CHAPTER 500

S.B. No. 1868

AN ACT
relating to the creation of the Needmore Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or 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 8471 to read as follows:

CHAPTER 8471. NEEDMORE RANCH MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8471.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “Commission” means the Texas Commission on Environmental Quality.
(3) “Director” means a board member.
(4) “District” means the Needmore Ranch Municipal Utility District No. 1.

Sec. 8471.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8471.003. CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8471.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8471.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8471.005. LEGISLATIVE FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
(a) The district is created to serve a public purpose and benefit.
(b) The creation of the district is essential to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution;
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads; and
(3) Section 52-a, Article III, Texas Constitution, that relate to the development and diversification of the economy of this state.

Passed the Senate on May 2, 2013: Yeas 31, Nays 0; passed the House on May 14, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.
(c) The creation of the district is necessary to develop, encourage, and maintain safety and the public welfare in the district.

(d) All land and other property in the district will benefit from the improvements and services to be provided by the district under this chapter.

(e) The district will:

(1) seek and provide funding for the district to maintain and enhance the economic health and vitality of the territory in the district as a residential community and business center; and

(2) provide for the preservation and conservation of the natural resources within the district, while protecting private property rights to develop and beneficially use those resources in an organized and lawfully regulated manner.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 8471.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8471.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8471.052, directors serve staggered four-year terms.

Sec. 8471.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8471.003; or

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

(c) If permanent directors have not been elected under Section 8471.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8471.003; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8471.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.
Sec. 8471.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8471.103. RESIDENTIAL OR PLANNED COMMUNITY DEVELOPMENT; WASTEWATER TREATMENT FACILITY. (a) In the event that a residential subdivision or planned community is developed in the territory of the district, the district shall develop a wastewater treatment facility in coordination with Hays County and the City of Wimberley.

(b) A developer who proposes to build a residential subdivision or planned community in the territory of the district must agree to develop the property in a manner that works in conjunction with the design and specifications of any wastewater treatment facility developed under Subsection (a).

(c) If a residential subdivision or planned community is developed in the district, the district shall import water to provide for the needs of that development.

Sec. 8471.104. LIMITATION ON USE OF EMINENT DOMAIN. (a) The district may not exercise the power of eminent domain except for the purpose of importing surface water or nonlocal groundwater into the district.

(b) For purposes of this section, nonlocal groundwater includes only groundwater that is withdrawn from a source outside the Edwards Aquifer and the Trinity Aquifer.

Sec. 8471.105. LIMITATION ON ANNEXATION. The district may not add land by petition of less than all the landowners under Section 49.302, Water Code, unless the petition required under that section is signed by the owners of a two-thirds majority of the assessed value of the land in the defined area described by the petition.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8471.151. 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 8471.153.

(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.

Sec. 8471.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8471.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8471.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8471.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8471.202. TAXES FOR BONDS. (a) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of
a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(b) The board's order to issue bonds and impose an ad valorem tax must provide that on retirement of the bonds for which the tax is originally authorized, unless a subsequent bond election authorizes a continuation of the tax, the imposition of the tax, including the district's authority to assess and collect the tax, ends.

SECTION 2. The Needmore Ranch Municipal Utility District No. 1 initially includes all the territory contained in the following area, except that portion of the territory located in the extraterritorial jurisdiction of the Village of Wimberly, Texas, as that jurisdiction existed on January 1, 2013:

TRACT 1—5003.632 ACRES
LEGAL DESCRIPTION: BEING 5003.632 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE:
DAVID WILSON SURVEY, ABSTRACT 476
BENJAMIN WEED SURVEY, ABSTRACT 483
DAY LAND AND CATTLE COMPANY SURVEY, ABSTRACT 672
F.W. ROBERTSON SURVEY, ABSTRACT 385
HUGH G. PANNELL SURVEY, ABSTRACT 368
T.C. RAILROAD CO. SURVEY, ABSTRACT 696
M.E. ANDREWS SURVEY, ABSTRACT 659
MARGARET DUNN SURVEY, ABSTRACT 147
ROBERT S. LOVE SURVEY, ABSTRACT 283
WILLIAM GRAY SURVEY, ABSTRACT 192
AND SAN GERONIMO IRRIGATION CO. SURVEY, ABSTRACT 535
ALL IN HAYS COUNTY, TEXAS AND BEING
A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE CO., LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS;
ALL OF THAT CERTAIN 5.018 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE CO., LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS;
AND ALL OF THAT CERTAIN 324.442 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE CO., LTD. BY DEED RECORDED IN VOLUME 1950, PAGE 237 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS;
SAID 5003.632 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010 AND JANUARY 2011:
BEGINNING at a 1/2" iron rod found for an angle point in the west line of the San Geronimo Irrigation Co. Survey, Abstract 535 and that certain 418.49 acre tract of land conveyed to Big Oak Ranch, LP by deed recorded in Volume 2616, Page 93 of said deed records for the southeast corner of the William Gray Survey, Abstract 192 and that certain 13.817 acre tract of land conveyed to Kent Keith by deed recorded in Volume 2639, Page 309 of said deed records and a corner of the David Wilson Survey, Abstract 476;
THENCE along said west line, common with the David Wilson Survey, S 46°32'53" E a distance of 2631.83 feet to an angle point and S 46°40'47" E a distance of 274.89 feet to a 3/8" iron rod found for the southerly corner of said Big Oak Ranch, LP 418.49 acre tract and the westerly corner of said O'Quinn Land & Cattle Co., LTD 5.018 acre tract;
THENCE with said 5.018 acre tract the following three (3) calls:
1. N 44°43'39" E a distance of 814.44 feet to a 1/2" iron rod found for the northerly corner of said 5.018 acre tract;
2. S 27°06'39" E a distance of 274.32 feet along the southwesterly line of Homestead Road as dedicated by plat of The Highlands Section "B" recorded in Volume 1, Page 178 of the plat records of Hays County, Texas to a 1/2" iron rod found for the easterly corner of said 5.018 acre tract and northerly corner of Lot 69, The Highlands Section "B";

