

By: Gattis

H.B. No. 4817

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Goodwater 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 8315 to read as follows:

CHAPTER 8315. GOODWATER MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8315.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

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

Sec. 8315.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8315.003. 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. 8315.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8315.003 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. 8315.005. 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. 8315.006. 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 Sec. 8315.007. RELATION TO OTHER LAW. If any provision of  
27 the general law, including a provision incorporated by reference in

1 this chapter, is in conflict or inconsistent with this chapter,  
2 this chapter prevails.

3 Sec. 8315.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
4 chapter shall be liberally construed in conformity with the  
5 findings and purposes stated in this chapter.

6 [Sections 8315.009-8315.050 reserved for expansion]

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 8315.051. GOVERNING BODY; TERMS. (a) The district is  
9 governed by a board of five elected directors.

10 (b) Except as provided by Section 8315.052, directors serve  
11 staggered four-year terms.

12 Sec. 8315.052. TEMPORARY DIRECTORS. (a) On or after the  
13 effective date of the Act creating this chapter, the owner or owners  
14 of a majority of the assessed value of the real property in the  
15 district may submit a petition to the Texas Commission on  
16 Environmental Quality requesting that the commission appoint as  
17 temporary directors the five persons named in the petition. The  
18 commission shall appoint as temporary directors the five persons  
19 named in the petition.

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

21 (1) the date permanent directors are elected under  
22 Section 8315.003; or

23 (2) the fourth anniversary of the effective date of  
24 the Act creating this chapter.

25 (c) If permanent directors have not been elected under  
26 Section 8315.003 and the terms of the temporary directors have  
27 expired, successor temporary directors shall be appointed or

1 reappointed as provided by Subsection (d) to serve terms that  
2 expire on the earlier of:

3 (1) the date permanent directors are elected under  
4 Section 8315.003; or

5 (2) the fourth anniversary of the date of the  
6 appointment or reappointment.

7 (d) If Subsection (c) applies, the owner or owners of a  
8 majority of the assessed value of the real property in the district  
9 may submit a petition to the Texas Commission on Environmental  
10 Quality requesting that the commission appoint as successor  
11 temporary directors the five persons named in the petition. The  
12 commission shall appoint as successor temporary directors the five  
13 persons named in the petition.

14 [Sections 8315.053-8315.100 reserved for expansion]

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8315.101. GENERAL POWERS AND DUTIES. The district has  
17 the powers and duties necessary to accomplish the purposes for  
18 which the district is created.

19 Sec. 8315.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
20 DUTIES. The district has the powers and duties provided by the  
21 general law of this state, including Chapters 49 and 54, Water Code,  
22 applicable to municipal utility districts created under Section 59,  
23 Article XVI, Texas Constitution.

24 Sec. 8315.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
25 52, Article III, Texas Constitution, the district may design,  
26 acquire, construct, finance, issue bonds for, improve, operate,  
27 maintain, and convey to this state, a county, or a municipality for

1 operation and maintenance macadamized, graveled, or paved roads, or  
2 improvements, including storm drainage, in aid of those roads.

3 Sec. 8315.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
4 project must meet all applicable construction standards, zoning and  
5 subdivision requirements, and regulations of each municipality in  
6 whose corporate limits or extraterritorial jurisdiction the road  
7 project is located.

8 (b) If a road project is not located in the corporate limits  
9 or extraterritorial jurisdiction of a municipality, the road  
10 project must meet all applicable construction standards,  
11 subdivision requirements, and regulations of each county in which  
12 the road project is located.

13 (c) If the state will maintain and operate the road, the  
14 Texas Transportation Commission must approve the plans and  
15 specifications of the road project.

16 Sec. 8315.105. STREET REPAIR AND MAINTENANCE. (a) After  
17 the 10th anniversary of the effective date of the Act creating this  
18 chapter, the district, at the district's expense, shall repair and  
19 maintain any streets in the district.

