

1 AN ACT

2 relating to the creation of the Goodwater Municipal Utility
3 District No. 1; providing authority to impose taxes and issue
4 bonds; granting a limited power of eminent domain.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

8 CHAPTER 11004. GOODWATER MUNICIPAL UTILITY DISTRICT NO. 1

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 11004.001. DEFINITIONS. In this chapter:

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

12 (2) "Director" means a board member.

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

15 Sec. 11004.002. NATURE OF DISTRICT. The district is a
16 combined powers district created under Section 59, Article XVI,
17 Texas Constitution.

18 Sec. 11004.003. CONFIRMATION AND DIRECTORS' ELECTION
19 REQUIRED. The temporary directors shall hold an election to
20 confirm the creation of the district and to elect five permanent
21 directors as provided by Section 49.102, Water Code.

22 Sec. 11004.004. CONSENT OF MUNICIPALITY REQUIRED. The
23 temporary directors may not hold an election under Section

1 11004.003 until each municipality in whose corporate limits or
2 extraterritorial jurisdiction the district is located has
3 consented by ordinance or resolution to the creation of the
4 district and to the inclusion of land in the district.

5 Sec. 11004.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

6 (a) The district is created to serve a public purpose and benefit.

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

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

10 (2) Section 52, Article III, Texas Constitution, that
11 relate to the construction, acquisition, improvement, operation,
12 or maintenance of macadamized, graveled, or paved roads, or
13 improvements, including storm drainage, in aid of those roads; and

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

17 Sec. 11004.006. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2 of the Act creating this chapter.

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

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 Sec. 11004.007. RELATION TO OTHER LAW. If any provision of
4 the general law, including a provision incorporated by reference in
5 this chapter, is in conflict or inconsistent with this chapter,
6 this chapter prevails.

7 Sec. 11004.008. LIBERAL CONSTRUCTION OF CHAPTER. This
8 chapter shall be liberally construed in conformity with the
9 findings and purposes stated in this chapter.

10 [Sections 11004.009-11004.050 reserved for expansion]

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 11004.051. GOVERNING BODY; TERMS. (a) The district is
13 governed by a board of five elected directors.

14 (b) Except as provided by Section 11004.052, directors
15 serve staggered four-year terms.

16 Sec. 11004.052. TEMPORARY DIRECTORS. (a) On or after the
17 effective date of the Act creating this chapter, the owner or owners
18 of a majority of the assessed value of the real property in the
19 district may submit a petition to the Texas Commission on
20 Environmental Quality requesting that the commission appoint as
21 temporary directors the five persons named in the petition. The
22 commission shall appoint as temporary directors the five persons
23 named in the petition.

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

25 (1) the date permanent directors are elected under
26 Section 11004.003; or

27 (2) the fourth anniversary of the effective date of

1 the Act creating this chapter.

2 (c) If permanent directors have not been elected under
3 Section 11004.003 and the terms of the temporary directors have
4 expired, successor temporary directors shall be appointed or
5 reappointed as provided by Subsection (d) to serve terms that
6 expire on the earlier of:

7 (1) the date permanent directors are elected under
8 Section 11004.003; or

9 (2) the fourth anniversary of the date of the
10 appointment or reappointment.

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

18 [Sections 11004.053-11004.100 reserved for expansion]

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 11004.101. GENERAL POWERS AND DUTIES. The district
21 has the powers and duties necessary to accomplish the purposes for
22 which the district is created.

23 Sec. 11004.102. MUNICIPAL UTILITY DISTRICT POWERS AND
24 DUTIES. The district has the powers and duties provided by the
25 general law of this state, including Chapters 49 and 54, Water Code,
26 applicable to municipal utility districts created under Section 59,
27 Article XVI, Texas Constitution.

1 Sec. 11004.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2 52, Article III, Texas Constitution, the district may design,
3 acquire, construct, finance, issue bonds for, improve, operate,
4 maintain, and convey to this state, a county, or a municipality for
5 operation and maintenance macadamized, graveled, or paved roads, or
6 improvements, including storm drainage, in aid of those roads.

