

1-1 By: Gattis (Senate Sponsor - Ogden) H.B. No. 4817
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4817 By: Nichols

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Goodwater Municipal Utility
1-11 District No. 1; providing authority to impose taxes and issue
1-12 bonds; granting a limited power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle X, Title 6, Special District Local Laws
1-15 Code, is amended by adding Chapter 11004 to read as follows:

1-16 CHAPTER 11004. GOODWATER MUNICIPAL UTILITY DISTRICT NO. 1

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 11004.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Goodwater Municipal Utility
1-22 District No. 1.

1-23 Sec. 11004.002. NATURE OF DISTRICT. The district is a
1-24 combined powers district created under Section 59, Article XVI,
1-25 Texas Constitution.

1-26 Sec. 11004.003. CONFIRMATION AND DIRECTORS' ELECTION
1-27 REQUIRED. The temporary directors shall hold an election to
1-28 confirm the creation of the district and to elect five permanent
1-29 directors as provided by Section 49.102, Water Code.

1-30 Sec. 11004.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-31 temporary directors may not hold an election under Section
1-32 11004.003 until each municipality in whose corporate limits or
1-33 extraterritorial jurisdiction the district is located has
1-34 consented by ordinance or resolution to the creation of the
1-35 district and to the inclusion of land in the district.

1-36 Sec. 11004.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-37 (a) The district is created to serve a public purpose and benefit.

1-38 (b) The district is created to accomplish the purposes of:

1-39 (1) a municipal utility district as provided by
1-40 general law and Section 59, Article XVI, Texas Constitution;

1-41 (2) Section 52, Article III, Texas Constitution, that
1-42 relate to the construction, acquisition, improvement, operation,
1-43 or maintenance of macadamized, graveled, or paved roads, or
1-44 improvements, including storm drainage, in aid of those roads; and

1-45 (3) Section 52-a, Article III, Texas Constitution, to
1-46 promote, develop, encourage, and maintain employment, commerce,
1-47 economic development, and the public welfare in the district.

1-48 Sec. 11004.006. INITIAL DISTRICT TERRITORY. (a) The
1-49 district is initially composed of the territory described by
1-50 Section 2 of the Act creating this chapter.

1-51 (b) The boundaries and field notes contained in Section 2 of
1-52 the Act creating this chapter form a closure. A mistake made in the
1-53 field notes or in copying the field notes in the legislative process
1-54 does not affect the district's:

1-55 (1) organization, existence, or validity;

1-56 (2) right to issue any type of bond for the purposes
1-57 for which the district is created or to pay the principal of and
1-58 interest on a bond;

1-59 (3) right to impose a tax; or

1-60 (4) legality or operation.

1-61 Sec. 11004.007. RELATION TO OTHER LAW. If any provision of
1-62 the general law, including a provision incorporated by reference in
1-63 this chapter, is in conflict or inconsistent with this chapter,

2-1 this chapter prevails.
 2-2 Sec. 11004.008. LIBERAL CONSTRUCTION OF CHAPTER. This
 2-3 chapter shall be liberally construed in conformity with the
 2-4 findings and purposes stated in this chapter.
 2-5 [Sections 11004.009-11004.050 reserved for expansion]
 2-6 SUBCHAPTER B. BOARD OF DIRECTORS
 2-7 Sec. 11004.051. GOVERNING BODY; TERMS. (a) The district is
 2-8 governed by a board of five elected directors.
 2-9 (b) Except as provided by Section 11004.052, directors
 2-10 serve staggered four-year terms.
 2-11 Sec. 11004.052. TEMPORARY DIRECTORS. (a) On or after the
 2-12 effective date of the Act creating this chapter, the owner or owners
 2-13 of a majority of the assessed value of the real property in the
 2-14 district may submit a petition to the Texas Commission on
 2-15 Environmental Quality requesting that the commission appoint as
 2-16 temporary directors the five persons named in the petition. The
 2-17 commission shall appoint as temporary directors the five persons
 2-18 named in the petition.
 2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 11004.003; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act creating this chapter.
 2-24 (c) If permanent directors have not been elected under
 2-25 Section 11004.003 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:
 2-29 (1) the date permanent directors are elected under
 2-30 Section 11004.003; or
 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.
 2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the Texas Commission on Environmental
 2-36 Quality requesting that the commission appoint as successor
 2-37 temporary directors the five persons named in the petition. The
 2-38 commission shall appoint as successor temporary directors the five
 2-39 persons named in the petition.
 2-40 [Sections 11004.053-11004.100 reserved for expansion]
 2-41 SUBCHAPTER C. POWERS AND DUTIES
 2-42 Sec. 11004.101. GENERAL POWERS AND DUTIES. The district
 2-43 has the powers and duties necessary to accomplish the purposes for
 2-44 which the district is created.
 2-45 Sec. 11004.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-46 DUTIES. The district has the powers and duties provided by the
 2-47 general law of this state, including Chapters 49 and 54, Water Code,
 2-48 applicable to municipal utility districts created under Section 59,
 2-49 Article XVI, Texas Constitution.
 2-50 Sec. 11004.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-51 52, Article III, Texas Constitution, the district may design,
 2-52 acquire, construct, finance, issue bonds for, improve, operate,
 2-53 maintain, and convey to this state, a county, or a municipality for
 2-54 operation and maintenance macadamized, graveled, or paved roads, or
 2-55 improvements, including storm drainage, in aid of those roads.
 2-56 Sec. 11004.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-57 road project must meet all applicable construction standards,
 2-58 zoning and subdivision requirements, and regulations of each
 2-59 municipality in whose corporate limits or extraterritorial
 2-60 jurisdiction the road project is located.
 2-61 (b) If a road project is not located in the corporate limits
 2-62 or extraterritorial jurisdiction of a municipality, the road
 2-63 project must meet all applicable construction standards,
 2-64 subdivision requirements, and regulations of each county in which
 2-65 the road project is located.
 2-66 (c) If the state will maintain and operate the road, the
 2-67 Texas Transportation Commission must approve the plans and
 2-68 specifications of the road project.
 2-69 Sec. 11004.105. STREET REPAIR AND MAINTENANCE. (a) After

