

RESOLUTION 2020-RES012

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. 2

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. 2) 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. 2) on 301.213 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

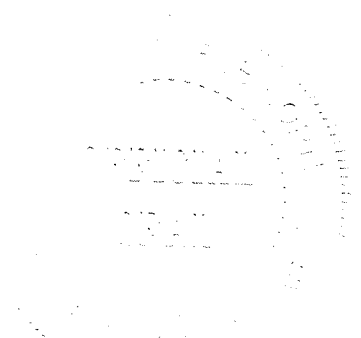
Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED the 24<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary



**PROPERTY DESCRIPTION**

**BEING 301.213 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 AS DESCRIBED IN DOCUMENT NUMBER 201008598 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS (O.P.R.B.C.T); SAID 301.213 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.**

**COMMENCING** at a ½ inch iron rod found in the southerly right of way of State Highway 71 for the northwest corner of a called 300.00 acre tract described as Exhibit B1 in a Partition Deed recorded in Volume 858, Page 691 O.P.R.B.C.T, said point also being the northeast corner of said 1311.91 acre tract;

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

1. N77°08'08"W, passing at 778.32 feet a TxDOT Type 1 monument and continuing for a total distance of 2549.83 feet to a 1/2 inch iron rod found for the northeast corner of Tract 2, a 49.99 acre tract recorded in the aforementioned deed at Document No. 2010008598 of said Official Public Records;
2. N77°11'58"W, 400.38 feet to a calculated point at the northwest corner of said 49.99 acre tract;
3. N77°05'19"W, 34.15 feet to a calculated point for the **POINT OF BEGINNING** of the herein described tract;

**THENCE**, leaving said southerly right of way line and crossing said 1311.91 acre tract the following courses and distances:

1. S19°48'52"W, 500.09 feet to a calculated point;
2. S08°48'10"W, 92.89 feet to a calculated point;
3. S06°09'03"W, 214.33 feet to a calculated point at the beginning of a curve to the right;
4. with a curve to the right 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 S10°03'08"W, 706.90 feet to a calculated point;
5. S17°28'27"W, 659.07 feet to a calculated point;
6. S09°24'33"W, 170.26 feet to a calculated point;
7. S06°47'34"E, 229.49 feet to a calculated point at the beginning of a curve to the right;
8. with a curve to the right 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 S18°59'31"W, 828.02 feet to a calculated point;
9. S04°38'13"W, 867.38 feet to a calculated point;
10. S02°08'57"W, 273.16 feet to a calculated point;
11. S02°19'27"W, 377.47 feet to a calculated point;
12. S05°05'30"E, 569.01 feet to a calculated point at the beginning of a curve to the right;

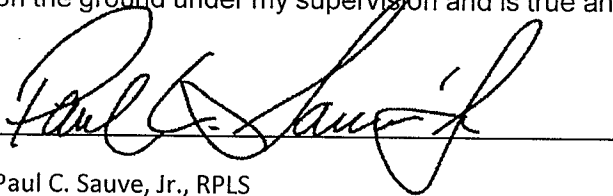
13. with a curve to the right an arc length of 512.33 feet, having a radius of 809.05 feet, a central angle of 36°16'57" and a chord bearing and distance of N78°43'45"W, 503.81 feet to a calculated point of reverse curvature;
14. with a reverse curve to the left an arc length of 412.68 feet, having a radius of 4349.09 feet, a central angle of 05°26'12" and a chord bearing and distance of N67°32'16"W, 412.52 feet to a calculated point at the beginning of a curve to the left;
15. with a compound curve to the left an arc length of 566.85 feet, having a radius of 1007.47 feet, a central angle of 32°14'14" and a chord bearing and distance of N88°55'09"W, 559.40 feet to a calculated point at the beginning of a curve to the right;
16. with a reverse curve to the right an arc length of 368.66 feet, having a radius of 2706.90 feet, a central angle of 07°48'12", and a chord bearing and distance of S74°27'00"W, 368.38 feet to a calculated point at the beginning of a curve to the right;
17. with a compound curve to the right an arc length of 978.86 feet, having a radius of 760.58 feet, a central angle of 73°44'22", and a chord bearing and distance of N60°46'47"W, 912.69 feet to a calculated point at the beginning of a curve to the right;
18. with a compound curve to the right an arc length of 534.67 feet, having a radius of 824.89 feet, a central angle of 37°08'14" and a chord bearing and distance of N03°21'45"W, 525.36 feet, to a calculated point;
19. N16°24'29"E, 34.60 feet to a calculated point at the beginning of a curve to the right;
20. with a curve to the right an arc length of 202.79 feet, having a radius of 653.68 feet, a central angle of 17°46'30" and a chord bearing and distance of N25°17'44"E, 201.98 feet to a calculated point;
21. N27°28'25"E, 489.56 feet to a calculated point at the beginning of a curve to the left;
22. with a curve to the left an arc length of 282.50 feet, having a radius of 710.44 feet, a central angle of 30°10'45" and a chord bearing and distance of N12°23'03"E, 369.90 feet to a calculated point at the beginning of a curve to the left;
23. N04°01'53"W, 483.53 feet to a calculated point;
24. with a curve to the right an arc length of 478.02 feet, having a radius of 1080.30 feet, a central angle of 25°21'09" and a chord bearing and distance of N07°19'34"E, 474.13 feet to a calculated point;
25. N22°48'40"E, 1497.98 feet to a calculated point at the beginning of a curve to the left;
26. with a curve to the left an arc length of 531.09 feet, having a radius of 2193.72 feet, a central angle of 13°52'15" and a chord bearing and distance of N04°22'51"E, 529.79 feet to a calculated point at the beginning of a curve to the right;
27. with a reverse curve to the right an arc length of 700.55 feet, having a radius of 7803.87 feet, a central angle of 05°08'36" and a chord bearing and distance of N01°16'12"W, 700.32 feet to a calculated point at the beginning of a curve to the right;
28. with a compound curve to the right an arc length of 196.90 feet, having a radius of 876.58 feet, a central angle of 12°52'12" and a chord bearing and distance of N11°00'50"E, 196.49 feet to a calculated point at the beginning of a curve to the right on the southerly right of way line of said State Highway 71;

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

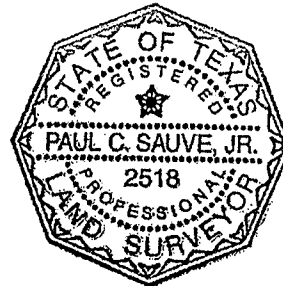
1. With a curve to the right an arc length of 150.96 feet, having a radius of 5634.32 feet, a central angle of  $01^{\circ}32'06''$  and a chord bearing and distance of  $S77^{\circ}55'26''E$ , 150.96 feet to a calculated point;
2.  $S77^{\circ}08'34''E$ , 1809.27 feet to a calculated point;
3.  $S77^{\circ}05'19''E$ , 490.10 feet to the **POINT OF BEGINNING** and containing 301.213 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.