

By: Buckley

H.B. No. 5367

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Solana Ranch Municipal Utility District No. 1; 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 7923 to read as follows:

CHAPTER 7923. SOLANA RANCH MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7923.0101. 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 Solana Ranch Municipal Utility District No. 1.

Sec. 7923.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7923.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 7923.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7923.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7923.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
8 (a) The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:
10 (1) a municipal utility district as provided by
11 general law and Section 59, Article XVI, Texas Constitution; and
12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 7923.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;
24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;
27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7923.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7923.0202, directors
6 serve staggered four-year terms.

7 Sec. 7923.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Gary Newman;

10 (2) Sandra Wilm;

11 (3) Becky Hinojosa;

12 (4) David Voekel; and

13 (5) Teresa Canchola.

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

15 (1) the date permanent directors are elected under
16 Section 7923.0103; or

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

19 (c) If permanent directors have not been elected under
20 Section 7923.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7923.0103; or

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

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

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7923.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 7923.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 7923.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 7923.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road project is located.

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

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

9 Sec. 7923.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 Sec. 7923.0306. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if the district:

17 (1) has no outstanding bonded debt; and

18 (2) is not imposing ad valorem taxes.

19 (b) This chapter applies to any new district created by the
20 division of the district, and a new district has all the powers and
21 duties of the district.

22 (c) Any new district created by the division of the district
23 may not, at the time the new district is created, contain any land
24 outside the area described by Section 2 of the Act enacting this
25 chapter.

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 7923.0103 to confirm the district's creation.

6 (f) An order dividing the district shall:

7 (1) name each new district;

8 (2) include the metes and bounds description of the
9 territory of each new district;

10 (3) appoint temporary directors for each new district;
11 and

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

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

18 (h) Any new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 7923.0103. If the voters of a new district do not confirm
21 the creation of the new district, the assets, obligations,
22 territory, and governance of the new district revert to the
23 original district.

24 (i) If the creation of the new district is confirmed, the
25 new district shall provide the election date and results to the
26 commission.

27 (j) Municipal consent to the creation of the district and to

the inclusion of land in the district granted under Section 7923.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7923.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7923.0403.

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

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

Sec. 7923.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7923.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

3 (c) Section 49.107(f), Water Code, does not apply to
4 reimbursements for projects constructed or acquired under Section
5 7923.0303.

6 Sec. 7923.0403. CONTRACT TAXES. (a) In accordance with
7 Section 49.108, Water Code, the district may impose a tax other than
8 an operation and maintenance tax and use the revenue derived from
9 the tax to make payments under a contract after the provisions of
10 the contract have been approved by a majority of the district voters
11 voting at an election held for that purpose.

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

15 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

16 Sec. 7923.0501. AUTHORITY TO ISSUE BONDS AND OTHER
17 OBLIGATIONS. The district may issue bonds or other obligations
18 payable wholly or partly from ad valorem taxes, impact fees,
19 revenue, contract payments, grants, or other district money, or any
20 combination of those sources, to pay for any authorized district
21 purpose.

22 Sec. 7923.0502. TAXES FOR BONDS. At the time the district
23 issues bonds payable wholly or partly from ad valorem taxes, the
24 board shall provide for the annual imposition of a continuing
25 direct ad valorem tax, without limit as to rate or amount, while all
26 or part of the bonds are outstanding as required and in the manner
27 provided by Sections 54.601 and 54.602, Water Code.

1 Sec. 7923.0503. BONDS FOR ROAD PROJECTS. At the time of
2 issuance, the total principal amount of bonds or other obligations
3 issued or incurred to finance road projects and payable from ad
4 valorem taxes may not exceed one-fourth of the assessed value of the
5 real property in the district.

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

9 A 7,088.47 acre (308,773,841 square feet), tract of land, lying
10 within the D.F. Hair Survey, Abstract 1088, the John Kizzier
11 Survey, Abstract 496, the William S. Black Survey, Abstract 128,
12 the Nancy Sims Survey, Abstract 759, the Elisha Davis Survey,
13 Abstract 244, the Stephen William Survey, Abstract 866, the
14 J.H. Gilliland Survey, Abstract 1235, the John H. Greenwood Survey,
15 Abstract 367, the Cynthia Gilbert Survey, Abstract 346, the
16 E.W. Matthews Survey, Abstract 598, the Elijah Ingram Survey,
17 Abstract 467, the Abner Webb Survey, Abstract 872, the Jacobs
18 Zingular Survey, Abstract 943, the G.E. Denson Survey, Abstract
19 1249, the Eli Lockhart Survey, Abstract 532 and the Jackson Walters
20 Survey, Abstract 864, in Bell County, Texas, the Elisha Davis
21 Survey, Abstract 172, the Stephen Williams Survey, Abstract 915,
22 the Elijah Ingram Survey, Abstract 333, the Jackson Walters Survey,
23 Abstract 655, in Williamson County, Texas and being all of a called
24 207.83 acre tract, First Tract, all of the remainder of a called
25 207.83 acre tract, Second Tract and all of a called 415.66 acre
26 tract, Third Tract, all conveyed to Solana Ranch Company, in
27 Document No. 1959002172, Official Public Records Bell County,

H.B. No. 5367

1 Texas, all of the remainder of a called 1292 acre tract, First
2 Tract, all of a called 1057 acre tract, Second Tract, all of a
3 called 57 acre tract, Third Tract, a portion of the remainder of a
4 called 446.1 acre tract, Fourth Tract, all of a called 121 acre
5 tract, Fifth Tract-1st Tract, all of a called 12.5 acre tract, Fifth
6 Tract - 2nd Tract, all of a called 100 acre tract, Fifth Tract - 3rd
7 Tract, all of a called 1748.4 acre tract, Sixth Tract, all of the
8 remainder of a called 767 acre tract, Seventh Tract-1st Tract and
9 all of a called 10 acre tract, Seventh Tract - 2nd Tract, all
10 conveyed to Solana Ranch Company, in Document No. 1950-02854,
11 Official Public Records Bell and Williamson County, Texas, all of a
12 called 100 acre tract, conveyed to Solana Ranch Company, in
13 Document No. 1952-2759, Official Public Records Williamson County,
14 Texas, all of a called 279.06 acre tract, conveyed to Solana Ranch
15 Company, in Document No. 1984021088, Official Public Records Bell
16 County, Texas, all of a called 0.29 acre tract, conveyed to Solana
17 Ranch Company, in Document No. 1953003725, Official Public Records
18 Williamson County, Texas, all of the remainder of a called 434.08
19 acre tract, conveyed to Solana Ranch Company, in Volume 639, Page
20 192, Deed Records Bell County, Texas, described as follows:

21 BEGINNING, at an 1/2" iron rod found for the northeastern corner of
22 said remainder of 434.08 acre tract, the northwestern corner of Lot
23 1, Block 1, and of Salado Bluffs, Phase 1, a subdivision, recorded
24 in Cabinet 2019, Slide 35 and Instrument No. 2019-5387, Official
25 Public Records of Bell County, Texas, and also being on the southern
26 right-of-way line of Farm to Market Highway 2843 (right-of-way
27 varies), for the POINT OF BEGINNING and the most eastern

1 northeastern corner of the herein described tract;

2 THENCE, with the eastern line of said remainder of 434.08 acre tract
3 and also being the western line of said Salado Bluffs, Phase 1, S 22°
4 08' 46" E, a distance of 787.67 feet to a 1/2" iron rod found for the
5 southwestern corner of Lot 2, Block 1 and of said Salado Bluffs,
6 Phase 1 and also being on the western line of the remainder of a
7 called 413.72 acre tract, Tract Three, conveyed to Whitis Land
8 Investments, LTD, in Document No. 2013000874, Official Public
9 Records Bell County, Texas;

10 THENCE, with the eastern line of said remainder of 434.08 acre tract
11 and also being the western line of said remainder of 413.72 acre
12 tract, the following thirteen (13) courses and distances:

13 1. S 25° 29' 14" E, a distance of 328.02 feet to a 1/2" iron
14 rod with "ATWELL LLC" cap set;

15 2. S 32° 39' 21" E, a distance of 144.51 feet to a 1/2" iron
16 rod with "ATWELL LLC" cap set;

17 3. S 21° 08' 22" E, a distance of 211.32 feet to a 1/2" iron
18 rod with "ATWELL LLC" cap set;

19 4. S 68° 28' 39" E, a distance of 143.74 feet to a 1/2" iron
20 rod found;

21 5. S 15° 20' 45" E, a distance of 348.68 feet to a 1/2" iron
22 rod with "ATWELL LLC" cap set;

23 6. S 11° 53' 53" E, a distance of 771.28 feet to a 3" pipe
24 post found;

25 7. S 22° 09' 05" E, a distance of 129.47 feet to a 1/2" iron
26 rod with "ATWELL LLC" cap set;

27 8. S 22° 40' 40" E, a distance of 466.27 feet to a 3" pipe

1 post found;

2 9. S 12° 45' 19" E, a distance of 650.78 feet to a 1/2" iron
3 rod with "ATWELL LLC" cap set;

4 10. S 12° 21' 16" E, a distance of 254.15 feet to a 3" pipe
5 post found;

6 11. S 20° 33' 47" E, a distance of 517.36 feet to a 1/2" iron
7 rod with "ATWELL LLC" cap set;

8 12. S 19° 43' 32" E, a distance of 1314.54 feet to a 3" cedar
9 post found;

10 13. S 26° 45' 35" E, a distance of 316.29 feet to a 5/8" iron
11 rod found for the southeastern corner of said remainder of 434.08
12 acre tract, the southwestern corner of said remainder of 413.72
13 acre tract, an ell corner of said 1748.4 acre tract, Sixth Tract and
14 also being an ell corner of a called 425.18 acre tract, Tract One,
15 conveyed to Whitis Land Investments, LTD, in Document
16 No. 2013000874, Official Public Records Bell County, Texas;

17 THENCE, with the eastern line of said 1748.4 acre tract and also
18 being the western line of said 425.18 acre tract, the following two
19 (2) courses and distances:

20 (1) S 20° 49' 34" E, a distance of 3016.99 feet to a 5/8" iron
21 rod with plastic cap found for an ell corner of said 1748.4 acre
22 tract and said 425.18 acre tract;

23 (2) N 69° 03' 52" E, a distance of 1134.64 feet to a 5/8" iron
24 rod found for and ell corner of said 1748.4 acre tract and also
25 being the northwestern corner of a called 57.20 acre tract,
26 conveyed to WBW Single Land Investment, LLC-Series 116, in Document
27 No. 2021063250, Official Public Records Williamson County, Texas;

H.B. No. 5367

1 THENCE, with the eastern line of said 1748.4 acre tract and also
2 being the western line of said 57.20 acre tract, S 09° 53' 24" E, a
3 distance of 1387.46 feet to a 1/2" iron rod with "ATWELL LLC" cap
4 set;

5 THENCE, with the southern line of said 1748.4 acre tract, also being
6 the northern right-of-way line of Kuykendall Road (Right-of-Way
7 Varies) also being the northern line of a called 0.976 acre tract,
8 Tract 2, and the northern line of a called 13.958 acre tract, Tract
9 1, both conveyed to Johnny and Stephanie Butler, in Document
10 No. 2018053233, Official Public Records Bell County, Texas, S 68°
11 33' 07" W, a distance of 727.66 feet to a 1/2" iron rod with "6447"
12 cap found for the northwestern corner of said 13.958 acre tract and
13 also being the northeastern corner of a called 12.855 acre tract,
14 conveyed to Johnny E. Butler II and spouse Stephanie R. Butler, in
15 Document No. 2018038490, Official Public Records Bell County,
16 Texas;

17 THENCE, continuing with the southern line of said 1748.4 acre tract
18 and also being the northern line of said 12.855 acre tract, S 68° 33'
19 11" W, a distance of 474.62 feet to a 1/2" iron rod with "6447" cap
20 found for the northwestern corner of said 12.855 acre tract and also
21 being the northeastern corner of a called 10.389 acre tract,
22 conveyed to William A. and Susan E. Clark, in Document
23 No. 2019014983, Official Public Records Bell County, Texas;

24 THENCE, continuing with the southern line of said 1748.4 acre tract
25 and also being the northern line of said 10.389 acre tract, S 68° 33'
26 12" W, a distance of 738.77 feet to a 1/2" iron rod with "6447" cap
27 found for the northwestern corner of said 10.389 acre tract and also

H.B. No. 5367

1 being the northeastern corner of a called 15.000 acre tract,
2 conveyed to Robert James White and wife, Amanda Marie White, in
3 Document No. 2018023005, Official Public Records Bell County,
4 Texas;

5 THENCE, continuing with the southern line of said 1748.4 acre tract
6 and also being the northern line of said 15.000 acre tract, S 68° 32'
7 29" W, a distance of 400.85 feet to a 1/2" iron rod with "6447" cap
8 found for the northwestern corner of said 15.000 acre tract and also
9 being an ell corner of a called 2.599 acre tract, conveyed to Adam
10 Neville Starr, in Document No. 2019011692, Official Public Records
11 Bell County, Texas;

12 THENCE, continuing with the southern line of said 1748.4 acre tract
13 and also being the northern line of said 2.599 acre tract,
14 S 67° 40' 10" W, a distance of 30.24 feet to an 8" cedar post found
15 for an ell corner of said 1748.4 acre tract and also being an ell
16 corner of said 2.599 acre tract;

