



City of Hutto

Agenda

**Special Called Hutto Economic Development Corporation Type A
and
Hutto Economic Development Corporation Type B
Board of Directors Meeting
Monday, March 28, 2022, at 6:00 PM
City Council Chambers**

In accordance with the Texas Open Meetings Act, this meeting agenda is posted for public information, continuously, for at least 72 hours before the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. CALL SESSION TO ORDER

2. ROLL CALL

- 2.1. Mike Arismendez, Chairman
Don Carlson, Vice Chairman
Cheney Gamboa, Secretary
Shawn Lucas, Treasurer
Mike Snyder, Board Member
Randal Clark, Board Member

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the Hutto Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B on agenda issues and non-agenda issues (i.e., Corporation policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling CityHall at (512) 759-4913 during business hours. Each person providing public comment will be limited to 3 minutes. (Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits governing bodies from a full discussion, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the Corporation Staff for action may be placed on the agenda of a future meeting.)

5. AGENDA ITEMS

- 5.1. Recall the Cross-National Advisory Partners engagement action item from the March 23, 2022 meeting for discussion.
- 5.2. Consideration and possible action on the revised First Amendment and Extension to Krueger Option Agreement previously approved by all the parties, revised by adding a new Section 1 (adopting recitals) and Section 3 (excluding Tract 4 and reducing the proportionate option credit at closing), as requested.
- 5.3. Consideration and possible action on the Assignment and Assumption Agreement conveying the option to purchase the remaining tracts 1-3 on the December 22, 2021 Option Agreement.
- 5.4. Consideration and possible action to approve the conveyance of a modified Oncor proposed 15ft Easement at the corner of Hwy 79 and FM 3349, on the Megasite, in the approximate location shown on the provided survey presented at the meeting and authorize the Chair, conditional on Corporate Counsel's approval of all easement documents, to execute the easement.
- 5.5. Discuss and consider action to approve a reimbursement agreement between Titan Development and the Hutto Economic Development Corporation for development support for the Titan Megasite land acquisition development process and authorize the Board Chair to execute the agreement.

6. EXECUTIVE SESSION

- 6.1. The Board will now recess the open session meeting and reconvene in executive session, pursuant to Texas Government Code Sections 551.087 (economic development), 551.071 (Attorney Consultation), 551.072 (Real Property), to deliberate and seek the advice of its legal counsel regarding Assignment and Assumption of Real Property Option to Purchase Land agreements held by the corporation for property in and around the Megasite; project acropolis incentives, a voluntary corporate development assistance reimbursement agreement with Titan Development, Inc. or one of its subsidiaries and affiliates for its proposed Megasite property acquisition.

7. ACTION RELATIVE TO EXECUTIVE SESSION

- 7.1. The Board may recall any item posted for Executive Session above for discussion and possible action.

8. ADJOURNMENT

9. CERTIFICATION

I certify that this notice of the Economic Development Corporation Type A and the Hutto Economic Development Corporation Type B meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on March 25, 2022, at 3:20 pm.



Gracie Perez

The City of Hutto is committed to complying with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours before the meeting. Please email the City Secretary's office at City.Secretary@huttox.gov or call (512) 759-4033 for assistance.

The Board reserves the right to recess the open session of the meeting and reconvene in Executive Session at any time between the meeting's opening and adjournment by majority vote on any item on the agenda for consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding gifts and donations pursuant to Chapter 551.073 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in the open session.

This agenda has been reviewed and approved by the Board's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the item discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards may attend the meeting in numbers that may constitute a quorum of the body, board, commission, and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission, and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions, and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action are specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

AGENDA ITEM REPORT

5.4



Consideration and possible action to approve the conveyance of a modified Oncor proposed 15ft Easement at the corner of Hwy 79 and FM 3349, on the Megasite, in the approximate location shown on the provided survey presented at the meeting and authorize the Chair, conditional on Corporate Counsel's approval of all easement documents, to execute the easement.