7 Sec. 11004.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
8 road project must meet all applicable construction standards,
9 zoning and subdivision requirements, and regulations of each
10 municipality in whose corporate limits or extraterritorial
11 jurisdiction the road project is located.

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

17 (c) If the state will maintain and operate the road, the
18 Texas Transportation Commission must approve the plans and
19 specifications of the road project.

20 Sec. 11004.105. STREET REPAIR AND MAINTENANCE. (a) After
21 the 10th anniversary of the effective date of the Act creating this
22 chapter, the district, at the district's expense, shall repair and
23 maintain any streets in the district.

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

27 Sec. 11004.106. REGIONAL WASTE DISPOSAL POWERS AND DUTIES.

1 The district has the powers and duties applicable to a district
2 under Chapter 30, Water Code.

3 Sec. 11004.107. WASTEWATER TREATMENT FACILITY DESIGN
4 APPROVAL. The district must obtain the approval of the Brazos River
5 Authority for the design of any district wastewater treatment
6 facility.

7 Sec. 11004.108. WASTEWATER SERVICE PROVIDERS. Only the
8 Brazos River Authority or a provider approved by the Brazos River
9 Authority may provide wastewater service in the district.

10 Sec. 11004.109. COMPLIANCE WITH FEBRUARY 2005 AGREEMENT.
11 The district shall comply with the terms of the "Agreement
12 Regarding Sewer Services Areas and Customers" among the Lower
13 Colorado River Authority, the Brazos River Authority, the City of
14 Georgetown, the City of Liberty Hill, and the Chisholm Trail
15 Special Utility District dated February 1, 2005.

16 Sec. 11004.110. DIVISION OF DISTRICT. (a) The district may
17 be divided into two or more new districts only if:

18 (1) the district has no outstanding bonded debt; and

19 (2) the district is not imposing ad valorem taxes.

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

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

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of
2 the real property in the district, may adopt an order dividing the
3 district.

4 (e) The board may adopt an order dividing the district
5 before or after the date the board holds an election under Section
6 11004.003 to confirm the district's creation.

7 (f) An order dividing the district shall:

8 (1) name each new district;

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

11 (3) appoint temporary directors for each new district
12 or provide that the owner or owner of a majority of the assessed
13 value of the real property in each new district may submit a
14 petition to the Texas Commission on Environmental Quality
15 requesting that the commission appoint as temporary directors the
16 five persons named in the petition; and

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

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

23 (h) Any new district created by the division of the district
24 shall hold a confirmation and directors' election as required by
25 Section 11004.003. A new district that is not confirmed is subject
26 to dissolution under general laws.

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

1 the inclusion of land in the district granted under Section
2 11004.004 acts as municipal consent to the creation of any new
3 district created under this section and to the inclusion of land in
4 the new district.

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

9 Sec. 11004.111. 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. 11004.112. LIBRARIES. The district may exercise the
16 powers of a library district under Chapter 326, Local Government
17 Code.

18 Sec. 11004.113. EXERCISE OF POWERS OF DEVELOPMENT
19 CORPORATION. The district may exercise the powers of a development
20 corporation under Chapter 505, Local Government Code.

21 Sec. 11004.114. LIMITATION ON USE OF EMINENT DOMAIN. The
22 district may not exercise the power of eminent domain outside the
23 district to acquire a site or easement for:

24 (1) a road project authorized by Section 11004.103;
25 or

26 (2) a recreational facility as defined by Section
27 49.462, Water Code.

1 [Sections 11004.115-11004.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 11004.151. ELECTIONS REGARDING TAXES OR BONDS. (a)

4 The district may issue, without an election, bonds and other
5 obligations secured by:

6 (1) revenue other than ad valorem taxes; or

7 (2) contract payments described by Section 11004.153.

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

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

16 Sec. 11004.152. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 11004.151, the
18 district may impose an operation and maintenance tax on taxable
19 property in the district in accordance with Section 49.107, Water
20 Code.

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

23 Sec. 11004.153. CONTRACT TAXES. (a) In accordance with
24 Section 49.108, Water Code, the district may impose a tax other than
25 an operation and maintenance tax and use the revenue derived from
26 the tax to make payments under a contract after the provisions of
27 the contract have been approved by a majority of the district voters

1 voting at an election held for that purpose.