17 THENCE, with a western line of said 1748.4 acre tract and also being
18 the eastern line of said 2.599 acre tract, N 20° 44' 31" W, a
19 distance of 390.28 feet to a 1/2" iron rod with "6447" cap found for
20 the northeastern corner of said 2.599 acre tract and also being the
21 southeastern corner of a called 41.277 acre tract, conveyed to Adam
22 Neville Starr, in Document No. 2018053234, Official Public Records
23 Bell County, Texas;

24 THENCE, with a western line of said 1748.4 acre tract and also being
25 the eastern line of said 41.277 acre tract, N 20° 49' 25" W, a
26 distance of 960.21 feet to a 5/8" iron rod found for an ell corner of
27 said 1748.4 acre tract and also being the northeastern corner of

1 said 41.277 acre tract;
2 THENCE, with a southern line of said 1748.4 acre tract and also
3 being the northern line of said 41.277 acre tract, S 68° 56' 27" W,
4 a distance of 1849.02 feet to a 1/2" iron rod with "ATWELL LLC" cap
5 set; for an ell corner of said 1748.4 acre tract, the northwestern
6 corner of said 41.277 acre tract and also being on the eastern line
7 of a called 207.83 acre tract, First Tract, conveyed to Solana Ranch
8 Company, in Document No. 1959002172, Official Public Records Bell
9 County, Texas;
10 THENCE, with the eastern line of said 207.83 acre tract, First
11 Tract, and also being the western line of said 41.277 acre tract,
12 S 21° 01' 56" E, a distance of 989.61 feet to a 20" Live Oak tree
13 found for the southwestern corner of said 41.277 acre tract and also
14 being the northwestern corner of a called 43.604 acre tract,
15 conveyed to Marcus L. Edwards and spouse, Tanya L. Edwards, in
16 Document No. 2018031262, Official Public Records Bell County,
17 Texas;
18 THENCE, with the eastern line of said 207.83 acre tract, First
19 Tract, and also being the western line of said 43.604 acre tract,
20 S 21° 14' 40" E, a distance of 1566.82 feet to 8" Cedar Post found
21 for the southeastern corner of said 207.83 acre tract, First Tract,
22 an angle corner of said 43.604 acre tract and also being an angle
23 corner of a called 10.199 acre tract, conveyed to Emily Dewees, in
24 Document No. 2020014681, Official Public Records Bell County,
25 Texas;
26 THENCE, with the southern line of said 207.83 acre tract, First
27 Tract, and also being the northern line of said 10.199 acre tract,

H.B. No. 5367

1 S 69° 09' 10" W, a distance of 770.12 feet to a 1/2" iron rod with
2 "6447" cap found for the northwestern corner of said 10.199 acre
3 tract and also being an ell corner of a called 17.755 acre tract,
4 conveyed to Johnny Baird and wife, Sharon Baird, in Document
5 No. 2018031275, Official Public Records Bell County, Texas;

6 THENCE, with the southern line of said 207.83 acre tract, First
7 Tract, the northern line of said 17.755 acre tract and the southern
8 line of a said 207.83 acre tract, Second Tract, S 69° 10' 16" W, a
9 distance of 1350.42 feet to a 1/2" iron rod with "6447" cap found
10 for the northwestern corner of said 17.755 acre tract;

11 THENCE, with the southern line of said 207.83 acre tract, Second
12 Tract, S 68° 36' 02" W, a distance of 124.07 feet to a 1/2" iron rod
13 found for the northeastern corner of a called 223.371 acre tract,
14 conveyed to Byron F. Goode in Volume 2385, Page 255, Official Public
15 Records Bell County, Texas;

16 THENCE, with the southern line of said 207.83 acre tract, Second
17 Tract, the northern line of said 223.371 acre tract and the southern
18 line of said 415.66 acre tract, Third Tract, the following three (3)
19 courses and distances:

20 (1) S 65° 54' 07" W, a distance of 855.55 feet to a 1/2" iron
21 rod found;

22 (2) N 87° 16' 03" W, a distance of 395.53 feet to a calculated
23 point in center of creek;

24 (3) S 42° 34' 32" W, a distance of 454.09 feet to a calculated
25 point in center of creek;

26 THENCE, with the southern line of said 415.66 acre tract, Third
27 Tract, S 70° 22' 43" W, a distance of 2085.39 feet to a 1"x 1" square

H.B. No. 5367

1 pipe found for the northeastern corner of a called 134.83 acre
2 tract, conveyed to Nelda Annette Hill and husband, Robert Hicks
3 Hill, III, in Document No. 2008000104, Official Public Records Bell
4 County, Texas;

5 THENCE, with the southern line of said 415.66 acre tract, Third
6 Tract, the southern line of said 767 acre tract, Seventh Tract-1st
7 Tract, and also being the northern line of said 134.83 acre tract,
8 the following two (2) courses and distances:

9 (1) S 68° 27' 46" W, a distance of 1335.82 feet to a 30d nail
10 on top of 8" cedar post found for the southwestern corner of said
11 415.66 acre tract and also being the southeastern corner of said 767
12 acre tract;

13 (2) S 66° 59' 37" W, a distance of 890.58 feet to a 1/2" iron
14 rod with "CUDE" cap found for the northwestern corner of said 134.83
15 acre tract and also being the northeastern corner of the said
16 remainder of the 446.1 acre tract;

17 THENCE, with the eastern line of said remainder of the 446.1 acre
18 tract and also being the western line of said 134.83 acre tract, the
19 following three (3) courses and distances:

20 (1) S 22° 28' 51" E, a distance of 2642.66 feet to a 1/2" iron
21 rod with "CUDE" cap found;

22 (2) S 21° 57' 08" E, a distance of 59.27 feet to a 1/2" iron
23 rod with "CUDE" cap found;

24 (3) S 22° 16' 36" E, a distance of 51.43 feet to a calculated
25 point in the center of Salado Creek, being the southwestern corner
26 of said 134.83 acre tract and also being the northwestern corner of
27 a called 110.51 acre tract, conveyed to Nelda Annette Hill and