3-1 the 10th anniversary of the effective date of the Act creating this
3-2 chapter, the district, at the district's expense, shall repair and
3-3 maintain any streets in the district.

3-4 (b) A district's repair and maintenance of streets under
3-5 this section must meet all applicable construction standards and
3-6 regulations of the City of Georgetown and Williamson County.

3-7 Sec. 11004.106. REGIONAL WASTE DISPOSAL POWERS AND DUTIES.
3-8 The district has the powers and duties applicable to a district
3-9 under Chapter 30, Water Code.

3-10 Sec. 11004.107. WASTEWATER TREATMENT FACILITY DESIGN
3-11 APPROVAL. The district must obtain the approval of the Brazos River
3-12 Authority for the design of any district wastewater treatment
3-13 facility.

3-14 Sec. 11004.108. WASTEWATER SERVICE PROVIDERS. Only the
3-15 Brazos River Authority or a provider approved by the Brazos River
3-16 Authority may provide wastewater service in the district.

3-17 Sec. 11004.109. COMPLIANCE WITH FEBRUARY 2005 AGREEMENT.
3-18 The district shall comply with the terms of the "Agreement
3-19 Regarding Sewer Services Areas and Customers" among the Lower
3-20 Colorado River Authority, the Brazos River Authority, the City of
3-21 Georgetown, the City of Liberty Hill, and the Chisholm Trail
3-22 Special Utility District dated February 1, 2005.

3-23 Sec. 11004.110. DIVISION OF DISTRICT. (a) The district may
3-24 be divided into two or more new districts only if:

3-25 (1) the district has no outstanding bonded debt; and
3-26 (2) the district is not imposing ad valorem taxes.

3-27 (b) This chapter applies to any new district created by the
3-28 division of the district, and a new district has all the powers and
3-29 duties of the district.

3-30 (c) Any new district created by the division of the district
3-31 may not, at the time the new district is created, contain any land
3-32 outside the area described by Section 2 of the Act creating this
3-33 chapter.

3-34 (d) The board, on its own motion or on receipt of a petition
3-35 signed by the owner or owners of a majority of the assessed value of
3-36 the real property in the district, may adopt an order dividing the
3-37 district.

3-38 (e) The board may adopt an order dividing the district
3-39 before or after the date the board holds an election under Section
3-40 11004.003 to confirm the district's creation.

3-41 (f) An order dividing the district shall:

3-42 (1) name each new district;
3-43 (2) include the metes and bounds description of the
3-44 territory of each new district;
3-45 (3) appoint temporary directors for each new district
3-46 or provide that the owner or owner of a majority of the assessed
3-47 value of the real property in each new district may submit a
3-48 petition to the Texas Commission on Environmental Quality
3-49 requesting that the commission appoint as temporary directors the
3-50 five persons named in the petition; and
3-51 (4) provide for the division of assets and liabilities
3-52 between or among the new districts.

3-53 (g) On or before the 30th day after the date of adoption of
3-54 an order dividing the district, the district shall file the order
3-55 with the commission and record the order in the real property
3-56 records of each county in which the district is located.

3-57 (h) Any new district created by the division of the district
3-58 shall hold a confirmation and directors' election as required by
3-59 Section 11004.003. A new district that is not confirmed is subject
3-60 to dissolution under general laws.

3-61 (i) Municipal consent to the creation of the district and to
3-62 the inclusion of land in the district granted under Section
3-63 11004.004 acts as municipal consent to the creation of any new
3-64 district created under this section and to the inclusion of land in
3-65 the new district.