P.O. DAUGHERTY SURVEY
ABSTRACT NO. 184

U.S. STATE HIGHWAY NO. 79
(VARIABLE RIGHT-OF-WAY)

UNION PACIFIC RAILROAD
(200' RIGHT-OF-WAY)

P.O.B.
LAT: 30.552646
LONG: -97.48694

WILLIAMSON COUNTY, TEXAS
CALLED 0.527 ACRES
DOC. NO. 2020135992
DOC. NO. 2020109984
O.P.R.W.C.T.

**ONCOR ELECTRIC DELIVERY
COMPANY LLC EASEMENT**
0.350 ACRES
(15,224.83 SQ. FT.)
PROPOSED ELECTRIC LINE LENGTH
1,014.98' / 61.51 RODS

P.O.C.
LAT: 30.551600
LONG: -97.486851

HUTTO ECONOMIC DEVELOPMENT
CORPORATION TYPE B
CALLED 2.64 ACRES
DOC NO. 2018057533
O.P.R.W.C.T.

WILLIAMSON COUNTY, TEXAS
(CALLED 10.314 ACRES)
INST. NO. 2021145118
O.P.R.W.C.T.

HUTTO ECONOMIC DEVELOPMENT
CORPORATION TYPE B
CALLED 89.57 ACRES
DOC NO. 2018034308
O.P.R.W.C.T.

REMAINDER OF
JONAH WATER SPECIAL UTILITY DISTRICT
(CALLED 13.18 ACRES)
DOC. NO. 2002103516
O.P.R.W.C.T.

FINAL PLAT OF THE GENE
RYDELL ESTATE
1.699 ACRES
CAB. EE, SLIDE 384
P.R.W.C.T.
ELISABETH HENNING
LOT 1 GENE RYDELL ESTATE
DOC. NO. 2017064299
O.P.R.W.C.T.

WILLIAMSON COUNTY
(CALLED 0.894 ACRES)
INST. NO. 2020129210
O.P.R.W.C.T.

J.J. STUBBLEFIELD SURVEY
ABSTRACT NO. 562

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	329.28'	1032.00'	18°16'52"	S56°55'21"E	327.88'
C2	315.13'	1017.00'	17°45'13"	N56°54'27"W	313.87'

GRAPHIC SCALE



1 INCH = 200 FT.

LEGEND / ABBREVIATIONS

- PROPOSED CENTERLINE
- - - - - PROPERTY LINE
- - - - - ABSTRACT LINE
- 1/2" CAPPED IRON ROD FOUND
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS,
MIDLAND COUNTY, TEXAS
- ONCOR ELECTRIC DELIVERY
COMPANY LLC EASEMENT

**ONCOR ELECTRIC DELIVERY COMPANY LLC
EASEMENT**
WR # 3560580
0.350 ACRES (15,224.83 SQ. FT.) IN THE
J.J. STUBBLEFIELD SURVEY
ABSTRACT NO. 562
WILLIAMSON COUNTY, TEXAS



4100 INTERNATIONAL PLAZA
SUITE 240
FORT WORTH, TX 76109
(817)554-1805
www.landpoint.net
TBPELS REG. NO. 10194220

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EXHIBIT "A"

SHEET 2 OF 2

LEGAL DESCRIPTION

Being a 0.350 acre (15,224.83 sq. ft.) electric easement situated in the J.J. Stubblefield Survey, Abstract Number 562, Williamson County, Texas and being part of a tract of land conveyed to Hutto Economic Development Type B, (Called 89.57 acres), recorded in Document Number 2018034308 of the Official Public Records of Williamson County, Texas, (O.P.R.W.C.T.), a portion of a tract of land conveyed Hutto Economic Development Type B, (Called 2.64 acres), recorded in Document Number 2018057533, O.P.R.W.C.T., and being more particularly described by metes and bounds as follows:

Commencing at 1/2-inch Iron rod found for the Southwest corner of said 2.64 acre tract and at an angle point in the North line of said 89.57 acre tract;

