

By: Farney

H.B. No. 1355

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the North San Gabriel Municipal Utility District of Williamson County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 8432 to read as follows:

CHAPTER 8432. NORTH SAN GABRIEL MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8432.001. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the North San Gabriel Municipal Utility District of Williamson County.

Sec. 8432.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8432.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8432.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)

3 The district is created to serve a public purpose and benefit.

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

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

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

11 Sec. 8432.005. INITIAL DISTRICT TERRITORY. (a) The
12 district is initially composed of the territory described by
13 Section 2 of the Act enacting this chapter.

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

18 (1) organization, existence, or validity;

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

22 (3) right to impose a tax; or

23 (4) legality or operation.

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 8432.051. GOVERNING BODY; TERMS. (a) The district is
26 governed by a board of five elected directors.

27 (b) Except as provided by Section 8432.052, directors serve

1 staggered four-year terms.

2 Sec. 8432.052. TEMPORARY DIRECTORS. (a) The temporary
3 board consists of:

- 4 (1) _____;
- 5 (2) _____;
- 6 (3) _____;
- 7 (4) _____; and
- 8 (5) _____.

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

- 10 (1) the date permanent directors are elected under
11 Section 8432.003; or
- 12 (2) September 1, 2017.

13 (c) If permanent directors have not been elected under
14 Section 8432.003 and the terms of the temporary directors have
15 expired, successor temporary directors shall be appointed or
16 reappointed as provided by Subsection (d) to serve terms that
17 expire on the earlier of:

- 18 (1) the date permanent directors are elected under
19 Section 8432.003; or
- 20 (2) the fourth anniversary of the date of the
21 appointment or reappointment.

22 (d) If Subsection (c) applies, the owner or owners of a
23 majority of the assessed value of the real property in the district
24 may submit a petition to the commission requesting that the
25 commission appoint as successor temporary directors the five
26 persons named in the petition. The commission shall appoint as
27 successor temporary directors the five persons named in the

1 petition.

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 8432.101. GENERAL POWERS AND DUTIES. The district has
4 the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 8432.102. MUNICIPAL UTILITY DISTRICT POWERS AND
7 DUTIES. The district has the powers and duties provided by the
8 general law of this state, including Chapters 49 and 54, Water Code,
9 applicable to municipal utility districts created under Section 59,
10 Article XVI, Texas Constitution.

11 Sec. 8432.103. AUTHORITY FOR ROAD PROJECTS. Under Section
12 52, Article III, Texas Constitution, the district may design,
13 acquire, construct, finance, issue bonds for, improve, operate,
14 maintain, and convey to this state, a county, or a municipality for
15 operation and maintenance macadamized, graveled, or paved roads, or
16 improvements, including storm drainage, in aid of those roads.

17 Sec. 8432.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
18 project must meet all applicable construction standards, zoning and
19 subdivision requirements, and regulations of each municipality in
20 whose corporate limits or extraterritorial jurisdiction the road
21 project is located.

22 (b) If a road project is not located in the corporate limits
23 or extraterritorial jurisdiction of a municipality, the road
24 project must meet all applicable construction standards,
25 subdivision requirements, and regulations of each county in which
26 the road project is located.

27 (c) If the state will maintain and operate the road, the

1 Texas Transportation Commission must approve the plans and
2 specifications of the road project.

3 Sec. 8432.105. DIVISION OF DISTRICT. (a) The district may
4 be divided into two or more new districts only if the district:

5 (1) has no outstanding bonded debt; and

6 (2) is not imposing ad valorem taxes.

7 (b) This chapter applies to any new district created by the
8 division of the district, and a new district has all the powers and
9 duties of the district.

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

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

18 (e) The board may adopt an order dividing the district
19 before or after the date the board holds an election under Section
20 8432.003 to confirm the district's creation.

21 (f) An order dividing the district shall:

22 (1) name each new district;

23 (2) include the metes and bounds of each new district;

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

25 and

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

1 (g) On or before the 30th day after the date of adoption of
2 an order dividing the district, the district shall file the order
3 with the Texas Commission on Environmental Quality and record the
4 order in the real property records of each county in which the
5 district is located.

6 (h) Any new district created by the division of the district
7 shall hold a confirmation and directors' election as required by
8 Section 8432.003.

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

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8432.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
15 district may issue, without an election, bonds and other
16 obligations secured by revenue other than ad valorem taxes.

