

1 AN ACT

2 relating to the creation of the Flatrock Springs Municipal
3 Management District; granting authority for taxation and the
4 issuance of bonds.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3818 to read as follows:

8 CHAPTER 3818. FLATROCK SPRINGS MUNICIPAL MANAGEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3818.001. DEFINITIONS. In this chapter:

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

13 (2) "District" means the Flatrock Springs Municipal
14 Management District.

15 Sec. 3818.002. FLATROCK SPRINGS MUNICIPAL MANAGEMENT
16 DISTRICT. (a) The Flatrock Springs Municipal Management District
17 is created in Burnet County. The district is a political
18 subdivision of the state, a governmental agency, and a body politic
19 and corporate.

20 (b) The name of the district may be changed by resolution of
21 the board.

22 (c) The district is created under and is essential to
23 accomplish the purposes of Sections 52 and 52-a, Article III, and
24 Section 1-g, Article VIII, Texas Constitution, and other public

1 purposes stated in this chapter.

2 Sec. 3818.003. DISTRICT TERRITORY. (a) The district is
3 composed of the territory described by Section 2 of the Act creating
4 this chapter.

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

9 (1) the organization, existence, or validity of the
10 district;

11 (2) the right of the district to levy and collect taxes
12 or issue bonds;

13 (3) the district's right to enter into any type of
14 contract for the purposes for which the district is created; or

15 (4) the legality or operation of the district or the
16 board.

17 Sec. 3818.004. LEGISLATIVE DECLARATIONS AND FINDINGS OF
18 PUBLIC BENEFIT. (a) The legislature finds that all of the land and
19 other property included within the boundaries of the district will
20 be benefited by the works, services, and projects that are to be
21 accomplished by the district under the powers conferred by Sections
22 52 and 52-a, Article III, and Section 1-g, Article VIII, Texas
23 Constitution, and other powers granted under this chapter.

24 (b) The creation of the district is essential to accomplish
25 the purposes of Sections 52 and 52-a, Article III, and Section 1-g,
26 Article VIII, Texas Constitution, and to accomplish the other
27 public uses, benefits, and purposes of this chapter.

1 (c) The legislature finds that the creation of the district:

2 (1) is essential to the conservation and beneficial
3 use of the water, land, soil, and other natural resources in or
4 adjacent to the district;

5 (2) is essential to further the public purposes of the
6 economic development and diversification of the state, the
7 elimination of unemployment and underemployment, and the
8 stimulation and development of transportation and commerce;

9 (3) will promote the health, safety, and general
10 welfare of residents, employers, employees, and consumers in the
11 district and in Burnet County and of the public; and

12 (4) is in the public interest.

13 (d) The district's operations and the district's
14 improvement projects will enable the district to preserve,
15 maintain, and enhance the economic health and vitality of the area
16 in the district as a community, residential, recreational,
17 business, and commerce center. The district will further promote
18 the health, safety, welfare, education, convenience, and enjoyment
19 of the public by improving, landscaping, and developing certain
20 areas in and adjacent to the district and providing public services
21 and facilities in and adjacent to the district that are necessary
22 for the restoration, preservation, enhancement, and enjoyment of
23 scenic beauty.

24 Sec. 3818.005. CONSTRUCTION OF CHAPTER. This chapter shall
25 be liberally construed in conformity with the findings and purposes
26 stated in this chapter.

27 Sec. 3818.006. APPLICABILITY OF OTHER LAW. This chapter

1 prevails over any provision of general law that is in conflict or
2 inconsistent with this chapter. Any general law which supplements
3 the power and authority of the district, to the extent not in
4 conflict or inconsistent with this chapter, is adopted and
5 incorporated herein by reference.

6 Sec. 3818.007. CONTRACT WITH DISTRICT. The district and a
7 municipality in whose extraterritorial jurisdiction the district
8 is located may enter into development agreements under Subchapter
9 G, Chapter 212, Local Government Code, concerning development of
10 the property within the district and annexation of all or a portion
11 of the district by the municipality.

12 [Sections 3818.008-3818.020 reserved for expansion]

13 SUBCHAPTER A-1. TEMPORARY PROVISIONS

14 Sec. 3818.021. TEMPORARY DIRECTORS. (a) The temporary
15 board consists of:

- 16 (1) Sandy Jenkins;
- 17 (2) Pat Dickey;
- 18 (3) Vi Cloud;
- 19 (4) Terry Turner; and
- 20 (5) Jack Cooley.