3-66 (j) Any new district created by the division of the district
3-67 must hold an election as required by this chapter to obtain voter
3-68 approval before the district may impose a maintenance tax or issue
3-69 bonds payable wholly or partly from ad valorem taxes.

4-1 Sec. 11004.111. COMPLIANCE WITH MUNICIPAL CONSENT
4-2 ORDINANCE OR RESOLUTION. The district shall comply with all
4-3 applicable requirements of any ordinance or resolution that is
4-4 adopted under Section 54.016 or 54.0165, Water Code, and that
4-5 consents to the creation of the district or to the inclusion of land
4-6 in the district.

4-7 Sec. 11004.112. LIBRARIES. The district may exercise the
4-8 powers of a library district under Chapter 326, Local Government
4-9 Code.

4-10 Sec. 11004.113. EXERCISE OF POWERS OF DEVELOPMENT
4-11 CORPORATION. The district may exercise the powers of a development
4-12 corporation under Chapter 505, Local Government Code.

4-13 Sec. 11004.114. LIMITATION ON USE OF EMINENT DOMAIN. The
4-14 district may not exercise the power of eminent domain outside the
4-15 district to acquire a site or easement for:

4-16 (1) a road project authorized by Section 11004.103;

4-17 or

4-18 (2) a recreational facility as defined by Section
4-19 49.462, Water Code.

4-20 [Sections 11004.115-11004.150 reserved for expansion]

4-21 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-22 Sec. 11004.151. ELECTIONS REGARDING TAXES OR BONDS. (a)
4-23 The district may issue, without an election, bonds and other
4-24 obligations secured by:

4-25 (1) revenue other than ad valorem taxes; or

4-26 (2) contract payments described by Section 11004.153.

4-27 (b) The district must hold an election in the manner
4-28 provided by Chapters 49 and 54, Water Code, to obtain voter approval
4-29 before the district may impose an ad valorem tax, impose a sales or
4-30 use tax, or issue bonds payable from ad valorem taxes.

4-31 (c) The district may not issue bonds payable from ad valorem
4-32 taxes to finance a road project unless the issuance is approved by a
4-33 vote of a two-thirds majority of the district voters voting at an
4-34 election held for that purpose.

4-35 Sec. 11004.152. OPERATION AND MAINTENANCE TAX. (a) If
4-36 authorized at an election held under Section 11004.151, the
4-37 district may impose an operation and maintenance tax on taxable
4-38 property in the district in accordance with Section 49.107, Water
4-39 Code.

4-40 (b) The board shall determine the tax rate. The rate may not
4-41 exceed the rate approved at the election.

4-42 Sec. 11004.153. CONTRACT TAXES. (a) In accordance with
4-43 Section 49.108, Water Code, the district may impose a tax other than
4-44 an operation and maintenance tax and use the revenue derived from
4-45 the tax to make payments under a contract after the provisions of
4-46 the contract have been approved by a majority of the district voters
4-47 voting at an election held for that purpose.

4-48 (b) A contract approved by the district voters may contain a
4-49 provision stating that the contract may be modified or amended by
4-50 the board without further voter approval.

4-51 [Sections 11004.154-11004.200 reserved for expansion]

4-52 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-53 Sec. 11004.201. AUTHORITY TO ISSUE BONDS AND OTHER
4-54 OBLIGATIONS. The district may issue bonds or other obligations
4-55 payable wholly or partly from ad valorem taxes, impact fees,
4-56 revenue, contract payments, grants, or other district money, or any
4-57 combination of those sources, to pay for any authorized district
4-58 purpose.

4-59 Sec. 11004.202. TAXES FOR BONDS. At the time the district
4-60 issues bonds payable wholly or partly from ad valorem taxes, the
4-61 board shall provide for the annual imposition of a continuing
4-62 direct ad valorem tax, without limit as to rate or amount, while all
4-63 or part of the bonds are outstanding as required and in the manner
4-64 provided by Sections 54.601 and 54.602, Water Code.

4-65 Sec. 11004.203. BONDS FOR ROAD PROJECTS. At the time of
4-66 issuance, the total principal amount of bonds or other obligations
4-67 issued or incurred to finance road projects and payable from ad
4-68 valorem taxes may not exceed one-fourth of the assessed value of the
4-69 real property in the district.

5-1 SECTION 2. The Goodwater Municipal Utility District No. 1
5-2 initially includes all the territory contained in the following
5-3 area:

5-4 TRACT ONE:

5-5 BEING 414.78 acres of the Burrell Eaves Survey, Abstract No.
5-6 216, in Williamson County, Texas. This tract includes part of the
5-7 property (3 tracts) which were conveyed to J. N. Adkins, et ux. of
5-8 record in Vol. 328, Pg. 331, Deed Records of Williamson County,
5-9 Texas. This tract was surveyed on the ground in August of 2005, by
5-10 William F. Forest, Jr., Registered Professional Land Surveyor No.
5-11 1847.

