

By: Aycock

H.B. No. 4710

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Clearwater Ranch Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8353 to read as follows:

CHAPTER 8353. CLEARWATER RANCH MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8353.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Clearwater Ranch Municipal Utility District No. 1.

Sec. 8353.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8353.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8353.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8353.003 until each municipality in whose corporate limits or

1 extraterritorial jurisdiction the district is located has  
2 consented by ordinance or resolution to the creation of the  
3 district and to the inclusion of land in the district.

4 Sec. 8353.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
5 The district is created to serve a public purpose and benefit.

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

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

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

13 Sec. 8353.006. INITIAL DISTRICT TERRITORY. (a) The  
14 district is initially composed of the territory described by  
15 Section 2 of the Act creating this chapter.

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

20 (1) organization, existence, or validity;

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

24 (3) right to impose a tax; or

25 (4) legality or operation.

26 [Sections 8353.007-8353.050 reserved for expansion]

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2           Sec. 8353.051. GOVERNING BODY; TERMS. (a) The district is  
3 governed by a board of five elected directors.

4           (b) Except as provided by Section 8353.052, directors serve  
5 staggered four-year terms.

6           Sec. 8353.052. TEMPORARY DIRECTORS. (a) On or after the  
7 effective date of the Act creating this chapter, the owner or owners  
8 of a majority of the assessed value of the real property in the  
9 district may submit a petition to the Texas Commission on  
10 Environmental Quality requesting that the commission appoint as  
11 temporary directors the five persons named in the petition. The  
12 commission shall appoint as temporary directors the five persons  
13 named in the petition.

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

15                   (1) the date permanent directors are elected under  
16 Section 8353.003; or

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

19           (c) If permanent directors have not been elected under  
20 Section 8353.003 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 8353.003; or

26                   (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

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

8 [Sections 8353.053-8353.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8353.101. GENERAL POWERS AND DUTIES. The district has  
11 the powers and duties necessary to accomplish the purposes for  
12 which the district is created.

13 Sec. 8353.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
14 DUTIES. The district has the powers and duties provided by the  
15 general law of this state, including Chapters 49 and 54, Water Code,  
16 applicable to municipal utility districts created under Section 59,  
17 Article XVI, Texas Constitution.

18 Sec. 8353.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
19 52, Article III, Texas Constitution, the district may design,  
20 acquire, construct, finance, issue bonds for, improve, operate,  
21 maintain, and convey to this state, a county, or a municipality for  
22 operation and maintenance macadamized, graveled, or paved roads, or  
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 8353.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
25 project must meet all applicable construction standards, zoning and  
26 subdivision requirements, and regulations of each municipality in  
27 whose corporate limits or extraterritorial jurisdiction the road

1 project is located.

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

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

10 Sec. 8353.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
11 OR RESOLUTION. The district shall comply with all applicable  
12 requirements of any ordinance or resolution that is adopted under  
13 Section 54.016 or 54.0165, Water Code, and that consents to the  
14 creation of the district or to the inclusion of land in the  
15 district.

16 Sec. 8353.106. LIMITATION ON USE OF EMINENT DOMAIN. The  
17 district may not exercise the power of eminent domain outside the  
18 district to acquire a site or easement for:

- 19 (1) a road project authorized by Section 8353.103; or  
20 (2) a recreational facility as defined by Section  
21 49.462, Water Code.

22 Sec. 8353.107. DIVISION OF DISTRICT. (a) The district may  
23 be divided into two or more new districts only if the district:

- 24 (1) has no outstanding bonded debt; and  
25 (2) is not imposing ad valorem taxes.

26 (b) This chapter applies to any new district created by the  
27 division of the district, and a new district has all the powers and

1 duties of the district.

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

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

10 (e) The board may adopt an order dividing the district  
11 before or after the date the board holds an election under Section  
12 8353.003 to confirm the district's creation.

13 (f) An order dividing the district shall:

14 (1) name each new district;

15 (2) include the metes and bounds description of the  
16 territory of each new district;

17 (3) appoint temporary directors for each new district  
18 or provide that the owner or owners of a majority of the assessed  
19 value of the real property in each new district may submit a  
20 petition to the Texas Commission on Environmental Quality  
21 requesting that the commission appoint as temporary directors the  
22 five persons named in the petition; and

23 (4) provide for the division of assets and liabilities  
24 between or among the new districts.

25 (g) On or before the 30th day after the date of adoption of  
26 an order dividing the district, the district shall file the order  
27 with the Texas Commission on Environmental Quality and record the

1 order in the real property records of each county in which the  
2 district is located.

3 (h) Any new district created by the division of the district  
4 shall hold a confirmation and directors' election as required by  
5 Section 8353.003. A new district that is not confirmed is subject  
6 to dissolution under general law.

7 (i) Municipal consent to the creation of the district and to  
8 the inclusion of land in the district granted under Section  
9 8353.004 acts as municipal consent to the creation of any new  
10 district created by the division of the district and to the  
11 inclusion of land in the new district.

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

16 [Sections 8353.108-8353.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. 8353.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
19 district may issue, without an election, bonds and other  
20 obligations secured by:

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

22 (2) contract payments described by Section 8353.153.

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

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a  
2 vote of a two-thirds majority of the district voters voting at an  
3 election held for that purpose.

4 Sec. 8353.152. OPERATION AND MAINTENANCE TAX. (a) If  
5 authorized at an election held under Section 8353.151, the district  
6 may impose an operation and maintenance tax on taxable property in  
7 the district in accordance with Section 49.107, Water Code.

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

10 Sec. 8353.153. CONTRACT TAXES. (a) In accordance with  
11 Section 49.108, Water Code, the district may impose a tax other than  
12 an operation and maintenance tax and use the revenue derived from  
13 the tax to make payments under a contract after the provisions of  
14 the contract have been approved by a majority of the district voters  
15 voting at an election held for that purpose.

16 (b) A contract approved by the district voters may contain a  
17 provision stating that the contract may be modified or amended by  
18 the board without further voter approval.

19 [Sections 8353.154-8353.200 reserved for expansion]

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 8353.201. AUTHORITY TO ISSUE BONDS AND OTHER  
22 OBLIGATIONS. The district may issue bonds or other obligations  
23 payable wholly or partly from ad valorem taxes, impact fees,  
24 revenue, contract payments, grants, or other district money, or any  
25 combination of those sources, to pay for any authorized district  
26 purpose.

27 Sec. 8353.202. TAXES FOR BONDS. At the time the district



1 issues bonds payable wholly or partly from ad valorem taxes, the  
2 board shall provide for the annual imposition of a continuing  
3 direct ad valorem tax, without limit as to rate or amount, while all  
4 or part of the bonds are outstanding as required and in the manner  
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 8353.203. BONDS FOR ROAD PROJECTS. At the time of  
7 issuance, the total principal amount of bonds or other obligations  
8 issued or incurred to finance road projects and payable from ad  
9 valorem taxes may not exceed one-fourth of the assessed value of the  
10 real property in the district.

11 SECTION 2. The Clearwater Ranch Municipal Utility District  
12 No. 1 initially includes all the territory contained in the  
13 following area:

14 Being 21304.716 acres of land out of the following surveys in  
15 Burnet County, Texas, and being approximately the following acreage  
16 in each survey:

17 31.697 acres out of the Daniel Greer Survey No. 1283,  
18 Abstract No. 1231;

19 1. 20.529 acres out of the Wesley Greer Survey No. 1287,  
20 Abstract No. 1171;

21 2. 24.625 acres out of the J.P. Burleson Survey No. 1155,  
22 Abstract No. 163;

23 3. 144.975 acres out of the W.H. Wolf Survey No. 1562,  
24 Abstract No. 1662;

25 4. 123.092 acres out of the O.P. Wolf Survey No. 1185,  
26 Abstract No. 1204;

27 5. 69.446 acres out of the William R. Banchman Survey No.