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

5 [Sections 11004.154-11004.200 reserved for expansion]

6 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

7 Sec. 11004.201. AUTHORITY TO ISSUE BONDS AND OTHER
8 OBLIGATIONS. The district may issue bonds or other obligations
9 payable wholly or partly from ad valorem taxes, impact fees,
10 revenue, contract payments, grants, or other district money, or any
11 combination of those sources, to pay for any authorized district
12 purpose.

13 Sec. 11004.202. TAXES FOR BONDS. At the time the district
14 issues bonds payable wholly or partly from ad valorem taxes, the
15 board shall provide for the annual imposition of a continuing
16 direct ad valorem tax, without limit as to rate or amount, while all
17 or part of the bonds are outstanding as required and in the manner
18 provided by Sections 54.601 and 54.602, Water Code.

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

24 SECTION 2. The Goodwater Municipal Utility District No. 1
25 initially includes all the territory contained in the following
26 area:

27 TRACT ONE:

1 BEING 414.78 acres of the Burrell Eaves Survey, Abstract No.
2 216, in Williamson County, Texas. This tract includes part of the
3 property (3 tracts) which were conveyed to J. N. Adkins, et ux. of
4 record in Vol. 328, Pg. 331, Deed Records of Williamson County,
5 Texas. This tract was surveyed on the ground in August of 2005, by
6 William F. Forest, Jr., Registered Professional Land Surveyor No.
7 1847.

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

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

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

26 THENCE with the boundary of a 100 acre tract surveyed this
27 date, S 88 deg. 21 min. 38 sec. W 1669.98 feet to an iron pin set;

1 and S 31 deg. 30 min. 55 sec. W 1459.02 feet to an iron pin set.

2 THENCE with the North line of State Highway 195, along or near
3 the general line of an existing fence, finding concrete
4 right-of-way markers, N 58 deg. 29 min. 05 sec. W 252.06 feet; N 58
5 deg. 28 min. 23 sec. W 2000.17 feet; and N 58 deg. 29 min. 43 sec. W
6 289.47 feet to an iron pin found.

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

11 THENCE with the boundary of County Road 147, along or near the
12 general line of an existing fence setting iron pins as follows; N 69
13 deg. 45 min. 29 sec. E 422.90 feet; N 69 deg. 55 min. 48 sec. E
14 1885.44 feet; N 70 deg. 04 min. 45 sec. E 2297.59 feet; N 87 deg. 50
15 min. 55 sec. E 59.60 feet; S 19 deg. 47 min. 36 sec. E 1977.28 feet;
16 and N 70 deg. 44 min. 56 sec. E 1774.08 feet to the POINT OF
17 BEGINNING.

18 TRACT TWO:

19 A tract or parcel of land containing 4.988 acres of land out
20 of the Burrell Eaves Survey, Abstract No. 216, Williamson County,
21 Texas, being all of a called 4.99 acre tract conveyed to the William
22 Erwin Kemp and Margaret Elizabeth Kemp Trust recorded under
23 Document No. 2001006723 of the Official Public Records Of
24 Williamson County, Texas, said 4.988 acres being more particularly
25 described by metes and bounds as follows:

26 BEGINNING at a 1/2 inch iron rod found at the most westerly corner
27 of the herein described tract, being a southerly corner of said