3. S 41°19'12" W a distance of 726.51 feet to a 3/8" iron rod found on the common line of the San Geronimo Irrigation Co. Survey, Abstract 535 and Robert S. Love Survey, Abstract 283 for the westerly corner of Lot 69 and southerly corner of Lot 69, The Highlands Section "B";

THENCE S 45°39'21" E a distance of 1023.72 feet along said line to a fence corner post found for the easterly corner of said O'Quinn Land & Cattle Co., LTD 4924.865 acre tract and northerly corner of that certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold Freeman by deed recorded in Volume 122, Page 158 of said deed records;

THENCE S 44°07'25" W a distance of 8989.63 feet to a 1/2" iron rod found on the northeasterly line of Fulton Ranch Road for the westerly corner of said Freeman 1203.9 acre tract;

THENCE S 44°07'25" E a distance of 1023.72 feet along said line to a fence corner post found for the easterly corner of said O'Quinn Land & Cattle Co., LTD 4924.865 acre tract and northerly corner of that certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold Freeman by deed recorded in Volume 122, Page 158 of said deed records;

THENCE S 45°39'21" E a distance of 1023.72 feet along said line to a fence corner post found for the easterly corner of said O'Quinn Land & Cattle Co., LTD 4924.865 acre tract and northerly corner of that certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold Freeman by deed recorded in Volume 122, Page 158 of said deed records;

THENCE S 44°07'25" W a distance of 8989.63 feet to a 1/2" iron rod found on the northeasterly line of Fulton Ranch Road for the westerly corner of said Freeman 1203.9 acre tract;

THENCE S 44°07'25" E a distance of 1023.72 feet along said line to a fence corner post found for the easterly corner of said O'Quinn Land & Cattle Co., LTD 4924.865 acre tract and northerly corner of that certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold Freeman by deed recorded in Volume 122, Page 158 of said deed records;

THENCE S 45°39'21" E a distance of 1023.72 feet along said line to a fence corner post found for the easterly corner of said O'Quinn Land & Cattle Co., LTD 4924.865 acre tract and northerly corner of that certain 1203.9 acre tract of land conveyed to Joe Freeman and Harold Freeman by deed recorded in Volume 122, Page 158 of said deed records;

THENCE S 44°07'25" W a distance of 8989.63 feet to a 1/2" iron rod found on the northeasterly line of Fulton Ranch Road for the westerly corner of said Freeman 1203.9 acre tract;
15. a length of 47.16 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 39°09'41" W a distance of 47.12 feet to an iron rod set for endpoint,

16. N 35°30'37" W a distance of 272.51 feet to an iron rod set for the beginning of a curve to the left;

17. a length of 31.09 feet along the arc of said curve to the left having a radius of 430.00 feet and a chord bearing N 37°34'53" W a distance of 31.08 feet to an iron rod set for endpoint,

18. N 39°39'09" W a distance of 211.70 feet to an iron rod set for the beginning of a curve to the right;

19. a length of 92.03 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 32°31'36" W a distance of 91.80 feet to an iron rod set for endpoint,

20. 2N 25°24'03" W a distance of 168.36 feet to an iron rod set for the beginning of a curve to the left;

21. a length of 351.70 feet along the arc of said curve to the left having a radius of 730.00 feet and a chord bearing N 39°15'10" W a distance of 348.31 feet to an iron rod set for endpoint,

22. N 53°00'18" W a distance of 186.99 feet to an iron rod set for the beginning of a curve to the right;

23. a length of 48.79 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 49°13'37" W a distance of 48.76 feet to an iron rod set for endpoint,

24. N 45°26'57" W a distance of 212.79 feet to an iron rod set for the beginning of a curve to the left;

25. a length of 220.34 feet along the arc of said curve to the left having a radius of 280.00 feet and a chord bearing N 67°58'36" W a distance of 214.70 feet to an iron rod set for endpoint,

26. S 89°27'45" W a distance of 99.93 feet to an iron rod set for the beginning of a curve to the left;

27. a length of 308.80 feet along the arc of said curve to the left having a radius of 1130.00 feet and a chord bearing S 81°38'02" W a distance of 307.84 feet to an iron rod set for endpoint,

28. S 73°48'18" W a distance of 555.94 feet to an iron rod set for the beginning of a curve to the right;

29. a length of 423.10 feet along the arc of said curve to the right having a radius of 2070.00 feet and a chord bearing S 79°39'38" W a distance of 422.36 feet to an iron rod set for endpoint,

30. S 85°30'58" W a distance of 272.11 feet to an iron rod set for the beginning of a curve to the right;

31. a length of 261.29 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 74°15'10" W a distance of 255.90 feet to an iron rod set for endpoint,

32. N 54°01'18" W a distance of 179.15 feet to an iron rod set for the beginning of a curve to the left;

33. a length of 258.03 feet along the arc of said curve to the left having a radius of 380.00 feet and a chord bearing N 73°28'26" W a distance of 253.10 feet to an iron rod set for endpoint,

34. S 87°04'25" W a distance of 451.60 feet to an iron rod set for the beginning of a curve to the left;

35. a length of 150.89 feet along the arc of said curve to the left having a radius of 630.00 feet and a chord bearing S 80°12'44" W a distance of 150.53 feet to an iron rod set for endpoint,
36. S 73°21'03" W a distance of 92.66 feet to an iron rod set for the beginning of a curve to the right;
37. a length of 384.14 feet along the arc of said curve to the right having a radius of 520.00 feet and a chord bearing N 85°29'11" W a distance of 375.46 feet to an iron rod set for endpoint,
38. N 64°19'24" W a distance of 5272.10 feet to an iron rod set for the beginning of a curve to the right;
39. a length of 188.61 feet along the arc of said curve to the right having a radius of 170.00 feet and a chord bearing N 32°32'22" W a distance of 179.08 feet to an iron rod set for endpoint,
40. N 00°31'45" W a distance of 3534.51 feet to an iron rod set for the beginning of a curve to the right;
41. a length of 578.82 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 44°26'44" E a distance of 521.58 feet to an iron rod set for endpoint,
42. N 89°23'02" E a distance of 632.34 feet to an iron rod set for the beginning of a curve to the left;
43. a length of 159.30 feet along the arc of said curve to the left having a radius of 105.00 feet and a chord bearing N 45°55'14" E a distance of 144.46 feet to an iron rod set for endpoint,
44. N 02°27'27" E a distance of 179.23 feet to an iron rod set for the beginning of a curve to the right;
45. a length of 242.43 feet along the arc of said curve to the right having a radius of 370.00 feet and a chord bearing N 21°13'40" E a distance of 238.11 feet to an iron rod set for endpoint,
46. N 39°05'53" E a distance of 440.24 feet to an iron rod set for the beginning of a curve to the left;
47. a length of 807.38 feet along the arc of said curve to the left having a radius of 2530.00 feet and a chord bearing N 13°04'28" E a distance of 803.95 feet to an iron rod set for endpoint,
48. N 47°09'28" E a distance of 303.91 feet to an iron rod set for the beginning of a curve to the right;
49. a length of 937.31 feet along the arc of said curve to the right having a radius of 745.00 feet and a chord bearing N 83°12'03" E a distance of 876.71 feet to an iron rod set for endpoint,
57. a length of 345.31 feet along the arc of said curve to the left having a radius of 630.00 feet and a chord bearing S 76°27'30" E a distance of 341.00 feet to an iron rod set for endpoint,
58. N 87°50'22" E a distance of 234.12 feet to an iron rod set for the beginning of a curve to the left;
59. a length of 278.36 feet along the arc of said curve to the left having a radius of 405.00 feet and a chord bearing N 68°08'58" E a distance of 272.91 feet to an iron rod set for endpoint,
60. S 44°51'54" E a distance of 3.67 feet to an iron rod set on the easterly line of a that certain 75' right-of-way dedication to Hays County, Texas for Fulton Ranch Road recorded in Volume 2028, Page 544 of said deed records;

THENCE continuing along the easterly right-of-way of Fulton Ranch Road the following eighteen (18) calls:
1. a length of 446.38 feet along the arc of a curve to the left having a radius of 337.50 feet and a chord bearing N 08°10'14" E a distance of 414.55 feet to an iron rod set for endpoint,
2. N 29°43'10" W a distance of 174.44 feet to an iron rod set for the beginning of a curve to the left;
3. a length of 161.10 feet along the arc of said curve to the left having a radius of 339.50 feet and a chord bearing S 16°07'33" W a distance of 159.59 feet to an iron rod set for endpoint,
4. N 02°03'15" W a distance of 420.28 feet to an iron rod set for the beginning of a curve to the right;
5. a length of 813.14 feet along the arc of said curve to the left having a radius of 729.50 feet and a chord bearing S 34°02'52" W a distance of 771.69 feet to an iron rod set for endpoint,
6. N 69°12'36" W a distance of 588.69 feet to an iron rod set for the beginning of a curve to the right;
7. a length of 408.25 feet along the arc of said curve to the right having a radius of 662.50 feet and a chord bearing N 51°33'24" W a distance of 401.82 feet to an iron rod set for endpoint,
8. N 33°35'41" W a distance of 251.05 feet to an iron rod set for the beginning of a curve to the right;
9. a length of 38.96 feet along the arc of the curve to the right having a radius of 262.50 feet and a chord bearing N 29°20'37" W a distance of 38.92 feet to an iron rod set for endpoint,
10. N 25°05'33" W a distance of 269.77 feet to an iron rod set for the beginning of a curve to the right;
11. a length of 109.75 feet along the arc of said curve to the right having a radius of 262.50 feet and a chord bearing N 12°32'53" W a distance of 108.95 feet to an iron rod set for endpoint,
12. N 00°34'15" W a distance of 807.10 feet to an iron rod set for angle point;
13. N 01°17'19" W a distance of 283.82 feet to an iron rod set for the beginning of a curve to the left;
14. a length of 562.03 feet along the arc of said curve to the left having a radius of 337.50 feet and a chord bearing N 45°34'10" W a distance of 457.01 feet to an iron rod set for endpoint,
15. N 86°31'01" W a distance of 71.00 feet to an iron rod set for the beginning of a curve to the left;
16. a length of 195.52 feet along the arc of said curve to the left having a radius of 287.50 feet and a chord bearing S 74°00'05" W a distance of 191.77 feet to an iron rod set for endpoint,
17. S 54°31'07" W a distance of 194.97 feet to an iron rod set for the beginning of a curve to the right;
18. a length of 5.73 feet along the arc of said curve to the right having a radius of 162.40 feet and a chord bearing S 55°31'44" W a distance of 5.73 feet to an iron rod set for endpoint,
THENCE N 14°03'03" W a distance of 204.20 feet to an iron rod set for corner;
THENCE N 37°18'46" E a distance of 103.88 feet to a fence post found for angle point;
THENCE N 59°09'46" W a distance of 12.53 feet to an angle point and N 50°46'24" W a
distance of 26.95 feet to a point on the bank of the Blanco River;
THENCE downstream with the bank of the Blanco River the following twenty-six (26) calls:
1. N 29°11'43" E a distance of 233.50 feet;
2. N 30°18'00" E a distance of 173.47 feet;
3. N 29°59'40" E a distance of 155.61 feet;
4. N 39°30'45" E a distance of 243.10 feet;
5. N 51°29'39" E a distance of 192.25 feet;
6. N 52°29'58" E a distance of 253.06 feet;
7. N 68°47'27" E a distance of 400.98 feet;
8. N 84°52'19" E a distance of 222.11 feet;
9. S 85°28'03" E a distance of 211.65 feet;
10. S 61°48'59" E a distance of 220.30 feet;
11. S 43°14'04" E a distance of 236.01 feet;
12. S 20°46'57" E a distance of 250.74 feet;
13. S 22°35'08" E a distance of 417.23 feet;
14. S 45°54'45" E a distance of 378.32 feet;
15. S 71°18'30" E a distance of 238.22 feet;
16. S 03°49'52" E a distance of 32.54 feet;
17. S 60°25'14" E a distance of 298.43 feet;
18. S 76°54'01" E a distance of 217.47 feet;
19. S 87°28'03" E a distance of 229.31 feet;
20. N 68°08'23" E a distance of 241.37 feet;
21. N 52°14'05" E a distance of 295.18 feet;
22. N 44°17'11" E a distance of 161.63 feet;
23. N 24°55'35" E a distance of 618.53 feet;
24. N 36°53'33" E a distance of 503.94 feet;
25. N 49°57'59" E a distance of 354.65 feet;
26. N 01°32'16" E a distance of 108.74 feet;
THENCE N 41°30'09" E a distance of 173.14 feet to a point in the approximate center of the
Blanco River and N 50°22'14" E a distance of 435.86 feet to a point on the bank of the Blanco
River and easterly line of that certain 125.73 acre tract of land conveyed to the Texas State
Teacher's College (now Texas State) by deed recorded in Volume 148, Page 636 of said deed
records;
THENCE continuing with the east line of said Texas State Teacher's College (now Texas
State) 125.73 acre tract the following five (5) calls:
1. N 43°58'02" E a distance of 241.76 feet to a 3/8" iron rod found for angle point;
2. N 41°35'40" E a distance of 418.28 feet to a 1/2" iron rod found at a fence corner;
3. N 23°38'18" E a distance of 331.10 feet to a fence post found for angle point;
4. N 13°19'17" E a distance of 204.76 feet to a 3/8" iron rod found at a fence intersection;
5. N 24°25'41" E a distance of 188.16 feet to a 3/8" iron rod found at a fence corner post on
the north line of the Day Land & Cattle Co. Survey, Abstract 672 for the common corner of
Lots 2H and 2J; Resubdivision of Tract 2 River Creek Subdivision as recorded by plat in
Volume 7, Page 207 of said plat records;
THENCE along said survey line and south line of said subdivision the following three (3)
calls:
1. N 89°33'46" E a distance of 1569.75 feet to a fence post found for angle point;
2. N 89°53'46" E a distance of 374.77 feet to an iron rod set for angle point;
3. N 88°48'14" E a distance of 648.73 feet to a 3/8" iron rod found at a fence corner post for the common corner of Lot 2G, Resubdivision of Tract 2 River Creek Subdivision and Lot 3A; Resubdivision of Tract 3 River Creek Subdivision as recorded by plat in Volume 7, Page 398 of said plat records;