1 651, Abstract No. 106;  
2 6. 141.577 acres out of the George J. Ashabranner Survey No.  
3 652, Abstract No. 19;  
4 7. 27.347 acres out of the Abel Wilson Survey No. 653,  
5 Abstract No. 977;  
6 8. 84.445 acres out of the A.R. Johnson Survey No. 1346,  
7 Abstract No. 1387;  
8 9. 1255.836 acres out of the Thomas Weston Survey No. 11,  
9 Abstract No. 938;  
10 10. 43.162 acres out of the William Pharass Survey No. 7,  
11 Abstract No. 671;  
12 11. 1691.620 acres out of the Thomas Weston Survey No. 10,  
13 Abstract No. 939;  
14 12. 173.605 acres out of the J. C. Wolf Survey No. 1561,  
15 Abstract No. 1661;  
16 13. 616.291 acres out of the D. R. Holland Survey No. 16,  
17 Abstract No. 1429;  
18 14. 622.947 acres out of the E. Tex. R.R. Co. Survey No. 15,  
19 Abstract No. 1125;  
20 15. 8.788 acres out of the John Burleson Survey No. 4,  
21 Abstract No. 115;  
22 16. 4280.175 acres out of the Frederick Knight Survey No. 9,  
23 Abstract No. 506;  
24 17. 0.510 acres out of the A.M. Wolf Survey No. 810,  
25 Abstract No. 1011;  
26 18. 34.648 acres out of the W. Bartlett Survey No. 941,  
27 Abstract No. 159;

- 1           19. 6.217 acres out of the T. H. Davis Survey No. 1310,  
2 Abstract No. 1224;
- 3           20. 87.973 acres out of the H. J. Fry Survey No. 985,  
4 Abstract No. 337;
- 5           21. 349.639 acres out of the E. Mather Survey No. 859,  
6 Abstract No. 618;
- 7           22. 92.565 acres out of the T.A. Galbraith Survey No. 1533,  
8 Abstract No. 1604;
- 9           23. 3632.991 acres out of the Jonathan Russell Survey No. 8,  
10 Abstract No. 713;
- 11          24. 82.697 acres out of the E. N. Wolf Survey No. 1105,  
12 Abstract No. 1012;
- 13          25. 78.124 acres out of the John Wolf Survey No. 1106,  
14 Abstract No. 1013;
- 15          26. 13.966 acres out of the Lockey Simpson Survey No. 654,  
16 Abstract No. 814;
- 17          27. 231.325 acres out of the W. D. Hargrove Survey No. 7,  
18 Abstract No. 431;
- 19          28. 782.592 acres out of the O. H. P. Culbertson Survey No.  
20 16, Abstract No. 1124;
- 21          29. 470.469 acres out of the A. R. Johnson Survey No. 1339,  
22 Abstract No. 2988;
- 23          30. 319.967 acres out of the S. M. McSween Survey No. 4,  
24 Abstract No. 1138;
- 25          31. 696.563 acres out of the T. & N. O. R.R. Co. Survey No.  
26 15, Abstract No. 911;
- 27          32. 88.108 acres out of the C. F. Taylor Survey No. 1334,

1 Abstract No. 1273;  
2           33. 79.110 acres out of the J. P. Taylor Survey No. 1335,  
3 Abstract No. 1274;  
4           34. 113.636 acres out of the Moses Fisher Survey No. 1041,  
5 Abstract No. 332;  
6           35. 72.076 acres out of the D.T. Dromgoole Survey No. 1584,  
7 Abstract No. 1598;  
8           36. 124.042 acres out of the Spring Creek Irr. Co. Survey  
9 No. 22, Abstract No. 1050;  
10           37. 278.424 acres out of the S.F.I.W. Co. Survey No. 1,  
11 Abstract No. 843;  
12           38. 320.827 acres out of the Johannes Braunholz Survey No.  
13 954, Abstract No. 109;  
14           39. 144.727 acres out of the S.F.I.W. Co. Survey No. 3,  
15 Abstract No. 845;  
16           40. 648.296 acres out of the T. & N. O. R.R. Co. Survey No.  
17 17, Abstract No. 916;  
18           41. 655.601 acres out of the L.R. Parks Survey No. 18,  
19 Abstract No. 1639;  
20           42. 499.483 acres out of the E.D. Barker Survey No. 10,  
21 Abstract No. 1743;  
22           43. 159.172 acres out of the R.R. Robarts Survey No. 963,  
23 Abstract No. 765;  
24           44. 138.856 acres out of the Wayne Barton Survey No. 3,  
25 Abstract No. 112;  
26           45. 163.500 acres out of the J. P. McClish Survey No. 1051,  
27 Abstract No. 604;

1           46. 158.136 acres out of the C. A. Pabst Survey No. 1045,  
2 Abstract No. 689;

3           47. 12.729 acres out of the W. R. Hampton Survey, SE Quarter  
4 of No. 10, Abstract No. 1699;

5           48. 13.022 acres out of the W. R. Hampton Survey, SW Quarter  
6 of No. 10, Abstract No. 1700;

7           49. 638.391 acres out of the W. W. Hanks Survey No. 1032,  
8 Abstract No. 397;

9           50. 317.430 acres out of the L. R. Parks Survey No. 2,  
10 Abstract No. 1140;

11          51. 158.440 acres out of the John Hasseldanz Survey No. 959,  
12 Abstract No. 430;

13          52. 280.307 acres out of the William J. Asher Survey No.  
14 693, Abstract No. 11 and being a portion of that certain 27616.04  
15 acre tract described in Volume 209, Page 403 of the Deed Records of  
16 Burnet County, Texas; Said 21304.716 acre tract being more  
17 particularly described as follows and as surveyed under the  
18 supervision of Watson & Associates of Mason in July and August,  
19 2006:

20           BEGINNING at an 8-inch cedar fence corner post in the record  
21 west line of the Uriah Sanders Survey No. 1050, Abstract No. 780 and  
22 the east line of said 27616.04 acre tract for the record southeast  
23 corner of the Jonathan Russell Survey No. 8, Abstract No. 713, the  
24 record northeast corner of said Survey No. 1105, the southwest  
25 corner of that certain 953.4 acre tract described in Volume 1033,  
26 Page 957 of the Official Public Records, the northwest corner of  
27 that certain 1000 acre tract described in Volume 157, Page 575 of

1 said Deed Records;

2           THENCE along the west line of said Survey No. 1050, the east  
3 line of said Survey No. 1105, the east line of said Survey No. 1336,  
4 the east line of said Survey No. 1335, the east line of said  
5 27616.04 acre tract and the west line of said 1000 acre tract, the  
6 following 2 courses:

7           1. South 01°58'08" East a distance of 6070.55 feet along the  
8 general meanders of a fence to a 14-inch cedar fence post found;

9           2. South 01°55'14" East a distance of 1027.92 feet to a  
10 calculated point for an interior corner of said Survey No. 1335, the  
11 southwest corner of said Survey No. 1050, the southwest corner of  
12 said 1000 acre tract, a corner of said 27616.04 acre tract and a  
13 corner hereof and from which a 2-inch pipe fence corner post bears  
14 North 88°03'44" East a distance of 92.36 feet;

15           THENCE North 88°03'44" East a distance of 189.30 feet along  
16 the south line of said Survey No. 1050, a north line of said Survey  
17 No. 1335, the south line of said 1000 acre tract and a north line of  
18 said 27616.04 acre tract to a 1/2 inch iron rod found for the  
19 northwest corner of the Napoleon B. Mitchell Survey No. 600,  
20 Abstract No. 611, the most northerly northwest corner of that  
21 certain 2316.755 acre tract described in Volume 818, Page 703 of  
22 said Official Public Records, a corner of said 27616.04 acre tract  
23 and a corner hereof;

24           THENCE along the general meanders of a fence for the  
25 northwest line of said 2316.755 acre tract and a southeast line of  
26 said 27616.04 acre tract, the following 15 courses:

27           1. South 01°24'11" East a distance of 6460.89 feet along the

1 west line of said Survey No. 600, the east line of said Survey No.  
2 1335 and the east line of said Survey No. 10 to a 1/2 inch iron rod  
3 found in the north line of said Survey No. 1051 for a corner of said  
4 Survey No. 10 and the northwest corner of said Survey No. 600;

5 2. North 88°29'30" East a distance of 2255.34 feet along the  
6 north line of said Survey No. 1051 and the south line of said Survey  
7 No. 600 to a 12-inch fence corner post found being on or near the  
8 northeast corner of said Survey No. 1051 a corner of said Abstract  
9 No. 1699;

10 3. South 03°52'34" West a distance of 1897.11 feet to an  
11 8-inch cedar fence post found;

12 4. South 00°42'28" East a distance of 742.18 feet to 10-inch  
13 cedar fence post found;

14 5. South 88°04'30" West a distance of 2405.94 feet to an  
15 8-inch cedar fence post found;

16 6. South 89°35'43" West a distance of 452.49 feet to found to  
17 a 10-inch cedar fence post found;

18 7. South 54°25'57" West a distance of 650.70 feet to an  
19 8-inch cedar fence post found;

20 8. South 60°40'54" West a distance of 500.41 feet to a  
21 10-inch cedar fence post found;

22 9. South 75°06'06" West a distance of 482.39 feet to a 1/2  
23 inch iron rod found;

24 10. South 84°40'54" West a distance of 1428.79 feet to a  
25 10-inch cedar fence post founding the west line of said Survey No.  
26 1045 and the east line of said Survey No. 1032;

27 11. South 00°35'36" West a distance of 442.23 feet along the

1 west line of said Survey No. 1045 and the east line of said Survey  
2 No. 1032 to a 1/2 inch iron rod found;

3 12. South 00°35'18" West a distance of 481.61 feet along the  
4 west line of said Survey No. 1045 and the east line of said Survey  
5 No. 1032 to a 1/2 inch iron rod found for the southwest corner of  
6 said Survey No. 1045 and a corner of said Survey No. 1032;