H.B. No. 5367

1 husband, Robert Hicks Hill, III, in Document No. 2008000103,
2 Official Public Records Williamson County, Texas;
3 THENCE, with the eastern line of said remainder of the 446.1 acre
4 tract and also being the western line of said 110.51 acre tract, S
5 22° 16' 36" E, a distance of 2063.25 feet to a calculated point, from
6 which a 1/2" iron rod found for an ell corner of said 110.51 acre
7 tract bears, S 22° 16' 36" E, a distance of 4362.44 feet;
8 THENCE, over and across said remainder of the 446.1 acre tract, S
9 43° 28' 18" W, a distance of 1465.48 feet to a calculated point, from
10 which a 1/2" iron rod with "ATWELL LLC" cap set on the western line
11 of said remainder of the 446.1 acre tract and also being the eastern
12 corner of a called 117.98 acre tract, Tract 2 conveyed to John
13 Schuler and Rachel Schuler, in Document No. 2017090693, Official
14 Public Records Williamson County, Texas, bears S 21° 28' 21" E, a
15 distance of 3410.71 feet;
16 THENCE, with the western line of said remainder of the 446.1 acre
17 tract and also being the eastern line of said 117.98 acre tract, N
18 21° 28' 21" W, a distance of 466.78 feet to a 1/2" iron rod found for
19 the northeastern corner of said 117.98 acre tract and also being the
20 southeastern corner of a called 60 acre tract, Second Tract
21 conveyed to The Robert Oliver Thomas Trust, in Document
22 No. 2008061054, Official Public Records Williamson County, Texas;
23 THENCE, with the western line of said remainder of the 446.1 acre
24 tract and also being the eastern line of said 60 acre tract, Second
25 Tract, N 21° 32' 06" W, a distance of 763.06 feet to a 1/2" iron rod
26 with "ATWELL LLC" set for the northeastern corner of said 60 acre
27 tract, Second Tract and also being the southeastern corner of said

H.B. No. 5367

1 12.5 acre tract, Fifth Tract-2nd Tract;
2 THENCE, with the southern line of said 12.5 acre tract, Fifth
3 Tract-2nd Tract and said 121 acre tract, Fifth Tract-1st Tract and
4 also being the northern line of said 60 acre tract, Second Tract, S
5 68° 25' 15" W, a distance of 3413.24 feet to a 6" cedar post found for
6 the southwestern corner of said 121 acre tract, Fifth Tract-1st
7 Tract, the northwestern corner of said 60 acre tract, Second Tract,
8 and also being on the eastern line of a called 50 acre tract, First
9 Tract, conveyed to The Robert Oliver Thomas Trust, in Document
10 No. 2008061054, Official Public Records Williamson County, Texas;
11 THENCE, with the western line of said 121 acre tract, Fifth
12 Tract-1st Tract and also being the eastern line of said 50 acre
13 tract, First Tract, N 21° 43' 29" W, a distance of 1295.78 feet to a
14 6" cedar post found for the northeastern corner of said 50 acre
15 tract, First Tract and also being an ell corner of a called 3072.64
16 acre tract, Tract 1, conveyed to Christine Brooking Richardson and
17 Carter M. Brooking, in Document No. 2012107203, Official Public
18 Records Williamson County, Texas;
19 THENCE, with the western line of said 121 acre tract, Fifth
20 Tract-1st Tract, the western line of said 100 acre tract, Fifth
21 Tract-3rd Tract and also being the eastern line of said 3072.64 acre
22 tract, Tract 1, N 21° 48' 07" W, a distance of 2945.63 feet to a 1/2"
23 iron rod found for the northwestern corner of said 100 acre tract,
24 Fifth Tract-3rd Tract, an ell corner of said 3072.64 acre tract,
25 Tract 1 and also being on the southern line of said 767 acre,
26 Seventh Tract-1st Tract;
27 THENCE, with the southern line of said 767 acre, Seventh Tract-1st

1 Tract and also being a northern line of said 3072.64 acre tract,
2 Tract 1, N 82° 30' 54" W, a distance of 1678.41 feet to a 1/2" iron
3 rod found on the western line of said 767 acre, Seventh Tract-1st
4 Tract, an eastern line of said 1057 acre tract, Second Tract and
5 also being an ell corner of said 3072.64 acre tract, Tract 1;
6 THENCE, with an eastern line of said 1057 acre tract, Second Tract
7 and also being a western line of said 3072.64 acre tract, Tract 1, S
8 20° 58' 47" E, a distance of 977.42 feet to a 5/8" iron rod found for
9 the southeastern corner of said 1057 acre tract, Second Tract and
10 also being an ell corner of said 3072.64 acre tract, Tract 1;
11 THENCE, with the southern line of said 1057 acre tract, Second
12 Tract, the southern line of said 57 acre, Third Tract and also being
13 the northern line of said 3072.64 acre tract, Tract 1, the following
14 nine (9) courses and distances;

15 (1) S 68° 53' 33" W, a distance of 3312.14 feet to a 3" T post
16 found;

17 (2) S 68° 57' 47" W, a distance of 3947.49 feet to a 3" pipe
18 fence corner found;

19 (3) N 20° 54' 53" W, a distance of 2834.33 feet to a 1/2" iron
20 rod with "ATWELL LLC" cap set;

21 (4) N 22° 44' 53" W, a distance of 662.16 feet to a 1/2" iron
22 rod with "ATWELL LLC" cap set;

23 (5) S 69° 29' 37" W, a distance of 1379.32 feet to a 1/2" iron
24 rod with "ATWELL LLC" cap set;

25 (6) N 20° 53' 07" W, a distance of 2076.71 feet to a 5/8" iron
26 rod found;

27 (7) N 86° 11' 53" W, a distance of 410.13 feet to a 1/2" iron

1 rod with "ATWELL LLC" cap set;
2 (8) S 68° 28' 37" W, a distance of 3912.80 feet to a 1/2" iron
3 rod with "ATWELL LLC" cap set;
4 (9) S 68° 17' 51" W, a distance of 1170.70 feet to a 1/2" iron
5 rod with cap stamped "ATWELL LLC" set for the southwestern corner of
6 said 57 acre, Third Tract and being on the eastern line of a called
7 167 acre tract, Fourth Tract, conveyed to The McCloud Family Trust
8 Under Instrument dated March 25, 2013, in Document No. 2014012037,
9 Official Public Records Bell County, Texas, also being in the
10 northern line of said 3072.64 acre tract;
11 THENCE, with the western line of said 57 acre, Third Tract and also
12 being the eastern line of said 167 acre tract, Fourth Tract, N 21°
13 30' 17" W, a distance of 1526.79 feet to a 1/2" iron rod found for
14 the northwestern corner of said 57 acre, Third Tract and also being
15 the southwestern corner of a called 206.15 acre tract, Tract 2,
16 conveyed to Dos Rios Partners, L.P., in Document No. 2016057977,
17 Official Public Records Williamson County, Texas;
18 THENCE, with the northern line of said 1057 acre tract, Second
19 Tract, the northern line of said 57 acre, Third Tract and also being
20 the southern line of said 206.15 acre tract, Tract 2, N 68° 29' 43"
21 E, a distance of 2450.53 feet to a 5/8" iron rod found for an ell
22 corner of said remainder of the 1292 acre tract, First Tract and
23 also being the southeastern corner of said 206.15 acre tract, Tract
24 2;
25 THENCE, with the western line of said 1292 acre tract, First Tract
26 and also being the eastern line of said 206.15 acre tract, Tract 2,
27 N 21° 05' 04" W, a distance of 3300.22 feet to a mag nail in concrete

H.B. No. 5367

1 found for an ell corner of said remainder of the 1292 acre tract,
2 First Tract and also being the southwestern corner of a called
3 304.68 acre tract, Tract 1, conveyed to ASQ Properties, LLC, in
4 Document No. 2018014457, Official Public Records Bell County,
5 Texas;

6 THENCE, with the northern line of said remainder of the 1292 acre
7 tract, First Tract and also being the southern line of said 304.68
8 acre tract, Tract 1, the following three (3) courses and distances:

9 (1) N 68° 03' 32" E, a distance of 2718.90 feet to a mag nail
10 in concrete found;

11 (2) N 21° 59' 58" W, a distance of 740.26 feet to an iron rod
12 with "2025" cap found;

13 (3) N 68° 09' 33" E, a distance of 1534.07 feet to an iron rod
14 with "2025" cap found for the most northern southeastern corner of
15 said 304.68 acre tract, Tract 1 and also being the southwestern
16 corner of a called 103.650 acre tract, conveyed to Thomas Stephen
17 Barker and spouse, Tamara Barker, in Document No. 2013034933,
18 Official Public Records Bell County, Texas;

19 THENCE, with the northern line of said remainder of the 1292 acre
20 tract, First Tract and also being the southern line of said 103.650
21 acre tract, N 68° 11' 39" E, a distance of 1036.10 feet to a 5/8" iron
22 rod found for an ell corner of said 1292 acre tract, First Tract, an
23 angle corner of said 103.650 acre tract and also being an ell corner
24 of said 279.06 acre tract;

25 THENCE, with a northern line of said 279.06 acre tract and also
26 being the southern line of said 103.650 acre tract, N 66° 34' 07" E,
27 a distance of 50.02 feet to a 12" cedar post found for an ell corner

1 of said 279.06 acre tract and also being the southeastern corner of
2 said 103.650 acre tract;

3 THENCE, with the western line of said 279.06 acre tract and also
4 being the eastern line of said 103.650 acre tract, the following
5 five (5) courses and distances;

6 (1) N 30° 03' 10" W, a distance of 249.26 feet to a 1/2" iron
7 rod with "ATWELL LLC" cap set;

8 (2) N 19° 52' 36" W, a distance of 377.02 feet to a 1/2" iron
9 rod with "ATWELL LLC" cap set;

10 (3) N 26° 18' 05" W, a distance of 388.10 feet to a 1/2" iron
11 rod found;

12 (4) N 20° 24' 40" W, a distance of 2383.82 feet to a 1/2" iron
13 rod with "ATWELL LLC" cap set;

14 (5) N 19° 00' 03" W, a distance of 569.15 feet to a 5/8" iron
15 rod found for the northwestern corner of said 279.06 acre tract, the
16 northeastern corner of said 103.650 acre tract and also being on the
17 arc of a curve to the left on the southern right-of-way line of Farm
18 to Market Road 2843 (right-of-way varies);

19 THENCE, with the northern line of said 279.06 acre tract and also
20 being the said southern right-of-way line of Farm to Market Road
21 2843, the following seven (7) courses and distances;

22 (1) With said curve to the left, an arc distance of 315.06
23 feet, having a radius of 1497.00 feet, an angle of 12° 03' 31", and a
24 chord bearing N 48° 48' 53" E, a distance of 314.48 feet a 1/2" iron
25 rod with "ATWELL LLC" cap set;

26 (2) N 41° 42' 06" E, a distance of 245.19 feet to a 1/2" iron
27 rod with "ATWELL LLC" cap set, for the point of curvature of a curve

1 to the right;

2 (3) With said curve to the right, an arc distance of 616.19
3 feet, having a radius of 904.93 feet, an angle of 39° 00' 50", and a
4 chord bearing N 62° 00' 06" E, a distance of 604.35 feet a TxDOT
5 monument found;

6 (4) N 80° 21' 22" E, a distance of 358.82 feet to a 3" pipe
7 post found;

8 (5) N 77° 21' 17" E, a distance of 72.04 feet to a 12" cedar
9 stump found;

10 (6) N 68° 57' 01" E, a distance of 127.04 feet to a 3" pipe
11 post found;

12 (7) N 67° 05' 40" E, a distance of 589.88 feet to a 1/2" iron
13 rod found for the northeastern corner of said 279.06 acre tract and
14 also being the northwestern corner of a called 2.0 acre tract,
15 conveyed to Carolyn F. Dunson, in Volume 4100, Page 40, Official
16 Public Records Bell County, Texas;

17 THENCE, with the eastern line of said 279.06 acre tract and also
18 being the western line of said 2.0 acre tract, S 21° 21' 28" E, a
19 distance of 424.67 feet to a 1" iron pipe found for the southwestern
20 corner of said 2.0 acre tract and also being on the western line of
21 the remainder of a called 55.2 acre tract, First Tract, conveyed to
22 Clifford Ray Owen and wife, Jana Su Owen, in Volume 1816, Page 845,
23 Official Public Records Bell County, Texas;

24 THENCE, with the eastern line of said 279.06 acre tract and also
25 being the western line of said 55.2 acre tract, First Tract, S 21°
26 43' 04" E, a distance of 2669.05 feet to a 5/8" iron rod found for an
27 ell corner of said 1292 acre tract, First Tract and also being the

1 southwestern corner of said 55.2 acre tract, First Tract;
2 THENCE, with a northern line of said 1292 acre tract, First Tract
3 and also being the southern lines of the following tracts, said 55.2
4 acre tract, First Tract, of a called 44.8 acre tract, Second Tract,
5 of a called 60.1 acre tract, Third Tract, of a called 4.4 acre
6 tract, Fourth Tract and of a called 15 acre tract, Fifth Tract all
7 conveyed to Clifford Ray Owen and wife, Jana Su Owen, in Volume
8 1816, Page 845, Official Public Records Bell County, Texas, N 68°
9 50' 45" E, a distance of 2748.97 feet to a 1/2" iron rod with "ATWELL
10 LLC" cap set for an angle corner of said 1292 acre tract, First
11 Tract, the southeastern corner of said 15 acre tract, Fifth Tract
12 and also being an ell corner of a called 622.30 acre tract, conveyed
13 to The Zelma Aline Adams Living Trust, in Document No. 2020001976,
14 Official Public Records Bell County, Texas;