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. 8432.152. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized at an election held under Section 8432.151, 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 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

5 Sec. 8432.201. AUTHORITY TO ISSUE BONDS AND OTHER
6 OBLIGATIONS. The district may issue bonds or other obligations
7 payable wholly or partly from ad valorem taxes, impact fees,
8 revenue, contract payments, tax increment payments, grants, or
9 other district money, or any combination of those sources, to pay
10 for any authorized district purpose.

11 Sec. 8432.202. TAXES FOR BONDS. At the time the district
12 issues bonds payable wholly or partly from ad valorem taxes, the
13 board shall provide for the annual imposition of a continuing
14 direct ad valorem tax, without limit as to rate or amount, while all
15 or part of the bonds are outstanding as required and in the manner
16 provided by Sections 54.601 and 54.602, Water Code.

17 Sec. 8432.203. BONDS FOR ROAD PROJECTS. At the time of
18 issuance, the total principal amount of bonds or other obligations
19 issued or incurred to finance road projects and payable from ad
20 valorem taxes may not exceed one-fourth of the assessed value of the
21 real property in the district.

22 SECTION 2. The North San Gabriel Municipal Utility District
23 of Williamson County initially includes all the territory contained
24 in the following area:

25 TRACT 1

26 BEING 846.46 acres which is situated in Williamson County, Texas;
27 and including a portion of an existing County Roadway No. 214, which

1 is in use as an undedicated public roadway crossing this site. This
2 property is situated in the following land grant surveys: Richard
3 West A-643, James Hackett A-312, John McDevitt A-415, William H.
4 McCullough A-465, J.H. Lee A-835, J.L. Brown A-788, and E. Mather
5 A-434. This property includes a tract called 832.52 acres as
6 described in a deed to ASC River Oaks Ranch Ltd. by deed filed in
7 Doc. 2006063875, Official Records of Williamson County, Texas
8 (ORWCT); and encloses a 5.00 acre tract which is subject to the Life
9 Estate of H.C. & B.Z. Carothers. Said 5.00 acres being conveyed to
10 ASC River Oaks Ranch Ltd. by deed filed in Doc. 2006063874 (ORWCT).
11 An Exception Tract which is enclosed by this description (and
12 having a separate chain of title) is the 1.00 acre tract (43637
13 square feet area) which is described in a deed to Frank Haskell as
14 conveyed in Doc. 9862950 (Lot 1 of the Longhorn Sub., a plat filed
15 in Cab. G, Slide 96, Plat Records). Also included in this tract and
16 being conveyed as a part of this property is the 12.94 acre property
17 and associated easement rights which were conveyed to ASC River
18 Oaks Ranch Ltd. as described in Doc. 2006063876 (ORWCT). This
19 description does not include a separate 20.03 acre tract which was
20 conveyed to ASC River Oaks Ranch Ltd. (Doc. 2006063876). It is noted
21 that all monumentation found is in agreement with the record
22 descriptions except as specifically described hereafter. The
23 bearing basis for this survey is the State Plane Coordinate System
24 Grid North, Texas Central Zone. Line codes used in this description
25 are in agreement with the survey plat prepared in February of 2008
26 and revised in August of 2008. This property was surveyed on the
27 ground in February of 2008, by William F. Forest, Jr., Registered

1 Professional Land Surveyor No. 1847.
2 BEGINNING at a 1/2 inch iron pin which was found in the Southeast
3 line of County Road 214, at the Southwest corner of the said 20.03
4 acre property conveyed to ASC River Oaks Ranch Ltd. and at a corner
5 in the East boundary of the said 832.52 acre tract. This corner is
6 the record Point of Beginning of the said adjoining properties.
7 THENCE with the South line of the said 20.03 acre tract and the
8 North line of the 832.52 acre property, N 78 deg. 19 min. 30 sec. E
9 476.51 feet to a 3 inch pipe post found; N 80 deg. 18 min. 03 sec. E
10 271.33 feet to a 1/2 inch iron pin found; and (L63) N 80 deg. 18
11 min. 03 sec. E 176.43 feet to the approximate center of the North
12 San Gabriel River.
13 THENCE following the East boundary of the said 832.52 acre property
14 and its common boundary with the property of Bill D. Warren (10
15 10/502), downstream with the approximate center of the river, (L11)
16 S 46 deg. 43
17 min. 33 sec. E 109.42 feet, S 59 deg. 27 min. 32 sec. E 282.99 feet;
18 (L12) S 73 deg. 26 min. 53 sec. E 193.06 feet; S 68 deg. 45 min. 42
19 sec. E 657.07 feet; S 52 deg. 49 min. 13 sec. E joining the common
20 boundary of the property of Don Hart (681/877), in all 301.0 feet; S
21 42 deg. 59 min. 41 sec. E 276.64 feet to a 1/2 inch iron pin found; S
22 18 deg. 08 min. 05 sec. E 301.01 feet to a 1/2, inch iron pin found;
23 S 35 deg. 58 min. 46 sec. E 475.93 feet; and (L13) S 23 deg. 17 min.
24 44 sec. E 171.50 feet to the most Easterly Southeast corner of the
25 said property called 832.52 acres as described in the deed to ASC
26 River Oaks Ranch Ltd.
27 THENCE with the boundary of 40.13 acres conveyed to M.C.