7 13. North 88°44'35" East a distance of 9.85 feet along the  
8 south line of said Survey No. 1045 and the north line of said Survey  
9 No. 1032 to a 1/2 inch iron rod found for a northwest corner of the  
10 Uriah Harris Survey No. 659, Abstract No. 395 and a corner of said  
11 Survey No. 1032;

12 14. South 01°24'26" East a distance of 2702.44 feet along an  
13 east line of said Survey No. 1032 and the west line of said Survey  
14 No. 659 to a 1/2 inch iron rod found a southeast corner of said  
15 Survey No. 1032 and a corner of said Survey No. 659;

16 15. South 88°35'35" West a distance of 1994.45 feet along a  
17 common line of said Survey No. 1032 and said Survey No. 659 to a 1/2  
18 inch iron rod found for the most easterly northeast corner of that  
19 certain 988.50 acre tract described in Volume 1172, Page 392 of Real  
20 Property Records of said Burnet County, Texas and a northwest  
21 corner of said 2316.755 acre tract;

22 THENCE continuing along said common line of said Survey No.  
23 1032 and said Survey No. 659 and also along a north line of said  
24 988.50 acre tract and a south line of said 27616.04 acre tract, the  
25 following 5 courses:

26 1. South 89°07'41" West a distance of 200.13 feet to a  
27 calculated point from which a 10-inch cedar fence corner post found



1 bears South 89°07'41" West a distance of 24.77 feet;

2           2. South 01°07'36" East a distance of 1213.03 feet to a  
3 14-inch cedar fence post found;

4           3. South 88°40'34" West a distance of 1388.52 feet to an  
5 8-inch cedar fence post found;

6           4. South 01°27'20" East a distance of 438.39 feet to a  
7 10-inch cedar fence post found;

8           5. South 88°13'46" West a distance of 521.08 feet to a  
9 12-inch cedar fence post found for a corner hereof;

10           THENCE North 01°39'37" West a distance of 7709.34 feet along  
11 an east line of said 988.50 acre tract and a west line of said  
12 27616.04 acre tract to a 14-inch cedar fence post found in the south  
13 line of said Survey No. 18, the north line of said Survey No. 1032  
14 for a northeast corner of said 988.50 acre tract, an interior corner  
15 of said 27616.04 acre tract and a corner hereof;

16           THENCE South 88°51'56" West a distance of 5159.31 feet along  
17 the general meanders of a fence for the north line of said Survey  
18 No. 1032, the south line of said Survey No. 18, the south line of  
19 said Survey No. 17, a north line of said 988.50 acre tract and a  
20 south line of said 27616.04 acre tract to a 3-inch pipe fence post  
21 found for a corner of said Survey No. 1032, a corner of said Survey  
22 No. 17, a corner of said 27616.04 acre tract, the northwest corner  
23 of said 988.50 acre tract and a corner hereof;

24           THENCE South 01°01'31" East a distance of 823.11 feet along  
25 the common line of said Survey No. 1032 and said Survey No. 17, the  
26 west line of said 988.50 acre tract and an east line of said  
27 27616.04 acre tract to a 2-inch pipe fence post found for the

1 northeast corner of the J. P. Peyton Survey No. 1220, Abstract No.  
2 1095, a southeast corner of said Survey No. 17, the northeast corner  
3 of that certain 80 acre tract, Tract VII, described in said Volume  
4 1172, Page 392, a corner of said 27616.04 acre tract and a corner  
5 hereof;

6       THENCE North 88°22'05" West a distance of 2225.98 feet along  
7 the common line of said Survey No. 1220 and said Survey No. 17, the  
8 common line of said Survey No. 17 and the H. Y. Peyton Survey No.  
9 1219, Abstract No. 1094 the north line of said Tract VII and that  
10 certain 80 acre tract, Tract VIII described in said Volume 1172,  
11 Page 392 to a calculated point for the southwest corner of said  
12 Survey No. 17, the southeast corner of the Peter Seideman Survey No.  
13 955, Abstract No. 825, the southeast corner of that certain 127 acre  
14 tract described in Volume 1172, Page 392 an interior corner of said  
15 27616.04 acre tract and a corner hereof from which a 14-inch live  
16 oak found bears North 09°00'00" West a distance of 57.23 feet and a  
17 30-inch live oak found bears North 11°46'37" West a distance of  
18 91.68 feet;

19       THENCE North 00°43'57" West a distance of 2507.85 feet along  
20 the common line of said Survey No. 955 and said Survey No. 17, the  
21 east line of said 127 acre tract and a west line of said 27616.04  
22 acre tract to an old stone mound found in the south line of said  
23 Abstract No. 1140 for the northeast corner of said Survey No. 955,  
24 the northeast corner of said 127 acre tract, a corner of said Survey  
25 No. 17, a corner of said 27616.04 acre tract and a corner hereof and  
26 from which a 36-inch live oak found bears South 65°57'30" East a  
27 distance of 24.75 feet and a 14-inch live oak found bears South

1 20°37'55" East a distance of 58.67 feet;

2           THENCE South 89°38'19" West a distance of 2318.51 feet along  
3 the common line of said Survey No. 955 and said Abstract No. 1140,  
4 the north line of said 127 acre tract and a line of said 27616.04  
5 acre tract to a 6-inch cedar fence post found in the east line of  
6 said Survey No. 954 for the southwest corner of said Abstract No.  
7 1140, the northwest corner of said Survey No. 955, the northwest  
8 corner of said 127 acre tract, a corner of said 27616.04 acre tract  
9 and a corner hereof;

10           THENCE South 00°43'57" East a distance of 2482.65 feet along  
11 the common line of said Survey No. 954 and said Survey No. 955 and  
12 the common line of said Survey No. 959 and said Survey No. 955, the  
13 west line of said 127 acre tract and a line of said 27616.04 acre  
14 tract to a 10-inch cedar fence post found in the north line of said  
15 Survey No. 693 for the southeast corner of said Survey No. 959, the  
16 southwest corner of said Survey 955, the southwest corner of said  
17 127 acre tract, a corner of said 27616.04 acre tract, the northwest  
18 corner of a 20.25 acre tract described in Volume 54, Page 356 of  
19 said Deed Records, and a corner hereof;

20           THENCE South 25°55'39" East a distance of 2196.15 feet along  
21 the general meanders of a fence for the southwest line of said 20.25  
22 acre tract and crossing said Survey No. 693 and said 27616.04 acre  
23 tract to a 14" wood corner post found in the north line of the E. O  
24 Legrande Survey No. 933, Abstract No. 556 for the southwest corner  
25 of said Survey No. 1219, the southwest corner of that certain 80.00  
26 acre tract, Tract VIII, described in Volume 1172, Page 392 of said  
27 Real Property Records, the south corner of said 20.25 acre tract,

1 the southeast corner of said Survey No. 693, a corner of said  
2 27616.04 acre tract and a corner hereof;

3       THENCE along the south line of said Survey No. 693 and a south  
4 line of said 27616.04 acre tract, the following 5 courses:

5       1. South 89°26'42" West a distance of 1914.11 feet along the  
6 north line of said Survey No. 933 to a 6-inch pine fence post found;

7       2. South 89°08'43" West a distance of 748.04 feet along the  
8 north line of said Survey No. 933 to a 1/2 inch iron rod found for  
9 the northwest corner of said Survey No. 933 and the northeast corner  
10 of the J. G. Swisher Survey No. 692, Abstract No. 832;

11       3. South 87°55'45" West a distance of 1130.14 feet along the  
12 north line of said Survey No. 692 to a 1/2 inch iron rod found in the  
13 east line of F. M. Highway No. 2341;

14       4. North 89°58'50" West a distance of 138.73 feet along the  
15 north line of said Survey No. 692 to an 18-inch cedar fence post  
16 found on the west line of said Highway;

17       5. South 88°43'19" West a distance of 1966.32 feet along the  
18 north line of said Survey No. 692 to a 1/2 inch iron rod found for  
19 the northwest corner of said Survey No. 692, an interior corner of  
20 said Survey No. 693, a corner of said 27616.04 acre tract and a  
21 corner hereof;

22       THENCE South 00°00'47" East a distance of 540.91 feet along  
23 the common line of said Survey No. 692 and said Survey No. 693 and a  
24 line of said 27616.04 acre tract to a 1/2 inch iron rod found for the  
25 northeast corner of the G. A. Torbett Survey No. 850, a corner of  
26 said Survey No. 693, a corner of said 27616.04 acre tract and a  
27 corner hereof and from which a 24-inch cedar fence corner post found

1 bears South 43°50'44" East a distance 1.47 feet;

2       THENCE South 88°03'31" West a distance of 1510.53 feet along  
3 the common line of said Survey No. 850 and said Survey No. 693 and a  
4 line of said 27616.04 acre tract to a 1/2 inch iron rod found on the  
5 record 1020 foot contour line of Lake Buchanan;