1 Third Tract, a residue of a 140.8 acre tract conveyed to J.N.
2 Adkins, et ux recorded in Volume 328, Page 331 of the Deed Records
3 of Williamson County, Texas and lying in the northeasterly
4 right-of-way line of Highway 195;
5 Thence, North 50°55'10" East, along an interior line of said Third
6 Tract, a distance of 467.27 feet to a 1/2 inch iron rod found at the
7 most northerly corner of the herein described tract;
8 Thence, South 33°00'00" East (Bearing Basis), along an interior line
9 of said Third Tract, a distance of 707.49 feet to a 1/2 inch iron rod
10 found at the most east corner of the herein described tract and
11 lying in the northerly right-of-way line of County Road 143;
12 Thence, South 70°37'00" West, along the northerly right-of-way line
13 of said County Road 143, a distance of 147.18 feet to a 1/2 inch iron
14 rod set at an angle point of the herein described tract;
15 Thence, South 73°57'48" West, continuing along the northerly
16 right-of-way line of said County Road 143, a distance of 60.48 feet
17 to a 1/2 inch iron rod found at the most southerly corner of the
18 herein described tract, being in the northeasterly right-of-way
19 line of said Highway 195 and being the beginning of a curve to the
20 left;
21 Thence, along the northeasterly right-of-way line of said Highway
22 195 along said curve to the left through a central angle of 02°12'49"
23 to a 1/2 inch iron rod set for a point of tangency, said curve having
24 a radius of 8235.11 feet, an arc length of 318.14 feet, and a long
25 chord bearing of North 56°00'26" West, 318.12 feet;
26 Thence, North 57°01'00" West, continuing along the northeasterly
27 right-of-way line of said Highway 195, a distance of 342.54 feet to

1 the POINT OF BEGINNING, containing 4.988 acres of land.

2 TRACT THREE:

3 Being 1.00 acre of the Burrell Eaves Survey, Abstract No.
4 261, in Williamson County, Texas, part of a 103 acre tract which is
5 described in Vol. 757, Page 461, Deed Records of Williamson County,
6 Texas. Surveyed on the ground in October of 1984, by W.F. Forest,
7 Registered Public Surveyor No. 101.

8 BEGINNING at an iron pin set about 1 foot North of a fence in the
9 North line of County Road 147, 35 feet wide. A nail set by the
10 Southeast fence corner of the said 103 acre tract bears N 72°07' E
11 251.03 feet.

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

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

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

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

16 TRACT FOUR:

17 Being 5.00 acres of land located in the Burrell Eaves Survey,
18 Abstract No. 216, Williamson County, Texas, being out of and part of
19 that certain 103 acre tract as recorded in document no. 2002078621,
20 Official Public Records of Williamson County, Texas,
21 (O.P.R.W.C.T.), being the same 5.00 acres conveyed to Carl
22 Satterlee, et ux by deed recorded in Document No. 2001019450,
23 O.P.R.W.C.T., and being more particularly described by metes and
24 bounds as follows: (all bearings recited herein ARE BASED ON THE
25 MONUMENTED NORTH LINE OF THE SAID 103 ACRES);

26 BEGINNING, at a 1/2" iron rod found for the southeast corner of the
27 said 5.00 acres, being in a southerly line of the said 103 acres and

1 being in the north right-of-way line of County road 147;
2 THENCE, S 70°36'46" W, along said north right-of-way line, a
3 distance of 466.67 feet to a 1/2" iron rod found for the southwest
4 corner herein;
5 THENCE, N 19°23'51" W, departing said north right-of-way line, a
6 distance of 466.75 feet to a 1/2" iron rod found for the northwest
7 corner herein;
8 THENCE, N 70°35'54" E, a distance of 466.62 feet to a 1/2" iron rod
9 found for the northeast corner herein;
10 THENCE, S 19°24'14" E, a distance of 466.86 feet to the POINT OF
11 BEGINNING containing 5.00 acres of land, more or less.

12 TRACT FIVE:

13 Being 85.237 acres of land located in the Burrell Eaves
14 Survey, Abstract No. 216, Williamson County, Texas, said tract
15 being all of that certain called 103 acre tract of land conveyed to
16 Earline D. Ischy by warranty deed recorded in Document No.
17 2002078621, Official Public Records of Williamson County, Texas,
18 (O.P.R.W.C.T.), save and except the following certain tracts of
19 land: that certain 4.127 acre tract conveyed to Kay R. & Alvy A.
20 Byrd In Document No. 2003002085 (O.P.R.W.C.T.), that certain 1.00
21 acre tract of land conveyed to Gordon Crum & Joann Crum by warranty
22 deed recorded in Volume 1104, Page 337, Official Records of
23 Williamson County, Texas, (O.R.W.C.T.), that certain 5.00 acre
24 tract conveyed to Adkins Land Development, L.P. in Document No.
25 2006054629 (O.P.R.W.C.T.), that certain 5.00 acre tract conveyed to
26 Louis F. Ischy III & Sheila J. Ischy in Document No. 2001040530
27 (O.P.R.W.C.T.), and that certain 1.00 acre tract conveyed to Bruce