20 (b) A district's repair and maintenance of streets under  
21 this section must meet all applicable construction standards and  
22 regulations of the City of Georgetown and Williamson County.

23 Sec. 8315.106. REGIONAL WASTE DISPOSAL POWERS AND DUTIES.  
24 The district has the powers and duties applicable to a district  
25 under Chapter 30, Water Code.

26 Sec. 8315.107. WASTEWATER TREATMENT FACILITY DESIGN  
27 APPROVAL. The district must obtain the approval of the Brazos River

1 Authority for the design of any district wastewater treatment  
2 facility.

3 Sec. 8315.108. WASTEWATER SERVICE PROVIDERS. Only the  
4 Brazos River Authority or a provider approved by the Brazos River  
5 Authority may provide wastewater service in the district.

6 Sec. 8315.109. COMPLIANCE WITH FEBRUARY 2005 AGREEMENT.  
7 The district shall comply with the terms of the "Agreement  
8 Regarding Sewer Services Areas and Customers" among the Lower  
9 Colorado River Authority, the Brazos River Authority, the City of  
10 Georgetown, the City of Liberty Hill, and the Chisholm Trail  
11 Special Utility District dated February 1, 2005.

12 Sec. 8315.110. DIVISION OF DISTRICT. (a) Subject to this  
13 section, the district may divide into two or more contiguous  
14 districts as provided by Sections 51.748, 51.749, 51.750, 51.751,  
15 51.752, and 51.753, Water Code. For the purpose of applying those  
16 sections, the district shall be considered an original district and  
17 a reference to "this chapter" shall be considered a reference to  
18 Chapter 54, Water Code.

19 (b) This chapter applies to any new district created by the  
20 division of the original district. Except as provided by  
21 Subsection (c), a new district has all the powers and duties of the  
22 original district.

23 (c) A district created by the division of the original  
24 district may not divide into two or more districts.

25 Sec. 8315.111. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
26 OR RESOLUTION. The district shall comply with all applicable  
27 requirements of any ordinance or resolution that is adopted under

1 Section 54.016 or 54.0165, Water Code, and that consents to the  
2 creation of the district or to the inclusion of land in the  
3 district.

4 Sec. 8315.112. LIMITATION ON USE OF EMINENT DOMAIN. The  
5 district may not exercise the power of eminent domain outside the  
6 district to acquire a site or easement for:

- 7 (1) a road project authorized by Section 8315.103; or  
8 (2) a recreational facility as defined by Section  
9 49.462, Water Code.

10 [Sections 8315.113-8315.150 reserved for expansion]

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Sec. 8315.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
13 district may issue, without an election, bonds and other  
14 obligations secured by:

- 15 (1) revenue other than ad valorem taxes; or  
16 (2) contract payments described by Section 8315.153.

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

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

25 Sec. 8315.152. OPERATION AND MAINTENANCE TAX. (a) If  
26 authorized at an election held under Section 8315.151, the district  
27 may impose an operation and maintenance tax on taxable property in

1 the district in accordance with Section 49.107, Water Code.

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

4 Sec. 8315.153. CONTRACT TAXES. (a) In accordance with  
5 Section 49.108, Water Code, the district may impose a tax other than  
6 an operation and maintenance tax and use the revenue derived from  
7 the tax to make payments under a contract after the provisions of  
8 the contract have been approved by a majority of the district voters  
9 voting at an election held for that purpose.

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

13 [Sections 8315.154-8315.200 reserved for expansion]

14 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

15 Sec. 8315.201. AUTHORITY TO ISSUE BONDS AND OTHER  
16 OBLIGATIONS. The district may issue bonds or other obligations  
17 payable wholly or partly from ad valorem taxes, impact fees,  
18 revenue, contract payments, grants, or other district money, or any  
19 combination of those sources, to pay for any authorized district  
20 purpose.

