

1-1 By: Rodriguez of Travis (Senate Sponsor - Watson) H.B. No. 4345  
 1-2 (In the Senate - Received from the House May 19, 2017;  
 1-3 May 19, 2017, read first time and referred to Committee on  
 1-4 Intergovernmental Relations; May 23, 2017, reported adversely,  
 1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
 1-6 Nays 1, 1 present not voting; May 23, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13				X
1-14	X			
1-15		X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 4345 By: Garcia

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of the Rio de Vida Municipal Utility  
 1-20 District No. 1; providing authority to impose a tax and issue  
 1-21 bonds.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
 1-24 Code, is amended by adding Chapter 8013 to read as follows:

1-25 CHAPTER 8013. RIO DE VIDA MUNICIPAL UTILITY  
 1-26 DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8013.001. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "City" means the City of Austin, Texas.

1-31 (3) "Commission" means the Texas Commission on  
 1-32 Environmental Quality.

1-33 (4) "County" means Travis County.

1-34 (5) "Director" means a board member.

1-35 (6) "District" means the Rio de Vida Municipal Utility  
 1-36 District No. 1.

1-37 Sec. 8013.002. NATURE OF DISTRICT. The district is a  
 1-38 municipal utility district created under Section 59, Article XVI,  
 1-39 Texas Constitution.

1-40 Sec. 8013.003. CONFIRMATION AND DIRECTORS' ELECTION  
 1-41 REQUIRED. The temporary directors shall hold an election to  
 1-42 confirm the creation of the district and to elect four permanent  
 1-43 directors.

1-44 Sec. 8013.004. CONSENT OF CITY REQUIRED. (a) The temporary  
 1-45 directors may not hold an election under Section 8013.003 until the  
 1-46 city has consented by ordinance or resolution to the creation of the  
 1-47 district and to the inclusion of land in the district.

1-48 (b) If the city does not consent to the creation of the  
 1-49 district under this section before February 14, 2020:

1-50 (1) the district is dissolved February 14, 2020,  
 1-51 except that:

1-52 (A) any debts incurred shall be paid;

1-53 (B) any assets that remain after the payment of  
 1-54 debts shall be transferred to the city or another local  
 1-55 governmental entity to be used for a public purpose; and

1-56 (C) the organization of the district shall be  
 1-57 maintained until all debts are paid and remaining assets are  
 1-58 transferred; and

1-59 (2) this chapter expires February 14, 2020.

1-60 Sec. 8013.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)

2-1 The district is created to serve a public purpose and benefit.  
2-2 (b) The district is created to accomplish the purposes of:  
2-3 (1) a municipal utility district as provided by  
2-4 general law and Section 59, Article XVI, Texas Constitution;  
2-5 (2) Section 52, Article III, Texas Constitution, that  
2-6 relate to the construction, acquisition, improvement, operation,  
2-7 or maintenance of macadamized, graveled, or paved roads, or  
2-8 improvements, including storm drainage, in aid of those roads; and  
2-9 (3) Section 52-a, Article III, Texas Constitution.  
2-10 (c) By creating the district and in authorizing the city,  
2-11 the county, and other political subdivisions to contract with the  
2-12 district, the legislature has established a program to accomplish  
2-13 the public purposes set out in Section 52-a, Article III, Texas  
2-14 Constitution.  
2-15 Sec. 8013.006. INITIAL DISTRICT TERRITORY. (a) The  
2-16 district is initially composed of the territory described by  
2-17 Section 2 of the Act enacting this chapter.  
2-18 (b) The boundaries and field notes contained in Section 2 of  
2-19 the Act enacting this chapter form a closure. A mistake made in the  
2-20 field notes or in copying the field notes in the legislative process  
2-21 does not affect the district's:  
2-22 (1) organization, existence, or validity;  
2-23 (2) right to issue any type of bond for the purposes  
2-24 for which the district is created or to pay the principal of and  
2-25 interest on a bond;  
2-26 (3) right to impose a tax; or  
2-27 (4) legality or operation.  
2-28 Sec. 8013.007. ELIGIBILITY FOR INCLUSION IN TAX ABATEMENT  
2-29 REINVESTMENT ZONE. All or any part of the area of the district is  
2-30 eligible to be included in a tax abatement reinvestment zone under  
2-31 Chapter 312, Tax Code.  
2-32 SUBCHAPTER B. BOARD OF DIRECTORS  
2-33 Sec. 8013.051. GOVERNING BODY; TERMS. (a) The district is  
2-34 governed by a board of five directors who serve staggered terms of  
2-35 four years, with two or three directors' terms expiring June 1 of  
2-36 each odd-numbered year.  
2-37 (b) A director may not serve more than two full terms of four  
2-38 years.  
2-39 (c) The board consists of:  
2-40 (1) four elected directors; and  
2-41 (2) one director appointed by the governing body of  
2-42 the city.  
2-43 (d) A director appointed under Subsection (c)(2) is not  
2-44 required to reside in the district or to own real property in the  
2-45 district.  
2-46 (e) The common law doctrine of incompatibility does not  
2-47 disqualify an elected official or employee of the city from being  
2-48 appointed as a director by the governing body of the city under  
2-49 Subsection (c)(2). A director appointed to the board may continue  
2-50 to serve in a public office of or be employed by the city.  
2-51 Sec. 8013.052. QUALIFICATIONS. Except as provided by  
2-52 Section 8013.051(d), to qualify to serve on the board, a person  
2-53 must:  
2-54 (1) reside in the district; or  
2-55 (2) own real property in the district.  
2-56 Sec. 8013.053. TEMPORARY DIRECTORS. (a) On or after the  
2-57 effective date of the Act enacting this chapter, the owners of a  
2-58 majority of the assessed value of the real property in the district  
2-59 may submit a petition to the commission requesting that the  
2-60 commission appoint as temporary directors the five persons named in  
2-61 the petition. The commission shall appoint as temporary directors  
2-62 the five persons named in the petition.  
2-63 (b) Unless the district is dissolved and this chapter  
2-64 expires as provided by Section 8013.004, temporary directors serve  
2-65 until the earlier of:  
2-66 (1) the date permanent directors are elected under  
2-67 Section 8013.003; or  
2-68 (2) September 1, 2021.  
2-69 (c) Section 8013.052 does not apply to a director appointed

