

By: Kleinschmidt

H.B. No. 1841

Substitute the following for H.B. No. 1841:

By: Frost

C.S.H.B. No. 1841

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation of the XS Ranch Municipal Utility  
3 District; providing authority to impose a tax and issue bonds;  
4 granting a limited power of eminent domain.

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 8306 to read as follows:

8 CHAPTER 8306. XS RANCH MUNICIPAL UTILITY DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8306.001. DEFINITIONS. In this chapter:

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

12 (2) "Commission" means the Texas Commission on  
13 Environmental Quality.

14 (3) "Director" means a board member.

15 (4) "District" means the XS Ranch Municipal Utility  
16 District.

17 Sec. 8306.002. NATURE OF DISTRICT. The district is a  
18 municipal utility district created under Section 59, Article XVI,  
19 Texas Constitution.

20 Sec. 8306.003. CONFIRMATION AND DIRECTORS' ELECTION  
21 REQUIRED. The temporary directors shall hold an election to  
22 confirm the creation of the district and to elect five permanent  
23 directors as provided by Section 49.102, Water Code.

24 Sec. 8306.004. CONSENT OF MUNICIPALITY REQUIRED. The

1 temporary directors may not hold an election under Section 8306.003  
2 until each municipality in whose corporate limits or  
3 extraterritorial jurisdiction the district is located, including  
4 the City of Bastrop, has consented by ordinance or resolution to the  
5 creation of the district and to the inclusion of land in the  
6 district.

7 Sec. 8306.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
8 The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:

10 (1) a municipal utility district as provided by  
11 general law and Section 59, Article XVI, Texas Constitution; and

12 (2) Section 52, Article III, Texas Constitution, that  
13 relate to the construction, acquisition, improvement, operation,  
14 or maintenance of macadamized, graveled, or paved roads, or  
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 8306.006. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act creating this chapter.

19 (b) The boundaries and field notes contained in Section 2 of  
20 the Act creating this chapter form a closure. A mistake made in the  
21 field notes or in copying the field notes in the legislative process  
22 does not affect the district's:

23 (1) organization, existence, or validity;

24 (2) right to issue any type of bond for the purposes  
25 for which the district is created or to pay the principal of and  
26 interest on a bond;

27 (3) right to impose a tax; or

1           (4) legality or operation.

2           [Sections 8306.007-8306.050 reserved for expansion]

3                   SUBCHAPTER B. BOARD OF DIRECTORS

4           Sec. 8306.051. GOVERNING BODY; TERMS. (a) The district is  
5 governed by a board of five elected directors.

6           (b) Except as provided by Section 8306.052, directors serve  
7 staggered four-year terms.

8           Sec. 8306.052. TEMPORARY DIRECTORS. (a) The temporary  
9 board consists of:

10                   (1) Mark Engels;

11                   (2) Mark Oldemeyer;

12                   (3) James Michael Sulester, Jr.;

13                   (4) William Faust; and

14                   (5) Don Montague.

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

16                   (1) the date permanent directors are elected under  
17 Section 8306.003; or

18                   (2) the fourth anniversary of the effective date of  
19 the Act creating this chapter.

20           (c) If permanent directors have not been elected under  
21 Section 8306.003 and the terms of the temporary directors have  
22 expired, successor temporary directors shall be appointed or  
23 reappointed as provided by Subsection (d) to serve terms that  
24 expire on the earlier of:

25                   (1) the date permanent directors are elected under  
26 Section 8306.003; or

27                   (2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 (d) If Subsection (c) applies, the owner or owners of a  
3 majority of the assessed value of the real property in the district  
4 may submit a petition to the commission requesting that the  
5 commission appoint as successor temporary directors the five  
6 persons named in the petition. The commission shall appoint as  
7 successor temporary directors the five persons named in the  
8 petition.

9 [Sections 8306.053-8306.100 reserved for expansion]

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8306.101. GENERAL POWERS AND DUTIES. The district has  
12 the powers and duties necessary to accomplish the purposes for  
13 which the district is created.

14 Sec. 8306.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
15 DUTIES. The district has the powers and duties provided by the  
16 general law of this state, including Chapters 49 and 54, Water Code,  
17 applicable to municipal utility districts created under Section 59,  
18 Article XVI, Texas Constitution.

19 Sec. 8306.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
20 52, Article III, Texas Constitution, the district may design,  
21 acquire, construct, finance, issue bonds for, improve, operate,  
22 maintain, and convey to this state, a county, or a municipality for  
23 operation and maintenance macadamized, graveled, or paved roads, or  
24 improvements, including storm drainage, in aid of those roads.

25 Sec. 8306.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
26 project must meet all applicable construction standards, zoning and  
27 subdivision requirements, and regulations of each municipality in

1 whose corporate limits or extraterritorial jurisdiction the road  
2 project is located.

3 (b) If a road project is not located in the corporate limits  
4 or extraterritorial jurisdiction of a municipality, the road  
5 project must meet all applicable construction standards,  
6 subdivision requirements, and regulations of each county in which  
7 the road project is located.

8 (c) If the state will maintain and operate the road, the  
9 Texas Transportation Commission must approve the plans and  
10 specifications of the road project.

11 Sec. 8306.105. COMPLIANCE WITH MUNICIPAL ORDINANCE OR  
12 RESOLUTION. (a) The district shall comply with all applicable  
13 requirements of any ordinance or resolution that is adopted under  
14 Section 54.016 or 54.0165, Water Code, and that consents to the  
15 creation of the district or to the inclusion of land in the  
16 district.

17 (b) Land in the district that is located in the City of  
18 Bastrop's extraterritorial jurisdiction is subject to municipal  
19 ordinances applicable to extraterritorial areas, unless the  
20 municipality's governing body waives compliance.

21 Sec. 8306.106. CONTRACT WITH CERTAIN MUNICIPALITIES  
22 REQUIRED. (a) The district may not exercise the powers and duties  
23 of a municipal utility district under this chapter unless the  
24 district enters into a written contract with any municipality in  
25 whose extraterritorial jurisdiction the district is wholly or  
26 partly located that:

27 (1) provides for the continuation of the

1 extraterritorial status of the district or the district's  
2 annexation by the municipality;

3 (2) ensures that any development in the district  
4 occurs in a manner that furthers the health, safety, and welfare of  
5 the residents of the district; and

6 (3) includes other terms and consideration that the  
7 municipality determines to be reasonable and appropriate.

8 (b) A contract under this section may be renewed or extended  
9 for successive periods not to exceed 15 years.

10 (c) If the district does not enter into a contract under  
11 this section before the later of September 1, 2009, or the 30th day  
12 after the effective date of the Act creating this chapter, the  
13 board, at the board's sole discretion, may adopt an order  
14 dissolving the district if the district has no assets or  
15 obligations. If an order dissolving the district is adopted under  
16 this subsection, an original or certified copy of the order must be  
17 filed with the commission and in the real property records of any  
18 county in which the district is located.

19 Sec. 8306.107. EFFECT OF CHAPTER ON CITY OF BASTROP.  
20 Nothing in this chapter abrogates, diminishes, or otherwise alters  
21 any rights, powers, privileges, or functions of the City of Bastrop  
22 provided by the general law of this state, including Chapter 42,  
23 Local Government Code, and Chapter 54, Water Code, related to the  
24 creation of special districts in its extraterritorial  
25 jurisdiction.

26 Sec. 8306.108. LIMITATION ON USE OF EMINENT DOMAIN. The  
27 district may not exercise the power of eminent domain outside the

1 district to acquire a site or easement for:

2 (1) a road project authorized by Section 8306.103; or

3 (2) a recreational facility as defined by Section  
4 49.462, Water Code.

5 Sec. 8306.109. DIVISION OF DISTRICT. (a) The district may  
6 be divided into two or more new districts only if:

7 (1) the district has no outstanding bonded debt;

8 (2) the district is not imposing ad valorem taxes; and

9 (3) the requirements of Subsection (i) are satisfied.

10 (b) This chapter applies to any new district created by the  
11 division of the district, and a new district has all the powers and  
12 duties of the district.

13 (c) Any new district created by the division of the district  
14 may not, at the time the new district is created, contain any land  
15 outside the area described by Section 2 of the Act creating this  
16 chapter.

17 (d) The board, on its own motion or on receipt of a petition  
18 signed by the owner or owners of a majority of the assessed value of  
19 the real property in the district, may adopt an order dividing the  
20 district.

21 (e) The board may adopt an order dividing the district  
22 before or after the date the board holds an election under Section  
23 8306.003 to confirm the district's creation.

24 (f) An order dividing the district shall:

25 (1) name each new district;

26 (2) include the metes and bounds description of the  
27 territory of each new district;

1           (3) appoint temporary directors for each new district;

2 and

3           (4) provide for the division of assets and liabilities

4 between or among the new districts.

5           (g) On or before the 30th day after the date of adoption of  
6 an order dividing the district, the district shall file the order  
7 with the commission and record the order in the real property  
8 records of each county in which the district is located.

9           (h) Any new district created by the division of the district  
10 shall hold a confirmation and directors' election as required by  
11 Section 8306.003.

12           (i) If the district is located wholly or partly in the  
13 corporate limits or the extraterritorial jurisdiction of a  
14 municipality, the district may not divide under this section unless  
15 the municipality by resolution or ordinance first consents to the  
16 division of the district. If the district is not located wholly or  
17 partly in the corporate limits or the extraterritorial jurisdiction  
18 of a municipality, the district may not divide under this section  
19 unless the commissioners court of each county in which the district  
20 is wholly or partly located first adopts a resolution or order in  
21 support of the division of the district.

22           (j) Any new district created by the division of the district  
23 must hold an election as required by this chapter to obtain voter  
24 approval before the district may impose a maintenance tax or issue  
25 bonds payable wholly or partly from ad valorem taxes.

26           [Sections 8306.110-8306.150 reserved for expansion]

1           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2           Sec. 8306.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
3 district may issue, without an election, bonds and other  
4 obligations secured by:

5                   (1) revenue other than ad valorem taxes; or

6                   (2) contract payments described by Section 8306.153.

7           (b) The district must hold an election in the manner  
8 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
9 before the district may impose an ad valorem tax or issue bonds  
10 payable from ad valorem taxes.

11           (c) The district may not issue bonds payable from ad valorem  
12 taxes to finance a road project unless the issuance is approved by a  
13 vote of a two-thirds majority of the district voters voting at an  
14 election held for that purpose.

15           Sec. 8306.152. OPERATION AND MAINTENANCE TAX. (a) If  
16 authorized at an election held under Section 8306.151, the district  
17 may impose an operation and maintenance tax on taxable property in  
18 the district in accordance with Section 49.107, Water Code.

19           (b) The board shall determine the tax rate. The rate may not  
20 exceed the rate approved at the election.

21           Sec. 8306.153. CONTRACT TAXES. (a) In accordance with  
22 Section 49.108, Water Code, the district may impose a tax other than  
23 an operation and maintenance tax and use the revenue derived from  
24 the tax to make payments under a contract after the provisions of  
25 the contract have been approved by a majority of the district voters  
26 voting at an election held for that purpose.

27           (b) A contract approved by the district voters may contain a

1 provision stating that the contract may be modified or amended by  
2 the board without further voter approval.

3 [Sections 8306.154-8306.200 reserved for expansion]

4 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

5 Sec. 8306.201. AUTHORITY TO ISSUE BONDS AND OTHER  
6 OBLIGATIONS. The district may issue bonds or other obligations  
7 payable wholly or partly from ad valorem taxes, impact fees,  
8 revenue, contract payments, grants, or other district money, or any  
9 combination of those sources, to pay for any authorized district  
10 purpose.