15 THENCE, with the northern line of said 1292 acre tract, First Tract
16 and also being a southern line of said 622.30 acre tract, N 69° 12'
17 04" E, a distance of 427.35 feet to a 5/8" iron rod found for the
18 northeastern corner of said 1292 acre tract, First Tract and also
19 being an ell corner of said 622.30 acre tract;

20 THENCE, with an eastern line of said 1292 acre tract, First Tract
21 and also being a western line of said 622.30 acre tract, the
22 following sixteen (16) courses and distances;

23 (1) S 43° 02' 26" E, a distance of 123.50 feet to a 5/8" iron
24 rod found;

25 (2) S 17° 19' 55" E, a distance of 190.19 feet to a 5/8" iron
26 rod found;

27 (3) S 37° 33' 12" W, a distance of 123.32 feet to a 5/8" iron

1 rod found;
2 (4) S 54° 05' 22" W, a distance of 200.54 feet to a 5/8" iron
3 rod found;
4 (5) S 25° 05' 41" W, a distance of 162.53 feet to a 5/8" iron
5 rod found;
6 (6) S 16° 16' 04" W, a distance of 805.94 feet to a 5/8" iron
7 rod found;
8 (7) S 04° 13' 22" E, a distance of 207.07 feet to a 5/8" iron
9 rod found;
10 (8) S 19° 50' 33" E, a distance of 310.88 feet to a 5/8" iron
11 rod found;
12 (9) S 10° 48' 32" E, a distance of 264.90 feet to a 5/8" iron
13 rod found;
14 (10) S 03° 01' 24" E, a distance of 453.59 feet to a 5/8" iron
15 rod found;
16 (11) S 11° 12' 33" E, a distance of 486.80 feet to a 5/8" iron
17 rod found;
18 (12) S 01° 35' 53" W, a distance of 527.10 feet to a 1/2" iron
19 rod with "ATWELL LLC" cap set;
20 (13) S 15° 15' 16" E, a distance of 357.16 feet to a 5/8" iron
21 rod found;
22 (14) S 22° 14' 18" E, a distance of 958.51 feet to a 5/8" iron
23 rod found;
24 (15) S 31° 35' 24" E, a distance of 1032.51 feet to a 5/8"
25 iron rod found;
26 (16) S 17° 08' 22" E, a distance of 980.52 feet to a 1/2" iron
27 rod with "ATWELL LLC" cap set for an ell corner of said 1292 acre

1 tract, First Tract and said 622.30 acre tract;
2 THENCE, with a northern line of said 1292 acre tract, First Tract
3 and also being a southern line of said 622.30 acre tract, the
4 following four (4) courses and distances;
5 (1) N 76° 58' 22" E, a distance of 933.73 feet to a 5/8" iron
6 rod found;
7 (2) N 68° 56' 12" E, a distance of 167.36 feet to a 5/8" iron
8 rod found;
9 (3) N 63° 56' 31" E, a distance of 766.82 feet to a 1/2" iron
10 rod with "ATWELL LLC" cap set;
11 (4) S 71° 34' 47" E, a distance of 61.50 feet to a 1/2" iron
12 rod with "ATWELL LLC" cap set for an ell corner of said 1292 acre
13 tract, First Tract and said 622.30 acre tract and also being the
14 northwestern corner of said 10 acre tract, Seventh Tract-2nd Tract;
15 THENCE, with the northern line of said 10 acre tract, Seventh
16 Tract-2nd Tract and also being a southern line of said 622.30 acre
17 tract, N 61° 53' 43" E, a distance of 305.40 feet to a 1/2" iron rod
18 with "ATWELL LLC" cap set for the northeastern corner of said 10
19 acre tract, Seventh Tract-2nd Tract and also being an ell corner of
20 said 622.30 acre tract;
21 THENCE, with the eastern line of said 10 acre tract, Seventh
22 Tract-2nd Tract and also being a western line of said 622.30 acre
23 tract, S 21° 33' 17" E, a distance of 634.10 feet to a 1/2" iron rod
24 with "ATWELL LLC" cap set for an angle corner of said 10 acre tract,
25 Seventh Tract-2nd Tract, an ell corner of said 622.30 acre tract and
26 also being the northwestern corner of said 767 acre tract, Seventh
27 Tract-1st Tract;

1 THENCE, with the northern line of said 767 acre tract, Seventh
2 Tract-1st Tract and also being a southern line of said 622.30 acre
3 tract, N 68° 29' 43" E, a distance of 2883.30 feet to a 5/8" iron rod
4 found for the southeastern corner of said 622.30 acre tract and also
5 being the southwestern corner of said 1748.4 acre tract, Sixth
6 Tract;

7 THENCE, with the western line of said 1748.4 acre tract, Sixth Tract
8 and also being a eastern line of said 622.30 acre tract, N 21° 41'
9 17" W, a distance of 4467.40 feet to a 5/8" iron rod found for an
10 angle corner of said 1748.4 acre tract, Sixth Tract, an ell corner
11 of said 622.30 acre tract and also being an ell corner of a called
12 467.619 acre tract, conveyed to Bryan Wolff and Liz Wolff, in
13 Document No. 2020039792, Official Public Records Bell County,
14 Texas;

15 THENCE, with the western line of said 1748.4 acre tract, Sixth Tract
16 and also being an eastern line of said 467.619 acre tract, the
17 following three (3) courses and distances;

18 1. N 21° 38' 05" W, a distance of 500.90 feet to a 5/8" iron
19 rod found;

20 2. N 65° 53' 32" E, a distance of 628.79 feet to a 5/8" iron
21 rod found;

22 3. N 21° 47' 50" W, a distance of 641.26 feet to a 5/8" iron
23 rod found for the most northwestern corner of said 1748.4 acre
24 tract, Sixth Tract and also being an ell corner of said 467.619 acre
25 tract;

26 THENCE, with the northern line of said 1748.4 acre tract, Sixth
27 Tract and also being a southern line of said 467.619 acre tract, N

1 68° 40' 37" E, a distance of 3055.10 feet to a 5/8" iron rod found for
2 the southwestern corner of said 186 acre tract and also being the
3 southeastern corner of said 467.619 acre tract;

4 THENCE, with the western line of said 186 acre tract and also being
5 the eastern line of said 467.619 acre tract, N 21° 18' 38" W, a
6 distance of 4131.59 feet to a calculated point for the northwestern
7 corner of said 186 acre tract, the southwestern corner of the
8 remainder of a called 1021.52 acre tract, conveyed to John Brooks
9 Bradley, in Volume 801, Page 197, Official Public Records Bell
10 County, Texas and also being in the center of a creek;

11 THENCE, with the northern line of said 186 acre tract, the southern
12 line of said remainder of the 1021.52 acre tract and along the
13 approximate center line of a creek as located in August of 2022, the
14 following eighteen (18) courses and distances;