1 Levens in Document No. 2004072477 (O.P.R.W.C.T.), said 85.237 acre
2 tract being more particularly described by metes and bounds as
3 follows: (ALL BEARINGS RECITED HEREIN ARE BASED ON THE MONUMENTED
4 NORTH LINE OF THE SAID 103 ACRES);
5 COMMENCING for reference, at a 1/2" iron rod found at the northwest
6 corner of said 103 acre tract, said point being the common South
7 corner of those certain 5.0 acre and 27.39 acre tracts conveyed to
8 Darren Barker by deeds recorded in Volume 1415, Page 344
9 (O.R.W.C.T.), and Document No. 2006011593 (O.P.R.W.C.T.), the
10 northwest corner of that certain 4.127 acre tract of land conveyed
11 to Kay R. Byrd and Alvy A. Byrd by deed recorded in Document No.
12 2003002085 (O.P.R.W.C.T.), and being an ell turn in the
13 northeasterly right-of-way line of County Road 147;
14 THENCE, N69°54'25"E, a distance of 341.99 feet to a nail found in a
15 fence post at the southeast corner of said 27.39 acre Barker tract,
16 same being the southwest corner of that certain 38.66 acre tract of
17 land conveyed to Richard Burson by deed recorded in Volume 498, Page
18 577 (O.R.W.C.T.), and N69°55'59"E, a distance of 19.57 feet, to an
19 1/2" iron rod found at the northeast corner of said Byrd tract, for
20 the northwest corner and POINT OF BEGINNING;
21 THENCE, with the north line of said 103 acre tract, same being the
22 South line of said Burson tract, as fenced and used upon the ground,
23 the following three (3) courses numbered 1 through 3,
24 1. N69°53'00"E, a distance of 1566.04 feet to a capped 1/2"
25 iron rod found (RPLS No. 4835), for an exterior angle point in the
26 north line of the herein described tract,
27 2. S29°55'01"E, a distance of 225.22 feet to a 1/2" iron rod

1 found, for an interior angle point in the north line of the herein
2 described tract,

3 3. N70°02'20"E, a distance of 669.19 feet to a nail found in
4 the west right-of-way line of County Road 234, for the northeast
5 corner herein;

6 THENCE, following said right-of-way line, same being the east line
7 of said 103 acre tract, as fenced and used upon the ground, the
8 following five (5) courses numbered 1 through 5,

9 1. S01°11'54"E, a distance of 187.72 feet to a fence post,
10 for an angle point,

11 2. S00°17'33"W, a distance of 144.21 feet to a fence post,
12 for an angle point,

13 3. S02°33'16"W, a distance of 128.85 feet to a fence post,
14 for an angle point,

15 4. S08°27'57"W, a distance of 469.22 feet to a fence post,
16 for an angle point,

17 5. S10°32'20"W, 155.00 feet to a 1/2" iron rod set at
18 northeast corner of that certain 1.00 acre tract of land conveyed to
19 Bruce Levens by deed recorded in Document No. 2004072477
20 (O.P..R.W.C.T.), for an exterior ell corner in the east line of the
21 herein described tract;

22 THENCE, leaving said right-of-way line, following the north,
23 westerly, and south lines of said Levens tract, as fenced and used
24 upon the ground, the following four (4) courses numbered 1 through
25 4,

26 1. N87°50'51"W, a distance of 149.83 feet to a capped 1/2"
27 iron rod found (RPLS No. 4835) at the northwest corner of said

1 Levens tract, for an interior angle point of the herein described
2 tract,

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

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

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

15 THENCE, following said right-of-way line, same being the east line
16 of said 103 acre tract, the following two (2) courses numbered 1 and
17 2;

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

20 2. S07°42'02"W, a distance of 282.14 feet to a nail found in
21 a fence post, at the northwest intersection of said County Road 234
22 and said County Road 147, said point being the southeast of said 103
23 acre tract, for the southeast corner herein;