11 Sec. 8306.202. TAXES FOR BONDS. At the time the district  
12 issues bonds payable wholly or partly from ad valorem taxes, the  
13 board shall provide for the annual imposition of a continuing  
14 direct ad valorem tax, without limit as to rate or amount, while all  
15 or part of the bonds are outstanding as required and in the manner  
16 provided by Sections 54.601 and 54.602, Water Code.

17 Sec. 8306.203. BONDS FOR ROAD PROJECTS. At the time of  
18 issuance, the total principal amount of bonds or other obligations  
19 issued or incurred to finance road projects and payable from ad  
20 valorem taxes may not exceed one-fourth of the assessed value of the  
21 real property in the district.

22 SECTION 2. The XS Ranch Municipal Utility District  
23 initially includes all the territory contained in the following  
24 area:

25 A DESCRIPTION OF 9.631 ACRES IN THE ALBERT BLACK SURVEY ABS. NO. 84,  
26 BASTROP COUNTY, TEXAS, BEING ALL OF A 9.631 ACRE TRACT CONVEYED TO  
27 XS RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

1 DATED DECEMBER 19, 2006 AND RECORDED IN DOCUMENT NO. 200619026 OF  
2 THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 9.631  
3 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS  
4 FOLLOWS:

5 BEGINNING at a 1/2" rebar found for the southernmost corner of the  
6 said 9.631 acre tract, being an angle point in the northeast line of  
7 a 36.373 acre tract of land described in Volume 1110, Page 812 of  
8 the Deed Records of Bastrop County, Texas;

9 THENCE North 46°27'36" West with the southwest line of the said  
10 9.631 acre tract and the northeast line of the said 36.373 acre  
11 tract, a distance of 359.38 feet to a 1/2" rebar with cap found in  
12 the southeast line of County Road 157 (no apparent defined  
13 right-of-way width), being the westernmost corner of the said 9.631  
14 acre tract, being also the northernmost corner of the said 36.373  
15 acre tract, from which a fence post found, bears North 55°17'54"  
16 West, a distance of 47.73 feet;

17 THENCE with the southeast line of the County Road 157 and the  
18 northwest line of the said 9.631 acre tract the following five (5)  
19 courses and distances:

20 1. North 45°46'15" East, a distance of 258.49 feet to a 1/2"  
21 rebar with cap set;

22 2. North 44°36'32" East, a distance of 385.38 feet to a 1/2"  
23 rebar with cap set;

24 3. North 53°55'26" East, a distance of 65.50 feet to a 1/2"  
25 rebar with cap set;

26 4. North 56°39'18" East, a distance of 735.33 feet to a 1/2"  
27 rebar with cap set;

1           5. North 59°18'13" East, a distance of 148.13 feet to a 1/2"  
2 rebar with cap set for the northernmost corner of the said 9.631  
3 acre tract;

4 THENCE South 31°13'11" East with the northeast line of the said  
5 9.631 acre tract, a distance of 97.92 feet to a 1/2" rebar found for  
6 the easternmost corner of the said 9.631 acre tract, being in the  
7 northwest line of a 26 acre tract of land described in Volume 184,  
8 Page 37 of the Deed Records of Bastrop County, Texas;

9 THENCE South 42°28'16" West with the southeast line of the said  
10 9.631 acre tract, the northwest line of the said 26 acre tract, and  
11 the northwest line of the said 36.373 acre tract, a distance of  
12 1541.28 feet to the POINT OF BEGINNING, containing 9.631 acres of  
13 land, more or less.

14 A DESCRIPTION OF 9.782 ACRES (APPROXIMATELY 426,092 SQ. FT.) IN THE  
15 ISAAC HARRIS SURVEY NO. 2, ABSTRACT NO. 38, BASTROP COUNTY, TEXAS,  
16 BEING ALL OF A 2.064 ACRE TRACT AND A 6.114 ACRE TRACT CONVEYED TO XS  
17 RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN  
18 DATED DECEMBER 19, 2006 AND RECORDED IN DOCUMENT NO. 200619026 OF  
19 THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL  
20 OF A 1.599 ACRE TRACT CONVEYED TO SHARP FAMILY PARTNERSHIP IN A  
21 GENERAL WARRANTY DEED DATED JANUARY 13, 2003 AND RECORDED IN  
22 DOCUMENT NO. 200300783 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP  
23 COUNTY, TEXAS; SAID 9.782 ACRES BEING MORE PARTICULARLY DESCRIBED  
24 BY METES AND BOUNDS AS FOLLOWS:

25 BEGINNING at a 1/2" rebar found in the west right-of-way line of  
26 State Highway 95 (Waugh Way) (100' public right-of-way width),  
27 being on the north side of County Road 48 (no apparent defined

1 right-of-way width), being the northeast corner of the said 2.064  
2 acre tract;  
3 THENCE South 04°45'50" West, crossing County Road 48, with the west  
4 right-of-way line of State Highway 95 and the east line of the said  
5 2.064 acre tract, a distance of 693.60 feet to a 1/2" rebar with  
6 Chaparral cap found for the southeast corner of the said 2.064 acre  
7 tract, being the northeast corner of the said 1.599 acre tract;  
8 THENCE South 04°45'50" West with the west right-of-way line of State  
9 Highway 95 and the east line of the said 1.599 acre tract, a  
10 distance of 408.47 feet to a 1/2" rebar with Chaparral cap found for  
11 the southeast corner of the said 1.599 acre tract, being the  
12 northeast corner of the said 6.114 acre tract;  
13 THENCE South 04°45'50" West with the west right-of-way line of State  
14 Highway 95 and the east line of the said 6.114 acre tract, a  
15 distance of 1102.72 feet to a 1/2" iron pipe found at the  
16 intersection of the west right-of-way line of State Highway 95 and  
17 the northwest line of a 100' Union Pacific Railroad Spur  
18 Reservation as referenced in Volume 1387, Page 49 of the Deed  
19 Records of Bastrop County, Texas, being also the southeast corner  
20 of the said 6.114 acre tract, from which a concrete highway monument  
21 found bears, South 04°44'18" West, a distance of 9494.37 feet;  
22 THENCE South 38°26'28" West with the southeast line of the said  
23 6.114 acre tract and the northwest line of the 100' Union Pacific  
24 Railroad Spur Reservation, passing a 1/2" iron pipe found at a  
25 distance of 438.05 feet, continuing for a distance of 1.08 feet, for  
26 a total distance of 439.13 feet to a 1/2" rebar with Chaparral cap  
27 found at the intersection of the northwest line of the 100' Union

1 Pacific Railroad Spur Reservation and the east right-of-way line of  
2 The Union Pacific Railroad (100' right-of-way width), being the  
3 southwest corner of the said 6.114 acre tract;

4 THENCE North 07°14'40" East with the east right-of-way line of The  
5 Union Pacific Railroad and the west line of the said 6.114 acre  
6 tract, a distance of 1469.53 feet to a 1/2" rebar with Chaparral cap  
7 found for the northwest corner of the said 6.114 acre tract, being  
8 the southwest corner of the said 1.599 acre tract;

9 THENCE North 07°14'40" East with the east right-of-way line of The  
10 Union Pacific Railroad and the west line of the said 1.599 acre  
11 tract, a distance of 408.85 feet to a 1/2" rebar with Chaparral cap  
12 found for the northwest corner of the said 1.599 acre tract, being  
13 the southwest corner of the said 2.064 acre tract;

14 THENCE with the east right-of-way line of The Union Pacific  
15 Railroad and the west line of the said 2.064 acre tract the  
16 following two (2) courses and distances:

17       1. North 07°14'40" East, a distance of 476.39 feet to a 1/2"  
18 rebar with Chaparral cap found, from which a 1/2" rebar with  
19 Chaparral cap found in the west right-of-way line of The Union  
20 Pacific Railroad, being in the east line of a 5,566.770 acre tract  
21 described in Document No. 200619026 of the Official Public Records  
22 of Bastrop County, Texas, bears North 82°45'20" West, a distance of  
23 100.00 feet;

24       2. With a curve to the left, an arc length of 32.90 feet,  
25 having a radius of 1482.37 feet and a chord which bears North  
26 06°36'10" East, a distance of 32.90 feet to a 1/2" rebar with  
27 Chaparral cap found for the northwest corner of the said 2.064 acre

1 tract;  
2 THENCE North 42°01'01" East, crossing County Road 48, with the  
3 northwest line of the said 2.064 acre tract, passing a 1/2" rebar  
4 found at a distance of 1.92 feet, and continuing a distance of  
5 230.22 feet, for a total distance of 232.14 feet to the POINT OF  
6 BEGINNING, containing 9.782 acres of land, more or less, a portion  
7 of which lies within the roadway of County Road 48.  
8 A DESCRIPTION OF 5.608 ACRES IN THE JOSEPH ROGERS SURVEY NO. 6 ABS.  
9 NO. 55, BASTROP COUNTY, TEXAS, BEING ALL OF A 5.608 ACRE TRACT  
10 CONVEYED TO XS RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED DATED  
11 NOVEMBER 9, 2007 AND RECORDED IN DOCUMENT NO. 200716605 OF THE  
12 OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 5.608 ACRES  
13 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
14 BEGINNING at a 1/2" rebar found for the northwest corner of the said  
15 5.608 acre tract, being the southwest corner of Tract 28, Forest  
16 Ridge Estates, a subdivision of record in Cabinet 2, Pages  
17 323A-325A of the Plat Records of Bastrop County, Texas, being also a  
18 point in the east line of a remainder of a 248.720 acre tract of land  
19 described in Volume 411, Page 472 of the Deed Records of Bastrop  
20 County, Texas, from which a 1/2" rebar found in the curving south  
21 right-of-way line of Forest Ridge Drive (70' right-of-way width),  
22 being an angle point in the west line of said Tract 28, being also  
23 the northeast corner of the said remainder of a 248.720 acre tract,  
24 bears North 27°14'16" East, a distance of 13.70 feet;  
25 THENCE South 62°45'31" East with the north line of the said 5.608  
26 acre tract and the south line of said Tract 28, a distance of 765.02  
27 feet to a 1/2" rebar found for the northeast corner of the said

1 5.608 acre tract, being the southeast corner of said Tract 28, being  
2 also in the west line of a 316.745 acre tract of land described in  
3 Volume 1386, Page 90 of the Deed Records of Bastrop County, Texas;  
4 THENCE South 27°14'58" West with the east line of the said 5.608 acre  
5 tract and the west line of the said 316.745 acre tract, a distance  
6 of 430.05 feet to a 1/2" rebar found for the southeast corner of the  
7 said 5.608 acre tract, being the northeast corner of a 45.49 acre  
8 tract of land described in Volume 513, Page 676 of the Deed Records  
9 of Bastrop County, Texas, from which a 1/2" rebar found for the  
10 southwest corner of the said 316.745 acre tract, being in the east  
11 line of the said 45.49 acre tract, bears South 27°31'37" West, a  
12 distance of 133.37 feet;

13 THENCE North 46°36'52" West with the south line of the said 5.608  
14 acre tract and the north line of the said 45.49 acre tract, a  
15 distance of 796.35 feet to a 1/2" rebar found for the southwest  
16 corner of the said 5.608 acre tract, being also the southeast corner  
17 of the said remainder of a 248.720 acre tract;

18 THENCE North 27°14'16" East with the west line of the said 5.608 acre  
19 tract and the east line of the said remainder of a 248.720 acre  
20 tract, a distance of 208.62 feet to the POINT OF BEGINNING,  
21 containing 5.608 acres of land, more or less.