21 Sec. 8315.202. TAXES FOR BONDS. At the time the district  
22 issues bonds payable wholly or partly from ad valorem taxes, the  
23 board shall provide for the annual imposition of a continuing  
24 direct ad valorem tax, without limit as to rate or amount, while all  
25 or part of the bonds are outstanding as required and in the manner  
26 provided by Sections 54.601 and 54.602, Water Code.

27 Sec. 8315.203. BONDS FOR ROAD PROJECTS. At the time of



1 issuance, the total principal amount of bonds or other obligations  
2 issued or incurred to finance road projects and payable from ad  
3 valorem taxes may not exceed one-fourth of the assessed value of the  
4 real property in the district.

5 SECTION 2. The Goodwater Municipal Utility District No. 1  
6 initially includes all the territory contained in the following  
7 area:

8 TRACT ONE:

9 BEING 414.78 acres of the Burrell Eaves Survey, Abstract No.  
10 216, in Williamson County, Texas. This tract includes part of the  
11 property (3 tracts) which were conveyed to J. N. Adkins, et ux. of  
12 record in Vol. 328, Pg. 331, Deed Records of Williamson County,  
13 Texas. This tract was surveyed on the ground in August of 2005, by  
14 William F. Forest, Jr., Registered Professional Land Surveyor No.  
15 1847.

16 BEGINNING at an iron pin which was set at the Northeast fence  
17 corner of the J.N. Adkins tract called 34.2 acres (Tract 2) as  
18 described in Vol. 328, Pg. 331. This corner exists at the  
19 intersection of the South line of County Road 147 with the West line  
20 of County Road 234.

21 THENCE along or near the general line of an existing fence  
22 with the West line of County Road 234, setting iron pins as follows;  
23 S 14 deg. 12 min. 16 sec. W 1006.11 feet; S 14 deg. 51 min. 53 sec. W  
24 992.84 feet; and S 13 deg. 33 min. 34 sec. W 416.78 feet to the  
25 Northeast corner of the 4 1/4 acre property conveyed to the Church  
26 of Christ at Strickland Grove by deed of record in Vol. 111, Pg.  
27 510.

1           THENCE with the North line of the Church tract (upstream with  
2 the approximate center of Bee Branch), setting iron pins as  
3 follows; S 86 deg, 12 min. 17 sec. W 65.40 feet; S 68 deg. 12 min. 42  
4 sec. W 142.18 feet; N 68 deg. 33 min. 45 sec. W 28.04 feet; N 41 deg.  
5 48 min. 23 sec. W 175.27 feet; S 79 deg. 35 min. 37 sec. W 102.40  
6 feet; and S 67 deg. 20 min. 59 sec. W 225.13 feet.

7           THENCE with the boundary of a 100 acre tract surveyed this  
8 date, S 88 deg. 21 min. 38 sec. W 1669.98 feet to an iron pin set;  
9 and S 31 deg. 30 min. 55 sec. W 1459.02 feet to an iron pin set.

10           THENCE with the North line of State Highway 195, along or near  
11 the general line of an existing fence, finding concrete  
12 right-of-way markers, N 58 deg. 29 min. 05 sec. W 252.06 feet; N 58  
13 deg. 28 min. 23 sec. W 2000.17 feet; and N 58 deg. 29 min. 43 sec. W  
14 289.47 feet to an iron pin found.

15           THENCE with the East boundary of the Crisanto Perez property  
16 described in Vol. 1470, pg. 298, along or near the general line of  
17 an existing fence, N 23 deg. 39 min. 06 sec. W 2206.68 feet to a pipe  
18 post found.

19           THENCE with the boundary of County Road 147, along or near the  
20 general line of an existing fence setting iron pins as follows; N 69  
21 deg. 45 min. 29 sec. E 422.90 feet; N 69 deg. 55 min. 48 sec. E  
22 1885.44 feet; N 70 deg. 04 min. 45 sec. E 2297.59 feet; N 87 deg. 50  
23 min. 55 sec. E 59.60 feet; S 19 deg. 47 min. 36 sec. E 1977.28 feet;  
24 and N 70 deg. 44 min. 56 sec. E 1774.08 feet to the POINT OF  
25 BEGINNING.