5-12 BEGINNING at an iron pin which was set at the Northeast fence
5-13 corner of the J.N. Adkins tract called 34.2 acres (Tract 2) as
5-14 described in Vol. 328, Pg. 331. This corner exists at the
5-15 intersection of the South line of County Road 147 with the West line
5-16 of County Road 234.

5-17 THENCE along or near the general line of an existing fence
5-18 with the West line of County Road 234, setting iron pins as follows;
5-19 S 14 deg. 12 min. 16 sec. W 1006.11 feet; S 14 deg. 51 min. 53 sec. W
5-20 992.84 feet; and S 13 deg. 33 min. 34 sec. W 416.78 feet to the
5-21 Northeast corner of the 4 1/4 acre property conveyed to the Church
5-22 of Christ at Strickland Grove by deed of record in Vol. 111, Pg.
5-23 510.

5-24 THENCE with the North line of the Church tract (upstream with
5-25 the approximate center of Bee Branch), setting iron pins as
5-26 follows; S 86 deg. 12 min. 17 sec. W 65.40 feet; S 68 deg. 12 min. 42
5-27 sec. W 142.18 feet; N 68 deg. 33 min. 45 sec. W 28.04 feet; N 41 deg.
5-28 48 min. 23 sec. W 175.27 feet; S 79 deg. 35 min. 37 sec. W 102.40
5-29 feet; and S 67 deg. 20 min. 59 sec. W 225.13 feet.

5-30 THENCE with the boundary of a 100 acre tract surveyed this
5-31 date, S 88 deg. 21 min. 38 sec. W 1669.98 feet to an iron pin set;
5-32 and S 31 deg. 30 min. 55 sec. W 1459.02 feet to an iron pin set.

5-33 THENCE with the North line of State Highway 195, along or near
5-34 the general line of an existing fence, finding concrete
5-35 right-of-way markers, N 58 deg. 29 min. 05 sec. W 252.06 feet; N 58
5-36 deg. 28 min. 23 sec. W 2000.17 feet; and N 58 deg. 29 min. 43 sec. W
5-37 289.47 feet to an iron pin found.

5-38 THENCE with the East boundary of the Crisanto Perez property
5-39 described in Vol. 1470, pg. 298, along or near the general line of
5-40 an existing fence, N 23 deg. 39 min. 06 sec. W 2206.68 feet to a pipe
5-41 post found.

5-42 THENCE with the boundary of County Road 147, along or near the
5-43 general line of an existing fence setting iron pins as follows; N 69
5-44 deg. 45 min. 29 sec. E 422.90 feet; N 69 deg. 55 min. 48 sec. E
5-45 1885.44 feet; N 70 deg. 04 min. 45 sec. E 2297.59 feet; N 87 deg. 50
5-46 min. 55 sec. E 59.60 feet; S 19 deg. 47 min. 36 sec. E 1977.28 feet;
5-47 and N 70 deg. 44 min. 56 sec. E 1774.08 feet to the POINT OF
5-48 BEGINNING.

5-49 TRACT TWO:

5-50 A tract or parcel of land containing 4.988 acres of land out
5-51 of the Burrell Eaves Survey, Abstract No. 216, Williamson County,
5-52 Texas, being all of a called 4.99 acre tract conveyed to the William
5-53 Erwin Kemp and Margaret Elizabeth Kemp Trust recorded under
5-54 Document No. 2001006723 of the Official Public Records Of
5-55 Williamson County, Texas, said 4.988 acres being more particularly
5-56 described by metes and bounds as follows:

5-57 BEGINNING at a 1/2 inch iron rod found at the most westerly corner
5-58 of the herein described tract, being a southerly corner of said
5-59 Third Tract, a residue of a 140.8 acre tract conveyed to J.N.
5-60 Adkins, et ux recorded in Volume 328, Page 331 of the Deed Records
5-61 of Williamson County, Texas and lying in the northeasterly
5-62 right-of-way line of Highway 195;

5-63 Thence, North 50°55'10" East, along an interior line of said Third
5-64 Tract, a distance of 467.27 feet to a 1/2 inch iron rod found at the
5-65 most northerly corner of the herein described tract;

5-66 Thence, South 33°00'00" East (Bearing Basis), along an interior line
5-67 of said Third Tract, a distance of 707.49 feet to a 1/2 inch iron rod
5-68 found at the most east corner of the herein described tract and
5-69 lying in the northerly right-of-way line of County Road 143;