6       THENCE along the general meanders of the 1020 foot contour  
7 line of Lake Buchanan the following 77 courses:

- 8       1. North 46°29'55" East a distance of 637.86 feet;
- 9       2. North 64°44'13" East a distance of 258.92 feet;
- 10      3. North 53°23'17" East a distance of 117.03 feet;
- 11      4. South 83°34'48" East a distance of 54.02 feet;
- 12      5. South 04°19'09" East a distance of 111.22 feet;
- 13      6. South 08°41'40" West a distance of 38.84 feet;
- 14      7. South 22°43'53" East a distance of 41.31 feet;
- 15      8. North 62°49'16" East a distance of 54.63 feet;
- 16      9. North 60°31'18" East a distance of 85.09 feet;
- 17      10. North 39°17'25" East a distance of 85.64 feet;
- 18      11. North 14°38'43" East a distance of 93.63 feet;
- 19      12. North 26°48'58" East a distance of 124.75 feet;
- 20      13. North 32°00'31" East a distance of 172.29 feet;
- 21      14. North 28°39'34" East a distance of 210.95 feet;
- 22      15. North 25°06'51" East a distance of 155.56 feet;
- 23      16. North 38°53'57" East a distance of 127.37 feet;
- 24      17. North 68°58'39" East a distance of 69.29 feet;
- 25      18. South 56°59'22" East a distance of 56.19 feet;
- 26      19. South 41°45'07" East a distance of 82.01 feet;
- 27      20. North 70°48'34" East a distance of 15.71 feet;

- 1 21. North 00°12'58" West a distance of 81.42 feet;
- 2 22. North 09°59'31" West a distance of 133.73 feet;
- 3 23. North 19°57'24" East a distance of 84.69 feet;
- 4 24. North 74°15'02" East a distance of 132.60 feet;
- 5 25. North 39°30'32" East a distance of 104.75 feet;
- 6 26. North 62°08'58" East a distance of 257.83 feet;
- 7 27. North 81°48'22" East a distance of 106.37 feet;
- 8 28. North 35°49'44" East a distance of 51.40 feet;
- 9 29. North 72°52'40" East a distance of 129.23 feet;
- 10 30. North 65°44'31" East a distance of 104.43 feet;
- 11 31. North 74°22'24" East a distance of 60.64 feet;
- 12 32. North 48°58'40" East a distance of 166.27 feet;
- 13 33. North 37°23'34" East a distance of 140.36 feet;
- 14 34. North 23°42'41" East a distance of 304.57 feet;
- 15 35. North 33°22'43" East a distance of 75.08 feet;
- 16 36. North 19°04'34" East a distance of 313.98 feet;
- 17 37. North 16°59'38" West a distance of 64.83 feet;
- 18 38. North 20°11'16" East a distance of 50.66 feet;
- 19 39. North 87°16'17" East a distance of 158.53 feet;
- 20 40. North 72°08'03" East a distance of 80.32 feet;
- 21 41. North 59°29'17" West a distance of 155.40 feet;
- 22 42. North 30°34'16" West a distance of 1455.69 feet;
- 23 43. North 37°38'09" West a distance of 269.46 feet;
- 24 44. North 74°23'51" West a distance of 65.84 feet;
- 25 45. South 37°28'46" East a distance of 108.89 feet;
- 26 46. South 16°44'16" East a distance of 311.64 feet;
- 27 47. South 27°58'37" East a distance of 456.02 feet;

- 1 48. South 15°58'33" East a distance of 662.26 feet;
- 2 49. South 12°09'46" West a distance of 625.79 feet;
- 3 50. South 35°53'28" West a distance of 151.96 feet;
- 4 51. South 55°57'49" West a distance of 109.21 feet;
- 5 52. South 75°26'52" West a distance of 76.39 feet;
- 6 53. North 89°01'42" West a distance of 107.23 feet;
- 7 54. North 34°15'53" West a distance of 49.61 feet;
- 8 55. North 39°31'17" West a distance of 109.25 feet;
- 9 56. North 30°02'27" West a distance of 67.75 feet;
- 10 57. South 85°18'47" West a distance of 41.19 feet;
- 11 58. South 19°00'18" West a distance of 96.93 feet;
- 12 59. South 03°44'34" West a distance of 116.52 feet;
- 13 60. South 42°53'24" West a distance of 81.73 feet;
- 14 61. South 71°05'19" West a distance of 222.63 feet;
- 15 62. North 42°48'59" West a distance of 145.65 feet;
- 16 63. South 21°10'17" West a distance of 197.97 feet;
- 17 64. South 50°10'36" West a distance of 91.96 feet;
- 18 65. South 73°37'59" West a distance of 88.80 feet;
- 19 66. North 72°05'19" West a distance of 46.97 feet;
- 20 67. North 46°48'36" West a distance of 30.88 feet;
- 21 68. North 02°01'21" West a distance of 271.67 feet;
- 22 69. South 71°36'05" West a distance of 211.06 feet;
- 23 70. South 41°56'24" West a distance of 315.57 feet;
- 24 71. South 59°44'22" West a distance of 407.41 feet;
- 25 72. South 55°04'35" West a distance of 393.64 feet;
- 26 73. South 77°58'46" West a distance of 216.79 feet;
- 27 74. South 89°37'43" West a distance of 96.28 feet;

1           75. North 41°44'38" West a distance of 161.69 feet;

2           76. South 52°50'27" West a distance of 116.54 feet;

3           77. North 74°17'39" West a distance of 94.22 feet to the  
4 extension of a fence found for the east line of Swiss Village Unit  
5 1, recorded in Cabinet 1, Slide 65 C, D, of the Plat Records of  
6 Burnet County, Texas, a corner of said 27616.04 acre tract and a  
7 corner hereof and from which a 5-inch cedar fence post found bears  
8 North 01°35'16" West a distance of 11.89 feet;

9           THENCE along the general meanders of a fence for east line of  
10 said Swiss Village and a west line of said 27616.04 acre tract the  
11 following 5 courses:

12           1. North 01°35'16" West a distance of 219.50 feet to a  
13 10-inch cedar fence post found;

14           2. North 27°33'48" West a distance of 187.71 feet to a  
15 20-inch cedar tree fence corner found;

16           3. North 07°28'09" East a distance of 381.09 feet to a  
17 20-inch mesquite tree fence corner found;

18           4. North 19°36'07" East a distance of 69.77 feet to a 20-inch  
19 live oak tree fence corner found;

20           5. North 21°21'37" East a distance of 89.13 feet to a 10-inch  
21 cedar fence corner post found in the south line of said Survey No.  
22 3, the north line of said Survey No. 693 for the northeast corner of  
23 said Swiss Village, a corner of said 27616.04 acre tract and a  
24 corner hereof;

25           THENCE North 87°32'13" East a distance of 933.07 feet along  
26 the general meanders of a fence for the common line of said Survey  
27 No. 3 and said Survey No. 693, the south line of that certain 425.25



1 acre tract described in Volume 38, Page 6 of said Deed Records and a  
2 line of said 27616.04 acre tract to an 8-inch cedar fence corner  
3 post found for the southeast corner of 425.25 acre tract, a corner  
4 of said 27616.04 acre tract and a corner hereof;

5       THENCE North 01°44'33" West a distance of 724.45 feet along  
6 the east line of said 425.25 acre tract and a line of said 27616.04  
7 acre tract to a 1/2 inch iron rod set in the north line of said  
8 Highway for a corner of a 1972.333 acre tract out of said 27616.04  
9 acre tract surveyed this same day by Watson & Associates of Mason  
10 and a corner hereof;

11       THENCE along the north line of said Highway and the south line  
12 of said 1972.333 acre tract, a curve to the right with an arc length  
13 of 81.65 feet, a radius of 1195.10 feet, a chord of South 84°40'47"  
14 East a distance of 81.63 feet to a 1/2 inch iron rod set for a corner  
15 of said 1972.333 acre tract and a corner hereof;

16       THENCE along the east line of said 1972.333 acre tract, the  
17 following 5 courses:

18       1. North 01°07'46" West a distance of 1928.52 feet to a 1/2  
19 inch iron rod set;

20       2. South 88°18'02" West a distance of 1966.50 feet to a 1/2  
21 inch iron rod set;

22       3. North 01°58'03" West a distance of 5180.83 feet to a 1/2  
23 inch iron rod set;

24       4. North 88°00'26" East a distance of 1161.15 feet to a metal  
25 T-post found;

26       5. North 87°18'58" East a distance of 347.82 feet to a 1/2  
27 inch iron rod set for the southwest corner of a 2120.543 acre tract

1 out of said 27616.04 acre tract surveyed this same day by Watson &  
2 Associates of Mason and the southeast corner of said 1972.333 acre  
3 tract;

4       THENCE along the general meanders of a new fence for the  
5 south, east, north and west lines of said 2120.543 acre tract, the  
6 following 56 courses:

- 7       1. North 87°18'56" East a distance of 1018.61 feet to a  
8 T-post found;
- 9       2. North 88°14'21" East a distance of 1485.39 feet to a  
10 T-post found;
- 11       3. South 77°25'44" East a distance of 204.78 feet to a T-post  
12 found;
- 13       4. South 61°02'57" East a distance of 196.93 feet to a T-post  
14 found;
- 15       5. South 85°47'32" East a distance of 162.77 feet to a T-post  
16 found;
- 17       6. South 61°28'56" East a distance of 182.89 feet to a T-post  
18 found;
- 19       7. South 03°38'40" East a distance of 387.97 feet to a  
20 12-inch hackberry tree fence corner found;
- 21       8. South 29°50'10" East a distance of 372.55 feet to a T-post  
22 found;
- 23       9. South 56°06'57" East a distance of 129.92 feet to a T-post  
24 found;
- 25       10. South 37°58'22" East a distance of 101.04 feet to a  
26 T-post found;
- 27       11. North 75°28'05" East a distance of 140.83 feet to a

- 1 T-post found;
- 2           12. South 89°37'37" East a distance of 132.69 feet to a cedar  
3 fence corner post found;
- 4           13. North 31°26'53" East a distance of 516.63 feet to a  
5 T-post found;
- 6           14. South 52°36'15" East a distance of 72.31 feet to a T-post  
7 found;
- 8           15. South 53°20'10" East a distance of 374.14 feet to a  
9 T-post found;
- 10          16. South 53°16'09" East a distance of 467.48 feet to a 2.5  
11 inch pipe fence corner post found;
- 12          17. North 29°22'42" East a distance of 208.41 feet to a 6  
13 inch cedar fence corner post found;
- 14          18. North 51°02'36" East a distance of 151.27 feet to a 6  
15 inch cedar fence corner post found;
- 16          19. North 64°33'37" East a distance of 148.51 feet to a 6  
17 inch cedar fence corner post found;
- 18          20. North 28°41'14" East a distance of 592.04 feet to a 12  
19 inch cedar fence corner post found;
- 20          21. North 27°35'39" East a distance of 589.09 feet to a 2  
21 inch pipe fence corner post found;
- 22          22. North 87°38'41" East a distance of 449.14 feet to a 2  
23 inch pipe fence corner post found;
- 24          23. South 89°05'58" East a distance of 608.99 feet to a 2  
25 inch pipe fence corner post found;
- 26          24. North 87°24'59" East a distance of 482.01 feet to a  
27 T-post found;

- 1           25. North 87°45'15" East a distance of 322.13 feet to a 2  
2 inch pipe fence corner post found;
- 3           26. North 86°21'06" East a distance of 305.14 feet to a pipe  
4 fence corner post found;
- 5           27. South 80°12'22" East a distance of 420.50 feet to a 12  
6 inch cedar fence corner post found for the southeast corner of said  
7 2120.543 acre tract;
- 8           28. North 01°56'46" West a distance of 1843.68 feet to a 4  
9 inch cedar fence corner post found;
- 10          29. North 01°49'20" West a distance of 2305.81 feet to a 12  
11 inch cedar fence corner post found;
- 12          30. North 39°05'16" West a distance of 1725.22 feet to a 16  
13 inch cedar fence corner post found;
- 14          31. North 44°56'33" West a distance of 511.02 feet to a 2  
15 inch pipe fence corner post found;
- 16          32. North 30°14'20" West a distance of 137.86 feet to a 18  
17 inch cedar fence corner post found;
- 18          33. North 41°50'07" East a distance of 1396.02 feet to a 10  
19 inch cedar fence corner post found;
- 20          34. North 21°46'23" East a distance of 1252.40 feet to a 10  
21 inch cedar fence corner post found;
- 22          35. North 01°39'23" West a distance of 2102.44 feet to a 8  
23 inch cedar fence corner post found;
- 24          36. North 01°58'58" West a distance of 4058.92 feet to a 2  
25 inch cedar fence corner post found;
- 26          37. North 02°07'42" West a distance of 40.09 feet to a point  
27 in the south line of said Survey No. 9, the north line of said Survey

- 1 No. 8 for the northeast corner of said 2120.43 acre tract;
- 2 38. South 88°49'50" West a distance of 96.48 feet to a 8 inch  
3 cedar fence corner post found;
- 4 39. South 88°22'59" West a distance of 6192.88 feet to a 10  
5 inch cedar gate fence corner post found for the northwest corner of  
6 said 2120.543 acre tract;
- 7 40. South 11°54'49" East a distance of 911.73 feet to a 30  
8 inch live oak fence corner found;
- 9 41. South 34°03'41" East a distance of 286.72 feet to a 6  
10 inch cedar gate fence corner post found;
- 11 42. South 34°00'06" East a distance of 107.55 feet to a live  
12 oak fence corner found;
- 13 43. South 02°21'19" East a distance of 483.14 feet to a 14  
14 inch live oak fence corner found;
- 15 44. South 25°13'29" East a distance of 1280.20 feet to a 4  
16 inch cedar fence corner post found;
- 17 45. South 22°01'25" East a distance of 301.16 feet to a 4  
18 inch cedar fence corner post found;
- 19 46. South 14°05'35" East a distance of 225.90 feet to a 2.5  
20 inch pipe fence corner post found;
- 21 47. South 09°23'56" East a distance of 124.32 feet to a 3  
22 inch pipe fence corner post found;
- 23 48. South 07°41'26" West a distance of 103.53 feet to a 30  
24 inch live oak fence corner found;
- 25 49. North 58°40'21" West a distance of 66.47 feet to a 6 inch  
26 cedar fence corner post found;
- 27 50. South 15°50'16" West a distance of 261.73 feet to a 6

1 inch cedar gate fence corner post found;

2           51. South 18°32'11" West a distance of 136.79 feet to a 8  
3 inch cedar fence corner post found;

4           52. South 25°25'19" West a distance of 170.63 feet to a 18  
5 inch live oak fence corner found;

6           53. South 22°08'57" West a distance of 245.15 feet to a 30  
7 inch live oak fence corner found;

8           54. South 18°40'18" West a distance of 642.26 feet to a 10  
9 inch cedar fence corner post found;

10          55. South 20°05'00" West a distance of 1629.49 feet to a 8  
11 inch cedar fence corner post found;

12          56. South 12°26'05" West a distance of 535.64 feet to a 8  
13 inch cedar fence corner post found for the northeast corner of said  
14 1972.333 acre tract and a corner hereof;

15           THENCE along the north line of said 1972.333 acre tract, the  
16 following 18 courses:

17           1. North 89°35'10" West a distance of 852.28 feet to a 1/2  
18 inch iron rod set;

19           2. North 88°57'12" West a distance of 1134.18 feet to a 1/2  
20 inch iron rod set;

21           3. South 86°27'59" West a distance of 777.82 feet to a 1/2  
22 inch iron rod set;

23           4. South 51°46'17" West a distance of 678.33 feet to a 1/2  
24 inch iron rod set;

25           5. North 87°57'23" West a distance of 961.08 feet to a 1/2  
26 inch iron rod set;

27           6. North 89°04'38" West a distance of 840.39 feet to a 1/2

1 inch iron rod set;  
2           7. South 72°45'01" West a distance of 1393.53 feet to a 1/2  
3 inch iron rod set;  
4           8. South 88°11'08" West a distance of 374.82 feet to a 1/2  
5 inch iron rod set;  
6           9. South 50°58'46" West a distance of 277.60 feet to a 1/2  
7 inch iron rod set;  
8           10. North 65°14'27" West a distance of 451.90 feet to a 1/2  
9 inch iron rod set;  
10          11. North 88°17'38" West a distance of 673.89 feet to a 1/2  
11 inch iron rod set;  
12          12. South 17°54'34" West a distance of 151.77 feet to a 1/2  
13 inch iron rod set;  
14          13. South 52°42'36" West a distance of 157.90 feet to a 1/2  
15 inch iron rod set;  
16          14. North 86°34'12" West a distance of 134.50 feet to a 1/2  
17 inch iron rod set;  
18          15. South 66°42'35" West a distance of 311.71 feet to a 1/2  
19 inch iron rod set;  
20          16. South 84°40'58" West a distance of 463.69 feet to a 1/2  
21 inch iron rod set;  
22          17. North 50°30'41" West a distance of 1956.46 feet to a 1/2  
23 inch iron rod set;  
24          18. North 85°31'10" West, at a distance of 1760.68 feet pass  
25 a x in rock set, in all a total distance of 1766.25 feet to point in  
26 the 1020 foot contour line of Lake Buchanan for the northwest corner  
27 of said 1972.333 acre tract and a corner hereof;

1           THENCE along the general meanders of the 1020 foot contour  
2 line of Lake Buchanan the following 146 courses:

- 3           1. North 21°50'10" West a distance of 56.98 feet;
- 4           2. North 25°20'55" East a distance of 390.22 feet;
- 5           3. North 16°41'50" West a distance of 93.10 feet;
- 6           4. North 22°50'54" East a distance of 99.28 feet;
- 7           5. North 58°53'52" East a distance of 69.93 feet;
- 8           6. South 34°24'13" East a distance of 159.60 feet;
- 9           7. South 69°09'26" East a distance of 158.05 feet;
- 10          8. North 63°18'21" East a distance of 149.79 feet;
- 11          9. South 75°55'37" East a distance of 119.32 feet;
- 12          10. South 74°06'56" East a distance of 232.58 feet;
- 13          11. North 38°13'01" West a distance of 442.75 feet;
- 14          12. North 69°50'27" East a distance of 245.42 feet;
- 15          13. North 33°47'59" East a distance of 254.76 feet;
- 16          14. South 48°17'40" East a distance of 154.93 feet;
- 17          15. North 03°23'21" East a distance of 208.89 feet;
- 18          16. North 12°43'15" East a distance of 219.93 feet;
- 19          17. North 29°42'34" West a distance of 112.52 feet;
- 20          18. South 73°33'27" West a distance of 505.97 feet;
- 21          19. North 40°50'03" West a distance of 60.39 feet;
- 22          20. North 46°33'36" East a distance of 293.17 feet;
- 23          21. North 38°57'00" West a distance of 418.54 feet;
- 24          22. North 12°20'31" East a distance of 444.75 feet;
- 25          23. North 16°19'22" East a distance of 652.78 feet;
- 26          24. North 42°10'23" East a distance of 324.07 feet;
- 27          25. North 74°04'31" East a distance of 157.51 feet;



- 1 26. South 71°49'41" East a distance of 256.71 feet;
- 2 27. North 89°27'08" East a distance of 120.14 feet;
- 3 28. South 67°38'18" East a distance of 139.76 feet;
- 4 29. South 47°26'32" East a distance of 204.47 feet;
- 5 30. South 36°58'43" East a distance of 285.13 feet;
- 6 31. South 00°22'36" West a distance of 263.03 feet;
- 7 32. North 24°04'40" East a distance of 276.47 feet;
- 8 33. North 04°42'01" East a distance of 135.48 feet;
- 9 34. North 27°30'51" East a distance of 98.79 feet;
- 10 35. North 42°16'37" East a distance of 192.35 feet;
- 11 36. North 85°25'52" West a distance of 253.06 feet;
- 12 37. North 75°46'25" West a distance of 202.91 feet;
- 13 38. North 41°58'39" West a distance of 100.08 feet;
- 14 39. North 53°52'50" West a distance of 635.60 feet;
- 15 40. North 17°17'47" West a distance of 85.70 feet;
- 16 41. North 31°56'16" East a distance of 209.44 feet;
- 17 42. North 54°37'32" East a distance of 507.84 feet;
- 18 43. North 70°51'02" East a distance of 508.40 feet;
- 19 44. North 79°59'01" East a distance of 432.64 feet;
- 20 45. North 77°06'12" East a distance of 73.19 feet;
- 21 46. South 87°35'30" East a distance of 158.40 feet;
- 22 47. South 38°10'10" East a distance of 130.94 feet;
- 23 48. South 32°03'27" East a distance of 50.00 feet;
- 24 49. North 26°25'33" East a distance of 58.40 feet;
- 25 50. North 13°32'55" East a distance of 109.99 feet;
- 26 51. North 31°39'45" East a distance of 34.30 feet;
- 27 52. North 68°15'41" East a distance of 78.21 feet;

- 1 53. South 85°57'17" East a distance of 105.22 feet;
- 2 54. South 28°18'00" East a distance of 139.58 feet;
- 3 55. South 22°36'44" East a distance of 202.02 feet;
- 4 56. South 40°45'59" East a distance of 30.62 feet;
- 5 57. North 00°12'57" East a distance of 51.50 feet;
- 6 58. North 00°09'57" West a distance of 50.46 feet;
- 7 59. North 02°32'37" West a distance of 81.54 feet;
- 8 60. North 06°08'36" East a distance of 179.83 feet;
- 9 61. North 79°38'52" East a distance of 179.85 feet;
- 10 62. South 84°49'07" East a distance of 206.24 feet;
- 11 63. South 60°15'13" East a distance of 157.34 feet;
- 12 64. North 16°00'47" East a distance of 93.78 feet;
- 13 65. North 89°03'47" East a distance of 269.21 feet;
- 14 66. South 78°58'58" East a distance of 501.07 feet;
- 15 67. South 66°57'28" East a distance of 240.36 feet;
- 16 68. South 75°07'42" East a distance of 177.78 feet;
- 17 69. South 73°59'16" East a distance of 245.83 feet;
- 18 70. South 63°45'25" East a distance of 309.93 feet;
- 19 71. South 20°24'17" East a distance of 149.48 feet;
- 20 72. South 15°44'41" East a distance of 47.67 feet;
- 21 73. North 33°18'18" East a distance of 70.71 feet;
- 22 74. North 62°51'39" East a distance of 78.78 feet;
- 23 75. South 88°16'22" East a distance of 110.38 feet;
- 24 76. South 69°57'11" East a distance of 432.56 feet;
- 25 77. South 75°28'26" East a distance of 1188.50 feet;
- 26 78. North 71°23'35" East a distance of 837.57 feet;
- 27 79. North 45°02'42" East a distance of 1020.50 feet;

- 1 80. North 23°29'45" East a distance of 895.00 feet;
- 2 81. North 52°20'32" East a distance of 118.79 feet;
- 3 82. South 75°03'45" East a distance of 74.44 feet;
- 4 83. South 31°13'36" East a distance of 121.46 feet;
- 5 84. South 09°25'39" East a distance of 575.08 feet;
- 6 85. South 27°37'06" East a distance of 258.11 feet;
- 7 86. South 07°05'49" East a distance of 165.58 feet;
- 8 87. South 59°59'59" East a distance of 100.00 feet;
- 9 88. North 08°20'25" West a distance of 270.16 feet;
- 10 89. North 27°20'27" West a distance of 194.42 feet;
- 11 90. North 00°33'40" West a distance of 360.33 feet;
- 12 91. North 16°14'16" East a distance of 40.69 feet;
- 13 92. North 78°26'13" East a distance of 63.53 feet;
- 14 93. South 75°44'43" East a distance of 515.41 feet;
- 15 94. South 53°44'05" East a distance of 502.43 feet;
- 16 95. South 27°41'51" East a distance of 128.77 feet;
- 17 96. South 77°18'39" East a distance of 99.29 feet;
- 18 97. North 30°03'36" West a distance of 186.62 feet;
- 19 98. North 40°17'08" West a distance of 326.53 feet;
- 20 99. North 59°18'33" West a distance of 278.16 feet;
- 21 100. North 66°01'59" West a distance of 591.98 feet;
- 22 101. North 46°11'14" West a distance of 441.25 feet;
- 23 102. North 34°54'22" West a distance of 67.24 feet;
- 24 103. North 04°20'54" West a distance of 176.96 feet;
- 25 104. North 09°30'09" East a distance of 1502.73 feet;
- 26 105. North 20°35'00" East a distance of 318.22 feet;
- 27 106. North 73°28'05" East a distance of 156.35 feet;

- 1 107. North 33°31'40" West a distance of 193.20 feet;
- 2 108. North 65°00'47" East a distance of 191.40 feet;
- 3 109. North 81°37'53" East a distance of 316.09 feet;
- 4 110. North 81°46'06" East a distance of 278.56 feet;
- 5 111. South 74°50'59" East a distance of 174.78 feet;
- 6 112. South 40°20'37" East a distance of 158.28 feet;
- 7 113. South 67°09'29" East a distance of 97.16 feet;
- 8 114. South 69°14'18" East a distance of 203.03 feet;
- 9 115. North 44°56'36" West a distance of 515.64 feet;
- 10 116. North 80°55'30" West a distance of 167.96 feet;
- 11 117. South 86°14'34" West a distance of 404.74 feet;
- 12 118. South 78°36'02" West a distance of 426.88 feet;
- 13 119. North 09°27'17" East a distance of 267.32 feet;
- 14 120. North 20°02'08" East a distance of 1773.31 feet;
- 15 121. North 23°58'02" West a distance of 1308.27 feet;
- 16 122. North 28°23'26" West a distance of 167.88 feet;
- 17 123. North 48°48'09" West a distance of 61.79 feet;
- 18 124. North 39°05'57" West a distance of 153.05 feet;
- 19 125. North 42°16'12" West a distance of 222.77 feet;
- 20 126. North 47°32'22" West a distance of 299.95 feet;
- 21 127. North 46°05'03" West a distance of 146.65 feet;
- 22 128. North 33°59'14" West a distance of 47.19 feet;
- 23 129. North 06°01'06" East a distance of 63.34 feet;
- 24 130. North 28°41'07" East a distance of 202.94 feet;
- 25 131. North 14°35'16" East a distance of 239.29 feet;
- 26 132. North 19°46'26" East a distance of 180.93 feet;
- 27 133. North 54°28'54" East a distance of 182.64 feet;