3-1 under this section.  
 3-2 SUBCHAPTER C. POWERS AND DUTIES  
 3-3 Sec. 8013.101. GENERAL POWERS AND DUTIES. The district has  
 3-4 the powers and duties necessary to accomplish the purposes for  
 3-5 which the district is created.  
 3-6 Sec. 8013.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 3-7 DUTIES. The district has the powers and duties provided by the  
 3-8 general law of this state, including Chapters 49 and 54, Water Code,  
 3-9 applicable to municipal utility districts created under Section 59,  
 3-10 Article XVI, Texas Constitution.  
 3-11 Sec. 8013.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
 3-12 52, Article III, Texas Constitution, the district may design,  
 3-13 acquire, construct, finance, issue bonds for, improve, operate,  
 3-14 maintain, and convey to this state, a county, or the city for  
 3-15 operation and maintenance macadamized, graveled, or paved roads, or  
 3-16 improvements, including storm drainage, in aid of those roads.  
 3-17 Sec. 8013.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
 3-18 project must meet all applicable construction standards, zoning and  
 3-19 subdivision requirements, and regulations of the city.  
 3-20 (b) If the state will maintain and operate the road, the  
 3-21 Texas Transportation Commission must approve the plans and  
 3-22 specifications of the road project.  
 3-23 Sec. 8013.105. COMPLIANCE WITH CONSENT AGREEMENT,  
 3-24 ORDINANCE, OR RESOLUTION. (a) The district shall comply with all  
 3-25 applicable requirements of any ordinance or resolution that is  
 3-26 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-27 consents to the creation of the district or to the inclusion of land  
 3-28 in the district, including affordable housing requirements  
 3-29 established in the consent agreement.  
 3-30 (b) Any agreement between the district and the city related  
 3-31 to the city's consent to the creation of the district is valid and  
 3-32 enforceable.  
 3-33 (c) On the issuance of bonds, the district is considered to  
 3-34 have acknowledged and consented to the exercise of the city's  
 3-35 authority as to actions taken by the city under Section 54.016(g),  
 3-36 Water Code.  
 3-37 Sec. 8013.106. CONTRACT TO FURTHER REGIONAL COOPERATION.  
 3-38 The district and city may contract on terms that the board and  
 3-39 governing body of the city agree will further regional cooperation  
 3-40 between the district and city.  
 3-41 Sec. 8013.107. GRADING AND IMPROVEMENTS TO LAND IN THE  
 3-42 DISTRICT. The district may construct, acquire, improve, maintain,  
 3-43 finance, or operate a facility or improvement related to reclaiming  
 3-44 or grading land in the district.  
 3-45 Sec. 8013.108. NO EMINENT DOMAIN POWER. The district may  
 3-46 not exercise the power of eminent domain.  
 3-47 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS  
 3-48 Sec. 8013.151. DIVISION OF DISTRICT; PREREQUISITES. The  
 3-49 district may be divided into two or more new districts only if the  
 3-50 district:  
 3-51 (1) has no outstanding bonded debt; and  
 3-52 (2) is not imposing ad valorem taxes.  
 3-53 Sec. 8013.152. LAW APPLICABLE TO NEW DISTRICT. This  
 3-54 chapter applies to any new district created by division of the  
 3-55 district, and a new district has all the powers and duties of the  
 3-56 district.  
 3-57 Sec. 8013.153. LIMITATION ON AREA OF NEW DISTRICT. A new  
 3-58 district created by the division of the district may not, at the  
 3-59 time the new district is created, contain any land outside the area  
 3-60 described by Section 2 of the Act enacting this chapter.  
 3-61 Sec. 8013.154. CONSENT OF CITY OR COUNTY. If the district  
 3-62 is located wholly or partly in the corporate limits or the  
 3-63 extraterritorial jurisdiction of the city, the district may not  
 3-64 divide under this subchapter unless the city by resolution or  
 3-65 ordinance first consents to the division of the district.  
 3-66 Sec. 8013.155. DIVISION PROCEDURES. (a) The board, on its  
 3-67 own motion or on receipt of a petition signed by the owner or owners  
 3-68 of a majority of the assessed value of the real property in the  
 3-69 district, may adopt an order dividing the district.

4-1 (b) The board may adopt an order dividing the district  
4-2 before or after the date the board holds an election under Section  
4-3 8013.003 to confirm the district's creation.

4-4 (c) An order dividing the district must:

4-5 (1) name each new district;  
4-6 (2) include the metes and bounds description of the  
4-7 territory of each new district;

4-8 (3) appoint temporary directors for each new district;  
4-9 and  
4-10 (4) provide for the division of assets and liabilities  
4-11 between the new districts.

4-12 (d) On or before the 30th day after the date of adoption of  
4-13 an order dividing the district, the district shall file the order  
4-14 with the commission and record the order in the real property  
4-15 records of each county in which the district is located.

4-16 Sec. 8013.156. TAX OR BOND ELECTION. Before a new district  
4-17 created by the division of the district may impose a sales and use  
4-18 tax or an operation and maintenance tax or issue bonds payable  
4-19 wholly or partly from ad valorem taxes, the new district must hold  
4-20 an election as required by this chapter.

4-21 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

4-22 Sec. 8013.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
4-23 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 8013.203.

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 or issue bonds  
4-30 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. 8013.202. OPERATION AND MAINTENANCE TAX. (a) If  
4-36 authorized at an election held under Section 8013.201, the district  
4-37 may impose an operation and maintenance tax on taxable property in  
4-38 the district in accordance with Section 49.107, Water Code.

4-39 (b) The board shall determine the tax rate. The rate may not  
4-40 exceed the rate approved at the election.

4-41 (c) If required by an agreement between the district and  
4-42 city under Section 8013.106, the total ad valorem tax rate of the  
4-43 district may not be less than the total ad valorem tax rate of the  
4-44 city.

4-45 Sec. 8013.203. CONTRACT TAXES. (a) In accordance with  
4-46 Section 49.108, Water Code, the district may impose a tax other than  
4-47 an operation and maintenance tax and use the revenue derived from  
4-48 the tax to make payments under a contract after the provisions of  
4-49 the contract have been approved by a majority of the district voters  
4-50 voting at an election held for that purpose.

4-51 (b) A contract approved by the district voters may contain a  
4-52 provision stating that the contract may be modified or amended by  
4-53 the board without further voter approval.

4-54 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-55 Sec. 8013.251. AUTHORITY TO ISSUE BONDS AND OTHER  
4-56 OBLIGATIONS. The district may issue bonds or other obligations  
4-57 payable wholly or partly from ad valorem taxes, impact fees,  
4-58 revenue, sales and use taxes, contract payments, grants, or other  
4-59 district money, or any combination of those sources, to pay for any  
4-60 authorized district purpose.

4-61 Sec. 8013.252. TAXES FOR BONDS. At the time the district  
4-62 issues bonds payable wholly or partly from ad valorem taxes, the  
4-63 board shall provide for the annual imposition of a continuing  
4-64 direct ad valorem tax, without limit as to rate or amount, while all  
4-65 or part of the bonds are outstanding as required and in the manner  
4-66 provided by Sections 54.601 and 54.602, Water Code.

4-67 Sec. 8013.253. BONDS FOR ROAD PROJECTS. At the time of  
4-68 issuance, the total principal amount of bonds or other obligations  
4-69 issued or incurred to finance road projects and payable from ad

5-1 valorem taxes may not exceed one-fourth of the assessed value of the  
5-2 real property in the district.

5-3 SUBCHAPTER G. SALES AND USE TAX

5-4 Sec. 8013.301. APPLICABILITY OF CERTAIN TAX CODE  
5-5 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,  
5-6 computation, administration, enforcement, and collection of the  
5-7 sales and use tax authorized by this subchapter except to the extent  
5-8 Chapter 321, Tax Code, is inconsistent with this chapter.

5-9 (b) A reference in Chapter 321, Tax Code, to a municipality  
5-10 or the governing body of a municipality is a reference to the  
5-11 district or the board, respectively.

5-12 Sec. 8013.302. ELECTION; ADOPTION OF TAX. (a) The district  
5-13 may adopt a sales and use tax if:

- 5-14 (1) the city consents to the adoption of the tax; and
- 5-15 (2) the tax is authorized by a majority of the voters  
5-16 of the district voting at an election held for that purpose.

5-17 (b) Subject to city consent under Subsection (a), the board  
5-18 by order may call an election to authorize the adoption of the sales  
5-19 and use tax. The election may be held on any uniform election date  
5-20 and in conjunction with any other district election.

5-21 (c) The district shall provide notice of the election and  
5-22 shall hold the election in the manner prescribed by Section  
5-23 8013.201.