21 (b) If a temporary director fails to qualify for office, the
22 temporary directors who have qualified shall appoint a person to
23 fill the vacancy.

24 (c) Temporary directors serve until initial directors are
25 elected under Section 3818.022.

26 Sec. 3818.022. INITIAL DIRECTORS' ELECTION. In the manner
27 provided by Section 49.102, Water Code, the temporary board of

1 directors shall call and hold an election to elect five initial
2 directors.

3 Sec. 3818.023. INITIAL ELECTED DIRECTORS; TERMS. The
4 directors elected under Section 3818.022 shall draw lots to
5 determine which two shall serve until the first regularly scheduled
6 election of directors under Section 3818.052 and which three shall
7 serve until the second regularly scheduled election of directors.

8 Sec. 3818.024. EXPIRATION OF SUBCHAPTER. This subchapter
9 expires September 1, 2010.

10 [Sections 3818.025-3818.050 reserved for expansion]

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 3818.051. BOARD OF DIRECTORS. (a) The district is
13 governed by a board of five directors.

14 (b) Directors serve staggered four-year terms.

15 (c) Each director must qualify to serve as a director in the
16 manner provided by Sections 49.052, 49.055, and 54.025, Water Code,
17 as applicable.

18 (d) A director serves until the director's successor has
19 qualified.

20 (e) A vacancy in the office of director because of the
21 death, resignation, or removal of the director shall be filled by
22 the remaining members of the board by appointing a qualified person
23 for the unexpired term.

24 Sec. 3818.052. ELECTION OF DIRECTORS. On the uniform
25 election date, established by the Election Code, in May of each
26 even-numbered year, the appropriate number of directors shall be
27 elected.

1 [Sections 3818.053-3818.100 reserved for expansion]

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 3818.101. GENERAL POWERS OF DISTRICT. (a) The
4 district has all of the rights, powers, privileges, authority, and
5 functions:

6 (1) of a district created under Chapter 375, Local
7 Government Code, except:

8 (A) the rights, powers, privileges, authority,
9 and functions unique to a conservation and reclamation district
10 created under Section 59, Article XVI, Texas Constitution; and

11 (B) as otherwise provided by this chapter;

12 (2) of a municipality or a county under Chapter 372,
13 Local Government Code;

14 (3) of a corporation under Section 4B, Development
15 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
16 Statutes); and

17 (4) provided by the general laws of the state
18 authorizing:

19 (A) programs and the making of loans and grants
20 of public money for economic development permitted under Section
21 52-a, Article III, Texas Constitution; and

22 (B) the development of property under Section
23 1-g, Article VIII, Texas Constitution.

24 (b) The powers incorporated by reference in Subsection (a)
25 include the power to issue bonds or other obligations and to levy,
26 assess, and collect ad valorem taxes, assessments, and impact fees
27 and apply the proceeds of the taxes, assessments, or fees to the

1 payment of debt, contract payments, or maintenance and operating
2 expenses, and the district may exercise such powers.

3 (c) Without limiting any of the powers referenced in this
4 chapter, the district has all powers necessary or required to
5 accomplish the purposes for which the district was created.

6 Sec. 3818.102. IMPROVEMENT PROJECTS. (a) The district may
7 provide, or it may enter into contracts with a governmental or
8 private entity to provide, improvement projects.

9 (b) A district improvement project may include the
10 following types of improvement projects or activities in support of
11 or incidental to those projects, whether individual, intermittent,
12 or continuing and whether located or conducted within or outside
13 the district, for the planning, design, construction, acquisition,
14 lease, rental, lease-purchase, installment purchase, improvement,
15 provision of furnishings, equipment, rehabilitation, repair,
16 reconstruction, relocation, use, management, operation, or
17 maintenance of any works, improvements, or facilities or the
18 provision, support, enhancement, improvement, extension, or
19 expansion of services, whether provided to, for, by, or on behalf of
20 the district, for the accomplishment of the public purposes of the
21 district:

22 (1) landscaping; lighting, banners, and signs;
23 streets or sidewalks; hike and bike paths and trails, pedestrian
24 walkways, skywalks, crosswalks, or tunnels; highway right-of-way
25 or transit corridor beautification and improvements; fiber optic
26 cables and networks; parks, trails, lakes, gardens, recreational
27 facilities, open space, scenic areas, and related exhibits and

1 preserves; and any other public improvements, facilities, or
2 services similar to the improvements, facilities, or services
3 described by this subdivision;

4 (2) the removal, razing, demolition, or clearing of
5 land or improvements in connection with an improvement project;

6 (3) the acquisition and improvement of land and other
7 property for the mitigation of the environmental effects of an
8 improvement project;

9 (4) the acquisition of real or personal property or an
10 interest in real or personal property in connection with an
11 authorized improvement project; and

12 (5) any special or supplemental services for the
13 improvement and promotion of the district or adjacent areas or for
14 the protection of public health and safety within or adjacent to the
15 district, including health and sanitation, public safety,
16 security, development, advertising, promotion, elimination of
17 traffic congestion, and recreational improvements, enhancements,
18 and services.