1 Huffstutler, Jr. as described in Vol. 2541, Pg. 236; (with the
2 centerline of a dry branch) finding 1/2 inch iron pins as follows;
3 (L14) S 86 deg. 46 min. 55 sec. W 90.15 feet; (L15) N 51 deg. 39 min.
4 52 sec. W 61.91 feet; (L16) S 82 deg. 01 min. 17 sec. W 125.42 feet;
5 (L17) N 52 deg. 08 min. 49 sec. W 202.61 feet; N 33 deg. 11 min. 17
6 sec. W 243.66 feet; (L18) N 18 deg. 31 min. 22 sec. W 104.48 feet;
7 and (L19) S 61 deg. 41 min. 42 sec. W 181.21 feet.

8 THENCE continuing with the Huffstutler boundary, (L20) S 31 deg. 56
9 min. 46 sec. E 21.38 feet to a nail found in an 18 inch Liveoak;
10 finding 1/2 inch iron pins in a fence as follows; (L21) S 21 deg. 42
11 min. 35 sec. E 48.27 feet; (L22) S 13 deg. 23 min. 48 sec. E 96.79
12 feet; (L23) S 02 deg. 18 min. 51 sec. E 100.41 feet to a nail found
13 in a 36" cedar; (L24) S 08 deg. 11 min. 11 sec. W 129.91 feet; (L25)
14 S 36 deg. 39 min. 40 sec. W 198.04 feet; and S 19 deg. 33 min. 23 sec.
15 E 831.90 feet.

16 THENCE along or near an existing fence, S 19 deg. 36 min. 59 sec. E
17 549.98 feet to a nail found in a 30 inch Liveoak at a West corner of
18 a 16.68 acre tract conveyed to R. Scott Mokry by Doc. 9706618.

19 THENCE with the South line of the John McDevitt Survey and the North
20 line of the E.B. Smith Survey, Abstract No. 585, along or near an
21 existing fence, finding 1/2 inch iron pins as follows; (with common
22 boundary of D.Q. Cardwell Doc. 9721391, and Pamela S. Cardwell Doc.
23 9707840) S 70 deg. 24 deg. 03 min. W385.43 feet; S 70 deg. 32 min. 54
24 sec. W319.14 feet to the common North corner of David Parker Doc.
25 9903918 and Thad Gillespie 6 ac. Doc. 2001025074; S 70 deg. 36 min.
26 34 sec. W325.40 feet; S 70 deg. 46 min. 17 sec. W 350.12 feet to the
27 common North corner of Thad Gillespie 5.29 ac. Doc. 2000027374 and

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1 Thad Gillespie 10.12 ac. Doc. 2002029891; S 70 deg. 26 min. 23 sec.
2 W 293.45 feet; S 70 deg. 54 min. 05 sec. W 572.40 feet to the common
3 North corner between properties conveyed to Richard Cox, et. ux.
4 Doc. 9831913; S 70 deg. 57 min. 57 sec. W 401.66 feet to a 3 inch
5 pipe post found.