THENCE N06°04'41"W, with the West line of said 2.64 acre tract and the common North line of said 89.57 acre tract, passing a 1/2-inch Iron rod found at a distance of 358.19 feet and continuing a total distance of 381.42 feet to the South Right-of-Way line of Union Pacific Railroad (200-Foot Right-of-Way);

THENCE N77°17'37"E, with the South Right-of-Way line of said Union Pacific Railroad, over and across said 2.64 acre tract, a distance of 104.41 feet to the POINT OF BEGINNING;

THENCE N77°19'23"E, with continuing with the South Right-of-Way line of said Union Pacific Railroad and the common North line of said 89.57 acre tract, passing a 1/2-inch Iron rod found in the East line of said 2.64 acre tract, same being an angle point in the North line of said 89.57 acre tract, at a distance of 129.46 feet, and continuing a total distance of 161.98 feet 1 1/2-inch Capped Iron rod found;

THENCE departing said common line over and across said 89.57 acre tract and with a Curve to the Right having a radius of 1,032.00 feet, Delta 18°16'52", a chord bearing of S56°55'21"E, a distance of 327.88 feet, and an arc length of 329.28 feet to a 1/2-inch Iron rod found in the East line of said 89.57 acre tract and the common West line of the Remainder of that certain tract of land conveyed to Jonah Water Special Utility District, (Called 13.18 Acres) in Document Number 2002103516, O.P.R.W.C.T. and Being in the West Right-of-way line of F.M. 3349 (Variable Width Right-of-Way);

THENCE continuing with said common line the following courses and distances;

S14°52'31"E, a distance of 400.63 feet to a 1/2-inch capped Iron rod found;

S07°30'10"W, a distance of 137.86 feet to a calculated point for a corner of easement herein described;

THENCE over and across said 89.57 acre tract and said 2.64 acre tract the following courses and distances:

N82°29'50"W, a distance of 15.00 feet to a calculated point for a corner of easement herein described;

N07°30'10"E, a distance of 134.89 feet to a calculated point for a corner of easement herein described;

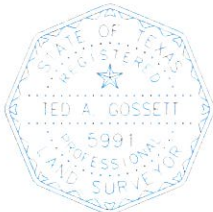
N14°52'31"W, a distance of 393.21 feet to a calculated point for a corner of easement herein described;

With a Curve to Left, Having a radius of 1,017.00, a delta angle of 17°45'13", A chord bearing of N56°54'27"W, a distance of 313.87, An Arc length of 315.13 feet to a calculated point for a corner of easement herein described;

S77°19'23"W, a distance of 157.00 feet to a calculated point for a corner of easement herein described;

N12°40'37"W, a distance of 15.00 feet to the POINT OF BEGINNING and containing 0.350 acres (15,224.83 square feet) of land, more or less;

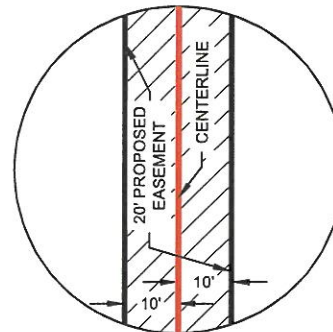
Proposed electric line having a length of 1,104.98 feet or 61.51 rods.



I, Ted Allen Gossett, certify that this plot was prepared under my direct supervision from a survey made on the ground on March 22, 2022, that this plot correctly represents the facts found at the time of said survey.

Ted A. Gossett

Texas R.P.L.S. No. 5991
03/22/2022



EASEMENT DETAIL
N.T.S.

ONCOR ELECTRIC DELIVERY COMPANY LLC
EASEMENT
0.350 ACRES (15,244.83 SQ. FT.) IN THE
J.J. STUBBLEFIELD SURVEY
ABSTRACT NO. 562
WILLIAMSON COUNTY, TEXAS



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FILED BY: JV

DRAWN BY: YH

CHECKED BY: TAG

JOB NO. 22-0104