19 (c) The district may undertake an improvement project
20 separately or jointly with another person and pay all or part of the
21 costs of an improvement project, including an improvement project
22 that:

23 (1) improves, enhances, or supports public safety and
24 security and law enforcement within and adjacent to the district;

25 (2) confers a general benefit on the entire district
26 and the areas adjacent to the district; or

27 (3) confers a special benefit on a definable part of

1 the district, which may be all or part of the district.

2 (d) When applicable to a particular improvement project,
3 the district may enter into a contract with any private or
4 governmental entity to own, acquire, lease, lease-purchase,
5 construct, operate, or maintain, jointly or otherwise, an
6 improvement project. The contract may provide:

7 (1) that any payments due under the contract are
8 payable from and are secured by a pledge of a specified part of the
9 revenues of one or more improvement projects;

10 (2) for the levying of an ad valorem or maintenance tax
11 to make payments due under the contract; or

12 (3) that the payments due under the contract be made
13 from a combination of revenues from one or more improvement
14 projects and taxes.

15 Sec. 3818.103. PUBLIC SAFETY. (a) The district may not
16 employ peace officers, but may contract for off-duty peace officers
17 to provide public safety and security services in connection with a
18 special event, holiday, period with high traffic congestion, or
19 similar circumstance.

20 (b) The board by rule may regulate the private use of public
21 roadways, open spaces, parks, sidewalks, and similar public areas.
22 The rules may provide for the safe and orderly use of public
23 roadways, open spaces, parks, sidewalks, and similar public areas
24 or facilities.

25 Sec. 3818.104. EMPLOYEES; COMPENSATION. The board may
26 employ and establish the terms of employment and compensation of an
27 executive director, a general manager, and any other operating

1 officer of the district the board considers necessary.

2 Sec. 3818.105. BORROWING MONEY. The district may borrow
3 money for the corporate purposes of the district.

4 Sec. 3818.106. CONTRACTS; GRANTS; DONATIONS. (a) The
5 district may contract with any person to accomplish the purposes of
6 this chapter including contracting for the payment, repayment, or
7 reimbursement, out of tax proceeds or any other specified source of
8 funds, of costs, including carrying costs, incurred by the person
9 on behalf of the district, including all or part of the costs of an
10 improvement project.

11 (b) The district may apply for and contract with a person to
12 receive, administer, and perform the district's duties and
13 obligations under any federal, state, local, or private gift,
14 grant, loan, conveyance, transfer, bequest, donation, or other
15 financial assistance arrangement relating to the investigation,
16 planning, analysis, study, design, acquisition, construction,
17 improvement, completion, implementation, or operation by the
18 district or others of a proposed or existing improvement project.

19 (c) The district may contract with the state or a state
20 agency, city, county, other political subdivision, corporation, or
21 other person to carry out the purposes of this chapter on such terms
22 and conditions and for such period of time as the board may
23 determine. The state or a state agency, city, county, other
24 political subdivision, corporation, individual, or other entity
25 may contract with the district to carry out the purposes of this
26 chapter without any further authorization, notwithstanding any
27 other law or charter provision to the contrary.

1 Sec. 3818.107. RULES. The district may adopt and enforce
2 rules for:

- 3 (1) the administration and operation of the district;
4 (2) the use, enjoyment, availability, protection,
5 security, and maintenance of the district's properties and
6 facilities; and
7 (3) the provision of public safety and security in the
8 district.

9 Sec. 3818.108. FEES; CHARGES. The district may:

- 10 (1) establish and collect user fees, concession fees,
11 admission fees, rental charges, or other similar fees or charges;
12 and
13 (2) apply the proceeds from those fees or charges for
14 the enjoyment, sale, rental, or other use of the district's
15 facilities, services, properties, or improvement projects.