THENCE continuing along the westerly line of Lot 3A the following three (3) calls:
1. S 24°15'38" E a distance of 111.08 feet to a 3/8" iron rod found in tree for angle point;
2. S 52°51'51" E a distance of 212.24 feet to a 3/8" iron rod found at fence post for angle point;
3. S 36°55'04" E a distance of 397.49 feet to a 1/2" iron rod with cap stamped "PRO TECH" found on the north line of Lot 1, Estrellita Estates as recorded by plat in Volume 7, Page 145 of said plat records for the southwest corner of Lot 3A;

THENCE S 52°32'55" W a distance of 4.11 feet to an iron rod set for the northwest corner of Lot 1, Estrellita Estates;

THENCE along the west line of Lot 1, Estrellita Estates the following eight (8) calls:
1. S 39°12'04" E a distance of 98.79 feet to a 1/2" iron rod found for angle point;
2. S 12°37'23" E a distance of 101.15 feet to a 1/2" iron rod found for angle point;
3. S 05°16'37" E a distance of 639.82 feet to a 1/2" iron rod found for angle point;
4. S 13°21'25" E a distance of 414.64 feet to a 1/2" iron rod found for angle point;
5. S 49°01'11" E a distance of 179.61 feet to a 1/2" iron rod set for angle point;
6. S 23°06'17" E a distance of 159.86 feet to a 3/8" iron rod found for angle point;
7. S 01°08'17" W a distance of 125.52 feet to a 3/8" iron rod found for angle point;
8. S 02°24'56" E a distance of 257.84 feet to a point for the northeast corner of the O'Quinn Family Cemetery tract as recorded in Document No. 2010100631372 of said deed records from which a 1/2" iron rod with cap found bears N 81°49'43" E a distance of 0.59 feet;

THENCE with said Cemetery tract the following three (3) calls:
1. S 81°49'43" W a distance of 139.26 feet to a 1/2" iron rod with cap found for the northwest corner;
2. S 02°33'16" E a distance of 149.97 feet to a 1/2" iron rod with cap found for the southwest corner;
3. N 81°52'13" E a distance of 138.88 feet to a point on the west line of Lot 1, Estrellita Estates for the southeast corner of said Cemetery from which a 1/2" iron rod with cap found bears N 81°52'13" E a distance of 1.03 feet;

THENCE S 02°24'56" E a distance of 132.94 feet to a mag nail found for the southwest corner of Lot 1, Estrellita Estates and continuing for a total distance of 356.89 feet to a point on the south bank of the Blanco River for the northwest corner of said O'Quinn Land & Cattle Co., LTD 324.442 acre tract;

THENCE downstream with the south bank of the Blanco River the following nine (9) calls:
1. N 60°14'02" E a distance of 193.77 feet;
2. N 65°51'28" E a distance of 183.60 feet;
3. N 50°09'43" E a distance of 227.46 feet;
4. N 82°00'13" E a distance of 142.24 feet;
5. S 78°21'57" E a distance of 132.19 feet;
6. S 55°05'17" E a distance of 96.98 feet;
7. S 60°59'10" E a distance of 788.01 feet;
8. S 56°11'56" E a distance of 250.98 feet;
9. S 63°20'26" E a distance of 249.35 feet to a point for the northeast corner hereof and said O'Quinn Land & Cattle Co., LTD 324.442 acre tract and the northwest corner of that certain
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95.344 acre tract of land conveyed to Lamplighter 54, LLC by deed recorded in Volume 3593, Page 511 of said deed records;

THENCE S 01°37'07" E, passing a 1/2" iron rod with cap stamped “Driftwood Surveying” found for reference at a distance of 117.88 feet and continuing for a total distance of 1518.04 feet to a 1/2" iron rod with cap stamped “Driftwood Surveying” found in the center of a 60' reciprocal easement of record in Volume 1378, Page 385 of said deed records and a 60' ingress—egress easement of record in Volume 1443, Page 572 and amended in Volume 1470, Page 56 of said deed records for a westerly corner of said Lamplighter 54, LLC 95.344 acre tract;

THENCE with said centerline and continuing with said Lamplighter 54, LLC 95.344 acre tract the following five (5) calls:

1. N 58°17'45" E a distance of 111.24 feet to a 1/2" iron rod with cap stamped “JE Garon RPLS4303” found for angle point;
2. S 71°29'55" E a distance of 186.02 feet to a calculated point from which a 1/2" iron rod with cap stamped “BYRN” found for reference bears S 34°35'42" W a distance of 31.22 feet;
3. S 39°18'41" E a distance of 248.00 feet to a calculated point from which a 1/2" iron rod with cap stamped “JE Garon RPLS4303” found for reference bears S 34°13'42" W a distance of 31.28 feet;
4. S 72°09'03" E a distance of 176.86 feet to a calculated angle point;
5. N 88°15'34" E a distance of 47.81 feet to a calculated point for corner;

THENCE S 00°51'24" E, passing a 1/2" iron rod with cap stamped “JE Garon RPLS4303” found for reference at a distance of 29.92 feet and continuing for a total distance of 3880.81 feet to a 1/2" iron rod found for the southeast corner of said O’Quinn Land & Cattle Co., LTD 324.442 acre tract;

THENCE S 89°008'51" W a distance of 2474.70 feet to a 1/2" iron rod with cap stamped “JE Garon RPLS4303” found for the southwest corner of said O’Quinn Land & Cattle Co., LTD 324.442 acre tract and northwest corner of that certain 53.152 acre tract of land conveyed to the E.F. Romano III Trust by deed recorded in Volume 2639, Page 309 of said deed records;

THENCE S 01°20'07" E a distance of 1151.77 feet to a cedar fence corner post found for the southwest corner of said E.F. Romano III Trust 53.152 acre tract and the William Gray Survey, Abstract 192;

THENCE N 89°009'53" E a distance of 3394.68 feet along the south line of said survey to the POINT OF BEGINNING, containing 5003.632 acres of land, more or less.

TRACT 2—33.145 ACRES


BEGINNING at a 1/2" iron rod set on the northerly line of Fulton Ranch Road, a sixty (60) foot wide dedicated right-of-way to Hays County, Texas by deed recorded in Volume 2507, Page 881 of said deed records for the southeasterly corner of that certain 22.874 acre tract of land conveyed to E.F. Romano III Trust by deed recorded in Volume 2639, Page 309 of said deed records for the southwesterly corner hereof;

THENCE with easterly and northerly lines of said Romano 22.874 acre tract the following eleven (11) calls:

1. N 20°53'31" E a distance of 334.69 feet to a 1/2" iron rod set for angle point,
2. N 61°43'20" E a distance of 166.98 feet to a 1/2" iron rod set for angle point,
3. N 05°26'44" E a distance of 59.60 feet to a 1/2" iron rod set for angle point,
4. N 32°13'15" E a distance of 180.33 feet to a 1/2" iron rod set for angle point,
5. N 07°23'35" E a distance of 153.84 feet to a 1/2" iron rod set for angle point,
6. N 08°35'30" W a distance of 151.44 feet to a 1/2" iron rod set for angle point,
7. N 24°05'46" W a distance of 145.46 feet to a 1/2" iron rod set for angle point,
8. N 43°26'11" W a distance of 143.96 feet to a 1/2" iron rod set for angle point,
9. N 85°14'27" W a distance of 136.21 feet to a 1/2" iron rod set for angle point,
10. S 59°33'31" W a distance of 167.29 feet to a 1/2" iron rod set for angle point,
11. S 23°48'31" W a distance of 301.42 feet to a 1/2" iron rod found in the easterly line of that
certain 172.761 acre tract of land conveyed to Texas Porch House, Inc. by deed recorded in
Volume 1383, Page 142 of said deed records and a westerly line of said O'Quinn 4,924.865 acre
tract,

THENCE with the easterly line of said Texas Porch House tract and the westerly line of said
O'Quinn 4,924.865 acre tract for a westerly line hereof the following ten (10) calls:
1. N 04°37'32" E a distance of 237.10 feet to a 1/2" iron rod found for angle point,
2. N 00°01'52" W a distance of 359.83 feet to a 1/2" iron rod found for angle point,
3. N 12°03'15" E a distance of 67.60 feet to a 1/2" iron rod found for angle point,
4. N 28°38'32" E a distance of 116.03 feet to a 1/2" iron rod found for angle point,
5. N 15°41'54" W a distance of 106.67 feet to a fence corner post found for angle point,
6. N 38°07'20" W a distance of 135.09 feet to a 60d nail in fence corner post found for angle
point,
7. N 38°56'02" W a distance of 428.43 feet to a 1/2" iron rod set for angle point,
8. N 38°08'41" W a distance of 414.01 feet to a 1/2" iron rod found for angle point,
9. N 00°27'03" W a distance of 1055.11 feet to a 1/2" iron rod set for angle point,
10. N 01°17'19" W a distance of 283.25 feet to a 1/2" iron rod set for angle point,

THENCE with the westerly and northerly right-of-way lines of said Fulton Ranch Road for
easterly and southerly line hereof the following twenty (20) calls:
1. an arc length of 72.70 feet along said curve to the right having a radius of 263.04 feet and
   a chord bearing S 69°10'10" E, a chord length of 72.47 feet to a 1/2" iron rod set for an
   endpoint of said curve,
2. S 01°17'19" E a distance of 283.25 feet to a 1/2" iron rod set for angle point,
3. S 00°34'15" E a distance of 806.73 feet to a 1/2" iron rod set at the beginning of a curve to
   the left,
4. an arc length of 141.49 feet along said curve to the left having a radius of 337.50 feet and
   a chord bearing S 12°34'54" E, a chord length of 140.46 feet to a 1/2" iron rod set for an
   endpoint of said curve,
5. S 25°05'33" E a distance of 275.31 feet to a 1/2" iron rod set at the beginning of a curve to
   the left,
6. an arc length of 44.52 feet along said curve to the left having a radius of 300.00 feet and a
   chord bearing S 29°20'37" E a chord length of 44.48 feet to a 1/2" iron rod set for an
   endpoint of said curve,
7. S 33°35'41" E a distance of 251.24 feet to a 1/2" iron rod set at the beginning of a curve to
   the left,
8. an arc length of 454.68 feet along said curve to the left having a radius of 737.50 feet and
   a chord bearing S 51°32'55" E a chord length of 447.51 feet to a 1/2" iron rod set for an
   endpoint of said curve,
9. S 69°12'36" E a distance of 586.80 feet to a 1/2" iron rod set at the beginning of a curve to
   the right,
10. an arc length of 727.74 feet along said curve to the right having a radius of 654.50 feet and a chord bearing S 34°23'10" E, a chord length of 690.85 feet to a 1/2" iron rod set for an endpoint of said curve,

11. S 92°31'56" E a distance of 420.28 feet to a 1/2" iron rod set at the beginning of a curve to the left,

12. an arc length of 196.68 feet along said curve to the left having a radius of 414.50 feet and a chord bearing S 16°07'33" E a chord length of 194.84 feet to a 1/2" iron rod set for an endpoint of said curve,

13. S 29°43'10" E a distance of 174.44 feet to a 1/2" iron rod set at the beginning of a curve to the right,

14. an arc length of 348.40 feet along said curve to the right having a radius of 262.50 feet and a chord bearing S 08°18'10" W, a chord length of 323.39 feet to a 1/2" iron rod set at the southwesterly corner of said Fulton Ranch Road, seventy-five (75) foot wide right-of-way dedication for an angle point,

15. S 44°51'54" E a distance of 11.21 feet to a 1/2" iron rod set at the most northeasterly corner of Fulton Ranch Road, a sixty (60) foot wide dedicated right-of-way to Hays County, Texas by deed recorded in Volume 2507, Page 881 of said deed records,

16. an arc length of 233.64 feet along said curve to the right having a radius of 345.00 feet and a chord bearing S 68°26'21" W, a chord length of 229.20 feet to a 1/2" iron rod set for an endpoint of said curve,

17. S 87°50'22" W a distance of 234.12 feet to a 1/2" iron rod set at the beginning of a curve to the right,

18. an arc length of 312.42 feet along said curve to the right having a radius of 570.00 feet and a chord bearing N 76°27'30" W, a chord length of 308.53 feet to a 1/2" iron rod set for an endpoint of said curve,

19. N 60°45'22" W a distance of 102.31 feet to a 1/2" iron rod set at the beginning of a curve to the left,

20. an arc length of 171.70 feet along said curve to the left having a radius of 805.00 feet and a chord bearing N 66°51'59" W, a chord length of 171.37 feet to the POINT OF BEGINNING, containing 33.145 acres of land, more or less.

TRACT 3—1.640 ACRES

LEGAL DESCRIPTION: BEING 1.640 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 1.640 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:

BEGINNING at a 1/2" iron rod found in the easterly line of Lot 120, Saddleridge, a subdivision recorded in Volume 7, Pages 348–354 of the Plat Records of Hays County, Texas for a northwesterly corner of that certain 388.68 acre tract of land conveyed to Ingram Ranches I, Ltd. by deed recorded in Volume 1197, Page 550 of said deed records and an angle point in the west line of said O'Quinn 4,924.865 acre tract for a westerly corner hereof;

THENCE N 00°42'41" W a distance of 160.66 feet with the easterly line of said Saddleridge and the westerly line of said O'Quinn 4,924.865 acre tract for the westerly line hereof to a 1/2" iron rod set at the endpoint of a curve in southwesterly line of Fulton Ranch Road, a sixty (60) foot wide right-of-way dedicated to Hays County, Texas by deed recorded in Volume 2507, Page 881 of said deed records for the most northerly corner hereof;

THENCE with the southwesterly right-of-way line of said Fulton Ranch Road, an arc length of 255.35 feet along said curve to the left having a radius of 230.00 feet and a chord bearing S 32°32'51" E, a chord length of 242.44 feet to a 1/2" iron rod set for an endpoint of said curve and S 64°19'24" E a distance of 5271.98 feet to a 1/2" iron rod set at the northwesterly corner

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of that certain 126.836 acre tract of land conveyed to E.F. Romano III Trust by deed recorded in Volume 3762, Page 236 of said deed records for an easterly corner hereof; THENCE S 25°22'59" W a distance of 8.07 feet to a 1/2" iron rod set in the northeasterly line of said Ingram Ranches I, Ltd. 388.68 acre tract of land and the southwesterly line of said O’Quinn 4,924.865 acre tract for a westerly corner of said Romano 126.836 acre tract of land; THENCE with the northeasterly line of said Ingram 388.68 acre tract and the southwesterly line of said O’Quinn 4,924.865 acre tract the following five (5) calls:
1. N 64°37'01" W a distance of 1926.82 feet to a 1/2" iron rod set for angle point,
2. N 64°06'10" W a distance of 924.94 feet to a 1/2" iron rod set for angle point,
3. N 64°43'32" W a distance of 420.52 feet to a 1/2" iron rod set for angle point,
4. N 63°31'24" W a distance of 1017.94 feet to a 1/2" iron rod set for angle point,
5. N 64°59'49" W a distance of 1116.71 feet to the POINT OF BEGINNING, containing 1.640 acres of land, more or less.

TRACT 4—1.500 ACRES

LEGAL DESCRIPTION: BEING 1.500 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O’QUINN LAND & CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 1.500 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:

BEGINNING at a 1/2" iron rod found in the westerly line of said O’Quinn 4,924.865 acre tract at the northeasterly corner of Lot 104, Saddleridge, a subdivision recorded in Volume 7, Pages 348-354 of the Plat Records of Hays County, Texas and a southerly corner of that certain 955.36 acre tract of land conveyed to H.W. Lennie by deed recorded in Volume 132, Page 219 of said deed records;

THENCE with the common line of said Lennie 955.36 acre tract and O’Quinn 4,924.865 acre tract the following four (4) calls:
1. N 26°57'42" E a distance of 230.96 feet to a fence corner post found for angle point,
2. N 88°47'41" E a distance of 992.46 feet to a fence corner post found for angle point,
3. N 30°49'20" E a distance of 301.14 feet to a 1/2" iron rod at fence corner post found for angle point,
4. N 32°19'27" E a distance of 85.60 feet to a calculated point in the curving westerly line of Fulton Ranch Road, a sixty (60) foot wide right-of-way dedicated to Hays County, Texas by deed recorded in Volume 2507, Page 881 of said deed records for the most northerly corner hereof;

THENCE with westerly and northerly right-of-ways of said Fulton Ranch Road the following six (6) calls:
1. an arc length of 168.78 feet along said curve to the left having a radius of 430.00 feet and a chord bearing S 13°42'07" W, a chord length of 167.70 feet to a 1/2" iron rod set for an endpoint,
2. S 02°27'27" W a distance of 179.23 feet to a 1/2" iron rod set at the beginning of a curve to the right,
3. an arc length of 68.27 feet along said curve to the right having a radius of 45.00 feet and a chord bearing S 45°55'14" W, a chord length of 61.91 feet to a 1/2" iron rod set for an endpoint,
4. S 89°23'02" W a distance of 632.37 feet to a 1/2" iron rod set at the beginning of a curve to the left,
5. an arc length of 672.78 feet along said curve to the left having a radius of 430.00 feet and a chord bearing S 44°27'07" W, a chord length of 606.23 feet to a 1/2" iron rod set for an endpoint,
6. S 0°23'02" W a distance of 692.37 feet to a 1/2" iron rod set at the beginning of a curve to the right,
6. S 00°31'45" E a distance of 3534.73 feet to a 1/2" iron rod set for the most southerly corner hereof, being in the westerly line of Lot 120 of said Saddleridge, being an easterly line of said O'Quinn 4,924.865 acre tract;

THENCE N 00°42'41" W a distance of 3759.93 feet with the common line of said Saddleridge and said O'Quinn 4,924.865 acre tract to the POINT OF BEGINNING, containing 1.500 acres of land, more or less.

TRACT 5—0.103 ACRE

LEGAL DESCRIPTION: BEING 0.103 ACRE OF LAND LYING IN AND BEING SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 0.103 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010: BEGINNING at a 1/2" iron rod set in the easterly line of that certain 955.36 acre tract of land conveyed to H.W. Lennie by deed recorded in Volume 152, Page 219 of said deed records and a westerly line of said O'Quinn 4,924.865 acre tract and Fulton Ranch Road, a sixty (60) foot wide right-of-way dedicated to Hays County, Texas by deed recorded in Volume 2507, Page 881 of said deed records for the most southerly corner hereof, from which a 1/2" iron rod found at the northeasterly corner of Lot 104, Saddleridge, a subdivision recorded in Volume 7, Pages 348-354 of the Plat Records of Hays County, Texas and a southerly corner of said Lennie 955.36 acre tract bears the following five (5) calls:

1. S 32°28'20" W a distance of 112.64 feet,
2. S 32°19'27" W a distance of 85.60 feet,
3. S 03°49'20" W a distance of 301.14 feet,
4. S 88°47'41" W a distance of 992.46 feet,
5. S 26°57'42" W a distance of 230.96 feet;

THENCE with the common line of said Lennie 955.36 acre tract and O'Quinn 4,924.865 acre tract, N 32°19'27" E a distance of 93.10 feet to a 1/2" iron rod found for angle point and N 40°56'43" E a distance of 494.99 feet to a calculated point in the curving westerly right-of-way line of said Fulton Ranch Road for the most northerly corner hereof;

THENCE with westerly the right-of-way line of said Fulton Ranch Road the following three (3) calls:

1. an arc length of 144.82 feet along said curve to the right having a radius of 2470.00 feet and a chord bearing S 38°19'07" W, a chord length of 144.80 feet to a 1/2" iron rod set for an endpoint,
2. S 39°59'53" W a distance of 440.24 feet to a 1/2" iron rod set at the beginning of a curve to the left,
3. an arc length of 2.22 feet along said curve to the left having a radius of 430.00 feet and a chord bearing S 39°51'09" W, a chord length of 2.22 feet to the POINT OF BEGINNING, containing 0.103 acre of land, more or less.

TRACT 6—0.258 ACRE

LEGAL DESCRIPTION: BEING A 0.258 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE DAVID WILSON SURVEY, ABSTRACT NO. 476 IN HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 0.258 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010: BEGINNING at a 1/2" iron rod set in the westerly line of Fulton Ranch Road, a sixty (60) foot wide right-of-way dedicated to Hays County, Texas by deed recorded in Volume 2507,
Page 881 of said deed records for the most southerly corner of that certain 22.874 acre tract of land conveyed to E.F. Romano III Trust by deed recorded in Volume 3762, Page 237 of said deed records;

THENCE with westerly the right-of-way line of said Fulton Ranch Road, S 21°42'50" W a distance of 226.02 feet to a 1/2" iron rod set at the beginning of a curve to the right and an arc length of 543.84 feet along the arc of said curve to the right having a radius of 2470.00 feet and a chord bearing S 28°01'18" W, a chord length of 542.75 feet to a calculated point in the easterly line of that certain 955.36 acre tract of land conveyed to H.W. Lennie by deed recorded in Volume 152, Page 219 of said deed records and a westerly line of said O'Quinn 4,924.865 acre tract for the most southerly corner hereof;

THENCE with the common line of said Lennie 955.36 acre tract and O'Quinn 4,924.865 acre tract, N 26°44'53" E a distance of 655.85 feet to a 1/2" iron rod found for angle point and N 16°22'14" E a distance of 259.48 feet to a 1/2" iron rod set in the westerly line of said Romano 22.874 acre tract for the most northerly corner hereof;

THENCE S 11°32'10" W a distance of 148.52 feet to the POINT OF BEGINNING, containing 0.258 acre of land, more or less.

TRACT 7—0.961 ACRE

LEGAL DESCRIPTION: BEING 0.961 ACRE OF LAND LYING IN AND BEING SITUATED OUT OF THE HUGH G. PANNELL SURVEY, ABSTRACT NO. 368 IN HAYS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 4,924.865 ACRE TRACT OF LAND CONVEYED TO O'QUINN LAND & CATTLE COMPANY, LTD. BY DEED RECORDED IN DOCUMENT NO. 9927995 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 0.961 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED ON THE GROUND UNDER THE SUPERVISION OF JAMES E. GARON, REGISTERED PROFESSIONAL LAND SURVEYOR IN AUGUST, 2010:

BEGINNING at a 1/2" iron rod set at the intersection of the curving southerly line of Fulton Ranch Road, a seventy-five (75) foot wide right-of-way dedicated to Hays County, Texas by deed recorded in Volume 2028, Page 544 of said deed records with the northerly line of that certain 172.761 acre tract of land conveyed to Texas Porch House, Inc. by deed recorded in Volume 1383, Page 142 of said deed records and a southerly line of said O'Quinn 4,924.865 acre tract for the southeast corner hereof, from which a 1/2" iron rod found at the northeast corner of said Texas Porch House 172.761 acre tract and an ell corner of said O'Quinn 4,924.865 acre tract bears N 88°43'00" E a distance of 38.27 feet;

THENCE S 88°43'00" W a distance of 519.30 feet with the northerly line of said Texas Porch House 172.761 acre tract to a 1/2" iron rod set for the southwest corner hereof;

THENCE with the southerly right-of-way line of Fulton Ranch Road the following four (4) calls:

1. N 54°31'07" E a distance of 143.29 feet to a 1/2" iron rod set at the beginning of a curve to the right,
2. an arc length of 144.51 feet along said curve to the right having a radius of 212.50 feet and a chord bearing N 74°00'03" E, a chord length of 141.74 feet to a 1/2" iron rod set for an endpoint,
3. S 86°31'01" E a distance of 71.00 feet to a 1/2" iron rod set at the beginning of a curve to the right,
4. an arc length of 229.67 feet along said curve to the right having a radius of 262.50 feet and a chord bearing S 61°27'06" E, a chord length of 222.42 feet to the POINT OF BEGINNING, containing 0.961 acre of land, more or less.

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

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.
(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

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

SECTION 4. (a) Section 8471.104, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8471, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8471.104 to read as follows:

Sec. 8471.104. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

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

Passed the Senate on April 29, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 16, 2013: Yeas 29, Nays 0; passed the House, with amendment, on May 10, 2013: Yeas 142, Nays 1, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 501

S.B. No. 1876

AN ACT

relating to the election of members of the board of directors of the Pecan Valley Groundwater Conservation District.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 11, Chapter 1343, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 11. ELECTION OF DIRECTORS. [(&)] On the uniform election date in November of each even-numbered year, the district shall hold an election in the district to elect first Saturday in May of the second year after the year in which the district is authorized to be created at a confirmation election, an election shall be held in the district for the election of directors for Precincts One and Three.

(b) On the first Saturday in May of the fourth year after the year in which the district is authorized to be created at a confirmation election, an election shall be held in the district for the election of directors for Precincts Two and Four and the at-large director.

(e) On the first Saturday in May of each subsequent second year following the election under Subsection (b) of this section, the appropriate number of directors to the district's board of directors shall be elected.

SECTION 2. Subsection (e), Section 8, Chapter 1343, Acts of the 77th Legislature, Regular Session, 2001, is repealed.

SECTION 3. A director on the board of the Pecan Valley Groundwater Conservation District whose term is scheduled to expire in May 2013 shall serve until the director's successor has qualified following the directors' election held on the uniform election date

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