15 1. N 82° 33' 36" E, a distance of 152.30 feet to a calculated
16 point;

17 2. S 37° 59' 23" E, a distance of 31.91 feet to a calculated
18 point;

19 3. S 74° 33' 31" E, a distance of 38.53 feet to a calculated
20 point;

21 4. N 82° 05' 58" E, a distance of 70.13 feet to a calculated
22 point;

23 5. N 72° 07' 47" E, a distance of 63.94 feet to a calculated
24 point;

25 6. N 88° 23' 21" E, a distance of 41.98 feet to a calculated
26 point;

27 7. S 68° 08' 34" E, a distance of 81.68 feet to a calculated

1 point;
2 8. S 57° 17' 52" E, a distance of 82.18 feet to a calculated
3 point;
4 9. S 51° 03' 40" E, a distance of 199.95 feet to a calculated
5 point;
6 10. S 30° 37' 38" E, a distance of 39.14 feet to a calculated
7 point;
8 11. S 32° 14' 33" E, a distance of 50.38 feet to a calculated
9 point;
10 12. S 68° 43' 06" E, a distance of 32.02 feet to a calculated
11 point;
12 13. S 81° 53' 34" E, a distance of 179.04 feet to a calculated
13 point;
14 14. N 88° 24' 53" E, a distance of 135.91 feet to a calculated
15 point;
16 15. S 70° 36' 48" E, a distance of 43.77 feet to a calculated
17 point;
18 16. S 70° 15' 42" E, a distance of 33.76 feet to a calculated
19 point;
20 17. S 85° 34' 12" E, a distance of 38.19 feet to a calculated
21 point;
22 18. N 65° 19' 04" E, a distance of 21.10 feet to a 1/2" iron
23 rod with "ATWELL LLC" cap set for an ell corner of said 186 acre
24 tract, the most western southwestern corner of said 8.04 acre
25 tract;
26 THENCE, with the western line of said 8.04 acre tract and also being
27 the eastern line of said remainder of the 1021.52 acre tract, the

1 following six (6) courses and distances;

2 1. N 09° 55' 43" W, a distance of 124.80 feet to a 1/2" iron
3 rod with "ATWELL LLC" cap set;

4 2. N 17° 18' 43" W, a distance of 124.85 feet to a 1/2" iron
5 rod with "ATWELL LLC" cap set;

6 3. N 27° 38' 51" W, a distance of 204.10 feet to a 1" iron rod
7 found;

8 4. N 19° 01' 35" W, a distance of 154.05 feet to a 1/2" iron
9 rod with "ATWELL LLC" cap set;

10 5. N 40° 33' 19" W, a distance of 60.57 feet to a 1/2" iron
11 rod with "ATWELL LLC" cap set;

12 6. N 24° 12' 10" E, a distance of 85.05 feet to a 24" Elm tree
13 found for the northwestern corner of said 8.04 acre tract and also
14 being the southwestern corner of said 13.128 acre tract;

15 THENCE, with the western line of said 13.128 acre tract and also
16 being the eastern line of said remainder of the 1021.52 acre tract,
17 N 05° 11' 54" W, a distance of 239.59 feet to a 1/2" iron rod with
18 "ATWELL LLC" cap set for the northwestern corner of said 13.128 acre
19 tract and also being on the said southern right-of-way line of Farm
20 to Market Highway 2843;

21 THENCE, with the northern line of said 13.128 acre tract and also
22 being the said southern right-of-way line of Farm to Market Highway
23 2843, the following six (6) courses and distances;

24 1. S 71° 39' 46" E, a distance of 492.88 feet to a TxDOT
25 concrete monument found;

26 2. S 78° 02' 06" E, a distance of 217.69 feet to a 1/2" iron
27 rod with "ATWELL LLC" cap set;

1 3. S 72° 50' 49" E, a distance of 675.22 feet to a 1/2" iron
2 rod with "ATWELL LLC" cap set;

3 4. S 75° 52' 53" E, a distance of 214.77 feet to a 1/2" iron
4 rod with "ATWELL LLC" cap set;

5 5. S 82° 09' 44" E, a distance of 208.53 feet to a 1/2" iron
6 rod with "ATWELL LLC" cap set;

7 6. S 87° 59' 00" E, a distance of 199.87 feet to a 1/2" iron
8 rod found for the northeastern corner of said 13.128 acre tract;

9 THENCE, with the eastern line of said 13.128 acre tract and also
10 being the said southern right-of-way line of Farm to Market Highway
11 2843, S 20° 56' 32" E, a distance of 41.23 feet to a 1/2" iron rod
12 with "5496" cap found, for an angle corner of said 13.128 acre tract
13 and also being the most northern northwestern corner of a called
14 72.486 acre tract, conveyed to Talaska Holdings, LLC, in Document
15 No. 2021076791, Official Public Records Bell County, Texas;

16 THENCE, with the eastern line of said 13.128 acre tract and also
17 being a western line of said 72.486 acre tract, S 21° 13' 57" E, a
18 distance of 378.45 feet to a 1/2" iron rod with "5496" cap found for
19 the eastern corner of said 13.128 acre tract and also being an ell
20 corner of said 72.486 acre tract;

21 THENCE, with a southern line of said 13.128 acre tract and also
22 being a northern line of said 72.486 acre tract, S 68° 50' 40" W, a
23 distance of 528.83 feet to a calculated point for the southern
24 corner of said 13.128 acre tract, being on the eastern line of said
25 186 acre tract and also being in the center of a creek;

26 THENCE, with the eastern line of said 186 acre tract, the western
27 line of said 72.486 acre tract and along the approximate center line

1 of a creek as located in August of 2022, the following sixteen (16)
2 courses and distances;

3 1. S 09° 13' 10" E, a distance of 54.75 feet to a calculated
4 point;

5 2. S 23° 18' 16" W, a distance of 74.94 feet to a calculated
6 point;

7 3. S 09° 31' 15" E, a distance of 198.72 feet to a calculated
8 point;

9 4. S 18° 28' 31" E, a distance of 104.92 feet to a calculated
10 point;

11 5. S 58° 04' 26" E, a distance of 31.63 feet to a calculated
12 point;

13 6. N 55° 45' 39" E, a distance of 26.05 feet to a calculated
14 point;

15 7. N 24° 59' 14" E, a distance of 25.04 feet to a calculated
16 point;

17 8. S 84° 56' 28" E, a distance of 39.13 feet to a calculated
18 point;

19 9. S 51° 08' 15" E, a distance of 47.14 feet to a calculated
20 point;

21 10. S 25° 48' 10" E, a distance of 72.89 feet to a calculated
22 point;

23 11. S 12° 07' 04" E, a distance of 180.70 feet to a calculated
24 point;