16 Sec. 3818.109. PAYMENT OF EXPENSES. The district may
17 provide or secure the payment or repayment of the costs and expenses
18 of the establishment, administration, and operation of the district
19 and the district's costs or share of the costs on any improvement
20 project, or the district's contractual obligation or indebtedness,
21 by or through:

- 22 (1) a lease, lease-purchase agreement, installment
23 purchase contract, or other agreement with any person;
24 (2) a tax, assessment, user fee, concession fee, or
25 rental charge; or
26 (3) any other revenues or resources of the district.

27 [Sections 3818.110-3818.150 reserved for expansion]

1 SUBCHAPTER D. DISSOLUTION

2 Sec. 3818.151. DISSOLUTION OF DISTRICT. (a) The district
3 may be dissolved as provided by Subchapter M, Chapter 375, Local
4 Government Code.

5 (b) If the district has debt and is dissolved, the district
6 shall remain in existence solely for the limited purpose of
7 discharging its bonds or other obligations according to their terms.

8 SECTION 2. The Flatrock Springs Municipal Management
9 District includes all the territory contained in the following
10 described area:

11 BEING 1056.98 acres of land consisting of approximately 7.77
12 acres out of the W. Giesecke Survey No. 1508, Abstract No. 1551,
13 approximately 40.56 acres out of the J. Barton Survey No. 418,
14 Abstract No. 135 and approximately 1008.65 acres out of the
15 Guadalupe Flores Survey No. 7, Abstract No. 304 of Burnet County,
16 Texas and being described in four tracts as follows:

17 (a) TRACT ONE, being 1026.22 acres, consisting of
18 approximately 7.77 acres out of the W. Giesecke Survey No. 1508,
19 Abstract No. 1551, 40.56 acres out of the J. Barton Survey No. 418,
20 Abstract No. 135 and 977.89 acres out of the Guadalupe Flores Survey
21 No. 7, Abstract No. 304 of Burnet County, Texas, and being a remnant
22 of 1095.093 acres described in a deed to Josephine Schieffer,
23 recorded in Volume 168, Page 389 of the Burnet County Deed Records,
24 Burnet County, Texas, and being more particularly described as
25 follows:

26 Beginning at a ½ inch steel stake found for the Northeast
27 corner of said remnant of 1095.093 acres being the Southeast corner

1 of Channel Oaks, Section II, the Plat of which is recorded in
2 Volume 1, Page 230 of the Burnet County Plat Records and being in
3 the West line of that certain 12.19 acres conveyed to John Randall,
4 recorded in Volume 486, Page 905 of the Burnet County Deed Records,
5 as shown on the plat of Lake Marble Falls Subdivision, an unrecorded
6 subdivision,

7 Thence with the West line of said Lake Marble Falls
8 Subdivision, the West line of that certain 200.7 acres conveyed to
9 J. E. Roper recorded in Volume 87, Page 483 and Volume 88, Page 620
10 of the Burnet County Deed Records, and with the East line of said
11 remnant of 1095.093 acres, South 01 degrees 40 minutes 05 seconds
12 East (South 00 degrees 45 minutes East) 9,534.99 ft. a $\frac{1}{2}$ inch steel
13 stake set with plastic surveyor cap stamped R.P.L.S. No. 1877, in
14 the West line of the Old Highway No. 108 (Burnet County 77/275
15 B.C.D.R.),

16 Thence with the West line of said Highway No. 108, South 09
17 degrees 58 minutes 34 seconds West (South 11 degrees 00 minutes
18 West) 662.29 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap
19 stamped R.P.L.S. No. 1877 for the beginning point of a curve to the
20 right,

21 Thence continuing with the West line of said Highway No. 108
22 and said curve to the right, the radius of which is 3769.64 ft.,
23 through a delta angle of 05 degrees 06 minutes 46 seconds, an arc of
24 336.38 ft., and a chord bearing and distance of South 12 degrees 31
25 minutes 58 seconds West 336.27 ft., a $\frac{1}{2}$ inch steel stake set with
26 plastic surveyor cap stamped R.P.L.S. No. 1877 for the end point of
27 said curve to the right, in the West line of U.S. Highway No. 281

1 (State of Texas 120/632 B.C.D.R.)