5-24 (d) The ballot shall be printed to provide for voting for or  
5-25 against the proposition: "Authorization of a sales and use tax in  
5-26 the (insert name of district or name of new district created under  
5-27 Subchapter D) at a rate not to exceed \_\_\_\_ percent" (insert rate of  
5-28 one or more increments of one-eighth of one percent).

5-29 Sec. 8013.303. SALES AND USE TAX RATE. (a) Not later than  
5-30 the 10th day after the date the results are declared of an election  
5-31 held under Section 8013.302, at which the voters approved  
5-32 imposition of the tax authorized by this subchapter, the board  
5-33 shall determine the initial rate of the tax, which must be in one or  
5-34 more increments of one-eighth of one percent.

5-35 (b) After the election held under Section 8013.302, the  
5-36 board may decrease the rate of the tax by one or more increments of  
5-37 one-eighth of one percent.

5-38 (c) The rate of the tax may not exceed the lesser of:

- 5-39 (1) the maximum rate authorized by the district voters  
5-40 at the election held under Section 8013.302;
- 5-41 (2) a rate that, when added to the rates of all sales  
5-42 and use taxes imposed by other political subdivisions with  
5-43 territory in the district, would result in the maximum combined  
5-44 rate prescribed by Section 321.101(f), Tax Code, at any location in  
5-45 the district; or
- 5-46 (3) the sales and use tax rate adopted by the City of  
5-47 Austin.

5-48 (d) The board shall notify the comptroller of any changes  
5-49 made to the tax rate in the same manner the municipal secretary  
5-50 provides notice to the comptroller under Section 321.405(b), Tax  
5-51 Code.

5-52 Sec. 8013.304. USE OF REVENUE. Revenue from the sales and  
5-53 use tax imposed under this subchapter is for the use and benefit of  
5-54 the district and may be used for any district purpose. The district  
5-55 may pledge all or part of the revenue to the payment of bonds,  
5-56 notes, or other obligations, and that pledge of revenue may be in  
5-57 combination with other revenue, including tax revenue, available to  
5-58 the district.

5-59 Sec. 8013.305. ABOLITION OF TAX. (a) The board may abolish  
5-60 the tax imposed under this subchapter without an election.

5-61 (b) If the board abolishes the tax, the board shall notify  
5-62 the comptroller of that action in the same manner the municipal  
5-63 secretary provides notice to the comptroller under Section  
5-64 321.405(b), Tax Code.

5-65 (c) If the board abolishes the tax or decreases the tax rate  
5-66 to zero, a new election to authorize a sales and use tax must be held  
5-67 under Section 8013.302 before the district may subsequently impose  
5-68 the tax.

5-69 SUBCHAPTER H. MUNICIPAL ANNEXATION AND DISSOLUTION

6-1 Sec. 8013.401. APPLICABILITY OF LAW ON ANNEXATION OF  
6-2 DISTRICT. (a) The district is a "water or sewer district" for the  
6-3 purposes of Section 43.071, Local Government Code.

6-4 (b) Sections 43.0561 and 43.0562, Local Government Code, do  
6-5 not apply to the annexation of the district.

6-6 Sec. 8013.402. APPLICABILITY OF LAW ON WATER-RELATED  
6-7 SPECIAL DISTRICT THAT BECOMES PART OF NOT MORE THAN ONE  
6-8 MUNICIPALITY. Section 43.075, Local Government Code, applies to  
6-9 the district.

6-10 Sec. 8013.403. STRATEGIC PARTNERSHIP; CONTINUATION OF  
6-11 DISTRICT AFTER ANNEXATION BY MUNICIPALITY. (a) The district may  
6-12 continue to exist as a limited district after full-purpose  
6-13 annexation by a municipality if the district and the annexing  
6-14 municipality state the terms of the limited district's existence in  
6-15 a strategic partnership agreement under Section 43.0751, Local  
6-16 Government Code.

6-17 (b) The strategic partnership agreement may provide for an  
6-18 original or renewed term of any number of years. The limitation in  
6-19 Section 43.0751(g)(2), Local Government Code, on the length of the  
6-20 term does not apply to a limited district created under this  
6-21 section.

6-22 Sec. 8013.404. NOTICE OF FUTURE CITY ANNEXATION REQUIRED.

6-23 (a) Not later than the 30th day after the date the city consents to  
6-24 the creation of the district and to the inclusion of land in the  
6-25 district under Section 8013.004(a), the city shall file, in the  
6-26 real property records of the county, a notice to a purchaser of real  
6-27 property in the district that describes:

6-28 (1) the city's authority and intention to annex the  
6-29 district; and

6-30 (2) the anticipated date of the annexation.

6-31 (b) After the notice is filed, a person who proposes to sell  
6-32 or otherwise convey real property in the district must provide a  
6-33 copy of the notice to a purchaser of the property before selling or  
6-34 conveying the property to the purchaser.

6-35 SECTION 2. The Rio de Vida Municipal Utility District No. 1  
6-36 initially includes all the territory contained in the following  
6-37 area:

6-38 ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE REUBEN  
6-39 HORNSBY SURVEY NO. 17, JOSEPH DUTY SURVEY NO. 20 AND THE JOHN  
6-40 BURLESON SURVEY NO. 33, TRAVIS COUNTY, TEXAS; BEING ALL OF THE  
6-41 FOLLOWING TRACTS OF LAND AS CONVEYED TO TXI OPERATIONS, L.P. BY  
6-42 DEEDS RECORDED IN THE REAL PROPERTY RECORDS OF TRAVIS COUNTY,  
6-43 TEXAS: A 353.08-ACRE TRACT (TO BE KNOWN AS PARCEL 01-1) AND A  
6-44 65.12-ACRE TRACT (TO BE KNOWN AS PARCEL 01-2) IN VOLUME 12448, PAGE  
6-45 737 AND VOLUME 13170, PAGE 656; A 65.12-ACRE TRACT (TO BE KNOWN AS  
6-46 PARCEL 01-2) IN VOLUME 13170, PAGE 656; A 102.188-ACRE TRACT  
6-47 (PARCEL NO. 1) (TO BE KNOWN AS PARCEL 02-1), A 29.008-ACRE TRACT  
6-48 (PARCEL NO. 2) (TO BE KNOWN AS PARCEL 02-2) AND A 10.743-ACRE TRACT  
6-49 (PARCEL NO. 3) (TO BE KNOWN AS PARCEL 02-3) IN VOLUME 12593, PAGE  
6-50 2001; A 22.911-ACRE TRACT (TRACT 2) (TO BE KNOWN AS PARCEL 04-1) IN  
6-51 VOLUME 11985, PAGE 1238 AND VOLUME 13170, PAGE 656; A 19.253-ACRE  
6-52 TRACT (PARCEL 3) (TO BE KNOWN AS PARCEL 05-1), A 4.591-ACRE TRACT  
6-53 (PARCEL 1) (TO BE KNOWN AS PARCEL 06-1) AND A 16.931-ACRE TRACT  
6-54 (PARCEL 2) (TO BE KNOWN AS PARCEL 06-2) IN VOLUME 13304, PAGE 3306;  
6-55 A 52.487-ACRE TRACT (TO BE KNOWN AS PARCEL 08-1) IN VOLUME 13088,  
6-56 PAGE 429; A PORTION OF A 6.605-ACRE TRACT (TRACT 1) (TO BE KNOWN AS  
6-57 PARCEL 08-2) AND A 5.411-ACRE TRACT (TRACT 2) (TO BE KNOWN AS PARCEL  
6-58 12-1) IN VOLUME 13088, PAGE 421; A 51.32-ACRE TRACT (TO BE KNOWN AS  
6-59 PARCEL 10-1) IN VOLUME 12703, PAGE 411 AND VOLUME 13170, PAGE 656; A  
6-60 6.262-ACRE TRACT (TO BE KNOWN AS PARCEL 11-1) IN VOLUME 12835, PAGE  
6-61 1489; A 22.967-ACRE TRACT (TO BE KNOWN AS PARCEL 13-1) IN VOLUME  
6-62 9872, PAGE 77 AND VOLUME 13170, PAGE 656; A 14.272-ACRE TRACT (TRACT  
6-63 8) (TO BE KNOWN AS PARCEL 14-1), A 21.100-ACRE TRACT (TRACT 9) (TO  
6-64 BE KNOWN AS PARCEL 15-1), A 32.738-ACRE TRACT (TRACT 17) (TO BE  
6-65 KNOWN AS PARCEL 17-1), A 8.051-ACRE TRACT (TRACT 12) (TO BE KNOWN AS  
6-66 PARCEL 18-1), A 9.744-ACRE TRACT (TRACT 13) (TO BE KNOWN AS PARCEL  
6-67 18-2), A 9.752-ACRE TRACT (TRACT 14) (TO BE KNOWN AS PARCEL 18-3), A  
6-68 15.981-ACRE TRACT (TRACT 15) (TO BE KNOWN AS PARCEL 18-4), A  
6-69 19.127-ACRE TRACT (TRACT 16) (TO BE KNOWN AS PARCEL 18-5), A