6 THENCE continuing with the North line of the J.L. Brown Survey,
7 Abstract No. 788 and the boundary of the Steve Watson property
8 (2692/186); S 70 deg. 57 min. 19 sec. W 2602.47 feet to a 1/2 inch
9 capped iron pin set in place of a nail found; S 71 deg. 11 min. 32
10 sec. W 262.71 feet to a 3 inch pipe found; finding 1/2 inch iron pins
11 as follows S 70 deg. 31 min. 24 sec. W 536.78 feet; S 22 deg. 34 min.
12 56 sec. E 224.93 feet; (L26) S 17 deg. 31 min. 43 sec. E 160.30 feet
13 to a nail found in an 18 inch Liveoak; S 19 deg. 55 min. 24 sec. E
14 294.43 feet to a 1/2 inch capped iron pin set in place of a nail
15 found in an 18 inch Liveoak; (L27) S 24 deg. 57 min. 31 sec. E 176.20
16 feet to a 3 inch pipe post found; S 30 deg. 52 min. 42 sec. E 527.65
17 feet to a 1/2 inch iron pin found; finding 3 inch pipe posts as
18 follows; S 30 deg. 57 min. 25 sec. E 330.08 feet; (L28) S 26 deg. 03
19 min. 07 sec. E 98.67 feet; (L29) S 19 deg. 41 min. 50 sec. E 124.35
20 feet; and S 19 deg. 48 min. 19 sec. E 248.65 feet to a 1/2 inch iron
21 pin found

22 THENCE along or near the general line of an existing fence with the
23 South boundary of the said 832.52 acre tract and its common boundary
24 with Lot 10 of Rolling Hills Unit 2 a subdivision of record in Cab.
25 G, Slide 308, S 49 deg. 46 min. W 181.28 feet to a 1/2 inch iron pin
26 found in the curved East line of a cul-de-sac which is the Northern
27 termination of Rolling Hills Road according the plat for Rolling

1 Hills Unit 2.

2 THENCE departing the existing fence with the curved line of the
3 cul-de-sac, 151.61 feet with the arc of the curve to the left having
4 a radius of 50 feet, the chord bears S 27 deg. 53 min. 28 sec. W
5 99.85 feet to a steel cotton spindle found; continuing with the
6 right-of-way line of Rolling Hills Road, (UO) S 01 deg. 01 min. 35
7 sec. W 45.55 feet to a 1/2 inch iron pin found.

8 THENCE with the boundary of Rolling Hills Unit 2, (finding 1/2 inch
9 iron pins as follows); (L31) N 76 deg. 33 min. 45 sec. W 294.62 feet;
10 (L32) S 13 deg. 25 min. 29 sec. W 151.80 feet; (L33) S 13 deg. 26
11 min. 33 sec. W 152.11 feet; (L34) S 13 deg. 25 min. 13 sec. W 151.95
12 feet; (L35) S 13 deg. 26 min. 21 sec. W 152.02 feet; (L36) S 13 deg.
13 27 min. 37 sec. W 70.03 feet; (L37) S 54 deg. 17 min. 07 sec. W
14 157.77 feet; (L38) S 54 deg. 10 min. 16 sec. W 49.90 feet; S 54 deg.
15 11 min. 36 sec. W 294.40 feet; S 65 deg. 31 min. 15 sec. W 662.90
16 feet; (L39) S 65 deg. 17 min. 23 sec. W 126.78 feet; N 78 deg. 29
17 min. 47 sec. W 271.11 feet to a 3 inch pipe post; (L40) N 73 deg. 15
18 min. 45 sec. W 50.57 feet to a 3/8 inch iron pin found; (finding 1/2
19 inch iron pins as follows); N 73 deg. 25 min. 34 sec. W 198.52 feet;
20 (L42) N 73 deg. 40 min. 42 sec. W 153.10 feet; (L43) N 73 deg. 33
21 min. 36 sec. W 152.93 feet; (L44) N 73 deg. 29 min. 12 sec. W 152.37
22 feet; (L45) N 73 deg. 29 min. 12 sec. W 157.59 feet; N 81 deg. 27
23 min. 07 sec. W 285.15 feet to a 5/8 inch iron pin found; and S 81
24 deg. 08 min. 08 sec. W 230.99 feet to a 1/2 inch iron pin found.

25 THENCE with the boundary of the Mexican Cemetery as marked by 1/2
26 inch iron pins found, along or near an existing fence; (L46) N 05
27 deg. 24min. 10 sec. W 95.60 feet; and (L47) S 84 deg. 46 min. 22 sec.

1 W 138.82 feet to the East line of County Road 214.
2 THENCE with the East line of County Road 214, finding 1/2 inch iron
3 pins as follows; N 06 deg. 40 min. 53 sec. W608.80 feet (to the
4 Southwest corner of the easement described in Doc. 2003028132, as
5 formerly providing access to the 12.94 acre property which is now
6 interior to this tract); (L67) N 06 deg. 43 min. 49 sec. W 79.97
7 feet; and N 06 deg. 16min. 25 sec. W 421.81 feet.
8 THENCE with the boundary of the 3.18 acres described in Vol. 629,
9 Pg. 362, (L71) N 42 deg. 29 min. 44 sec. E 22.33 feet to a 1/2 inch
10 iron pin found; N 69 deg. 33 min. 53 sec. E 346.98 feet to a 1/2 inch
11 iron pin found at a fence corner; N 18 deg. 30 min. 21 sec. W 490.07
12 feet to a 1/2 inch iron pin found; and N 18 deg. 30 min. 14 sec. W 21
13 1.08 feet to a 1/2 inch iron pin found at a fence corner.
14 THENCE with the boundary of the 70.2436 acres conveyed to Lookout
15 Partners in Doc. 2004087804, finding 1/2 inch iron pins at fence
16 corners except as noted as follows; N 35 deg. 17 min. 23 sec. E
17 630.33 feet (nail found in 30" Liveoak); S 39 deg. 05 min. 40 sec. E
18 263.98 feet; N 28 deg. 35 min. 09 sec. E 836.76 feet; S 77 deg. 05
19 min. 53 sec. E 829.57 feet; N 42 deg. 05 min. 13 sec. E 1013.97 feet;
20 N 19 deg. 50 min. 49 sec. W 1273.08 feet; and N 21 deg. 44 min. 39
21 sec. W 12.65 feet to a nail found in a 30 inch Liveoak.
22 THENCE with the boundary of a 7.2865 ac. tract conveyed to Lookout
23 Partners Development Group L.P. as described in Doc. 2004078613, N
24 33 deg. 10 min. 05 sec. E 488.58 feet to a 1/2, inch pin found at a
25 fence corner; and (L54) N 16 deg. 54 min. 31 sec. W 170.32 feet to a
26 1/2 inch iron pin found.
27 THENCE crossing County Road 214, N 04 deg. 17 min. 39 sec. W (L53) at

1 80.53 feet pass the intersection of the East line of San Gabriel
2 Ranch Road with the North line of County Road 214, continuing in all
3 191.67 feet to an iron pin found at a bend in the fence; continuing
4 along the general line of an existing fence with the East line of
5 San Gabriel Ranch Road, and the West line of the said 832.52 acre
6 property, finding 1/2 inch iron pins as follows; N 18 deg. 50 min.
7 37 sec. W 554.52 feet; N 19 deg. 23 min. 57 sec. W 591.32 feet; and N
8 20 deg. 12 min. 27 sec. W 691.83 feet. This corner exists at the
9 Southwest fence corner of the Bart Brown Life Estate (71.657 ac.)
10 retained in a deed to Danna G.B. Langston et. al. of record in Doc.
11 9611608.

12 THENCE along the fenced boundary of the said 71.657 acres, N 70 deg.
13 49 min. 59 sec. E 567.13 feet to a 1/2 inch iron pin found; N 70 deg.
14 14 min. 48 sec. E 519.63 feet to a nail found in an 18 inch Liveoak;
15 N 70 deg. 51min. 58 sec. E 440.53 feet to a 1/2 inch iron pin found
16 at a fence corner; (L1) N 17 deg. 55 min. 56 sec. W 166.71 feet to a
17 1/2 inch iron pin found; (L2) N 17 deg. 30 min. 30 sec. W 146.58 feet
18 to a nail found in a 14 inch Liveoak; (L3) N 18 deg. 12 min. 14 sec. W
19 154.94 feet to a 1/2 inch iron pin found; N 17 deg. 39 min. 05 sec. W
20 421.57 feet to a 1/2 inch iron pin found; N 17 deg. 38 min. 21 sec.
21 W 356.03 feet to a 3/4 inch pipe found at a fence corner; finding 1/2
22 inch iron pins in remnants of the fence as follows; N 71 deg. 05 min.
23 47 sec. E 725.49 feet; N 70 deg. 07 min. 08 sec. E 288.93 feet; N 71
24 deg. 17 min. 02 sec. E 446.41 feet; and N 71 deg. 17 min. 02 sec. E
25 252.90 feet to the approximate center of the North San Gabriel
26 River.

27 THENCE downstream with the approximate center of the river, finding

1 1/2 inch iron pins in the bed of the river as follows; (L4) S 25 deg.
2 36 min. 25 sec. E 16.47 feet; S 70 deg. 24 min. 37 sec. E 565.27
3 feet; and N 76 deg. 52 min. 27 sec. E 337.99 feet.
4 THENCE with the East line of County Road 214 and with the West line
5 of the 20.03 acre tract conveyed to ASC River Oaks Ranch, Ltd.,
6 (L55) S 04 deg. 51 min. 34 sec. E 111.48 feet to a 1/2 inch iron pin
7 found; finding nails as follows; (L56) S 24 deg. 51 min. 57 sec. E
8 54.51 feet (in post); continuing along or near an existing fence as
9 follows; (L57) S 49 deg. 34 min. 02 sec. E 85.47 feet (by post); S 51
10 deg. 37 min. 44 sec. E 253.37 feet (in a 12 inch Liveoak); S 44 deg.
11 21 min. 21 sec. E 486.27 feet (to a capped iron pin set in place of a
12 nail found in a cattle guard, called nail by post); finding pipe
13 posts as follows; (L58) S 40 deg. 51 min. 46 sec. E 101.23 feet;
14 (L59) S 15 deg. 39 min. 39 sec. E 82.86 feet; (L60) S 04 deg. 23 min.
15 52 sec. E 88.87 feet; and (L61) S 13 deg. 48 min. W 309.86 feet to
16 the POINT OF BEGINNING.

17 TRACT 2

18 BEING 20.03 acres (872,584 square feet area) of the John McDevitt
19 Survey, Abstract No. 415, in Williamson County, Texas. This tract
20 is the same 20.03 acre property which was conveyed to ASC River Oaks
21 Ranch, Ltd. as described in a deed of record in Doc. 2006063877, of
22 the Official Records of Williamson County, Texas. The bearing basis
23 for this survey is the State Plane Coordinate System Grid North,
24 Texas Central Zone. Line codes used in this description are in
25 agreement with the Land Title Survey plat revised this date. This
26 tract was surveyed on the ground in February of 2008, by William F.
27 Forest, Jr., Registered Professional Land Surveyor No. 1847.

1 BEGINNING at an iron pin which was found in the East line of County
2 Road 214 at the Southwest corner of the said 20.03 acre property
3 conveyed to ASC River Oaks Ranch, Ltd. and at a corner in the East
4 boundary of the 832.52 acre property which was conveyed to ASC River
5 Oaks Ranch, Ltd. as described in Doc. 2006063875 (ORWCT).

6 THENCE with the East line of County Road 214, and a boundary of the
7 said 832.52 acre tract, along the general line of an existing fence,
8 finding pipe posts as follows; (L61) N 13 deg. 48 min. E 309.86
9 feet; (L60) N 04 deg. 23 min. 52 sec. W 88.87 feet; (L59) N 15 deg.
10 39 min. 39 sec. W 82.86 feet; (L58) N 40 deg. 51 min. 46 sec. W
11 101.23 feet to a capped iron pin set in place of a nail found in a
12 cattle guard, called nail by post); and N 44 deg. 21 min. 21 sec. W
13 486.27 feet to a nail found in a 12 inch Liveoak.

14 THENCE with the East line of County Road 214, N 51 deg. 37 min. 44
15 sec. W 253.37 feet to a nail found by a post; (L57) N 49 deg. 34 min.
16 02 sec. W 85.47 feet to a nail found by a post; (L56) N 24 deg. 51
17 min. 57 sec. W 54.51 feet to a 1/2 inch iron pin found; and (L55) N
18 04 deg. 51 min. 34 sec. W 111.48 feet to a 1/2, inch iron pin found
19 in a gravel bar, near the center of the channel of the North San
20 Gabriel River.

21 THENCE downstream with the approximate center of the channel of the
22 River, and the common boundary between the said 20.03 acre tract and
23 the property conveyed to Bill D. Warren (1010/502) as follows; N 71
24 deg. 52 min. 46 sec. E 293.16 feet; (L5) N 87 deg. 04 min. E 119.72
25 feet; (L6) S 78 deg. 06 min. 07 sec. E 65.15 feet; (L7) S 64 deg. 07
26 min. 30 sec. E 93.18 feet; S 54 deg. 57 min. 49 sec. E 210.41 feet;
27 (L8) S 41 deg. 36 min. 49 sec. E 130.55 feet; S 44 deg. 31 min. 58

H.B. No. 1355

1 sec. E 229.38 feet; S 42 deg. 57 min. 17 sec. E 229.44 feet; (L9) S
2 31 deg. 47 min. 19 sec. E 183.70 feet; (LI0) S 35 deg. 42 min. 24
3 sec. E 155.03 feet; and S 39 deg. 55 min. 32 sec. E 399.37 feet.