22 A DESCRIPTION OF 305.559 ACRES IN THE ALBERT BLACK SURVEY, ABSTRACT  
23 NO. 84 AND THE WILLIAM CANNON SURVEY, ABSTRACT NO. 126, BOTH IN  
24 BASTROP COUNTY, TEXAS, BEING ALL OF A 305.559 ACRE TRACT OF LAND  
25 (TRACT ONE-A) CONVEYED TO XS RANCH FUND VI, L.P. IN A SPECIAL  
26 WARRANTY DEED WITH VENDOR'S LIEN DATED DECEMBER 19, 2006 AND  
27 RECORDED IN DOCUMENT NO. 200619026 OF THE OFFICIAL PUBLIC RECORDS

1 OF BASTROP COUNTY, TEXAS; SAID 305.559 ACRES BEING MORE  
2 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

3 BEGINNING at a fence post found in the northwest line of County Road  
4 157 (no apparent defined right-of-way width), being a southeast  
5 corner of the said 305.559 acre tract, being also the easternmost  
6 corner of a 31.077 acre tract of land described in Volume 794, Page  
7 707 of the Deed Records of Bastrop County, Texas, from which a 1/2"  
8 rebar with cap found, bears South 55°17'54" East, a distance of  
9 47.73 feet;

10 THENCE with the common line of the said 305.559 acre tract and the  
11 said 31.077 acre tract the following four (4) courses and  
12 distances:

13 1. North 46°41'00" West, a distance of 1113.76 feet to a 1/2"  
14 rebar with cap set;

15 2. North 49°09'41" West, a distance of 457.39 feet to a fence  
16 post found for the northernmost corner of the said 31.077 acre  
17 tract;

18 3. South 43°50'48" West, a distance of 848.90 feet to a fence  
19 post found for the westernmost corner of the said 31.077 acre tract;

20 4. South 46°40'31" East, a distance of 1605.34 feet to a  
21 fence post found in the northwest line of County Road 157, being the  
22 southernmost corner of the said 31.077 acre tract;

23 THENCE with the northwest line of County Road 157 and the southeast  
24 line of the said 305.559 acre tract the following three (3) courses  
25 and distances:

26 1. South 19°25'21" West, a distance of 469.16 feet to a fence  
27 post found;

1           2.    South 30°49'30" West, a distance of 123.66 feet to a fence  
2 post found;

3           3.    South 44°36'43" West, a distance of 326.69 feet to a 1/2"  
4 rebar with cap set;

5 THENCE South 47°38'02" East crossing County Road 157, with the  
6 northeast line of the said 305.559 acre tract, a distance of 50.60  
7 feet to a 1/2" rebar with cap set in the southeast line of County  
8 Road 157;

9 THENCE with the southeast line of County Road 157 and a northwest  
10 line of the said 305.559 acre tract the following three (3) courses  
11 and distances:

12           1.    North 42°04'48" East, a distance of 333.99 feet to a fence  
13 post found;

14           2.    North 31°54'15" East, a distance of 94.90 feet to a fence  
15 post found;

16           3.    North 20°50'26" East, a distance of 482.98 feet to a fence  
17 post found for the westernmost corner of a 36.373 acre tract of land  
18 described in Volume 1110, Page 812 of the Deed Records of Bastrop  
19 County, Texas;

20 THENCE with the common line of the said 305.559 acre tract and the  
21 said 36.373 acre tract the following four (4) courses and  
22 distances:

23           1.    South 36°38'46" East, a distance of 205.25 feet to a fence  
24 post found;

25           2.    South 50°00'46" West, a distance of 84.05 feet to a fence  
26 post found;

27           3.    South 48°13'43" East, a distance of 415.56 feet to a fence

1 post found;

2 4. South 47°20'51" East, passing a cedar fence post found,  
3 referenced in Volume 1110, Page 812 of the Deed Records of Bastrop  
4 County, Texas, at a distance of 657.00 feet, and continuing for a  
5 total distance of 826.50 feet to a calculated point in the  
6 centerline of Big Sandy Creek, being the southernmost corner of the  
7 said 36.373 acre tract, being the westernmost corner of a 113 acre  
8 tract of land described in Volume 231, Page 525 of the Deed Records  
9 of Bastrop County, Texas, being also the northernmost corner of a  
10 127 acre tract of land described in Volume 205, Page 401 of the Deed  
11 Records of Bastrop County, Texas;

12 THENCE with the centerline of Big Sandy Creek and the common line of  
13 the said 305.559 acre tract and the said 127 acre tract the  
14 following thirty-eight (38) courses and distances:

15 1. South 62°44'23" West, a distance of 165.05 feet to a  
16 calculated point;

17 2. North 58°22'05" West, a distance of 18.28 feet to a  
18 calculated point;

19 3. South 73°14'43" West, a distance of 63.39 feet to a  
20 calculated point;

21 4. South 55°57'33" West, a distance of 83.20 feet to a  
22 calculated point;

23 5. South 43°22'27" West, a distance of 117.85 feet to a  
24 calculated point;

25 6. South 56°58'42" West, a distance of 104.68 feet to a  
26 calculated point;

27 7. South 53°42'47" West, a distance of 111.56 feet to a

- 1 calculated point;
- 2 8. South 71°27'52" West, a distance of 67.50 feet to a  
3 calculated point;
- 4 9. South 51°39'08" West, a distance of 185.86 feet to a  
5 calculated point;
- 6 10. North 82°22'00" West, a distance of 46.11 feet to a  
7 calculated point;
- 8 11. South 63°35'07" West, a distance of 45.29 feet to a  
9 calculated point;
- 10 12. South 73°09'23" West, a distance of 55.83 feet to a  
11 calculated point;
- 12 13. South 45°46'01" West, a distance of 59.30 feet to a  
13 calculated point;
- 14 14. South 70°52'58" West, a distance of 57.75 feet to a  
15 calculated point;
- 16 15. North 85°04'44" West, a distance of 57.09 feet to a  
17 calculated point;
- 18 16. North 78°41'38" West, a distance of 127.67 feet to a  
19 calculated point;
- 20 17. South 76°35'00" West, a distance of 62.10 feet to a  
21 calculated point;
- 22 18. South 36°17'38" West, a distance of 54.83 feet to a  
23 calculated point;
- 24 19. South 47°10'05" West, a distance of 74.83 feet to a  
25 calculated point;
- 26 20. South 70°02'18" West, a distance of 232.43 feet to a  
27 calculated point;

- 1           21. South 78°49'36" West, a distance of 58.43 feet to a  
2 calculated point;
- 3           22. South 71°23'00" West, a distance of 51.51 feet to a  
4 calculated point;
- 5           23. South 60°07'25" West, a distance of 61.12 feet to a  
6 calculated point;
- 7           24. South 65°36'14" West, a distance of 55.14 feet to a  
8 calculated point;
- 9           25. South 72°04'58" West, a distance of 42.38 feet to a  
10 calculated point;
- 11          26. South 48°34'42" West, a distance of 88.25 feet to a  
12 calculated point;
- 13          27. South 36°37'42" West, a distance of 51.84 feet to a  
14 calculated point;
- 15          28. South 03°08'33" West, a distance of 46.05 feet to a  
16 calculated point;
- 17          29. South 30°34'44" West, a distance of 54.17 feet to a  
18 calculated point;
- 19          30. South 76°17'40" West, a distance of 47.65 feet to a  
20 calculated point;
- 21          31. South 31°17'00" West, a distance of 98.02 feet to a  
22 calculated point;
- 23          32. South 27°25'28" West, a distance of 47.32 feet to a  
24 calculated point;
- 25          33. South 42°56'37" West, a distance of 62.17 feet to a  
26 calculated point;
- 27          34. South 35°46'55" West, a distance of 50.98 feet to a

1 calculated point;

2 35. South 27°31'18" West, a distance of 60.31 feet to a  
3 calculated point;

4 36. South 50°27'47" West, a distance of 94.46 feet to a  
5 calculated point;

6 37. South 43°23'51" West, a distance of 176.06 feet to a  
7 calculated point;

8 38. South 32°51'42" West, a distance of 103.82 feet to a  
9 calculated point for the southernmost corner of the said 305.559  
10 acre tract, being the westernmost corner of the said 127 acre tract,  
11 being the northernmost corner of a 269 acre tract of land described  
12 in Volume 199, Page 843 of the Deed Records of Bastrop County,  
13 Texas, being also the easternmost corner of a 408.48 acre tract of  
14 land described in Volume 248, Page 498 of the Deed Records of  
15 Bastrop County, Texas;

16 THENCE North 47°23'26" West with the southwest line of the said  
17 305.559 acre tract and the northeast line of the said 408.48 acre  
18 tract, a distance of 523.96 feet to a 1/2" rebar with cap set for the  
19 southernmost corner of a 48.6 acre tract of land described in Volume  
20 131, Page 414 of the Deed Records of Bastrop County, Texas;

21 THENCE North 42°21'58" East with the northwest line of the said  
22 305.559 acre tract and the southeast line of the said 48.6 acre  
23 tract, a distance of 1130.68 feet to a 1/2" rebar with cap set in the  
24 southeast line of County Road 157, being the easternmost corner of  
25 the said 48.6 acre tract;

26 THENCE North 47°38'02" West crossing County Road 157, with the  
27 southwest line of the said 305.559 acre tract and the northeast line

1 of the said 48.6 acre tract, a distance of 1828.61 feet to a 60d nail  
2 in fence corner post found for the northernmost corner of the said  
3 48.6 acre tract, from which a 5/8" rebar found for the easternmost  
4 corner of a 52.6 acre tract of land described in Volume 223, Page  
5 615 of the Deed Records of Bastrop County, Texas, bears North  
6 52°06'20" West, a distance of 9.44 feet;  
7 THENCE North 47°12'47" West with the southwest line of the said  
8 305.559 acre tract and the northeast line of the said 52.6 acre  
9 tract, a distance of 2024.45 feet to a 5/8" rebar found for the  
10 westernmost corner of the said 305.559 acre tract, being in the  
11 southeast line of a 14.229 acre tract described in Volume 1166, Page  
12 883 of the Deed Records of Bastrop County, Texas, from which a 5/8"  
13 rebar found, bears South 43°47'41" West, a distance of 115.45 feet;  
14 THENCE North 42°58'23" East with the northwest line of the said  
15 305.559 acre tract (varies from the deed lines of the said 14.229  
16 acre tract, a 14.288 acre tract described in Volume 227, Page 206 of  
17 the Deed Records of Bastrop County, Texas, a 14.285 acre tract  
18 described in Volume 909, Page 541 of the Deed Records of Bastrop  
19 County, Texas, a 14.284 acre tract described in Volume 231, Page 249  
20 of the Deed Records of Bastrop County, Texas, and a 55.290 acre  
21 tract described in Volume 134, Page 440 of the Deed Records of  
22 Bastrop County, Texas), a distance of 2647.08 feet to a 1/2" rebar  
23 found for the northernmost corner of the said 305.559 acre tract,  
24 being in the southeast line of the said 55.290 acre tract;  
25 THENCE South 48°07'07" East with the northeast line of the said  
26 305.559 acre tract, a distance of 14.14 feet to a 1/2" rebar found  
27 for the westernmost corner of Lot 7, Belltaire I, a subdivision of

1 record in Cabinet 2, Page 299B of the Plat Records of Bastrop  
2 County, Texas;

3 THENCE with the common line of the said 305.559 acre tract and said  
4 Belltaire I the following two (2) courses and distances:

5 1. South 47°32'20" East, a distance of 1993.38 feet to a 1/2"  
6 rebar with cap set for the southernmost corner of Lot 1, of said  
7 Belltaire I;

8 2. North 42°05'43" East, a distance of 586.92 feet to a 5/8"  
9 rebar found for the westernmost corner of a 4.001 acre tract of land  
10 described in Volume 1338, Page 53 of the Deed Records of Bastrop  
11 County, Texas, from which a 5/8" rebar found, bears North 42°09'01"  
12 East, a distance of 289.24 feet;

13 THENCE with the common line of the said 305.559 acre tract and the  
14 said 4.001 acre tract the following three (3) courses and  
15 distances:

16 1. South 46°59'25" East, a distance of 404.91 feet to a 5/8"  
17 rebar found for the southernmost corner of the said 4.001 acre  
18 tract;

19 2. North 43°00'35" East, a distance of 440.49 feet to a 5/8"  
20 rebar found for the easternmost corner of the said 4.001 acre tract;

21 3. North 47°00'16" West, a distance of 373.56 feet to a 1/2"  
22 rebar found in the southeast line of County Road 49 (no apparent  
23 defined right-of-way width), being the northernmost corner of the  
24 said 4.001 acre tract, from which a 5/8" rebar found, bears South  
25 42°58'39" West, a distance of 149.81 feet;

26 THENCE with the common line of County Road 49 and the said 305.559  
27 acre tract the following six (6) courses and distances:

1           1. North 43°02'21" East, a distance of 612.96 feet to a fence  
2 post found;

3           2. North 71°11'06" East, a distance of 48.40 feet to a fence  
4 post found, from which a 1/2" rebar with cap found, bears North  
5 07°51'58" East, a distance of 77.01 feet;

6           3. South 78°27'24" East, a distance of 54.14 feet to a fence  
7 post found;

8           4. South 47°26'33" East, a distance of 1658.43 feet to a nail  
9 found;

10          5. South 14°04'15" East, a distance of 64.95 feet to a nail  
11 found;

12          6. South 19°26'30" West, a distance of 66.30 feet to a fence  
13 post found in the northwest line of County Road 157;

14 THENCE with the northwest line of County Road 157 and the southeast  
15 line of the said 305.559 acre tract the following three (3) courses  
16 and distances:

17          1. South 56°22'57" West, a distance of 971.94 feet to a 1/2"  
18 rebar with cap set;

19          2. South 47°07'57" West, a distance of 422.15 feet to a 1/2"  
20 rebar with cap set;

21          3. South 46°17'50" West, a distance of 273.65 feet to the  
22 POINT OF BEGINNING, containing 305.559 acres of land, more or less,  
23 a portion of which lies within the roadway.

24 A DESCRIPTION OF 9322.496 ACRES (GROSS) IN THE S.F. AUSTIN SURVEY  
25 NO. 1, ABSTRACT NO. 8, THE ISAAC HARRIS SURVEY NO. 2, ABSTRACT NO.  
26 38, THE LEMAN BARKER SURVEY NO. 3, ABSTRACT NO. 6, THE S.M. WILLIAMS  
27 SURVEY NO. 4, ABSTRACT NO. 71, THE JOSIAH WILBARGER SURVEY NO. 5,

1 ABSTRACT NO. 70, THE JOHN CRUTCHFIELD SURVEY NO. 12, ABS. NO. 122,  
2 AND THE JOSEPH ROGERS SURVEY NO. 6 ABS. NO. 55, ALL IN BASTROP  
3 COUNTY, TEXAS, CONSISTING OF:

4 ALL OF A 5566.770 ACRE TRACT (TRACT ONE-D), ALL OF AN 507.061 ACRE  
5 TRACT (TRACT ONE-C), ALL OF A 19.149 ACRE TRACT (TRACT FIVE), ALL OF  
6 A 54.912 ACRE TRACT (TRACT SIX), ALL OF A 92.556 ACRE TRACT (TRACT  
7 SEVEN), ALL OF A 160.346 ACRE TRACT (TRACT EIGHT), AND ALL OF A  
8 112.676 ACRE TRACT (TRACT NINE), CONVEYED TO XS RANCH FUND VI, L.P.  
9 IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED DECEMBER 19,  
10 2006 AND RECORDED IN DOCUMENT NO. 200619026 OF THE OFFICIAL PUBLIC  
11 RECORDS OF BASTROP COUNTY, TEXAS;

12 ALL OF A 200.00 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN A  
13 SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED DECEMBER 19, 2006  
14 AND RECORDED IN DOCUMENT NO. 200619025 OF THE OFFICIAL PUBLIC  
15 RECORDS OF BASTROP COUNTY, TEXAS; (THE 200.00 ACRE TRACT LIES  
16 WITHIN THE 5566.770 ACRE TRACT)

17 ALL OF A 758.026 ACRE TRACT AND ALL OF A 1164.571 ACRE TRACT  
18 CONVEYED TO XS RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED DATED  
19 JUNE 4, 2007 AND RECORDED IN DOCUMENT NO. 200708067 OF THE OFFICIAL  
20 PUBLIC RECORDS OF BASTROP COUNTY, TEXAS;

21 AND ALL OF A 885.050 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN  
22 A SPECIAL WARRANTY DEED DATED NOVEMBER 9, 2007 AND RECORDED IN  
23 DOCUMENT NO. 200716605 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP  
24 COUNTY, TEXAS;

25 SAVE AND EXCEPT 1.379 ACRES IN COUNTY ROAD 157 (SAYERS ROAD)  
26 RIGHT-OF-WAY (AS DESCRIBED HEREAFTER) FOR A TOTAL OF 9321.117 (NET)  
27 ACRES OF LAND, MORE OR LESS;

1 SAID 9322.496 (GROSS) ACRES BEING MORE PARTICULARLY DESCRIBED BY  
2 METES AND BOUNDS AS FOLLOWS:

3 BEGINNING at a 1/2" rebar with cap set in the west right-of-way line  
4 of the Union Pacific Railroad (100' right-of-way width), being the  
5 northernmost corner of the said 5566.770 acre tract, being also the  
6 easternmost corner of a 94.5 acre tract of land described in Volume  
7 205, Page 404 of the Deed Records of Bastrop County, Texas;

8 THENCE with the west right-of-way line of the Union Pacific  
9 Railroad and the east line of the said 5566.770 acre tract, the  
10 following five (5) courses and distances:

11 1. South 12°35'28" East, a distance of 4266.68 feet to a 1/2"  
12 rebar with cap set;

13 2. With a curve to the left, an arc length of 1184.55 feet,  
14 having a radius of 1482.37 feet and a chord which bears South  
15 35°29'00" East, a distance of 1153.28 feet to a 1/2" rebar with cap  
16 set;

17 3. South 58°22'32" East, a distance of 2814.83 feet to a 1/2"  
18 rebar with cap set;

19 4. With a curve to the right, an arc length of 1583.06 feet,  
20 having a radius of 1382.37 feet and a chord which bears South  
21 25°34'07" East, a distance of 1497.96 feet to a 1/2" rebar with cap  
22 set;

23 5. South 07°14'40" West, a distance of 3222.47 feet to a 5/8"  
24 rebar found for the northernmost corner of a 90.021 acre tract of  
25 land described in Volume 280, Page 26 of the Deed Records of Bastrop  
26 County, Texas;

27 THENCE leaving the west right-of-way line of the Union Pacific

1 Railroad, with the common line of the said 5566.770 acre tract and  
2 the said 90.021 acre tract, the following two (2) courses and  
3 distances:

4 1. South 41°59'17" West, a distance of 3559.00 feet to a 1/2"  
5 rebar with cap set for the westernmost corner of the said 90.021  
6 acre tract;

7 2. South 48°00'02" East, a distance of 1696.00 feet to a 1/2"  
8 rebar with cap set for the southernmost corner of the said 90.021  
9 acre tract, being also in the northwest line of a 100.714 acre tract  
10 of land described in Volume 276, Page 639 of the Deed Records of  
11 Bastrop County, Texas;

12 THENCE with the common line of the said 5566.770 acre tract and the  
13 said 100.714 acre tract the following two (2) courses and  
14 distances:

15 1. South 41°50'22" West, a distance of 3243.40 feet to a 1/2"  
16 rebar with cap set for the westernmost corner of the said 100.714  
17 acre tract;

18 2. South 48°02'42" East, a distance of 1600.00 feet to a 1/2"  
19 rebar found in the west right-of-way line of the Union Pacific  
20 Railroad, being the southernmost corner of the said 100.714 acre  
21 tract;

22 THENCE South 28°48'40" West with the west right-of-way line of the  
23 Union Pacific Railroad and the east line of the said 5566.770 acre  
24 tract, a distance of 4189.17 feet to a 1/2" rebar with cap set in the  
25 fenced north line of County Road 157 (no apparent defined  
26 right-of-way width), being the southernmost corner of the said  
27 5566.770 acre tract;

1 THENCE North 70°54'45" West with the fenced north line of County  
2 Road 157 and the south line of the said 5566.770 acre tract, a  
3 distance of 508.46 feet to a fence post found for the southeast  
4 corner of a cemetery (no record description found);

5 THENCE leaving the fenced north line of County Road 157, with the  
6 south line of the said 5566.770 acre tract, and the fenced line of  
7 said cemetery the following three (3) courses and distances:

8         1. North 27°36'53" East, a distance of 295.98 feet to a fence  
9 post found;

10        2. North 59°21'01" West, a distance of 213.96 feet to a fence  
11 post found;

12        3. South 46°04'58" West, a distance of 334.28 feet to a fence  
13 post found in the fenced northeast line of County Road 157;

14 THENCE with the fenced northeast line of County Road 157 and the  
15 southwest line of the said 5566.770 acre tract, the following  
16 thirty-three (33) courses and distances:

17        1. North 48°55'26" West, a distance of 1197.98 feet to a  
18 fence post found;

19        2. With a curve to the right, an arc length of 270.39 feet,  
20 having a radius of 959.67 feet and a chord which bears North  
21 35°25'39" West, a distance of 269.50 feet to a fence post found;

22        3. North 29°09'39" West, a distance of 153.76 feet to a fence  
23 post found;

24        4. North 40°47'14" West, a distance of 639.58 feet to a fence  
25 post found;

26        5. North 34°04'48" West, a distance of 832.33 feet to a fence  
27 post found;

- 1           6. North 31°21'24" West, a distance of 118.29 feet to a fence  
2 post found;
- 3           7. North 24°22'16" West, a distance of 176.75 feet to a fence  
4 post found;
- 5           8. North 18°55'11" West, a distance of 120.47 feet to a fence  
6 post found;
- 7           9. North 10°15'52" West, a distance of 264.46 feet to a fence  
8 post found;
- 9           10. North 07°51'48" West, a distance of 327.03 feet to a  
10 fence post found;
- 11          11. North 12°13'41" West, a distance of 91.49 feet to a fence  
12 post found;
- 13          12. With a curve to the left, an arc length of 230.63 feet,  
14 having a radius of 290.55 feet and a chord which bears North  
15 35°03'33" West, a distance of 224.62 feet to a fence post found;
- 16          13. North 60°03'33" West, a distance of 88.80 feet to a fence  
17 post found;
- 18          14. North 62°48'40" West, a distance of 325.21 feet to a  
19 fence post found, from which a 1/2" rebar found, bears South  
20 58°18'36" West, a distance of 60.73 feet;
- 21          15. North 71°52'04" West, a distance of 98.90 feet to a 1/2"  
22 rebar with cap set;
- 23          16. North 84°51'25" West, a distance of 548.44 feet to a  
24 fence post found;
- 25          17. South 86°27'29" West, a distance of 73.98 feet to a fence  
26 post found;
- 27          18. South 78°51'37" West, a distance of 39.75 feet to a fence

1 post;