7-1 10.274-ACRE TRACT (TRACT 10) (TO BE KNOWN AS PARCEL 21-1), A  
7-2 9.825-ACRE TRACT (TRACT 11) (TO BE KNOWN AS PARCEL 21-2), A PORTION  
7-3 OF A 44.586-ACRE TRACT (TRACT 2) (TO BE KNOWN AS PARCEL 23-1), A  
7-4 PORTION OF A 15.959-ACRE TRACT (TRACT 7) (TO BE KNOWN AS PARCEL  
7-5 23-2), A PORTION OF A 15.946-ACRE TRACT (TRACT 6) (TO BE KNOWN AS  
7-6 PARCEL 23-3) AND A PORTION OF A 14.135-ACRE TRACT (TRACT 3) (TO BE  
7-7 KNOWN AS PARCEL 28-1) IN VOLUME 12326, PAGE 1154 AND VOLUME 13170,  
7-8 PAGE 656; A 30.531-ACRE TRACT (TO BE KNOWN AS PARCEL 16-1) IN VOLUME  
7-9 10967, PAGE 1219 AND VOLUME 13170, PAGE 656; A 30.531-ACRE TRACT (TO  
7-10 BE KNOWN AS PARCEL 16-1) IN VOLUME 10967, PAGE 1219 AND VOLUME  
7-11 13170, PAGE 656; A 45.874-ACRE TRACT (TO BE KNOWN AS PARCEL 19-1) IN  
7-12 VOLUME 12270, PAGE 1633 AND VOLUME 13170, PAGE 656; A 13.853-ACRE  
7-13 TRACT (TO BE KNOWN AS PARCEL 20-1) IN VOLUME 12326, PAGE 1149 AND  
7-14 VOLUME 13170, PAGE 656; A PORTION OF A 32.403-ACRE TRACT (TRACT 4)  
7-15 (TO BE KNOWN AS PARCEL 22-1) AND A PORTION OF A 50.388-ACRE TRACT  
7-16 (TRACT 1) (TO BE KNOWN AS PARCEL 28-2) IN VOLUME 12326, PAGE 1109  
7-17 AND VOLUME 13170, PAGE 656; AND A 83.838-ACRE TRACT (TO BE KNOWN AS  
7-18 PARCEL 27-1) IN VOLUME 11955, PAGE 972 AND VOLUME 13170, PAGE 656;  
7-19 AND ALSO BEING ALL OF THE FOLLOWING TRACTS OF LAND AS CONVEYED TO  
7-20 TXI OPERATIONS, L.P. BY DEEDS RECORDED IN THE OFFICIAL PUBLIC  
7-21 RECORDS OF TRAVIS COUNTY, TEXAS: A 49.994-ACRE TRACT (TRACT 1) (TO  
7-22 BE KNOWN AS PARCEL 03-1), A PORTION OF A 85.957-ACRE TRACT (TRACT 2)  
7-23 (TO BE KNOWN AS PARCEL 03-2), A PORTION OF A 41.043-ACRE TRACT  
7-24 (TRACT 3) (TO BE KNOWN AS PARCEL 03-3), A 69.542-ACRE TRACT (TRACT  
7-25 4) (TO BE KNOWN AS PARCEL 03-4), A 55.299-ACRE TRACT (TRACT 5) (TO  
7-26 BE KNOWN AS PARCEL 03-5), A PORTION OF A 33.214-ACRE TRACT (TO BE  
7-27 KNOWN AS PARCEL 03-6) AND A 39.355-ACRE TRACT (TRACT 6) (TO BE KNOWN  
7-28 AS PARCEL 03-7) IN DOCUMENT NO. 1999152526; A 223.497-ACRE TRACT  
7-29 (TO BE KNOWN AS PARCEL 07-1) IN DOCUMENT NO. 2005002939; A  
7-30 194.824-ACRE TRACT (TRACT A) (TO BE KNOWN AS PARCEL 09-1) AND A  
7-31 67.418-ACRE TRACT (TRACT B) (TO BE KNOWN AS PARCEL 09-2) IN DOCUMENT  
7-32 NO. 2005007841; PORTIONS OF A 101.697-ACRE TRACT (TRACT 1) AND A  
7-33 14.054-ACRE TRACT (TRACT 2) (TO BE KNOWN AS PARCEL 24-1) IN DOCUMENT  
7-34 NO. 1999148757; A 39.462-ACRE TRACT (TO BE KNOWN AS PARCEL 25-1) IN  
7-35 DOCUMENT NO. 2006133198; AND A 33.35-ACRE TRACT (TO BE KNOWN AS  
7-36 PARCEL 26-1) IN DOCUMENT NO. 2005007845; AND BEING MORE  
7-37 PARTICULARLY DESCRIBED IN FIVE (5) TRACTS BY METES AND BOUNDS AS  
7-38 FOLLOWS:

7-39 TRACT 1  
7-40 BEGINNING at a calculated point at the intersection of the  
7-41 north bank of the Colorado River and the east right-of-way line of  
7-42 State Highway No. 130, at the southwest corner of the  
7-43 above-described Parcel 09-1, for the southwest corner and POINT OF  
7-44 BEGINNING of the herein described tract;

7-45 THENCE, with the east right-of-way line of said State Highway  
7-46 No. 130, the following seven (7) courses:

- 7-47 1) N08°37'24"W a distance of 537.28 feet to a calculated  
7-48 angle point;
- 7-49 2) N01°34'38"W a distance of 3,468.10 feet to a calculated  
7-50 angle point;
- 7-51 3) N59°15'05"E a distance of 166.15 feet to a calculated  
7-52 angle point;
- 7-53 4) N08°13'09"E a distance of 547.29 feet to a calculated  
7-54 angle point;
- 7-55 5) N52°30'09"W a distance of 138.99 feet to a calculated  
7-56 non-tangent point of curvature of a curve to the right;
- 7-57 6) Along said curve to the right an arc distance of 1,274.92  
7-58 feet, having a radius of 3,458.72 feet, and a chord which bears  
7-59 N19°25'33"E a distance of 1,267.71 feet to a calculated point of  
7-60 tangency; and
- 7-61 7) N29°59'08"E a distance of 421.69 feet to a calculated  
7-62 point at the northwest corner of said Parcel 09-1;

7-63 THENCE, with the north line of said Parcel 09-1, the  
7-64 following three (3) courses:

- 7-65 1) S60°37'51"E a distance of 116.20 feet to a to a calculated  
7-66 point;
- 7-67 2) N29°22'09"E a distance of 83.70 feet to a calculated  
7-68 point; and
- 7-69 3) S60°41'35"E a distance of 416.71 feet to a calculated

8-1 point on the west line of the above-described Parcel 01-1 at the  
8-2 most northerly northeast corner of said Parcel 09-1;  
8-3 THENCE, with the west line of said Parcel 01-1, the following  
8-4 five (5) courses:  
8-5 1) N27°20'56"E a distance of 39.85 feet to a calculated angle  
8-6 point;  
8-7 2) N49°43'26"E a distance of 65.85 feet to a calculated angle  
8-8 point;  
8-9 3) N27°21'16"E a distance of 619.40 feet to a calculated  
8-10 point at an inside corner of said Parcel 01-1;  
8-11 4) N62°38'24"W a distance of 5.00 feet to a calculated point  
8-12 at an outside corner of said Parcel 01-1; and  
8-13 5) N27°21'36"E a distance of 617.35 feet to a calculated  
8-14 point on the south line of the above-described Parcel 16-1 at the  
8-15 northwest corner of said Parcel 01-1;  
8-16 THENCE N62°22'51"W a distance of 40.60 feet to a calculated  
8-17 point on the east line of the above-described Parcel 23-1;  
8-18 THENCE, with the east line of said Parcel 23-1, the following  
8-19 four (4) courses:  
8-20 1) S27°22'35"W a distance of 618.29 feet to a calculated  
8-21 point for an outside corner of said Parcel 23-1;  
8-22 2) N62°37'49"W a distance of 5.00 feet to a calculated point  
8-23 for an inside corner of said Parcel 23-1;  
8-24 3) S27°22'11"W a distance of 618.51 feet to a calculated  
8-25 angle point; and  
8-26 4) S73°40'29"W a distance of 69.55 feet to a calculated point  
8-27 at the southeast corner of said Parcel 23-1;  
8-28 THENCE, with the south line of said Parcel 23-1, N60°41'02"W a  
8-29 distance of 339.91 feet to a calculated point on the east  
8-30 right-of-way line of State Highway No. 130 at the southwest corner  
8-31 of said Parcel 23-1;  
8-32 THENCE, with the east right-of-way line of said State Highway  
8-33 No. 130, the following three (3) courses:  
8-34 1) N30°02'29"E a distance of 1,101.68 feet to a calculated  
8-35 angle point;  
8-36 2) N20°27'12"E a distance of 2,012.40 feet to a calculated  
8-37 angle point; and  
8-38 3) N27°27'12"E a distance of 432.97 feet to a calculated  
8-39 point at the northwest corner of the above-described Parcel 23-3;  
8-40 THENCE, with the north line of said Parcel 23-3, S62°04'21"E a  
8-41 distance of 608.26 feet to a calculated point on the west line of  
8-42 the above-described Parcel 14-1 at the northeast corner of said  
8-43 Parcel 23-3;  
8-44 THENCE, with the west line of said Parcel 14-1, N27°45'52"E a  
8-45 distance of 393.68 feet to a calculated point at the northwest  
8-46 corner of said Parcel 14-1, also being the most westerly southwest  
8-47 corner of the above-described Parcel 01-2;  
8-48 THENCE, with the west line of said Parcel 01-2, N28°07'17"E a  
8-49 distance of 224.92 feet to a calculated point at the southeast  
8-50 corner of the above-described Parcel 24-1;  
8-51 THENCE, with the south line of said Parcel 24-1, N62°34'20"W a  
8-52 distance of 613.00 feet to a calculated point on the east  
8-53 right-of-way line of said State Highway No. 130 at the southwest  
8-54 corner of said Parcel 24-1;  
8-55 THENCE, with the east right-of-way line of said State Highway  
8-56 No. 130, the following nine (9) courses:  
8-57 1) N27°27'12"E a distance of 1,672.04 feet to a calculated  
8-58 angle point;  
8-59 2) N32°27'12"E a distance of 1,894.71 feet to a calculated  
8-60 angle point;  
8-61 3) N29°36'58"E a distance of 516.40 feet to a calculated  
8-62 point;  
8-63 4) S61°16'47"E a distance of 91.29 feet to a calculated  
8-64 point;  
8-65 5) N33°24'29"E a distance of 576.93 feet to a calculated  
8-66 point;  
8-67 6) N61°16'47"W a distance of 126.37 feet to a calculated  
8-68 point;  
8-69 7) N26°30'22"E a distance of 430.28 feet to a calculated



9-1 point;

9-2 8) N61°16'47"W a distance of 56.58 feet to a calculated

9-3 point; and

9-4 9) N27°27'30"E a distance of 956.84 feet to a calculated

9-5 point at the intersection with the south right-of-way line of FM

9-6 Highway No. 969, also being the northwest corner of said Parcel

9-7 24-1;

9-8 THENCE, with the south right-of-way line of said FM Highway

9-9 No. 969, the following six (6) courses:

9-10 1) S64°07'08"E a distance of 395.49 feet to a calculated

9-11 point;

9-12 2) S22°48'20"W a distance of 61.04 feet to a calculated

9-13 point;

9-14 3) S67°11'40"E a distance of 110.00 feet to a calculated

9-15 point;

9-16 4) N22°48'20"E a distance of 60.54 feet to a calculated

9-17 point;

9-18 5) S77°33'00"E a distance of 201.73 feet to a calculated

9-19 angle point; and

9-20 6) S65°03'31"E a distance of 381.97 feet to a calculated

9-21 point at the northeast corner of the above-described Parcel 08-2;

9-22 THENCE, with the east line of said Parcel 08-2, S12°49'01"W a

9-23 distance of 1,365.75 feet to a calculated point at an inside corner

9-24 of the above-described Parcel 02-1;

9-25 THENCE, with the north line of said Parcel 02-1, S62°34'57"E a

9-26 distance of 947.19 feet to a calculated point at the most easterly

9-27 northeast corner of said Parcel 02-1;

9-28 THENCE, with the east line of said Parcel 02-1, S27°12'42"W a

9-29 distance of 1,350.79 feet to a calculated angle point;

9-30 THENCE, continuing with the east line of said Parcel 02-1,

9-31 S27°42'57"W a distance of 1,658.43 feet to a calculated point at the

9-32 northeast corner of said Parcel 01-2;

9-33 THENCE, with the east line of said Parcel 01-2, S27°36'56"W a

9-34 distance of 1,486.26 feet to a calculated point at an outside corner

9-35 of said Parcel 01-2 on the north line of the above-described Parcel

9-36 04-1;

9-37 THENCE, with the north line of said Parcel 04-1, S62°13'13"E a

9-38 distance of 697.01 feet to a calculated point at the northeast

9-39 corner of said Parcel 04-1, also being the northwest corner of the

9-40 above-described Parcel 19-1;

9-41 THENCE, with the north line of said Parcel 19-1, S62°14'53"E a

9-42 distance of 461.49 feet to a calculated point at the southwest

9-43 corner of the above-described Parcel 10-1;

9-44 THENCE, with the west line of said Parcel 10-1, N27°49'54"E a

9-45 distance of 3,150.15 feet to a calculated point at the northwest

9-46 corner of said Parcel 10-1;

9-47 THENCE, with the north line of said Parcel 10-1, S62°43'06"E a

9-48 distance of 710.22 feet to a calculated point at the northeast

9-49 corner of said Parcel 10-1;

9-50 THENCE, with the east line of said Parcel 10-1, S27°52'34"W a

9-51 distance of 3,156.02 feet to a calculated point at the southeast

9-52 corner of said Parcel 10-1, also being the northwest corner of the

9-53 above-described Parcel 06-1;

9-54 THENCE, with the north line of said Parcel 06-1, S61°04'03"E a

9-55 distance of 289.04 feet to a calculated point at the northwest

9-56 corner of the above-described Parcel 12-1;

9-57 THENCE, with the north line of said Parcel 12-1, S63°22'55"E a

9-58 distance of 457.28 feet to a calculated point at the northwest

9-59 corner of the above-described Parcel 06-2;

9-60 THENCE, with the north line of said Parcel 06-2, S64°42'36"E a

9-61 distance of 378.00 feet to a calculated point at the northwest

9-62 corner of the above-described Parcel 20-1;

9-63 THENCE, with the north line of said Parcel 20-1, S70°09'59"E a

9-64 distance of 400.67 feet to a calculated point at the northwest

9-65 corner of the above-described Parcel 02-3;

9-66 THENCE, with the north line of said Parcel 02-3, the

9-67 following three (3) courses:

9-68 1) S67°05'07"E a distance of 104.58 feet to a calculated

9-69 angle point;

- 10-1           2) S53°35'54"E a distance of 105.83 feet to a calculated
- 10-2 angle point; and
- 10-3           3) S55°41'48"E a distance of 206.91 feet to a calculated
- 10-4 point at the northeast corner of said Parcel 02-3;
- 10-5           THENCE, with the east line of said Parcel 02-3, S28°01'49"W a
- 10-6 distance of 899.00 feet to a calculated point on the north bank of
- 10-7 the Colorado River at the southeast corner of said Parcel 02-3;
- 10-8           THENCE, with the meanders of the north bank of the Colorado
- 10-9 River, the following fifty-nine (59) courses:
- 10-10          1) S78°57'26"W a distance of 265.40 feet to a calculated
- 10-11 point;
- 10-12          2) S58°33'04"W a distance of 403.36 feet to a calculated
- 10-13 point;
- 10-14          3) S27°53'07"W a distance of 24.17 feet to a calculated
- 10-15 point;
- 10-16          4) S73°19'34"W a distance of 179.78 feet to a calculated
- 10-17 point;
- 10-18          5) S80°40'33"W a distance of 284.45 feet to a calculated
- 10-19 point;
- 10-20          6) N26°28'28"E a distance of 20.96 feet to a calculated
- 10-21 point;
- 10-22          7) S75°36'26"W a distance of 293.31 feet to a calculated
- 10-23 point;
- 10-24          8) S86°20'34"W a distance of 84.16 feet to a calculated
- 10-25 point;
- 10-26          9) S79°42'18"W a distance of 141.79 feet to a calculated
- 10-27 point;
- 10-28          10) S27°00'43"W a distance of 26.90 feet to a calculated
- 10-29 point;
- 10-30          11) S78°05'41"W a distance of 99.68 feet to a calculated
- 10-31 point;
- 10-32          12) S71°38'12"W a distance of 426.53 feet to a calculated
- 10-33 point;
- 10-34          13) S58°35'29"W a distance of 276.51 feet to a calculated
- 10-35 point;
- 10-36          14) S24°20'35"W a distance of 359.58 feet to a calculated
- 10-37 point;
- 10-38          15) S08°24'01"W a distance of 300.61 feet to a calculated
- 10-39 point;
- 10-40          16) S07°37'34"E a distance of 185.37 feet to a calculated
- 10-41 point;
- 10-42          17) S02°25'49"E a distance of 59.41 feet to a calculated
- 10-43 point;
- 10-44          18) S01°21'36"W a distance of 38.60 feet to a calculated
- 10-45 point;
- 10-46          19) S08°00'24"E a distance of 41.40 feet to a calculated
- 10-47 point;
- 10-48          20) S09°09'36"W a distance of 373.90 feet to a calculated
- 10-49 point;
- 10-50          21) S31°59'36"W a distance of 107.30 feet to a calculated
- 10-51 point;
- 10-52          22) S18°00'36"W a distance of 293.50 feet to a calculated
- 10-53 point;
- 10-54          23) S30°25'36"W a distance of 112.00 feet to a calculated
- 10-55 point;
- 10-56          24) S10°51'36"W a distance of 634.90 feet to a calculated
- 10-57 point;
- 10-58          25) S02°34'36"W a distance of 30.70 feet to a calculated
- 10-59 point;
- 10-60          26) S59°28'24"E a distance of 57.10 feet to a calculated
- 10-61 point;
- 10-62          27) S03°40'24"E a distance of 310.40 feet to a calculated
- 10-63 point;
- 10-64          28) S16°21'36"W a distance of 278.50 feet to a calculated
- 10-65 point;
- 10-66          29) S17°53'36"W a distance of 322.40 feet to a calculated
- 10-67 point;
- 10-68          30) S32°29'36"W a distance of 792.30 feet to a calculated
- 10-69 point;

11-1 31) S18°11'36"W a distance of 184.90 feet to a calculated  
 11-2 point;  
 11-3 32) N63°10'34"W a distance of 44.96 feet to a calculated  
 11-4 point;  
 11-5 33) S19°04'38"W a distance of 21.49 feet to a calculated  
 11-6 point;  
 11-7 34) S27°17'38"W a distance of 190.50 feet to a calculated  
 11-8 point;  
 11-9 35) S23°12'38"W a distance of 266.20 feet to a calculated  
 11-10 point;  
 11-11 36) S33°52'38"W a distance of 191.10 feet to a calculated  
 11-12 point;  
 11-13 37) S61°12'38"W a distance of 280.40 feet to a calculated  
 11-14 point;  
 11-15 38) S63°15'38"W a distance of 345.10 feet to a calculated  
 11-16 point;  
 11-17 39) S72°35'38"W a distance of 285.20 feet to a calculated  
 11-18 point;  
 11-19 40) N85°31'22"W a distance of 165.00 feet to a calculated  
 11-20 point;  
 11-21 41) N72°50'22"W a distance of 150.00 feet to a calculated  
 11-22 point;  
 11-23 42) N10°15'22"W a distance of 135.80 feet to a calculated  
 11-24 point;  
 11-25 43) N04°17'22"W a distance of 37.00 feet to a calculated  
 11-26 point;  
 11-27 44) N38°51'22"W a distance of 391.50 feet to a calculated  
 11-28 point;  
 11-29 45) N12°14'22"W a distance of 40.00 feet to a calculated  
 11-30 point;  
 11-31 46) N07°15'38"E a distance of 183.00 feet to a calculated  
 11-32 point;  
 11-33 47) S47°45'38"W a distance of 386.10 feet to a calculated  
 11-34 point;  
 11-35 48) S75°54'39"W a distance of 102.43 feet to a calculated  
 11-36 point;  
 11-37 49) S71°46'05"W a distance of 154.03 feet to a calculated  
 11-38 point;  
 11-39 50) S65°38'42"W a distance of 430.32 feet to a calculated  
 11-40 point;  
 11-41 51) S49°58'20"W a distance of 207.45 feet to a calculated  
 11-42 point;  
 11-43 52) S47°30'01"W a distance of 581.94 feet to a calculated  
 11-44 point;  
 11-45 53) S58°05'16"W a distance of 199.26 feet to a calculated  
 11-46 point;  
 11-47 54) S55°02'26"W a distance of 168.25 feet to a calculated  
 11-48 point;  
 11-49 55) S66°49'36"W a distance of 424.33 feet to a calculated  
 11-50 point;  
 11-51 56) S70°27'05"W a distance of 178.44 feet to a calculated  
 11-52 point;  
 11-53 57) S73°49'29"W a distance of 103.82 feet to a calculated  
 11-54 point;  
 11-55 58) S85°43'30"W a distance of 78.52 feet to a calculated  
 11-56 point; and  
 11-57 59) S78°29'14"W a distance of 59.80 feet to the POINT OF  
 11-58 BEGINNING, and containing 1,370 acres of land, more or less.  
 11-59 TRACT 2  
 11-60 BEGINNING at a calculated point at the intersection of the  
 11-61 north bank of the Colorado River and the west right-of-way line of  
 11-62 State Highway No. 130, at the southeast corner of the  
 11-63 above-described Parcel 03-2, for the southeast corner and POINT OF  
 11-64 BEGINNING of the herein described tract;  
 11-65 THENCE, with the meanders of the north bank of the Colorado  
 11-66 River, the following twenty-two (22) courses:  
 11-67 1) S76°37'38"W a distance of 1.87 feet to a calculated point;  
 11-68 2) S72°53'53"W a distance of 518.11 feet to a calculated  
 11-69 point;

12-1 3) S75°14'11"W a distance of 517.88 feet to a calculated  
 12-2 point;  
 12-3 4) S70°55'05"W a distance of 289.38 feet to a calculated  
 12-4 point;  
 12-5 5) S81°58'40"W a distance of 118.79 feet to a calculated  
 12-6 point;  
 12-7 6) S63°21'33"W a distance of 277.07 feet to a calculated  
 12-8 point;  
 12-9 7) S49°47'25"W a distance of 47.81 feet to a calculated  
 12-10 point;  
 12-11 8) S64°43'53"W a distance of 353.97 feet to a calculated  
 12-12 point;  
 12-13 9) S62°39'35"W a distance of 626.81 feet to a calculated  
 12-14 point;  
 12-15 10) S72°28'38"W a distance of 203.07 feet to a calculated  
 12-16 point;  
 12-17 11) S85°12'41"W a distance of 191.20 feet to a calculated  
 12-18 point;  
 12-19 12) N89°48'48"W a distance of 82.77 feet to a calculated  
 12-20 point;  
 12-21 13) N83°17'50"W a distance of 141.54 feet to a calculated  
 12-22 point;  
 12-23 14) N83°16'30"W a distance of 332.35 feet to a calculated  
 12-24 point;  
 12-25 15) N72°21'14"W a distance of 159.08 feet to a calculated  
 12-26 point;  
 12-27 16) N80°26'48"W a distance of 189.39 feet to a calculated  
 12-28 point;  
 12-29 17) N79°57'59"W a distance of 91.38 feet to a calculated  
 12-30 point;  
 12-31 18) S85°50'53"W a distance of 69.91 feet to a calculated  
 12-32 point;  
 12-33 19) N78°28'45"W a distance of 123.84 feet to a calculated  
 12-34 point;  
 12-35 20) N68°18'10"W a distance of 159.21 feet to a calculated  
 12-36 point;  
 12-37 21) N80°39'08"W a distance of 135.80 feet to a calculated  
 12-38 point; and  
 12-39 22) S78°59'06"W a distance of 43.91 feet to a calculated  
 12-40 point at the intersection with the east right-of-way line of FM  
 12-41 Highway No. 973, also being the most southerly southwest corner of  
 12-42 the above-described Parcel 03-5;  
 12-43 THENCE, with the east right-of-way line of said FM Highway  
 12-44 No. 973, N10°21'00"E a distance of 147.12 feet to a calculated point  
 12-45 of curvature of a curve to the left;  
 12-46 THENCE, continuing with the east right-of-way line, along  
 12-47 said curve to the left an arc distance of 623.12 feet, having a  
 12-48 radius of 622.94 feet, and a chord which bears N18°18'22"W a  
 12-49 distance of 597.46 feet to a calculated point at the most westerly  
 12-50 southwest corner of said Parcel 03-5;  
 12-51 THENCE, with the west line of said Parcel 03-5, N27°38'58"E a  
 12-52 distance of 2,173.14 feet to a calculated point at the northwest  
 12-53 corner of said Parcel 03-5;  
 12-54 THENCE, with the north line of said Parcel 03-5, S62°35'52"E a  
 12-55 distance of 953.15 feet to a calculated point in the west line of  
 12-56 the above-described Parcel 03-7 at the northeast corner of said  
 12-57 Parcel 03-5;  
 12-58 THENCE, with the west line of said Parcel 03-7, N27°51'48"E a  
 12-59 distance of 830.67 feet to a calculated angle point;  
 12-60 THENCE, continuing with the west line of said Parcel 03-7,  
 12-61 N27°04'22"E a distance of 660.77 feet to a calculated angle point;  
 12-62 THENCE, with the west line of the above-described Parcel  
 12-63 03-01, N27°16'45"E a distance of 2,498.68 feet to a calculated point  
 12-64 at the northwest corner of said Parcel 03-1, also being the  
 12-65 southwest corner of the above-described Parcel 28-2;  
 12-66 THENCE, with the west line of said Parcel 28-2, the following  
 12-67 five (5) courses:  
 12-68 1) N23°25'44"E a distance of 14.81 feet to a calculated angle  
 12-69 point;