26           TRACT TWO:

27           A tract or parcel of land containing 4.988 acres of land out

1 of the Burrell Eaves Survey, Abstract No. 216, Williamson County,  
2 Texas, being all of a called 4.99 acre tract conveyed to the William  
3 Erwin Kemp and Margaret Elizabeth Kemp Trust recorded under  
4 Document No. 2001006723 of the Official Public Records Of  
5 Williamson County, Texas, said 4.988 acres being more particularly  
6 described by metes and bounds as follows:

7 BEGINNING at a 1/2 inch iron rod found at the most westerly corner  
8 of the herein described tract, being a southerly corner of said  
9 Third Tract, a residue of a 140.8 acre tract conveyed to J.N.  
10 Adkins, et ux recorded in Volume 328, Page 331 of the Deed Records  
11 of Williamson County, Texas and lying in the northeasterly  
12 right-of-way line of Highway 195;

13 Thence, North 50°55'10" East, along an interior line of said Third  
14 Tract, a distance of 467.27 feet to a 1/2 inch iron rod found at the  
15 most northerly corner of the herein described tract;

16 Thence, South 33°00'00" East (Bearing Basis), along an interior line  
17 of said Third Tract, a distance of 707.49 feet to a 1/2 inch iron rod  
18 found at the most east corner of the herein described tract and  
19 lying in the northerly right-of-way line of County Road 143;

20 Thence, South 70°37'00" West, along the northerly right-of-way line  
21 of said County Road 143, a distance of 147.18 feet to a 1/2 inch iron  
22 rod set at an angle point of the herein described tract;

23 Thence, South 73°57'48" West, continuing along the northerly  
24 right-of-way line of said County Road 143, a distance of 60.48 feet  
25 to a 1/2 inch iron rod found at the most southerly corner of the  
26 herein described tract, being in the northeasterly right-of-way  
27 line of said Highway 195 and being the beginning of a curve to the

1 left;

2 Thence, along the northeasterly right-of-way line of said Highway  
3 195 along said curve to the left through a central angle of 02°12'49"  
4 to a 1/2 inch iron rod set for a point of tangency, said curve having  
5 a radius of 8235.11 feet, an arc length of 318.14 feet, and a long  
6 chord bearing of North 56°00'26" West, 318.12 feet;

7 Thence, North 57°01'00" West, continuing along the northeasterly  
8 right-of-way line of said Highway 195, a distance of 342.54 feet to  
9 the POINT OF BEGINNING, containing 4.988 acres of land.

10 TRACT THREE:

11 Being 1.00 acre of the Burrell Eaves Survey, Abstract No.  
12 261, in Williamson County, Texas, part of a 103 acre tract which is  
13 described in Vol. 757, Page 461, Deed Records of Williamson County,  
14 Texas. Surveyed on the ground in October of 1984, by W.F. Forest,  
15 Registered Public Surveyor No. 101.

16 BEGINNING at an iron pin set about 1 foot North of a fence in the  
17 North line of County Road 147, 35 feet wide. A nail set by the  
18 Southeast fence corner of the said 103 acre tract bears N 72°07' E  
19 251.03 feet.

20 THENCE S 72°07' W 150.0 feet to set an iron pin.

21 THENCE N 17°53" W 290.4 feet to set an iron pin.

22 THENCE N 72°07' E 150.0 feet to set an iron pin.

23 THENCE S 17°53' E 290.4 feet to the POINT OF BEGINNING.

24 TRACT FOUR:

25 Being 5.00 acres of land located in the Burrell Eaves Survey,  
26 Abstract No. 216, Williamson County, Texas, being out of and part of  
27 that certain 103 acre tract as recorded in document no. 2002078621,

