

**PETITION FOR CONSENT TO INCLUDE LAND  
IN A MUNICIPAL UTILITY DISTRICT**

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ELGIN:

We, the undersigned landowners of the territory hereinafter described by metes and bounds, being a majority of the landowners of said territory, respectively petition your Honorable Body for consent to and support of the creation of a municipal utility district by special act of the 86<sup>th</sup> Texas Legislature, and would respectfully show the following:

I.

The name of the proposed district shall be BRICKSTON MUNICIPAL UTILITY DISTRICT (the “District”).

II.

The District shall be created under the terms and provisions of Article XVI, Section 59, and Article III, Sections 52 and 52-a of the Constitution of Texas; and Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto.

III.

The District shall contain an area of approximately 448.8 acres of land, situated within Travis County, Texas, described by metes and bounds in Exhibit “A”, which is attached hereto and made a part hereof for all purposes. The described property is located partially within the extraterritorial jurisdiction of the City of Elgin, Texas and partially within Travis County, outside any city’s municipal limits or extraterritorial jurisdiction.

IV.

The undersigned constitute a majority of the current landowners of the property to be included within the District.

V.

The District shall be created for all of the purposes set forth in Chapters 372 and 375, Texas Local Government Code, as amended.

VI.

The District shall have the powers of government and authority to exercise the rights, privileges, and functions given to it by Chapters 49 and 54, Texas Local Government Code, and any chapter of the Special District Local Laws Code created pertaining to the District, as amended, or by any other State law.

VII.

The general nature of the work to be done by and within the District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; construction, installation, maintenance, purchase and operation of such additional facilities as shall be consonant with the purposes for which the District is organized.

VIII.

Said proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the District is of such a nature that a waterworks, sanitary sewer, drainage, and roadway system can be constructed at a reasonable cost with reasonable ad valorem tax and assessment rates and water and sewer rates, and said territory will be developed for residential and commercial purposes.

IX.

Petitioner requests consent, permission and support for the inclusion of the aforesaid lands in a municipal utility district created by special act of the 86th Texas Legislature.

X.

WHEREFORE, the undersigned respectfully pray that this petition be in all things granted, and that the City give its written consent to the inclusion of the aforesaid lands in the District, and for such other orders, acts, procedure and relief as are proper and necessary and appropriate to the purpose of organizing the District.

RESPECTFULLY SUBMITTED the \_\_ day of \_\_\_\_\_, 2019.

SIGNATURE AND ACKNOWLEDGMENT OF ELECTORS AND LANDOWNERS CONSENTED TO:

LANDOWNER:

TEXAS BRIDLE TRAILS, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by \_\_\_\_\_ on behalf of Texas Bridle Trails, LLC.

\_\_\_\_\_

Notary Public Signature

(Seal)

## EXHIBIT "A"

### METES AND BOUNDS DESCRIPTION

**BEING A 448.8-ACRE [19,551,571 SQUARE FEET] MUD TRACT OUT OF THE WILLIAM HINES SURVEY NUMBER 53, ABSTRACT NUMBER 346, TRAVIS COUNTY, TEXAS, SAID TRACT BEING ALL OF THAT CALLED 127.535-ACRE TRACT DESCRIBED TO TEXAS BRIDLE TRAILS, LLC., AS RECORDED IN DOCUMENT NUMBER 2008035687 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS [O.P.R.T.C.T.], AND A PORTION OF THAT CALLED 315.26-ACRE TRACT DESCRIBED TO TEXAS BRIDLE TRAILS, LLC. AS RECORDED IN DOCUMENT NUMBER 2008035688 O.P.R.T.C.T. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 5/8-inch iron rod found in the west line of that called 29.556-acre tract described to Centex Land, LTD. as recorded in Document Number 1999124374 O.P.R.T.C.T. for the south corner of that called 9.35-acre tract described to Johnny Wilkins, Jr. and wife, Virginia C. Wilkins as recorded in Volume 12363, Page 2230 of the Real Property Records of Travis County, Texas [R.P.R.T.C.T.], same being the east corner of said 315.26-acre tract and the east corner of the tract described herein;

**THENCE** with said west line of the 29.556-acre tract, same being the east line of said 315.26-acre tract, S26°55'05"W a distance of 926.58 feet to a 1/2-inch iron rod found for the east corner of that called 5.00-acre tract described to Amos Whit Parker and Wife, Mary Catherine Parker as recorded in Volume 12714, Page 2046 R.P.R.T.C.T.;

**THENCE** with the north line of said 5.00-acre tract, continuing with said east line of the 315.26-acre tract, N63°18'57"W a distance of 796.21 feet to a 1/2-inch iron rod found for the north corner of said 5.00-acre tract;

**THENCE** with the west line of said 5.00-acre tract, continuing with said east line of the 315.26-acre tract, S26°40'58"W a distance of 273.21 feet to the west corner of said 5.00-acre tract, same being the north corner of that called 10.57-acre tract described to David S. Rose and Kristen R. Carter, as recorded in Volume 12854, Page 2132 R.P.R.T.C.T.;

**THENCE** with the west line of said 10.57-acre tract, continuing with said east line of the 315.26-acre tract, S26°59'51"W a distance of 578.62 feet to a point in the north line of that called 175.81-acre tract described to Centex Land, Ltd as recorded in Volume 13299, Page 2327 R.P.R.T.C.T. for the west corner of said 10.57-acre tract;

**THENCE** with said north line of the 175.81-acre tract, continuing with said east line of the 315.26-acre tract, the following five (5) courses and distances:

- 1) N63°35'01"W a distance of 41.42 feet to an angle point,
- 2) N61°56'37"W a distance of 120.25 feet to an angle point,
- 3) N62°39'21"W a distance of 572.60 feet to a 1/2-inch iron rod found for an angle point,
- 4) N62°32'09"W a distance of 228.42 feet to a 3/8-inch iron rod found for an angle point,
- 5) N62°48'14"W a distance of 1,444.80 feet to an angle point for the north corner of said 175.81-acre tract;

**THENCE** with the west line of said 175.81-acre tract, same being the south line of said 315.26-acre tract, S27°07'44"W a distance of 76.16 feet to an angle point for the east corner of said 127.535-acre tract;

**THENCE** continuing with said west line of the 175.81-acre tract, same being the east line of said 127.535-acre tract, the following two (2) courses and distances:

- 1) S27°32'56"W a distance of 1,770.97 feet to an angle point for the south corner of said 127.535-acre tract, and
- 2) N61°57'33"W a distance of 395.35 feet to an angle point in the east line of that called 202.522-acre tract described to Robert E. Lundgren & Kathryn E. Lundgren as recorded in Volume 11133, Page 517 R.P.R.T.C.T.;

**THENCE** with the east line of said 202.522-acre tract, same being the south line of said 127.535-acre tract, N28°06'22"E a distance of 20.48 feet to an angle point for the east corner of said 202.522-acre tract;

**THENCE** with the north line of said 202.522-acre tract, continuing with said south line of the 127.535-acre tract, N63°06'01"W a distance of 2,773.48 feet to a point in the east line of that called 84.987-acre tract described to Ruth Ann Lofton Kylberg as recorded in Volume 6863, Page 1580 of the Deed Records of Travis County, Texas, for the west corner of said 127.535-acre tract and the west corner of the tract described herein;

**THENCE** with said east line of the 84.987-acre tract, same being the west line of said 127.535-acre tract, N27°08'30"E a distance of 797.97 feet to 1/2-inch iron rod found for the apparent southerly terminus of Giese Lane, a varying-width right-of-way, no record information found;

**THENCE** with the apparent east right-of-way line of Giese Lane, continuing with the west line of said 127.535-acre tract, the following two (2) courses and distances:

- 1) N51°48'59"E a distance of 48.16 feet to an angle point, and
- 2) N26°22'12"E a distance of 900.92 feet to a 3/4-inch iron rod found for the north corner of said 127.535-acre tract;

**THENCE** continuing with the apparent east right-of-way line of Giese Lane, with the west line of said 315.26-acre tract, the following two (2) courses and distances:

- 1) N26°32'58"E a distance of 281.93 feet to an angle point, and
- 2) N26°37'58"E a distance of 64.47 feet to an angle point at the intersection of the apparent common Manor County Extra Territorial Jurisdiction line and the apparent Travis County Line with said apparent east right-of-way line of Giese Lane and said west line of the 315.26-acre tract;

**THENCE** leaving said apparent east right-of-way line of Giese Lane and said west line of the 315.26-acre tract, crossing said 315.26-acre tract, with the apparent common Manor County Extra Territorial Jurisdiction line and the apparent Travis County Line, the following three (3) courses and distances:

- 1) S89°34'15"E a distance of 319.29 feet to an angle point,
- 2) N13°12'51"E a distance of 581.96 feet to an angle point, and
- 3) N06°47'45"E a distance of 425.37 feet to an angle point at the intersection of said apparent common Manor County Extra Territorial Jurisdiction line and said apparent Travis County Line with said apparent east right-of-way line of Giese Lane and said west line of the 315.26-acre tract;

**THENCE** with said apparent east right-of-way line of Giese Lane and said west line of the 315.26-acre tract, N26°52'58"E a distance of 1,166.16 feet to the west corner of that called 286.05-acre tract described to Sharon Dusek Wertz as recorded in Volume 11258, Page 38 R.P.R.T.C.T., same being the north corner of said 315.26-acre tract and the north corner of the tract described herein;

**THENCE** with the south line of said 286.05-acre tract, same being the north line of said 315.26-acre tract, S63°12'58"E a distance of 3,177.15 feet to the south corner of said 286.05-acre tract, same being the west corner of that called 50.349-acre tract described to Robert Alvarez as recorded in Document Number 2001200295 O.P.R.T.C.T.;

**THENCE** with the south line of said 50.349-acre tract, continuing with said north line of the 315.26-acre tract, the following two (2) courses and distances:

- 1) S64°27'40"E a distance of 128.51 feet to an angle point, and
- 2) S63°20'13"E a distance of 972.11 feet to the north corner of that apparent 20.00-acre tract to Johnny Wilkins Jr. & Virginia C. Wilkins, no record information found;

**THENCE** with the west line of said 20.00-acre tract, with the west line of that called 5.00-acre tract described to Johnny Wilkins Jr. and wife, Virginia Cox Wilkins as recorded in Volume 6501, Page 42 R.P.R.T.C.T., continuing with said north line of the 315.26-acre tract, S26°39'06"W a distance of 800.88 feet to the west corner of said 5.00-acre tract;

**THENCE** with the south line of said 5.00-acre tract, with the south line of said 9.35-acre tract, continuing with said north line of the 315.26-acre tract, S63°20'40"E a distance of 2,096.59 feet to said **POINT OF BEGINNING** of the tract described herein, and containing 448.8 Acres [19,551,571 Square Feet].