6-1 Thence, South 70°37'00" West, along the northerly right-of-way line
 6-2 of said County Road 143, a distance of 147.18 feet to a 1/2 inch iron
 6-3 rod set at an angle point of the herein described tract;
 6-4 Thence, South 73°57'48" West, continuing along the northerly
 6-5 right-of-way line of said County Road 143, a distance of 60.48 feet
 6-6 to a 1/2 inch iron rod found at the most southerly corner of the
 6-7 herein described tract, being in the northeasterly right-of-way
 6-8 line of said Highway 195 and being the beginning of a curve to the
 6-9 left;
 6-10 Thence, along the northeasterly right-of-way line of said Highway
 6-11 195 along said curve to the left through a central angle of 02°12'49"
 6-12 to a 1/2 inch iron rod set for a point of tangency, said curve having
 6-13 a radius of 8235.11 feet, an arc length of 318.14 feet, and a long
 6-14 chord bearing of North 56°00'26" West, 318.12 feet;
 6-15 Thence, North 57°01'00" West, continuing along the northeasterly
 6-16 right-of-way line of said Highway 195, a distance of 342.54 feet to
 6-17 the POINT OF BEGINNING, containing 4.988 acres of land.

TRACT THREE:

6-18
 6-19 Being 1.00 acre of the Burrell Eaves Survey, Abstract No.
 6-20 261, in Williamson County, Texas, part of a 103 acre tract which is
 6-21 described in Vol. 757, Page 461, Deed Records of Williamson County,
 6-22 Texas. Surveyed on the ground in October of 1984, by W.F. Forest,
 6-23 Registered Public Surveyor No. 101.
 6-24 BEGINNING at an iron pin set about 1 foot North of a fence in the
 6-25 North line of County Road 147, 35 feet wide. A nail set by the
 6-26 Southeast fence corner of the said 103 acre tract bears N 72°07' E
 6-27 251.03 feet.
 6-28 THENCE S 72°07' W 150.0 feet to set an iron pin.
 6-29 THENCE N 17°53" W 290.4 feet to set an iron pin.
 6-30 THENCE N 72°07' E 150.0 feet to set an iron pin.
 6-31 THENCE S 17°53' E 290.4 feet to the POINT OF BEGINNING.

TRACT FOUR:

6-32
 6-33 Being 5.00 acres of land located in the Burrell Eaves Survey,
 6-34 Abstract No. 216, Williamson County, Texas, being out of and part of
 6-35 that certain 103 acre tract as recorded in document no. 2002078621,
 6-36 Official Public Records of Williamson County, Texas,
 6-37 (O.P.R.W.C.T.), being the same 5.00 acres conveyed to Carl
 6-38 Satterlee, et ux by deed recorded in Document No. 2001019450,
 6-39 O.P.R.W.C.T., and being more particularly described by metes and
 6-40 bounds as follows: (all bearings recited herein ARE BASED ON THE
 6-41 MONUMENTED NORTH LINE OF THE SAID 103 ACRES);
 6-42 BEGINNING, at a 1/2" iron rod found for the southeast corner of the
 6-43 said 5.00 acres, being in a southerly line of the said 103 acres and
 6-44 being in the north right-of-way line of County road 147;
 6-45 THENCE, S 70°36'46" W, along said north right-of-way line, a
 6-46 distance of 466.67 feet to a 1/2" iron rod found for the southwest
 6-47 corner herein;
 6-48 THENCE, N 19°23'51" W, departing said north right-of-way line, a
 6-49 distance of 466.75 feet to a 1/2" iron rod found for the northwest
 6-50 corner herein;
 6-51 THENCE, N 70°35'54" E, a distance of 466.62 feet to a 1/2" iron rod
 6-52 found for the northeast corner herein;
 6-53 THENCE, S 19°24'14" E, a distance of 466.86 feet to the POINT OF
 6-54 BEGINNING containing 5.00 acres of land, more or less.

TRACT FIVE:

6-55
 6-56 Being 85.237 acres of land located in the Burrell Eaves
 6-57 Survey, Abstract No. 216, Williamson County, Texas, said tract
 6-58 being all of that certain called 103 acre tract of land conveyed to
 6-59 Earline D. Ischy by warranty deed recorded in Document No.
 6-60 2002078621, Official Public Records of Williamson County, Texas,
 6-61 (O.P.R.W.C.T.), save and except the following certain tracts of
 6-62 land: that certain 4.127 acre tract conveyed to Kay R. & Alvy A.
 6-63 Byrd In Document No. 2003002085 (O.P.R.W.C.T.), that certain 1.00
 6-64 acre tract of land conveyed to Gordon Crum & Joann Crum by warranty
 6-65 deed recorded in Volume 1104, Page 337, Official Records of
 6-66 Williamson County, Texas, (O.R.W.C.T.), that certain 5.00 acre
 6-67 tract conveyed to Adkins Land Development, L.P. in Document No.
 6-68 2006054629 (O.P.R.W.C.T.), that certain 5.00 acre tract conveyed to
 6-69 Louis F. Ischy III & Sheila J. Ischy in Document No. 2001040530