2 19. South  $73^{\circ}16'07''$  West, a distance of 141.66 feet to a  
3 fence post;

4 20. With a curve to the right, an arc length of 139.35 feet,  
5 having a radius of 290.37 feet and a chord which bears South  
6  $87^{\circ}41'13''$  West, a distance of 138.02 feet to a fence post found;

7 21. With a curve to the right, an arc length of 165.02 feet,  
8 having a radius of 774.91 feet and a chord which bears North  
9  $68^{\circ}44'53''$  West, a distance of 164.71 feet to a fence post found;

10 22. North  $52^{\circ}54'39''$  West, a distance of 123.41 feet to a  
11 fence post found;

12 23. North  $31^{\circ}56'06''$  West, a distance of 79.58 feet to a fence  
13 post found;

14 24. North  $21^{\circ}29'47''$  West, a distance of 191.24 feet to a  
15 fence post found;

16 25. North  $22^{\circ}51'02''$  West, a distance of 86.71 feet to a fence  
17 post found;

18 26. With a curve to the left, an arc length of 228.67 feet,  
19 having a radius of 548.91 feet and a chord which bears North  
20  $38^{\circ}10'46''$  West, a distance of 227.02 feet to a fence post found, from  
21 which a 1/2" rebar with cap found, bears South  $11^{\circ}31'55''$  West, a  
22 distance of 58.42 feet;

23 27. North  $48^{\circ}39'12''$  West, a distance of 119.64 feet to a  
24 fence post found, from which a 1/2" rebar with cap found, bears  
25 South  $74^{\circ}52'45''$  West, a distance of 56.05 feet;

26 28. With a curve to the right, an arc length of 124.62 feet,  
27 having a radius of 489.39 feet and a chord which bears North

1 37°56'09" West, a distance of 124.29 feet to a fence post found;  
2 29. North 30°09'55" West, a distance of 171.71 feet to a  
3 fence post found;  
4 30. North 34°19'30" West, a distance of 193.48 feet to a  
5 fence post found;  
6 31. North 41°24'11" West, a distance of 112.93 feet to a  
7 fence post found;  
8 32. North 55°09'35" West, a distance of 71.44 feet to a fence  
9 post found;  
10 33. North 72°29'33" West, a distance of 137.95 feet to a  
11 fence post found for an angle point in the southeast line of a 22.43  
12 acre tract of land described in Volume 176, Page 62 of the Deed  
13 Records of Bastrop County, Texas;  
14 THENCE leaving the north line of County Road 157, with the fenced  
15 common line of the said 5566.770 acre tract and the said 22.43 acre  
16 tract, the following five (5) courses and distances:  
17 1. North 37°28'32" East, a distance of 131.53 feet to a fence  
18 post found;  
19 2. North 49°29'56" East, a distance of 92.62 feet to a fence  
20 post found;  
21 3. North 46°23'18" East, a distance of 160.81 feet to a fence  
22 post found;  
23 4. North 55°47'54" East, a distance of 214.81 feet to a fence  
24 post found;  
25 5. North 42°06'04" East, a distance of 117.66 feet to a  
26 calculated point in the centerline of Big Sandy Creek, being the  
27 south line of a 62.5 acre tract described in Volume 149, Page 477 of

1 the Deed Records of Bastrop County, Texas;  
2 THENCE with the centerline of Big Sandy Creek, with the common line  
3 of the said 5566.770 acre tract and the said 62.5 acre tract, the  
4 following twenty-one (21) courses and distances:  
5       1. North 89°51'48" East, a distance of 60.71 feet to a  
6 calculated point;  
7       2. North 53°48'39" East, a distance of 241.84 feet to a  
8 calculated point;  
9       3. North 33°15'35" East, a distance of 125.20 feet to a  
10 calculated point;  
11       4. North 15°49'27" East, a distance of 251.77 feet to a  
12 calculated point;  
13       5. North 08°07'24" West, a distance of 269.24 feet to a  
14 calculated point;  
15       6. North 77°49'21" West, a distance of 86.41 feet to a  
16 calculated point;  
17       7. North 84°22'20" West, a distance of 114.31 feet to a  
18 calculated point;  
19       8. North 73°28'41" West, a distance of 66.75 feet to a  
20 calculated point;  
21       9. North 48°46'46" West, a distance of 80.91 feet to a  
22 calculated point;  
23       10. North 08°05'04" West, a distance of 175.42 feet to a  
24 calculated point;  
25       11. North 23°04'02" West, a distance of 72.55 feet to a  
26 calculated point;  
27       12. North 35°42'24" West, a distance of 283.21 feet to a

1 calculated point;  
2 13. North 11°55'01" West, a distance of 102.35 feet to a  
3 calculated point;  
4 14. South 80°17'23" West, a distance of 87.22 feet to a  
5 calculated point;  
6 15. South 39°04'47" West, a distance of 173.78 feet to a  
7 calculated point;  
8 16. South 28°31'20" West, a distance of 368.09 feet to a  
9 calculated point;  
10 17. South 15°11'31" West, a distance of 79.96 feet to a  
11 calculated point;  
12 18. South 45°55'56" West, a distance of 120.38 feet to  
13 calculated point;  
14 19. South 79°00'50" West, a distance of 181.88 feet to a  
15 calculated point;  
16 20. North 56°40'22" West, a distance of 465.01 feet to a  
17 calculated point;  
18 21. North 70°44'15" West, a distance of 188.14 feet to a  
19 calculated point for the southernmost corner of a 122.444 acre  
20 tract of land described in Volume 148, Page 171 of the Deed Records  
21 of Bastrop County, Texas;  
22 THENCE leaving the centerline of Big Sandy Creek, North 41°36'15"  
23 East with the northwest line of the said 5566.770 acre tract and the  
24 southeast line of the said 122.444 acre tract a distance of 3841.12  
25 feet to a fence post found for the easternmost corner of the said  
26 122.444 acre tract, being a southeast corner of a 278.69 acre tract  
27 of land described in Volume 176, Page 62 of the Deed Records of

1 Bastrop County, Texas;

2 THENCE with the northwest line of the said 5566.770 acre tract and  
3 the southeast line of the said 278.69 acre tract the following five  
4 (5) courses and distances:

5 1. North 43°30'50" East, a distance of 1950.60 feet to a 1/2"  
6 rebar with cap set;

7 2. North 39°14'50" East, a distance of 283.60 feet to a 1/2"  
8 rebar with cap set;

9 3. North 41°56'50" East, a distance of 657.20 feet to a 1/2"  
10 rebar with cap set;

11 4. North 41°49'50" East, a distance of 1186.20 feet to a 1/2"  
12 rebar with cap set;

13 5. North 41°42'50" East, a distance of 757.40 feet to a 1/2"  
14 rebar with cap set for the easternmost corner of the said 278.69  
15 acre tract, from which a 31" Post Oak, bears North 42°59'50" East, a  
16 distance of 282.05 feet;

17 THENCE with the common line of the said 5566.770 acre tract, the  
18 said 278.69 acre tract, and a 521.94 acre tract described in Volume  
19 173, Page 412 of the Deed Records of Bastrop County, Texas, the  
20 following twenty (20) courses and distances:

21 1. North 47°23'16" West, a distance of 3253.08 feet to a  
22 fence post found;

23 2. South 44°09'12" West, a distance of 409.37 feet to a fence  
24 post found;

25 3. North 46°44'34" West, a distance of 1200.96 feet to a  
26 fence post found for the northernmost corner of the said 521.94 acre  
27 tract;

- 1           4. South 42°36'54" West, a distance of 5098.99 feet to a  
2 fence post found;
- 3           5. South 55°26'29" East, a distance of 441.27 feet to a fence  
4 post found;
- 5           6. South 62°46'51" East, a distance of 837.23 feet to a fence  
6 post found;
- 7           7. South 05°17'56" West, a distance of 253.40 feet to a 1/2"  
8 rebar with cap set;
- 9           8. South 21°27'56" West, a distance of 43.48 feet to a 1/2"  
10 rebar with cap set;
- 11          9. South 15°22'04" East, a distance of 273.54 feet to a 1/2"  
12 rebar with cap set;
- 13          10. South 43°15'04" East, a distance of 125.98 feet to a 1/2"  
14 rebar with cap set;
- 15          11. South 05°22'04" East, a distance of 258.11 feet to a 1/2"  
16 rebar with cap set;
- 17          12. South 39°37'56" West, a distance of 311.40 feet to a 1/2"  
18 rebar with cap set;
- 19          13. South 39°23'56" West, a distance of 407.35 feet to a 1/2"  
20 rebar with cap set;
- 21          14. South 28°06'56" West, a distance of 512.87 feet to a 1/2"  
22 rebar with cap set;
- 23          15. South 46°36'56" West, a distance of 257.11 feet to a 1/2"  
24 rebar with cap set;
- 25          16. South 57°13'56" West, a distance of 582.89 feet to a  
26 fence post found;
- 27          17. South 47°42'14" West, a distance of 251.59 feet to a 1/2"

1 rebar with cap set;  
2 18. South 42°59'14" West, a distance of 415.67 feet to a 1/2"  
3 rebar with cap set;  
4 19. South 47°42'14" West, a distance of 642.19 feet to a 1/2"  
5 rebar with cap set;  
6 20. South 40°53'50" West, a distance of 1367.20 feet to a  
7 1/2" rebar with cap set in the southwest line of County Road 157;  
8 THENCE South 46°37'37" East with the southwest line of County Road  
9 157, the northeast line of the said 5566.770 acre tract, and the  
10 southwest line of the said 521.94 acre tract, a distance of 483.43  
11 feet to a 5/8" rebar found for the northernmost corner of a 200.00  
12 acre tract of land described in Volume 819, Page 733 of the Deed  
13 Records of Bastrop County, Texas, from which a 5/8" rebar found,  
14 bears South 49°34'20" East, a distance of 310.00 feet;  
15 THENCE leaving the southwest line of County Road 157, South  
16 36°09'41" West with the southeast line of the said 5566.770 acre  
17 tract and the northwest line of the said 200.00 acre tract, a  
18 distance of 5247.42 feet to a 1/2" rebar with cap set on the north  
19 bank of the Colorado River;  
20 THENCE with the gradient boundary of the Colorado River the  
21 following twenty-six (26) courses and distances:  
22 1. South 85°05'44" West, a distance of 730.40 feet to a 1/2"  
23 rebar with cap set;  
24 2. South 85°40'17" West, a distance of 707.27 feet to a 1/2"  
25 rebar with cap set;  
26 3. South 83°44'43" West, a distance of 273.16 feet to a 1/2"  
27 rebar with cap set;

- 1           4. South 82°00'05" West, a distance of 216.47 feet to a 1/2"
- 2 rebar with cap set;
- 3           5. North 87°52'49" West, a distance of 509.38 feet to a 1/2"
- 4 rebar with cap set;
- 5           6. North 76°45'21" West, a distance of 635.73 feet to a 1/2"
- 6 rebar with cap set;
- 7           7. North 67°45'32" West, a distance of 696.58 feet to a 1/2"
- 8 rebar with cap set;
- 9           8. North 60°30'49" West, a distance of 400.67 feet to a 1/2"
- 10 rebar with cap set;
- 11          9. North 61°57'52" West, a distance of 178.15 feet to a 1/2"
- 12 rebar with cap set;
- 13          10. North 56°48'32" West, a distance of 172.52 feet to a 1/2"
- 14 rebar with cap set;
- 15          11. North 34°12'07" West, a distance of 315.00 feet to a 1/2"
- 16 rebar with cap set;
- 17          12. North 17°49'08" West, a distance of 194.48 feet to a 1/2"
- 18 rebar with cap set;
- 19          13. North 00°42'03" West, a distance of 330.38 feet to a 1/2"
- 20 rebar with cap set;
- 21          14. North 05°51'25" East, a distance of 216.57 feet to a 1/2"
- 22 rebar with cap set;
- 23          15. North 34°17'46" East, a distance of 328.17 feet to a 1/2"
- 24 rebar with cap set;
- 25          16. North 78°35'08" East, a distance of 86.26 feet to a 1/2"
- 26 rebar with cap set;
- 27          17. North 25°28'50" East, a distance of 805.50 feet to a 1/2"