24 THENCE, S70°35'27"W, following the north right-of-way line of said
25 County Road 147, same being the South line of said 103 acre tract, a
26 distance of 251.03 feet to a calculated point at the southeast
27 corner of said 1.00 acre Crum tract, for an exterior ell comer in

1 the south line of the herein described tract;
2 THENCE, the following three (3) courses numbered 1 through 3,
3 1. N19°24'33"W, with the east line of said Crum tract, a
4 distance of 290.40 feet to a calculated point, at the northeast
5 corner of said Crum tract, for an interior ell corner in the south
6 line of the herein described tract,
7 2. S70°35'27"W, with the north line of said Crum tract, a
8 distance of 150.00 feet to a calculated point at the northwest
9 corner of said Crum tract, for an interior ell corner in the south
10 line of the herein described tract,
11 3. S19°24'33"E, with the west line of said Crum tract, a
12 distance of 290.40 feet to a calculated point at the southwest
13 corner of said Crum tract, said point being in the north
14 right-of-way line of said County Road 147, for an exterior ell
15 corner in the south line of the herein described tract;
16 THENCE, S70°35'27"W, with the fenced right-of-way line, a distance
17 of 650.48 feet to a 1/2" iron rod found at the southeast corner of
18 that certain 5.00 acre tract of land conveyed to Adkins Land
19 Development L.P, by Warranty Deed recorded in Document No.
20 2006054629 (O.P.R.W.C.T.), for an exterior ell corner in the south
21 line of the herein described tract;
22 THENCE, leaving said right-of-way line, the following three (3)
23 courses numbered 1 through 3,
24 1. N19°23'57"W, with the east line of said 5.00 acre tract, a
25 distance of 466.86 feet to a 1/2" iron rod found at the northeast
26 corner of said 5.00 acre tract, for an interior ell corner in the
27 south line of the herein described tract,

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

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

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

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

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

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

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

25 2. leaving said right-of-way line, N70°21'26"E, following
26 the south line of said Ischy tract, a distance of 466.66 feet to a
27 1/2" iron rod found at the southeast corner of said Ischy tract, for

1 an interior ell corner in the west line of the herein described
2 tract,

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

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

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

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

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

23 TRACT SIX:

24 Being 100.00 acres of the Burrell Eaves Survey, Abstract No.
25 216, Williamson County, Texas. This property includes part of
26 Tracts 1 and 3 which were conveyed to J.N. Adkins, et. ux. of record
27 in Vol. 328, Pg. 331, Deed Records of Williamson County, Texas.

1 This tract was surveyed on the ground in August of 2005, by William
2 F. Forest, Jr., Registered Professional Land Surveyor No. 1847.

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

8 THENCE along or near the general line of an existing fence
9 with the North line of County Road 143, S 70 deg. 03 min. 56 sec. W
10 1109.27 feet to an iron pin set.

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

15 THENCE with the Northeast line of State Highway 195, along or
16 near the general line of an existing fence, N 58 deg. 30 min. 09 sec.
17 W 451.94 feet to a concrete right-of-way marker found; and N 58 deg.
18 29 min. 05 sec. W 747.32 feet to an iron pin set.

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

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

27 THENCE with the West line of County Road 234, along or near

1 the general line of an existing fence, setting iron pins at bends as
2 follows: S 23 deg. 07 min. 23 sec. W 842.18 feet; S 16 deg. 01 min.
3 02 sec. W 69.58 feet; S 01 deg. 17 min. 24 sec. W 21.50 feet; S 06
4 deg. 55 min. 45 sec. E 27.00 feet; S 11 deg. 23 min. 45 sec. E 68.43
5 feet; and S 18 deg. 12 min. 26 sec. E 616.09 feet to the POINT OF
6 BEGINNING.

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

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

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

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 4817

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2009.

David Newkirk

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 4817 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4817 on May 31, 2009, by the following vote: Yeas 143, Nays 0, 1 present, not voting.

Robert Hawey

Chief Clerk of the House

I certify that H.B. No. 4817 was passed by the Senate, with amendments, on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Patsy Spaw

Secretary of the Senate

APPROVED: 19 JUN '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

JUN 19 2009

Colby Hunter III