26 minutes 50
19 seconds West) 5.91 ft. (6.7 ft.) to the place of beginning;

20 (c) TRACT THREE, being 29.99 acres out of the Guadalupe
21 Flores Survey No. 7, Abstract No. 304 and being that same tract
22 described as 30.000 acres conveyed to Alexandria Schieffer Husted,
23 Harry Husted, Nancy Nelsen, and Tom L. Nelsen recorded in Volume
24 470, Page 189 of the Burnet County Deed Records, Burnet County,
25 Texas, and being more particularly described as follows:

26 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
27 cap stamped R.P.L.S. No. 1877 for the Southwest corner of that

1 certain Lot No. 1 of said Channel Oaks Subdivision and being the
2 Southwest corner of that same Tract No. One conveyed to Alexandria
3 Husted recorded in Volume 470, Page 189 and being the Northwest
4 corner of said 30.000 acres,

5 Thence with the South line of said Lot No. 1, Lot No. 2, and
6 Lot No. 3 of said Channel Oaks Subdivision North 88 degrees 15
7 minutes 43 seconds East (East) 485.73 ft. (485.26 ft.) a $\frac{1}{2}$ inch
8 steel stake set with plastic surveyor cap stamped R.P.L.S. No. 1877
9 for the Southwest corner of that certain 0.655 acre recorded in
10 Volume 428, Page 795 of the Burnet County Deed Records, the
11 Southeast corner of said Husted Tract and the Northwest corner of
12 that certain 15.00 acres conveyed to Joe David Offield and Ben Jane
13 Offield recorded in Volume 428, Page 792 of the Burnet County Deed
14 records,

15 Thence with the West line of said 15.00 acres, South 15
16 degrees 59 minutes 48 seconds West (South 16 degrees 51 minutes 35
17 seconds West) 1416.16 ft. (1415.45 ft.) a $\frac{1}{2}$ inch steel stake set
18 with plastic surveyor cap stamped R.P.L.S. No. 1877, for the
19 Southwest corner of said 15.00 acres,

20 Thence with the South line of said 15.00 acres, North 89
21 degrees 58 minutes 59 seconds East (South 89 degrees 09 minutes 14
22 seconds East) 774.85 ft. a fence post found for the Southeast corner
23 of said 15.00 acres,

24 Thence with the East line of said 15.00 acres, North 34
25 degrees 12 minutes 02 seconds West (North 33 degrees 18 minutes 51
26 seconds West) 150.00 ft. a $\frac{1}{2}$ inch steel stake set with plastic
27 surveyor cap stamped R.P.L.S. No. 1877, North 09 degrees 45 minutes

1 18 seconds West (North 08 degrees 53 minutes 31 seconds West) 287.58
2 ft. a $\frac{1}{2}$ inch steel stake found, North 12 degrees 02 minutes 56
3 seconds East (North 12 degrees 54 minutes 43 seconds East) 110.67
4 ft. a $\frac{1}{2}$ inch steel stake found, North 17 degrees 58 minutes 49
5 seconds East (North 18 degrees 50 minutes 36 seconds East) 174.95
6 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap stamped
7 R.P.L.S. No. 1877, North 11 degrees 27 minutes 22 seconds West
8 (North 10 degrees 35 minutes 35 seconds West) 200.30 ft. a $\frac{1}{2}$ inch
9 steel stake found, North 06 degrees 29 minutes 51 seconds East
10 (North 07 degrees 21 minutes 38 seconds East) 203.51 ft. a fence
11 post found and North 27 degrees 47 minutes 32 seconds West (North 26
12 degrees 55 minutes 46 seconds West) 322.56 ft. (321.10 ft.) a $\frac{1}{2}$ inch
13 steel stake set with plastic surveyor cap stamped R.P.L.S. No. 1877
14 for the Northeast corner of said 15.00 acres in the South line of
15 said Channel Oaks Subdivision,

16 Thence with the South line of said Channel Oaks Subdivision
17 and the North line of said 30.000 acres, North 88 degrees 15 minutes
18 43 seconds East (East) 688.47 ft. a computed point therein for the
19 Northeast corner of said 30.000 acres,

20 Thence with the East line of said 30.000 acres South 01
21 degrees 45 minutes 47 seconds East (South 00 degrees 51 minutes 11
22 seconds East) 1485.96 (1485.45 ft.) a $\frac{1}{2}$ inch steel stake found for
23 the Southeast corner of said 30.000 acres,

24 Thence with the South line of said 30.000 acres, South 89
25 degrees 58 minutes 37 seconds West (South 89 degrees 09 minutes 14
26 seconds West) 1338.48 ft. (1338.17 ft.) a computed point in the East
27 line of that certain 17.47 acres conveyed to Jane Benedum recorded

1 in Volume 481, Page 833 of the Burnet County Deed Records, for the
2 Southwest corner of said 30.00 acres, from which point a $\frac{1}{2}$ inch
3 steel stake found bears North 89 degrees 58 minutes 37 seconds East
4 0.31 ft.,

5 Thence with the East line of said 17.47 acres and the West
6 line of said 30.000 acres, North 01 degrees 40 minutes 49 seconds
7 West (North 00 degrees 28 minutes 50 seconds West) 1445.91 ft.
8 (1445.58 ft.) to the place of beginning; and

9 (d) TRACT FOUR, being 0.02 acres out of the Guadalupe Flores
10 Survey No. 7, abstract No. 304 and being a portion of that certain
11 Reminder of 1095.093 acres conveyed to Josephine Schieffer recorded
12 in Volume 168, Page 389 of the Burnet County Deed Records, and being
13 more particularly described as follows:

14 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
15 cap stamped R.P.L.S. No. 1877 at the intersection of the South line
16 of said Old Highway No. 108 (Burnet County 77/275 B.C.D.R.) and the
17 West line of U.S. Highway No. 281 (State of Texas 120/632 B.C.D.R.),
18 being the Southeast corner of said 1095.093 acres, from which point
19 a brass highway monument found bears North 23 degrees 21 minutes 41
20 seconds East (North 24 degrees 21 minutes East) 492.85 ft., and from
21 which beginning point a $\frac{1}{2}$ inch steel stake found bears South 01
22 degrees 40 minutes 05 seconds East 0.65 ft.,

23 Thence with the West line of said U.S. Highway No. 281, South
24 23 degrees 21 minutes 41 seconds West (South 24 degrees 21 minutes
25 West) 54.26 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap
26 stamped R.P.L.S. No. 1877, in the West line of said U.S. Highway No.
27 281 and the East line of said Old Highway No. 108,

1 Thence with the East line of said Old Highway No. 108, North
2 09 degrees 58 minutes 34 seconds East (North 11 degrees 00 minutes
3 East) 113.74 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap
4 stamped R.P.L.S. No. 1877 at the intersection of the South line of
5 said Old Highway No. 108 and the East line of said 1095.093 acres,
6 from which point the most Easterly Southeast corner of TRACT ONE
7 herein bears North 01 degrees 40 minutes 05 seconds West 495.45 ft.,

8 Thence with the East line of said 1095.093 acres, South 01
9 degrees 40 minutes 05 seconds East (South 00 degrees 45 minutes
10 East) 62.23 ft. to the place of beginning.

11 SECTION 3. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under the constitution and other laws of this state.

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

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