1 rebar with cap set;  
2           18. North 19°28'15" East, a distance of 922.47 feet to a 1/2"  
3 rebar with cap set;  
4           19. North 19°50'23" East, a distance of 477.86 feet to a 1/2"  
5 rebar with cap set;  
6           20. North 21°15'22" East, a distance of 606.54 feet to a 1/2"  
7 rebar with cap set;  
8           21. North 23°34'42" East, a distance of 654.28 feet to a 1/2"  
9 rebar with cap set;  
10          22. North 17°12'19" East, a distance of 788.35 feet to a 1/2"  
11 rebar with cap set;  
12          23. North 16°03'41" East, a distance of 419.54 feet to a 1/2"  
13 rebar with cap set;  
14          24. North 21°34'10" East, a distance of 234.05 feet to a 1/2"  
15 rebar with cap set;  
16          25. North 09°53'29" East, a distance of 465.10 feet to a 1/2"  
17 rebar with cap set;  
18          26. North 11°31'48" East, a distance of 355.87 feet to a 1/2"  
19 rebar with cap set in the west line of the said 92.556 acre tract;  
20 THENCE leaving the east bank of the Colorado River, North 53°49'09"  
21 West with the southwest line of the said 92.556 acre tract, a  
22 distance of 69.34 feet to a calculated point where the centerline of  
23 Wilbarger Creek intersects the Colorado River, being the southeast  
24 corner of a 136.212 acre tract of land described in Volume 892, Page  
25 193 of the Official Records of Bastrop County, Texas;  
26 THENCE with the centerline of Wilbarger Creek, the west line of the  
27 said 92.556 acre tract, the southwest line of the said 5566.770 acre

1 tract, the southwest line of the said 54.912 acre tract, the east  
2 line of the said 136.212 acre tract, the east line of a 81.191 acre  
3 tract of land described in Volume 892, Page 193 of the Official  
4 Records of Bastrop County, Texas, the northeast line of a 120.01  
5 acre tract of land described in Volume 1023, Page 237 of the  
6 Official Records of Bastrop County, Texas, the northeast line of an  
7 1183.390 acre tract of land described in Volume 962, Page 195 of the  
8 Official Records of Bastrop County, Texas, and the northeast line  
9 of a 45.41 acre tract of land described in Volume 1530, Page 227 of  
10 the Official Records of Bastrop County, Texas, the following  
11 forty-one (41) courses and distances:

12       1. North 18°10'09" East, a distance of 356.21 feet to a  
13 calculated point;

14       2. North 44°41'35" West, a distance of 227.87 feet to a  
15 calculated point;

16       3. North 53°29'52" West, a distance of 698.05 feet to a  
17 calculated point;

18       4. North 36°33'37" West, a distance of 235.46 feet to a  
19 calculated point;

20       5. North 37°59'00" West, a distance of 265.07 feet to a  
21 calculated point;

22       6. North 02°23'23" West, a distance of 270.27 feet to a  
23 calculated point;

24       7. North 00°10'50" West, a distance of 941.81 feet to a  
25 calculated point;

26       8. North 03°41'38" East, a distance of 331.45 feet to a  
27 calculated point;

- 1           9. North 01°15'11" West, a distance of 215.82 feet to a  
2 calculated point;
- 3           10. North 12°30'42" East, a distance of 662.97 feet to a  
4 calculated point;
- 5           11. North 02°35'44" West, a distance of 192.80 feet to a  
6 calculated point;
- 7           12. North 21°53'58" West, a distance of 662.71 feet to a  
8 calculated point;
- 9           13. North 26°15'09" West, a distance of 385.97 feet to a  
10 calculated point;
- 11          14. North 04°18'25" West, a distance of 270.75 feet to a  
12 calculated point;
- 13          15. North 06°03'43" West, a distance of 397.88 feet to a  
14 calculated point;
- 15          16. North 67°16'36" West, a distance of 108.33 feet to a  
16 calculated point;
- 17          17. South 75°45'13" West, a distance of 428.01 feet to a  
18 calculated point;
- 19          18. North 79°09'13" West, a distance of 537.38 feet to a  
20 calculated point;
- 21          19. North 50°52'06" West, a distance of 392.75 feet to a  
22 calculated point;
- 23          20. North 39°13'33" West, a distance of 286.04 feet to a  
24 calculated point;
- 25          21. North 37°23'11" West, a distance of 329.57 feet to a  
26 calculated point;
- 27          22. North 46°00'34" West, a distance of 289.79 feet to a

- 1 calculated point;
- 2 23. North 42°25'33" West, a distance of 290.86 feet to a  
3 calculated point;
- 4 24. North 48°23'28" West, a distance of 125.14 feet to a  
5 calculated point;
- 6 25. North 49°12'01" West, a distance of 111.23 feet to a  
7 calculated point;
- 8 26. North 37°08'08" West, a distance of 298.62 feet to a  
9 calculated point;
- 10 27. North 37°17'46" West, a distance of 179.22 feet to a  
11 calculated point;
- 12 28. North 49°00'32" West, a distance of 191.23 feet to a  
13 calculated point;
- 14 29. North 60°13'33" West, a distance of 62.78 feet to a  
15 calculated point;
- 16 30. North 78°01'38" West, a distance of 186.28 feet to a  
17 calculated point;
- 18 31. North 84°04'00" West, a distance of 523.37 feet to a  
19 calculated point;
- 20 32. North 62°23'15" West, a distance of 323.37 feet to a  
21 calculated point;
- 22 33. North 65°30'05" West, a distance of 415.74 feet to a  
23 calculated point;
- 24 34. North 42°00'42" West, a distance of 245.40 feet to a  
25 calculated point;
- 26 35. North 22°01'15" West, a distance of 525.05 feet to a  
27 calculated point;

1           36. North 45°02'25" East, a distance of 181.27 feet to a  
2 calculated point;  
3           37. North 37°28'34" East, a distance of 163.28 feet to a  
4 calculated point;  
5           38. North 02°53'36" West, a distance of 147.59 feet to a  
6 calculated point;  
7           39. North 55°30'50" West, a distance of 200.15 feet to a  
8 calculated point;  
9           40. North 62°53'27" West, a distance of 211.80 feet to a  
10 calculated point;  
11          41. North 79°10'31" West, a distance of 96.93 feet to a  
12 calculated point for the westernmost corner of the said 5566.770  
13 acre tract, being in the southeast line of the said 885.050 acre  
14 tract, being also the northernmost corner of the said 45.41 acre  
15 tract;  
16 THENCE South 58°06'49" West with the southeast line of the said  
17 885.050 acre tract, the northwest line of the said 45.41 acre tract,  
18 and the northwest line of a 114.586 acre tract of land described in  
19 Volume 1606, Page 407 of the Deed Records of Bastrop County, Texas,  
20 passing a 1/2" rebar found, 0.19 feet left of said line, at a  
21 distance of 1083.65 feet, continuing for a distance of 2781.45  
22 feet, for a total distance of 3865.10 feet to a 3/8" rebar found for  
23 the westernmost corner of the said 114.586 acre tract, being in the  
24 northeast line of a 209.578 acre tract of land described in Volume  
25 1647, Page 758 of the Deed Records of Bastrop County, Texas;  
26 THENCE with the common line of the said 885.050 acre tract and the  
27 said 209.578 acre tract, the following five (5) courses and

1 distances:

2 1. North 23°43'10" West, a distance of 1283.09 feet to a rock  
3 found;

4 2. South 56°12'43" West, a distance of 1353.55 feet to a 1/2"  
5 rebar found;

6 3. South 24°52'43" East, a distance of 1248.48 feet to a 1/2"  
7 rebar found;

8 4. South 57°48'10" West, a distance of 2309.82 feet to a 1/2"  
9 rebar with "Olson" cap found;

10 5. South 28°25'35" West, a distance of 3220.57 feet to a 1/2"  
11 rebar with cap set in the northeast right-of-way line of F.M. 969  
12 (right-of-way width varies) as described in Volume 148, Page 428 of  
13 the Deed Records of Bastrop County, Texas, being the southernmost  
14 corner of the said 885.050 acre tract, from which a TxDOT type I  
15 monument found in the north right-of-way line of F.M. 969 at highway  
16 station 1166+53.6, 40' left, bears with a curve to the right with a  
17 delta angle of 13°06'31", an arc length of 446.10 feet, having a  
18 radius of 1949.86 feet and a chord which bears South 06°15'34" East,  
19 a distance of 445.13 feet;

20 THENCE with the northeast right-of-way line of F.M. 969 and the  
21 southwest line of the said 885.050 acre tract, the following two (2)  
22 courses and distances:

23 1. With a curve to the left with a delta angle of 33°06'39",  
24 an arc length of 1126.81 feet, having a radius of 1949.86 feet and a  
25 chord which bears North 29°22'09" West, a distance of 1111.20 feet  
26 to a calculated point at highway station 1151+12.6, 40' left, from  
27 which a TxDOT type I monument found, bears North 30°27'59" West, a

1 distance of 0.79 feet;

2           2. North 45°55'28" West, a distance of 1768.14 feet to a 1/2"  
3 rebar with cap set at the intersection of the north right-of-way  
4 line of F.M. 969 and the east right-of-way line of County Road No.  
5 55 (Lower Elgin Road) (apparent 40' right-of-way width), being also  
6 in the westernmost corner of the said 885.050 acre tract, from which  
7 a 1/2" rebar found, bears South 27°44'29" West, a distance of 84.68  
8 feet, and a nail found, bears North 22°26'49" West, a distance of  
9 1.15 feet;

10 THENCE North 27°44'29" East with the east right-of-way line of  
11 County Road No. 55 and the west line of the said 885.050 acre tract,  
12 passing a 1/2" rebar with cap set for reference, at a distance of  
13 3042.70 feet, continuing for a total distance of 3298.99 feet to a  
14 calculated point for an angle point in the north line of the said  
15 885.050 acre tract, being an angle point in the south line of a 30  
16 acre tract of land described as Lot 7 in Volume 40, Page 578 of the  
17 Deed Records of Bastrop County, Texas, from which a 1/2" rebar  
18 found, bears South 35°29'38" West, a distance of 271.86 feet;

19 THENCE North 82°47'14" East with the north line of the said 885.050  
20 acre tract and the south line of Lots 6 and 7 described in Volume 40,  
21 Page 578 of the Deed Records of Bastrop County, Texas, passing a  
22 1/2" rebar with cap set for reference, at a distance of 1527.58  
23 feet, continuing for a total distance of 3161.94 feet to a 1/2"  
24 rebar found for an angle point in the west line of the said 885.050  
25 acre tract, being the easternmost corner of said Lot 6;

26 THENCE North 11°36'22" West with the west line of the said 885.050  
27 acre tract and the east line of Lots 5 and 6 described in Volume 40,