2 Thence South 23 degrees 24 minutes 55 seconds West (South 24
3 degrees 21 minutes West) 588.00 ft. a brass highway monument found
4 for the North corner of that certain 10.30 acres conveyed to the
5 State of Texas, recorded in Volume 212, Page 49 of the Burnet County
6 Deed Records,

7 Thence with the West line of said 10.30 acres South 36 degrees
8 38 minutes 26 seconds West (South 37 degrees 36 minutes 45 seconds
9 West) 1134.58 ft. (1134.80 ft.) a brass highway monument found,
10 South 44 degrees 06 minutes 29 seconds West (South 45 degrees 03
11 minutes 30 seconds West) 1061.61 ft. (1061.84 ft.) a brass monument
12 found, South 76 degrees 10 minutes 25 seconds West (South 77 degrees
13 10 minutes 30 seconds West) 485.98 ft. (485.96 ft.) a brass highway
14 monument found, and North 77 degrees 21 minutes 12 seconds West
15 (North 76 degrees 22 minutes 45 seconds West) 400.36 ft. (400.50
16 ft.) a concrete highway monument found for the West corner of said
17 10.30 acres in the North line of State Highway No. 71 (State of
18 Texas, Tract 2, 111/640 B.C.D.R.),

19 Thence continuing with the North line of said State Highway
20 No. 71, North 74 degrees 29 minutes 20 seconds West (North 73
21 degrees 31 minutes West) at 940.39 ft. passing a concrete highway
22 monument found and in all a total distance of 942.77 ft. (942.4 ft.)
23 a 5/8 inch steel stake found therein for the Southeast corner of
24 that certain portion of 246.6 acres conveyed to Hugo Hohernberger
25 and Bertha C. Hohernberger, Homestead Designation recorded in
26 Volume 139, Page 578 of the Burnet County Deed Records, from which
27 point a concrete highway monument found bears North 74 degrees 28

1 minutes 35 seconds West 2307.26 ft.,

2 Thence leaving the North line of said State Highway No. 71,
3 with the East line of said 246.6 acres, North 01 degrees 39 minutes
4 30 seconds West (North 00 degrees 48 minutes West) 3200.25 ft.
5 (3200.5 ft.) a fence post found for the Northeast corner of same,

6 Thence with the North line of said 246.6 acres with fence
7 posts found, South 86 degrees 36 minutes 52 seconds West (West)
8 408.02 ft. (509.0 ft.), South 77 degrees 44 minutes 11 seconds West
9 (South 79 degrees 25 minutes West) 200.78 ft. (257.0 ft.), South 60
10 degrees 19 minutes 06 seconds West 106.41 ft., and South 35 degrees
11 07 minutes 05 seconds West (South 36 degrees 49 minutes West) 243.44
12 ft. (242.1 ft.) a fence post found therein, for the most Easterly
13 Southeast corner of that certain Tract No. 2, 460.869 acres
14 described in a certificate of release of Federal Estate Tax Lien,
15 recorded in Volume 712, Page 730 Official Public Records of Burnet
16 County, Texas, ref: Volume 168, Page 397 Burnet County Deed
17 Records, from which point a gate post found bears South 35 degrees
18 07 minutes 05 seconds West (South 36 degrees 49 minutes West) 29.85
19 ft. (31.7 ft.),

20 Thence with the East line of said 460.869 acres, North 01
21 degrees 35 minutes 40 seconds West (North 00 degrees 09 minutes
22 East) 2739.44 ft. (2736.9 ft.) a fence post found for the Northeast
23 corner of same, in the South line of that certain remnant of 590
24 acres conveyed to H.R. Anderson recorded in Volume 80, Page 593 of
25 the Burnet County Deed Records,

26 Thence with the South line of said 590 acres, North 87 degrees
27 30 minutes 27 seconds East (North 89 degrees 13 minutes East) 636.59

1 ft. (632.5 ft.) a $\frac{1}{2}$ inch steel stake found for the Southeast corner
2 of said 590 acres and the Southwest corner of that certain 67.23
3 acres conveyed to Jane Benedum recorded in Volume 481, Page 837 of
4 the Burnet County Deed of Records,

5 Thence with the South line of said 67.23 acres, South 86
6 degrees 22 minutes 03 seconds East (South 84 degrees 33 minutes
7 East) 203.24 ft. (206.5 ft.) a $\frac{1}{2}$ inch steel stake found for the
8 Southeast corner of said 67.23 acres,