13-1           2) N27°12'18"E a distance of 110.07 feet to a calculated  
13-2 angle point;  
13-3           3) N27°08'13"E a distance of 109.97 feet to a calculated  
13-4 angle point;  
13-5           4) N27°14'30"E a distance of 114.81 feet to a calculated  
13-6 angle point; and  
13-7           5) N27°12'49"E a distance of 7.53 feet to a calculated point  
13-8 at the southeast corner of the above-described Parcel 27-1;  
13-9           THENCE, with the south line of said Parcel 27-1, N62°40'24"W a  
13-10 distance of 1,722.95 feet to a calculated point on the east  
13-11 right-of-way line of FM Highway No. 973 at the southwest corner of  
13-12 said Parcel 27-1;  
13-13           THENCE, with the east right-of-way line of said FM Highway  
13-14 No. 973, N27°14'18"E a distance of 2,115.67 feet to a calculated  
13-15 point at the intersection with the south right-of-way line of  
13-16 Harold Green Road at the northwest corner of said Parcel 27-1;  
13-17           THENCE, with the south right-of-way line of said Harold Green  
13-18 Road, S62°58'47"E a distance of 1,685.22 feet to a calculated angle  
13-19 point;  
13-20           THENCE, continuing with the south right-of-way line of said  
13-21 Harold Green Road, S49°54'08"E a distance of 37.29 feet to a  
13-22 calculated point at the intersection with the west right-of-way  
13-23 line of State Highway No. 130 at the northeast corner of said Parcel  
13-24 27-1;  
13-25           THENCE, with the west right-of-way line of said State Highway  
13-26 No. 130, the following six (6) courses:  
13-27           1) S27°10'40"W a distance of 207.10 feet to a calculated  
13-28 point at the northwest corner of said Parcel 28-2;  
13-29           2) S60°00'52"E a distance of 291.88 feet to a calculated  
13-30 point at the northeast corner of said Parcel 28-2;  
13-31           3) S29°59'08"W a distance of 908.52 feet to a calculated  
13-32 angle point;  
13-33           4) S12°44'41"W a distance of 849.11 feet to a calculated  
13-34 angle point;  
13-35           5) S18°15'23"E a distance of 401.53 feet to a calculated  
13-36 angle point; and  
13-37           6) S01°34'38"E a distance of 4,793.91 feet to the POINT OF  
13-38 BEGINNING, and containing 446 acres of land, more or less.  
13-39           TRACT 3  
13-40           BEGINNING at a calculated point on the west right-of-way line  
13-41 of FM Highway No. 973 at the northeast corner of the  
13-42 above-described Parcel 03-4, for the northeast corner and POINT OF  
13-43 BEGINNING of the herein described tract;  
13-44           THENCE, with the west right-of-way line of said FM Highway  
13-45 No. 973, S27°14'18"W a distance of 3,646.01 feet to a calculated  
13-46 point at the southeast corner of said Parcel 03-4;  
13-47           THENCE, with the south line of said Parcel 03-4, N62°56'53"W a  
13-48 distance of 837.14 feet to a calculated point at the southwest  
13-49 corner of said Parcel 03-4;  
13-50           THENCE, with the west line of said Parcel 03-4, the following  
13-51 three (3) courses:  
13-52           1) N27°31'25"E a distance of 340.08 feet to a calculated  
13-53 angle point;  
13-54           2) N27°26'49"E a distance of 1,634.23 feet to a calculated  
13-55 angle point; and  
13-56           3) N27°36'28"E a distance of 1,688.35 feet to a calculated  
13-57 point at the northwest corner of said Parcel 03-4;  
13-58           THENCE, with the north line of said Parcel 03-4, S61°47'25"E a  
13-59 distance of 818.72 feet to the POINT OF BEGINNING, and containing 69  
13-60 acres of land, more or less.  
13-61           TRACT 4  
13-62           BEGINNING at a calculated point on the east right-of-way line  
13-63 of FM Highway No. 973 at the northwest corner of the  
13-64 above-described Parcel 11-1, for the most westerly northwest corner  
13-65 and POINT OF BEGINNING of the herein described tract;  
13-66           THENCE, with the north line of said Parcel 11-1, S62°59'56"E a  
13-67 distance of 1,705.04 feet to a calculated point on the west line of  
13-68 the above-described Parcel 22-1 at the northeast corner of said  
13-69 Parcel 11-1;

14-1           THENCE, with the west line of said Parcel 22-1, N27°24'34"E a  
 14-2 distance of 854.85 feet to a calculated point on the west  
 14-3 right-of-way line of State Highway No. 130 at the northwest corner  
 14-4 of said Parcel 22-1;

14-5           THENCE, with the west right-of-way line of said State Highway  
 14-6 No. 130, the following six (6) courses:

14-7           1) S62°02'37"E a distance of 70.21 feet to a calculated point  
 14-8 at the northeast corner of said Parcel 22-1;

14-9           2) S12°37'58"W a distance of 1,453.45 feet to a calculated  
 14-10 point of curvature of a curve to the right;

14-11           3) Along said curve to the right an arc distance of 557.08  
 14-12 feet, having a radius of 1813.67 feet, and a chord which bears  
 14-13 S22°23'39"W a distance of 554.89 feet to a calculated point of  
 14-14 tangency;

14-15           4) S31°31'30"W a distance of 319.97 feet to a calculated  
 14-16 point at the southeast corner of the above-described Parcel 23-1;

14-17           5) N87°37'11"W a distance of 71.61 feet to a calculated angle  
 14-18 point; and

14-19           6) N62°35'47"W a distance of 400.24 feet to a calculated  
 14-20 point at the southwest corner of said Parcel 23-1;

14-21           THENCE, with the west lines of Parcels 23-1, 28-1 and 22-1,  
 14-22 N27°24'44"E a distance of 1,293.45 feet to a calculated point at the  
 14-23 southeast corner of said Parcel 11-1;

14-24           THENCE, with the south line of said Parcel 11-1, N62°59'56"W a  
 14-25 distance of 1,705.16 feet to a calculated point on the east  
 14-26 right-of-way line of said FM Highway No. 973 at the southwest  
 14-27 corner of said Parcel 11-1;

14-28           THENCE, with the east right-of-way line of said FM Highway  
 14-29 No. 973, N26°57'04"E a distance of 160.00 feet to the POINT OF  
 14-30 BEGINNING, and containing 24 acres of land, more or less.

14-31           TRACT 5

14-32           BEGINNING at a 1/2" iron rod found on the east right-of-way  
 14-33 line of FM Highway No. 973 at the northwest corner of the  
 14-34 above-described Parcel 07-1, for the northwest corner and POINT OF  
 14-35 BEGINNING of the herein described tract;

14-36           THENCE, with the north line of said Parcel 07-1, S63°23'23"E a  
 14-37 distance of 1,720.22 feet to a calculated point at the northeast  
 14-38 corner of said Parcel 07-1;

14-39           THENCE, with the east line of said Parcel 07-1, a portion of  
 14-40 said line also being the west right-of-way line of said State  
 14-41 Highway No. 130, S27°27'34"W a distance of 5,047.34 feet to a  
 14-42 calculated angle point;

14-43           THENCE, continuing with the west right-of-way line of said  
 14-44 State Highway No. 130, S27°52'12"W a distance of 588.10 feet to a  
 14-45 calculated point at the southeast corner of said Parcel 07-1;

14-46           THENCE, with the south line of said Parcel 07-1, N63°23'09"W a  
 14-47 distance of 1,723.19 feet to a 1/2" iron rod found with cap marked  
 14-48 "Brooks-Baker" on the east right-of-way line of said FM Highway  
 14-49 No. 973 at the southwest corner of said Parcel 07-1;

14-50           THENCE, with the east right-of-way line of said FM Highway  
 14-51 No. 973, the following three (3) courses:

14-52           1) N27°00'51"E a distance of 790.98 feet to a calculated  
 14-53 angle point;

14-54           2) N27°35'51"E a distance of 4,186.86 feet to a calculated  
 14-55 angle point; and

14-56           3) N27°44'31"E a distance of 657.55 feet to the POINT OF  
 14-57 BEGINNING, and containing 223 acres of land, more or less.

14-58           The gross area contained within Tracts 1, 2, 3, 4 and 5 totals  
 14-59 2,132 acres of land, more or less.

14-60           SECTION 3. (a) The legal notice of the intention to  
 14-61 introduce this Act, setting forth the general substance of this  
 14-62 Act, has been published as provided by law, and the notice and a  
 14-63 copy of this Act have been furnished to all persons, agencies,  
 14-64 officials, or entities to which they are required to be furnished  
 14-65 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 14-66 Government Code.

14-67           (b) The governor, one of the required recipients, has  
 14-68 submitted the notice and Act to the Texas Commission on  
 14-69 Environmental Quality.

15-1 (c) The Texas Commission on Environmental Quality has filed  
15-2 its recommendations relating to this Act with the governor,  
15-3 lieutenant governor, and speaker of the house of representatives  
15-4 within the required time.

15-5 (d) All requirements of the constitution and laws of this  
15-6 state and the rules and procedures of the legislature with respect  
15-7 to the notice, introduction, and passage of this Act have been  
15-8 fulfilled and accomplished.

15-9 SECTION 4. This Act takes effect immediately if it receives  
15-10 a vote of two-thirds of all the members elected to each house, as  
15-11 provided by Section 39, Article III, Texas Constitution. If this  
15-12 Act does not receive the vote necessary for immediate effect, this  
15-13 Act takes effect September 1, 2017.

15-14

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