1 Page 578 of the Deed Records of Bastrop County, Texas, passing a  
2 3/8" rebar found, 9.68 feet left of said line, at a distance of  
3 910.55 feet, and continuing with said line for a total distance of  
4 1437.69 feet to a 1/2" rebar found in a creek for an angle point in  
5 the west line of the said 885.050 acre tract, being an angle point  
6 in the east line of a 15.385 acre tract of land described in Volume  
7 1017, Page 1 of the Deed Records of Bastrop County, Texas, being  
8 also an angle point in the east line of a 13.106 acre tract  
9 described in Volume 1017, Page 1 of the Deed Records of Bastrop  
10 County, Texas;

11 THENCE with the west line of the said 885.050 acre tract and the  
12 east line of the said 13.106 acre tract and along the approximate  
13 centerline of said creek, the following six (6) courses and  
14 distances:

15 1. North 76°51'55" East, a distance of 121.56 feet to a 1/2"  
16 rebar found;

17 2. North 88°59'35" East, a distance of 191.76 feet to a 1/2"  
18 rebar found;

19 3. North 83°47'10" East, a distance of 174.18 feet to a 1/2"  
20 rebar found;

21 4. North 58°06'55" East, a distance of 113.09 feet to a 1/2"  
22 rebar found;

23 5. North 54°39'37" East, a distance of 166.40 feet to a 1/2"  
24 rebar found;

25 6. North 51°22'18" East, a distance of 64.23 feet to a 1/2"  
26 rebar found for the northeast corner of the said 13.106 acre tract,  
27 being the southeast corner of a 58 acre tract of land described in

1 Volume 224, Page 423 of the Deed Records of Bastrop County, Texas;  
2 THENCE continuing with said creek, with the west line of the said  
3 885.050 acre tract and the east line of the said 58 acre tract, the  
4 following two (2) courses and distances:

5 1. North 68°22'45" East, a distance of 271.19 feet to a fence  
6 post found for monument;

7 2. North 53°36'10" East, a distance of 385.22 feet to a 1/2"  
8 rebar found for the northeast corner of the said 58 acre tract,  
9 being the southeast corner of a 19.021 acre tract of land described  
10 in Volume 854, Page 703 of the Deed Records of Bastrop County,  
11 Texas;

12 THENCE North 28°21'29" East with the west line of the said 885.050  
13 acre tract, the east line of the said 19.021 acre tract, the east  
14 line of a 50 acre tract of land described in Volume 144, Page 319 of  
15 the Deed Records of Bastrop County, Texas, and the east line of a  
16 159.907 acre tract of land described in Volume 962, Page 195 of the  
17 Deed Records of Bastrop County, Texas, passing a 1/2" rebar found,  
18 1.47 feet left of said line, at a distance of 441.61 feet, then  
19 passing a 1/2" rebar found, 1.22 feet right of said line, at a  
20 distance of 365.63 feet, and continuing with said line for a total  
21 distance of 2605.06 feet to a 1/2" rebar found on the south bank of  
22 Wilbarger Creek;

23 THENCE North 12°56'58" East crossing Wilbarger Creek with the west  
24 line of the said 885.050 acre tract, a distance of 143.50 feet to a  
25 1/2" rebar found on the north bank of Wilbarger Creek, being the  
26 east line of a 45.49 acre tract of land described in Volume 513,  
27 Page 676 of the Deed Records of Bastrop County, Texas;

1 THENCE North 27°13'17" East with the west line of the said 885.050  
2 acre tract and the east line of the said 45.49 acre tract, a  
3 distance of 1532.78 feet to a 1/2" rebar found for the northernmost  
4 corner of the said 885.050 acre tract, being the southwest corner of  
5 a 316.745 acre tract of land described in Volume 1386, Page 90 of  
6 the Deed Records of Bastrop County, Texas, from which a 1/2" rebar  
7 found for the northeast corner of the said 45.49 acre tract, being  
8 in the west line of the said 316.745 acre tract, being also the  
9 southeast corner of a 5.608 acre tract of land described in Document  
10 No. 200716605 of the Official Public Records of Bastrop County,  
11 Texas, bears North 27°31'37" East, a distance of 133.37 feet;

12 THENCE with the north line of the said 885.050 acre tract and the  
13 south line of the said 316.745 acre tract, the following four (4)  
14 courses and distances:

15       1. South 62°30'46" East, a distance of 942.34 feet to a 1/2"  
16 rebar with "Garon" cap found;

17       2. South 62°57'17" East, a distance of 916.62 feet to a 1/2"  
18 rebar with "Garon" cap found;

19       3. South 63°21'08" East, a distance of 634.93 feet to a 1/2"  
20 rebar with "Garon" cap found;

21       4. South 63°06'16" East, a distance of 880.61 feet to a 5/8"  
22 rebar found for the southeast corner of the said 316.745 acre tract,  
23 being the southwest corner of a 66.858 acre tract of land described  
24 in Volume 1058, Page 728 of the Deed Records of Bastrop County,  
25 Texas;

26 THENCE with the common line of the said 885.050 acre tract and the  
27 said 66.858 acre tract, the following five (5) courses and

1 distances:

2 1. South 63°11'38" East, a distance of 341.67 feet to a 1/2"  
3 rebar with "Garon" cap found;

4 2. South 62°53'36" East, a distance of 543.52 feet to a 1/2"  
5 rebar with "Garon" cap found;

6 3. South 62°36'20" East, a distance of 501.08 feet to a nail  
7 found;

8 4. South 63°42'58" East, a distance of 475.51 feet to a 1/2"  
9 rebar with "Garon" cap found;

10 5. North 25°09'55" East, a distance of 32.78 feet to a 1/2"  
11 rebar with "Chaparral Boundary" cap found for a southwest corner of  
12 the said 1164.571 acre tract;

13 THENCE with the northwest line of the said 1164.571 acre tract and  
14 the southeast line of the said 66.858 acre tract, the following five  
15 (5) courses and distances:

16 1. North 25°09'55" East, a distance of 113.46 feet to a 1/2"  
17 rebar with cap found;

18 2. North 28°53'47" East, a distance of 758.30 feet to a 1/2"  
19 rebar with cap found;

20 3. North 27°45'53" East, a distance of 362.70 feet to a 1/2"  
21 rebar with cap found;

22 4. North 27°20'28" East, a distance of 287.70 feet to a 1/2"  
23 rebar with cap found;

24 5. North 27°47'34" East, a distance of 52.47 feet to a 1/2"  
25 rebar with cap found for the easternmost corner of the said 66.858  
26 acre tract, being the southernmost corner of a 24.701 acre tract of  
27 land described in Volume 1058, Page 717 of the Deed Records of

1 Bastrop County, Texas;

2 THENCE with the northwest line of the said 1164.571 acre tract and  
3 the southeast line of the said 24.701 acre tract, the following two  
4 (2) courses and distances:

5 1. North 27°47'05" East, a distance of 312.70 feet to a 1/2"  
6 rebar with cap set;

7 2. North 27°02'55" East, a distance of 1087.10 feet to a 1/2"  
8 rebar with cap found for the easternmost corner of the said 24.701  
9 acre tract, being the southernmost corner of a 48.609 acre tract of  
10 land described in Volume 1084, Page 597 of the Deed Records of  
11 Bastrop County, Texas;

12 THENCE North 27°12'21" East with the northwest line of the said  
13 1164.571 acre tract and the southeast line of the said 48.609 acre  
14 tract, a distance of 545.66 feet to a 1/2" rebar with cap set for the  
15 easternmost corner of the said 48.609 acre tract, being the  
16 southernmost corner of a 53.86 acre tract of land described in  
17 Volume 289, Page 444 of the Deed Records of Bastrop County, Texas;

18 THENCE with the common line of the said 1164.571 acre tract and the  
19 said 53.86 acre tract, the following two (2) courses and distances:

20 1. North 26°28'49" East, a distance of 1052.53 feet to a 1/2"  
21 rebar with cap set;

22 2. North 61°23'59" West, a distance of 330.48 feet to a fence  
23 post found for the southernmost corner of a 63.426 acre tract of  
24 land described in Volume 1560, Page 952 of the Deed Records of  
25 Bastrop County, Texas, from which a buggy spring found for the  
26 northernmost corner of the said 53.86 acre tract, being an angle  
27 point in the southwest line of the said 63.426 acre tract, bears

1 North 62°57'21" West, a distance of 1913.76 feet;  
2 THENCE North 27°35'36" East with the northwest line of the said  
3 1164.571 acre tract and the southeast line of the said 63.426 acre  
4 tract, a distance of 1773.67 feet to a 1/2" rebar with cap found for  
5 the easternmost corner of the said 63.426 acre tract, being in the  
6 southeast line of the remainder of a 123.0 acre tract of land  
7 described in Volume 286, Page 612 of the Deed Records of Bastrop  
8 County, Texas;  
9 THENCE with the common line of the said 1164.571 acre tract and the  
10 said 123.0 acre tract, the following two (2) courses and distances:  
11       1. North 27°35'36" East, a distance of 633.98 feet to a fence  
12 post found for the easternmost corner of the said 123.0 acre tract;  
13       2. North 62°33'42" West, a distance of 2293.69 feet to a 1/2"  
14 rebar with cap found for the northernmost corner of the said 123.0  
15 acre tract, being in the southeast line of a 11.068 acre tract of  
16 land described in Volume 429, Page 271 of the Deed Records of  
17 Bastrop County, Texas, from which an axle found in the northwest  
18 line of the said 123.0 acre tract, being in the southeast line of  
19 the said 11.068 acre tract, bears South 21°54'50" West, a distance  
20 of 26.68 feet;  
21 THENCE North 22°22'27" East with the northwest line of the said  
22 1164.571 acre tract and the southeast line of the said 11.068 acre  
23 tract, a distance of 130.88 feet to a fence post found for the  
24 easternmost corner of the said 11.068 acre tract, being the  
25 southernmost corner of a 145.5 acre tract of land described in  
26 Volume 119, Page 236 of the Deed Records of Bastrop County, Texas;  
27 THENCE North 27°26'14" East with the northwest line of the said

1 1164.571 acre tract and the southeast line of the said 145.5 acre  
2 tract, a distance of 2555.76 feet to a fence post found for the  
3 northernmost corner of the said 1164.571 acre tract, being the  
4 easternmost corner of the said 145.5 acre tract, being also in the  
5 southwest line of a 548 acre tract of land described in Volume 70,  
6 Page 116 of the Deed Records of Bastrop County, Texas;  
7 THENCE with the common line of the said 1164.571 acre tract, the  
8 said 548 acre tract, and a 227 acre tract of land described in  
9 Volume 42, Page 234 of the Deed Records of Bastrop County, Texas,  
10 the following three (3) courses and distances:

11 1. South 63°18'35" East, a distance of 2311.22 feet to a  
12 fence post found;

13 2. South 63°46'52" East, a distance of 2344.71 feet to a  
14 fence post found for the southernmost corner of the said 227 acre  
15 tract;

16 3. North 29°01'34" East, a distance of 1324.43 feet to a  
17 fence post found for a northwest corner of the said 1164.571 acre  
18 tract, being the easternmost corner of the said 227 acre tract,  
19 being also in the being in the southwest line of a 416.6 acre tract  
20 of land described in Volume 42, Page 511 of the Deed Records of  
21 Bastrop County, Texas;

22 THENCE South 49°17'46" East with the northeast line of the said  
23 1164.571 acre tract, the southwest line of the said 416.6 acre  
24 tract, the southwest line of a 50 acre tract of land and a 100 acre  
25 tract of land described in Volume 42, Page 636 of the Deed Records  
26 of Bastrop County, Texas, and the southwest line of an 89 acre tract  
27 of land described in Volume 47, Page 129 of the Deed Records of