7-1 (O.P.R.W.C.T.), and that certain 1.00 acre tract conveyed to Bruce
7-2 Levens in Document No. 2004072477 (O.P.R.W.C.T.), said 85.237 acre
7-3 tract being more particularly described by metes and bounds as
7-4 follows: (ALL BEARINGS RECITED HEREIN ARE BASED ON THE MONUMENTED
7-5 NORTH LINE OF THE SAID 103 ACRES);
7-6 COMMENCING for reference, at a 1/2" iron rod found at the northwest
7-7 corner of said 103 acre tract, said point being the common South
7-8 corner of those certain 5.0 acre and 27.39 acre tracts conveyed to
7-9 Darren Barker by deeds recorded in Volume 1415, Page 344
7-10 (O.R.W.C.T.), and Document No. 2006011593 (O.P.R.W.C.T.), the
7-11 northwest corner of that certain 4.127 acre tract of land conveyed
7-12 to Kay R. Byrd and Alvy A. Byrd by deed recorded in Document No.
7-13 2003002085 (O.P.R.W.C.T.), and being an ell turn in the
7-14 northeasterly right-of-way line of County Road 147;
7-15 THENCE, N69°54'25"E, a distance of 341.99 feet to a nail found in a
7-16 fence post at the southeast corner of said 27.39 acre Barker tract,
7-17 same being the southwest corner of that certain 38.66 acre tract of
7-18 land conveyed to Richard Burson by deed recorded in Volume 498, Page
7-19 577 (O.R.W.C.T.), and N69°55'59"E, a distance of 19.57 feet, to an
7-20 1/2" iron rod found at the northeast corner of said Byrd tract, for
7-21 the northwest corner and POINT OF BEGINNING;
7-22 THENCE, with the north line of said 103 acre tract, same being the
7-23 South line of said Burson tract, as fenced and used upon the ground,
7-24 the following three (3) courses numbered 1 through 3,
7-25 1. N69°53'00"E, a distance of 1566.04 feet to a capped 1/2"
7-26 iron rod found (RPLS No. 4835), for an exterior angle point in the
7-27 north line of the herein described tract,
7-28 2. S29°55'01"E, a distance of 225.22 feet to a 1/2" iron rod
7-29 found, for an interior angle point in the north line of the herein
7-30 described tract,
7-31 3. N70°02'20"E, a distance of 669.19 feet to a nail found in
7-32 the west right-of-way line of County Road 234, for the northeast
7-33 corner herein;
7-34 THENCE, following said right-of-way line, same being the east line
7-35 of said 103 acre tract, as fenced and used upon the ground, the
7-36 following five (5) courses numbered 1 through 5,
7-37 1. S01°11'54"E, a distance of 187.72 feet to a fence post,
7-38 for an angle point,
7-39 2. S00°17'33"W, a distance of 144.21 feet to a fence post,
7-40 for an angle point,
7-41 3. S02°33'16"W, a distance of 128.85 feet to a fence post,
7-42 for an angle point,
7-43 4. S08°27'57"W, a distance of 469.22 feet to a fence post,
7-44 for an angle point,
7-45 5. S10°32'20"W, 155.00 feet to a 1/2" iron rod set at
7-46 northeast corner of that certain 1.00 acre tract of land conveyed to
7-47 Bruce Levens by deed recorded in Document No. 2004072477
7-48 (O.P..R.W.C.T.), for an exterior ell corner in the east line of the
7-49 herein described tract;
7-50 THENCE, leaving said right-of-way line, following the north,
7-51 westerly, and south lines of said Levens tract, as fenced and used
7-52 upon the ground, the following four (4) courses numbered 1 through
7-53 4,
7-54 1. N87°50'51"W, a distance of 149.83 feet to a capped 1/2"
7-55 iron rod found (RPLS No. 4835) at the northwest corner of said
7-56 Levens tract, for an interior angle point of the herein described
7-57 tract,
7-58 2. S39°09'37"W, a distance of 131.89 feet to a 1/2" iron rod
7-59 set, at an exterior angle point in the west line of said Levens
7-60 tract, same being an interior angle point in the east line of the
7-61 herein described tract,
7-62 3. S01°43'30"E, a distance of 113.40 feet to a capped 1/2"
7-63 iron rod found (RPLS No. 4835), at the southwest corner of said
7-64 Levens tract, for an interior ell corner in the east line of the
7-65 herein described tract,
7-66 4. S84°17'48"E, a distance of 209.17 feet to a 1/2" iron rod
7-67 set at the southeast comer of said Levens tract, said point being in
7-68 the West right-of-way line of said County Road 234, for an exterior
7-69 ell corner in the east line of the herein described tract;