4 THENCE with the South line of the said 20.03 ac. tract conveyed to
5 ASC River Oaks Ranch, Ltd., and with the lower North line of the
6 said 832.52 acre tract, (L63) S 80 deg. 18 min. 03 sec. W 176.43 feet
7 to a 1/2 inch iron pin found; S 80 deg. 18 min. 03 sec. W 271.33 feet
8 to a 3 inch pipe post; and S 78 deg. 19 min. 30 sec. W 476.51 feet to
9 the POINT OF BEGINNING.

10 EXCEPTION TRACT

11 BEING 1.00 acre (43637 square feet area) in Williamson County,
12 Texas, Lot 1 of the Longhorn Subdivision, a plat filed in Cabinet G,
13 Slide 96, Plat Records (Retrieval number called Doc. 8522659
14 Official Records) of Williamson County, Texas. This tract is the
15 same property which is described in a deed to Frank Haskell of
16 record in Doc. 9862950, Official Records of Williamson County,
17 Texas (ORWCT) and is the same 1 acre Exception tract which is
18 described in a deed to ASC River Oaks Ranch, Ltd. of record in Doc.
19 2006063875 (ORWCT). The bearing basis for this survey is the State
20 Plane Coordinate System Grid North, Texas Central Zone. Lines codes
21 used in this description are in agreement with the Land Title Survey
22 plat prepared in February of 2008 and revised in August of 2008.
23 This tract was surveyed on the ground in February of 2008, by
24 William F. Forest, Jr., Registered Professional Land Surveyor No.
25 1847.

26 BEGINNING at a 1/2 inch iron pin which was found in the North line of
27 County Road 214 at the Southwest corner of said Lot 1 of the

1 Longhorn Subdivision and at the Southwest corner of the property
2 conveyed to Frank Haskell. A 1/2 inch iron pin which was found at a
3 corner of the 832.52 property conveyed to ASC River Oaks Ranch, Ltd.
4 as described in Doc. 2006063875 which encircles this tract, (said
5 corner existing at the intersection of the extension of the East
6 line of San Gabriel Ranch Road with the South line of County Road
7 214) stands (L52) S 47 deg. 53 min. 13 sec. W 309.03 feet and (L53) S
8 04 deg. 17 min. 39 sec. E 80.53 feet.

9 THENCE (LSI) N 18 deg. 40 min. 53 sec. W 339.11 feet to a 1/2 inch
10 iron pin found.

11 THENCE (L48) N 71 deg. 19 min. 07 sec. E 139.43 feet to a 1/2 inch
12 iron pin found. THENCE (L49) S 18 deg. 40 min. 53 sec. E 285.73 feet
13 to a 1/2 inch iron pin found. THENCE with the North line of County
14 Road 214, (L50) S 50 deg. 22 min. 07 sec. W 149.30 feet to the POINT
15 OF BEGINNING.

16 TRACT 3

17 BEING A 77.5254 ACRE TRACT OF LAND OUT OF THE JAMES HACKETT SURVEY
18 ABSTRACT NO. 312 AND THE WILLIAM H. McCULLOUGH SURVEY, ABSTRACT NO.
19 465 IN WILLIAMSON COUNTY, TEXAS, WHICH INCLUDES A PORTION IN USE AS
20 COUNTY ROAD 214 (NO DEDICATING INSTRUMENT FOUND), BEING ALL OF A
21 7.2865 ACRE TRACT CONVEYED TO LOOKOUT PARTNERS DEVELOPMENT GROUP LP
22 IN DOCUMENT NO. 2004078913, OFFICIAL PUBLIC RECORDS, WILLIAMSON
23 COUNTY, TEXAS, AND ALL OF A 70.2436 ACRE TRACT ALSO CONVEYED TO
24 LOOKOUT PARTNERS DEVELOPMENT GROUP LP IN DOCUMENT NO. 2004087804,
25 OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS AND BEING MORE
26 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

27 BEGINNING at a 1/2" iron rod found at a fence intersection on the

1 South R.O.W. line of County Road No. 214, being the Northerly corner
2 of a 3.18 acre tract conveyed to Williamson County in Vol. 629, Pg.
3 362, Deed Records, Williamson County, Texas, and the Northwest
4 corner of an 865.49 acre tract conveyed to Texas Land Fund No.6, LP,
5 in Document No. 2008064005, Official Public Records, Williamson
6 County, Texas. Said iron rod also being the Southwest corner of the
7 said 70.2436 acre tract, the Southwest corner of this tract, and the
8 POINT OF BEGINNING.