- 1 134. North 32°01'23" East a distance of 162.78 feet;
- 2 135. North 41°17'49" East a distance of 116.63 feet;
- 3 136. North 89°43'21" East a distance of 76.82 feet;
- 4 137. South 59°12'10" East a distance of 43.90 feet;
- 5 138. South 31°56'42" East a distance of 46.13 feet;
- 6 139. South 46°32'05" East a distance of 96.69 feet;
- 7 140. South 81°21'14" East a distance of 142.16 feet;
- 8 141. South 89°37'57" East a distance of 84.86 feet;
- 9 142. North 66°33'35" West a distance of 47.15 feet;
- 10 143. North 57°58'06" West a distance of 214.83 feet;
- 11 144. North 30°33'33" West a distance of 165.50 feet;
- 12 145. North 79°15'54" West a distance of 121.24 feet;
- 13 146. South 78°18'53" West a distance of 57.80 feet to a point
- 14 for the southeast corner of a 278.462 acre tract out of said
- 15 27616.04 acre tract, surveyed this same day by Watson & Associates
- 16 of Mason and a corner hereof;

17 THENCE along the east, north and west lines of said 278.462  
18 acre tract, the following 18 courses:

- 19 1. North 20°27'36" East a distance of 169.71 feet to a 1/2
- 20 inch iron rod set;
- 21 2. North 22°59'06" East a distance of 1829.76 feet to a 1/2
- 22 inch iron rod set;
- 23 3. North 78°26'45" East a distance of 750.77 feet to a 1/2
- 24 inch iron rod set;
- 25 4. South 52°45'45" East a distance of 1221.66 feet to a 1/2
- 26 inch iron rod set;
- 27 5. North 36°41'40" East a distance of 1285.07 feet to a 1/2

1 inch iron rod set;  
2           6. North 03°19'44" East a distance of 258.20 feet to a 1/2  
3 inch iron rod set;  
4           7. North 75°14'00" West a distance of 318.30 feet to a 1/2  
5 inch iron rod set;  
6           8. North 70°42'46" West a distance of 1431.22 feet to a 1/2  
7 inch iron rod set;  
8           9. North 48°14'15" West a distance of 471.73 feet to a 1/2  
9 inch iron rod set;  
10          10. South 76°45'22" West a distance of 455.85 feet to a 1/2  
11 inch iron rod set;  
12          11. North 72°41'04" West a distance of 641.84 feet to a 1/2  
13 inch iron rod set;  
14          12. South 86°27'07" West a distance of 2216.17 feet to a 1/2  
15 inch iron rod set;  
16          13. South 00°21'57" East a distance of 1021.73 feet to a 6  
17 inch cedar fence corner post found;  
18          14. South 29°15'06" East a distance of 716.19 feet to a 1/2  
19 inch iron rod set;  
20          15. South 23°51'39" West a distance of 1269.29 feet to a 1/2  
21 inch iron rod set;  
22          16. South 43°59'06" East a distance of 826.88 feet to a 1/2  
23 inch iron rod set;  
24          17. South 22°33'36" West a distance of 232.75 feet to a 60d  
25 nail set;  
26          18. South 22°35'09" West a distance of 272.54 feet a point on  
27 the 1020 foot contour line of Lake Buchanan;

1           THENCE along the general meanders of the 1020 foot contour  
2 line of Lake Buchanan the following 39 courses:

- 3           1. North 65°05'55" West a distance of 213.28 feet;
- 4           2. North 64°37'12" West a distance of 296.35 feet;
- 5           3. North 70°33'45" West a distance of 224.24 feet;
- 6           4. North 74°59'33" West a distance of 279.87 feet;
- 7           5. North 24°00'30" West a distance of 391.21 feet;
- 8           6. North 40°14'26" East a distance of 551.06 feet;
- 9           7. North 03°16'12" East a distance of 390.48 feet;
- 10          8. South 20°49'49" West a distance of 250.10 feet;
- 11          9. South 33°39'15" West a distance of 270.35 feet;
- 12          10. South 48°40'41" West a distance of 328.05 feet;
- 13          11. South 74°43'07" West a distance of 323.99 feet;
- 14          12. North 64°58'26" West a distance of 104.83 feet;
- 15          13. South 41°48'51" West a distance of 442.46 feet;
- 16          14. South 89°30'33" West a distance of 331.57 feet;
- 17          15. North 87°15'57" West a distance of 491.58 feet;
- 18          16. North 88°11'19" West a distance of 494.04 feet;
- 19          17. South 89°35'36" West a distance of 524.49 feet;
- 20          18. North 85°28'56" West a distance of 975.64 feet;
- 21          19. North 70°55'24" West a distance of 332.43 feet;
- 22          20. North 32°12'17" West a distance of 75.78 feet;
- 23          21. North 40°22'04" East a distance of 106.13 feet;
- 24          22. North 16°30'21" West a distance of 345.74 feet;
- 25          23. South 04°55'18" East a distance of 136.92 feet;
- 26          24. South 11°16'46" West a distance of 104.69 feet;
- 27          25. South 31°25'30" West a distance of 187.35 feet;

- 1           26. South 07°02'16" East a distance of 160.57 feet;
- 2           27. North 88°08'15" West a distance of 263.42 feet;
- 3           28. North 80°18'26" West a distance of 383.71 feet;
- 4           29. North 78°12'50" West a distance of 232.97 feet;
- 5           30. North 82°08'29" West a distance of 328.15 feet;'
- 6           31. North 75°41'20" West a distance of 388.53 feet;
- 7           32. North 82°22'54" West a distance of 715.95 feet;
- 8           33. North 57°13'13" West a distance of 788.62 feet;
- 9           34. North 20°02'09" West a distance of 902.12 feet;
- 10          35. North 23°55'44" West a distance of 235.97 feet;
- 11          36. North 42°09'43" West a distance of 57.28 feet;
- 12          37. North 14°42'11" West a distance of 207.10 feet;
- 13          38. North 25°08'42" West a distance of 183.38 feet;
- 14          39. North 04°16'06" West a distance of 96.78 feet to a point
- 15 for the southwest corner of a 1593.787 acre tract out of said
- 16 27616.04 acre tract, surveyed this same day by Watson & Associates
- 17 of Mason and a corner hereof;

18           THENCE along the south and east lines of said 1593.787 acre

19 tract, the following 22 courses:

- 20           1. North 59°06'56" East a distance of 102.32 feet to a 1/2
- 21 inch iron rod set;
- 22           2. North 59°09'38" East a distance of 1840.19 feet to a 1/2
- 23 inch iron rod set;
- 24           3. North 84°06'57" East a distance of 723.44 feet to a 1/2
- 25 inch iron rod set;
- 26           4. North 89°17'29" East a distance of 703.91 feet to a 1/2
- 27 inch iron rod set;



- 1           5. South 89°40'29" East a distance of 648.29 feet to a 1/2  
2 inch iron rod set;
- 3           6. South 89°39'03" East a distance of 769.41 feet to a 1/2  
4 inch iron rod set;
- 5           7. South 89°21'12" East a distance of 949.24 feet to a 1/2  
6 inch iron rod set;
- 7           8. North 74°39'26" East a distance of 1405.51 feet to a 1/2  
8 inch iron rod set;
- 9           9. North 78°56'03" East a distance of 809.85 feet to a 1/2  
10 inch iron rod set;
- 11          10. North 46°16'26" East a distance of 376.26 feet to a 1/2  
12 inch iron rod set;
- 13          11. North 72°11'31" East a distance of 640.41 feet to a 1/2  
14 inch iron rod set;
- 15          12. North 00°14'07" West a distance of 265.90 feet to a 1/2  
16 inch iron rod set;
- 17          13. North 77°59'43" East a distance of 647.30 feet to a 1/2  
18 inch iron rod set;
- 19          14. North 18°33'55" East a distance of 281.98 feet to a 1/2  
20 inch iron rod set;
- 21          15. North 25°15'40" East a distance of 208.95 feet to a 1/2  
22 inch iron rod set;
- 23          16. North 25°28'20" East a distance of 144.89 feet to a 1/2  
24 inch iron rod set;
- 25          17. North 00°58'21" West a distance of 702.26 feet to a 1/2  
26 inch iron rod set;
- 27          18. South 87°15'21" West a distance of 221.82 feet to a 6

1 inch cedar fence corner post found;

2 19. South 89°30'11" West a distance of 314.45 feet to a 13  
3 inch cedar gate fence corner post found;

4 20. North 89°09'29" West a distance of 185.58 feet to a 6  
5 inch cedar fence corner post found;

6 21. South 89°25'12" West a distance of 300.21 feet to a 8  
7 inch cedar fence corner post found;