8-1 THENCE, following said right-of-way line, same being the east line
8-2 of said 103 acre tract, the following two (2) courses numbered 1 and
8-3 2;
8-4 1. S07°22'21"W, a distance of 407.91 feet to a fence post,
8-5 for an angle point,
8-6 2. S07°42'02"W, a distance of 282.14 feet to a nail found in
8-7 a fence post, at the northwest intersection of said County Road 234
8-8 and said County Road 147, said point being the southeast of said 103
8-9 acre tract, for the southeast corner herein;
8-10 THENCE, S70°35'27"W, following the north right-of-way line of said
8-11 County Road 147, same being the South line of said 103 acre tract, a
8-12 distance of 251.03 feet to a calculated point at the southeast
8-13 corner of said 1.00 acre Crum tract, for an exterior ell comer in
8-14 the south line of the herein described tract;
8-15 THENCE, the following three (3) courses numbered 1 through 3,
8-16 1. N19°24'33"W, with the east line of said Crum tract, a
8-17 distance of 290.40 feet to a calculated point, at the northeast
8-18 corner of said Crum tract, for an interior ell corner in the south
8-19 line of the herein described tract,
8-20 2. S70°35'27"W, with the north line of said Crum tract, a
8-21 distance of 150.00 feet to a calculated point at the northwest
8-22 corner of said Crum tract, for an interior ell corner in the south
8-23 line of the herein described tract,
8-24 3. S19°24'33"E, with the west line of said Crum tract, a
8-25 distance of 290.40 feet to a calculated point at the southwest
8-26 corner of said Crum tract, said point being in the north
8-27 right-of-way line of said County Road 147, for an exterior ell
8-28 corner in the south line of the herein described tract;
8-29 THENCE, S70°35'27"W, with the fenced right-of-way line, a distance
8-30 of 650.48 feet to a 1/2" iron rod found at the southeast corner of
8-31 that certain 5.00 acre tract of land conveyed to Adkins Land
8-32 Development L.P. by Warranty Deed recorded in Document No.
8-33 2006054629 (O.P.R.W.C.T.), for an exterior ell corner in the south
8-34 line of the herein described tract;
8-35 THENCE, leaving said right-of-way line, the following three (3)
8-36 courses numbered 1 through 3,
8-37 1. N19°23'57"W, with the east line of said 5.00 acre tract, a
8-38 distance of 466.86 feet to a 1/2" iron rod found at the northeast
8-39 corner of said 5.00 acre tract, for an interior ell corner in the
8-40 south line of the herein described tract,
8-41 2. S70°36'11"W, with the north line of said 5.00 acre tract,
8-42 a distance of 466.62 feet to a 1/2" iron rod found at the northwest
8-43 corner of said 5.00 acre tract, for an interior ell corner in the
8-44 south line of the herein described tract,
8-45 3. S19°23'34"E, with the west line of said 5.00 acre tract, a
8-46 distance of 466.75 feet to a 1/2" iron rod found at the southwest
8-47 corner of said 5.00 acre tract, said point being in the north
8-48 right-of-way line of said County Road 147, for an exterior ell comer
8-49 in the south line of the herein described tract;
8-50 THENCE, with the fenced right-of-way line of said County Road 147,
8-51 the following two (2) courses and distances numbered 1 and 2,
8-52 1. S71°33'31"W, a distance of 218.98 feet to a fence post,
8-53 for an angle point,
8-54 2. S86°55'25"W, a distance of 29.45 feet to a fence post,
8-55 said point being an ell turn in the northeasterly right-of-way line
8-56 of said County Road 147, same being the southwest comer of said 103
8-57 acre tract, for the southwest corner herein;
8-58 THENCE, with the west line of the herein described tract, the
8-59 following seven (7) courses numbered 1 through 7,
8-60 1. N19°48'38"W, a distance of 933.55 feet to a 1/2" iron rod
8-61 found at the southwest corner of that certain 5.00 acre tract of
8-62 land conveyed to Louis Eschy III and Sheila J. Ischy by deed
8-63 recorded in Document No. 2001040530 (O.P.R.W.C.T.), for an exterior
8-64 ell corner in the west line of the herein described tract,
8-65 2. leaving said right-of-way line, N70°21'26"E, following
8-66 the south line of said Ischy tract, a distance of 466.66 feet to a
8-67 1/2" iron rod found at the southeast corner of said Ischy tract, for
8-68 an interior ell corner in the west line of the herein described
8-69 tract,

9-1 3. N19°38'15"W, with the east line of said Ischy tract, a
 9-2 distance of 466.66 feet to a 1/2" iron rod found at the northeast
 9-3 corner of said Ischy tract, for an interior ell corner in the west
 9-4 line of the herein described tract,

9-5 4. S70°21'31"W, with the north line of said Ischy tract, a
 9-6 distance of 466.75 feet to an 1/2" iron rod found at the northwest
 9-7 corner of said Ischy tract, said point being in the east
 9-8 right-of-way line of said County Road 147, for an exterior ell
 9-9 corner in the west line of the herein described tract,

9-10 5. along said east right-of-way line, N19°37'05"W, a
 9-11 distance of 90.02 feet to an 1/2" iron rod found at the southwest
 9-12 corner of said 4.127 acre Byrd tract, for an exterior ell corner in
 9-13 the west line of the herein described tract,

9-14 6. leaving said right-of-way line, N69°41'13"E, with the
 9-15 south line of said Byrd tract, a distance of 360.68 feet to a fence
 9-16 post at the southeast corner of said Byrd tract, for an interior ell
 9-17 corner in the west line of the herein described tract,

9-18 7. N19°31'49"W, with the east line of said Byrd tract, a
 9-19 distance of 496.05 feet to the POINT OF BEGINNING containing 85.237
 9-20 Acres Of Land.