9 THENCE N 20° 46' 16" W, across County Road 214, 79.51 feet to a 1/2"
10 iron rod found at a fence corner being an angle point in the West
11 line of this tract.

12 THENCE N 19° 34' 18" W, at 116.44 feet pass the Southeast corner of
13 Lot 104, Sundance Ranch North Phase Two, as recorded in Cab. R, Sl.
14 7-11, Plat Records, Williamson County, Texas, continuing with the
15 East line of Lots 104 and 159 of said Sundance Ranch North Phase
16 Two, a total distance of 1213.04 feet to a 1/2" iron rod found on the
17 South line of Lot 158 of said subdivision being the Northeast corner
18 of said Lot 159, the Northwest corner of the said 70.2436 acre
19 tract, and the Northwest corner of this tract.

20 THENCE with the South line of Lots 158, 157, and 156 of said
21 subdivision, the following two courses and distances:

22 1) N 70° 12' 54" E, 584.47 feet to a 1/2" iron rod found.

23 2) N 71 ° 04' 10" E, at 697.99 feet pass a 1/2" iron rod found being
24 an angle point in the South line of said Lot 156 also being the
25 Northeast corner of a 20' strip dedicated for additional
26 right-of-way by said Sundance Ranch North Phase Two plat, in all a
27 total distance of 739.67 feet to a 1/2" iron rod found at a fence

1 corner on the North R.O.W. line of County Road No. 214.

2 THENCE S 73° 39' 17" E, crossing County Road 214, 71.80 feet to a
3 1/2" iron rod found on the fenced South line of County Road 214,
4 being the Easternmost corner of the said 7.2865 acre tract.

5 THENCE with the fenced South R.O.W. line of County Road No. 214,
6 also being the North line of the said 7.2865 acre tract, the
7 following six (6) courses and distances.

8 1) N 26° 36' 41" E, 344.09 feet to a 1/2" iron rod found for an angle
9 point.

10 2) N 37° 07' 31" E, 601.88 feet to a 1/2" iron rod found for an angle
11 point.

12 3) N 48° 23' 19" E, 317.01 feet to a 1/2" iron rod found for an angle
13 point.

14 4) N 41 ° 44' 47" E, 579.63 feet to a 1/2" iron rod found for an angle
15 point.

16 5) N 36° 39' 30" E, 282.33 feet to a 1/2" iron rod found for an angle
17 point.

18 6) N 40° 45' 15" E, 88.37 feet to a 1/2" iron rod found at an angle
19 point on the North line of the said Texas Land Fund No.6 LP tract,
20 being the Northeast corner of the said 7.2865 acre tract and the
21 Northeast corner of this tract.

22 THENCE with the North and West line of the said Texas Land Fund No.6
23 LP tract, the following nine (9) courses and distances:

24 1) S 16° 04' 55" E, 170.29 feet to a 1/2" iron rod found, being the
25 Southeast corner of the said 7.2865 acre tract.

26 2) S 34° 02' 01" W, 488.61 feet to a 60d nail found at the base of a
27 36" live oak, being the Northeast corner of the said 70.2436 acre

1 tract.

2 3) S 20° 43' 18" E, 12.64 feet to a 1/2" iron rod found.

3 4) S 19° 00' 00" E, 1273.16 feet to a 1/2" iron rod found, being the
4 Southeast corner of the said 70.2436 acre tract.

5 5) S 42° 57' 24" W, 1013.90 feet to a 1/2" iron rod found.

6 6) N 76° 14' 43" W, 829.54 feet to a 1/2" iron rod found.

7 7) S 29° 26' 44" W, 836.72 feet to a 1/2" iron rod found.

8 8) N 38° 11' 05"W, 264.07 feet to a 60d nail found at the base of a
9 17' live oak.

10 9) S 36° 10' 28" W, 630.29 feet to the POINT OF BEGINNING and
11 containing 77.5254 acres of land more or less.

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

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed
23 its recommendations relating to this Act with the governor, the
24 lieutenant governor, and the speaker of the house of
25 representatives within the required time.

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 8432, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 8432.106 to read as follows:

7 Sec. 8432.106. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

9 (b) This section is not intended to be an expression of a
10 legislative interpretation of the requirements of Section 17(c),
11 Article I, Texas Constitution.

12 SECTION 5. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.