RESOLUTION NO. 2023-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CONSENTING TO THE CREATION AND DIVISION OF WILDMOOD MUNICIPAL UTILITY DISTRICT; PROVIDING FOR AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Wildwood Municipal Utility District, a municipal utility district (the "District") that was created by the 87th Texas Legislature over the land described in Exhibit A within the extraterritorial jurisdiction of the City of Bastrop, Texas (the "City") for the benefit of the affected public property, including the construction and maintenance of water, sewer, division and drainage facilities and roads;

WHEREAS, the City of Bastrop desires to assist Bastrop County with the development of new homes for the growing population of Bastrop County; and

WHEREAS, the City of Bastrop agrees to manifest its support for the creation of the District in fulfillment of Section 7946A.0104, Texas Special District Local Laws Code, Section 42.042, Texas Local Government Code, and Section 54.016, Texas Water Code; and

WHEREAS, the City of Bastrop acknowledges that the District has conducted confirmation and director elections in fulfillment of Section 7946A.0103, Texas Special District Local Laws Code, and further desires to manifest its support and approval for those elections, such that this Resolution qualifies as a consented by ordinance or resolution to the creation of the District and inclusion of land within the District under Section 7946A.0104, Texas Special District Local Laws Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. The facts and opinions in the preamble of this Resolution are correct.

SECTION 2. The City hereby consents and expresses its support for the special legislation attached as Exhibit A.

SECTION 3. This Resolution constitutes consent to the creation of the district and to the inclusion of land in the district subject to the inclusion in any legislation creating the District.

SECTION 4. The City Council of Bastrop further consents to and acknowledges the validity of the Confirmation and Director elections the District conducted in May 2022 and the results of those elections.

SECTION 5. The Mayor and City Secretary are hereby authorized to execute any documents necessary to effectuate this Resolution.

SECTION 6. This Resolution shall be effective from and after the date of its passage.
DULY RESOLVED by the City Council of the City of Bastrop, Texas, on the 25th day of April, 2023.

APPROVED:

Susan B. Schroeder
Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney
I, Jose A. Esparza, Deputy of State of the State of Texas, DO HEREBY CERTIFY that the attached is a true and correct copy of House Bill 4645, 87th Session of the Texas Legislature, Regular Session.

Date Issued: July 2, 2021

Jose A. Esparza
Deputy Secretary of State
AN ACT
relating to the creation of the Wildwood Municipal Utility District; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7946A to read as follows:

CHAPTER 7946A. WILLOWWOOD MUNICIPAL UTILITY DISTRICT
SUBCHAPTER A. GENERAL PROVISIONS
Sec. 7946A.0101. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "Commission" means the Texas Commission on Environmental Quality.
(3) "Director" means a board member.
(4) "District" means the Wildwood Municipal Utility District.
Sec. 7946A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.
Sec. 7946A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.
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Sec. 7946A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
temporary directors may not hold an election under Section
7946A.013 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. 7946A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

(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 the roads.

Sec. 7946A.0106. INITIAL DISTRICT TERRITORY. (a) The
district is initially composed of the territory described by
Section 2 of the Act enacting this chapter.

(2) 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
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4 legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

§ 7946A.0201. GOVERNING BODY; TERMS. (a) The district
5 is governed by a board of five elected directors.
6 Except as provided by Section 7946A.0202, directors
7 serve staggered four-year terms.
8 § 7946A.0202. TEMPORARY DIRECTORS. (a) The temporary
9 board consists of:
10 (1) Byron Frankland;
11 (2) Billy Wayne (Trey) Newby III;
12 (3) John Azar;
13 (4) Fred Nagel; and
14 (5) Susan Leigh Randall.
15 Except temporary directors serve until the earlier of:
16 (1) the date permanent directors are elected under
17 Section 7946A.0103; or
18 (2) the fourth anniversary of the effective date of
19 the Act enacting this chapter.