8 22. North 00°16'38" West a distance of 3731.40 feet to a 1/2  
9 inch iron rod set for the southwest corner of a 171.566 acre tract  
10 out of said 27616.04 acre tract, surveyed this same day by Watson &  
11 Associates of Mason and a corner hereof;

12 THENCE along the south line of said 171.566 acre tract, the  
13 following 22 courses:

14 1. North 73°39'08" East a distance of 3097.42 feet to a 1/2  
15 inch iron rod set;

16 2. North 56°59'15" East a distance of 721.49 feet to a 1/2  
17 inch iron rod set;

18 3. North 88°26'35" East a distance of 5453.49 feet to a 1/2  
19 inch iron rod set;

20 4. South 56°36'07" East a distance of 3807.13 feet to a 1/2  
21 inch iron rod set;

22 5. North 86°38'54" East a distance of 916.40 feet to a 1/2  
23 inch iron rod set;

24 6. South 50°32'30" East a distance of 366.24 feet to a 1/2  
25 inch iron rod set;

26 7. South 02°04'34" East a distance of 1527.11 feet to a 1/2  
27 inch iron rod set

- 1           8. South 05°33'32" East a distance of 613.57 feet to a 1/2  
2 inch iron rod set
- 3           9. South 44°28'33" East a distance of 157.95 feet to a 1/2  
4 inch iron rod set;
- 5           10. South 02°03'04" East a distance of 709.69 feet to a 1/2  
6 inch iron rod set;
- 7           11. South 59°58'00" East a distance of 411.64 feet to a 1/2  
8 inch iron rod set;
- 9           12. South 24°57'47" East a distance of 404.47 feet to a 1/2  
10 inch iron rod set;
- 11          13. North 84°34'23" East a distance of 292.41 feet to a 1/2  
12 inch iron rod set;
- 13          14. North 72°57'07" East a distance of 2316.63 feet to a 1/2  
14 inch iron rod set;
- 15          15. South 23°48'22" East a distance of 454.99 feet to a 1/2  
16 inch iron rod set;
- 17          16. North 69°58'26" East a distance of 4027.88 feet to a 1/2  
18 inch iron rod set;
- 19          17. South 61°11'23" East a distance of 1143.61 feet to a 1/2  
20 inch iron rod set;
- 21          18. South 65°10'39" East a distance of 803.32 feet to a 1/2  
22 inch iron rod set;
- 23          19. South 61°59'47" East a distance of 1099.38 feet to a 1/2  
24 inch iron rod set;
- 25          20. South 60°47'14" East a distance of 1182.39 feet to a 1/2  
26 inch iron rod set;
- 27          21. South 62°12'45" East a distance of 2658.68 feet to a 1/2

1 inch iron rod set in the northwest line of a 56.678 acre access  
2 easement surveyed this same day by Watson & Associates of Mason for  
3 the west corner of a 0.203 acre proposed access easement surveyed  
4 this same day by Watson & Associates of Mason;

5         22. North 27°36'29" East a distance of 90.30 feet along the  
6 northwest line of both easements to a 1/2 inch iron rod set in the  
7 northeast line of said 27616.04 acre tract the southwest line of  
8 that certain 654.8 acre tract described in Volume 71, Page 255 of  
9 said Deed Records for the northeast corner of said 171.566 acre  
10 tract and a corner hereof;

11         THENCE along the southwest line of said 654.8 acre tract and  
12 the northeast line of said 27616.04 acre tract, the following 4  
13 courses:

14         1. South 59°35'48" East a distance of 43.06 feet to a 4 inch  
15 cedar fence corner post found for the southwest corner of County  
16 Road No. 107;

17         2. South 60°48'58" East a distance of 30.95 feet along the  
18 southwest line of said County Road No. 107 to a 10 inch cedar fence  
19 corner post found;

20         3. South 60°13'13" East a distance of 13.22 feet along the  
21 southwest line of said County Road No. 107 to a 10 inch cedar fence  
22 corner post found;

23         4. South 58°01'38" East a distance of 12.88 feet along the  
24 southwest line of said County Road No. 107 to a 3 inch pipe fence  
25 corner post found in the record northwest line of said Survey No. 7,  
26 the northwest line of that certain 125.32 acre tract described in  
27 Volume 765, Page 591 of said Official Public Records for the

1 southwest corner of said 654.8 acre tract and the northeast corner  
2 of said 27616.04 acre tract and a corner hereof;

3       THENCE South 27°36'29" West a distance of 775.80 feet along  
4 the general meanders of a fence for the record northwest line of  
5 said Survey No. 7, the northwest line of said 125.32 acre tract and  
6 a line of said 27616.04 acre tract to a 9 inch cedar fence corner  
7 post found for the southwest corner of said 125.32 acre tract, a  
8 corner of said 27616.04 acre tract and a corner hereof;

9       THENCE South 85°21'17" East a distance of 2831.97 feet along  
10 the general meanders of a fence for the south line of said 125.32  
11 acre tract and a line of said 27616.04 acre tract to a 12 inch cedar  
12 fence corner post found for the northwest corner of that certain  
13 500.00 acre tract described in Volume 130, Page 369 of said Deed  
14 Records and a corner hereof;

15       THENCE along the general meanders of a fence for the west line  
16 of said 500.00 acre tract, the following 14 courses:

17       1. South 12°22'40" East a distance of 879.30 feet to a 10  
18 inch cedar fence corner post found;

19       2. South 12°03'39" East a distance of 1682.40 feet to a 6  
20 inch cedar fence corner post found;

21       3. South 80°37'32" West a distance of 58.05 feet to a 8 inch  
22 cedar fence corner post found;

23       4. South 38°13'05" West a distance of 663.65 feet to a 2 inch  
24 pipe fence corner post found;

25       5. South 12°31'38" East a distance of 295.58 feet to a 10  
26 inch cedar fence corner post found;

27       6. South 12°37'04" East a distance of 201.79 feet to a 9 inch

1 cedar fence corner post found;

2 7. South 21°18'15" West a distance of 711.75 feet to a 8 inch  
3 cedar fence corner post found;

4 8. South 05°29'08" East a distance of 83.53 feet to a 8 inch  
5 cedar fence corner post found;

6 9. South 45°09'30" East a distance of 974.13 feet to a 1/2  
7 inch iron rod found;

8 10. North 80°43'55" East a distance of 391.10 feet to a 12  
9 inch cedar fence corner post found;

10 11. South 13°12'05" East a distance of 206.03 feet to a 10  
11 inch cedar fence corner post found;

12 12. South 17°07'00" East a distance of 309.85 feet to a 8  
13 inch cedar fence corner post found;

14 13. South 17°19'52" East a distance of 300.75 feet to a 7  
15 inch cedar fence corner post found;

16 14. South 11°57'04" East a distance of 1656.13 feet to a 12  
17 inch cedar fence corner post found in the north line of that certain  
18 953.4 acre tract described in Volume 1033, Page 957 of said Official  
19 Public Records and in a south line of said 27616.04 acre tract for  
20 the southwest corner of said 500.00 acre tract and a southeast  
21 corner hereof ;

22 THENCE along the general meanders of a fence for the north  
23 line of said 953.4 acre tract, a south line of said 27616.04 acre  
24 tract, the following 3 courses:

25 1. North 78°22'00" West a distance of 2397.92 feet to a 16  
26 inch cedar fence corner post found;

27 2. North 78°29'25" West a distance of 974.24 feet to a 10

1 inch cedar fence corner post found;

2           3. North 77°59'47" West a distance of 765.38 feet to a 10  
3 inch cedar fence corner post found in the record east line of said  
4 Survey No. 9 and the west line of said Survey No. 15 for the  
5 northwest corner of said 953.4 acre tract, a corner of said 27616.04  
6 acre tract and a corner hereof;

7           THENCE along the general meanders of a fence for the west line  
8 of said 953.4 acre tract and a line of said 27616.04 acre tract, the  
9 following 8 courses:

10           1. South 01°35'21" East a distance of 371.64 feet to a 8 inch  
11 cedar fence corner post found;

12           2. South 01°24'06" West a distance of 2135.88 feet to a 8  
13 inch cedar fence corner post found for the southeast corner of said  
14 Survey No. 9;

15           3. South 01°14'06" East a distance of 430.52 feet to a 12  
16 inch cedar fence corner post found;

17           4. South 01°17'42" East a distance of 929.66 feet to a 6 inch  
18 cedar fence corner post found;

19           5. South 02°32'23" East a distance of 1497.54 feet to a 8  
20 inch cedar fence corner post found;

21           6. South 00°35'44" West a distance of 1280.53 feet to a 8  
22 inch cedar fence corner post found;

23           7. South 18°37'23" West a distance of 575.39 feet to a 8 inch  
24 cedar fence corner post found;

25           8. South 01°58'59" East a distance of 2221.29 feet to the  
26 POINT OF BEGINNING, containing 21304.716 acres, more or less.

27           SECTION 3. (a) The legal notice of the intention to

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

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

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

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

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