9 Thence with the East line of said 67.23 acres and the East
10 line of that certain 17.47 acres conveyed to Jane Benedum recorded
11 in Volume 481, Page 833 of the Burnet County Deed Records, North 01
12 degrees 30 minutes 44 seconds West (North 00 degrees 16 minutes 45
13 seconds West) 1193.24 ft. (1193.35 ft.) a fence post found, North 01
14 degrees 49 minutes 14 seconds West (North 00 degrees 35 minutes 15
15 seconds West) 295.61 ft. (295.64 ft.) a computed point, North 01
16 degrees 43 minutes 19 seconds West (North 00 degrees 29 minutes 20
17 seconds West) 2305.18 ft. (2305.40 ft.) a $\frac{1}{2}$ inch steel stake found,
18 North 01 degrees 34 minutes 39 seconds West (North 00 degrees 20
19 minutes 40 seconds West) 1140.92 ft. (1140.68 ft.) a $\frac{1}{2}$ inch steel
20 stake found and North 01 degrees 40 minutes 49 seconds West (North
21 00 degrees 26 minutes 50 seconds West) 374.06 ft., a computed point
22 therein for the Southwest corner of that certain 29.99 acres
23 described as 30.000 acres conveyed to the Alexandria Schieffer
24 Husted, Harry Husted, Nancy Nelsen and Tom L. Nelsen recorded in
25 Volume 470, Page 189 of the Burnet County Deed Records, from which
26 point a $\frac{1}{2}$ inch steel stake found bears North 89 degrees 58 minutes
27 37 seconds East 0.31 ft.,

1 Thence with the South line of said 30.000 acres North 89
2 degrees 58 minutes 37 seconds East (North 89 degrees 09 minutes 14
3 seconds East) 1338.48 ft. a $\frac{1}{2}$ inch steel stake found for the
4 Southeast corner of said 30.000 acres,

5 Thence with the East line of said 30.000 acres North 01
6 degrees 45 minutes 47 seconds West (North 00 degrees 51 minutes 11
7 seconds West) 1485.96 ft. (1485.45 ft.) a computed point for the
8 Northeast corner of said 30.000 acres in the South line of said
9 Channel Oaks Subdivision, from which computed point a $\frac{1}{2}$ inch steel
10 stake found bears North 01 degrees 45 minutes 47 seconds West 3.25
11 ft.,

12 Thence with the South line of said Channel Oaks Subdivision,
13 North 88 degrees 15 minutes 43 seconds East (East) 800.60 ft. a $\frac{1}{2}$
14 inch steel stake set with plastic surveyor cap stamped R.P.L.S. No.
15 1877, North 88 degrees 38 minutes 31 seconds East (South 89 degrees
16 45 minutes East) 454.17 ft. (454.4 ft.) a $\frac{1}{2}$ inch steel stake found,
17 North 87 degrees 53 minutes 19 seconds East (North 89 degrees 33
18 minutes East) 407.13 ft. (406.9 ft.) a $\frac{1}{2}$ inch steel stake found and
19 North 88 degrees 01 minutes 57 seconds East (North 89 degrees 54
20 minutes East) 695.86 ft. (696 ft.) to the place of beginning;

21 (b) TRACT TWO, being 0.75 acre out of the Guadalupe Flores
22 Survey No. 7, abstract No. 304 of Burnet County, Texas, and being
23 those certain Lot Nos. 1 and 2 and a portion of 3 of Channel Oaks,
24 Section II, the plat of which is recorded in Volume 1, Page 230 of
25 the Burnet County Plat Records, and being that same tract conveyed
26 to Alexandria Husted, recorded in Volume 470, Page 189 of the Burnet
27 County Deed Records, and being more particularly described as

1 follows:

2 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
3 cap stamped R.P.L.S. No. 1877 in the South line of R. M. Highway No.
4 2147 for the Northwest corner of said Lot No. 1 and the Northwest
5 corner of said Husted Tract, and the Northeast corner of that
6 certain 17.47 acres conveyed to the Jane Benedum recorded in Volume
7 481, Page 833 of the Burnet County Deed Records, from which point a
8 concrete highway monument found bears, South 74 degrees 04 minutes
9 09 seconds West (South 74 degrees 53 minutes West) 241.68 ft.
10 (241.95 ft.),

11 Thence with the South line of said R. M. Highway No. 2147 and
12 the North line of said Lot Nos. 1, 2 and 3, North 74 degrees 04
13 minutes 09 seconds East (North 74 degrees 53 minutes East) 500.60
14 ft. a $\frac{1}{2}$ inch steel stake found for the Northeast corner of said
15 Husted Tract and the Northwest corner of that certain 0.655 acre
16 recorded in Volume 428, Page 795 of the Burnet County Deed Records,
17 from which $\frac{1}{2}$ inch steel stake found a concrete highway monument
18 found bears North 74 degrees 04 minutes 09 seconds East (North 74
19 degrees 53 minutes East) 245.99 ft.,