1 Official Public Records of Williamson County, Texas,  
2 (O.P.R.W.C.T.), being the same 5.00 acres conveyed to Carl  
3 Satterlee, et ux by deed recorded in Document No. 2001019450,  
4 O.P.R.W.C.T., and being more particularly described by metes and  
5 bounds as follows: (all bearings recited herein ARE BASED ON THE  
6 MONUMENTED NORTH LINE OF THE SAID 103 ACRES);  
7 BEGINNING, at a 1/2" iron rod found for the southeast corner of the  
8 said 5.00 acres, being in a southerly line of the said 103 acres and  
9 being in the north right-of-way line of County road 147;  
10 THENCE, S 70°36'46" W, along said north right-of-way line, a  
11 distance of 466.67 feet to a 1/2" iron rod found for the southwest  
12 corner herein;  
13 THENCE, N 19°23'51" W, departing said north right-of-way line, a  
14 distance of 466.75 feet to a 1/2" iron rod found for the northwest  
15 corner herein;  
16 THENCE, N 70°35'54" E, a distance of 466.62 feet to a 1/2" iron rod  
17 found for the northeast corner herein;  
18 THENCE, S 19°24'14" E, a distance of 466.86 feet to the POINT OF  
19 BEGINNING containing 5.00 acres of land, more or less.

20 TRACT FIVE:

21 Being 85.237 acres of land located in the Burrell Eaves  
22 Survey, Abstract No. 216, Williamson County, Texas, said tract  
23 being all of that certain called 103 acre tract of land conveyed to  
24 Earline D. Ischy by warranty deed recorded in Document No.  
25 2002078621, Official Public Records of Williamson County, Texas,  
26 (O.P.R.W.C.T.), save and except the following certain tracts of  
27 land: that certain 4.127 acre tract conveyed to Kay R. & Alvy A.

1 Byrd In Document No. 2003002085 (O.P.R.W.C.T.), that certain 1.00  
2 acre tract of land conveyed to Gordon Crum & Joann Crum by warranty  
3 deed recorded in Volume 1104, Page 337, Official Records of  
4 Williamson County, Texas, (O.R.W.C.T.), that certain 5.00 acre  
5 tract conveyed to Adkins Land Development, L.P. in Document No.  
6 2006054629 (O.P.R.W.C.T.), that certain 5.00 acre tract conveyed to  
7 Louis F. Ischy III & Sheila J. Ischy in Document No. 2001040530  
8 (O.P.R.W.C.T.), and that certain 1.00 acre tract conveyed to Bruce  
9 Levens in Document No. 2004072477 (O.P.R.W.C.T.), said 85.237 acre  
10 tract being more particularly described by metes and bounds as  
11 follows: (ALL BEARINGS RECITED HEREIN ARE BASED ON THE MONUMENTED  
12 NORTH LINE OF THE SAID 103 ACRES);  
13 COMMENCING for reference, at a 1/2" iron rod found at the northwest  
14 corner of said 103 acre tract, said point being the common South  
15 corner of those certain 5.0 acre and 27.39 acre tracts conveyed to  
16 Darren Barker by deeds recorded in Volume 1415, Page 344  
17 (O.R.W.C.T.), and Document No. 2006011593 (O.P.R.W.C.T.), the  
18 northwest corner of that certain 4.127 acre tract of land conveyed  
19 to Kay R. Byrd and Alvy A. Byrd by deed recorded in Document No.  
20 2003002085 (O.P.R.W.C.T.), and being an ell turn in the  
21 northeasterly right-of-way line of County Road 147;  
22 THENCE, N69°54'25"E, a distance of 341.99 feet to a nail found in a  
23 fence post at the southeast corner of said 27.39 acre Barker tract,  
24 same being the southwest corner of that certain 38.66 acre tract of  
25 land conveyed to Richard Burson by deed recorded in Volume 498, Page  
26 577 (O.R.W.C.T.), and N69°55'59"E, a distance of 19.57 feet, to an  
27 1/2" iron rod found at the northeast corner of said Byrd tract, for

1 the northwest corner and POINT OF BEGINNING;  
2 THENCE, with the north line of said 103 acre tract, same being the  
3 South line of said Burson tract, as fenced and used upon the ground,  
4 the following three (3) courses numbered 1 through 3,  
5       1. N69°53'00"E, a distance of 1566.04 feet to a capped 1/2"  
6 iron rod found (RPLS No. 4835), for an exterior angle point in the  
7 north line of the herein described tract,  
8       2. S29°55'01"E, a distance of 225.22 feet to a 1/2" iron rod  
9 found, for an interior angle point in the north line of the herein  
10 described tract,  
11       3. N70°02'20"E, a distance of 669.19 feet to a nail found in  
12 the west right-of-way line of County Road 234, for the northeast  
13 corner herein;  
14 THENCE, following said right-of-way line, same being the east line  
15 of said 103 acre tract, as fenced and used upon the ground, the  
16 following five (5) courses numbered 1 through 5,  
17       1. S01°11'54"E, a distance of 187.72 feet to a fence post,  
18 for an angle point,  
19       2. S00°17'33"W, a distance of 144.21 feet to a fence post,  
20 for an angle point,  
21       3. S02°33'16"W, a distance of 128.85 feet to a fence post,  
22 for an angle point,  
23       4. S08°27'57"W, a distance of 469.22 feet to a fence post,  
24 for an angle point,  
25       5. S10°32'20"W, 155.00 feet to a 1/2" iron rod set at  
26 northeast corner of that certain 1.00 acre tract of land conveyed to  
27 Bruce Levens by deed recorded in Document No. 2004072477

1 (O.P..R.W.C.T.), for an exterior ell corner in the east line of the  
2 herein described tract;

3 THENCE, leaving said right-of-way line, following the north,  
4 westerly, and south lines of said Levens tract, as fenced and used  
5 upon the ground, the following four (4) courses numbered 1 through  
6 4,

7 1. N87°50'51"W, a distance of 149.83 feet to a capped 1/2"  
8 iron rod found (RPLS No. 4835) at the northwest corner of said  
9 Levens tract, for an interior angle point of the herein described  
10 tract,

11 2. S39°09'37"W, a distance of 131.89 feet to a 1/2" iron rod  
12 set, at an exterior angle point in the west line of said Levens  
13 tract, same being an interior angle point in the east line of the  
14 herein described tract,

15 3. S01°43'30"E, a distance of 113.40 feet to a capped 1/2"  
16 iron rod found (RPLS No. 4835), at the southwest corner of said  
17 Levens tract, for an interior ell corner in the east line of the  
18 herein described tract,

19 4. S84°17'48"E, a distance of 209.17 feet to a 1/2" iron rod  
20 set at the southeast comer of said Levens tract, said point being in  
21 the West right-of-way line of said County Road 234, for an exterior  
22 ell corner in the east line of the herein described tract;

23 THENCE, following said right-of-way line, same being the east line  
24 of said 103 acre tract, the following two (2) courses numbered 1 and  
25 2;

26 1. S07°22'21"W, a distance of 407.91 feet to a fence post,  
27 for an angle point,



1           2. S07°42'02"W, a distance of 282.14 feet to a nail found in  
2 a fence post, at the northwest intersection of said County Road 234  
3 and said County Road 147, said point being the southeast of said 103  
4 acre tract, for the southeast corner herein;  
5 THENCE, S70°35'27"W, following the north right-of-way line of said  
6 County Road 147, same being the South line of said 103 acre tract, a  
7 distance of 251.03 feet to a calculated point at the southeast  
8 corner of said 1.00 acre Crum tract, for an exterior ell comer in  
9 the south line of the herein described tract;  
10 THENCE, the following three (3) courses numbered 1 through 3,  
11           1. N19°24'33"W, with the east line of said Crum tract, a  
12 distance of 290.40 feet to a calculated point, at the northeast  
13 corner of said Crum tract, for an interior ell corner in the south  
14 line of the herein described tract,  
15           2. S70°35'27"W, with the north line of said Crum tract, a  
16 distance of 150.00 feet to a calculated point at the northwest  
17 corner of said Crum tract, for an interior ell corner in the south  
18 line of the herein described tract,  
19           3. S19°24'33"E, with the west line of said Crum tract, a  
20 distance of 290.40 feet to a calculated point at the southwest  
21 corner of said Crum tract, said point being in the north  
22 right-of-way line of said County Road 147, for an exterior ell  
23 corner in the south line of the herein described tract;  
24 THENCE, S70°35'27"W, with the fenced right-of-way line, a distance  
25 of 650.48 feet to a 1/2" iron rod found at the southeast corner of  
26 that certain 5.00 acre tract of land conveyed to Adkins Land  
27 Development L.P, by Warranty Deed recorded in Document No.

1 2006054629 (O.P.R.W.C.T.), for an exterior ell corner in the south  
2 line of the herein described tract;

3 THENCE, leaving said right-of-way line, the following three (3)  
4 courses numbered 1 through 3,

5 1. N19°23'57"W, with the east line of said 5.00 acre tract, a  
6 distance of 466.86 feet to a 1/2" iron rod found at the northeast  
7 corner of said 5.00 acre tract, for an interior ell corner in the  
8 south line of the herein described tract,

9 2. S70°36'11"W, with the north line of said 5.00 acre tract,  
10 a distance of 466.62 feet to a 1/2" iron rod found at the northwest  
11 corner of said 5.00 acre tract, for an interior ell corner in the  
12 south line of the herein described tract,

13 3. S19°23'34"E, with the west line of said 5.00 acre tract, a  
14 distance of 466.75 feet to a 1/2" iron rod found at the southwest  
15 corner of said 5.00 acre tract, said point being in the north  
16 right-of-way line of said County Road 147, for an exterior ell corner  
17 in the south line of the herein described tract;

18 THENCE, with the fenced right-of-way line of said County Road 147,  
19 the following two (2) courses and distances numbered 1 and 2,

20 1. S71°33'31"W, a distance of 218.98 feet to a fence post,  
21 for an angle point,

22 2. S86°55'25"W, a distance of 29.45 feet to a fence post,  
23 said point being an ell turn in the northeasterly right-of-way line  
24 of said County Road 147, same being the southwest corner of said 103  
25 acre tract, for the southwest corner herein;

26 THENCE, with the west line of the herein described tract, the  
27 following seven (7) courses numbered 1 through 7,

1           1. N19°48'38"W, a distance of 933.55 feet to a 1/2" iron rod  
2 found at the southwest corner of that certain 5.00 acre tract of  
3 land conveyed to Louis Eschy III and Sheila J. Ischy by deed  
4 recorded in Document No. 2001040530 (O.P.R.W.C.T.), for an exterior  
5 ell corner in the west line of the herein described tract,

6           2. leaving said right-of-way line, N70°21'26"E, following  
7 the south line of said Ischy tract, a distance of 466.66 feet to a  
8 1/2" iron rod found at the southeast corner of said Ischy tract, for  
9 an interior ell corner in the west line of the herein described  
10 tract,

11          3. N19°38'15"W, with the east line of said Ischy tract, a  
12 distance of 466.66 feet to a 1/2" iron rod found at the northeast  
13 corner of said Ischy tract, for an interior ell corner in the west  
14 line of the herein described tract,

15          4. S70°21'31"W, with the north line of said Ischy tract, a  
16 distance of 466.75 feet to an 1/2" iron rod found at the northwest  
17 corner of said Ischy tract, said point being in the east  
18 right-of-way line of said County Road 147, for an exterior ell  
19 corner in the west line of the herein described tract,

20          5. along said east right-of-way line, N19°37'05"W, a  
21 distance of 90.02 feet to an 1/2" iron rod found at the southwest  
22 corner of said 4.127 acre Byrd tract, for an exterior ell corner in  
23 the west line of the herein described tract,

24          6. leaving said right-of-way line, N69°41'13"E, with the  
25 south line of said Byrd tract, a distance of 360.68 feet to a fence  
26 post at the southeast corner of said Byrd tract, for an interior ell  
27 corner in the west line of the herein described tract,

1           7. N19°31'49"W, with the east line of said Byrd tract, a  
2 distance of 496.05 feet to the POINT OF BEGINNING containing 85.237  
3 Acres Of Land.