25 12. S 23° 51' 43" E, a distance of 317.32 feet to a calculated
26 point;

27 13. S 42° 38' 31" E, a distance of 163.23 feet to a calculated

1 point;
2 14. S 64° 08' 12" E, a distance of 139.03 feet to a calculated
3 point;
4 15. N 71° 03' 29" E, a distance of 193.00 feet to a calculated
5 point;
6 16. N 81° 44' 22" E, a distance of 139.94 feet to a calculated
7 point for an ell corner of said 186 acre tract, an angle corner of
8 said 72.486 acre tract and an ell corner of a called 125.158 acre
9 tract, conveyed to Curtis A. Crenwelge and wife, Lucretia
10 Crenwelge, in Volume 5587, Page 819, Official Public Records Bell
11 County, Texas;
12 THENCE, with the eastern line of said 186 acre tract and also being
13 the western line of said 125.158 acre tract, S 21° 21' 41" E,
14 passing at a distance of 103.05 feet a 5/8" iron rod found, in all a
15 total distance of 1444.25 feet to a 40d nail found for the
16 southeastern corner of said 186 acre tract, the southwestern corner
17 of said 125.158 acre tract and also being on the northern line of
18 said 1748.4 acre tract, Sixth Tract;
19 THENCE, with the northern line of said 1748.4 acre tract, Sixth
20 Tract and also being the southern line of said 125.158 acre tract, N
21 68° 25' 26" E, passing at a distance of 2493.23 feet a 5/8" iron rod
22 found, continuing for a total distance of 2675.91 feet to a 5/8"
23 iron rod found for an ell corner of said 1748.4 acre tract, Sixth
24 Tract, the southeastern corner of said 125.158 acre tract and also
25 being on the western line of a called 75.016 acre tract, conveyed to
26 7KX Investments, in Document No. 2021026448, Official Public
27 Records Bell County, Texas;

H.B. No. 5367

1 THENCE, with an eastern line of said 1748.4 acre tract, Sixth Tract
2 and also being the western line of said 75.016 acre tract, S 21° 23'
3 38" E, a distance of 309.03 feet to a 1" iron pipe found for an ell
4 corner of said 1748.4 acre tract, Sixth Tract and also being the
5 southwestern corner of said 75.016 acre tract;

6 THENCE, with the northern line of said 1748.4 acre tract, Sixth
7 Tract and also being the southern lines of the following tracts,
8 said 75.016 acre tract, of a called 27.192 acre tract, Tract One, of
9 a called 27.026 acre tract, Tract Two both conveyed to Paul R.
10 Schoenrock and spouse Ginger Schoenrock, in Document
11 No. 2011028942, Official Public Records Bell County, Texas,
12 N 67° 41' 19" E, a distance of 2239.07 feet to a 1/2" iron rod with
13 "2475" cap found for the apparent northeastern corner of said
14 1748.4 acre tract, Sixth Tract, the apparent northwestern corner of
15 said remainder of 434.08 acre tract, the southeastern corner of
16 said 27.026 acre tract, Tract Two and also being the southwestern
17 corner of a called 27.219 acre tract, conveyed to Janet May Kennedy,
18 in Document No. 2010046246, Official Public Records Bell County,
19 Texas;

20 THENCE, with the northern line of said remainder of 434.08 acre
21 tract and also being the southern line of said 27.219 acre tract,
22 N 67° 39' 40" E, a distance of 447.21 feet to a 1/2" iron rod with
23 "ATWELL LLC" cap set for the southeastern corner of said 27.219 acre
24 tract and also being the southwestern corner of the remainder of a
25 called 151.18 acre tract, conveyed to One Cow Ranch, L.P., in Volume
26 5577, Page 597, Official Public Records Bell County, Texas;

27 THENCE, with the northern line of said remainder of 434.08 acre

H.B. No. 5367

1 tract and also being the southern line of said remainder of the
2 151.18 acre tract, N 66° 03' 13" E, a distance of 1312.87 feet to a
3 1/2" iron rod found for the southeastern corner of said remainder of
4 the 151.18 acre tract and also being the southwestern corner of a
5 called 21.489 acre tract, conveyed to Molly Stratton, in Document
6 No. 2020024834, Official Public Records Bell County, Texas;
7 THENCE, with the northern line of said remainder of 434.08 acre
8 tract and also being the southern line of said 21.489 acre tract,
9 N 69° 21' 12" E, a distance of 490.01 feet to a 4" cedar post found
10 for the southeastern corner of said 21.489 acre tract and also being
11 the southwestern corner of a called 30.000 acre tract, conveyed to
12 Steve Campbell and Leslie Campbell, in Document No. 2013051645,
13 Official Public Records Bell County, Texas;
14 THENCE, with the northern line of said remainder of 434.08 acre
15 tract and also being the southern line of said 30.000 acre tract,
16 N 69° 24' 30" E, a distance of 851.37 feet to a 4" cedar post found
17 for an ell corner of said remainder of 434.08 acre tract and also
18 being the southeastern corner of said 30.000 acre tract;
19 THENCE, with a western line of said remainder of 434.08 acre tract
20 and also being the eastern line of said 30.000 acre tract,
21 N 20° 16' 45" W, a distance of 1945.82 feet to a 6" pipe post found
22 for an ell corner of said 434.08 acre tract, the northeastern corner
23 of said 30.000 acre tract and also being on the said southern
24 right-of-way line of Farm to Market Highway 2843 (right-of-way
25 varies);
26 THENCE, with the northern line of said remainder of 434.08 acre
27 tract and also being the said southern right-of-way line of Farm to

1 Market Highway 2843, S 71° 23' 16" E, a distance of 685.70 feet to
2 the POINT OF BEGINNING.

3 Containing 7,088.47 acres or 308,773,841 square feet, more or less.

4 BEARING BASIS NOTE

5 This project is referenced for all bearing and coordinate basis to
6 the Texas State Plane Coordinate System NAD 83 (2011 adjustment),
7 South Central Zone (4204). The grid to surface combined scale
8 factor is 1.00013.

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

16 (b) The governor, one of the required recipients, has
17 submitted the notice and Act to the Texas Commission on
18 Environmental Quality.

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

23 (d) All requirements of the constitution and laws of this
24 state and the rules and procedures of the legislature with respect
25 to the notice, introduction, and passage of this Act are fulfilled
26 and accomplished.

27 SECTION 4. (a) If this Act does not receive a two-thirds

1 vote of all the members elected to each house, Subchapter C, Chapter
2 7923, Special District Local Laws Code, as added by Section 1 of
3 this Act, is amended by adding Section 7923.0307 to read as follows:

4 Sec. 7923.0307. NO EMINENT DOMAIN POWER. The district may
5 not exercise the power of eminent domain.

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

9 SECTION 5. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2023.