1 Bastrop County, Texas, a distance of 2611.04 feet to a 5/8" rebar  
2 found for the northernmost corner of a 408.48 acre tract of land  
3 described in Volume 248, Page 498 of the Deed Records of Bastrop  
4 County, Texas, from which a 1/2" rebar with cap found, bears South  
5 48°41'08" East, a distance of 2813.70 feet;

6 THENCE with the common line of the said 1164.571 acre tract and the  
7 said 408.48 acre tract, the following three (3) courses and  
8 distances:

9         1. South 28°40'50" West, a distance of 936.94 feet to a 60d  
10 nail in fence corner post found;

11         2. South 28°23'43" West, a distance of 1830.59 feet to a 5/8"  
12 rebar found for the westernmost corner of the said 408.48 acre  
13 tract;

14         3. South 47°43'25" East, a distance of 2201.53 feet to a 1/2"  
15 rebar with cap set for the easternmost corner of the said 1164.571  
16 acre tract, being the northernmost corner of the said 507.061 acre  
17 tract, from which a 5/8" rebar found in the southwest line of a  
18 274.814 acre tract of land described in Volume 1288, Page 317 of the  
19 Deed Records of Bastrop County, Texas, bears North 39°15'25" West, a  
20 distance of 219.15 feet;

21 THENCE with the common line of the said 507.061 acre tract and the  
22 said 408.48 acre tract the following six (6) courses and distances:

23         1. South 47°44'36" East, a distance of 1304.52 feet to a 1/2"  
24 rebar with cap set;

25         2. South 48°19'36" East, a distance of 1563.89 feet to a 1/2"  
26 rebar with cap set, from which a 1/2" rebar found, bears North  
27 22°33'14" West, a distance of 84.41 feet;

1           3. North 54°10'24" East, a distance of 96.67 feet to a 1/2"  
2 rebar with cap set, from which a 1/2" rebar found, bears North  
3 16°46'28" East, a distance of 45.98 feet;

4           4. South 49°19'36" East, a distance of 416.11 feet to a fence  
5 post found in the northwest line of County Road 157 (no apparent  
6 defined right-of-way width);

7           5. South 41°56'51" West with the northwest line of County  
8 Road 157, a distance of 93.59 feet to a 1/2" rebar with cap set;

9           6. South 46°59'50" East, passing a fence post found at a  
10 distance of 56.24 feet, continuing for a distance of 640.29 feet,  
11 for a total distance of 696.53 feet to a calculated point in the  
12 centerline of Big Sandy Creek, being the southernmost corner of the  
13 said 408.48 acre tract, being also in the west line of a 269 acre  
14 tract of land described in Volume 199, Page 843 of the Deed Records  
15 of Bastrop County, Texas;

16 THENCE with the centerline of Big Sandy Creek and the common line of  
17 the said 507.061 acre tract and the said 269 acre tract the  
18 following eleven (11) courses and distances:

19           1. South 00°16'10" West, a distance of 100.83 feet to a  
20 calculated point;

21           2. South 05°56'52" West, a distance of 170.09 feet to a  
22 calculated point;

23           3. South 10°01'24" West, a distance of 693.13 feet to a  
24 calculated point;

25           4. South 07°23'34" East, a distance of 296.19 feet to a  
26 calculated point;

27           5. South 23°56'10" East, a distance of 121.78 feet to a

1 calculated point;

2           6. South 14°45'47" East, a distance of 95.81 feet to a  
3 calculated point;

4           7. South 05°54'11" East, a distance of 473.59 feet to a  
5 calculated point;

6           8. South 19°31'37" East, a distance of 207.16 feet to a  
7 calculated point;

8           9. South 01°42'40" West, a distance of 287.95 feet to a  
9 calculated point;

10          10. South 07°47'17" West, a distance of 166.47 feet to a  
11 calculated point;

12          11. South 06°27'49" East, a distance of 44.60 feet to a  
13 calculated point for the northeast corner of a 5 acre tract of land  
14 described in Volume 211, Page 502 of the Deed Records of Bastrop  
15 County, Texas;

16 THENCE leaving the centerline of Big Sandy Creek, with the common  
17 line of the said 507.061 acre tract and the said 5 acre tract the  
18 following three (3) courses and distances:

19           1. North 85°20'05" West, a distance of 92.50 feet to a 1/2"  
20 rebar with cap set;

21           2. South 07°54'55" West, a distance of 339.17 feet to a 1/2"  
22 rebar with cap set;

23           3. South 15°09'55" West, a distance of 307.78 feet to a 1/2"  
24 rebar with cap set on the north line of a 30' lane referenced in  
25 Volume 49, Page 614, Volume 118, Page 150, Volume 209, Page 783 and  
26 Volume 211, Page 502, all of the Deed Records of Bastrop County,  
27 Texas;

1 THENCE with the common line of the said 507.061 acre tract and the  
2 said 5 acre tract, with the north line of the said 30' lane a  
3 distance of 30' from and parallel to the north line of the said  
4 160.346 acre tract, the following three (3) courses and distances:

- 5       1. North 89°48'11" West, a distance of 281.66 feet to a 1/2"  
6 rebar with cap set;
- 7       2. South 85°41'49" West, a distance of 213.56 feet to a 1/2"  
8 rebar with cap set;
- 9       3. North 78°03'11" West, a distance of 267.67 feet to a 1/2"  
10 rebar with cap set;

11 THENCE South 37°12'24" West, over and across said 30' lane, with the  
12 southeast line of the said 507.061 acre tract, a distance of 33.18  
13 feet to fence post found in the south line of the 30' lane, being in  
14 the north line of the said 160.346 acre tract;

15 THENCE with the north line of the said 160.346 acre tract and the  
16 south line of the said 30' lane the following five (5) courses and  
17 distances:

- 18       1. South 78°03'11" East, a distance of 286.11 feet to a 1/2"  
19 rebar with cap set;
- 20       2. North 85°41'49" East, a distance of 216.67 feet to a 1/2"  
21 rebar with cap set;
- 22       3. South 89°48'11" East, a distance of 500.00 feet to a 1/2"  
23 rebar with cap set;
- 24       4. South 10°48'11" East, a distance of 336.11 feet to a 1/2"  
25 rebar with cap set;
- 26       5. South 46°03'11" East, a distance of 222.22 feet to a  
27 calculated point in the centerline of Big Sandy Creek, being the

1 easternmost corner of the said 160.346 acre tract, being in the  
2 northwest line of the said 5566.770 acre tract, being also the  
3 southernmost corner of the said 269 acre tract;  
4 THENCE North 42°29'40" East with the northwest line of the said  
5 5566.770 acre tract and the southeast line of the said 269 acre  
6 tract, a distance of 4623.26 feet to a fence post found for the  
7 westernmost corner of the said 94.5 acre tract;  
8 THENCE with the common line of the said 5566.770 acre tract and the  
9 said 94.5 acre tract the following two (2) courses and distances:  
10       1. South 48°06'21" East, a distance of 1682.86 feet to a 1/2"  
11 rebar found for the southernmost corner of the said 94.5 acre tract;  
12       2. North 42°31'01" East, a distance of 2088.46 feet to the  
13 POINT OF BEGINNING, containing 9322.496 (gross) acres of land, more  
14 or less, a portion of which lies within the roadway, and  
15 approximately 1.425 acres within fenced cemetery.  
16 SAVE AND EXCEPT 1.379 ACRES IN COUNTY ROAD 157 (SAYERS ROAD)  
17 RIGHT-OF-WAY DESCRIBED AS FOLLOWS FOR A TOTAL OF 9321.117 (NET)  
18 ACRES OF LAND, MORE OR LESS:  
19 A DESCRIPTION OF 1.379 ACRES (APPROXIMATELY 60,054 SQ. FT.) IN THE  
20 S.M. WILLIAMS SURVEY NO. 4, ABSTRACT NO. 71 IN BASTROP COUNTY,  
21 TEXAS, BEING A PORTION OF COUNTY ROAD NO. 157 (SAYERS ROAD); SAID  
22 1.379 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS  
23 AS FOLLOWS:  
24 BEGINNING at a 23" Post Oak referenced in Volume 118, Page 150 of  
25 the Deed Records of Bastrop County, Texas, being in the apparent  
26 west right-of-way line of County Road 157 (no apparent defined  
27 right-of-way width), being the northernmost corner of a 160.346

C.S.H.B. No. 1841

1 acre tract of land described in Document No. 200619026 of the  
2 Official Public Records of Bastrop County, Texas, being in the  
3 south line of a 507.061 acre tract of land described in Document No.  
4 200619026 of the Official Public Records of Bastrop County, Texas,  
5 from which a fence post found for monument in the north line of the  
6 said 160.346 acre tract, being the south line of the said 507.061  
7 acre tract, bears South 33°31'23" East, a distance of 1216.18 feet;  
8 THENCE South 23°12'48" West over and across County Road 157 and with  
9 the west line of the said 160.346 acre tract, a distance of 2837.55  
10 feet to a fence post found for monument in the apparent east  
11 right-of-way line of County Road 157, being the westernmost corner  
12 of the said 160.346 acre tract, being also in the north line of a  
13 5566.770 acre tract of land described in Document No. 200619026 of  
14 the Official Public Records of Bastrop County, Texas, from which a  
15 1/2" rebar with "Chaparral" cap found in the south line of the said  
16 160.346 acre tract, being in the north line of the said 5566.770  
17 acre tract, bears South 74°14'51" East, a distance of 586.22 feet;  
18 THENCE North 74°14'51" West over and across County Road 157 and with  
19 the north line of the said 5566.770 acre tract, a distance of 30.24  
20 feet to a 1/2" rebar with "Chaparral" cap found in the apparent west  
21 right-of-way line of County Road 157;  
22 THENCE North 21°44'49" East with the apparent west right-of-way line  
23 of County Road 157 and the east line of the said 5566.770 acre  
24 tract, a distance of 318.80 feet to a 1/2" rebar with "Chaparral"  
25 cap found in the east line of a 758.026 acre tract of land described  
26 in Document No. 200708067 of the Official Public Records of Bastrop  
27 County, Texas, from which a fence post found for monument in the

1 east line of the said 758.026 acre tract, being in the west line of  
2 the said 5566.770 acre tract, bears South 47°15'45" West, a distance  
3 of 565.34 feet;

4 THENCE with the apparent west right-of-way line of County Road 157  
5 and the east line of the said 758.026 acre tract, the following four  
6 (4) courses and distances:

7 1. North 34°36'16" East, a distance of 72.35 feet to a 60d  
8 nail in fence post found;

9 2. North 30°59'34" East, a distance of 59.07 feet to a fence  
10 post found for monument;

11 3. North 25°38'27" East, a distance of 192.26 feet to a 1/2"  
12 rebar with "Chaparral" cap found;

13 4. North 22°32'52" East, a distance of 1870.35 feet to a  
14 fence post found for monument for the easternmost corner of the said  
15 758.026 acre tract, being in the east line of the said 507.061 acre  
16 tract;

17 THENCE with the apparent west right-of-way line of County Road 157  
18 and the east line of the said 507.061 acre tract, the following two  
19 (2) courses and distances:

20 1. North 21°29'33" East, a distance of 203.85 feet to a fence  
21 post found for monument;

22 2. North 38°49'44" East, a distance of 132.14 feet to the  
23 POINT OF BEGINNING, containing 1.379 acres of land, more or less.

24 SECTION 3. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

4 (b) The governor, one of the required recipients, has  
5 submitted the notice and Act to the Texas Commission on  
6 Environmental Quality.

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

11 (d) All requirements of the constitution and laws of this  
12 state and the rules and procedures of the legislature with respect  
13 to the notice, introduction, and passage of this Act are fulfilled  
14 and accomplished.

15 SECTION 4. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2009.