4           TRACT SIX:

5           Being 100.00 acres of the Burrell Eaves Survey, Abstract No.  
6 216, Williamson County, Texas. This property includes part of  
7 Tracts 1 and 3 which were conveyed to J.N. Adkins, et. ux. of record  
8 in Vol. 328, Pg. 331, Deed Records of Williamson County, Texas.  
9 This tract was surveyed on the ground in August of 2005, by William  
10 F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

11           BEGINNING at an iron pin which was set at the Southeast fence  
12 corner of the J.N. Adkins tract called 140.8 acres (Tract 3) as  
13 described in Vol. 328, Pg. 331. This corner exists at the  
14 intersection of the West line of County Road 234 with the North line  
15 of County Road 143.

16           THENCE along or near the general line of an existing fence  
17 with the North line of County Road 143, S 70 deg. 03 min. 56 sec. W  
18 1109.27 feet to an iron pin set.

19           THENCE with the boundary of a 4.99 acre tract which was  
20 conveyed to Kemp Trust as described in Doc. 2001006723; N 34 deg. 20  
21 min. 49 sec. W 706.93 feet to an iron pin found; and S 49 deg. 32  
22 min. 11 sec. W 467.33 feet to an iron pin found.

23           THENCE with the Northeast line of State Highway 195, along or  
24 near the general line of an existing fence, N 58 deg. 30 min. 09 sec.  
25 W 451.94 feet to a concrete right-of-way marker found; and N 58 deg.  
26 29 min. 05 sec. W 747.32 feet to an iron pin set.

27           THENCE with the boundary of a 414.78 acre tract surveyed this

1 date, N 31 deg. 30 min. 55 sec. E 1459.02 feet to an iron pin set;  
2 and N 88 deg. 21 min.38 sec. E 1669.98 feet to an iron pin set.

3 THENCE with the boundary of the 4 1/4 acre tract conveyed to  
4 the Church of Christ at Strickland Grove as described in Vol. 111,  
5 Pg. 510, S 07 deg. 43 min. 05 sec. E 283.91 feet to an iron pin set;  
6 and N 87 deg. 56 min. 23 sec. E 488.74 feet to a steel cotton spindle  
7 set.

8 THENCE with the West line of County Road 234, along or near  
9 the general line of an existing fence, setting iron pins at bends as  
10 follows: S 23 deg. 07 min. 23 sec. W 842.18 feet; S 16 deg. 01 min.  
11 02 sec. W 69.58 feet; S 01 deg. 17 min. 24 sec. W 21.50 feet; S 06  
12 deg. 55 min. 45 sec. E 27.00 feet; S 11 deg. 23 min. 45 sec. E 68.43  
13 feet; and S 18 deg. 12 min. 26 sec. E 616.09 feet to the POINT OF  
14 BEGINNING.

15 SECTION 3. (a) The legal notice of the intention to  
16 introduce this Act, setting forth the general substance of this  
17 Act, has been published as provided by law, and the notice and a  
18 copy of this Act have been furnished to all persons, agencies,  
19 officials, or entities to which they are required to be furnished  
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
21 Government Code.

22 (b) The governor, one of the required recipients, has  
23 submitted the notice and Act to the Texas Commission on  
24 Environmental Quality.

25 (c) The Texas Commission on Environmental Quality has filed  
26 its recommendations relating to this Act with the governor, the  
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

2           (d) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act are fulfilled  
5 and accomplished.

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