9-21 TRACT SIX:

9-22 Being 100.00 acres of the Burrell Eaves Survey, Abstract No.
 9-23 216, Williamson County, Texas. This property includes part of
 9-24 Tracts 1 and 3 which were conveyed to J.N. Adkins, et. ux. of record
 9-25 in Vol. 328, Pg. 331, Deed Records of Williamson County, Texas.
 9-26 This tract was surveyed on the ground in August of 2005, by William
 9-27 F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

9-28 BEGINNING at an iron pin which was set at the Southeast fence
 9-29 corner of the J.N. Adkins tract called 140.8 acres (Tract 3) as
 9-30 described in Vol. 328, Pg. 331. This corner exists at the
 9-31 intersection of the West line of County Road 234 with the North line
 9-32 of County Road 143.

9-33 THENCE along or near the general line of an existing fence
 9-34 with the North line of County Road 143, S 70 deg. 03 min. 56 sec. W
 9-35 1109.27 feet to an iron pin set.

9-36 THENCE with the boundary of a 4.99 acre tract which was
 9-37 conveyed to Kemp Trust as described in Doc. 2001006723; N 34 deg. 20
 9-38 min. 49 sec. W 706.93 feet to an iron pin found; and S 49 deg. 32
 9-39 min. 11 sec. W 467.33 feet to an iron pin found.

9-40 THENCE with the Northeast line of State Highway 195, along or
 9-41 near the general line of an existing fence, N 58 deg. 30 min. 09 sec.
 9-42 W 451.94 feet to a concrete right-of-way marker found; and N 58 deg.
 9-43 29 min. 05 sec. W 747.32 feet to an iron pin set.

9-44 THENCE with the boundary of a 414.78 acre tract surveyed this
 9-45 date, N 31 deg. 30 min. 55 sec. E 1459.02 feet to an iron pin set;
 9-46 and N 88 deg. 21 min. 38 sec. E 1669.98 feet to an iron pin set.

9-47 THENCE with the boundary of the 4 1/4 acre tract conveyed to
 9-48 the Church of Christ at Strickland Grove as described in Vol. 111,
 9-49 Pg. 510, S 07 deg. 43 min. 05 sec. E 283.91 feet to an iron pin set;
 9-50 and N 87 deg. 56 min. 23 sec. E 488.74 feet to a steel cotton spindle
 9-51 set.

9-52 THENCE with the West line of County Road 234, along or near
 9-53 the general line of an existing fence, setting iron pins at bends as
 9-54 follows: S 23 deg. 07 min. 23 sec. W 842.18 feet; S 16 deg. 01 min.
 9-55 02 sec. W 69.58 feet; S 01 deg. 17 min. 24 sec. W 21.50 feet; S 06
 9-56 deg. 55 min. 45 sec. E 27.00 feet; S 11 deg. 23 min. 45 sec. E 68.43
 9-57 feet; and S 18 deg. 12 min. 26 sec. E 616.09 feet to the POINT OF
 9-58 BEGINNING.

9-59 SECTION 3. (a) The legal notice of the intention to
 9-60 introduce this Act, setting forth the general substance of this
 9-61 Act, has been published as provided by law, and the notice and a
 9-62 copy of this Act have been furnished to all persons, agencies,
 9-63 officials, or entities to which they are required to be furnished
 9-64 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 9-65 Government Code.

9-66 (b) The governor, one of the required recipients, has
 9-67 submitted the notice and Act to the Texas Commission on
 9-68 Environmental Quality.

9-69 (c) The Texas Commission on Environmental Quality has filed

10-1 its recommendations relating to this Act with the governor, the
10-2 lieutenant governor, and the speaker of the house of
10-3 representatives within the required time.

10-4 (d) All requirements of the constitution and laws of this
10-5 state and the rules and procedures of the legislature with respect
10-6 to the notice, introduction, and passage of this Act are fulfilled
10-7 and accomplished.

10-8 SECTION 4. This Act takes effect immediately if it receives
10-9 a vote of two-thirds of all the members elected to each house, as
10-10 provided by Section 39, Article III, Texas Constitution. If this
10-11 Act does not receive the vote necessary for immediate effect, this
10-12 Act takes effect September 1, 2009.

10-13

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