(2) If permanent directors have not been elected under
20 Section 7946A.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:
24 (1) the date permanent directors are elected under
25 Section 7946A.0103; or
26 (2) the fourth anniversary of the date of the
27 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. 7946A.0301. GENERAL POWERS AND DUTIES. The district
has the powers and duties necessary to accomplish the purposes for
which the district is created.

Sec. 7946A.0302. 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 41, Texas Constitution.

Sec. 7946A.0303. AUTHORITY FOR ROAD PROJECTS. Under
Section 52, Article III, Texas Constitution, the district may
design, acquire, construct, finance, issue bonds for, improve,
operate, maintain, and convey to this state, a county, or a
municipality for operation and maintenance macadamized, graveled,
or paved roads, or improvements, including storm drainage, in aid
of those roads.

Sec. 7946A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
road project must meet all applicable construction standards,
zoning and subdivision requirements, and regulations of each
municipality in whose corporate limits or extraterritorial
jurisdiction the road project is located.

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

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

Sec. 7946A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
ORDINANCE OR RESOLUTION. The district shall comply with all
applicable requirements of any ordinance or resolution that is
adopted under Section 54.016 or 54.0165, Water Code, and that
consent to the creation of the district or to the inclusion of land
in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7946A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
The district may issue, without an election, bonds and other
obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section
7946A.0413.

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

c) The district may not issue bonds payable from ad valorem
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1 taxes to finance a road project unless the issuance is approved by a
2 vote of a two-thirds majority of the district voters voting at an
3 election held for that purpose.
4 Sec. 7946A.0402. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized at an election held under Section 7946A.0401, the
6 district may impose an operation and maintenance tax on taxable
7 property in the district in accordance with Section 49.107, Water
8 Code.
9 
10 (b) The board shall determine the tax rate. The rate may not
11 exceed the rate approved at the election.

Sec. 7946A.0403. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.
17 
18 (b) A contract approved by the district voters may contain a
19 provision stating that the contract may be modified or amended by
20 the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7946A.0501. 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. 7946A.0502. TAXES FOR BONDS. At the time the district
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issues bonds payable wholly or partly from ad valorem taxes, the
board shall provide for the annual imposition of a continuing
direct advalorem 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.
Ser. 7946A.0503. Bonds for road projects. At the time of
issuance, the total principal amount of bonds or other obligations
issued or incurred to finance road projects and payable from ad
valorem taxes may not exceed one-fourth of the assessed value of the
real property in the district.

SECTION 2. The Wildwood Municipal Utility District
initially includes all the territory contained in the following
area:

DESCRIPTION OF APPROXIMATELY 418.30 ACRES OF LAND IN THE JOSE
ANTONIO NAVARRO GRANT, ABSTRACT NO. 53, BASTROP COUNTY, TEXAS;
BEING ALL OF A CERTAIN CALLED 121.72 ACRE TRACT DESCRIBED IN THE
SPECIAL WARRANTY DEED TO HAL BIRDOLL AND WIFE, LISA BIRDOLL OF
RECORD IN DOCUMENT NO. 201413308, OFFICIAL PUBLIC RECORDS OF
BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 168.95 ACRE TRACT
DESIGNATED AS TRACT 4 AND DESCRIBED IN THE SPECIAL WARRANTY DEED TO
HAL BIRDOLL AND WIFE, LISA BIRDOLL OF RECORD IN DOCUMENT NO.
201413307, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A
PORTION OF A CERTAIN CALLED 1.96 ACRE TRACT DESIGNATED AS TRACT 1
AND DESCRIBED IN THE SAID SPECIAL WARRANTY DEED TO HAL BIRDOLL AND
WIFE, LISA BIRDOLL OF RECORD IN DOCUMENT NO. 201413307, OFFICIAL
PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN
CALLED 67.83 ACRE TRACT DESIGNATED AS TRACT 2 AND DESCRIBED IN THE
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1. SAID SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF
2. RECORD IN DOCUMENT NO. 201413307, OFFICIAL PUBLIC RECORDS OF
3. BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 0.64 ACRE TRACT
4. DESCRIBED IN EXHIBIT A-1, AND A PORTION OF A CERTAIN CALLED 1.21
5. ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE DEED WITHOUT WARRANTY TO
6. HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO.
7. 201413301, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF
8. A CERTAIN CALLED 62.586 ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE
9. GENERAL WARRANTY DEED TO BERDOLL INVESTMENTS LP OF RECORD IN
10. DOCUMENT NO. 201312598, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY,
11. TEXAS, ALL OF A CERTAIN CALLED 24.012 ACRE TRACT DESIGNATED AS TRACT
12. 2 AND DESCRIBED IN EXHIBIT B, IN THE GENERAL WARRANTY DEED TO HAL
13. BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944,
14. OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A
15. CERTAIN CALLED 6.177 ACRE TRACT DESIGNATED AS TRACT 1 AND DESCRIBED
16. IN EXHIBIT A, IN THE SAID GENERAL WARRANTY DEED TO HAL BERDOLL AND
17. WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944, OFFICIAL
18. PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN
19. CALLED 0.306 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO
20. HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO.
21. 201111351, DOCUMENT NO. 201701630, AND DOCUMENT NO. 201701631,
22. OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 418.30 ACRES
23. OF LAND, BEING COMPRISED OF TRACT 1 - 449.03 ACRES, AND TRACT 2 -
24. 5.563 ACRES, SAVE AND EXCEPT TRACT 3 - 35.66 ACRES, AND SAVE AND
25. EXCEPT TRACT 4 - 0.637, AS SURVEYED BY LANDDEV CONSULTING, LLC,
26. BEING MORE PARTICULARLY DESCRIBED BY METES AND BOARDS AS FOLLOWS:
27. TRACT 1 - 449.03 Acres
HEADING at a bolt found in the south right-of-way line of State Highway 71, a variable with right-of-way, at the northeast corner of the said 62.586 acre tract, same being the northwest corner of Lot 1, JW Subdivision, a subdivision according to the plat or map of record in Cabinet 7, Page 68-A, Plat Records of Bastrop County, Texas, for the northeast corner of the tract described herein;

THENCE with the east line of the said 62.586 acre tract, and the west line of said Lot 1, JW Subdivision, with an east line of the tract described herein, the following two (2) courses and distances:

1. S 28°22'06" W, a distance of 604.12 feet to a calculated angle point at the southwest corner of said Lot 1, JW Subdivision, for an angle point in an east line of the tract described herein, and

2. S 27°42'48" W, at a distance of 2,184.16 feet, passing a 1/2-inch iron rod and continuing for a total distance of 2,185.28 feet to an axle found in the north line of a certain called 1,443.0 acre tract designated as Second Tract and described in the deed to John W. Caldwell, Jr. of record in Document No. 201816538, Official Public Records of Bastrop County, Texas, for the easterly southeast corner of the tract described herein;

THENCE with a south line of the said 62.586 acre tract, the south line of the said 67.83 acre tract, and the south line of the said 0.64 acre tract, with the north line of the said 1,443.0 acre tract, with a south line of the tract described herein, the following four (4) courses and distances:
1. N 62°30'36" W, a distance of 578.60 feet to a 1/2-inch iron rod found at an angle point,
2. N 62°05'35" W, a distance of 422.69 feet to a 1-inch square iron rod found at an angle point,
3. N 62°07'59" W, a distance of 1,883.16 feet to a 5/8-inch iron rod with a red illegible plastic cap found at a point-on-line, and
4. N 62°07'59" W, a distance of 27.48 feet to a 3-inch metal fence post found in the east line of the said 168.95 acre tract, at the southwest corner of the said 0.64 acre tract, for a re-entrant corner of the tract described herein,

TRENCE with the east line of the said 168.95 acre tract, and the east line of the said 121.72 acre tract, with the west line of the said 1,443.0 acre tract, with an east line of the tract described herein, the following three (3) courses and distances:
1. S 27°33'16" W, a distance of 1,350.13 feet to a 1/2-inch iron rod found at an angle point,
2. S 27°33'46" W, a distance of 2,962.00 feet to a leaning 1/2-inch iron rod found at the southeast corner of the said 168.95 acre tract and the northeast corner of the said 121.72 acre tract, and
3. S 27°20'28" W, a distance of 2,815.27 feet to a 1-inch iron pipe found in the north line of a certain called 769.524 acre tract designated as Tract 2 and described in the deed to Carr Family Partnership, LTD. of record in Volume 736, page 233, Official Public Records of Bastrop County, Texas, at the southeast corner of the said 121.72 acre tract, for the southerly southeast corner of
the tract described herein;

THENCE N 62°35'22" W, with the north line of the said 769.524
acre tract, with the south line of the said 121.72 acre tract, with
a south line of the tract described herein, a distance of 1,084.51
feet to a 1/2-inch iron rod found in the east line of a certain
called 951.10 acre tract described in the deed to Carr Family
partnership, LTD. of record in Document No. 956, Page 441, Deed
Records of Bastrop County, Texas, at the southwest corner of the
said 121.72 acre tract, for the southwest corner of the tract
described herein;

THENCE N 27°17'56" E, leaving the north line of the said
769.524 acre tract, with the east line of the said 951.10 acre
tract, with the west line of the said 121.72 acre tract, with the
west line of the tract described herein, a distance of 2,809.87 feet
to a calculated point for the northwest corner of the said 121.72
acre tract and the southwest corner of the said 168.95 acre tract,
for an angle point in the west line of the tract described herein;

THENCE with the west and north lines of the said 168.95 acre
tract, with the west and north lines of the tract described herein,
the following four (4) courses and distances:

1. N 27°21'42" E, with the east line of the said 951.10 acre
tract, a distance of 3,164.61 feet to a 1/2-inch iron pipe found at
the westerly northwest corner of the said 168.95 acre tract and the
southwest corner of a certain called 48.634 acre tract described in
the deed to Clarence L. Vinklarek et. Ux. of record in Volume 217,
Page 200, Deed Records of Bastrop County, Texas,

2. S 62°34'59" E, with the south line of the said 48.634 acre
tract, a distance of 1,225.65 feet to a 1/2-inch iron pipe found at
a re-entrant corner,
3. N 27°27'06" S, a distance of 2,050.44 feet to a 1/2-inch
iron rod found at the northerly northwest corner of the said 168.95
acre tract, same being the southwest corner of a certain called
6.667 acre tract described in the gift deed to Katie Freich
Karns in record in Document No. 201406127, Official Public
Records of Bastrop County, Texas, and
4. S 62°32'13" E, with the south line of the said 6.667 acre
tract, to the south line of a certain called 3.707 acre tract
described in the deed to Robert Freich and Tamara Freich of record
in Document No. 20012158, Official Public Records of Bastrop
County, Texas, a distance of 670.10 feet to a 1/2-inch iron pipe
found at the northeast corner of the said 168.95 acre tract, and the
southeast corner of the said 3.707 acre tract, same being the
southwest corner of the said 1.21 acre tract, for a re-entrant
corner of the tract described herein;
THENCE N 27°31'42" E, with the west line of the said 1.21 acre
tract, and the east line of the said 3.707 acre tract, with the west
line of the tract described herein, a distance of 1,629.03 feet to a
calculated point for the northwest corner of the said 1.21 acre
ttract, for a northwest corner of the tract described herein;
THENCE S 78°22'38" E, a distance of 31.12 feet to a bent 1-inch
iron pipe found at the northeast corner of the said 1.21 acre tract
and the northwest corner of the said 1.98 acre tract, for a
northwest corner of the tract described herein;
THENCE S 77°54'08" E, with the north line of the said 1.98 acre
tract, with a north line of the tract described herein, a distance
of 363.5 feet to a 1-1/2-inch iron pipe found at the northeast
corner of the said 1.98 acre tract, same being the northerly
northwest corner of a certain tract designated as Tract Two and
described in the deed to Lina Sue West of record in Document
No. 20190184, Official Public Records of Bastrop County, Texas, for
a northeast corner of the tract described herein;

THENCE with an east and south line of the said 1.98 acre
tract, with a west and north line of the said Second Tract, with an
east and south line of the tract described herein, the following two
(2) courses and distances:

1. S 26°56'38" W, a distance of 241.66 feet to a calculated
point for the southeast corner of the said 1.98 acre tract, and

2. N 79°19'42" W, a distance of 366.39 feet to a bent 1-inch
iron pipe found in the east line of the said 1.21 acre tract, at the
southwest corner of the said 1.98 acre tract, for a re-entrant
corner of the tract described herein;

THENCE S 27°21'26" W, with the west line of the said Second
Tract, with the east line of the said 1.21 acre tract, with the west
line of the tract described herein, a distance of 812.51 feet to a
5/8-inch iron rod found at the southwest corner of the said Second
Tract, and the westerly northwest corner of the said 67.83 acre
tract for a re-entrant corner of the tract described herein;

THENCE with the south and east line of the said Second Tract,
with a north and west line of the said 67.83 acre tract, with a north
and west line of the tract described herein, the following two (2)
courses and distances:
1. S 62°08'29" E, a distance of 1,149.03 feet to an 0-inch
2. fence post found at the southeast corner of the said Second Tract
3. and a re-entrant corner of the said 67.83 acre tract, and
4. N 28°26'14" E, a distance of 1,440.02 feet to a calculated
5. point for the northeast corner of the said Second Tract, and a
6. northwest corner of the said 67.83 acre tract, for a northwest
7. corner of the tract described herein;
8. THENCE with the south right-of-way line of said State Highway
9. 71, with the north line of the said 67.83 acre tract, with the north
10. line of the said 24.012 acre tract, and with the north line of the
11. said 62.386 acre tract, with the north line of the tract described
12. herein, the following six (6) courses and distances:
13. 1. S 76°31'21" E, a distance of 22.68 feet to a fence post
14. found at an angle point,
15. 2. S 79°43'49" E, a distance of 101.07 feet to a Texas
16. Department of Transportation (TxDOT) Type-I concrete monument
17. found at a point-of-curvature,
18. 3. With the arc of a curve to the right, having a radius of
19. 2,755.03 feet, an arc distance of 189.73 feet, and a chord which
20. bears S 78°20'39" E, a distance of 189.70 feet to a calculated
21. non-tangent end of curve,
22. 4 S 53°05'32" E, a distance of 454.67 feet to a Texas
23. Department of Transportation (TxDOT) Type-I concrete monument
24. found at an angle point,
25. 5. S 55°16'20" E, a distance of 69.16 feet to a calculated
26. angle point, and
27. 6. S 54°07'31" E, a distance of 918.17 feet to the POINT OF
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1. BEGINNING and containing 449.03 acres of land, more or less.

2. TRACT 2 - 5.563 Acres

3. BEGINNING at a Texas Department of Transportation (TxDOT) Type-II concrete monument found in the south right-of-way line of State Highway 71, a variable-width right-of-way, in the north line of the said 6.177 acre tract, at the northeast corner of a certain called 0.9152 acre tract designated as Parcel 26 and described in the deed to the State of Texas of record in Document No. 202005708, Official Public Records of Bastrop County, Texas, for a northwest corner as POINT OF BEGINNING of the tract described herein;

4. THENCE S 59°57'55" E, a distance of 722.58 feet to a calculated point for the east corner of the said 6.177 acre tract, for the east corner of the tract described herein;

5. THENCE with the north line of the vacated portion of State Highway 71, with the south line of the said 6.177 acre tract, and with the south line of the said 0.306 acre tract, with the south line of the tract described herein, the following three (3) courses and distances:

6. 1. N 80°14'31" W, at a distance of 906.31 feet, passing a Texas Department of Transportation (TxDOT) Type-I concrete monument found at a point-on-line, and continuing for a total distance of 1,060.87 feet to a Texas Department of Transportation (TxDOT) Type-I concrete monument found at a point-of-curvature,

7. 2. With the arc of a curve to the right, having a radius of 1,504.75 feet, an arc distance of 214.68 feet, and a chord which bears N 76°15'23" W, a distance of 214.50 feet to a calculated point for the southeast corner of the said 0.306 acre tract, for a point
of compound-curvature in the south line of the tract described herein.

3. With the arc of a curve to the right, having a radius of 1,850.52 feet, an arc distance of 30.16 feet, and a chord which bears N 32°08'53" W, a distance of 30.16 feet to a calculated point in the east line of a certain called 3.707 acre tract described in the deed to Robert Frerich and Tamara Frerich of record in Document No. 20022158, Official Public Records of Bastrop County, Texas, for the southwest corner of the said 0.306 acre tract, for the southwest corner of the tract described herein;

THENCE N 27°36'14" E, with the west line of the said 0.306 acre tract ar the east line of the said 3.707 acre tract, with the west line of the tract described herein, a distance of 371.91 feet to an iron rod with a 2-inch aluminum cap stamped "TXDOT" found at the southwest corner of the said 0.9152 acre tract, for the westerly northwest corner of the tract described herein;

THENCE leaving the west line of the said 3.707 acre tract, crossing the said 0.306 acre tract and the said 6.177 acre tract, with the south and east lines of the said 0.9152 acre tract, with the north and west lines of the tract described herein, the following five (5) courses and distances:

1. S 59°59'51" E, a distance of 122.61 feet to a Texas Department of Transportation (TXDOT) Type-II concrete monument found at an angle point,

2. S 52°51'00" E, a distance of 201.55 feet to a Texas Department of Transportation (TXDOT) Type-II concrete monument found at an angle point,
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1. S 68°35'00" E, a distance of 101.08 feet to a Texas
2. Department of Transportation (TxDOT) Type-II concrete monument
3. found at an angle point,
4. A. S 59°56'27" E, a distance of 100.02 feet to a Texas
5. Department of Transportation (TxDOT) Type-II concrete monument
6. found at an angle point, and
7. "N 30°04'14" E, a distance of 75.98 feet to the POINT OF
8. BEGINNING and containing 5.563 acres of land, more or less.
9. TRACT 3 - SAVE AND EXCEPT 35.66 Acres
10. BEGINNING at a 5/8-inch iron rod found at the westerly
11. northwest corner of the said 67.83 acre tract, in the west line of
12. the said 1.21 acre tract, same being the southwest corner of a
13. certain tract designated as Tract Two and described in the deed to
14. Lina Sue West of record in Document No. 20190184, Official Public
15. Records of Bastrop County, Texas, for the northwest corner and
16. POINT OF BEGINNING of the tract described herein;
17. THENCE S 62°08'29" E, with the south line of the said Second
18. Tract, with a north line of the said 67.83 acre tract, a distance of
19. 581.20 feet to a calculated point for the northeast corner of the
20. tract described herein;
21. THENCE leaving the south line of the said Second Tract,
22. across the said 67.83 acre tract, with the east line of the tract
23. described herein, the following two (2) courses and distances:
24. 1. S 05°37'30" E, a distance of 1,151.62 feet to a calculated
25. angle point, and
26. 2. S 01°52'30" E, a distance of 587.94 feet to a calculated
27. point in the north line of a certain called 1,443.0 acre tract
designated as Second Tract and described in the deed to John W. Caldwell, Jr. of record in Document No. 201816538, Official Public Records of Bastrop County, Texas, in the south line of the said 67.83 acre tract, for the southeast corner of the tract described herein;

THENCE N 62°07'59" W, with the north line of the said 1,443.0 acre tract, with the south line of the said 67.83 acre tract, with the south line of the tract described herein, a distance of 1,501.62 feet to a 5/8-inch iron rod with a red illegible plastic cap found at the southwest corner of the said 67.83 acre tract and the northwest corner of the said 1,443.0 acre tract, same being the southeast corner of the said 0.64 acre tract, for the southwest corner of the tract described herein;

THENCE with the west line of the said 67.83 acre tract, with the east line of the said 0.64 acre tract, and with the east line of the said 1.21 acre tract, the following two (2) courses and distances:

1. N 27°39'37" E, a distance of 897.17 feet to a 1/2-inch iron pipe found at the northeast corner of the said 0.64 acre tract and the southeast corner of the said 1.21 acre tract, and

2. N 27°31'04" E, a distance of 573.66 feet to the POINT OF BEGINNING and containing 35.66 acres of land, more or less.

TRACT 4 - SAVE AND EXCEPT 0.637 Acres

COMENCING at a 5/8-inch iron rod found at the westerly northwest corner of the said 67.83 acre tract, in the west line of the said 1.21 acre tract, same being the southwest corner of a certain tract designated as Tract Two and described in the deed to
H.B. No. 4645

Lina Su:West of record in Document No. 20190184, Official Public
Records of Bastrop County, Texas;

THENCE N 27°21'26" E, with the west line of the said Tract Two,
with the east line of the said 1.21 acre tract, a distance of 33.58
feet to the southeast corner and POINT OF BEGINNING of the tract
described herein;

THENCE N 62°53'25" W, leaving the west line of the said Tract
Two, crossing the said 1.21 acre tract, with the south line of the
tract described herein, a distance of 34.50 feet to a calculated
point in the west line of the said 1.21 acre tract, and the east line
of a certain called 3.707 acre tract described in the deed to Robert
Frerich and Tamara Frerich of record in Document No. 200112158,
Official Public Records of Bastrop County, Texas for the southwest
corner of the tract described herein;

THENCE N 27°31'42" E, with the west line of the said 1.21 acre
tract, with the east line of the said 3.707 acre tract, with the
west line of the tract described herein, a distance of 848.65 feet
to a calculated point, for the northwest corner of the tract
described herein;

THENCE S 09°12'05" E, leaving the east line of the said 3.707
acre tract, crossing the said 1.21 acre tract, with the north line
of the tract described herein, a distance of 53.40 feet to a
calculated point in the east line of the said 1.21 acre tract and
the west line of the said 1.98 acre tract, for a point-on-line in
the north line of the tract described herein;

THENCE S 09°12'05" E, leaving the east line of the said 1.21
acre tract, crossing the said 1.98 acre tract, with the north line
of the tract described herein, a distance of 27.22 feet to a
calculated point in the south line of the said 1.98 acre tract, and
the north line of the said Tract Two, for an angle point of the tract
described herein;

TENING N 79°19'42" W, with the south line of the said 1.98 acre
tract, with the north line of the said Tract Two, with a south line
of the tract described herein, a distance of 16.76 feet to a bent
1-inch iron pipe found in the east line of the said 1.21 acre tract,
at the southwest corner of the said 1.98 acre tract, and the
westerly/northwesterly corner of the said Tract Two, for a re-entrant
corner of the tract described herein;

TENING S 27°21'26" W, with the west line of said Tract Two,
with the east line of the said 1.21 acre tract, with the east line of
the tract described herein, a distance of 778.93 feet to the POINT
OF BEGINNING and containing 0.637 acres of land, more or less.

FOR A TOTAL AREA OF 418.30 ACRES BEING ALL OF TRACT 1 AND
TRACT 2, SAVE AND EXCEPT TRACT 3 AND TRACT 4 DESCRIBED HEREIN.

Bearing Basis: Texas Coordinate System, Central Zone (4203),
NAD 83(2011), Grid.

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
submit the notice and Act to the Texas Commission on Environmental Quality.

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.

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) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7946A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7946A.0306 to read as follows:

**Sec. 7946A.0306. NO EMINENT DOMAIN POWER.** The district may not exercise the power of eminent domain.

This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), 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, 2021.
I certify that H.B. No. 4645 was passed by the House on May 14, 2021, by the following vote: Yeas 105, Nays 40, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4645 on May 26, 2021, by the following vote: Yeas 98, Nays 41, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4645 was passed by the Senate, with amendments, on May 26, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _______________________

Date

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
4:30 P.M. 9:00 O’CLOCK

JUN 15 2021

Secretary of State