

RESOLUTION 2020-RES011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOUBLE HORN, TEXAS GRANTING CONSENT TO THE CREATION OF SOUTH BURNET COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

WHEREAS, the City of Double Horn, Texas, received a Petition for Consent to the Creation of a Municipal Utility District (to be known as South Burnet County Municipal Utility District No. 1) from Toreador Ranch, LLC (the "Petitioner"), over the property described in Exhibit "A" attached hereto, located partially within the extraterritorial jurisdiction of the City of Double Horn, Texas (the "City"); and

WHEREAS, Section 42.042 of the Texas Local Government Code provides that land within a city's extraterritorial jurisdiction may not be included within a municipal utility district without the city's consent; and

WHEREAS, the City desires to grant consent to the creation of the municipal utility district; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DOUBLE HORN, TEXAS, as follows:

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

Section 2. The City Council of the City of Double Horn, Texas, hereby grants its written consent to the creation of a municipal district (to be known as South Burnet County Municipal Utility District No. 1) on 450.102 acres of land, as described in Exhibit A attached hereto.

Section 3. The City Council of the City of Double Horn, Texas, hereby specifically imposes the conditions set forth in Exhibit "B" attached hereto and made a part hereof for all purposes.

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City

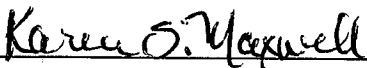
Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED the 24th day of June, 2020.



Mayor

ATTEST:



City Secretary

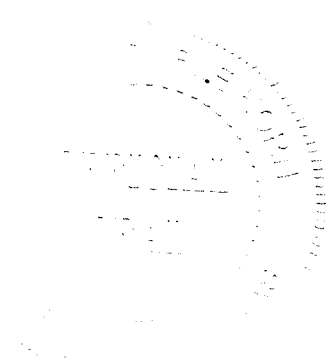


EXHIBIT A

South Burnet County Municipal Utility District No 1

PROPERTY DESCRIPTION

BEING 450.102 ACRES OF LAND LOCATED IN THE J.T. CONN SURVEY ABSTRACT 184 AND THE EDWARD E. WILLIAMS SURVEY ABSTRACT 945 IN BURNET COUNTY, TEXAS AND BEING A PORTION OF A CALLED 1311.91 ACRE DESCRIBED AS TRACT 1 AND ALL OF A CALLED 49.99 ACRES DESCRIBED AS TRACT 2 IN DOCUMENT NUMBER 201008598 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS (O.P.R.B.C.T); SAID 450.102 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE NAD83 4203.

BEGINNING at a ½ inch iron rod found in the southerly right of way of State Highway 71 for the northwest corner of a Deed recorded in Volume 1271, Page 393 O.P.R.B.C.T, said point also being the northeast corner of said 1311.91 acre tract;

THENCE, leaving said right of way with the line common to said 1311.91 acre tract and said 300.00 acre tract with the following courses and distances:

1. S01°28'14"E, 2318.10 feet to a ½ inch iron rod found;
2. S00°43'25"E, 1248.47 feet to a 60d nail found in a fence post;
3. S00°47'13"E, 726.34 feet to a ½ inch iron rod found;
4. S03°39'13"E, 355.82 feet to a ½ inch iron rod found;
5. S02°21'06"W, 405.49 feet to a ½ inch iron rod found for the easterly southeast corner of said 1311.91 acre tract;

THENCE, leaving the east line of said 300.00 acre tract and with the south line of said 1311.91 acre tract same being the northerly line of that certain tract conveyed to Fall Creek Cattle Co. by partition deed recorded in Volume 858, Page 691 said Official Public Records, the following courses and distances:

1. S87°28'42"W, 2193.46 feet to a 60d nail found in a fence post and;
2. S87°18'38"W, 1570.19 feet to a ½ inch iron rod with cap stamped "AST" found at an interior ell corner of the 1311.91 acre tract;

THENCE, crossing said 1311.91 acre tract the following courses and distances:

1. N09°04'47"W, 532.78 feet to a calculated point;
2. N05°05'30"W, 569.01 feet to a calculated point;
3. N02°19'27"E, 377.47 feet to a calculated point;
4. N02°08'57"E, 273.16 feet to a calculated point;
5. N04°38'13"E, 867.38 feet to a calculated point at the beginning of a curve to the left;
6. with a curve to the left an arc length of 828.18 feet, having a radius of 12234.94 feet, a central angle of 03°52'42", and a chord bearing and distance of N18°59'31"E, 828.02 feet to a calculated point;
7. thence N06°47'34"W, 229.49 feet to a calculated point;

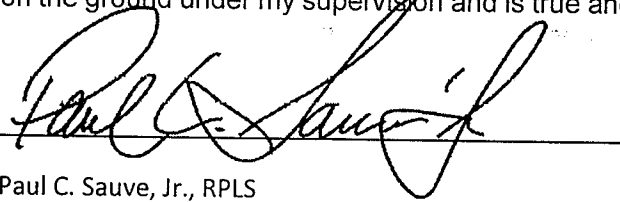
8. thence N09°24'33"E, 170.26 feet to a calculated point;
9. thence N17°28'27"E, 659.07 feet to a calculated point at the beginning of a curve to the left;
10. with a curve to the left an arc length of 714.44 feet, having a radius of 1417.20 feet, a central angle of 28°53'01", and a chord bearing and distance of N10°03'08"E, 706.90 feet to a calculated point;
11. N06°09'03"E, 214.33 feet to a calculated point;
12. N08°48'10"E, 92.89 feet to a calculated point;
13. N19°48'52"E, 500.09 feet to a calculated point on the southerly right of way line of said State Highway 71;

THENCE, with said southerly right of way line the following courses and distance:

1. S77°05'19"E, 34.15 feet to a calculated point at the northwest corner of said 49.99 acre tract;
2. S77°11'58"E, 400.12 feet to a 1/2 inch iron rod found for the northeast corner of said 49.99 acre tract;
3. S77°08'08"E, passing at 1771.50 feet a TxDOT Type 1 monument and continuing for a total distance of 2549.83 feet to the **POINT OF BEGINNING** and containing 450.102 acres of land, more or less;

SURVEYOR'S STATEMENT

I hereby state that the included field note description was prepared from an actual survey made on the ground under my supervision and is true and correct, to the best of knowledge and belief.



Paul C. Sauve, Jr., RPLS
Texas Registration No. 2518
Atwell, LLC
3815 S. Capital of Texas Hwy, Suite 300
Austin, TX 78704
Firm Registration No. 10173100
January 16, 2020

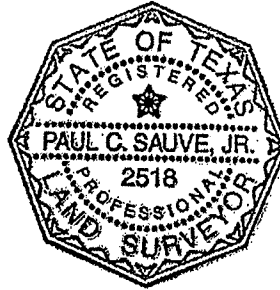


Exhibit B

- (a) The District may issue bonds for any purpose authorized by law. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date no later than subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and (with the exception of refunding bonds) will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given.

- (b) The District may not annex land in the City of Double Horn's corporate limits or extraterritorial jurisdiction without the City of Double Horn's consent.