20 Thence with the West line of said 0.655 acre and the East line
21 of said Husted Tract, South 01 degrees 55 minutes 13 seconds East
22 (South 00 degrees 54 minutes 46 seconds East) 128.65 ft. (129.12
23 ft.) a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap stamped
24 R.P.L.S. NO. 1877, for the Southwest corner of said 0.655 acre, the
25 Southeast corner of said Husted Tract and the Northwest corner of
26 that certain 15.00 acres conveyed to Joe David Offield and Bena Jane
27 Offield recorded in Volume 428, Page 792 of the Burnet County Deed

1 Records,

2 Thence with the South line of said Lot Nos. 1, 2 and 3 and the
3 South line of said Husted Tract, South 88 degrees 15 minutes 43
4 seconds West (West) 485.73 ft. a $\frac{1}{2}$ inch steel stake set in the East
5 line of said 17.47 acres for the Southwest corner of said Lot No. 1
6 and the Southwest corner of said Husted Tract,

7 Thence with the East line of said 17.47 acres, the West line
8 of said Lot No. 1 and the West line of said Husted Tract, North 01
9 degrees 40 minutes 49 seconds West (North 00 degrees 26 minutes 50
10 seconds West) 5.91 ft. (6.7 ft.) to the place of beginning;

11 (c) TRACT THREE, being 29.99 acres out of the Guadalupe
12 Flores Survey No. 7, Abstract No. 304 and being that same tract
13 described as 30.000 acres conveyed to Alexandria Schieffer Husted,
14 Harry Husted, Nancy Nelsen, and Tom L. Nelsen recorded in Volume
15 470, Page 189 of the Burnet County Deed Records, Burnet County,
16 Texas, and being more particularly described as follows:

17 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
18 cap stamped R.P.L.S. No. 1877 for the Southwest corner of that
19 certain Lot No. 1 of said Channel Oaks Subdivision and being the
20 Southwest corner of that same Tract No. One conveyed to Alexandria
21 Husted recorded in Volume 470, Page 189 and being the Northwest
22 corner of said 30.000 acres,

23 Thence with the South line of said Lot No. 1, Lot No. 2, and
24 Lot No. 3 of said Channel Oaks Subdivision North 88 degrees 15
25 minutes 43 seconds East (East) 485.73 ft. (485.26 ft.) a $\frac{1}{2}$ inch
26 steel stake set with plastic surveyor cap stamped R.P.L.S. No. 1877
27 for the Southwest corner of that certain 0.655 acre recorded in

1 Volume 428, Page 795 of the Burnet County Deed Records, the
2 Southeast corner of said Husted Tract and the Northwest corner of
3 that certain 15.00 acres conveyed to Joe David Offield and Ben Jane
4 Offield recorded in Volume 428, Page 792 of the Burnet County Deed
5 records,

6 Thence with the West line of said 15.00 acres, South 15
7 degrees 59 minutes 48 seconds West (South 16 degrees 51 minutes 35
8 seconds West) 1416.16 ft. (1415.45 ft.) a $\frac{1}{2}$ inch steel stake set
9 with plastic surveyor cap stamped R.P.L.S. No. 1877, for the
10 Southwest corner of said 15.00 acres,

11 Thence with the South line of said 15.00 acres, North 89
12 degrees 58 minutes 59 seconds East (South 89 degrees 09 minutes 14
13 seconds East) 774.85 ft. a fence post found for the Southeast corner
14 of said 15.00 acres,

15 Thence with the East line of said 15.00 acres, North 34
16 degrees 12 minutes 02 seconds West (North 33 degrees 18 minutes 51
17 seconds West) 150.00 ft. a $\frac{1}{2}$ inch steel stake set with plastic
18 surveyor cap stamped R.P.L.S. No. 1877, North 09 degrees 45 minutes
19 18 seconds West (North 08 degrees 53 minutes 31 seconds West) 287.58
20 ft. a $\frac{1}{2}$ inch steel stake found, North 12 degrees 02 minutes 56
21 seconds East (North 12 degrees 54 minutes 43 seconds East) 110.67
22 ft. a $\frac{1}{2}$ inch steel stake found, North 17 degrees 58 minutes 49
23 seconds East (North 18 degrees 50 minutes 36 seconds East) 174.95
24 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap stamped
25 R.P.L.S. No. 1877, North 11 degrees 27 minutes 22 seconds West
26 (North 10 degrees 35 minutes 35 seconds West) 200.30 ft. a $\frac{1}{2}$ inch
27 steel stake found, North 06 degrees 29 minutes 51 seconds East

1 (North 07 degrees 21 minutes 38 seconds East) 203.51 ft. a fence
2 post found and North 27 degrees 47 minutes 32 seconds West (North 26
3 degrees 55 minutes 46 seconds West) 322.56 ft. (321.10 ft.) a ½ inch
4 steel stake set with plastic surveyor cap stamped R.P.L.S. No. 1877
5 for the Northeast corner of said 15.00 acres in the South line of
6 said Channel Oaks Subdivision,

7 Thence with the South line of said Channel Oaks Subdivision
8 and the North line of said 30.000 acres, North 88 degrees 15 minutes
9 43 seconds East (East) 688.47 ft. a computed point therein for the
10 Northeast corner of said 30.000 acres,

11 Thence with the East line of said 30.000 acres South 01
12 degrees 45 minutes 47 seconds East (South 00 degrees 51 minutes 11
13 seconds East) 1485.96 (1485.45 ft.) a ½ inch steel stake found for
14 the Southeast corner of said 30.000 acres,

15 Thence with the South line of said 30.000 acres, South 89
16 degrees 58 minutes 37 seconds West (South 89 degrees 09 minutes 14
17 seconds West) 1338.48 ft. (1338.17 ft.) a computed point in the East
18 line of that certain 17.47 acres conveyed to Jane Benedum recorded
19 in Volume 481, Page 833 of the Burnet County Deed Records, for the
20 Southwest corner of said 30.00 acres, from which point a ½ inch
21 steel stake found bears North 89 degrees 58 minutes 37 seconds East
22 0.31 ft.,

23 Thence with the East line of said 17.47 acres and the West
24 line of said 30.000 acres, North 01 degrees 40 minutes 49 seconds
25 West (North 00 degrees 28 minutes 50 seconds West) 1445.91 ft.
26 (1445.58 ft.) to the place of beginning; and

27 (d) TRACT FOUR, being 0.02 acres out of the Guadalupe Flores

S.B. No. 1821

1 Survey No. 7, abstract No. 304 and being a portion of that certain
2 Reminder of 1095.093 acres conveyed to Josephine Schieffer recorded
3 in Volume 168, Page 389 of the Burnet County Deed Records, and being
4 more particularly described as follows:

5 Beginning at a $\frac{1}{2}$ inch steel stake set with plastic surveyor
6 cap stamped R.P.L.S. No. 1877 at the intersection of the South line
7 of said Old Highway No. 108 (Burnet County 77/275 B.C.D.R.) and the
8 West line of U.S. Highway No. 281 (State of Texas 120/632 B.C.D.R.),
9 being the Southeast corner of said 1095.093 acres, from which point
10 a brass highway monument found bears North 23 degrees 21 minutes 41
11 seconds East (North 24 degrees 21 minutes East) 492.85 ft., and from
12 which beginning point a $\frac{1}{2}$ inch steel stake found bears South 01
13 degrees 40 minutes 05 seconds East 0.65 ft.,

14 Thence with the West line of said U.S. Highway No. 281, South
15 23 degrees 21 minutes 41 seconds West (South 24 degrees 21 minutes
16 West) 54.26 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap
17 stamped R.P.L.S. No. 1877, in the West line of said U.S. Highway No.
18 281 and the East line of said Old Highway No. 108,

19 Thence with the East line of said Old Highway No. 108, North
20 09 degrees 58 minutes 34 seconds East (North 11 degrees 00 minutes
21 East) 113.74 ft. a $\frac{1}{2}$ inch steel stake set with plastic surveyor cap
22 stamped R.P.L.S. No. 1877 at the intersection of the South line of
23 said Old Highway No. 108 and the East line of said 1095.093 acres,
24 from which point the most Easterly Southeast corner of TRACT ONE
25 herein bears North 01 degrees 40 minutes 05 seconds West 495.45 ft.,

26 Thence with the East line of said 1095.093 acres, South 01
27 degrees 40 minutes 05 seconds East (South 00 degrees 45 minutes

1 East) 62.23 ft. to the place of beginning.

2 SECTION 3. (a) The legal notice of the intention to
3 introduce this Act, setting forth the general substance of this
4 Act, has been published as provided by law, and the notice and a
5 copy of this Act have been furnished to all persons, agencies,
6 officials, or entities to which they are required to be furnished
7 under the constitution and other laws of this state.

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

12 SECTION 4. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1821 passed the Senate on May 4, 2005, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 27, 2005, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1821 passed the House, with amendment, on May 25, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor