



**CITY OF HUTTO, TEXAS  
REGULAR CITY COUNCIL MEETING  
THURSDAY, JUNE 20, 2019 AT 7:00 PM**

**CITY HALL - CITY COUNCIL CHAMBERS  
500 WEST LIVE OAK STREET**

**CITY COUNCIL**

Doug Gaul, Mayor  
Tom Hines, Place 2, Mayor Pro-tem  
Scott Rose, Place 1  
Mike Snyder, Place 3  
Peter Gordon, Place 4  
Patti Turner, Place 5  
Tanner Rose, Place 6

**AMENDED AGENDA**

1. **CALL SESSION TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **PUBLIC COMMENT**

*Any citizen wishing to speak during public comment may do so after completing the required registration form.*

*In accordance with the Texas Attorney General's Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council.*

*No formal action, discussion, deliberation, or comment will be made by the City Council. Comments must be courteous and respectful. Accordingly, concerns, complaints, and assertions of character regarding specific individuals, including any citizens, staff member, City Board or Commission member or City Council member shall not be raised in a public forum; but should be addressed separately and privately with the City Manager or individual member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate or disruptive manner may be asked to leave the City Council Chambers. Each person providing public comment will be limited to 3 minutes.*

5A. Remarks from visitors. (Three-minute time limit)

6. **CITY MANAGER COMMENTS:**

6A. Presentation regarding the Sports and Health District and Perfect Game Mix Use Deal

- 6B. Presentation from Hutto Arts Today. (Linda Rosenbusch)
- 6C. Presentation of the City Financials for the Month of May as required by the fiscal and budgetary policy. (Michel Sorrell)
- 6D. Discussion regarding Senate Bill 2 and its potential impact to the City. (Michel Sorrell and Bill Bingham)

7. **PUBLIC HEARINGS:**

- 7A. Consideration of a public hearing and possible action on the first reading of an ordinance approving a specific use permit for the property located on FM 1660 North (HISD Property), 165.0 acres, more or less, of land, allowing a school in the SF-1 (Single Family Residential) zoning district. (Ashley Lumpkin)
- 7B. Consideration of a public hearing and possible action on the first reading of an ordinance regarding the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)
- 7C. Consideration of a public hearing and possible action on the first reading of an ordinance regarding the proposed annexation of the Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)

8. **CONSENT AGENDA ITEMS:**

All items listed on the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event, the item will be removed from the consent agenda and considered as a regular agenda item.

- 8A. Consideration and possible action approving the minutes of the May 15, 2019 Special City Council Meeting, May 16, 2019 Regular City Council Meeting, May 25, 2019 Special City Council Meeting, and the May 30, 2019 Regular City Council Meeting. (Lacie Hale)
- 8B. Consideration and possible action approving the amended minutes of the April 18, 2019 and April 4, 2019 Regular City Council Meeting. (Lacie Hale)
- 8C. Consideration and possible action on a resolution approving the proposed Hutto Highlands Section 2 Phase 2 Final Plat, 29.263 acres, more or less, of land, 94 residential lots, located off of FM 1660 North and Colthorpe Lane. (Ashley Lumpkin)
- 8D. Consideration and possible action on a resolution approving the proposed Hutto Independent School District Preliminary Plat, 164.965 acres, more or less, of land, two commercial lots, located on FM 1660 North. (Ashley Lumpkin)



- 8E. Consideration and possible action on a resolution approving the proposed Titan Innovation Business Park Unit 4 Final Plat, 6.965 acres, more or less, of land, one commercial lot, located on New Technology Boulevard. (Ashley Lumpkin)
- 8F. Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)
- 8G. Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)
- 8H. Consideration and possible action on a resolution approving the proposed Star Ranch Parcel 31 Final Plat, 2.002 acres, more or less, of land, one commercial lot, located Gattis School Road at Winterfield Drive. (Ashley Lumpkin)
- 8I. Consideration and possible action on a resolution approving the proposed Mustang Creek Phase 1 Final Plat, 33.25 acres, more or less, of land, 143 residential lots, located on FM 1660 North at Lavaca River Lane. (Ashley Lumpkin)
- 8J. Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Section 11 Final Plat, 2.912 acres, more or less, of land, two commercial lots, located on Chris Kelley Boulevard. (Ashley Lumpkin)

## **REGULAR AGENDA ITEMS**

### **9. RESOLUTIONS:**

- 9A. Resolution of the City of Hutto, Texas, amending the Resolution authorizing and creating the Mustang Creek Public Improvement District within the City of Hutto pursuant to Chapter 372 Texas Local Government Code.
- 9B. Consideration and possible action on a resolution amending the by-laws of the Economic Development Corporation Type A Board.

### **10. ORDINANCES:**

- 10A. An Ordinance of the city council of the City of Hutto, Texas accepting and approving a Service and Assessment Plan and assessment roll for Mustang Creek Public Improvement District; making a finding of special benefit to the property in the District; levying special assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the special assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date

11. **OTHER BUSINESS:**

- 11A. Consideration of and possible appointments to City Boards and Commissions. (Lacie Hale)

12. **EXECUTIVE SESSION:**

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 [Litigation/Consultation with Attorney], 551.072 [Deliberations regarding real property], 551.073 [Deliberations regarding gifts and donations], 551.074 [Deliberations regarding personnel matters] or 551.076 [Deliberations regarding deployment/implementation of security personnel or devices] and 551.087 [Deliberations regarding Economic Development negotiations].

- 12A. Executive Session, as authorized by Texas Government Code Section 551.087, Economic Development, regarding Project History and the Co-Op.

- 12B. Executive Session, as authorized by Texas Government Code Section 552.071, Consultation with Attorney, to discuss the Manville Water Supply Corporation lawsuit, waterline easement request, and the repeated illegal disclosure of City documents.

13. **ACTION RELATIVE TO EXECUTIVE SESSION:**

- 13A. Consideration and possible action regarding the Co-Op.

- 13B. Consideration and possible action regarding Project History.

- 13C. Consideration and possible action regarding the Manville Water Supply Corporation lawsuit, waterline easement request, and the repeated illegal disclosure of City documents.

14. **ADJOURNMENT**

**CERTIFICATION**

I certify that this notice of the June 20, 2019 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on June 17, 2019 at 5:20p.m.

  
\_\_\_\_\_  
Lynn Trumbul, Senior Assistant City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4389 or [lacie.hale@huttotx.gov](mailto:lacie.hale@huttotx.gov) for assistance.

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 6A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Director of Economic Development, Jessica Bullock

**ITEM:**

Presentation regarding the Sports and Health District and Perfect Game Mix Use Deal

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

Since the announcement of the Perfect Game deal, City staff, Wolverine Interests, and the Perfect Game team have diligently worked through the next steps to achieve a opening date of Memorial Day 2021.

This item is to provide an update on how the project will be financed and the development schedule.

**BUDGETARY AND FINANCIAL SUMMARY:**

This project will be financed using a Public Improvement District and a Tax Increment Reinvestment Zone.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

Applicable advisory board recommendations will be sought at a later date as applicable. At this time, board recommendations are not needed.

**CITY ATTORNEY REVIEW:**

**STAFF RECOMMENDATION:**

This item is intended to serve as a project update and does not require action at this time.

**SUPPORTING MATERIAL:**

There are no supporting documents.

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

# CITY OF HUTTO

## CITY COUNCIL AGENDA

**AGENDA ITEM NO.:** 6B.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

**ITEM:**

Presentation from Hutto Arts Today. (Linda Rosenbusch)

**STRATEGIC GUIDE**  
**POLICY:**

**ITEM BACKGROUND:**

### **BUDGETARY AND FINANCIAL SUMMARY:**

No budgetary or financial impacts.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

No recommendations from other committees or advisory board.

**CITY ATTORNEY REVIEW:**

**STAFF RECOMMENDATION:**

**SUPPORTING MATERIAL:**

There are no supporting documents.

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 6C.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Michel Sorrell, Chief Financial Officer

**ITEM:**

Presentation of the City Financials for the Month of May as required by the fiscal and budgetary policy. (Michel Sorrell)

**STRATEGIC GUIDE  
POLICY:**

Fiscal Responsibility

**ITEM BACKGROUND:**

Financials for the month of April 2019 consisting of the Balance Sheets, Income Statements, and Fund Balances. The purpose is to inform the Council and public of the City's fiscal stewardship.

**BUDGETARY AND FINANCIAL SUMMARY:**

Overall activity is in line with expectations.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

There is no recommendation required from the boards.

**CITY ATTORNEY REVIEW:**

The City Attorney is not required to review.

**STAFF RECOMMENDATION:**

There is no staff recommendation required. The presentation of monthly financials is part of the Fiscal and Budgetary Policy.

**SUPPORTING MATERIAL:**

There are no supporting documents.

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| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:**

7A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

Ashley Lumpkin, AICP, Executive Director of Infrastructure & Development Services

**ITEM:**

Consideration of a public hearing and possible action on the first reading of an ordinance approving a specific use permit for the property located on FM 1660 North (HISD Property), 165.0 acres, more or less, of land, allowing a school in the SF-1 (Single Family Residential) zoning district. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

**Property Owner:** Hutto Independent School District

**Current Land Use:** Undeveloped

**Proposed Land Use:** 9<sup>th</sup> Grade Center, with future plans for full High School Campus

**Future Land Use Designation:** Institutional

**Current Zoning:** Single Family (SF-1)

**Surrounding Land Use and Zoning:**

**North:** FM 1660 and Jonah SUD Facility

**South:** Mustang Creek Subdivision (Church Tract, Daycare and Residential)

**East:** ETJ Farmland (Development Agreement)

**West:** ETJ (Farmland)

### **Summary of Request**

The property is approximately 165 acres of land, currently being platting and developed for the new Hutto ISD 9<sup>th</sup> Grade Center with long term plans to include a full high school campus. The Specific Use Permit request is to allow a school in the Single Family zoning category.

A Specific Use Permit request is evaluated with the following criteria:

- The proposed use conforms to this code and is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
  - The current Future Land Use Map identifies this area as Institutional. The requested use is in compliance.
- The proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
  - The proposed use is permitted by SUP in the SF-1 zoning district per UDC.
- The site is a legal building lot.
  - The property is currently going through the platting process and will be a legal lot once the plat is recorded.

All property owners within 200-feet have been notified by mail of the proposed specific use permit request. If responses are submitted staff will share them at the meeting, at the time of publishing the packet, staff had not received any communication for or against the request. Published notice of the request was placed in the Taylor Daily Press and on the City of Hutto website.

### **BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2018.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the first reading of the ordinance. The Council may dispense with the second reading of the ordinance.

**SUPPORTING MATERIAL:**

1. [Notice Posted](#)
2. [Ordinance - Hutto Independent School District - Specific Use Permit](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

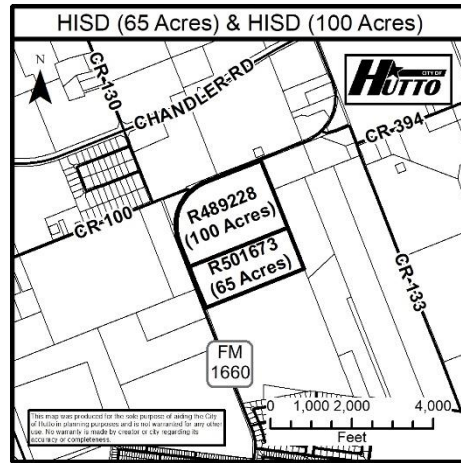
The request for a Specific Use Permit to allow a school in the SF-1 (Single Family Residential) zoning district at the property known as FM 1660 North (HISD Property), 165.0 acres, located at on FM 1660 North.

A public hearing will be held on  
**June 20, 2019 at 7:00 p.m.**

Hutto City Hall  
500 W. Live Oak Street, Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or [planning@huttotx.gov](mailto:planning@huttotx.gov)

Publication Date: June 2, 2019



## **ORDINANCE NO.**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A SCHOOL IN THE SF-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT ON 165.0 ACRES, MORE OR LESS, OF LAND, KNOWN AS THE HUTTO INDEPENDENT SCHOOL DISTRICT (HISD) PROPERTY, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A PUBLICATION CLAUSE, SEVERABILITY CLAUSE, REPEALING CLAUSE, OPEN MEETING CLAUSE, PENALTY CLAUSE AND EFFECTIVE DATE.**

**WHEREAS**, a request has been made to the City Council of the City of Hutto, Texas to grant a Specific Use Permit to allow a school on the property known as the HISD property, described in Exhibit "A", being attached hereto and incorporated herein, and;

**WHEREAS**, on the 11th day of June, 2019, after proper notification, the Planning and Zoning Commission held a public hearing on the proposed Specific Use Permit request, and;

**WHEREAS**, the Planning and Zoning Commission recommended approval of the proposed Specific Use Permit request on the 11th day of June, 2019, and;

**WHEREAS**, on the 20th day of June, 2019, after proper notification, the City Council held a public hearing on the proposed Specific Use Permit request, and;

**WHEREAS**, the City Council determines that the regulations provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

**WHEREAS**, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Article 14.02.002, Code of Ordinances (2007 Edition), City of Hutto, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

### **SECTION I.**

#### **1.**

In accordance with the Unified Development Code Sections 10.203.18 and 10.204.2, the City Council has considered and made findings on the following matters regarding the proposed Specific Use Permit request:

##### **10.203.18.3 Criteria**

- The proposed use conforms to the Unified Development Code and is consistent with the comprehensive, neighborhood and other applicable land use and development plans.
- The proposed use is compatible with existing and permitted uses in the surrounding area and would not adversely affect property near the site.
- The site is a legal building lot.

##### **10.203.18.5 Conditions**

- The Planning and Zoning Commission and/or City Council may impose conditions on a specific use permit.

- Specific use permit approval does not run with the land, and expires with the end of the approved use.

#### 10.203.18.6 Amendments

- Technical or engineering considerations during construction may call for minor deviations from approved specific use permits. Development Services staff may approve minor deviations if they conform to City regulations, and are consistent with the intent of the original specific use permit approval.
- Changes to approved specific use permits that Development Services staff finds are not minor deviations, including Planning and Zoning Commission imposed conditions, require approval through specific use permit review process, requiring a new application.

#### 10.204.2 Effective date and expiration

- Specific use permits expire one (1) year from the date of approval by City Council.

### 2.

This Specific Use Permit request is subject to the conditions as identified by the City Council and incorporated herein. No permits shall be issued unless all of the following requirements are satisfied:

- Any future development, other than the use specified for this request, on the lot is required to obtain City Council approval prior to permitting.

### **SECTION II. Publication Clause**

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

### **SECTION III. Severability Clause**

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

### **SECTION IV. Repealing Clause**

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

### **SECTION V. Open Meeting Clause**

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

## **SECTION VI. Effective Date**

This ordinance shall take effect and be in force from and after its passage.

**READ** and **APPROVED** on first reading on this the **20th** day of **June, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

By motion duly made, seconded and passed with an affirmative vote of all the Councilmembers present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED** and **ADOPTED** on first reading of ordinance this **20th** day of **June, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

**THE CITY OF HUTTO, TEXAS**

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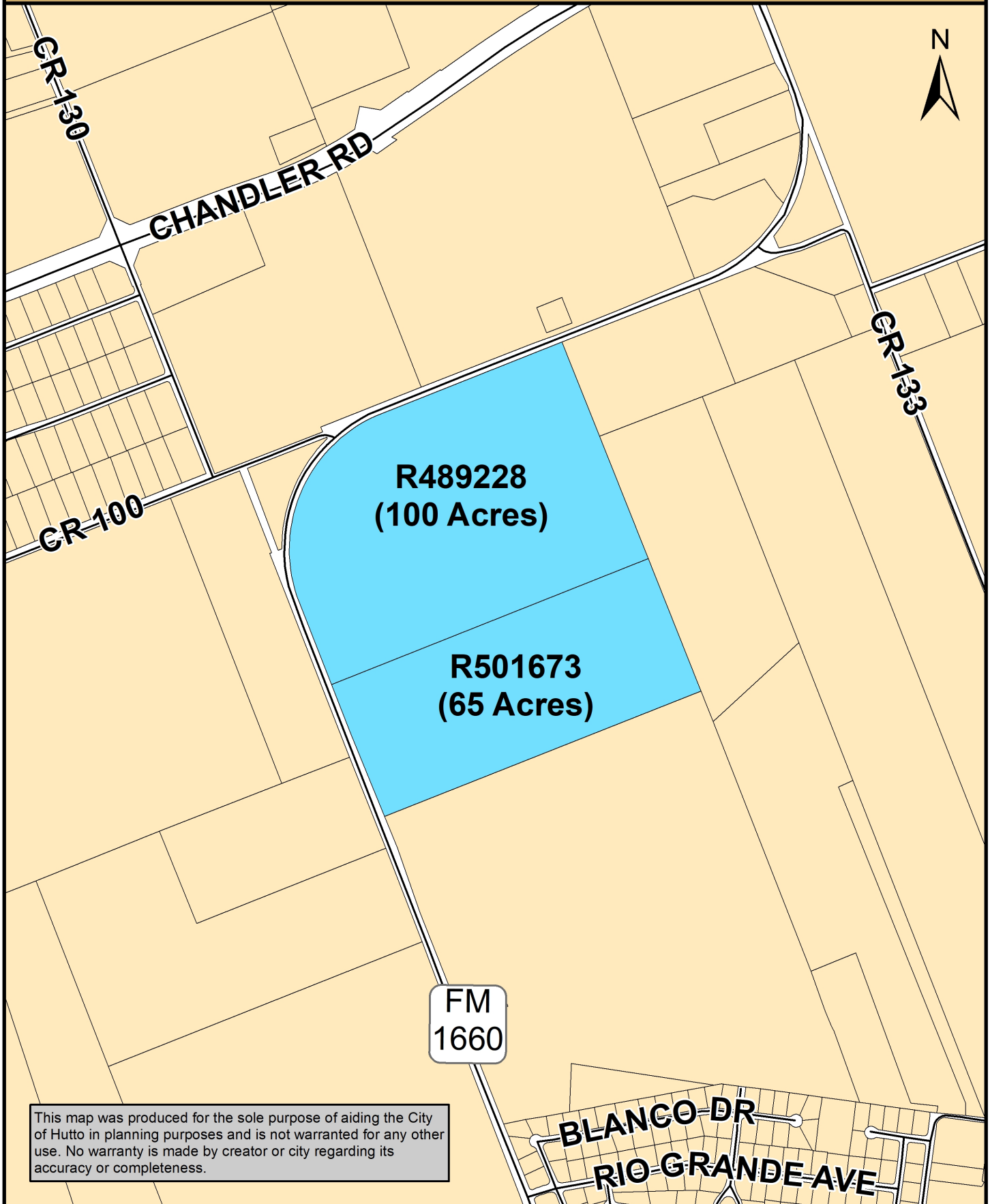
Doug Gaul, Mayor

Attest:

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Lacie Hale, City Secretary

# HISD (65 Acres) & HISD (100 Acres)



This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.



FIELD NOTE DESCRIPTION  
**65.00 ACRES OF LAND**  
JOHN DYKES SURVEY, A-186  
WILLIAMSON COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF 65.00 ACRES OF LAND OUT OF THE JOHN DYKES SURVEY, ABSTRACT NO. 186, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 238 ACRE TRACT, CALLED TRACT 1, AND THAT CERTAIN 100 ACRE TRACT, CALLED TRACT 2, CONVEYED TO IVER E. WALLIN IN AN EXECUTOR'S DEED RECORDED IN DOCUMENT NUMBER 2001059720 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. THE SAID 65.00 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the west line of the said Tract 1, the same being the east right-of-way line of F.M. 1660 and that certain tract conveyed to the State of Texas recorded in Volume 476, Page 593 of the Deed Records of Williamson County, Texas and being at the southwest corner of that certain 100.00 acre tract conveyed to Hutto Independent School District by deed recorded in Document Number 2007069800 of the Official Public Records of Williamson County, Texas, from which a broken concrete right-of-way monument found on the east line of the said State of Texas tract and F.M. 1660 bears N 19°59'59" W, 670.13 feet;

THENCE, N 70°00'01" E, a distance of 2599.79 feet, crossing the said Tract 1 and Tract 2, along the south line of the said 100 acre Hutto Independent School District tract to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the west line of that certain 27.36 acre tract described in a deed to Howard R. Sladek recorded in Volume 866, Page 661 of the Deed Records of Williamson County, Texas at the southeast corner of the said 100 acre Hutto Independent School District tract;

THENCE, S 20°14'32" E, a distance of 1087.87 feet along the west line of the said 27.36 acre Sladek tract, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. for the southeast corner of the herein described tract, from which a 1 inch diameter steel pin found on the west line of the said 27.36 acre Sladek tract at the southeast corner of the said Tract 2 bears S 20°14'32" E, 133.69 feet;

THENCE, S 70°00'01" W, a distance of 2607.25 feet, crossing the said Tract 1 and Tract 2, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the west line of the said Tract 1, the same being the east right-of-way line of F.M. 1660, from which a broken concrete right-of-way monument found on the east line of F.M. 1660 bears S 19°39'22" E, 1595.63 feet;

THENCE, along the east right-of-way line of F.M. 1660, the same being the east line of the said tract conveyed to the State of Texas in Volume 476, Page 593 of the Deed Records of Williamson County, Texas, the following two (2) courses and distances:

- 1) N 19°39'22" W, 476.07 feet to a broken concrete right-of-way monument found;
- 2) N 19°59'59" W, 611.80 feet to the **PLACE OF BEGINNING**, containing 65.00 acres of land, more or less.

BEARINGS ARE BASED ON NORTH, N.A.D. 83 BY GPS METHODS.

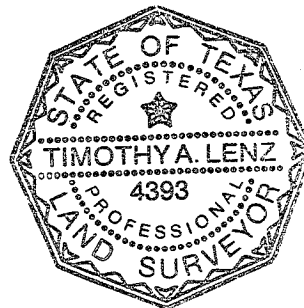
I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION.

  
TIMOTHY A. LENZ, R.P.L.S. No. 4393  
Lenz & Associates, Inc  
1714 Fort View Road, Suite 200  
Austin, Texas 78704

5-4-09

DATE

2007-0529.doc(65ac)



J O H N                  D Y K | E S                  S U R V E Y                  A — 1 | 8 6

S70°00'01"W~2607.25'

EXECUTOR'S DEED  
IVER E. WALLIN  
(100.00 ACRES)  
D.O.C. No. 2001059720  
TRACT 2  
  
(100 ACRES)  
VOL 465 PG. 215  
  
(100 ACRES)  
VOL 279 PG. 599

EXECUTOR'S DEED  
IVER E. WALLIN  
(238 ACRES)  
DOC. No. 2001059720  
TRACT 1  
  
(237.73 ACRES)  
VOL. 541 PG. 514  
VOL. 541 PG. 514

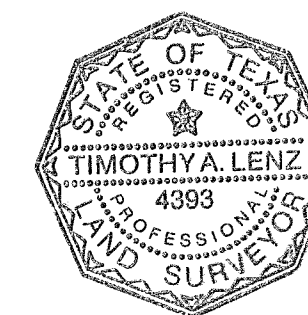
1) The location of the underground telephone line shown hereon is from information shown on TxDOT right-of-way map, approved date August 3, 1965. The surveyor did not attempt to prove the existence and/or location of this line.

Volume 279, Page 467, Williamson County Deed Records  
Volume 485, Page 403, Williamson County Deed Records  
Volume 1582, Page 223, Official Records Williamson County, Texas.

Volume 563, Page 685, Deed Records of Williamson County, Texas  
Volume 563, Page 687, Deed Records of Williamson County, Texas

TO THE OWNER AND/OR LEASHOLDER AND INDEPENDENCE TITLE COMPANY  
THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF  
TEXAS, HEREBY STATES THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND BY ME  
OR UNDER MY SUPERVISION AND THAT VISIBLE AND APPARENT IMPROVEMENTS, UTILITIES,  
AND/OR ROADWAYS ARE SHOWN HEREON, AND THAT, EXCEPT AS SHOWN HEREON, THIS  
PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY. THIS  
SURVEY IS IN COMPLIANCE WITH THE MINIMUM STANDARDS AS SET FORTH BY THE  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

5-4-09



**LENZ & ASSOCIATES, INC.**

 (512) 443-1174  
1714 FORT VIEW RD., SUITE 200  
AUSTIN, TEXAS 78704

SURVEY #: 2007-0529B

F.B.

FIELD NOTES TO ACCOMPANY MAP OF SURVEY  
**100.00 ACRES OF LAND**  
JOHN DYKES SURVEY, A-186  
WILLIAMSON COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF 100.00 ACRES OF LAND OUT OF THE JOHN DYKES SURVEY, ABSTRACT NO. 186, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 238 ACRE TRACT, CALLED TRACT 1, AND THAT CERTAIN 100 ACRE TRACT, CALLED TRACT 2, CONVEYED TO IVER E. WALLIN IN AN EXECUTOR'S DEED RECORDED IN DOCUMENT NUMBER 2001059720 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. THE SAID 100.00 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the south right-of-way line of F.M. 1660 on the east line of the said Tract 2 at the southeast corner of that certain portion of Tract 2 conveyed to the State of Texas by deed recorded in Volume 476, Page 578 of the Deed Records of Travis County, Texas, the same being an interior corner of that certain 163.89 acre tract conveyed to Richard H. Kruger & wife, Frances M. Kruger by deed recorded in Volume 491, Page 547 of the Deed Records of Williamson County, Texas, from which an iron pipe found extending approximately two feet above the ground bears N 20°05'05" W, 1.17 feet and a concrete right-of-way monument found on the north right-of-way line of F.M. 1660 bears N 69°45'55" E, 1209.66 feet and then N 20°14'05" W, 80.00 feet;

THENCE, S 20°05'05" E, a distance of 775.25 feet to a 1 inch diameter steel pin found at the southerly southwest corner of the said 163.89 acre Kruger tract, the same being the northwest corner of that certain 14.00 acre tract described in a Contract for Sale to Howard Ray Sladek recorded in Volume 867, Page 747 of the Deed Records of Williamson County, Texas;

THENCE, S 20°14'32" E, a distance of 1007.92 feet along the west line of the said 14.00 acre Sladek tract and then the west line of that certain 27.36 acre tract described in a deed to Howard R. Sladek recorded in Volume 866, Page 661 of the Deed Records of Williamson County, Texas, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc., from which a 1 inch diameter steel pin found on the west line of the said 27.36 acre Sladek tract at the southeast corner of the said Tract 2 bears S 20°14'32" E, 1221.56 feet;

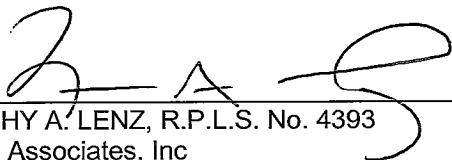
THENCE, S 70°00'01" W, a distance of 2599.79, crossing the said Tract 1 and Tract 2, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on the west line of the said Tract 1, the same being the east right-of-way line of F.M. 1660 and that certain tract conveyed to the State of Texas recorded in Volume 476, Page 593 of the Deed Records of Williamson County, Texas, from which a broken concrete right-of-way monument found on the east line of the said State of Texas tract and east right-of-way line of F.M. 1660 bears S 19°59'59" E, 611.80 feet;

THENCE, along the east and south right-of-way lines of F.M. 1660, the same being the east and south lines of the said tracts conveyed to the State of Texas in Volume 476, Page 593 and Volume 476, Page 578 of the Deed Records of Williamson County, Texas, the following three (3) courses and distances:

- 1) N 19°59'59" W, 670.13 feet to a concrete right-of-way monument found;
- 2) With a curve to the right, having a central angle of 89°48'20", a radius of 1106.28 feet, an arc of 1733.99 feet and a chord bearing and distance of N 24°52'12" E, 1561.86 feet to a broken concrete right-of-way monument found;
- 3) N 69°45'55" E, 1492.50 feet to the **PLACE OF BEGINNING**, containing 100.00 acres of land, more or less.

BEARINGS ARE BASED ON NORTH, N.A.D. 83 BY GPS METHODS.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION.

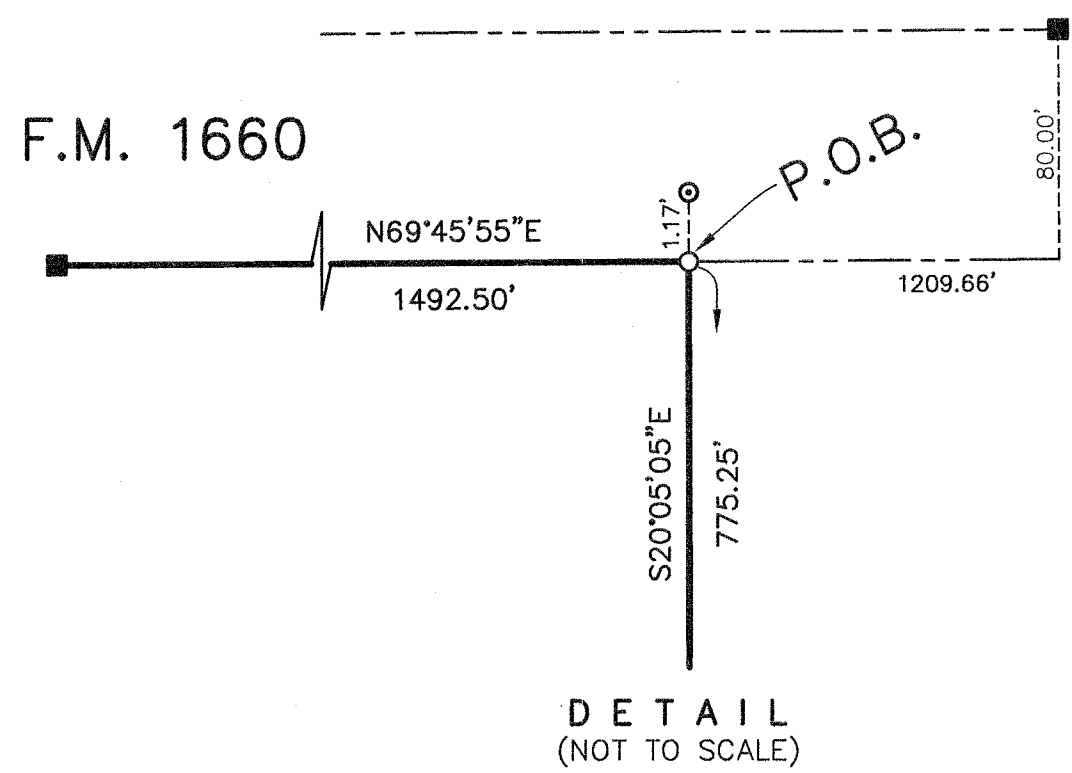
  
TIMOTHY A. LENZ, R.P.L.S. No. 4393  
Lenz & Associates, Inc  
1714 Fort View Road, Suite 101  
Austin, Texas 78704  
(2007-0529.doc)

7-11-07

DATE

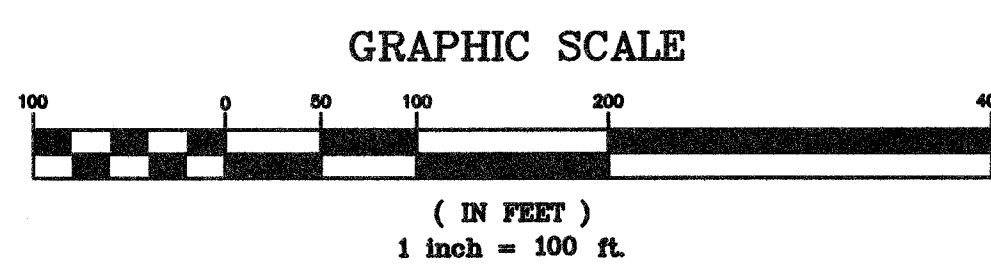






LEGEND

- CONCRETE MONUMENT FOUND
- 1/2" STEEL PIN FOUND (UNLESS NOTED)
- 1/2" STEEL PIN SET W/CAP MARKED LENZ & ASSOC.
- PIPE FOUND
- WOOD FENCE
- NAIL FOUND
- CHAIN LINK FENCE
- WIRE FENCE
- WROUGHT IRON FENCE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- BUILDING LINE
- POWER POLE
- OVERHEAD UTILITY LINE
- DOWN DIRT
- (BRG-DIST) RECORD CALL
- MARKER
- WATER VALVE
- UNDERGROUND TELEPHONE
- UNDERGROUND CABLE



(163.89 AC.)  
RICHARD H. KRUGER & WIFE  
FRANCES M. KRUGER  
VOL. 491, PG. 547

(163.89 AC.)  
RICHARD H. KRUGER & WIFE  
FRANCES M. KRUGER  
VOL. 491, PG. 547

CONTRACT OF SALE  
(14.00 AC.)  
HOWARD RAY SLADEK  
VOL. 867, PG. 747

(27.36 AC.)  
HOWARD R. SLADEK  
& WIFE, BRENDA SLADEK  
VOL. 866, PG. 661

100.00 ACRES

EXECUTOR'S DEED  
IVER E. WALLIN  
(123.8 ACRES)  
DOC. No. 2001059720  
TRACT 1  
(237.73 ACRES)  
VOL. 541  
PG. 519

EXECUTOR'S DEED  
IVER E. WALLIN  
(100.00 ACRES)  
DOC. No. 2001059720  
TRACT 2  
(100 ACRES)  
VOL. 465 PG. 215  
(100 ACRES)  
VOL. 279 PG. 599

JOHN DYKES SURVEY A - 186

NOTES

1) The location of the underground telephone line shown hereon is from information shown on 1:5000 right-of-way map, approved date August 3, 1965. The surveyor did not attempt to prove the existence and/or location of this line.

2) This tract described hereon is not subject to the following easements to Texas Power & Light:

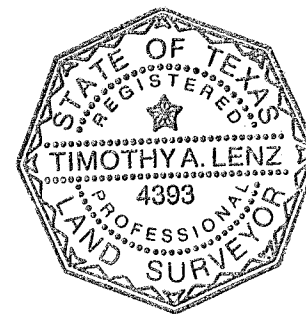
Volume 279, Page 467, Williamson County Deed Records  
Volume 485, Page 403, Williamson County Deed Records  
Volume 1582, Page 223, Official Records Williamson County, Texas.

3) The tract described hereon is subject to the following pipeline easements to Jonah Water Supply Corp. to be 15 feet wide along the pipeline as installed. The existence and/or location of the pipeline is not known to surveyor.

Volume 563, Page 684, Deed Records of Williamson County, Texas  
Volume 563, Page 685, Deed Records of Williamson County, Texas  
Volume 563, Page 687, Deed Records of Williamson County, Texas

TO THE OWNER AND/OR LIENHOLDER AND INDEPENDENT TITLE COMPANY  
THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATES THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND THAT VISIBLE AND APPARENT IMPROVEMENTS, UTILITIES, AND/OR ROADWAYS ARE SHOWN HEREON, AND THAT, EXCEPT AS SHOWN HEREON, THIS PROPERTY HAS ACCESS TO AND FROM A PUBLIC ROADWAY.  
THIS SURVEY IS IN COMPLIANCE WITH THE MINIMUM STANDARDS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

TIMOTHY A. LENZ, R.P.L.S. #4383  
DATE 7-11-07



REFERENCE: HUTTO INDEPENDENT SCHOOL DISTRICT  
G.F. No.: 0707178-HUT  
ADDRESS: F.M. 1660

LEGAL DESC: 100.00 ACRES OUT OF THE JOHN DYKES SURVEY, ABSTRACT No. 186, WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

LENZ & ASSOCIATES, INC.

COMPLETE PROFESSIONAL LAND SURVEYING SERVICES

(512) 443-1174  
1714 FORT VIEW RD., SUITE 200  
AUSTIN, TEXAS 78704

SURVEY #: 2007-0529 F.B. 803/69



## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 7B.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

**ITEM:**

Consideration of a public hearing and possible action on the first reading of an ordinance regarding the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on June 20, 2019.

The next step in the voluntary annexation process is to hold the second public hearing and conduct the second and final reading of the annexation ordinance. An annexation ordinance requires a second reading prior to final approval.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

There are no related advisory board recommendations for this item.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the first reading of the ordinance.

**SUPPORTING MATERIAL:**

1. [Notice Posted](#)
2. [Ordinance - Riverwalk South Annexation \(118.971 acres\)](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



## PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 118.971 acres and to establish base zoning as SF-1 (Single Family Residential) heretofore referred to as Riverwalk South, to-wit:

The Riverwalk South property (118.971 acres) described as being situated in the John Kelsey Survey, Abstract No. 377, in Williamson County, Texas.

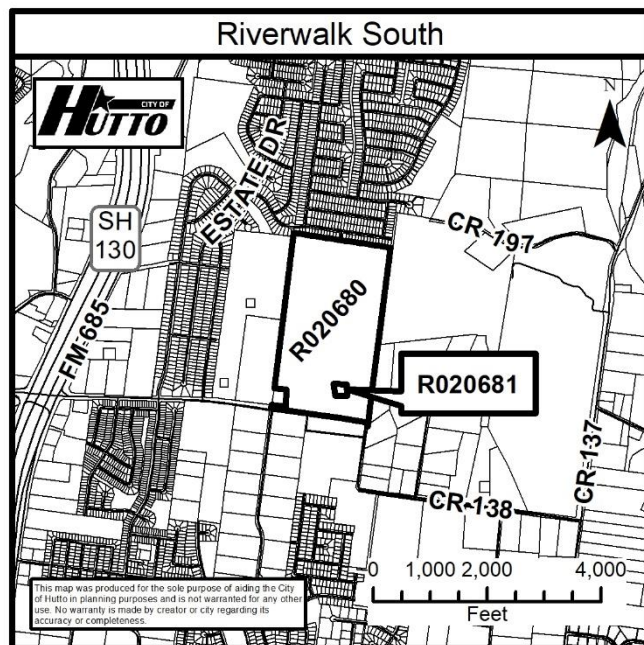
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on  
June 20, 2019 at 7:00 p.m.

Hutto City Hall  
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or [planning@huttotx.gov](mailto:planning@huttotx.gov)

Publication Date: June 2, 2019



## ORDINANCE NO.

**AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 118.971 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT “A”, ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO’S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, the City of Hutto, Texas (the “City”) is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter, and;

**WHEREAS**, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 118.971 acres, more or less, of land, situated in the John Kelsey Survey, Abstract No. 377, in Williamson County, Texas (the “Property”), said Property being situated in Williamson County, Texas, and being more particularly described in **Exhibit “A”** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

**WHEREAS**, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

**WHEREAS**, the City Council of the City of Hutto by resolution directed the City’s Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit “B”** attached hereto and made part hereof by reference for all purposes, and;

**WHEREAS**, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

**WHEREAS**, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

**WHEREAS**, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

**WHEREAS**, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit “A”** should become annexed.



**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**SECTION I.**

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

**SECTION II.**

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as SF-1 (Single Family Residential) Zoning District.

**SECTION III.**

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

**SECTION IV.**

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

**SECTION V.**

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

**SECTION VI.**

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

## **SECTION VII.**

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

## **SECTION VIII.**

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

## **SECTION IX.**

This ordinance shall take effect and be in force from and after its passage.

**READ** and **APPROVED** on first reading on this the **20th** day of **June, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

**READ, PASSED** and **ADOPTED** on second reading of ordinance this **11th** day of **July, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

**CITY OF HUTTO, TEXAS**

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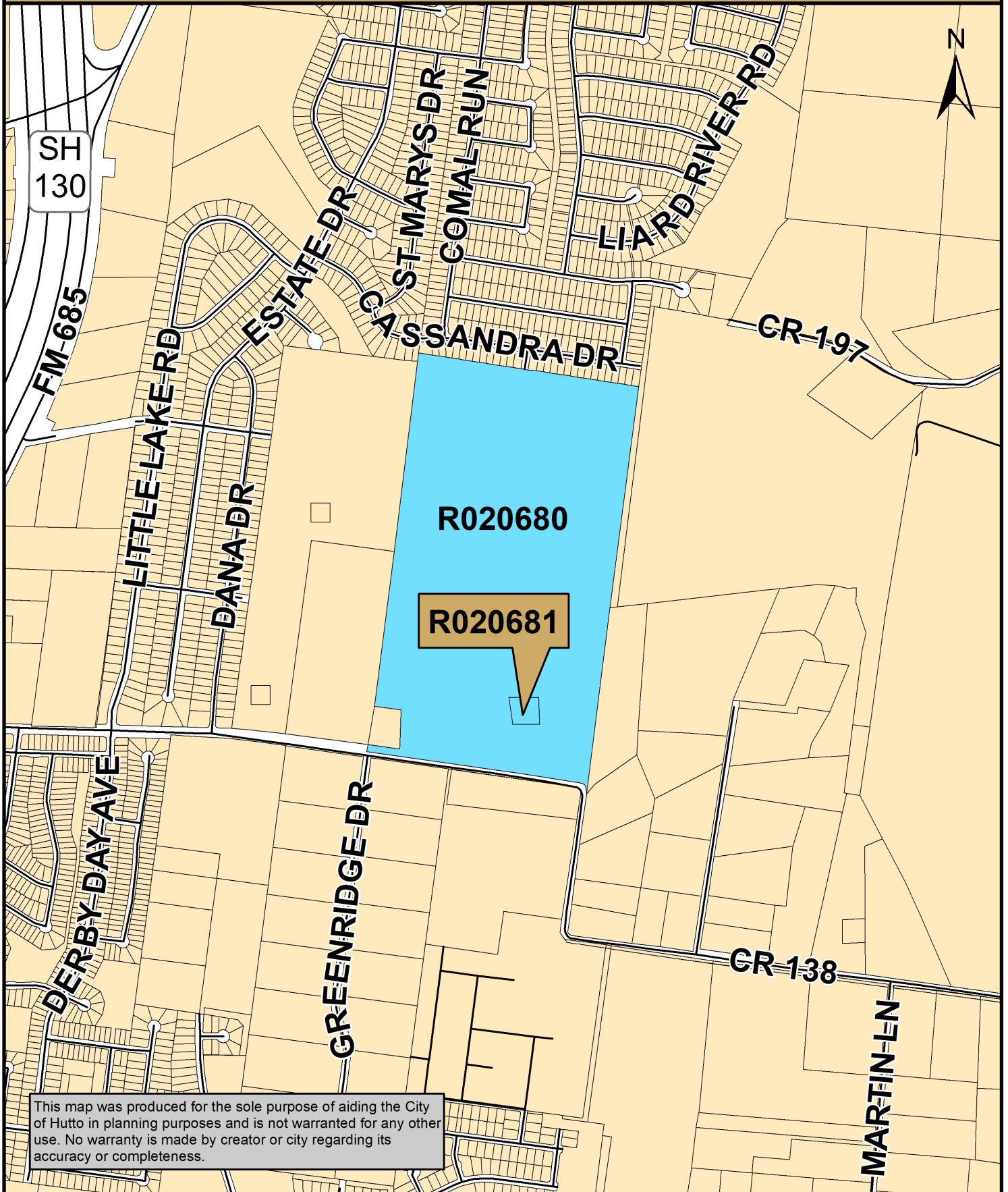
Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary

# Riverwalk South





Date: Mar 04, 2019, 3:42pm User: ID: jpricorda  
File: H:\Survey\Civil\51061-00 Land Title Survey\BS-5106100.dwg

FIELD NOTES  
FOR

A 118.971 ACRE, OR 5,182,372 SQUARE FOOT, TRACT OF LAND BEING ALL OF THE REMNANT PORTION OF A CALLED 120.7058 ACRE TRACT CONVEYED TO JOSEPH F. GIBNEY AND JUDITH A. GIBNEY, IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2726, PAGE 76 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS, SAID 118.971 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE;

BEGINNING at an iron rod with cap marked "Bryan Tech" found on a point in the northwest corner of a called 0.365 acre tract recorded in Document No. 2016037486 of the Official Public Records of Williamson County, Texas, same being a point in the east boundary line of a remnant portion of a called 75.35 acre tract recorded in Document No. 2007040774 of the Official Public Records of Williamson County, Texas, also being a west corner of said remnant portion of a 120.7058 acre tract for a west corner and POINT OF BEGINNING hereof;

THENCE N 07°28'47" E, with the east boundary line of said remnant portion of a 75.35 acre tract, same being the west boundary line of said remnant portion of a 120.7058 acre tract, at a distance of 2648.31 feet, passing through the northeast corner of said remnant portion of a 75.35 acre tract, continuing with the west boundary line of the aforementioned remnant portion of a 120.7058 acre tract, for a total distance of 2705.44 feet to an iron rod with cap marked "RJ Surveying" found on a point in the east boundary line of Lakeside Estates, Section Three, a subdivision according to the plat recorded in Document No. 2002048767 of the Official Public Records of Williamson County, Texas, also being the southwest corner of Riverwalk Phase 3, Section 4, a subdivision according to the plat recorded in Document No. 2017016719 of the Official Public Records of Williamson County, Texas, for the northwest corner hereof;

THENCE S 81°28'31" E, with the south boundary line of said Riverwalk, Phase 3, Section 4, same being the north boundary line of said remnant portion of a 120.7058 acre tract, at a distance of 853.55 feet, passing through an iron rod with cap marked "RJ Surveying" found on the southeast corner of said Riverwalk, Phase 3, Section 4, same being the southwest corner of Riverwalk, Phase 3, Section 5, a subdivision according to the plat recorded in Document No. 2017016719 of the Official Public Records of Williamson County, Texas, continuing with the south boundary line of the aforementioned Riverwalk, Phase 3, Section 5, for a total distance of 1701.09 feet to a 600 nail found on a point in the west boundary line of a called 307.5795 acre tract recorded in Document No. 2016098133 of the Official Public Records of Williamson County, Texas, for the northeast corner hereof;

THENCE S 07°35'18" W, in part with the west boundary line of said 307.5795 acre tract, and in part with the west boundary line of a called 10.0 acre tract recorded in Volume 2364, Page 184 of the Official Records of Williamson County, Texas, same being the east boundary line of said remnant portion of a 120.7058 acre tract, a distance of 3098.34 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the north margin of County Road 138, a variable width right-of-way, for the southeast corner hereof;

THENCE N 81°22'41" W, with the north margin of said County Road 138, same being the south boundary line of said remnant portion of a 120.7058 acre tract, a distance of 1695.27 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the southwest corner of said remnant portion of a 120.7058 acre tract, said point being the southeast corner of a called 1.210 acre tract recorded in Document No. 2009062923 of the Official Public Records of Williamson County, Texas for the southwest corner hereof;

THENCE N 07°28'47" E, departing the north margin of said County Road 138, with the east boundary line of said 1.210 acre tract, a distance of 60.10 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the southwest corner of a called 1.377 acre tract recorded in Document No. 2006109103 of the Official Public Records of Williamson County, Texas for a west corner hereof;

THENCE S 82°25'12" E, with the south boundary line of said 1.377 acre tract, at a distance of 200.00 feet passing through the southwest corner of a said 0.365 acre tract, continuing with the south boundary line of the aforementioned 0.365 acre tract, same being a north boundary line of said remnant portion of a 120.7058 acre tract, for a total distance of 230.03 feet to a 1/2" iron rod found for a west corner hereof;

THENCE N 07°28'46" E, with the east boundary line of said 0.365 acre tract, same being a west boundary line of said remnant portion of a 120.7058 acre tract, a distance of 330.11 feet to an iron rod with cap marked "Bryan Tech" found on a point in the northeast corner of said 0.365 acre tract, for a west corner hereof;

THENCE N 82°26'35" W, with the north boundary line of said 0.365 acre tract, same being a south boundary line of said remnant portion of a 120.7058 acre tract, a distance of 230.03 feet to the POINT OF BEGINNING, and containing 118.971 acres in Williamson County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape Dawson Engineers, Inc. under Job No. 51061-00

REFERENCES :

This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

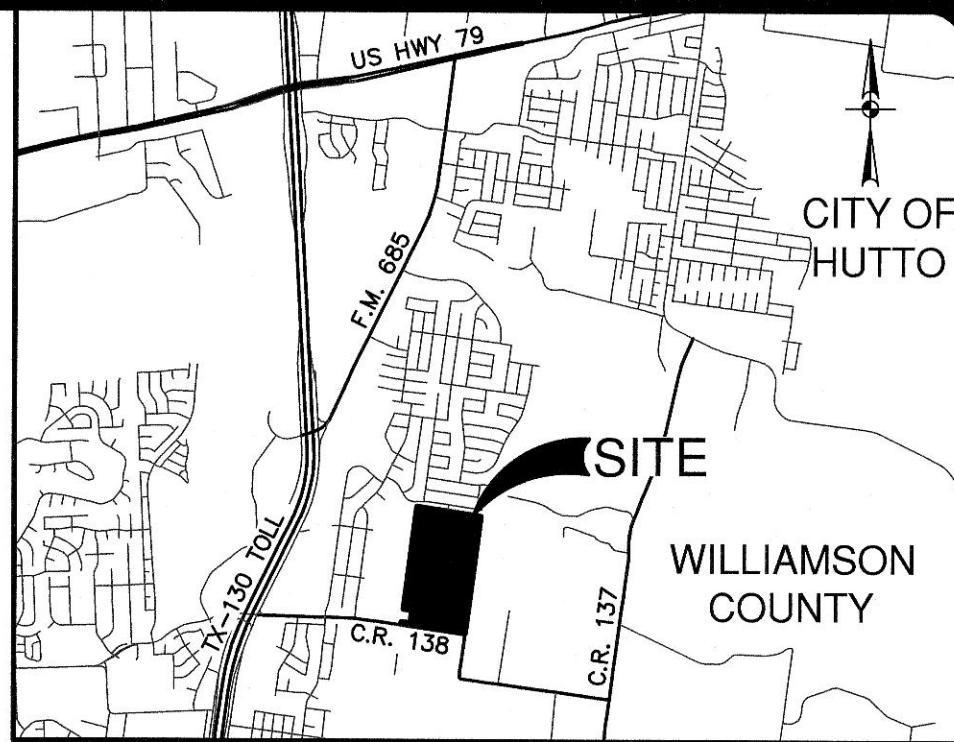
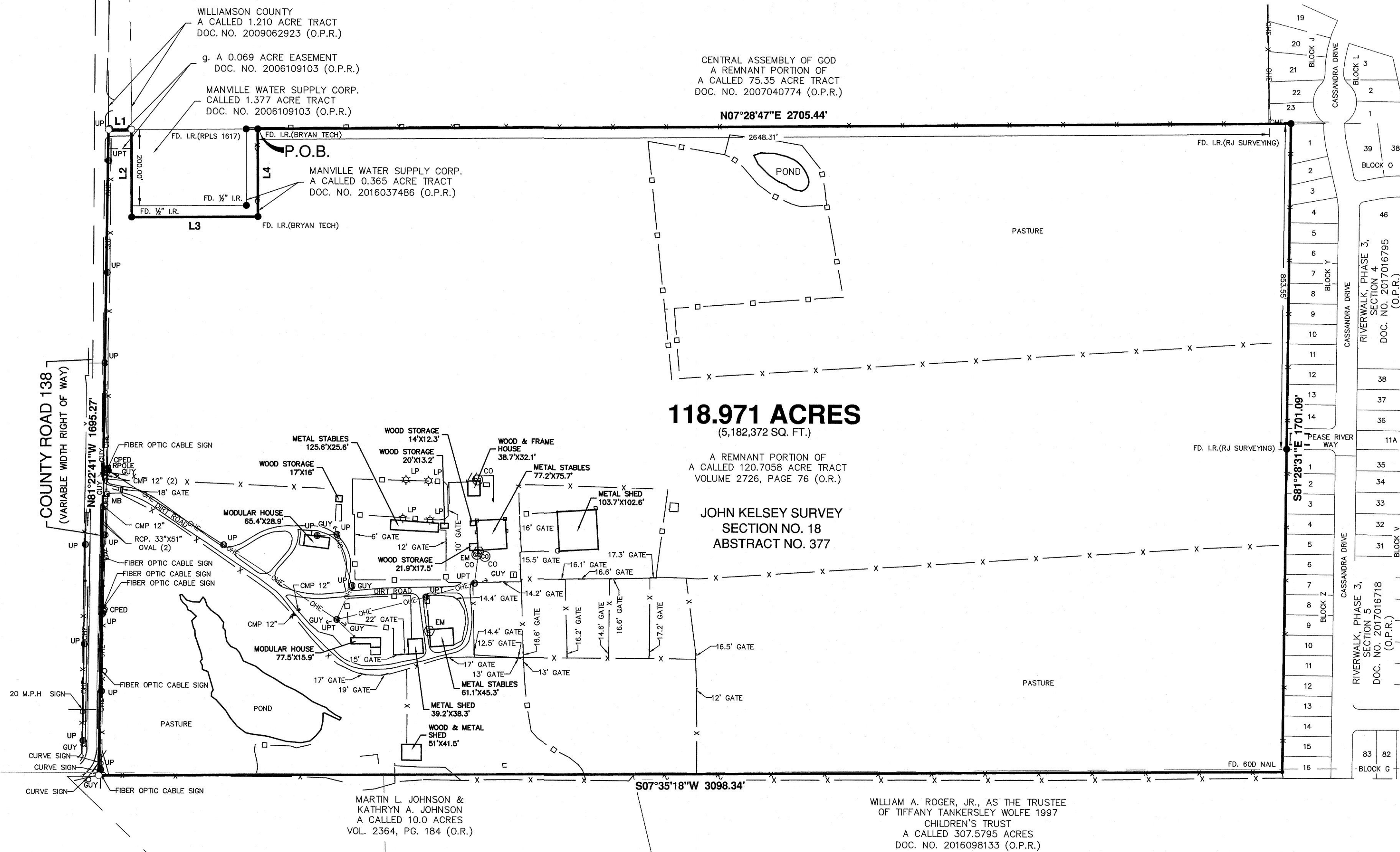
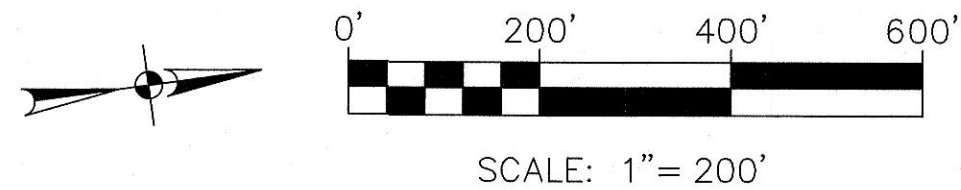
Title Commitment: GF No. 1900301-COM  
Stewart Title Guaranty Company  
Date issued: February 21, 2019  
Date Effective: February 9, 2019

10. The following matters and all terms of the documents creating or offering evidence of the matters:

- Rights of Parties in Possession. (Not under the purview of the undersigned).
- Rights of tenants, as tenants only, under any and all unrecorded leases or rental agreements. (Not under the purview of the undersigned).
- Any visible and apparent easement, either public or private, located on or across the land, the existence of which is not disclosed by the Public Records as herein defined. (Not under the purview of the undersigned).
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land. (Visible improvements are as shown hereon. The undersigned offers no opinion as to whether or not any improvement constitute an encroachment).
- Any portion of subject property lying within the boundaries of a dedicated or undedicated public or private roadway. (Boundary lines of subject property are as shown hereon).
- Easement:  
Recorded: Volume 774, Page 930, Deed Records, Williamson County, Texas.  
To: Manville Water Supply Corp.  
Purpose: pipeline (The location of this easement cannot be determined from the record document).
- Easement:  
Recorded: Document No. 2006109103, Official Public Records, Williamson County, Texas.  
Purpose: access (As shown hereon).
- Deleted.
- The liability insofar as the manufactured home is effective only as long as the home remains affixed to the subject property described herein. (Not under the purview of the undersigned).
- Deleted

NOTES:

- 1/2" IRON ROD WITH 'YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.
- THE SUBJECT PROPERTY IS NOT IN A FLOOD ZONE(S) AS DEPICTED ON THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBERS 48491C0515E, 48491C0520E AND 48491C0675E, ALL WITH EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
- ADJOINERS SHOWN ARE FOR INFORMATIONAL PURPOSE ONLY.
- EASEMENTS THAT THE SURVEYOR HAS KNOWLEDGE ARE SHOWN OR NOTED HEREON.



LOCATION MAP  
SCALE: 1" = 5,000'

LEGEND

|                   |                   |
|-------------------|-------------------|
| FD.               | FOUND             |
| I.R.              | 1/2" IRON ROD     |
| I.P.              | IRON PIPE         |
| (PD)              | PAPE-DAWSON CAP   |
| SET 1/2" I.R.(PD) | SET 1/2" I.R.(PD) |
| FOUND             | FOUND             |

DEED/PLAT REFERENCE

O.R. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS  
O.P.R. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

SYMBOL LEGEND

|                                                |                                                |
|------------------------------------------------|------------------------------------------------|
| CO                                             | SANITARY SEWER CLEANOUT                        |
| GATE                                           | GATE                                           |
| GUY ANCHOR                                     | GUY ANCHOR                                     |
| RISER POLE                                     | RISER POLE                                     |
| ADVERTISING/ROAD/UTILITY SIGN WITH DESCRIPTION | ADVERTISING/ROAD/UTILITY SIGN WITH DESCRIPTION |
| UP                                             | UTILITY POLE                                   |
| UPT                                            | UTILITY POLE W/TRANSFORMER                     |
| FAUCET                                         | FAUCET                                         |
| CPED                                           | COMMUNICATION, TELEPHONE, CABLE PEDESTAL       |
| EM                                             | ELECTRIC METER                                 |
| LP                                             | LAMP POST                                      |
| MB                                             | MAILBOX                                        |
| CMP                                            | CORRUGATED METAL PIPE                          |
| RCP                                            | REINFORCED CONCRETE PIPE                       |

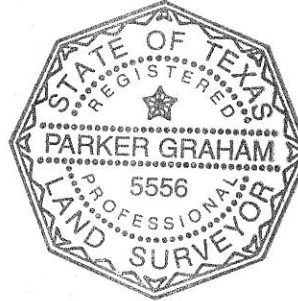
LINE LEGEND

|                            |                            |
|----------------------------|----------------------------|
| BARBED WIRE FENCE          | BARBED WIRE FENCE          |
| CHAIN LINK FENCE           | CHAIN LINK FENCE           |
| POST & RAIL/HOG WIRE FENCE | POST & RAIL/HOG WIRE FENCE |
| WOOD FENCE                 | WOOD FENCE                 |
| OVERHEAD ELECTRIC          | OVERHEAD ELECTRIC          |

| LINE | BEARING     | LENGTH  |
|------|-------------|---------|
| L1   | N07°28'47"E | 60.10'  |
| L2   | S82°25'12"E | 230.03' |
| L3   | N07°28'46"E | 330.11' |
| L4   | N82°26'35"W | 230.03' |

I HEREBY CERTIFY THAT

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II, LAND TITLE SURVEY. THE FIELD WORK WAS COMPLETED ON FEBRUARY 12, 2019.



*Parker Graham*  
PARKER G. GRAHAM R.P.L.S. NO. 5556  
STATE OF TEXAS  
PAPE-DAWSON ENGINEERS  
10801 N. MOPAC EXPY.  
BLDG. 3, SUITE 200  
AUSTIN, TX 78759

03/04/2019  
DATE

LAND TITLE SURVEY

**PAPE-DAWSON ENGINEERS**  
AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N. MOPAC EXPY., BLDG. 3, SUITE 200 | AUSTIN, TX 78759 | 512.454.8711  
TYPE FIRM REGISTRATION #1028801

| NO. | REVISION                  | DATE     |
|-----|---------------------------|----------|
| 1   | UPDATED TITLE COMMITMENT. | 03-01-19 |

A 118.971 ACRE, OR 5,182,372 SQUARE FOOT, TRACT OF LAND BEING ALL OF THE REMNANT PORTION OF A CALLED 120.7058 ACRE TRACT CONVEYED TO JOSEPH F. GIBNEY AND JUDITH A. GIBNEY, IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2726, PAGE 76 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS.

JOB NO. **51061-00**  
DATE **MARCH 1, 2019**  
CHECKED **PJG** DRAWN **JMO**  
CIVIL JOB NO. ---  
REFERENCE: ---  
SHEET **1** OF **1**

PROJECT NAME: GIBNEY TRACT



**CITY OF HUTTO  
MUNICIPAL SERVICE PLAN  
FOR PROPOSED ANNEXATION OF**

**EXHIBIT “B”**

**118.971 acres, more or less, of land, out of the  
John Kelsey Survey, Abstract No. 377, Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

**FIRE**

*Existing Services:* Williamson County Emergency Service District #3

*Services to be Provided:*

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**POLICE**

*Existing Services:* Williamson County Sheriff's Department

*Services to be Provided:*

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

**BUILDING INSPECTION**

*Existing Services:* None

*Services to be Provided:*

The Development Services Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**PLANNING AND ZONING**

*Existing Services:* Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

*Services to be Provided:*

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

**LIBRARY**

*Existing Services:* None

*Services to be Provided:*

City Library privileges will be available to future residents in this area.

## **HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* Williamson Cities and County Health District

*Services to be Provided:*

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

## **STREET MAINTENANCE**

*Existing Services:* Williamson County

*Services to be Provided:*

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

## **STORM WATER MANAGEMENT**

*Existing Services:* Williamson County Flood Plain Administrator

*Services to be Provided*

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

## **STREET LIGHTING**

*Existing Services:* Oncor Electric Delivery

*Services to be Provided:*

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

## **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:*

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

## **WATER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Water service to the properties will be provided by Jonah S.U.D.

## **SANITARY SEWER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Sanitary sewer service to the properties will be provided by Jonah S.U.D.

### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:*

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

### **PARKS AND TRAILS**

*Existing Service:* None

*Services to be Provided:*

All City operated parks and trail systems will be available to the residents of this area upon annexation.

### **MISCELLANEOUS**

*Existing Services:* None

*Services to be Provided:*

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

### **NOTE:**

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 7C.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

**ITEM:**

Consideration of a public hearing and possible action on the first reading of an ordinance regarding the proposed annexation of the Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

A Municipal Service Plan (MSP) has been drafted per the Council's directive from their regularly scheduled meeting on June 20, 2019.

The next step in the voluntary annexation process is to hold the second public hearing and conduct the second and final reading of the annexation ordinance. An annexation ordinance requires a second reading prior to final approval.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

There are no related advisory board recommendations for this item.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.



**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the first reading of the ordinance.

**SUPPORTING MATERIAL:**

1. [Notice Posted](#)
2. [Ordinance - Highlands North Annexation \(75.812 acres\)](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## PUBLIC NOTICE NOTICE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE HUTTO CITY COUNCIL WILL HOLD A PUBLIC HEARING REGARDING:

The proposal to institute annexation proceedings to enlarge and extend the city limits boundary of said City to include the following described properties consisting of approximately 75.812 acres and to establish base zoning as SF-1 (Single Family Residential) heretofore referred to as the Highlands North (Decker Tract), to-wit:

The Highlands North (Decker Tract) property (75.812 acres) described as being situated in the Patrick O. Daugherty Survey, Abstract No. 184, in Williamson County, Texas.

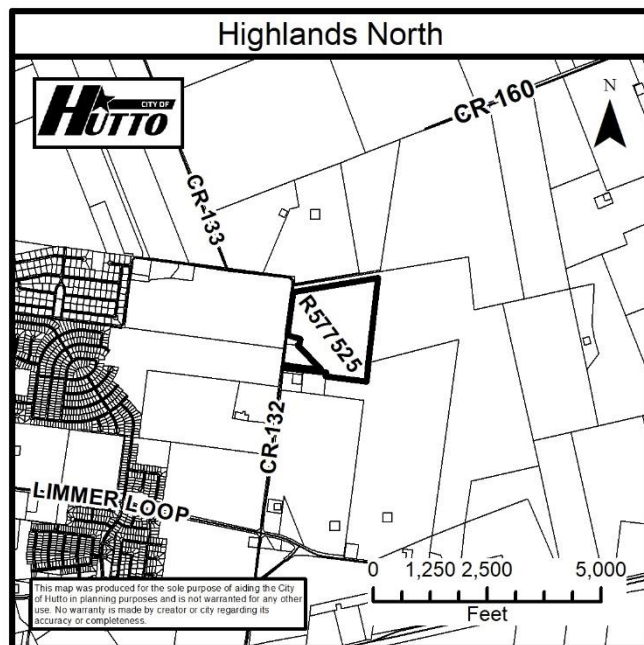
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on  
June 20, 2019 at 7:00 p.m.

Hutto City Hall  
500 W. Live Oak St., Hutto, Texas

For additional information the public may contact Development Services at 512-759-3479 or [planning@huttotx.gov](mailto:planning@huttotx.gov)

Publication Date: June 2, 2019



## ORDINANCE NO.

**AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 75.812 ACRES, MORE OR LESS, OF LAND, DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY OF HUTTO AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**WHEREAS**, the City of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter, and;

**WHEREAS**, pursuant to Section 43.028 of the Texas Local Government Code, the owners of a tract of land containing 75.812 acres, more or less, of land, situated in the Patrick O. Daugherty Survey, Abstract No. 184, in Williamson County, Texas (the "Property"), said Property being situated in Williamson County, Texas, and being more particularly described in **Exhibit "A"** attached hereto and made part hereof by reference for all purposes, have petitioned the City Council in writing to annex the Property, and;

**WHEREAS**, the procedures prescribed by the Charter of the City of Hutto and the applicable laws of the State of Texas have been duly followed with respect to the Property, and;

**WHEREAS**, the City Council of the City of Hutto by resolution directed the City's Development Services Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared and described in **Exhibit "B"** attached hereto and made part hereof by reference for all purposes, and;

**WHEREAS**, such Property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside, and;

**WHEREAS**, after considering the public testimony received at each hearing, the City Council of the City of Hutto determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens, and;

**WHEREAS**, and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, concerning public notices, hearings, and other procedural matters has been fully complied with, and;

**WHEREAS**, the City Council of the City of Hutto determines that the Property for annexation which is more fully described in **Exhibit "A"** should become annexed.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**SECTION I.**

That all of the above recitations are found to be true and correct and are incorporated into the body of this ordinance.

**SECTION II.**

That the Property described in the attached **Exhibit “A”**, together with adjacent roadways, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereinafter be included within the territorial limits of the City of Hutto, Texas and designated as SF-1 (Single Family Residential) Zoning District.

**SECTION III.**

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Hutto, and hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

**SECTION IV.**

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official maps and boundaries of the City of Hutto, heretofore adopted and amended, so as to include the aforementioned territory hereby annexed, be and are hereby amended as part of the City of Hutto, Texas, as required by law.

**SECTION V.**

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as **Exhibit “B”**, is hereby approved.

**SECTION VI.**

That the City Secretary is hereby directed and authorized to file a certified copy of this ordinance in the Office of the County Clerk of Williamson County, Texas.

## **SECTION VII.**

If any section, subsection, sentence, phrase, or word of this ordinance be found to be illegal, invalid or unconstitutional or if any portion of said Property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this ordinance or the application of any other section, sentence, phrase or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this ordinance and would have annexed the valid Property without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

## **SECTION VIII.**

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are hereby expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. That City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter thereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

## **SECTION IX.**

This ordinance shall take effect and be in force from and after its passage.

**READ** and **APPROVED** on first reading on this the **20th** day of **June, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

**READ, PASSED** and **ADOPTED** on second reading of ordinance this **11th** day of **July, 2019** at a meeting of the Hutto, Texas City Council; there being a quorum present.

**CITY OF HUTTO, TEXAS**

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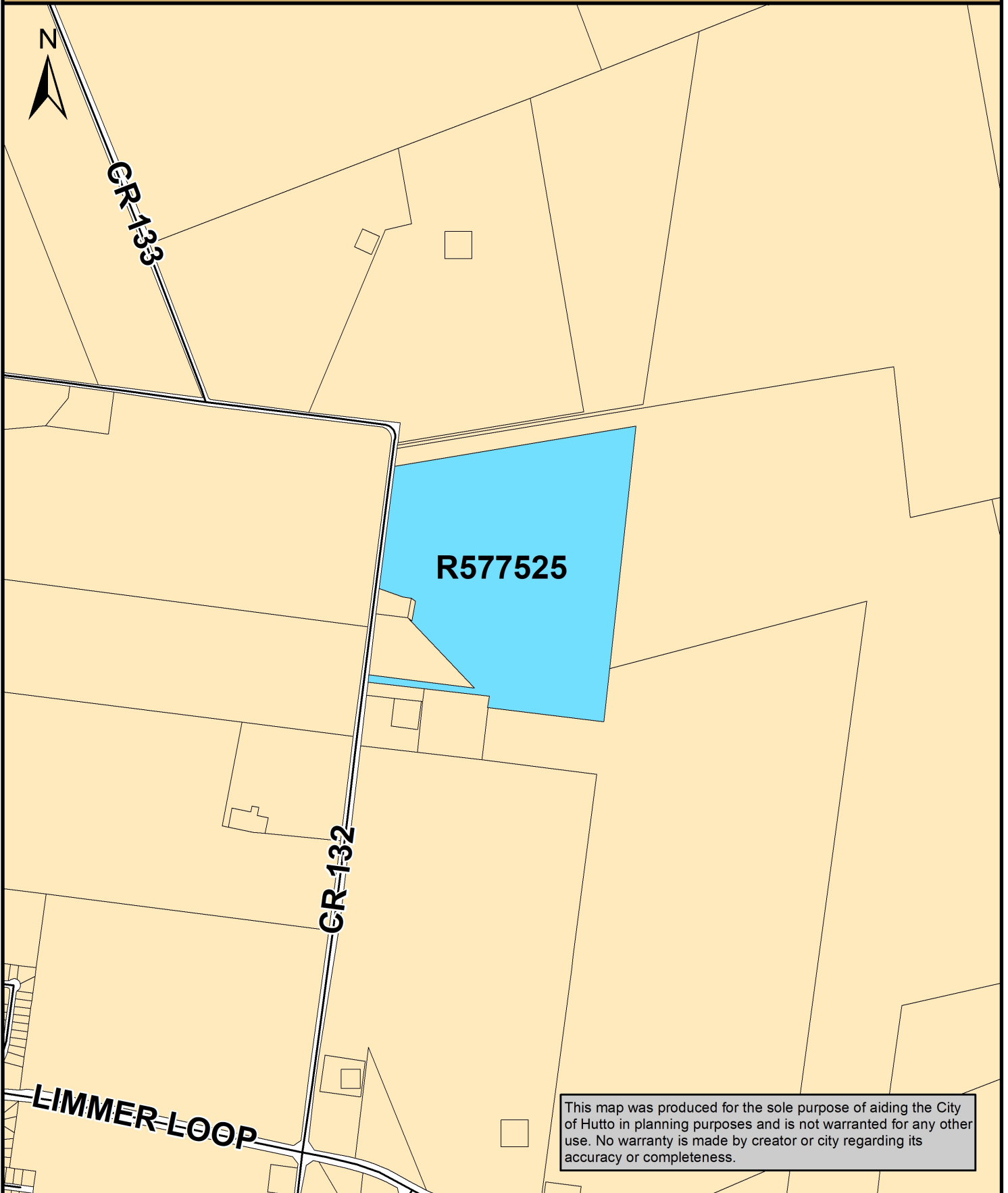
Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary

# Highlands North



TRACT 1 75.812 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the north and east line of said Decker 101.51 Acre Tract and along the westerly lines of said Klaus Farms, LTD 101.51 Acre Tract the following two courses:

1. N80°30'26"E a distance of 1843.61 feet to a channel iron marker found;
2. S04°54'54"W a distance of 1883.49 feet to a 5/8" iron rod found at the southwest corner of said Klaus Farms, LTD 101.51 Acre Tract, being also at the northwest corner of a 100 Acre Tract of land conveyed to Marvin H. Decker and wife, Lorene Decker by deed recorded in Volume 754, Page 769 of the Deed Records of Williamson County, Texas and on an easterly angle point of said Decker 101.51 Acre Tract;

THENCE S07°49'18"W along the east line of said Decker 101.51 Acre Tract and the west line of said 100 Acre Tract a distance of 401.65 feet to a 1/2" iron rod set;

THENCE N83°09'13"W across said Decker 101.51 Acre Tract a distance of 898.52 feet to a 1/2" iron rod set on the east line of a 5.66 Acre Tract of land (Tract 1) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas;

THENCE along the east and north lines of said 5.66 Acre Tract, the north line of a 5.00 Acre Tract of land (Tract 2) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas, and continuing across said Decker 101.51 Acre Tract the following three courses:

1. N06°50'47"E a distance of 85.50 feet to a 1/2" iron rod with cap marked RPLS 4967 at the northeast corner of said 5.66 Acre Tract;
2. N83°08'53"W a distance of 499.91 feet to a 1/2" iron rod with cap marked RPLS 4967 found at the northwest corner of said 5.66 Acre Tract and the Northeast corner of said 5.00 Acre Tract;
3. N83°09'52"W a distance of 437.45 feet to a 1/2" iron rod set on the west line of said 101.51 Acre Tract and the east line of said County Road 132, from which a 1/2" iron rod found at the northwest corner of said 5.00 Acre Tract bears, N83°09'52"W a distance of 4.07 feet;

THENCE N07°18'53"E along the west line of said Decker 101.51 Acre Tract and the east line



of said County Road 132 a distance of 50.00 feet to a 1/2" iron rod set;

THENCE continuing across said Decker 101.51 Acre Tract the following nine courses:

1. S83°09'52"E a distance of 437.04 feet to a 1/2" iron rod set;
2. S83°08'53"E a distance of 381.88 feet to a 1/2" iron rod set;
3. N44°43'30"W a distance of 726.71 feet to a 1/2" iron rod set at the southeast corner of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Records of Williamson County, Texas;
4. S82°51'07"E a distance of 30.05 feet to a 1/2" iron rod set;
5. N10°22'21"E a distance of 153.05 feet to a 1/2" iron rod set;
6. N65°41'31"W a distance of 10.30 feet to a 1/2" iron rod set;
7. N73°23'22"W a distance of 92.44 feet to a 1/2" iron rod set;
8. N70°08'30"W a distance of 91.15 feet to a 1/2" iron rod set;
9. N72°34'11"W a distance of 95.60 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract, from which a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract bears, S07°06'04"W along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 11.18 feet;

THENCE N07°06'04"E along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 968.72 feet to the said Point of Beginning.

Containing 75.812 acres, more or less, as shown on the Land Title Survey attached.

#### TRACT 2 5.524 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the east line of said County Road 132 and in part the west line of said 101.51 Acre Tract and the west line of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Record of Williamson County, Texas, the following two courses:

1. S07°18'53"W a distance of 979.90 feet to a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract;
2. S07°06'53"W along the east line of said County, Road 132 and the west line of said 1.0004 Acre Tract a distance of 196.98 feet to a 1/2" iron rod set at the southwest

corner of said 1.0004 Acre Tract at the Point of Beginning;

THENCE S82°51'07"E along the south line of said 1.0004 Acre Tract and across said Decker 101.51 Acre Tract a distance of 245.93 feet to a 1/2" iron rod set at the southeast corner of said 1.0004 Acre Tract;

THENCE continuing across said Decker 101.51 Acre Tract the following three courses:

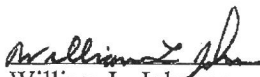
1. S44°43'30"E a distance of 726.71 feet to a 1/2" iron rod set;
2. N83°08'53"W a distance of 381.88 feet to a 1/2" iron rod set;
3. N83°09'52"W a distance of 437.04 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract;

THENCE N07°18'53"E along the east line of said County, Road 132 and the west line of said 101.51 Acre Tract a distance of 453.04 feet to the said Point of Beginning.

Containing 5.524 acres, more or less, as shown on the Land Title Survey attached.

All iron rods set have RJ Surveying caps

Bearings are Texas Coordinate System of 1983, Central Zone (4203)

 21 DECEMBER 2018  
William L. Johnson  
Registered Professional Land Surveyor No. 5425  
State of Texas

RJ Surveying & Associates, Inc.  
2900 Jazz Street  
Round Rock, TX 78664  
Firm No. 10015400



SCALE: 1" = 100'

JOB NO.: 2758

**CITY OF HUTTO  
MUNICIPAL SERVICE PLAN  
FOR PROPOSED ANNEXATION OF**

**EXHIBIT “B”**

**75.812 acres, more or less, of land, out of the  
Patrick O. Daugherty Survey, Abstract No. 184, Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

**FIRE**

*Existing Services:* Williamson County Emergency Service District #3

*Services to be Provided:*

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**POLICE**

*Existing Services:* Williamson County Sheriff's Department

*Services to be Provided:*

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

**BUILDING INSPECTION**

*Existing Services:* None

*Services to be Provided:*

The Development Services Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**PLANNING AND ZONING**

*Existing Services:* Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

*Services to be Provided:*

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

**LIBRARY**

*Existing Services:* None

*Services to be Provided:*

City Library privileges will be available to future residents in this area.

## **HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* Williamson Cities and County Health District

*Services to be Provided:*

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

## **STREET MAINTENANCE**

*Existing Services:* Williamson County

*Services to be Provided:*

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

## **STORM WATER MANAGEMENT**

*Existing Services:* Williamson County Flood Plain Administrator

*Services to be Provided*

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

## **STREET LIGHTING**

*Existing Services:* Oncor Electric Delivery

*Services to be Provided:*

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

## **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:*

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

## **WATER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Water service to the properties will be provided by Jonah S.U.D.

## **SANITARY SEWER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Sanitary sewer service to the properties will be provided by Jonah S.U.D.

### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:*

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

### **PARKS AND TRAILS**

*Existing Service:* None

*Services to be Provided:*

All City operated parks and trail systems will be available to the residents of this area upon annexation.

### **MISCELLANEOUS**

*Existing Services:* None

*Services to be Provided:*

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

### **NOTE:**

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Lacie Hale, City Secretary

**ITEM:**

Consideration and possible action approving the minutes of the May 15, 2019 Special City Council Meeting, May 16, 2019 Regular City Council Meeting, May 25, 2019 Special City Council Meeting, and the May 30, 2019 Regular City Council Meeting. (Lacie Hale)

**STRATEGIC GUIDE  
POLICY:**

Quality of Life & Services

**ITEM BACKGROUND:**

Meeting minutes have been prepared and are presented for Council approval for the June 20, 2019 Regular City Council Meeting.

**BUDGETARY AND FINANCIAL SUMMARY:**

No budgetary or financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

No recommendations from Advisory Boards.

**CITY ATTORNEY REVIEW:**

Not applicable.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**SUPPORTING MATERIAL:**



There are no supporting documents.

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



**CITY COUNCIL  
MEETING MINUTES  
MAY 15, 2019**

*The Hutto City Council met in a special called session on Wednesday, May 15, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Nathan Killough, Councilmember Patti Turner and Councilmember Terri Grimm. Councilmember Scott Rose was absent.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Cara Hana, City Attorney, Byron Frankland, Assistant City Manager/Public Safety Officer; Paul Hall, Chief of Police; Emily Parks, Public Information Officer, and Lynn Trumbul, Senior Assistant City Secretary.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the pledge of allegiance.*

**PUBLIC COMMENT**

*There were no public comments.*

**EXECUTIVE SESSION**

6A. Consideration and possible action on a resolution canvassing the returns and declaring the results of the May 4, 2019 General and Special Election official.

**Motion:** Mayor Pro-tem Hines made a motion to approve the resolution as presented. Councilmember Killough seconded the motion

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion carried with 5 ayes and 0 nays.

68. Consideration and possible action on a resolution ordering a run-off election for the purposes of electing a Place 6 City Council Member; election to be held on June 8, early voting and election day voting; and making provisions for the conduct of such election.

**Motion:** Mayor Pro-tem Hines made a motion to approve the resolution as presented. Councilmember Killough seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion carried with 5 ayes and 0 nays.

6C. Swearing In of new council members.

*Peter Gordon, Place 3; Mike Snyder, Place 4; and, Mayor Gaul, were sworn in and completed their oaths of office.*

## **ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 7:08 p.m.*

**CITY OF HUTTO**

\_\_\_\_\_  
Doug Gaul, Mayor

**ATTESTED:**

\_\_\_\_\_  
Lynn Trumbul, Senior Assistant City Secretary



**CITY COUNCIL  
MEETING MINUTES  
MAY 16, 2019**

*The Hutto City Council met in a regular session on Thursday, May 16, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Turner and Councilmember Terri Grimm.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; City Attorney, Cara Hanna; Byron Frankland, Assistant City Manager/Public Safety Director; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Infrastructure & Development Services; Ashby Grundman, Director of Development Services; Emily Parks, Public Information Officer; Tony Host, Executive Director of Community Services; and, Lynn Trumbul, Sr. Assistant City Secretary.*

**INVOCATION**

*The invocation was given by Pastor Johnny Brower of the Hutto Discovery Church, Hutto, Texas.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.*

**APPOINTMENT OF OFFICER**

5A. Consideration and action on the appointment of the Mayor Pro-tem position.

**Motion:** Councilmember Rose made a motion to nominate Mayor Pro-tem Tom Hines for the position of Mayor Pro-tem. Councilmember Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines

Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 7 ayes, 0 nays.

### **CITY COUNCIL COMMENTS**

#### **6A. General Comments from City Council**

*Councilmember Scott Rose explained that a few months ago he was appointed, as a temporary position, to the EDC board. Now with the election of Councilmember Gordon, and that position being up effective tonight, Councilmember Rose resigned from both Type A and Type B Economic Development Corporations Board of Directors.*

### **PUBLIC COMMENT**

*Dana Boehm, 1116 Augusta Bend Drive, Hutto – She expressed her dissatisfaction with the responses and comments she has received from the City Council regarding roads and flooding. She is tired of being lied to and the lack of transparency. She asked why all the denial, belittling, and mocking of citizens?*

*Troy McMillin, 301 College Street, Hutto - He asked that Council not agree to the construction of a ten-story hotel in the Co-Op District. He referenced a real estate contract with Lisa Pollard for a piece of property to be used for park land. He urged the citizens to contact the City Council with questions, attend meetings, and get involved because the citizens of Hutto deserve transparent, responsive City leaders.*

*Debbie Holland, 104 Hutto Street, Hutto – She is a resident of Hutto Old Town. She said the responsibility of the Council members is to represent the community. She stated that making decisions on the dais should be based on factual information and be made with forethought and discussion. She noted the decision of a developer to construct a 10-story building, and stated she feels that whatever the developer wants, they will get. She asked “who is running the show?”*

*Tanner Rose, 207 Watergate Way, Hutto – He asked if the City Council is doing enough to solicit feedback from the citizens to ask what the citizens want. He further asked if there is more that the City Council could be doing to engage the public. He would like the Council to reflect on this.*

*Tracey Nolan, 405 West Metcalfe Street, Hutto – She referenced that this is the second time that she has received a notice of two public hearings regarding a proposed planning unit development zoning ordinance amendment request for property in the Co-Op. She noted that the notice does not provide the recommended amendment, and that supporting information was not included with the notice, but rather made available online only 4 days before the meeting. She asked how the City can expect the citizens to comment properly when they are not being provided the information with ample time to properly review it. She believes that more citizens should have been notified.*

*George Kando, 16 Unman Drive, Hutto – He has lived in Hutto for 13 years. He expressed his satisfaction with the City Manager and City Council and their decisions over the past 4-5 years. He thanked the Council for their hard work. He referenced his eagerness for the construction of the 10-story building and said to keep going in the direction in which they are going.*

*Micki Eubanks, 1251 CR 129, Hutto – She has served in the United States Marine Corps for 25 years, and has had the opportunity to live in many different locations, but was very impressed by the beauty of Norman's Crossing the first time she saw it. This caused her ten years later to purchase her land. She noted that she is not a farmer like her neighbors, but acknowledges the livelihood of her surrounding neighbors and their families. She suggested some growth boundaries between where the city is and can spread, to where the farmland is; these boundaries have been successful in other cities.*

*Wynette Northman Lassiter, 12621 FM 1660, Taylor – Her family, the Norman family, has been in Norman's Crossing for 147 years, with seven generation of Normans there. She is asking the City to work with the residents of Norman's Crossing. She is asking for protection from unregulated developers. She is looking forward to working with the City. She wanted to thank Councilmember Terri Grimm for her active interest in her community, and she would like to see that from the rest of the Council.*

## **PUBLIC HEARINGS**

- 8A. Open and conduct the first public hearing regarding the proposed annexation of the Chandler Corner Subdivision, 26.303 acres, more or less, of land as recorded in Document No. 2019000610 of the Official Public Records of Williamson County, Texas, and to establish base zoning as SF-1 (Single Family Residential), located at the southwest corner of Chandler Road and FM 1660 North.

*A public hearing was opened at 7:29 p.m.*

*Terry Irion, 1250 South Capital of Texas Highway, Austin – He is here representing Chase Equities, Inc. He noted that this is a 26-acre tract. The subdivision application was filed in February of 2018. The plat was approved in December of 2018 and recorded in January of 2019. He has some questions and was hoping he could get some clarity and possibly a presentation from City staff. He is asking for clarification on the zoning for SF-1 in the posted agenda, where the notice sent had indicated zoning would be B-2, and also as to what kind of sewer service plan will be provided.*

*Odis Jones, City Manager, asked that Ashby Grundman, Director of Development Services, follow-up with Mr. Irion after the meeting.*

*Ashley Lumpkin, Executive Director of Infrastructure and Development Services, added that the SF-1 zoning was mistakenly noted in the agenda, but it would be updated to B-2 for the next public hearing. She also addressed Mr. Irion's question of the service plan, pointing out that the development of the plan will be ongoing because the size of the extending lines is unknown, but*

*will be in compliance with the 2.5-year period provided in state law. Ms. Lumpkin also emphasized that the City cannot and will not take any vested rights of the property owner, and will not take away any platting status.*

*Mayor Pro-tem Hines asked Mr. Irion if Williamson County ESD has been doing the fire inspections. Mr. Irion affirmed they have been corresponding with them.*

*Councilmember Mike Snyder asked if this is the first of a five-step process. Ms. Lumpkin confirmed that it was the second step.*

*Ms. Lumpkin noted that the City of Hutto has always been very business-friendly, however we could have further conversations regarding a site plan, but we want to respect the ETJ residents.*

*The hearing was closed at 7:37 p.m.*

*No action was taken.*

8B. Open and conduct the first public hearing regarding the proposed annexation of the Fritz Tract, 5.9753 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), being out of the J.B. Bealle Survey, Abstract No. 97, located on CR 132.

*Ms. Lumpkin provided a description of this area and stated that this is the second step in a five-step process for annexation.*

*A public hearing was opened at 7:39 p.m.*

*The hearing was closed at 7:39 p.m.*

*No action was taken.*

8C. Open and conduct the first public hearing regarding the proposed annexation of the Limmer Tracts, 497.58 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), being out of the J.B. Bealle Survey, Abstract No. 97, located on FM 1660 South.

*Ashley Lumpkin provided a description of the property, and noted that, in previous discussions for development agreements-in-lieu-of annexation, residents had expressed concern about being developed in the county, which does not require public hearings.*

*A public hearing was opened at 7:40 p.m.*

*Katherine Hess, 1250 FM 1660, Taylor - She spoke to her family's land and her concern for potential flooding issues caused by the proposed annexation. She noted that if single family homes are built near her property, their business will no longer be viable. She is concerned with whether or not Hutto is compliant with FEMA regulations. She urged the Council to not put first responders and the public in danger.*



*Ms. Lumpkin said they could look into suggesting that the area be designated as agricultural instead of single-family homes, which would provide more variation in the types of properties that are constructed.*

*Mayor Pro-tem Hines asked if the City offered voluntary annexation to this tract. Ms. Lumpkin responded that yes it was offered and the owner declined. Mayor Pro-tem further asked how they can correct the issue at this point.*

*Ashley Lumpkin noted that although no action can be taken at this time by Council, the Council can make the suggestion to change the designation to agricultural.*

*Councilmember Snyder stated that he would like to see better communication between the City and the landowners.*

*Odis Jones, City Manager, stated that his staff has been upfront with the citizens and that Ms. Lumpkin has made a good suggestion to rectify the issue. Mayor Gaul noted that the City is following the State-mandated process for annexation.*

*Richard Hamala, 102 N. Railroad Avenue, Hutto – He noted that he came to the meeting to represent Judy Limmer. He stated that the land south of 1660 is the homestead and the north side of 1660 is farm land. The owners have asked him to agree to the annexation agreement for the land on the north side of 1660. The owners are suggesting a strategic partnership agreement for the land on the south side of 1660, instead of an annexation agreement.*

*Councilmember Scott Rose stated that he agrees with the recommendation to make the land agricultural instead of the default zoning of single family (SF-1). Ms. Lumpkin indicated the City will follow up and explore options before the next public hearing. Councilmember Grimm indicated she would like to be updated as this proceeds.*

*Mayor Gaul noted that the last time the City created a special district that did not go over well with the residents, and that would explain the hesitation from Council.*

*The hearing was closed at 8:05 p.m.*

*No action was taken.*

8D. Open and conduct the first public hearing regarding the proposed annexation of the LPL Investments Tract, 141.5 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), being out of the James Hickman Survey, Abstract No. 291, located on FM 1660 South.

*Ashley Lumpkin provided a description of the property.*

*A public hearing was opened at 8:06 p.m.*

*The hearing was closed at 8:06 p.m.*

*No action was taken.*

- 8E. Open and conduct the first public hearing regarding the proposed annexation of the M. Moore Family Farms Tracts, 528.774 acres, more or less, of land, and to establish base zoning as SF-1 (Single Family Residential), 286.546 acres being out of the John Kuykendall Survey, Abstract No. 378; 102.4 acres being out of the M. Farley Survey, Abstract No. 238; 85.566 acres being out of the Josias B. Bealle Survey, Abstract No. 97; 54.262 acres being out of the James Hickman Survey, Abstract No. 291 and the J.H. Fredenburgh Survey, Abstract No. 237, all in Williamson County, Texas, located on CR 132 and also on Limmer Loop.

*Ashley Lumpkin provided a description of the property.*

*A public hearing was opened at 8:09 p.m.*

*The hearing was closed at 8:09 p.m.*

*No action was taken.*

- 8F. Open and conduct the first public hearing regarding the proposed annexation of the No-Count LLC Tracts, 157.0848 acres, more or less, of land, and to establish base zoning as B-2 (General Commercial), 62.6868 acres being out of the Aaron Armstrong Survey, Abstract No. 26, and 94.394 acres being out of the James Shelton Survey, Abstract No. 560, in Williamson County Texas, located on CR 119 and also on CR 108.

*Ashley Lumpkin provided a description of the property.*

*A public hearing was opened at 8:11 p.m.*

*The hearing was closed at 8:12 p.m.*

*No action was taken.*

- 8G. Open and conduct the first public hearing regarding the proposed annexation of the TK Industrial Park, 35.51 acres, more or less, of land, as recorded in Document No. 2018062874 of the Official Public Records of Williamson County, Texas, and to establish base zoning as B-2 (General Commercial), located on CR 108.

*Ashley Lumpkin provided a description of the property.*

*A public hearing was opened at 8:13 p.m.*

*The hearing was closed at 8:13 p.m.*

*No action was taken.*

### **CITY MANAGER COMMENTS**

- 9A. Presentation of the City Financials for the Month of April as required by the fiscal and budgetary policy.

*Michel Sorrell presented the monthly financials for April.*

### **CONSENT AGENDA**

**Motion:** Councilmember Rose made a motion to pull Item 10C from the consent agenda to allow discussion. Councilmember Turner seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 7 ayes, 0 nays

- 10A. Consideration and possible action approving the minutes of the May 2, 2019 Regular City Council Meeting.
- 10B. Consideration and possible action on the acceptance of the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Brooklands Sections 1 & 2 Subdivision.
- 10D. Consideration and possible action on a resolution approving the proposed Amended Plat of Lots 14-17, Block 1 of the Old Town Addition of the City of Hutto, 0.290 acres, more or less, of land, one commercial lot, located at 103 Jim Cage Lane.

**Motion:** Mayor Pro-tem Hines made a motion to approve the remaining items on the consent agenda. Councilmember Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 7 ayes, 0 nays

### **REGULAR AGENDA ITEMS**

- 10C. Consideration and possible action on a resolution approving the proposed Hutto Highlands Section 2 Phase 2 and Phase 3 Revised Preliminary Plat, 73.0 acres, more or less, of land, 208 residential lots, located at Henderson Lane and Plantain Drive.

*Ashley Lumpkin provided further detail of the revised plat to Council.*

*Councilmember Rose asked if the developer was reluctant. Ms. Lumpkin replied no, that the County was reluctant.*

*Councilmember Rose expressed concern over the third phase of the development being different from the first two phases because of the CCR. He stated the residents have been purchasing homes under a specific understanding and the developer is reluctant on the design standards.*

*Ms. Lumpkin noted that as they move forward with developments, the City may have more control with design quality and have more discussion with builders.*

*Councilmember Patti Turner expressed concern regarding outgoing traffic from the development.*

**Motion:** Mayor Pro-tem Hines made a motion to approve the resolution. Councilmember Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 7 ayes, 0 nays

### **ORDINANCES:**

- 11A. Consideration of a public hearing and possible action on the first reading of an ordinance approving a specific use permit for the property located at 3600 Limmer Loop, 1.86 acres, more or less, of land, Block A, Lot 1 of the Northtown Commons Final Plat, allowing a convenience store with gasoline sales in the B-1 (Local Business) zoning district.

*A public hearing was opened at 8:42 p.m.*

*Mike Fowler, 108 West Live Oak Street, Hutto – He was a real estate developer and represents Cary Rabb. He stated that his client would like to see the passage of this ordinance. They plan to sell gas and run a meat market on the property.*

*The hearing was closed at 8:43 p.m.*

*Councilmember Turner noted that this would be the third gas station in one intersection.*

*Ashley Lumpkin noted that with the City of Hutto growing, there would be a need for more gas stations and that this occurrence is not uncommon.*

**Motion:** Mayor Pro-tem Hines made a motion to approve the ordinance. Councilmember Rose seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 7 ayes, 0 nays.

11B. Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Co-Op District PUD, 35.1021 acres, more or less, of land, located on US 79 West and Co Op Boulevard.

*Ashley Lumpkin and developer Bob Wunsch provided an overview of the zoning ordinance amendment for the Co-Op District PID, which is being proposed primarily to organize subsequently-entered agreements for the PUD. She also provided a timeline and history of the co-op development. The proposed amendment would allow temporary parking; adjust the maximum height up to 10 stories; add the Flix Site (Tract 6) to the PUD; and adjust the landscape islands to be 162 square feet. City Manager Odis Jones asked how long has there been discussion on the 10 story. Executive Director Infrastructure & Development Services, Ashley Lumpkin, responded since 2017. City Manager Odis Jones clarified that out of a year and a half, and over 10 meetings we have been talking about the 10 stories. Ashley Lumpkin further explained that it was always a vision to be a mixed-use product and development. The city purchased this in 2003 and just sat idle for almost two decades. City Manager Odis Jones further added that nothing happened for over a decade. In order to develop the property, the city actually found that there was contamination to the soil. The City had to spend quite a bit of money to get it marketable. The developer has spent \$20 million plus just to get the property at market rate. The Council agreed to support their zoning to incentivize this property that has been*

*sitting fowl for a decade. Executive Director Infrastructure & Development Services, Ashley Lumpkin, responded, correct.*

*Mayor Pro Tem Hines confirmed that it has already been agreed to. Executive Director Infrastructure & Development Services, Ashley Lumpkin, requested an amendment to the PUD instead of adding a letter to the file. City Manager Odis Jones asked that this was not a requirement, to take it back to Planning and Zoning, but that staff took it back to them to go over and beyond the requirement. Executive Director Infrastructure & Development Services, Ashley Lumpkin, responded correct. Wanted to make everyone aware and have the PUD match subsequent documents that had been approved by Council. There were also things that really needed to be changed. Track #6 wasn't originally included but needed to be added to meet the developer standards and look like a cohesive development.*

*City Manager Odis Jones also shared that Flix wanted to build a bigger flagship. Councilmember Snyder asked if anyone did any samples to know that 10 feet had to be pulled out. The developer Bob Wunsch responded that they did have soil samples. It varies from site to site. Councilmember Snyder further asked that they had no way of knowing that 10 feet had to be pulled out. Developer Bob Wunsch responded, no. They had no way of knowing. They were unaware of what the buildings would require. Councilmember Snyder continued by asking, if it has been known that a 10-story building is going in since 2017, in the site plan marketed to the community why isn't there a 10-story building. Developer Bob Wunsch responded that there have been many reiterations of the site plan.*

*Mayor Pro Tem Hines added that the concept plans have high density. The building must go up because of the limited acreage. Councilmember Snyder asked why the 10 story didn't make it to the PUD, just a 6-story max. Mayor Pro Tem Hines responded it is in exhibit C in the original master agreement, it has been at every public hearing. City Manager Odis Jones reiterated there is a reason this is a concept plan. Executive Director Infrastructure & Development Services, Ashley Lumpkin, added that this is a flow project. It is constantly moving to see where the valuation comes in.*

*Ms. Lumpkin continued by sharing the requests from the Planning Commission. They requested temporary parking have a time limit. If it is going to be more than 18 months, it would come back to Planning Commission for further approval. The second request was to look at 8 stories by right and 10 stories by SUP.*

*A public hearing was opened at 9:09 p.m.*

*Tracy Nolan, 405 West Metcalfe Street, Hutto – She stated that she is not against growth, but she is against a building of this size in this location. Once a request of this nature is approved for one developer, it will be easy for other developers to get approval. The Planning and Zoning Commission did not bring this issue up at the meeting last week.*

*Tanner Rose, 207 Watergate Way, Hutto – He stated that it sounds like we purchased a piece of land, and now the dirt “sucks,” and now we have to compromise and build upwards. He asked if we have the emergency personnel to address a fire in a building of that size and height. Is the*

*Council doing enough to get people involved?*

*Mike Fowler, 108 West Live Oak Street, Hutto – He was the Mayor when the Co-Op was purchased in 2003. He named several structures in the area that are taller than the proposed hotel. He wanted to appear as a resource to answer any questions, historically, of what has gone on in the community.*

*The hearing was closed at 9:19 p.m.*

*Councilmember Grimm expressed her concern with going above six stories. Not everyone is against this project. She is uneasy with going above six stories. However, she Supports the Planning and Zoning Commission as they have put a lot of work into this decision.*

*Ashley Lumpkin referenced the Planning and Zoning Commission recommendation, which was 8-stories by right, and 10-stories by further architectural need.*

*Mayor Pro-tem Hines also supports the Planning and Zoning Commission recommendation. He stated that since 2017, the Council knew it would have to make some changes to make sure the bonds developers borrowed money on were able to be paid back. We signed legal documents saying we were going to abide by that zoning. He is not willing to break something that has already been agreed to and has also been to public hearing over 10 times.*

*Councilmember Grimm responded that it was before her tenure, but she is also not risking a lawsuit for being hard headed about a couple floors.*

*Councilmember Snyder shared that he was confused about a lawsuit. In order to make the money work, it has to be 10 stories. He suggested that since city hall is the only development, make one building 25 stories and reduce the rest of the area to four. Councilmember Snyder quoted section 1.2, section 5 of the PUD. He feels that the 10-story structure is dominate by scale.*

*Mayor Pro Hines responded that if Mr. Wunsch has run the numbers then he believes them as a city official. He does feel bad for the people that it will affect but has heard more people for it than against it. Again, he knows that there is the Master Development Agreement, since November 2017. He quoted Section 4.01 and believes it will hold up in a court of law.*

*Councilmember Snyder proposed to hold the variance after the rest of the site is developed. City Manager Odis Jones responded that the City went through an extensive process to choose the developer. He recommends Council to stay away from pandering and instead to focus on maintaining a fiduciary responsibility focus. We are actively engaging in negotiations with a lot of folks. It will produce approximately produce \$3.3 million a year to help offset costs.*

*Mayor Gaul added that in the very beginning it was understood as concept. The requirements of the buildings were subject to change based on what the end user was.*

*Mayor Pro Tem Hines asked why the height is being discussed if it has already been agreed to, or discuss the changes. City Manager Odis Jones responded that Council reserves the right to do*

*what it chooses. The recommendation from the Planning Commission is to go with eight then go to 10. If Council decides to go to 10, by majority vote, you have the right to do that.*

*Councilmember Gordon stated that he was reluctant to override the Planning and Zoning Commission. Believes it will send the wrong message. It took the commission an hour and a half to deliberate to get to this point. He has been a resident for 18 years and this is the first he has heard it is 10 stories. He is concerned there is a communication issue we can work on.*

*Mayor Pro-tem Hines said no one knew that it would be a 10-story building, The Council merely let the developer know that they would support their recommendations.*

*Councilmember Gordon said he is ok with an 8-story building. He further stated that he thinks the issue is less with the number of stories and more with the transparency regarding the issue.*

*Councilmember Snyder shared that the problem with the ordinance doesn't specify what P and Z said. The entire plan is amended so now everything can be 10 stories. With three buildings, out of the entire development, the decision has already been made that we are going to be sued if we don't make this one deal because it makes all of the economics work. He can't believe in a development this size that we are going to get sued because we can't pay the bills. His fear is that we go dig in more areas of the Co-op and there is more bad news. Now the economy tanks, and we are telling the people we entered into a financial deal so now we have to go up.*

*City Manager Odis Jones clarified that the staff recommendation is to accept the recommendation from the Planning Commission. He commended the Planning Commission on vetting this out and reminded council there has been 10 or more public hearings.*

*Councilmember Snyder responded that he doesn't think it is the staff. Any time he has a concern, he feels like he is publicly being disrespected. He isn't pandering to anyone. He is excited for the Co-op but heard that it needs to go vertical for numbers. It seems like a rash decision to make into a wildly successful development.*

*Mayor Pro Tem Hines added that he stated in the beginning that it had to go vertical because they needed the density to pay for the bonds. To put a successful hotel on a parking garage, they may have to go higher. This is not a surprise and he believes in the developer they chose.*

*Councilmember Gordon feels that taking the two stories on another structure is a compromise and honors what P and Z does.*

*Developer Bob Wunsch said that what is driving this decision is the parking. The parking is needed for the retail. He is fine with the P and Z recommendation.*

*Councilmember Rose stated that he has heard residents both for and against this. He applauds the time that the Planning and Zoning Commission has spent on this and he supports it.*

**Motion:** Councilmember Rose made a motion to approve the recommendation from the Planning and Zoning Commission. Councilmember Turner seconded the motion.



**Vote:**       Ayes       Mayor Doug Gaul  
                                  Councilmember Scott Rose  
                                  Mayor Pro-tem Tom Hines  
                                  Councilmember Peter Gordon  
                                  Councilmember Patti Turner  
                                  Councilmember Terri Grimm  
                  Nay       Councilmember Mike Snyder  
**Action:**       The motion passed 6 ayes, 1 nay.

## **RESOLUTIONS:**

12A. Consideration and possible action on a resolution approving the waiver of library late fees in exchange for canned and boxed goods.

*Emily Parks, Assistant to the City Manager and Public Information Officer, noted that library fines are \$.25 per day, and requested Council approve a program that would allow a family to bring in canned food items to reduce or eliminate their overdue library fees. The canned foods would be donated directly to the Hutto Food Pantry.*

*Lisa Riggs, Library Supervisor, added that the total fines due to the library currently totals more than \$2,000.00. She further noted that program has been very successful in the past.*

*Councilmember Grimm asked if we could place signage outside the library so patrons know that the event is going on? Ms. Parks responded that they have that in the works.*

**Motion:**       Mayor Pro-tem Hines made a motion to approve the resolution. Councilmember Grimm seconded the motion.

**Vote:**       Ayes       Mayor Doug Gaul  
                                  Councilmember Scott Rose  
                                  Mayor Pro-tem Tom Hines  
                                  Councilmember Mike Snyder  
                                  Councilmember Peter Gordon  
                                  Councilmember Patti Turner  
                                  Councilmember Terri Grimm

**Action:**       The motion passed 7 ayes, 0 nays.

## **OTHER BUSINESS**

13A. Consideration and possible action concerning the June 6, 2019 Regular City Council meeting.

**Motion:** Councilmember Grimm made a motion to move the June 6, 2019 Regular Scheduled City Council meeting to May 30, 2019. Councilmember Gordon seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 7 ayes, 0 nays.

*Mayor Gaul shared that he has heard from 3 different Councilmembers that due to personal or business commitments they are not going to be able to make the June 6, 2019 Council meeting. We need to look at a reschedule date for the June 6 meeting and proposed May 30, 2019. Councilmember Grimm added that the Charter states Council must have two meetings a month. She asked for clarification on if it means the meetings are every 30 days or in a calendar month. City Attorney Cara Hanna responded that month is not defined and can be either 30 days or calendar month. She believes it is a calendar month.*

13B. Consideration of and possible appointments to City Boards and Commissions.

**Motion:** Councilmember Turner made a motion to appoint Havala Merit to the Library Advisory Board. Councilmember Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 7 ayes, 0 nays.

**Motion:** Councilmember Gordon made a motion to appoint Don Carlson to the Economic Development Corporation Board. Mayor Pro-tem Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon

Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 7 ayes, 0 nays.

**Motion:** Councilmember Rose made a motion to appoint Cristina Garza to the Library Advisory Board. Mayor Pro-tem Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 7 ayes, 0 nays.

### **EXECUTIVE SESSION**

14A. Executive Session, as authorized by Texas Government Code, Section 551.087, for deliberations regarding Economic Development negotiations, to discuss Megasite and easement request.

*The City Council entered Executive Session at 10:00 p.m.*

*The City Council returned from executive Session at 11:04 p.m.*

*No action was taken in Executive Session.*

### **ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 11:04 p.m.*

**CITY OF HUTTO**

\_\_\_\_\_  
Doug Gaul, Mayor

**ATTESTED:**

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Lynn Trumbul, Senior Assistant City Secretary



**CITY COUNCIL  
MEETING MINUTES  
MAY 25, 2019**

*The Hutto City Council met in a regular session on Saturday, May 25, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Turner and Councilmember Terri Grimm. Councilmember Scott Rose was absent.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Byron Frankland, Assistant City Manager/Public Safety Director; Ashley Lumpkin, Executive Director Infrastructure & Development Services; Emily Parks, Public Information Officer; and, Lynn Trumbul, Sr. Assistant City Secretary.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.*

**PUBLIC COMMENT**

4A. Remarks from visitors. *(Three-minute time limit)*

*None was given.*

**EXECUTIVE SESSION:**

5A. Executive Session, as authorized by Texas Government Code, Section 551.08 7, regarding Economic Development negotiations, regarding adoption of a Resolution directing the city manager to prepare a service plan relating to the annexation of areas for which the city has previously held a public hearing relating to annexation and for other areas eligible for annexation within the city's extra territorial jurisdiction. (A map of the city's extraterritorial jurisdiction is available at [www.hutto.tx.gov](http://www.hutto.tx.gov).)

**Motion:** Councilmember Snyder made a motion to start with item 6A Consideration and possible action regarding adoption of a Resolution directing the city manager to prepare a service plan relating to the annexation of areas for which the city has previously held a public hearing relating to annexation and for other areas eligible for annexation within the city's extraterritorial jurisdiction. At such point if Council was going to get into executive session items, then Council moves to item 5A. Councilmember Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul

Mayor Pro-tem Tom Hines

Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

**ACTION RELATIVE TO EXECUTIVE SESSION:**

- 6A. Consideration and possible action regarding adoption of a Resolution directing the city manager to prepare a service plan relating to the annexation of areas for which the city has previously held a public hearing relating to annexation and for other areas eligible for annexation within the city's extraterritorial jurisdiction.

**Motion:** Mayor Pro Tem Hines made a motion to adopt a Resolution directing the city manager to prepare a service plan relating to the annexation of areas for which the city has previously held a public hearing relating to annexation and for other areas eligible for annexation within the city's extraterritorial jurisdiction. Councilmember Gordon seconded the motion.

**Vote:** Ayes Mayor Doug Gaul

Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

*Councilmember Grimm shared that she personally would like to have the discussion before Council approves this item. It has nothing to do with yes or no, or where she is at; she just wants to have the discussion.*

*City Attorney Michael Shaunessy explained that two years ago the Texas Legislature amended Chapter 43 of the local Government Code. The whole purpose of amending Chapter 43 was to address the fact that some cities, were incredibly aggressive in annexation. There did not seem to be anyway in which people in outside areas wanted to be gobbled up by the city that was coming after them. As someone who was annexed by Austin, and didn't want to be, Ms. Shaunessy identified as that. The concept that was created is, if you are a city of county where the last census was an excess of 500,000 people, you can only annex only certain conditions. They are by an election of the people that will be taken in, another is an agreement by a sufficient number of land owners. However it didn't apply to Williamson County. As of the last census, the population was nowhere near a half a million people. Mayor Pro Tem Hines clarified if the census was for cities or counties. City Attorney Mike Shawnessy confirmed that, where an entity is a tier 1 city, it is determined by the County. Hutto is a Tier 1 because the Williamson County census was under a half a million. We knew we were going to become a tier 2 city as soon as we have another census. The cities in LaSalle County were never going to be tier 2 cities. La Salle County is not getting any bigger. We proceeded along the line and,*

for a variety of reasons, began the annexation process. In many instances, the annexation process in Hutto was commenced because people outside the city were literally asking, will you bring us into the city and offer us those protections. The people who were living in and around the proposed waste transfer station certainly wish they had some protections. That is one of the reasons we had neighborhoods and groups of people saying, can you annex us? In this Legislative Session, House Bill 347, eliminated the distinction. It said everybody is tier 2. It provides that if you are just starting an annexation, you have to do it just like a tier 2 city had to do it 2 years ago. You have to have an election or have to have consent of a certain percent of the landowners, with other provisions in there. However, 347 provides this; if you started and haven't completed your annexation then you don't have to go back and start all over, and literally spend all of the money and time already spent. As long as before the effective date, you have directed your city manager to prepare a service plan that covers the areas to be annexed and the ETJ. That is why we are here tonight. The bill is going to be enrolled into the Secretary of State's office, we believe, on Tuesday. The Governor's General Council says that is when the bill will be effective. If you pass this and direct your city manager and staff to prepare the service plan, then you don't have to start over on all of the developments that are in process. At the same time, it doesn't obligate you, if you get further down the road and decide this annexation isn't working for us or those people don't want to be in and we really don't want them, you can still walk away. All this says is that it allows you to keep going forward under the old law, rather than start the whole process over. Does it have implications of economic development, it absolutely does. Some of the annexations that are contemplated directly related to economic development and the related incentives that we are going to have to offer to get some of those businesses. City Attorney Mike Shaunessy concluded by asking if it makes sense.

Mayor Pro Tem Tom Hines responded that it makes perfect sense to him and that is why he thinks Council needs to pass this.

Councilmember Grimm asked how this affects all of the annexations that they just did. Mayor Pro Tem Hines clarified that Councilmember Grimm was referencing the voluntary annexation agreements. City Attorney Mike Shaunessy responded that as long as this annexation is complete, then this has nothing to do with it. Councilmember Grimm followed up by asking if they were complete. City Manager Odis Jones responded that the two parcels this impacts are the Franklin \_\_\_\_ Property which is approximately 50 acres parcel as well as the Jonas property, in the targeted area for Perfect Game. There is another parcel, the Moore Family Farm. Executive Director Infrastructure & Development Services Ashley Lumpkin added that the Development Agreements in lieu of Annexations, in the big packet, those are not affected. This bill doesn't affect the development agreement in lieu of annexations, as she understands it. It more affects the unilateral annexations that we started going through to help then protect the ETJ residents that were most vocal and sensitive to development coming towards their areas. Councilmember Grimm shared that is what she is most concerned about. She wants to make sure this isn't going to screw anything up, because what we did protects them and their Ag exemptions. She doesn't want this to go on as planned then all of a sudden we find out all the filings we did, the 3 weeks of meetings that she had with Ashley and the staff, was for nothing. Then they can possibly lose it to a different council or city manager ten to twenty years down the road. Executive Director Infrastructure & Development Services Ashley Lumpkin responded that those development agreements are fine. City Attorney Mike Shaunessy added that there is a lot in House Bill 347. If the annexation is complete then it is

not affected. If the annexation is incomplete, as long as you pass this provision, direct the city manager and city staff to prepare a service plan, then you are under the old law and go through the old law until you have completed the annexation and they are part of the city. Councilmember Turner asked if the service plan was for all current annexations. City Attorney Mike Shaunessy responded that it was for all current annexations. Councilmember Turner confirmed that it was just the ones that we are working on, if the service plan goes into effect then those are safe too. Executive Director Infrastructure & Development Services Ashley Lumpkin responded that is correct. It would affect the 5 or 6 that have been presented twice to Council. The five step process. Then there were additional tracts at the northeast corner of the Limmer property and the other two that the City Manager Odis Jones mentioned, the small triangular Jonas tract and a small homestead that was part of a larger purchase of the Moore family that is on the Perfect Games site. City Manager Odis Jones asked Executive Director Infrastructure & Development Services Ashley Lumpkin, that all of the ones that Councilwoman Grimm is referring to, those services plans have already been erected. The ones that have not is on the agenda for tonight, correct. Executive Director Infrastructure & Development Services Ashley Lumpkin responded, she believes so. Councilmember Grimm requested the record to reflect that the question was asked and answered. City Attorney Mike Shaunessy further explained that if they are complete than this doesn't affect them. If they are not complete then the action tonight allows you to go forward without restarting the process. City Manager Odis Jones added, meaning that the service plans were complete. City Attorney Mike Shaunessy clarified that if the annexation is completed as of tonight then House Bill 347 doesn't affect them. If they are not, as a matter of law, complete before tonight, directing the city manager and city staff prepare a service plan allows you to proceed under the old law and complete that process under the old law as opposed to restart it all over again. Councilmember Snyder clarified if they have already authorized service plans on the current economic things they are working on, correct. Councilmember Grimm responded that the ones she asked about weren't economic. They were growth, where they not? Executive Director Infrastructure & Development Services Ashley Lumpkin confirmed, correct. Councilmember Grimm added that the ones they were working on were for them to keep their Ag exemption. Mayor Pro Tem Hines added that it was until they decided. Councilmember Grimm included it's was until they wanted to be annexed in. Executive Director Infrastructure & Development Services Ashley Lumpkin further clarified that there are two separate questions. To Councilmember Snyder's question, yes, the ones that we are currently working on were for the economic development reasons. We offered 15,000 acres of Ag exempt development agreements in lieu of annexation. We saw where the growth was going so that is when we went through and said here is the bigger growth corridors, here is where we potentially have a growth management weakness, so those are the tracts we were looking at. The 200 development agreements should be okay because HB 347 doesn't affect the developer agreements. Councilwoman Grimm struggles that there could be a loop hole. City Manager Odis Jones clarified that Council worked really hard with the people in the ETJ because they didn't want to be exposed to the growth. They were voluntary annexation agreements that we entered into. Are those exempt from this? If they are not, can the Council have a motion to also execute those service plans at the appropriate time? Mayor Pro Tem Hines added that the first readings have been done for all of those so it would fall under this motion. City Manager Odis Jones thought so too. City Attorney Mike Shaunessy shared that if you are concerned it is not complete, and want to complete it under the old law, then the path to take is to direct the preparation of the service plan. Mayor Pro Tem Hines asked if they should cover all of them anyway. City Attorney Mike Shaunessy responded it should cover anything that is not



complete. Councilmember Grimm shared that is the biggest concern, more than anything else, are those people. Mayor Pro Tem Hines added that if there is a loop hole there isn't anything that Council can do about it, other than cover our bases. Councilmember Grimm worked really hard and doesn't want it dismantle because of the senate and the house. City Attorney Mike Shaunessy added that if anything changes it is because of the legislature. City Manager Odis Jones shared that this resolution covers all of that. Councilmember Snyder further shared that the Resolution also covers the annexations that haven't been covered yet. It is giving us the ability to create a service plan for the whole ETJ of the City. City Attorney Mike Shaunessy responded that is correct, but it is what the bill calls for. It doesn't mean you can annex the entire ETJ. Councilmember Snyder would like to protect the people we have already spoken to. City Attorney Mike Shaunessy explained that if the bill says if you start the process and provide people the service plan, than continue moving forward. For some reason the Bill said if you direct the City Manager and Staff to develop a service plan for everything you are going to annex and have started, and the whole ETJ. It has to be directed as the whole ETJ. Mayor Gaul clarified that if the Resolution is passed, anything started, we can continue in the process. City Attorney Mike Shaunessy confirmed that is correct. Any in the ETJ that has not started, will have to be under the new law. Councilmember Snyder asked if we keep track of our voluntary and forced annexations. Executive Director Infrastructure & Development Services Ashley Lumpkin responded, that the information is tracked. City Manager Odis Jones added that this started with growth in the ETJ. City Attorney Mike Shaunessy added the example of residents in Star Ranch wanting Hutto to annex but they can't. Mayor Pro Tem Hines asked in regards to the limited annexation of Star Ranch, after the twenty years is up then will it be automatically annexed. Is it something we would need to follow the new law on? City Attorney Mike Shaunessy responded it will have to be under the new law.

## **ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 6:37 p.m.*



**CITY COUNCIL  
MEETING MINUTES  
MAY 30, 2019**

*The Hutto City Council met in a regular session on Thursday, May 30, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Mike Snyder, Councilmember Peter Gordon, Councilmember Patti Turner and Councilmember Terri Grimm.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Cara Hanna, City Attorney; Byron Frankland, Assistant City Manager/Public Safety Director; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Infrastructure & Development Services; Ashby Grundman, Director of Development Services; Emily Parks, Public Information Officer; Tony Host, Executive Director of Community Services; Lacie Hale, City Secretary; and, Lynn Trumbul, Sr. Assistant City Secretary.*

**INVOCATION**

*The invocation was given by Chaplain Brian Dempsey of the Hutto Police Department.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.*

**CITY COUNCIL COMMENTS**

**5A. General Comments from City Council**

*Councilmember Grimm explained that a month ago she was asked about the 2009 bond issuance breakdown. This information is available to anybody that wants it. In 2010, \$2.8 million was issued, in 2012, \$5 million was issued, and in 2016, \$6.4 million was issued. On the projects and construction costs for where the bond money went, the design and construction costs for Farley and Taylor Street (design was in fiscal year 2010, construction happened in 2014) was \$2.2*

*million. Mager Lane project, the design and construction was in FY 2012, at \$1.8 million. East Street, design and construction was in fiscal year 2016 and 2017, was \$992,000. The estimated cost for Arterial Fencing was \$450,000. The design and construction for the project was done in fiscal year 2013, with the expended funds of \$228,402. Sidewalks on FM 1660 South, design and construction in fiscal year 2013, 2014, and 2015, totaled \$590,000. Fritz Park Improvements, design and construction was in fiscal year 2016, as \$1.3 million. Rec Center, design and construction in fiscal year 2013 and 2014, was \$5.9 million. A rough estimate of all of these together is \$15.1 million. Due to inflation, the proposed amount for the bond projects proposed to the residents at the time, a lot of the projects almost doubled in the construction costs. Any additional costs that were because the bonds weren't issued or didn't fall under the original proposition were covered General Fund Reserves.*

*Councilmember Gordon asked if it would be appropriate to make a motion to include in the official minutes.*

### **PUBLIC COMMENT**

*Lucas Noble Evans of 3750 Country Road 132 South thanked Council for letting him speak. He shared that he had a 20 minute presentation regarding agenda items from the last Council meeting. He reduced the presentation down to a few pictures. Welcomed Mr. Snyder and Mr. Gordon and thanked them for their services. This is a sacrifice. Mr. Evans explained that he is a graduate of Hutto High School and went to school with Mr. Gordon's son. He has a degree in environmental science and urban planning. Was the Director of Peace Park Conservancy in Austin. It was for 78 acres off Lamar and fostered a beautiful community. Then he went on to help a friend with earth work so is familiar with the process of developing and reclaiming plots of land. His presentation mainly covers the value of moving east. He knows it is coming and that Council predated the support for the extension of 130 and 1660. The extension is going to be his driveway. They have already done some of the earth work. Mr. Evans is heavily advocating it be taken further west so they can have a little more room. His property will have to be completed avoided going further south and Perfect Game is coming in. He is not completely against all development. It is going to bring a lot of economic activity to the area. The area east is the frontier but what they do there is very serious. He left an application for Tom Hines. The city has his resume, applications, and is trying to get involved in the boards and commissions but hasn't heard anything. In August, Mr. Evans is starting a job with Atkins Global. It is a global design engineering firm. Currently working on the 183 expansion, in Austin, and the 45 connection. He is coming in to help to possibly contract and design the first desalination plant. Believes that it is important being in an agricultural area in Williamson County is a powerhouse, the Black Land Prairies is a powerhouse. Before developing, we need to know what we even have. The Black Land Prairies use to cover 20,000 square miles and now it covers maybe 800 acres. He would argue that his 5 acre house is probably the only standing Black Land Prairie in Williamson County, baring maybe Berry Creek Park. Let's think about it.*

### **CONSENT AGENDA**

**Motion:** Councilmember Grimm made a motion to pull Item 7A for a possible correction request. Councilmember Turner seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays

7B. Consideration and possible action on the acceptance of the street, sidewalk, sidewalk ramps, water, wastewater and drainage improvements of Mager Meadows Phase 2 Subdivision. (MD Hoss a in)

**Motion:** Councilmember Grimm made a motion to approve the remaining items on the consent agenda. Councilmember Gordon seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays

### **REGULAR AGENDA ITEMS**

7A. Consideration and possible action approving the minutes of the May 15, 2019 Special City Council Meeting and the May 16, 2019 Regular City Council Meeting. (Lynn Trumbul)

*Councilmember Grimm explained that the meeting minutes for 13A, the record needs to reflect why they moved the June 6<sup>th</sup> meeting to today. Mayor Gaul clarified that three councilmembers that have business or personal, will be out so there will not be a quorum. Councilmember Grimm responded, correct.*

*Councilmember Snyder shared that on the May 16 meeting, item 11B., there might have been an error that his views and Councilmembers Gordon's. The statement "Councilmember Snyder said he is ok with an 8-story building. He further stated that he thinks the issue is less with the number of stories and more with the transparency regarding the issue." was made by Councilmember Gordon and not Councilmember Snyder. Councilmember Snyder also shared*

*that there were a lot of comments that night and input from City Manager and other people. It should be included in the record.*

*Councilmember Grimm asked if meeting minutes can be tabled until the next meeting. She agreed with Councilmember Snyder. It was a long discussion and there is a lot that could possibly be added. She requested it be tabled to allow the City Secretary to add more discussion for approval. Councilmember Snyder agreed.*

**Motion:** Councilmember Grimm made a motion to table the minutes from the May 15, 2019 Special City Council Meeting and the May 16, 2019 Regular City Council Meeting to allow the City Secretary to update the comments and make corrections. Councilmember Turner seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays

*City Manager Odis Jones clarified, for the City Secretary purposes, right now she is doing summary minutes. Would Council prefer her to move to more detail in the future or is it just for this set? Councilmember Turner requested the minutes be as detailed as possible because we are thinking about transparency here. This is the written record. If there is something we feel that needs to be noted, we can always ask to please state for the record. Councilmember Grimm personally feels that a synopsis is fine. If you don't go to the meeting and read the minutes, as long as you understand the conversation that happened, you can see who lean what way. With that agenda item specifically, the minutes should reflect why the vote was the way it was because it was not a unanimous vote. That is important. Councilmember Rose added that on top of that there was lot of public comment concerning that item. Councilmember Grimm agreed. Mayor Gaul thought the public comment was captured. Councilmember Grimm felt that it should be agenda item based, in her opinion. City Manager Odis Jones followed up by stating he just wanted to make sure that City Secretary Lacie Hale had an opportunity to hear how Council wants the minutes. Councilmember Snyder shared that for him personally, if it is called a heated issue he would like to see more of the minutes. Someone can come back, scan through minutes and look at it. When you look at it then it may not seem like that big of any issue. Councilmember Gordon asked if there were different retention requirements for video archive versus the written. City Manager Odis Jones responded that the video is kept on the same level as the minutes. Councilmember*

*Gordon didn't know if the written record was kept longer than the video. City Manager Odis Jones responded that it was the same.*

## **ORDINANCES:**

- 8A. Consideration and possible action on the second and final reading of an ordinance concerning the first amendment to the Fiscal Year 2019 Budget of the Hutto Economic Development Corporation - Type B. (Michel Sorrell)

*Chief Financial Officer Michel Sorrell explained that this is the second and final reading for the EDC first budget amendment. It is required that the Council actually approve this budget amendment as the authorizing unit. As mentioned last time, the expenditures will increase a little over \$720,000 that is due to several things. One is the employment of the Economic Director that started in April. Also incentive packages, including \$585,000 sponsorship to the Brushy Creek Amphitheater. The Board actually approved that last fiscal year, but due to timing did not get paid until this fiscal year. As well as incentives to JRS and a small business loan program. That is the increase to the budget. For fiscal year 2019, she doesn't foresee another budget amendment happening. The largest affect is the \$585,000. The fees and incentive packages were negotiated by the board.*

*Mayor Gaul confirmed that the budget amendment was approved by the EDC. Chief Financial Officer Michel Sorrell responded it was approved on April 1<sup>st</sup>. Councilmember Turner asked if it was unanimous. Chief Financial Officer Michel Sorrell said yes, it was. Councilmember Snyder clarified that the money has been spent and the position has already been fired. Chief Financial Officer Michel Sorrell responded, that is correct. The other agreements, JRS, and small business loan program have not actually been paid, as of yet. City Manager Odis Jones further explained that the reason they have not been paid out yet is because they are performance measures in it. Meaning the companies don't get paid unless they reach a certain performance level. When the company hires a certain number of employees they submit the certified payrolls then get paid. Councilmember Snyder shared that makes sense. It seemed unusual, in his mind, that we had already spent money and hired the position then came back to approve. He asked what would happen if the Council doesn't approve the amendment to the budget. Chief Financial Officer Michel Sorrell responded that the position didn't start until after the Board approved the position. City Manager Odis Jones explained that Council approved the new bylaws that had added the position. Council also gave direction to the EDC board so assumed Council would be okay with the expenses. Also, the same was done with amphitheater. The City Council had given direction to the Board and this is the Board responding to the request. Councilmember Gordon clarified that they approved them to do it but didn't know the amount at the time. City Manager Odis Jones responded that Council knew the amount at the time. It is just now getting around the ad ministerial standpoint. Councilmember Gordon asked if it was for one position. City Manager Odis Jones responded, that is correct. It is for one position.*

**Motion:** Councilmember Rose made a motion to approve the ordinance. Councilmember Turner seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, 0 nays.

### **RESOLUTIONS:**

9A. Consideration and possible action on a resolution supporting Williamson County in their efforts to explore alternative transportation options in coordination with the City of Hutto. (Ashley Lumpkin)

*Executive Director Infrastructure & Development Services Ashley Lumpkin explained this is a quick Resolution supporting Williamson County's efforts. She did point out that there are a few whereas statements but a majority of them depend on our economic development efforts. So the 600,000 people coming to town with the Perfect Game Project, ensuring that we are looking at the transportation routes within the City of Hutto, giving a priority to the improvements along the interior road at County Road 132 corridor and state highway 130 access lanes between Limmer Loop and Highway 46. That is the gist of this Resolution for support.*

*Councilmember Rose shared that he is confused. They put out a press release that highlighted a southeast loop going around the town, off 79 east and connecting off 130. It all talks about it being a study. Reading the Resolution it is talking about, lead him to believe, they are looking at other things as well. He asked why Council needs to support or not support them doing studies. To him, it is their job. They need to be studying the mobility of the County. The Resolution doesn't state whether we are in support of the loop or not. It just talks about their efforts to create safe and viable roadway options. He would like to table this until we get actual definitive information.*

**Motion:** Councilmember Rose made a motion to table 9A for clarification and more information. Councilmember Gordon seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Mike Snyder  
Councilmember Peter Gordon  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, 0 nays.

*Councilmember Grimm asked for clarification that the only discussion that can be done is about tabling the motion. Mayor Gaul agrees with tabling it. He would like to get more feedback from the citizens and information. They also have a public meeting on the 24<sup>th</sup>. Councilmember Turner agreed. Councilmember Gordon shared that he had the same question. The Resolution mentions improvement to County Road 132, which is our proposed overpass. It doesn't talk about anything that was mentioned yesterday. Councilmember Rose added that it is totally generic as opposed to what they put out there. Councilmember Snyder shared that something he is hearing from the people, is that they speak to the County and the County is not listening. He would like to see the City set up something first, before the meeting, to meet with our people then one or two of us can go to that meeting as well. If they aren't going to listen to the residents then we can be there and share the information as well. We can be ahead of it. Instead of being reactive to the meeting the 24<sup>th</sup>, we can be proactive and bring our concerns. If it is going to be through Hutto, he feels like we should be the ones pushing it. Councilmember Grimm explained that she stands beside those residents 100%, so could honestly care less about the table or no table.*

*City Manager Odis Jones added that he doesn't have much detail to share at this point. Staff would like something for the engineering department. Mayor Gaul explained that it looks like Council needs a lot more information before they are ready to make a decision. Public Information Officer Emily Parks shared that she met with the Williamson PIO office and discussed how their information is coming out in the wrong order. We will be setting up a time for the city to get that information so we can provide it. Councilmember Grimm stated that we should have been a part of that conversation before the Statesman article even went out. Mayor Gaul concluded that the staff understands that Council needs more information before they make a decision. City Manager Odis Jones suggested that the Engineering Staff get more information for Council then hold a public hearing.*

*Councilmember Gordon shared that if they go to the residents now, they don't know. Councilmember Grimm assumes they don't know. She has watched these residents for two years go through this. There would be a lot more people in this room if they knew. They have been fighting hard.*

## **10. CITY MANAGER COMMENTS:**

10A. Online Message Board Discussion. (Emily Parks)

*Public Information Office Emily Parks shared that she received a request from some Councilmembers to look into and provide more information for online message boards for City Councils. She presented Council with information and feedback from other cities*



*that are using it. She did not recommend move to an online message board and encouraged Council to look into current methods of communication.*

*Councilmember Gordon admitted that he was one of the Councilmembers that brought it up. If he wanted to email the entire rest of the Council, he can't really do that. Now he has to email one person and the city manager for more detail. He doesn't know if anyone on the Council had the same question. It seems like he would be able to ask the questions on the message board. He feels a little in the dark. This is really the only benefit he saw in it. The ability to be more organized as a Council and make sure they are talking about the right things during Council meetings.*

*Public Information Officer Emily Parks responded that we can provide additional trainings in those areas to address that issue. With the use of an online message board, while it does address that issue, you also run into how the conversation ensues in the forum so that there aren't any decisions being made. City Manager Odis Manager added that the law has been in place for a while. There are city attorneys that have expressed how close this is to walking quorums. Councilmember Grimm asked Councilmember Gordon what is the difference between on the dais after 7 pm discussing agenda items over on an online message board. She has something to say almost every meeting and agenda item. It is communication and we aren't doing it period. Councilmember Gordon explained that the difference is if there isn't enough information to fully make a decision during the Council meeting. One of the things, possibly, that could have been taken care of prior to the meeting, on the message board, is the minutes. Councilmember Grimm shared that is why we have the meetings. Councilmember Gordon doesn't see this as a way to involve the citizens. He brought it up for Council to be more efficient and work a little bit better. Councilmember Rose suggested Councilmember Gordon attend the TML New Councilmember Orientation. If he has a question on something, he doesn't need to ask Council if they have the same question. Contact the City Manager, to get with the staff member on the agenda, for more information. City Manager Odis Jones added that is why Council gets the agenda on Friday. If there needs to be more information or something missing, just call him. He will contact the staff member to add the information to the dropbox. That way all of the Councilmembers have access to it. This is the preferred way it is done in a Council/ City Manager form of government. Public Information Officer Emily Parks added that we are looking into a new program that is easier to use. It will also modify the timeline on how the agendas are prepared, to give Council more time to provide information. City Manager Odis Jones added that the current program is archaic. The new program iCompass and laserfiche will be helpful. Public Information Officer Emily Parks added that they will be rolled out in June. Councilmember Snyder shared that public has a healthy distrust in government. Feels that people will be more comfortable if the questions are asked at the dais. Now the public can see it. He thinks the message board is a good idea but can see where it would have issues.*

*Mayor Gaul added that if more information is needed, contact the city manager so that he can get the same information to all of Council. When we have discussion about the*

*agenda item it should be at the dais. Council should send an email to the City Manager and can cc him on the email. City Manager Odis Jones further explained that he and the Mayor talk once a day. So if he doesn't see the email then the Mayor will remind him. We try to turn it around as soon as we can. Councilmember Snyder asked if there was a way to look into a system like Ft. Worth. You can access everything literally online. If we give the people all of the tools, then he thinks they will be more engaged. City Manager Odis Jones responded that he thinks we may be trying to do this with iCompass. Might be good to have another iCompass presentation for Council.*

*Public Information Officer Emily Parks shared that Council will be provided training information about iCompass at their retreat. The second part of that is laserfiche. We are not at the Ft. Worth level yet, but we are moving in that direction. City Manager Odis Jones thinks that the citizens are demanding a higher level of service across the board. It is normal when you have a city that is growing. We really need to enhance our technology apparatus. There is a lot of new software out there that not only will make things more efficient on our side but also make things more efficient when searching for a document. Councilmember Snyder shared that when people want something, they want it immediate. They can google a recipe for cupcakes but when they want a document from the city they don't want to do a FOIA, to wait however many days. When they have a question they want it answered in minutes. He is with the City Manager in that the people are expecting it and if we move towards that then the people will be happier.*

*City Manager Odis Jones added that we have thousands of documents and need to improve our technology. It is going to be a budget item request. It is part of us growing up as a city. Mayor Gaul thinks it a natural progression where we are at. Councilmember Rose is on board with it, but shared that what we have now needs to be made easier to find. It is a great award winning website but a pain in the butt to navigate. Public Information Officer Emily Parks explained that as we move forward with the Communication Plan, she will be focusing on reducing the footprint, streamlining it, and making it more efficient. She thinks that if we focus on that aspect of communication and open government then we achieve the level of service the residents are asking for. City Manager Odis Jones added that they are asking for it across the board which is expected. Mayor Gaul further explained how it is a challenge. There is all this information available but how do you make it easy. Public Information Officer Emily Parks wants to organize what we have then see what needs to be done from here to better achieve what the public, Council, City Manager and staff want.*

*Councilmember Gordon is all for other ways to do it. Sounds like the benefit may not outweigh the costs. If there are definitely other ways to look at it. Councilmember Grimm added that it is great Councilmember Gordon brought it up. Look at the conversation it created.*

*City Manager Odis Jones made a few announcements. Requested Council to get in touch with Assistant City Manager Frankland to coordinate ride outs with the cops. Also, take a tour of the streets and drainage department. Wants Council to get their eyes on things so*

*that they can better understand the budget requests coming their way. Finally, invited Council to participate in the Active Shooter training with staff.*

IOB. Budget Calendar Review. (Michel Sorrell)

*Chief Financial Officer Michel Sorrell presented the budget calendar to Council. It is dictated by State Comptroller's Office and Williamson County Tax Assessor's Office. City Manager Odis Jones added that it is a tight calendar with a lot of special meetings. Chief Financial Officer Michel Sorrell concluded by sharing the preliminary tax roll numbers. Last year, the certified tax roll was \$1.825 million. The preliminary certified tax roll, from April, was \$2.1 billion. It was 14% growth from last year to this year.*

IOC. Update on:

- Hwy 79 and Co-Op Boulevard; and,

*Director of Public Works and Engineering Department MD Hossain presented diagrams of the median improvements for Highway 79 and Co-Op Boulevard and the project timeline. There will be a traffic signal at this intersection. Ground breaking for the project is June 4, 2019, with an expected construction completion in August 2019. City Manager Odis Jones asked when the public was to be notified of the construction. Director of Public Works and Engineering Department MD Hossain explained that there will be multiple forms of communication. They include social media, and electronic messaging boards. Mayor Gaul added that he likes this will be done before school starts back up. Director of Public Works and Engineering Department MD Hossain concluded by explaining the level of service for this intersection.*

- Snyder Boulevard and contract default. (MD Hossain and Bill Bingham)

*City Manager Odis Jones briefed Council that last year they chose CRU Construction as the contractor to move ahead with the construction of Snyder Boulevard. CRU Construction went out of business and walked away. This is a legal process and also an engineering project. City Attorney Bill Bingham added that the City has made a demand on the bonding company. They have a new contractor. It will be handled like any city project. The City will review the new contractor, determine the work proposed is adequate and if so, the city will sign a contract for them to start work. We hope they will start work immediately under direction of city staff.*

*Director of Public Works and Engineering Department MD Hossain presented an aerial view Innovation Business park, photos of Scheider Boulevard and Schneider Boulevard Bridge, breakdown of the project completion, and the timeline for when the contract was originally signed with CRU and when they notified the City that they were pulling off site. The overall completion of the project was 65%.*

*Mayor Gaul asked if the bridge met the requirements or will it have to be redone. Director of Public Works and Engineering Department MD Hossain responded that the bridge is cracking. Project Design Engineer Tony Bonadona, with MWM Design Group, there is some cracking issues. The design of the wall was based on a TXDOT design. It was reviewed by a structural engineer. They didn't find any major deficiencies or concerns. Mayor Gaul asked who honors the warranty. Is it the bonding company or new contractor? Project Design Engineer Tony Bonadona responded ultimately the bonding company is responsible. City Manager Odis Jones emphasized that the structural engineer thought the cracking were superficial and recommended epoxy. Councilmember Rose clarified that the cracks were not affecting the low grading of the bridge. City Manager Odis Jones responded, that is correct. Councilmember Snyder asked if it was safe to say that the CRU default is what has slowed down the Schneider Boulevard, the part where it gets to the roundabout and ties into Emory Farms. Project Design Engineer Tony Bonadona responded, yes. The other change is the pond. As the exhibit showed the pond was a larger area, but due to some unforeseen complications with the Army Core of Engineers, the pond was redesigned to push off stream. It was originally designed to be an on stream pond. The mitigation for converting from a stream to a pond was very extreme. To accommodate the schedule and intent of the project the pond was shift farther east. City Manager Odis Jones added that the change order for this was previously approved by Council and saved the city money. Mayor Gaul asked for clarification for on stream versus off stream. Project Design Engineer Tony Bonadona explained that on stream the creek would flow directly into the pond then directly out of the pond. Off stream, the creek would bypass the pond, then the pond would only discharge into the stream.*

*Councilmember Snyder asked if we had to follow Atlas 14, when we design these. Director of Public Works and Engineering Department MD Hossain responded that for this pond, we did not follow the class 14 because it was designed last year and the year before. In the next few months, staff will be bringing it before Council to adopt Atlas 14.*

## **ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 8:29 p.m.*

**CITY OF HUTTO**

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Doug Gaul, Mayor

**ATTESTED:**

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Lacie Hale, City Secretary

# CITY OF HUTTO

## CITY COUNCIL AGENDA

**AGENDA ITEM NO.:** 8B.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Lacie Hale

**ITEM:**

Consideration and possible action approving the amended minutes of the April 18, 2019 and April 4, 2019 Regular City Council Meeting. (Lacie Hale)

**STRATEGIC GUIDE**  
**POLICY:**

**ITEM BACKGROUND:**

### **BUDGETARY AND FINANCIAL SUMMARY:**

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

**CITY ATTORNEY REVIEW:**

**STAFF RECOMMENDATION:**

**SUPPORTING MATERIAL:**

1. [Amended Council Minutes 4.18.2019 and 4.4.2019](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



**CITY COUNCIL  
AMENDED MEETING MINUTES  
APRIL 18, 2019**

*The Hutto City Council met in a regular session on Thursday, April 18, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Patti Turner and Councilmember Terri Grimm.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; City Attorney Cara Hanna; Byron Frankland, Chief of Police; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Infrastructure & Development Services; Jessica Bullock, Director of Economic Development; Eliska Padilla, Assistant to the City Manager; Emily Parks, Public Information Officer; Tony Host, Executive Director of Community Services; Allison Hosgood, Executive Director of Talent Development & Human Resources; Lisa Brown, City Secretary; and Lynn Trumbul, Sr. Assistant City Secretary.*

**INVOCATION**

*The invocation was given by Taylor Choate of The Bridge Church, Hutto, Texas.*

**PLEDGE OF ALLEGIANCE**

*Mayor Gaul led the Pledge of Allegiance and the Texas Pledge.*

**CITY COUNCIL COMMENTS**

**Motion:** Councilmember Nathan Killough made a motion to pull Item 10H from the Consent Agenda and for it to be heard after Item 9B. Mayor Pro-tem Tom Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines

Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

**Motion:** Councilmember Nathan Killough made a motion that Items 14A, 7B and 8A be moved up on the agenda to be heard after Council comments. Mayor Pro-tem Tom Hines seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

### **COUNCIL ACTION**

7B. Consideration and possible action approving an ordinance directing the City Manager and City Attorney to exercise the right of eminent domain for the purposes of acquiring for public use approximately 209 acres of land, generally located near the intersection of US Highway 79 and CR 132.

*Odis Jones, City Manager – stated this item is needed to move forward with public infrastructure improvements along the CR 132 and US 79 corridor, and acquire the right of way to build an underpass, pursuant to bonds, parks, and two public safety facilities. Bill Bingham, City Attorney, most of the land can be acquired by negotiation, but this ordinance will allow the City to proceed with eminent domain proceedings if necessary, should negotiations break down.*

*Mayor Pro-tem Hines wanted to know if there have already been discussions with the land owners. Bill Bingham, City Attorney, answered yes, all of them, and the City is continuing discussions.*

*Mike Shaunessy, City Attorney, this allows the City to move forward if negotiations are unsuccessful so Council does not have to come back at a later time and address the issue.*

**Motion:** Mayor Pro-tem Tom Hines made a motion to accept 7B as presented.  
Councilmember Nathan Killough seconded the motion.

*Councilwoman Grimm wanted to know if the Council would be notified of the outcome of the negotiations – City Manager Jones stated the Council will be kept informed.*



**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

*City Manager Odis Jones requested the Council consider waiving the second reading of the ordinance.*

**Motion:** Councilmember Scott Rose made a motion to waive the second reading of the ordinance. Councilmember Nathan Killough seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

14A. Consideration and possible action regarding Project Expansion.

~~*Odis Jones, City Manager, requested the Council authorize him to negotiate and execute the final agreements associated with Project Expansion.*~~

*The Council discussed Project Expansion which includes residential housing, commercial development, the Perfect Game facility, and hotels and meeting facilities together with on-site and off-site infrastructure to support the project. The City Manager requested the Council authorize the City Manager to negotiate and execute final agreements associated with the project, including acquisition of real property, planning for the project, and conveyance of real property to developers and others in consideration of reimbursement to City of funds expended to acquire real property.*

**Motion:** ~~**Councilmember Nathan Killough made a motion to authorize the City Manager to negotiate and execute any and all issues regarding Project Expansion. Mayor Pro-tem Tom Hines seconded the motion.**~~

**Councilmember Nathan Killough made a motion to authorize the City Manager to negotiate and execute any and all issues regarding Project Expansion, including conveyance of real property upon reimbursement to**

**the City of City funds expended to acquire the property. Mayor Pro Tem Tom Hines seconded the motion.**

*Councilwoman Grimm wanted clarification regarding this action item related to the Executive Session. Mayor Gaul reminded her that it pertained to items discussed in the previous Executive Work Session.*

**Vote:**       Ayes   Mayor Doug Gaul  
                                Councilmember Scott Rose  
                                Mayor Pro-tem Tom Hines  
                                Councilmember Nathan Killough  
                                Councilmember Patti Turner  
                                Councilmember Terri Grimm

**Action:**       The motion passed with 6 ayes, 0 nays.

*The Council recessed at 7:10 p.m. to conduct a press conference to announce Project Expansion.*

8A.    Presentation announcing the project and lead tenant for Project Expansion.

*A press conference was held to announce a development agreement to construct a mixed-use development in Hutto, at or near the intersection of US Highway 79 and CR 132. Mayor Gaul recognized several elected officials in attendance: Commissioner Russ Boles, Hutto ISD Trustees Connie Gooding and Terrence Owens, HISD Superintendent Dr. Selena Estrada Thomas, Former State Representative Larry Gonzales, State Representative James Talarico, County Judge Bill Gravell, CDC Board Members Steven Harris and Dan Thornton. Mayor Gaul also recognized the efforts of State Senator Charles Schwertner and State Representative Talarico, as well as City staff.*

*The mixed-use development will be anchored by the single largest amateur baseball scouting services in the world, Perfect Game.*

*The City has been able to leverage the \$50 million development to an \$800 million-community investment, creating a development that will include baseball fields, multi-purpose fields, a recreation center, an indoor sports facility, residential, retail and office complexes. The original plans included 10 City baseball fields, 4 multipurpose fields, and 1 recreation center. Residents will have access to 30 ballfields, including 10 City turf ballfields, 6 City grass fields, improvements to 4 existing fields and an additional new grass field 5 multipurpose fields, as well as a recreation center and a Family Event Center. All City Community Parks will be improved.*

*Council reconvened at 8:09 p.m.*

## **PUBLIC COMMENT**

Heidi Clifton 409 Rio Grande Ave. – lives in Rivers Crossing and, speaking to Item 10H, is concerned regarding the possible increased traffic on Red River with the development of the Mustang Creek subdivision.

Kelly Olsen 415 Rio Grande Ave – lives in Rivers Crossing and is a member of the Board. Speaking to Item 10H, she is concerned about safety on Red River and a direct connection with the Mustang Creek subdivision.

Mayor Pro-tem Hines asked if the presentation on 10H could be made and then let everyone who wishes to speak on the issue do so at that time. Mayor Gaul agreed to hear those public comments after the presentation.

Aaron Kyle Lovinggood 1005 Louren Way – Believes the citizens were misled regarding the use of the Park at Brushy Creek. What is the return-on-investment for this, why did the City decide to take this route, and were there any park-specific studies done? He would like an updated Parks and Recreation Plan.

Mike Shaunessy, City Attorney, stated that because the issue of the parks is not on the agenda, the questions cannot be answered but can be addressed at a future meeting.

Mayor Gaul advised those individuals who signed up to speak regarding individual Consent Agenda items, other than Item 10H which was pulled, will not be addressed separately; however, he will allow Tanner Rose to speak regarding his items before the Consent Agenda is heard.

Greg Varney of CastleRock Builders, Division Manager – Confusion regarding the Smartcode toward the Brooklands Subdivision. There are questions regarding the intent to eliminate single-story homes. The last offer from the City to CastleRock Communities and Pacesetter Homes was to allow 20% of the homes to be one-story with a minimum of 2,000 sq. ft. and for CastleRock Communities and Pacesetter Homes to fund a \$475,000.00 splash pad to receive the variance. That size home will not fit on those lots, and there is no financial path forward to invest that amount of money to supply single-story homes.

7A. Consideration of a public hearing and possible action on the first reading of an ordinance approving the Planned Unit Development (PUD) zoning ordinance amendment for the Hutto Crossings PUD, 465.00 acres, more or less, of land, located at the southwest corner of Chris Kelley Boulevard and US 79 West.

Ashley Lumpkin, Executive Director of Infrastructure & Development Services, explained the amendment of the PUD would allow for the construction of an architecturally integrated self-storage facility and allow for additional uses along Highway 130.

Two responses to the public hearing were received – one in favor and one opposed. The Planning & Zoning Commission reviewed the proposal and recommends approval.

A public hearing was opened at 8:30 p.m. With no public comments the public hearing was closed at 8:31 p.m.

*Mayor Pro-tem Hines wanted to know where the entrance and exit for area D (the industrial) will be and who will be responsible for construction. There is an existing entrance off US 79 that will need to be improved and on the east side along 130, there is an area for a roadway. The developer will have to secure those approvals through TxDOT and the County and build them.*

*Councilwoman Patti Turner wanted to know if they will be able to put up a fence instead of landscaping or have both as a buffer. Ashley Lumpkin responded that, in some areas, they can enhance the fence and have less landscaping, but they usually have both.*

**Motion:** Mayor Pro-tem Hines made a motion to accept the first reading of the ordinance. Councilmember Nathan Killough seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

*Ashley Lumpkin requested a waiving of the second reading of the ordinance.*

**Motion:** Councilmember Scott Rose made a motion to waive the second reading of the ordinance. Councilwoman Terri Grimm seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

8B. Presentation of the City Financials for the Month of March as required by the fiscal and budgetary policy.

*Michel Sorrell, Chief Financial Officer, presented an overview of the City financials for the month of March.*

### **PUBLIC HEARINGS:**

9A. Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 65.00 acres, more or less, of land located on the east side of FM 1660 North.

*Ashley Lumpkin presented the second reading of an ordinance for the voluntary annexation of the Hutto Independent School District 65.00 acre tract.*

*A public hearing was opened at 8:47 p.m.*

*Mike Hemker 410 Rio Grande – made a formal request to pull from the consent agenda for Council to take a record vote.*

*The hearing was closed at 8:48 p.m.*

- 9B. Open and conduct the second public hearing regarding the proposed annexation of the HISD Tract, 100.00 acres, more or less, of land located on the east side of FM 1660 North.

*Ashley Lumpkin presented the second reading of an ordinance for the voluntary annexation of the HISD 100.00 acre tract.*

*A public hearing was opened at 8:49 p.m.*

*Mike Hemker 410 Rio Grande - made a formal request to pull from the consent agenda or Council to take a record vote.*

*The hearing was closed at 8:50 p.m.*

- 10H. Consideration and possible action on a resolution approving the proposed Mustang Creek Preliminary Plat, 170.655 acres, more or less, of land, 506 residential lots, 1 commercial lot, 1 church lot, 1 lift station lot and 54 open space/greenlink lots, located on FM 100 North.

*Mayor Gaul stated it is his understanding the homeowners met with the developers earlier in the week to discuss their concerns and the developers have some updates.*

*Scott Rempe with Packsaddle Partners, the developer for Mustang Creek, and Dustin Goss with Pape-Dawson Engineers, stated a couple of items have been identified that concern the residents: 1) traffic on Red River, and 2) water drainage between the two sites. They will be taking water from the Rivers Crossing subdivision and dispersing it in the creek in a more efficient manner.*

*With regard to the connection from Mustang Creek to Rivers Crossing via Red River, the developer has agreed to install an access gate with a Knox lockbox that only Fire and Police will be able to access.*

*Randall Pick 108 Brazos – Came to ask for more time to address the connection of Rivers Crossing and Mustang Creek via Red River, but after hearing the solutions and compromise by the developer he is satisfied the issue is resolved.*

Mike Hemker 410 Rio Grande – Their concerns are safety for the residents, parks and fees and drainage impact. Requested that before the final plat for this section is approved, the Rivers Crossing residents be able to have a conversation with the City and the developer.

Justin Olsen 415 Rio Grande – Believes Rivers Crossing received little or no consideration before the approval of the Mustang Creek, Hutto Highlands and the William Lyons developments without infrastructure improvements.

Rebecca Brown Acosta 105 Brazos Drive – Very concerned for the safety of the neighborhood. Concerned that the gate actually does happen.

Councilmember Scott Rose stated he is very familiar with Rivers Crossing. He believes their concerns are valid with regard to safety on the narrow roads. Appreciates the developer's efforts to work with the residents and address their concerns.

Councilmember Nathan Killough asked for confirmation that there are parks and greenspace in the new development. Scott Rempe confirmed that there will be a parkland with amenities in the Phase 1 development.

Mayor Doug Gaul stated he believes the Council and the developer have listened to the concerns of the River Crossings residents.

Mayor Pro-tem Tom Hines stated the access gate with the Knox lock box addresses the safety issue and the issue of drainage has been appropriately addressed. There will be better drainage than there is now.

**Motion:** Councilwoman Terri Grimm made a motion to approve the proposed Mustang Creek Preliminary Plat, 170.655 acres, more or less, of land, 506 residential lots, 1 commercial lot, 1 church lot, 1 lift station lot and 54 open space/greenlink lots, located on FM 100 North, with the stipulation that there be an access gate installed on Red River between the two subdivisions with a Knox lock box. Councilwoman Patti Turner seconded the motion.

Mayor Doug Gaul clarified that the location is on FM 1660, and not FM 100.

Ashley Lumpkin, Executive Director Infrastructure & Development Services, described the efforts the City has made and will continue to make to keep the residents informed of the development, including discussion of the Knox lock box and draining concerns.

**Vote:** Ayes Mayor Doug Gaul  
Councilmember Scott Rose  
Mayor Pro-tem Tom Hines  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed with 6 ayes, 0 nays.

*Public Comment by Tanner Rose 207 Watergate Way – Wanted to know what the budget is for the property that is the subject of the eminent domain. On Consent Items 10C and 10J: why was the budget for phosphates cut from \$70,000.00 to \$20,000.00, and where are the funds going to come from? With the addition of an in-house City Attorney, who reports to the City Manager, why does the appointment have to be approved by Council, and where is the funding for salary coming from.*

### **CONSENT AGENDA**

- 10A. Consideration and possible action approving the minutes of the April 4, 2019 Regular Council Meeting and April 11, 2019 Special Called City Council Meeting.
- 10B. Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land located on the east side of FM 1660 North.
- 10C. Consideration and possible action on a resolution authorizing the City Manager to enter into a contract with NAPCO Chemical Company for the purchase of Phosphates.
- 10D. Consideration and possible action on a resolution authorizing the Creekside Park Improvements, Task Order #4, related to the Proposition C Bond park projects.
- 10E. Consideration and possible action on the second and final reading of an ordinance regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land located on the east side of FM 1660 North.
- 10F. Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Revised Preliminary Plat, 24.24 acres, more or less, of land, 87 residential lots, 7 open space lots, located at the southwest corner of Chris Kelley Boulevard and US 79 West.
- 10G. Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Section 10 Final Plat, 24.242 acres, more or less, of land, 87 residential lots, located at Knowles Drive and Duroc Drive.
- 10I. Consideration and possible action on a resolution approving the proposed Star Ranch Parcel 13B Final Plat, 0.453 acres, more or less, of land, 1 commercial lot, located within Hutto's extraterritorial jurisdiction (ETJ) on Klattenhoff Lane.
- 10J. Consideration and possible action to appoint Cara Hanna as in-house City Attorney, and setting executive pay as determined by the City Manager.

**Motion:** Councilmember Nathan Killough made a motion to accept the Consent Agenda items as presented. Councilwoman Patti Turner seconded the motion.

**Vote:**       Ayes       Mayor Doug Gaul  
                                  Councilmember Scott Rose  
                                  Mayor Pro-tem Tom Hines  
                                  Councilmember Nathan Killough  
                                  Councilmember Patti Turner  
                                  Councilmember Terri Grimm

**Action:**               The motion passed 6 ayes, 0 nays.

**RESOLUTIONS:**

11A.   Consideration and possible action on a resolution adopting the Hutto Strategic Plan.

*Eliska Padilla, Assistant to the City Manager, presented the 2020 Hutto Strategic Plan to the Council for approval.*

*Councilwoman Terri Grimm wanted to know if the slides for the plan could be uploaded to the website or Facebook – she was advised it would be done.*

**Motion:**       Councilmember Nathan Killough made a motion to accept the resolution adopting the Hutto Strategic Plan. Councilwoman Terri Grimm seconded the motion.

**Vote:**       Ayes       Mayor Doug Gaul  
                                  Councilmember Scott Rose  
                                  Mayor Pro-tem Tom Hines  
                                  Councilmember Nathan Killough  
                                  Councilmember Patti Turner  
                                  Councilmember Terri Grimm

**Action:**       The motion passed 6 ayes, 0 nays.

11B.   A resolution of the City Council of the City of Hutto, Texas, in support of the creation of a Municipal Management District to be known as Hutto Municipal Management District No. 1.

*Eliska Padilla advised the Council that Wolverine Interests requested the formation of a Municipal Management District as a mechanism to finance public improvements.*

**Motion:**       Mayor Pro-tem Hines made a motion that we support the creation of a Municipal Management District to be known as Hutto Municipal Management District No. 1. Councilmember Scott Rose seconded the motion.

**Vote:**       Ayes       Mayor Doug Gaul  
                                  Councilmember Scott Rose  
                                  Mayor Pro-tem Tom Hines



Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, 0 nays.

11C. Consideration and possible action on a resolution denying an administrative variance request by CastleRock.

*Ashley Lumpkin advised the Council that several years ago, the City had a Smartcode that had pieces that were very confusing. One of them was in the transec zone adopted with the Brooklands development that requires you only have two-story homes; single-story homes were added as a “one-off” warrant process, an administrative variance. The developer of the Brooklands agreed at the time. The Smartcode has since been replaced with the UDC. The request came in to allow up to 65% one-story homes which was too much.*

*Odis Jones, City Manager, stated that the Code of Ordinances defers to the discretion of the City Manager. Smartcode stifled growth in the City and did not bring in new business. The Council Members, the Planning & Zoning Commission, business owners and the Chamber, and local builders worked together and eliminated the Smartcode.*

*The City Manager stated that he dislikes the hateful threats that have been lodged against the City, the residents, City employees and the police officers as a result of a video that was posted by the homebuilder’s employee. The City Manager would like to exercise his authority, with the support of the Council, to deny the variance due to the threats of violence that required involvement by the FBI.*

*Councilmember Scott Rose stated he lives in a CastleRock home and had a positive experience with the builder. He was asked to attempt to resolve this matter due to his experience. He has serious issues when he watches the video and reads hateful emails from individuals in hate groups across the country threatening the police officers.*

*Councilwoman Patti Turner stated she works in the construction industry and has never seen such unprofessionalism and discord toward our officers, including a threat of shooting at the City Hall and individuals indicating they would commit a traffic violation and shoot the first officer who pulled them over. The City Manager and the City Attorney have requested CastleRock ask their employee to remove the video, and they have refused. Councilwoman Turner stated she takes the matter seriously and requested the others do the same.*

*Councilwoman Terri Grimm stated the entire situation was over the pettiest issue she has ever seen.*

**Motion:** Mayor Pro-tem Tom Hines made a motion to support the City Manager and his authority to deny an administrative variance request by CastleRock. Councilmember Scott Rose seconded the motion.

**Vote:**      Ayes      Mayor Doug Gaul  
                                 Councilmember Scott Rose  
                                 Mayor Pro-tem Tom Hines  
                                 Councilmember Nathan Killough  
                                 Councilmember Patti Turner  
                                 Councilmember Terri Grimm

**Action:**      The motion passed 6 ayes, 0 nays.

**OTHER BUSINESS**

10A. Consideration of and possible appointments to City Boards and Commissions.

*There were no appointments made.*

**ADJOURNMENT**

*There being no further business to be heard, the meeting was adjourned at 9:41 p.m.*

**CITY OF HUTTO**

\_\_\_\_\_  
Doug Gaul, Mayor

**ATTESTED:**

\_\_\_\_\_  
Lisa L. Brown, City Secretary



**CITY COUNCIL  
AMENDED MEETING MINUTES  
APRIL 4, 2019**

*The Hutto City Council met in a regular session on Thursday, April 4, 2019, in Council Chambers, City Hall, 500 W. Live Oak, Hutto, TX 78634.*

**CALL SESSION TO ORDER**

*Mayor Gaul called the session to order at 7:00 p.m.*

**ROLL CALL**

*Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Nathan Killough, Councilmember Patti Turner and Councilmember Terri Grimm.*

*Members of staff that were present were Odis Jones, City Manager; Edena Atmore, Assistant City Manager; Cara Hanna, Assistant City Manager, Byron Frankland, Chief of Police; Paul Hall, Assistant Chief of Police; Michel Sorrell, Chief Financial Officer; Ashley Lumpkin, Executive Director Business Development; Ashby Grundman, Director of City Planning; Eliska Padilla, Executive Director of Communications and Marketing; MD Hossain, City Engineer; Lynn Trumbul, Sr. Assistant City Secretary; Irma Gonzales, Assistant City Secretary and Lisa Brown, City Secretary.*

**PLEADGE PLEDGE OF ALLEGIANCE**

*Members of Boy Scout Troop 190 posted the colors and led the pledge of allegiance. The participating scouts were: Maverick Moore, Nick Olson, Darnell Smalls, Daeton Smalls, Magnus Chittester and Scout Master Peter Gordon.*

**EXECUTIVE SESSION**

*Council recessed to executive session at 7:04 p.m. and reconvened at 7:08 p.m.*

**ACTION RELATIVE TO EXECUTIVE SESSION**

6A. Consideration and possible action regarding Project Peanut.

**Motion:** Mayor Pro-tem Tom Hines made a motion to authorize the City Manager to negotiate and execute a 380 Agreement with Western Industries Corporation. Councilwoman Terri Grimm seconded the motion.

**Vote:**       Ayes       Mayor Doug Gaul  
                                  Mayor Pro-tem Tom Hines  
                                  Councilmember Scott Rose  
                                  Councilmember Nathan Killough  
                                  Councilmember Patti Turner  
                                  Councilmember Terri Grimm

**Action:**       The motion passed 6 ayes, and 0 nays

**CITY MANAGER COMMENTS:**

7A.     Presentation announcing the company for Project Peanut.

*Odis Jones, City Manager introduced Western Industries Corp. as the newest company to relocate to Hutto, moving their manufacturing facility from Austin. WIC is a global manufacturing company that primarily produces packaging and protective shipping materials for a variety of industries; they also manufacture medical device products for operating rooms. CEO Jim and CSO Claudia Robertson were present along with CFO Chris Bruehl, COO Louis Morelli and General Manager Dan Peterson who will head up the Hutto facility. GM Dan Patterson indicated that there are currently 75 employees in Austin they are encouraging to relocate from Austin, and WIC anticipates growing that number to 100-150 employees.*

**CITY COUNCIL COMMENTS**

*Councilwoman Patti Turner asked Odis Jones, City Manager, for an update on the sale of bonds, which he provided.*

**PUBLIC COMMENT**

*No public comment.*

**PUBLIC HEARINGS**

10A.    Open and conduct the first public hearing regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land, located on the east side of FM 1660 North.

*Ashley Lumpkin, Executive Director of Development Services, stated that this hearing is the second step in the 5 step process of a voluntary annexation of 65.0 acres of land owned by the Hutto Independent School District for the new high school campus.*

*The Mayor opened the public hearing at 7:26 p.m. There being no public comments, the hearing was closed at 7:26 p.m.*

10B.    Open and conduct the first public hearing regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land, located on the east side of FM 1660 North.

*Ashley Lumpkin, Executive Director of Development Services, stated that this hearing is the second step in the 5 step process of a voluntary annexation of 100.0 acres of land owned by the HISD for the new school campus.*

*The Mayor opened the public hearing at 7:27 p.m. There being no public comments, the hearing was closed at 7:27 p.m.*

### **CONSENT AGENDA**

- 11A. Consideration and possible action approving the minutes of the March 21, 2019 Regular City Council Meeting.
- 11B. Consideration and possible action on the acceptance of the street, sidewalk, sidewalk ramps and drainage improvements of Hutto Highlands Section 2, Phase 1 Subdivision.
- 11C. Consider and possible action on the first reading of an ordinance regarding the proposed annexation of the HISD Tract, 65.0 acres, more or less, of land, located on the east side of FM 1660 North.
- 11D. Consider and possible action on the first reading of an ordinance regarding the proposed annexation of the HISD Tract, 100.0 acres, more or less, of land, located on the east side of FM 1660 North.

**Motion:** Mayor Pro-tem Tom Hines made a motion to accept the Consent Agenda presented. Councilman Nathan Killough seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, and 0 nays.

### **ORDINANCES**

- 12A. Consideration and possible action on the first reading of an ordinance rescheduling the first regular meeting of the Hutto City Council for the month of July 2019.

**Motion:** Councilman Killough made a motion to accept the ordinance moving the first Council meeting in July to July ~~July~~ **23**, 2019. Councilwoman Patti Turner seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, and 0 nays.

**Motion:** Councilman Killough made a motion to waive the second reading of the ordinance rescheduling the first meeting in July to July ~~2~~ 3, 2019. Councilman Scott Rose seconded the motion.

**Vote:** Ayes Mayor Doug Gaul  
Mayor Pro-tem Tom Hines  
Councilmember Scott Rose  
Councilmember Nathan Killough  
Councilmember Patti Turner  
Councilmember Terri Grimm

**Action:** The motion passed 6 ayes, and 0 nays.

### **OTHER BUSINESS**

13A. Consideration of and possible appointment to City Boards and Commissions.

*There were no appointments made to the Boards and Commissions.*

*Councilwoman Terri Grimm noted that there will be some positions on the boards that will be coming up for re-appointment.*

13B. Consideration and possible action concerning a settlement agreement with Manville Water Supply Corporation.

*Michel Sorrell, Chief Financial Officer, reviewed the terms of the settlement agreement with Manville Water Supply Corporation. Under the terms of the agreement, the City's contract will be on a reserve capacity only with a minimum daily reserve of 200,000 gallons at a cost of \$3.50 per thousand gallons. The City can also take up to 820,000 gallons per day and the extra capacity will not be charged a premium until after 600,000 gallons per day. The contract is now for 15 years as opposed to 40 years. The City will be saving up to \$500,000.00 a year under the new contract.*

*As a result of this contract the citizens of Hutto will receive a "No Payment Rate Holiday" -- all utility customers will receive a credit for the month of April for water usage.*

*Mayor Doug Gaul clarified that the payment credit will be on the May bill.*

*Councilman Scott Rose pointed out that the credit does not apply to Jonah water users. Councilwoman Grimm stated this credit does not apply to Manville water users.*

*Odis Jones recommended the Council could consider a motion to accept the settlement agreement that has been negotiated and direct the City Manager to provide a one month holiday to the residents of Hutto for water bills related to the Manville contract.*

*Councilwoman Terri Grimm wanted to thank the City Manager and the Mayor for negotiating the settlement and the City Staff for their hard work and providing this reduction to the citizens of Hutto.*

**Motion:** Councilman Killough made a motion to accept the settlement agreement with Manville Water Supply Corporation and authorize the City Manager to grant a one month holiday on the water bills. Councilwoman Grimm seconded the motion.

*Mayor Pro-tem wanted to point out that the reduction is just for one month because on down the road the City will need to consider building a new wastewater treatment plant in the future.*

**Vote:**      Ayes      Mayor Doug Gaul  
                         Mayor Pro-tem Tom Hines  
                         Councilmember Scott Rose  
                         Councilmember Nathan Killough  
                         Councilmember Patti Turner  
                         Councilmember Terri Grimm

**Action:**      The motion passed 6 ayes, and 0 nays.

*With no further business, the meeting was adjourned at 7:42 p.m.*

## **CITY OF HUTTO**

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Doug Gaul, Mayor

### **ATTESTED:**

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Lisa L. Brown, City Secretary



## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8C.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Hutto Highlands Section 2 Phase 2 Final Plat, 29.263 acres, more or less, of land, 94 residential lots, located off of FM 1660 North and Colthorpe Lane. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

The request is for a final plat for Hutto Highlands Section 2 Phase 2. The plat includes 94 residential lots, 1 detention lot, 2 dedicated right-of-way lots, right-of-way and 1 amenity lot, totaling 29.263 acres of land.

**WEST:** Hutto Highlands Subdivision

**NORTH:** ETJ (Rivers Crossing Subdivision and Farmland)

**EAST:** ETJ Farmland and Hutto Highlands Future Phases

**SOUTH:** ETJ Farmland and Hutto Highlands Previous Phases

**Utilities**

The property is served by City of Hutto Wastewater, Jonah water and Oncor for electricity.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Hutto Highlands Section 2 Phase 2 Final Plat

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## **RESOLUTION NO.**

**A RESOLUTION APPROVING THE PLAT KNOWN AS "HUTTO HIGHLANDS SECTION 2 PHASE 2 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Hutto Highlands Section 2 Phase 2 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

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Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary



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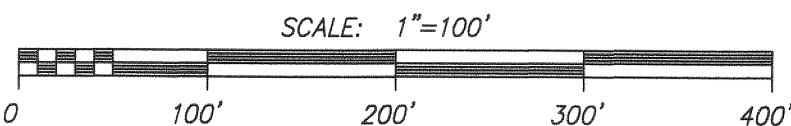
OWNER:  
JOHN LLOYD  
HUTTO DEVELOPMENT LTD.  
4720-4 ROCKCLIFF ROAD  
AUSTIN, TX 78746

SITE DATA:

TOTAL AREA 29.263 ACRES  
4 BLOCKS (A, N, R AND S)

| LAND USE                      | ACRES  |
|-------------------------------|--------|
| 94 RESIDENTIAL LOTS           | 20.327 |
| 1 DETENTION, OS, WME LOT      | 2.920  |
| 2 DEDICATED RIGHT OF WAY LOTS | 0.205  |
| STREETS                       | 5.027  |
| AMENITY AREA                  | 0.784  |
| TOTAL                         | 29.263 |

| STREET NAME      | LENGTH | ACRES |
|------------------|--------|-------|
| BALSAM STREET    | 348    | 0.594 |
| BERRYHACK COURT  | 292    | 0.484 |
| BLUEJACK WAY     | 778    | 1.062 |
| COLTHORPE LANE   | 894    | 1.069 |
| WREN TRAIL       | 176    | 0.156 |
| OZARK DRIVE      | 450    | 0.425 |
| SASSAFRAS STREET | 567    | 0.864 |
| SOPHORA DRIVE    | 421    | 0.373 |
| TOTALS           | 3926   | 5.027 |



PLAT OF  
**HUTTO HIGHLANDS  
SECTION 2 PHASE 2**

DATE: MARCH 11, 2019

**RANDALL JONES & ASSOCIATES ENGINEERING, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817 F-9784

**RJ SURVEYING & ASSOCIATES, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817

LEGEND:

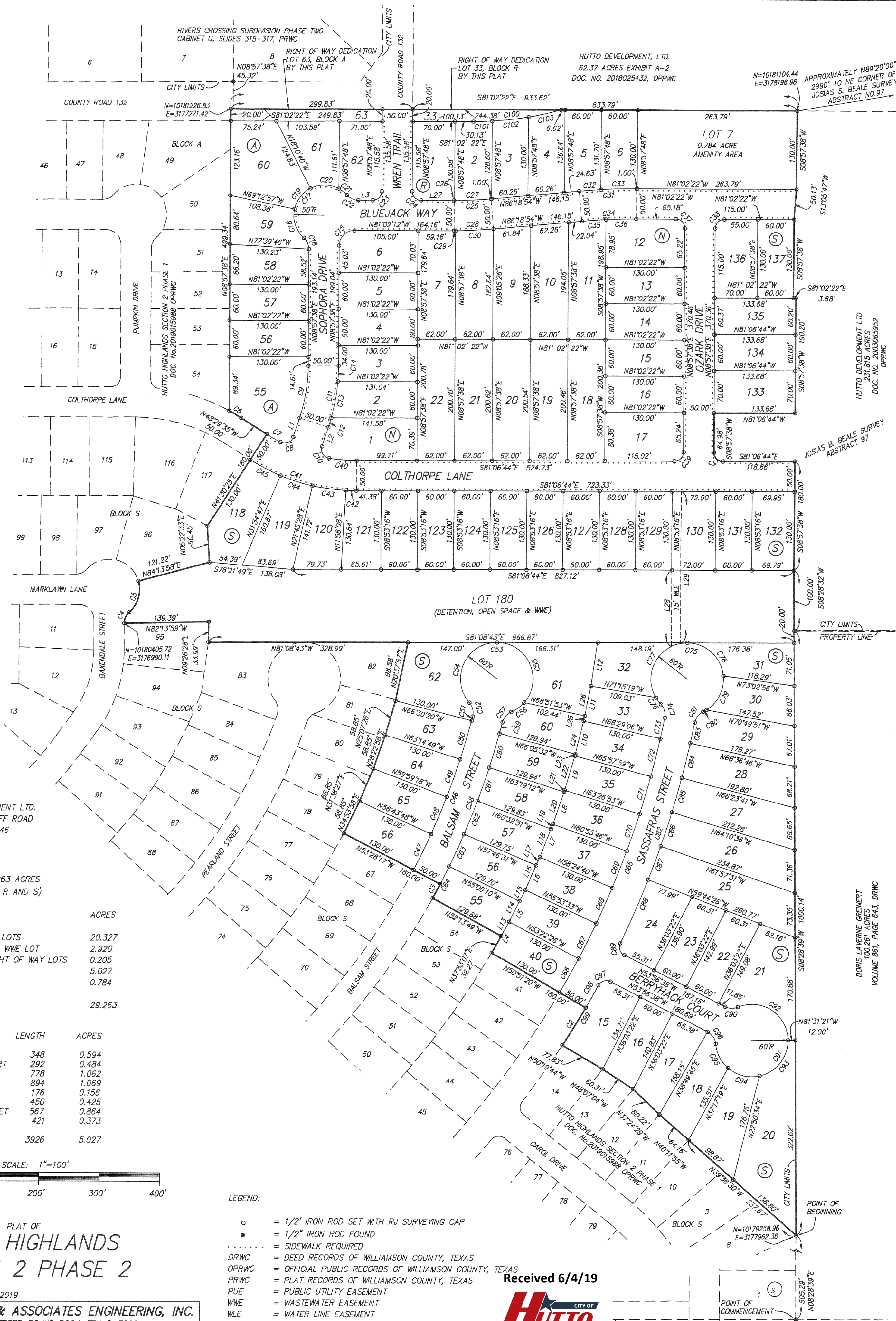
- = 1/2" IRON ROD SET WITH RJ SURVEYING CAP
- = 1/2" IRON ROD FOUND
- ..... = SIDEWALK REQUIRED
- DRWC = DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- OPRWC = OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- PRWC = PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- PUE = PUBLIC UTILITY EASEMENT
- WWE = WASTEWATER EASEMENT
- WLE = WATER LINE EASEMENT

BEARINGS ARE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203)

Received 6/4/19



SHEET 1 OF 3 SHEETS



BLOCK A  
CAROL MEADOWS SECTION 2  
DOC. NO. 2018041702 OPRWC

LOT 30 BLOCK B

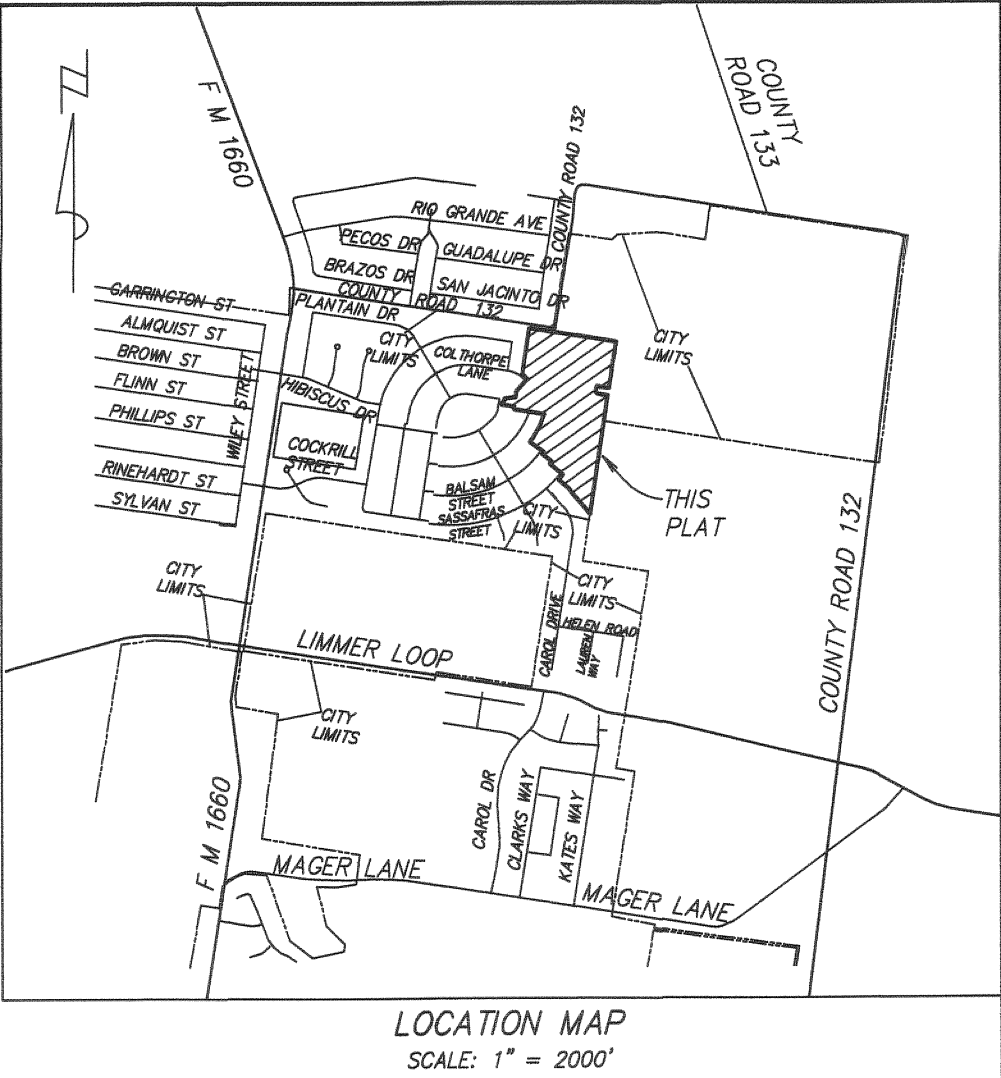


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| ~ C U R V E   T A B L E ~ |         |          |            |               |         |
|---------------------------|---------|----------|------------|---------------|---------|
| CURVE                     | LENGTH  | RADIUS   | DELTA      | CHORD BEARING | CHORD   |
| C1                        | 23.58'  | 15.00'   | 90°04'22"  | S36°04'33"E   | 21.23'  |
| C2                        | 72.87'  | 1525.00' | 2°44'16"   | N40°30'48"E   | 72.86'  |
| C3                        | 26.32'  | 1215.00' | 1°14'27"   | N37°08'57"E   | 26.32'  |
| C4                        | 21.03'  | 25.00'   | 48°11'23"  | N33°03'20"E   | 20.41'  |
| C5                        | 56.43'  | 50.00'   | 64°40'08"  | N24°48'57"E   | 53.49'  |
| C6                        | 23.04'  | 325.00'  | 4°03'42"   | N50°31'26"W   | 23.03'  |
| C7                        | 26.17'  | 275.00'  | 5°27'09"   | N51°13'10"W   | 26.16'  |
| C8                        | 25.88'  | 15.00'   | 98°51'00"  | N76°37'46"E   | 22.79'  |
| C9                        | 87.56'  | 275.00'  | 18°14'38"  | N18°04'57"E   | 87.20'  |
| C10                       | 25.88'  | 15.00'   | 98°51'00"  | N22°13'13"W   | 22.79'  |
| C11                       | 103.49' | 325.00'  | 18°14'38"  | N18°04'57"E   | 103.05' |
| C12                       | 16.45'  | 325.00'  | 2°54'00"   | N25°45'16"E   | 16.45'  |
| C13                       | 61.01'  | 325.00'  | 10°45'20"  | N18°55'36"E   | 60.92'  |
| C14                       | 26.03'  | 325.00'  | 4°35'18"   | N11°15'17"E   | 26.02'  |
| C15                       | 39.27'  | 25.00'   | 90°00'10"  | N53°57'43"E   | 35.36'  |
| C16                       | 21.03'  | 25.00'   | 48°11'23"  | N15°08'03"W   | 20.41'  |
| C17                       | 162.65' | 50.00'   | 186°22'55" | N53°57'43"E   | 99.84'  |
| C18                       | 52.34'  | 50.00'   | 59°58'19"  | N09°14'35"W   | 49.98'  |
| C19                       | 44.56'  | 50.00'   | 51°03'37"  | N46°16'23"E   | 43.10'  |
| C20                       | 48.55'  | 50.00'   | 55°37'49"  | N80°22'54"W   | 46.66'  |
| C21                       | 17.21'  | 50.00'   | 19°43'10"  | N42°42'24"W   | 17.12'  |
| C22                       | 21.03'  | 25.00'   | 48°11'23"  | N56°56'31"W   | 20.41'  |
| C23                       | 23.56'  | 15.00'   | 90°00'00"  | N53°57'48"E   | 21.21'  |
| C24                       | 23.56'  | 15.00'   | 90°00'00"  | N36°02'12"W   | 21.21'  |
| C25                       | 60.74'  | 659.35'  | 5°16'42"   | N83°40'33"W   | 60.72'  |
| C26                       | 0.66'   | 659.35'  | 0°03'25"   | N81°03'55"W   | 0.66'   |
| C27                       | 60.09'  | 659.35'  | 5°13'17"   | N83°42'16"W   | 60.07'  |
| C28                       | 65.35'  | 709.35'  | 5°16'42"   | N83°40'33"W   | 65.32'  |
| C29                       | 2.84'   | 709.35'  | 0°13'45"   | N81°09'05"W   | 2.84'   |
| C30                       | 62.51'  | 709.35'  | 5°02'56"   | N83°47'25"W   | 62.49'  |
| C31                       | 94.61'  | 1027.46' | 5°16'32"   | N83°40'38"W   | 94.57'  |
| C32                       | 35.57'  | 1027.46' | 1°59'01"   | N85°19'23"W   | 35.57'  |
| C33                       | 59.03'  | 1027.46' | 3°17'31"   | N82°41'07"W   | 59.02'  |
| C34                       | 90.00'  | 977.46'  | 5°16'32"   | N83°40'38"W   | 89.97'  |
| C35                       | 40.16'  | 977.46'  | 2°21'14"   | N85°08'17"W   | 40.16'  |
| C36                       | 49.84'  | 977.46'  | 2°55'18"   | N82°30'01"W   | 49.84'  |
| C37                       | 23.56'  | 15.00'   | 90°00'00"  | N36°02'22"W   | 21.21'  |
| C38                       | 23.56'  | 15.00'   | 90°00'00"  | N53°57'38"E   | 21.21'  |
| C39                       | 23.54'  | 15.00'   | 89°55'38"  | N53°55'27"E   | 21.20'  |
| C40                       | 45.44'  | 275.00'  | 9°28'01"   | N76°22'44"W   | 45.39'  |
| C41                       | 185.03' | 325.00'  | 32°37'09"  | N64°48'10"W   | 182.54' |
| C42                       | 17.29'  | 325.00'  | 3°02'52"   | N79°35'18"W   | 17.29'  |
| C43                       | 55.71'  | 325.00'  | 9°49'20"   | N73°09'12"W   | 55.65'  |
| C44                       | 55.71'  | 325.00'  | 9°49'20"   | N63°19'52"W   | 55.65'  |
| C45                       | 56.31'  | 325.00'  | 9°55'37"   | N53°27'24"W   | 56.24'  |
| C46                       | 272.24' | 1165.00' | 13°23'20"  | N29°50'03"E   | 271.62' |
| C47                       | 66.26'  | 1165.00' | 3°15'31"   | N34°53'58"E   | 66.25'  |
| C48                       | 66.26'  | 1165.00' | 3°15'31"   | N31°38'27"E   | 66.25'  |
| C49                       | 66.26'  | 1165.00' | 3°15'31"   | N28°22'56"E   | 66.25'  |
| C50                       | 66.26'  | 1165.00' | 3°15'31"   | N25°07'26"E   | 66.25'  |
| C51                       | 7.22'   | 1165.00' | 0°21'17"   | N23°19'01"E   | 7.22'   |
| C52                       | 24.29'  | 25.00'   | 55°40'38"  | N04°41'56"W   | 23.35'  |
| C53                       | 301.49' | 60.00'   | 287°54'05" | N68°35'13"W   | 70.62'  |
| C54                       | 137.59' | 60.00'   | 131°23'33" | N33°09'31"E   | 109.37' |
| C55                       | 136.93' | 60.00'   | 130°45'29" | N15°45'58"W   | 109.09' |
| C56                       | 26.97'  | 60.00'   | 25°45'04"  | N62°29'18"E   | 26.74'  |
| C57                       | 22.85'  | 25.00'   | 52°21'49"  | N49°10'56"E   | 22.06'  |
| C58                       | 286.88' | 1215.00' | 13°31'42"  | S29°45'52"W   | 286.21' |
| C59                       | 19.24'  | 1215.00' | 0°54'26"   | N23°27'15"E   | 19.24'  |
| C60                       | 58.79'  | 1215.00' | 2°46'21"   | N25°17'38"E   | 58.78'  |
| C61                       | 58.79'  | 1215.00' | 2°46'21"   | N28°03'59"E   | 58.78'  |
| C62                       | 58.79'  | 1215.00' | 2°46'21"   | N30°50'19"E   | 58.78'  |
| C63                       | 58.79'  | 1215.00' | 2°46'21"   | N33°36'40"E   | 58.78'  |
| C64                       | 58.79'  | 1215.00' | 2°46'21"   | N36°23'00"E   | 58.78'  |
| C65                       | 488.84' | 1475.00' | 18°59'20"  | N29°39'00"E   | 486.61' |
| C66                       | 64.84'  | 1475.00' | 2°31'07"   | N37°53'07"E   | 64.83'  |
| C67                       | 64.84'  | 1475.00' | 2°31'07"   | N35°22'00"E   | 64.83'  |
| C68                       | 64.84'  | 1475.00' | 2°31'07"   | N32°50'54"E   | 64.83'  |
| C69                       | 64.84'  | 1475.00' | 2°31'07"   | N30°19'47"E   | 64.83'  |
| C70                       | 64.84'  | 1475.00' | 2°31'07"   | N27°48'41"E   | 64.83'  |

| ~ C U R V E   T A B L E ~ |         |          |            |               |         |
|---------------------------|---------|----------|------------|---------------|---------|
| CURVE                     | LENGTH  | RADIUS   | DELTA      | CHORD BEARING | CHORD   |
| C71                       | 64.84'  | 1475.00' | 2°31'07"   | N25°17'34"E   | 64.83'  |
| C72                       | 64.84'  | 1475.00' | 2°31'07"   | N22°46'27"E   | 64.83'  |
| C73                       | 34.99'  | 1475.00' | 1°21'34"   | N20°50'07"E   | 34.99'  |
| C74                       | 24.14'  | 25.00'   | 55°18'53"  | N07°30'06"W   | 23.21'  |
| C75                       | 301.50' | 60.00'   | 287°54'52" | N71°12'07"W   | 70.61'  |
| C76                       | 14.02'  | 60.00'   | 13°23'30"  | N28°27'48"W   | 13.99'  |
| C77                       | 126.32' | 60.00'   | 120°37'20" | N38°32'37"E   | 104.25' |
| C78                       | 88.62'  | 60.00'   | 84°37'49"  | N38°49'48"W   | 80.78'  |
| C79                       | 65.95'  | 60.00'   | 62°58'35"  | N34°58'23"E   | 62.68'  |
| C80                       | 6.59'   | 60.00'   | 6°17'38"   | N69°36'30"E   | 6.59'   |
| C81                       | 22.99'  | 25.00'   | 52°41'14"  | N46°24'42"E   | 22.19'  |
| C82                       | 385.93' | 1525.00' | 14°29'59"  | N27°19'05"E   | 384.90' |
| C83                       | 35.11'  | 1525.00' | 1°19'09"   | N20°43'40"E   | 35.11'  |
| C84                       | 59.04'  | 1525.00' | 2°13'05"   | N22°29'47"E   | 59.03'  |
| C85                       | 59.04'  | 1525.00' | 2°13'05"   | N24°42'52"E   | 59.03'  |
| C86                       | 59.04'  | 1525.00' | 2°13'05"   | N26°55'57"E   | 59.03'  |
| C87                       | 59.04'  | 1525.00' | 2°13'05"   | N29°09'02"E   | 59.03'  |
| C88                       | 114.67' | 1525.00' | 4°18'30"   | N32°24'49"E   | 114.65' |
| C89                       | 23.17'  | 15.00'   | 88°30'42"  | N09°41'17"W   | 20.94'  |
| C90                       | 21.90'  | 25.00'   | 50°10'49"  | N79°02'02"W   | 21.20'  |
| C91                       | 301.34' | 60.00'   | 287°45'43" | N39°45'25"E   | 70.74'  |
| C92                       | 117.92' | 60.00'   | 112°36'06" | N47°49'24"W   | 99.84'  |
| C93                       | 81.59'  | 60.00'   | 77°54'43"  | N47°26'01"E   | 75.45'  |
| C94                       | 55.85'  | 60.00'   | 53°19'44"  | N66°56'45"W   | 53.85'  |
| C95                       | 45.99'  | 60.00'   | 43°55'10"  | N18°19'18"W   | 44.87'  |
| C96                       | 25.12'  | 25.00'   | 57°34'54"  | N25°09'10"W   | 24.08'  |
| C97                       | 23.17'  | 15.00'   | 88°30'42"  | N81°48'01"E   | 20.94'  |
| C98                       | 42.58'  | 1525.00' | 1°36'00"   | N38°20'40"E   | 42.58'  |
| C99                       | 115.45' | 1525.00' | 4°20'16"   | N39°42'48"E   | 115.42' |
| C100                      | 146.10' | 530.00'  | 15°47'38"  | N88°55'58"W   | 145.63' |
| C101                      | 30.89'  | 530.00'  | 3°20'21"   | N82°42'20"W   | 30.88'  |
| C102                      | 60.43'  | 530.00'  | 6°31'59"   | N87°38'30"W   | 60.40'  |
| C103                      | 54.77'  | 530.00'  | 5°55'17"   | N86°07'52"E   | 54.75'  |

| ~ L I N E   T A B L E ~ |             |         |
|-------------------------|-------------|---------|
| LINE                    | DIRECTION   | LENGTH  |
| L1                      | N27°12'16"E | 33.26'  |
| L2                      | N27°12'16"E | 33.26'  |
| L3                      | N81°02'12"W | 23.92'  |
| L4                      | N37°53'07"E | 59.12'  |
| L5                      | N35°22'00"E | 59.12'  |
| L6                      | N32°50'54"E | 59.12'  |
| L7                      | N30°19'47"E | 59.12'  |
| L8                      | N27°48'41"E | 59.12'  |
| L9                      | N25°17'34"E | 59.12'  |
| L10                     | N22°46'27"E | 59.12'  |
| L11                     | N20°15'28"E | 59.03'  |
| L12                     | N17°27'09"E | 72.65'  |
| L13                     | N37°53'07"E | 26.84'  |
| L14                     | N35°22'00"E | 38.23'  |
| L15                     | N35°22'00"E | 20.89'  |
| L16                     | N32°50'54"E | 44.19'  |
| L17                     | N32°50'54"E | 14.93'  |
| L18                     | N30°19'47"E | 50.15'  |
| L19                     | N30°19'47"E | 8.97'   |
| L20                     | N27°48'41"E | 56.11'  |
| L21                     | N27°48'41"E | 3.01'   |
| L22                     | N25°17'34"E | 59.12'  |
| L23                     | N22°46'27"E | 2.95'   |
| L24                     | N22°46'27"E | 56.16'  |
| L25                     | N20°15'28"E | 8.91'   |
| L26                     | N20°15'28"E | 50.11'  |
| L27                     | N81°02'12"W | 54.34'  |
| L28                     | N08°53'16"E | 126.18' |
| L29                     | N08°53'16"E | 251.18' |



- NOTES:
- NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
  - THIS SUBDIVISION WILL BE ZONED SF1. ALL LOTS ARE SUBJECT TO BUILDING SETBACK LINES AS FOLLOWS: 25' FRONT YARD SETBACK, 10' STREET SIDE SETBACK, 5' SIDE YARD SETBACK AND 10' REAR YARD SETBACK.
  - A 10 PUE (PUBLIC UTILITY EASEMENT) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES. A 5' PUE (PUBLIC UTILITY EASEMENT) IS HERE BY DEDICATED ON EACH SIDE OF ALL LOT LINES.
  - NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
  - SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN THE SUBDIVISION. SIDEWALKS AND TREES SHALL BE PROVIDED ALONG ALL STREETS BOUNDING THIS SUBDIVISION.
  - STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS.
  - WATER AND WASTEWATER SERVICE FOR THIS SUBDIVISION WILL BE AVAILABLE THROUGH JONAH WATER SUD AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
  - THERE ARE NO AREAS WITHIN THE BOUNDARIES OF THIS SUBDIVISION IN THE 100-YEAR FLOODPLAIN AS DEFINED BY THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 48491C0510E, EFFECTIVE DATE SEPTEMBER 26, 2008, AND 4891C0520E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR WILLIAMSON COUNTY, TEXAS.
  - IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
  - UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE: WATER BY JONAH WATER SUD; WASTEWATER BY JONAH WATER SUD; AND ELECTRIC BY ONCOR.
  - ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
  - ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
  - ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER ASSOCIATION. ALL OPEN SPACE LOTS WILL BE OWNED AND MAINTAINED BY THE HOMEOWNER ASSOCIATION.
  - ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE, UNLESS OTHERWISE INDICATED.
  - THE MAXIMUM IMPERVIOUS COVERAGE PER RESIDENTIAL LOTS IS 55%.
  - AN ARTERIAL FENCE SHALL BE CONSTRUCTED PER UDC REQUIREMENTS.
  - ON-SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST-DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100 YEAR STORM EVENTS.
  - AN ARTERIAL FENCE SHALL BE CONSTRUCTED PER CITY CODES AND REGULATIONS.

PLAT OF  
**HUTTO HIGHLANDS**  
**SECTION 2 PHASE 2**

DATE: MARCH 11, 2019

**RANDALL JONES & ASSOCIATES ENGINEERING, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817 F-9784

**RJ SURVEYING & ASSOCIATES, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817

F-10015400

Received 6/4/19





29.263 ACRES

THAT PART OF THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97 IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT 231.815 ACRE TRACT OF LAND CONVEYED TO HUTTO DEVELOPMENT LTD. BY DEED RECORDED IN DOCUMENT NO. 2003065952 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD FOUND ON THE NORTH LINE OF LOT 30, BLOCK B, CAROL MEADOWS SECTION 2 ACCORDING TO THE PLATE THEREOF RECORDED IN DOCUMENT NO. 2018041702 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS SAME BEING THE SOUTHWEST CORNER OF A 100.261 ACRE TRACT CONVEYED TO DORIS LAVERINE GREINERT BY DEED RECORDED IN VOLUME 861, PAGE 643 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS SAME BEING THE SOUTHEAST CORNER OF HUTTO HIGHLANDS SECTION 2 PHASE 1 ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT NO. 2019015988 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS;

THENCE ALONG THE EAST LINE OF SAID HUTTO HIGHLAND SECTION 2 PHASE 1, AND THE WEST LINE OF SAID 100.261 ACRE TRACT N08°28'39"E DISTANCE OF 505.29 FEET TO THE POINT OF BEGINNING;

THENCE ACROSS SAID 231.815 ACRE TRACT AND ALONG THE NORTHWESTERLY LINE OF SAID HUTTO HIGHLAND SECTION 2 PHASE 1 THE FOLLOWING 27 COURSES

1. N39°36'30"W A DISTANCE OF 237.67 FEET TO A 1/2" IRON ROD SET;
2. N40°11'55"W A DISTANCE OF 64.16 FEET TO A 1/2" IRON ROD SET;
3. N37°24'29"W A DISTANCE OF 60.22 FEET TO A 1/2" IRON ROD SET;
4. N48°07'04"W A DISTANCE OF 60.31 FEET TO A 1/2" IRON ROD SET;
5. N50°19'44"W A DISTANCE OF 77.83 FEET TO A 1/2" IRON ROD SET AT A POINT ON A NON-TANGENT CURVE TO THE LEFT;
6. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 72.87 FEET, SAID CURVE HAVING A RADIUS OF 1525.00 FEET, A CENTRAL ANGLE OF 02°44'16" AND A CHORD BEARING N40°30'48"E, 72.86 FEET TO AN 1/2" IRON ROD SET;
7. N50°51'20"W A DISTANCE OF 180.00 FEET TO A 1/2" IRON ROD SET;
8. N37°53'07"E A DISTANCE OF 32.27 FEET TO A 1/2" IRON ROD SET;
9. N52°13'49"W A DISTANCE OF 129.68 FEET TO A 1/2" IRON ROD SET AT A POINT ON A NON-TANGENT CURVE TO THE LEFT;
10. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 26.32 FEET, SAID CURVE HAVING A RADIUS OF 1215.00 FEET, A CENTRAL ANGLE OF 01°14'27" AND A CHORD BEARING N37°08'57"E, 26.32 FEET TO A 1/2" IRON ROD SET;
11. N53°28'17"W A DISTANCE OF 180.00 FEET TO A 1/2" IRON ROD SET;
12. N34°53'58"E A DISTANCE OF 58.85 FEET TO A 1/2" IRON ROD SET;
13. N31°38'27"E A DISTANCE OF 58.85 FEET TO A 1/2" IRON ROD SET;
14. N28°22'56"E A DISTANCE OF 58.85 FEET TO A 1/2" IRON ROD SET;
15. N25°07'26"E A DISTANCE OF 58.85 FEET TO A 1/2" IRON ROD SET;
16. N20°37'57"E A DISTANCE OF 98.58 FEET TO A 1/2" IRON ROD SET;
17. N81°08'43"W A DISTANCE OF 328.99 FEET TO A 1/2" IRON ROD SET;
18. N09°26'26"E A DISTANCE OF 33.99 FEET TO A 1/2" IRON ROD SET;
19. N82°13'59"W A DISTANCE OF 139.39 FEET TO A 1/2" IRON ROD SET AT A POINT ON A NON-TANGENT CURVE TO THE RIGHT;
20. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 21.03 FEET, SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 48°11'23" AND A CHORD BEARING N33°03'20"E, 20.41 FEET TO A 1/2" IRON ROD SET AT A POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT;
21. NORTHEASTERLY, ALONG THE ARC OF SAID CURVE A DISTANCE OF 56.43 FEET, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 64°40'08", AND A CHORD BEARING N24°48'57"E, 53.49 FEET TO A 1/2" IRON ROD SET;
22. N84°13'58"E A DISTANCE OF 121.22 FEET TO A 1/2" IRON ROD SET;
23. N05°22'33"E A DISTANCE OF 60.45 FEET TO A 1/2" IRON ROD SET;
24. N41°30'25"E A DISTANCE OF 180.00 FEET TO A 1/2" IRON ROD SET;
25. N48°29'35"W A DISTANCE OF 50.00 FEET TO A 1/2" IRON ROD SET AT A POINT OF CURVATURE OF A
26. CURVE TO THE LEFT;
27. NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 23.04 FEET, SAID CURVE HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 04°03'42", AND A CHORD BEARING N50°31'26"W, 23.03 FEET TO A 1/2" IRON ROD SET;
28. N08°57'38"E A DISTANCE OF 499.34 FEET TO A 1/2" IRON ROD SET ON THE SOUTH LINE OF COUNTY ROAD 132, SAME BEING THE NORTH LINE OF SAID 231.815 ACRE TRACT AND AT THE NORTHEAST CORNER OF SAID HUTTO HIGHLAND SECTION 2 PHASE 1;

THENCE S81°02'22"E ALONG THE SOUTH LINE OF SAID COUNTY ROAD 132, SAME BEING THE NORTH LINE OF SAID 231.815 ACRE TRACT A DISTANCE OF 299.83 FEET TO A 1/2" IRON ROD FOUND ON THE SOUTHEAST ELL CORNER OF COUNTY ROAD 132, SAME BEING THE SOUTHWEST CORNER OF A 62.37 ACRE TRACT CONVEYED TO HUTTO DEVELOPMENT LTD., BY DEED RECORDED IN DOCUMENT NO. 2018025432 IN THE OFFICIAL PUBLIC OF WILLIAMSON COUNTY, TEXAS;

THENCE S81°02'22"E ALONG THE NORTH LINE OF SAID 231.815 ACRE TRACT, AND THE SOUTH LINE OF A SAID 62.37 ACRE TRACT A DISTANCE OF 633.79 FEET TO A 1/2" IRON ROD SET, FROM WHICH THE NORTHEAST CORNER OF THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97 BEARS APPROXIMATELY S89°12'00"E A DISTANCE OF 2990 FEET;

THENCE ALONG ACROSS SAID 231.815 ACRE TRACT THE FOLLOWING ELEVEN COURSES:

1. S08°57'38"W A DISTANCE OF 130.00 FEET TO A 1/2" IRON ROD SET;
2. S13°05'47"W A DISTANCE OF 50.13 FEET TO A 1/2" IRON ROD SET;
3. S08°57'38"W A DISTANCE OF 130.00 FEET TO A 1/2" IRON ROD SET;
4. S81°02'22"E A DISTANCE OF 3.68 FEET TO A 1/2" IRON ROD SET;
5. S08°57'38"W A DISTANCE OF 190.20 FEET TO A 1/2" IRON ROD SET;
6. N81°06'44"W A DISTANCE OF 133.68 FEET TO A 1/2" IRON ROD SET;
7. S08°57'38"W A DISTANCE OF 64.98 FEET TO A 1/2" IRON ROD SET AT A POINT OF CURVATURE OF A CURVE TO THE LEFT;
8. SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE A DISTANCE OF 23.58 FEET, SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°04'22", AND A CHORD BEARING S36°04'33"E, 21.23 FEET TO A 1/2" IRON ROD SET;
9. S81°06'44"E A DISTANCE OF 118.66 FEET TO A 1/2" IRON ROD SET;
10. S08°57'38"W A DISTANCE OF 180.00 FEET TO A 1/2" IRON ROD SET;
11. S08°28'32"W A DISTANCE OF 100.00 FEET TO A 1/2" IRON ROD SET AT THE SOUTHERLY INSIDE ELL CORNER OF SAID CORNER OF SAID 231.815 ACRE TRACT AND THE NORTHWEST CORNER OF SAID 100.261ACRE TRACT SAID TRACT;

THENCE S08°28'39"W ALONG AN EAST LINE OF SAID 231.815 ACRE TRACT, SAME BEING THE WEST LINE OF SAID 100.261 ACRE TRACT OF LAND A DISTANCE OF 1000.14 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 29.263 ACRES, MORE OR LESS, AS SHOWN ON THE SKETCH ATTACHED. ALL IRON RODS SET HAVE RJ SURVEYING CAPS BEARINGS ARE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203)

PLAT OF  
HUTTO HIGHLANDS  
SECTION 2 PHASE 2

DATE: MARCH 11, 2019

RANDALL JONES & ASSOCIATES ENGINEERING, INC.  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817 F-9784

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(512) 836-4793 FAX: (512) 836-4817

F-10015400

STATE OF TEXAS {

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON {

THAT HUTTO DEVELOPMENT, LTD., SOLE OWNER OF THE CERTAIN 231.815 ACRE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003048137 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, DO HEREBY SUBDIVIDE 29.263 ACRES OUT OF SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS HUTTO HIGHLANDS SECTION 2 PHASE 2.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

JOHN LLOYD, PRESIDENT  
HUTTO DEVELOPMENT, LTD.  
4720-4 ROCKCLIFF ROAD  
AUSTIN, TEXAS 78746

STATE OF TEXAS {

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON {

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN LLOYD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC PRINTED OR TYPED NAME

MY COMMISSION EXPIRES ON: \_\_\_\_\_

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

THAT INTERNATIONAL BANK OF COMMERCE, THE LIEN HOLDER OF THAT CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2003048137 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO HEREBY CONSENT TO THE SUBDIVISION OF 29.263 ACRE TRACT AS SHOWN, AND DO FURTHER JOIN, APPROVE AND CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHTS OF WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEED APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS HUTTO HIGHLANDS SECTION 2 PHASE 2.

INTERNATIONAL BANK OF COMMERCE

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC PRINTED OR TYPED NAME

MY COMMISSION EXPIRES ON: \_\_\_\_\_

SEAL

STATE OF TEXAS {

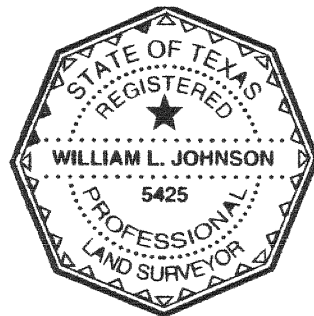
KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON {

I, WILLIAM L. JOHNSON, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CONFIRM THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT ROUND ROCK, WILLIAMSON COUNTY, TEXAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

WILLIAM L. JOHNSON  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5425  
STATE OF TEXAS  
2900 JAZZ STREET  
ROUND ROCK, TX 78664  
512-836-4793



STATE OF TEXAS {

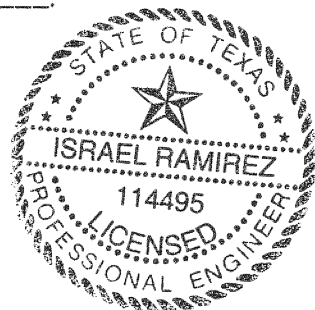
KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON {

I, ISRAEL RAMIREZ, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT ROUND ROCK, WILLIAMSON COUNTY, TEXAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ISRAEL RAMIREZ  
REGISTERED PROFESSIONAL ENGINEER No. 114495  
STATE OF TEXAS  
2900 JAZZ STREET  
ROUND ROCK, TX 78664  
512-836-4793



THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DOUG GAUL, MAYOR

DATE

LISA BROWN, CITY SECRETARY

DATE

THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMMITS OF THE CITY OF HUTTO, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ASHBY GRUNDMAN, AICP, DIRECTOR

DATE

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS;

COUNTY OF WILLIAMSON

THAT I, NANCY RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_ O'CLOCK, \_\_\_\_M., AND DULY RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, A.D., AT \_\_\_\_ O'CLOCK, \_\_\_\_M., IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY IN DOCUMENT NO. \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

NANCY RISTER, CLERK COUNTY COURT  
WILLIAMSON COUNTY, TEXAS

BY: \_\_\_\_\_  
DEPUTY

Received 6/4/19





## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8D.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director, Infrastructure and Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Hutto Independent School District Preliminary Plat, 164.965 acres, more or less, of land, two commercial lots, located on FM 1660 North. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

The request is for a preliminary plat for the new Hutto ISD site. There are currently tracts that are being combined into one large 165 acre site. The property is at the southeast corner of FM 1660 North, where FM 1660 N curves to the east, just south of Chandler Road.

This property is currently under construction for the 9<sup>th</sup> Grade Center, and will eventually be home to a new Hutto High School Campus along with Ag Barn and other ISD related structures.

**WEST:** ETJ (Farmland)

**NORTH:** ETJ (Jonah Facility)

**EAST:** ETJ (Farmland with Development Agreement)

**SOUTH:** Mustang Creek Subdivision (Church, Daycare and Single-Family Residential)

**Utilities**

The property is served by City of Hutto wastewater, Jonah water and Oncor for electricity.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution with the following condition:

- A requirement for a sidewalk along FM 1660 N per UDC requirement.

**SUPPORTING MATERIAL:**

1. Resolution - Hutto Independent School District Preliminary Plat

| Funding Source | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|----------------|------|-----|------|----------------|------------------------|---------------------|
|                |      |     |      |                |                        |                     |
|                |      |     |      |                |                        |                     |

**Fiscal and Budgetary Comments:**

**Fiscal Review Signature:**



## **RESOLUTION NO.**

### **A RESOLUTION APPROVING THE PLAT KNOWN AS "HUTTO INDEPENDENT SCHOOL DISTRICT PRELIMINARY PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Hutto Independent School District Preliminary Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

---

Doug Gaul, Mayor

**ATTEST:**

---

Lacie Hale, City Secretary

# PRELIMINARY PLAT HUTTO INDEPENDENT SCHOOL DISTRICT SUBDIVISION

OWNERS: HUTTO INDEPENDENT SCHOOL DISTRICT  
P.O. BOX 430  
HUTTO, TEXAS 78634

SURVEYOR: SHANE SHAFER R.P.L.S.  
DIAMOND SURVEYING, INC.  
TX BOARD OF PROFESSIONAL LAND SURVEYING  
FIRM #10006900  
116 SKYLINE ROAD  
GEORGETOWN, TX 78628  
(512) 931-3100  
shane@diamondsurveying.com

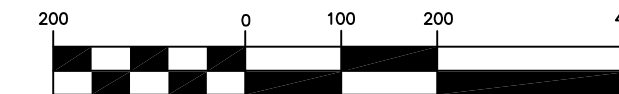
ENGINEER: JENNIFER L. HENDERSON, P.E.  
M&S ENGINEERING  
TEXAS PROFESSIONAL ENGINEERING FIRM F-1394  
102 W. MORROW STREET, STE. 101  
GEORGETOWN, TX 78626  
(512) 942-5310  
jhenderson@msengr.com

NUMBER OF LOTS: 2  
NUMBER OF BLOCKS: 2  
TOTAL LINEAR FEET OF NEW STREETS: NONE  
TOTAL STREET R.O.W. AREA TO BE DEDICATED: 5.122 ACRES  
TOTAL ACREAGE: 164.965 ACRES  
DATE SUBMITTED: April 25, 2019

BEARING BASIS: NAD-83, TEXAS CENTRAL ZONE (4203)  
STATE PLANE SYSTEM. THIS DRAWING IS ON SURFACE  
COORDINATES BASED ON A COMBINED SURFACE  
ADJUSTMENT FACTOR OF 1.00012

BENCHMARK: TXDOT BRASS DISK FOUND IN CONCRETE  
SURFACE COORDINATES:  
N=10186615.66  
E=3173706.25  
ELEV.=677.69'  
VERTICAL DATUM: NAVD-88 (GEOID 2012A) PER LEICA  
(SMARTNET) VRS NETWORK ESTABLISHED ON SITE  
9-17-2018.

GRAPHIC SCALE

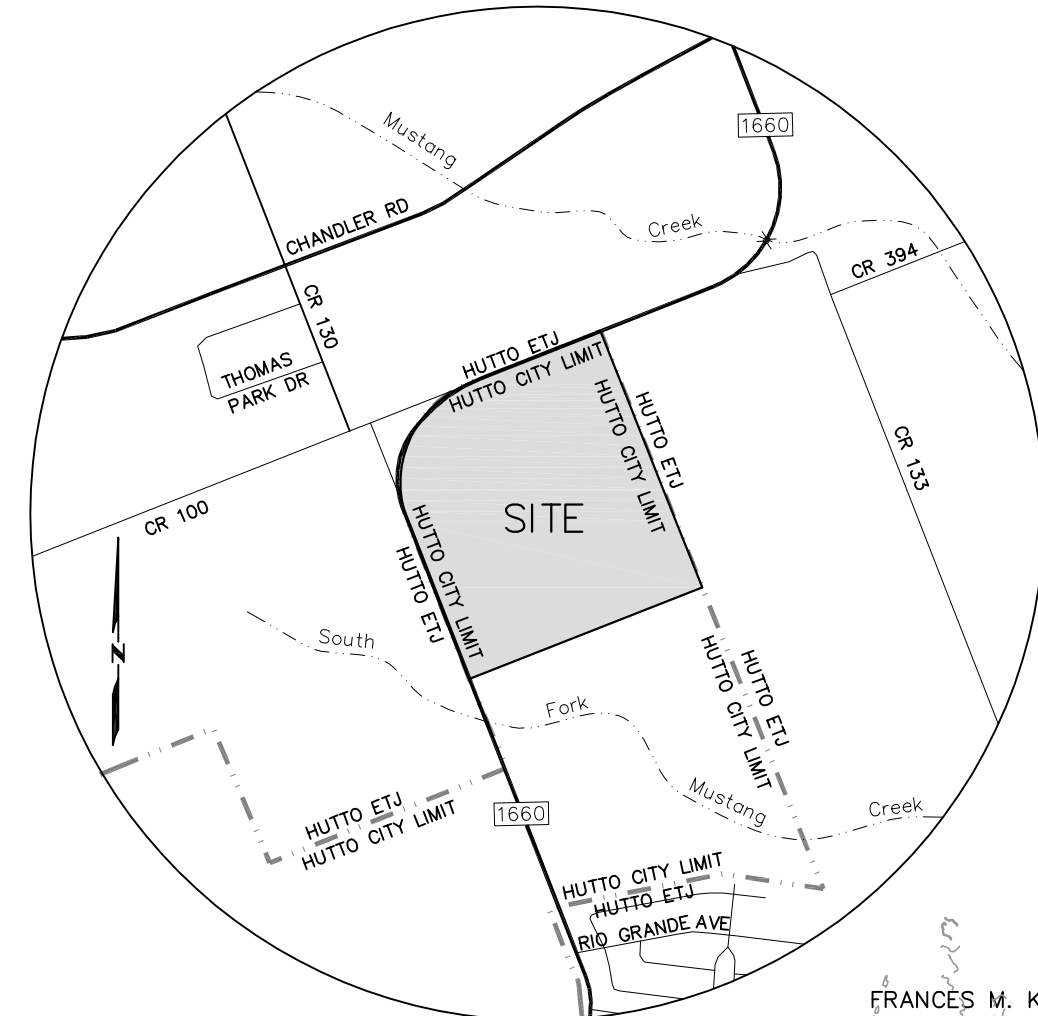


( IN FEET )  
1 inch = 200 ft.

Received 6/4/19



VICINITY MAP  
(1" = 2000')



| CURVE TABLE |          |            |             |               |              |
|-------------|----------|------------|-------------|---------------|--------------|
| CURVE       | RADIUS   | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
| C1          | 1106.28' | 1733.95'   | 89°48'14"   | N23°25'20"E   | 1561.84'     |
| C2          | 1091.28' | 1710.44'   | 89°48'14"   | N23°25'20"E   | 1540.66'     |

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | S71°07'53"W | 79.96'   |
| L2         | S89°43'28"W | 80.19'   |
| L3         | N21°40'11"W | 80.01'   |
| L4         | S68°36'01"W | 79.23'   |
| L5         | N68°19'49"E | 308.67'  |
| L6         | N68°19'49"E | 208.71'  |
| L7         | N68°19'49"E | 574.58'  |
| L8         | S21°40'11"E | 15.00'   |
| L9         | N68°19'49"E | 400.00'  |
| L10        | S21°40'11"E | 208.71'  |
| L11        | S68°19'49"W | 208.71'  |
| L12        | N21°40'11"W | 208.71'  |

## DEED INFORMATION FOR STATE OF TEXAS RIGHT-OF-WAY

- D-1 STATE OF TEXAS - CALLED 1.394 AC. - VOL. 476, PG. 675 D.R.W.C.T.
- D-2 STATE OF TEXAS - CALLED 7.035 AC. - VOL. 476, PG. 593 D.R.W.C.T.
- D-3 STATE OF TEXAS - CALLED 1.536 AC. - VOL. 476, PG. 595 D.R.W.C.T.
- D-4 STATE OF TEXAS - CALLED 0.732 AC. - VOL. 476, PG. 580 D.R.W.C.T.
- D-5 STATE OF TEXAS - CALLED 1.335 AC. - VOL. 476, PG. 578 D.R.W.C.T.
- D-6 STATE OF TEXAS - CALLED 3.091 AC. - VOL. 476, PG. 576 D.R.W.C.T.

**DIAMOND SURVEYING, INC.**  
116 SKYLINE ROAD, GEORGETOWN, TX 78628  
(512) 931-3100  
T.B.P.L.S. FIRM NO. 10006900

**M&S ENGINEERING**  
CIVIL | ELECTRICAL | STRUCTURAL | MEP | SURVEYING  
TEXAS REGISTERED ENGINEERING FIRM F-1394 SURVEYING FIRM # 10044200

|                                                                           |                                                                       |                                                                                             |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| CONTACT<br>WWW.MSENGR.COM<br>PHONE: (830) 228-5446<br>FAX: (830) 885-2170 | MAIN OFFICE<br>P.O. BOX 970<br>6477 FM 311<br>SPRING BRANCH, TX 78070 | BRANCH OFFICE<br>102 W. MORROW ST, STE 101<br>GEORGETOWN, TX 78626<br>PHONE: (830) 228-5446 |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------|

MATCHLINE SHEET 2

SHEET 1 OF 3





PRELIMINARY PLAT  
HUTTO INDEPENDENT SCHOOL DISTRICT  
SUBDIVISION

METES AND BOUNDS DESCRIPTION

FOR A 164.965 ACRE TRACT OF LAND SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186 IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THE CALLED 100.00 ACRE TRACT OF LAND CONVEYED TO THE HUTTO INDEPENDENT SCHOOL DISTRICT, RECORDED IN DOCUMENT NO. 2007069800 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING ALL OF THE CALLED 65.00 ACRE TRACT OF LAND CONVEYED TO THE HUTTO INDEPENDENT SCHOOL DISTRICT, RECORDED IN DOCUMENT NO. 2009044814 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 164.965 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND BY DIAMOND SURVEYING DURING THE MONTH OF MARCH, 2019 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with cap marked "Diamond Surveying" on the southwest corner of said 65.00 acre Hutto Independent School District tract, same being on the easterly boundary line of the called 7.035 acre tract of land conveyed to the State of Texas, recorded in Volume 476, Page 593 of the Deed Records of Williamson County, Texas, same being on the easterly right-of-way line of F.M. 1660 (80' right-of-way width), for the southwest corner and POINT OF BEGINNING hereof, from which a TxDOT Type I concrete monument found monumenting an angle point on said easterly right-of-way line of F.M. 1660 same being on the westerly boundary line of the of called 169.99 acre tract of land conveyed to Hutto 1660, LP, recorded in Document No. 2019000072 of the Official Public Records of Williamson County, Texas, bears S 21°05'17" E for a distance of 1596.31 feet;

THENCE, N 21°05'17" W with the westerly boundary line of said 65.00 acre Hutto Independent School District tract, said easterly boundary line of the 7.035 acre State of Texas tract and said easterly right-of-way line of F.M. 1660 for a distance of 475.74 feet to a TxDot Type I concrete monument found (broken) monumenting an angle point, from which a TxDot Type 1 concrete monument found (destroyed) monumenting an angle point on the east boundary line of the called 26.981 acre tract of land conveyed to Hjalmar, LLC, the west boundary line of the called 1.394 acre tract of land conveyed to the State of Texas, recorded in Volume 476, Page 675 of the Deed Records of Williamson County, Texas, same being on the westerly right-of-way line of said F.M. 1660, bears S 71°07'53" W for a distance of 79.96 feet;

THENCE, N 21°26'18" W with said westerly boundary line of the 65.00 acre Hutto Independent School District tract, the westerly boundary line of said 100.00 acre Hutto Independent School District tract, said easterly boundary line of the 7.035 acre State of Texas tract and said easterly right-of-way line of F.M. 1660 for a distance of 1281.34 feet to a TxDot Type I concrete monument found (leaning) monumenting the beginning of a curve to the right, for the most westerly northwest corner hereof;

THENCE, with the northwesterly boundary line of said 100.00 acre Hutto Independent School District tract, the southeasterly boundary line of said 7.035 acre State of Texas tract and the southeasterly right-of-way line of said F.M. 1660, with said curve to the right an arc length of 1733.95 feet, said curve having a radius of 1106.28 feet, a delta angle of 89°48'14" and a chord which bears N 23°25'20" E for a distance of 1561.84 feet to a TxDot Type I concrete monument found (broken) monumenting the end of this curve, for the most northerly northwest corner hereof;

THENCE, N 68°19'49" E with the northerly boundary line of said 100.00 acre Hutto Independent School District tract, the southerly boundary line of said 7.035 acre State of Texas tract and the southerly boundary line of the called 1.335 acre tract of land conveyed to the State of Texas, recorded in Volume 476, Page 578 of the Deed Records of Williamson County, Texas, same being the southerly right-of-way line of F.M. 1660 for a distance of 1492.00 feet to a 1/2" iron rod set with cap marked "Diamond Surveying" on the northeast corner of said 100.00 acre Hutto Independent School District tract and, the southeast corner of the called 1.335 acre State of Texas tract and the northwest corner of the southerly remnant portion of the called 163.89 acre tract of land conveyed to Ricky D. Krueger, et al, recorded in Document No. 2016121073 of the Official Public Records of Williamson County, Texas, for the northeast corner hereof, from which a 1/2" iron rod found monumenting the northeast corner of said remnant portion of the 163.89 acre Kruger tract, same being on said southerly right-of-way line of F.M. 1660, bears N 68°19'49" E for a distance of 1115.93 feet;

THENCE, S 21°35'08" E with the easterly boundary line of said 100.00 acre Hutto Independent School District tract and the westerly boundary line of said remnant portion of the 163.89 acre Kruger tract passing at a distance of 774.79 feet a 1" iron pipe found (leaning and bent), 0.38' west of this line, in all a total distance of 775.51 feet to a 1" iron pipe found monumenting an angle point in said easterly boundary line of the 100.00 acre Hutto Independent School District tract, the southwest corner of said remnant portion of the 163.89 acre Kruger tract and the northwest corner of the called 14.00 acre tract of land conveyed to Howard Ray Sladek, recorded in Volume 867, Page 747 of the Deed Records of Williamson County, Texas;

THENCE, S 21°39'39" E with the easterly boundary line of said 100.00 acre Hutto Independent School District tract, the westerly boundary line of said 65.00 acre Hutto Independent School District tract, the westerly boundary line of said 14.00 acre Sladek tract and in part with the westerly boundary line of the called 27.36 acre tract of land conveyed to Howard R. Sladek and wife, Brenda Sladek, recorded in Volume 866, Page 661 of the Deed Records of Williamson County, Texas passing at a distance of 1007.83 feet an iron rod found with cap marked "Lenz & Associates", 0.42' west of this line, in all a total distance of 2095.58 feet to an iron rod found with cap marked "Lenz and Associates" monumenting the southeast corner of said 65.00 acre Hutto Independent School District tract and the northeast corner of said of 169.99 acre Hutto 1660, LP tract, for the southeast corner hereof;

THENCE, S 68°34'54" W with the south boundary line of said 65.00 acre Hutto Independent School District tract for a distance of 2606.72 feet to the POINT OF BEGINNING hereof and containing 164.965 acres of land more or less.

PLAT NOTES:

1. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
2. BUILDING SETBACK LINES SHALL CONFORM TO UDC REQUIREMENTS.
3. A 5' P.U.E. IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
4. A 5' P.U.E. IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
5. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
6. WASTEWATER SERVICE FOR THIS SUBDIVISION WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WASTEWATER SYSTEM IMPROVEMENTS ARE INSTALLED TO THIS SITE. CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WASTEWATER IMPROVEMENTS REQUIRED TO SERVICE THIS SITE.
7. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE-FOOT ABOVE THE SURROUNDING GROUND, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET.
8. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:  
WATER: JONAH WATER SPECIAL UTILITY DISTRICT  
WASTEWATER: CITY OF HUTTO  
ELECTRIC: ONCOR ELECTRIC DELIVERY  
GAS: ATMOS ENERGY
9. THERE ARE NO AREAS WITHIN THE BOUNDARIES OF THIS SUBDIVISION IN THE 100-YEAR FLOODPLAIN AS DEFINED BY FIRM MAP NUMBER 48491C0510E, EFFECTIVE DATE OF SEPTEMBER 26, 2008.
10. THE 164.965 ACRE TRACT OF LAND DESCRIBED HEREIN IS SUBJECT TO THE FOLLOWING PIPELINE EASEMENTS TO JONAH WATER SUPPLY CORP.: VOLUME 562, PAGE 684, VOLUME 563, PAGE 685 AND VOLUME 563, PAGE 687 ALL OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. NO DESCRIPTION OF THE LOCATION OF THE PIPELINE IS CONTAINED IN SAID DOCUMENTS. THE EXISTENCE AND/OR LOCATION OF THE PIPELINE IS NOT KNOWN BY THE SURVEYOR. SAID INSTRUMENT STATES: "THE EASEMENT HEREBY GRANTED SHALL NOT EXCEED 15' IN WIDTH, AND GRANTEE IS HEREBY AUTHORIZED TO DESIGNATE THE COURSE OF THE EASEMENT HEREIN CONVEYED EXCEPT THAT WHEN THE PIPELINE IS INSTALLED, THE EASEMENT HEREIN GRANTED SHALL BE LIMITED TO A STRIP OF LAND 15' IN WIDTH THE CENTER LINE THEREOF BEING THE PIPE LINE AS INSTALLED." THE WATERLINE SHOWN HEREON IS AS MARKED ON THE GROUND WITH PIN FLAGS MARKED (JONAH WATER 512-759-1286). THE POSSIBLE LOCATION OF THE AFOREMENTIONED VOLUME 563, PG. 684 AND VOLUME 563, PG. 687 HAVE BEEN PLOTTED HEREON.
11. THE LOCATION OF THE UNDERGROUND TELEPHONE LINE SHOWN HEREON IS FROM INFORMATION SHOWN ON THE TXDOT RIGHT-OF-WAY STRIP MAP, APPROVED DATE AUGUST 3, 1965. THE SURVEYOR DID NOT ATTEMPT TO PROVE THE EXISTENCE AND/OR LOCATION OF THIS LINE.
12. ON-SITE STORMWATER DETENTION FACILITIES WILL BE PROVIDED TO REDUCE POST-DEVELOPMENT PEAK RATES OF DISCHARGE OF THE 2, 10, 25 AND 100-YEAR STORM EVENTS.
13. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
14. THIS SUBDIVISION SHALL BE ZONED SF-1.
15. SIDEWALKS WILL BE PROVIDED ON THE ISD SIDE OF THE FUTURE ROAD TO THE SOUTH END OF THE PROPERTY AND ON THE ISD SIDE OF THE INTERNAL JOINT ACCESS DRIVE. TREES WILL BE PROVIDED ON THE ISD SIDE OF THE FUTURE ROAD TO THE SOUTH.
16. SIDEWALKS AND TREES WILL BE PROVIDED ON THE ISD SIDE OF FM 1660.



**DIAMOND SURVEYING, INC.**

116 SKYLINE ROAD, GEORGETOWN, TX 78628

(512) 931-3100

T.B.P.L.S. FIRM NO. 10006900

Received 6/4/19



**M&S ENGINEERING**

CIVIL | ELECTRICAL | STRUCTURAL | MEP | SURVEYING

TEXAS REGISTERED ENGINEERING FIRM F-1394

SURVEYING FIRM # 10044200

CONTACT  
WWW.MSENGR.COM  
PHONE: (830) 228-5446  
FAX: (830) 885-2170

MAIN OFFICE  
P.O. BOX 970  
6477 FM 311  
SPRING BRANCH, TX 78070

BRANCH OFFICE  
102 W. MORROW ST, STE 101  
GEORGETOWN, TX 78626  
PHONE: (830) 228-5446



**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8E.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director, Infrastructure and Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Titan Innovation Business Park Unit 4 Final Plat, 6.965 acres, more or less, of land, one commercial lot, located on New Technology Boulevard. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

The Titan Innovation Business Park Final Plat, Unit 4 is proposing a 6.423 acre lot to be platted at the northwest corner of Schneider Boulevard and New Technology Boulevard.

The fee in lieu of parkland dedication will be paid prior to recordation of the final plat for each phase. The total parks fees for this whole development will be \$54,304, with \$5,138.40 owed with this Final Plat at recordation.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Titan Innovation Business Park Unit 4 Final Plat

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## **RESOLUTION NO.**

**A RESOLUTION APPROVING THE PLAT KNOWN AS "TITAN INNOVATION BUSINESS PARK UNIT 4 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Titan Innovation Business Park Unit 4 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

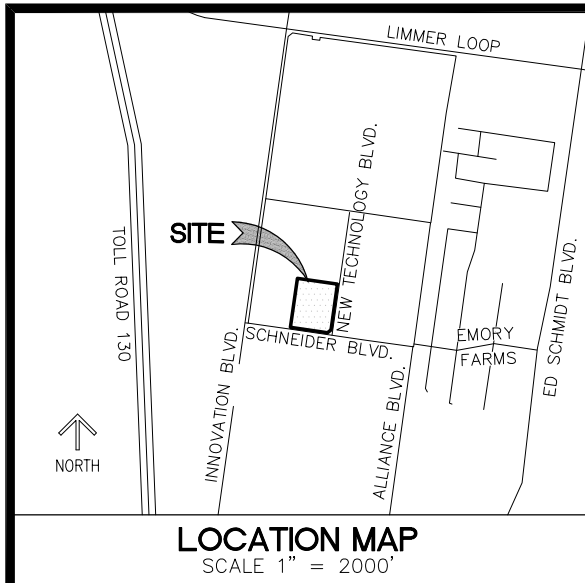
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Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary



| LEGEND:   |                                                       |
|-----------|-------------------------------------------------------|
| --900--   | EXISTING CONTOUR                                      |
| ---900--- | PROPOSED CONTOUR                                      |
| NTS       | NOT TO SCALE                                          |
| EGTTVE    | ELECTRIC, GAS, TELEPHONE, & CABLE TELEVISION EASEMENT |
| BSL       | BUILDING SETBACK LINE                                 |
| CB        | COUNTY BLOCK                                          |
| EL        | CENTERLINE                                            |
| ESM'T     | EASEMENT                                              |
| P.U.E.    | PUBLIC UTILITY EASEMENT                               |
| OPRWC     | OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS   |
| VOL       | VOLUME                                                |
| PG        | PAGE                                                  |
| ROW       | RIGHT OF WAY                                          |
| ○         | FOUND 1/2" IRON ROD (KFW) UNLESS OTHERWISE NOTED      |

SURVEYOR'S NOTES:

- HORIZONTAL DATUM IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83(2011), AND WAS DERIVED FROM GNSS OBSERVATIONS HOLDING RTKNET STATION SMNM\_g1012
- THE TWO SETS OF COORDINATES AND ALL DIMENSIONS SHOWN HEREON ARE SURFACE AND THE COMBINED SCALE FACTOR (GRID TO SURFACE) IS 1.000116311 APPLIED AT N10175876.76, E3165697.19

STATE OF TEXAS §  
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS

THAT OWNER, A TEXAS LIMITED LIABILITY COMPANY, SOLE OWNER OF THE CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2017092225 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, DO HEREBY STATE THAT THERE ARE NO LIEN HOLDERS OF THE CERTAIN TRACT OF LAND, AND DO HEREBY SUBDIVIDE SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS TITAN INNOVATION BUSINESS PARK, BLDG. NO. 4.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, \_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC PRINTED NAME

MY COMMISSION EXPIRES ON:

STATE OF TEXAS §  
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS

I, JASON R. GABRIEL, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT SAN ANTONIO, BEXAR COUNTY, TEXAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JASON R. GABRIEL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6530  
STATE OF TEXAS  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
PHONE: (210) 265-8300

STATE OF TEXAS §  
COUNTY OF BEXAR §

KNOW ALL MEN BY THESE PRESENTS

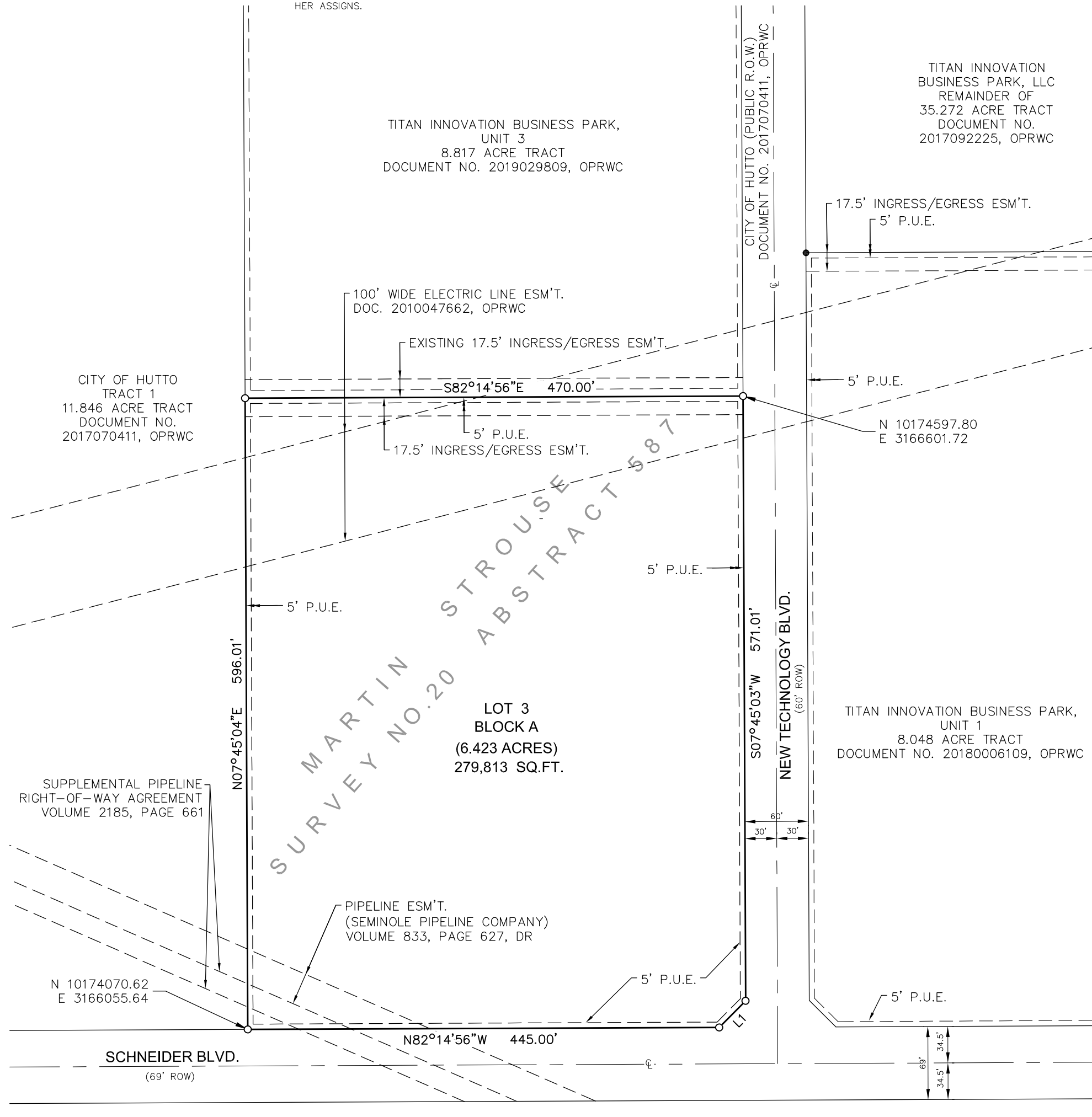
I, GARTH E. COURSEN, LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT SAN ANTONIO, BEXAR COUNTY, TEXAS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

GARTH E. COURSEN  
LICENSED PROFESSIONAL ENGINEER NO. 94784  
STATE OF TEXAS  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
PHONE: (210) 265-8300

#### NOTES:

- NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
- BUILDING SETBACK LINES SHALL CONFORM TO UDC REQUIREMENTS.
- A 5' P.U.E. IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
- A 5' P.U.E. IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
- A 5' P.U.E. IS HEREBY DEDICATED ON EACH SIDE OF ALL INTERIOR SIDE LOT LINES.
- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
- STREET LIGHTING SHALL BE IN CONFORMANCE WITH THE UDC REQUIREMENTS.
- SIDEWALKS SHALL BE CONSTRUCTED ON BOTH SIDES OF NEW TECHNOLOGY.
- WATER AND WASTEWATER SERVICE FOR THIS SUBDIVISION WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEM IMPROVEMENTS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
- IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE-FOOT ABOVE THE SURROUNDING GROUND, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET.
- UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:  
WATER : CITY OF HUTTO  
WASTEWATER : CITY OF HUTTO  
ELECTRIC : ONCOR  
GAS (NATURAL OR PROPANE) : ATMOS
- THERE ARE NO AREAS WITHIN THE BOUNDARIES OF THIS SUBDIVISION IN THE 100-YEAR FLOODPLAIN AS DEFINED BY FIRM MAP NUMBER 48491C0515E, EFFECTIVE DATE OF SEPTEMBER 26, 2008.
- THE MAXIMUM IMPERVIOUS COVERAGE PER NON-RESIDENTIAL LOT IS 90%.
- NO FENCES, STRUCTURES, STORAGE, OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN; UNLESS APPROVED BY THE CITY ENGINEER. FILL MAY ONLY BE PERMITTED BY THE CITY ENGINEER AFTER APPROVAL OF THE PROPER ANALYSIS.
- ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.





## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8F.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

**ITEM:**

Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of Highlands North (Decker Tract), 75.812 acres, more or less, of land located on CR 132. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

Per the Texas Local Government Code, a Municipal Service Plan (MSP) is required to be prepared for proposed annexation areas. This MSP essentially states that the annexed land will receive services from the City, including but not limited to Police and patrol services, utility service, planning and building inspection services, code enforcement, library privileges, and street maintenance. Only annexed land into the city limits is entitled to full services by the City. This MSP has gone through the applicable departments for review.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

There are no related advisory board recommendations for this item.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Highlands North Annexation (75.812 acres) - Municipal Service Plan

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## **RESOLUTION NO.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE A MUNICIPAL SERVICE PLAN FOR THE ANNEXATION OF THE PROPERTY KNOWN AS “HIGHLANDS NORTH (DECKER TRACT)” (75.812 ACRES), MORE OR LESS, OF LAND, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, AND ATTACHED HERETO.**

**WHEREAS**, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the Hutto City Council must authorize the City Manager to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, and;

**WHEREAS**, the service plan has been prepared and described in **Exhibit “B”**, and attached hereto.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS**, hereby authorizes the City Manager to immediately prepare a service plan that provides for the extension of full municipal services, and described in **Exhibit “B”**, a copy of same being attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**RESOLVED** this **20th** day of **June, 2019**.

**CITY OF HUTTO, TEXAS**

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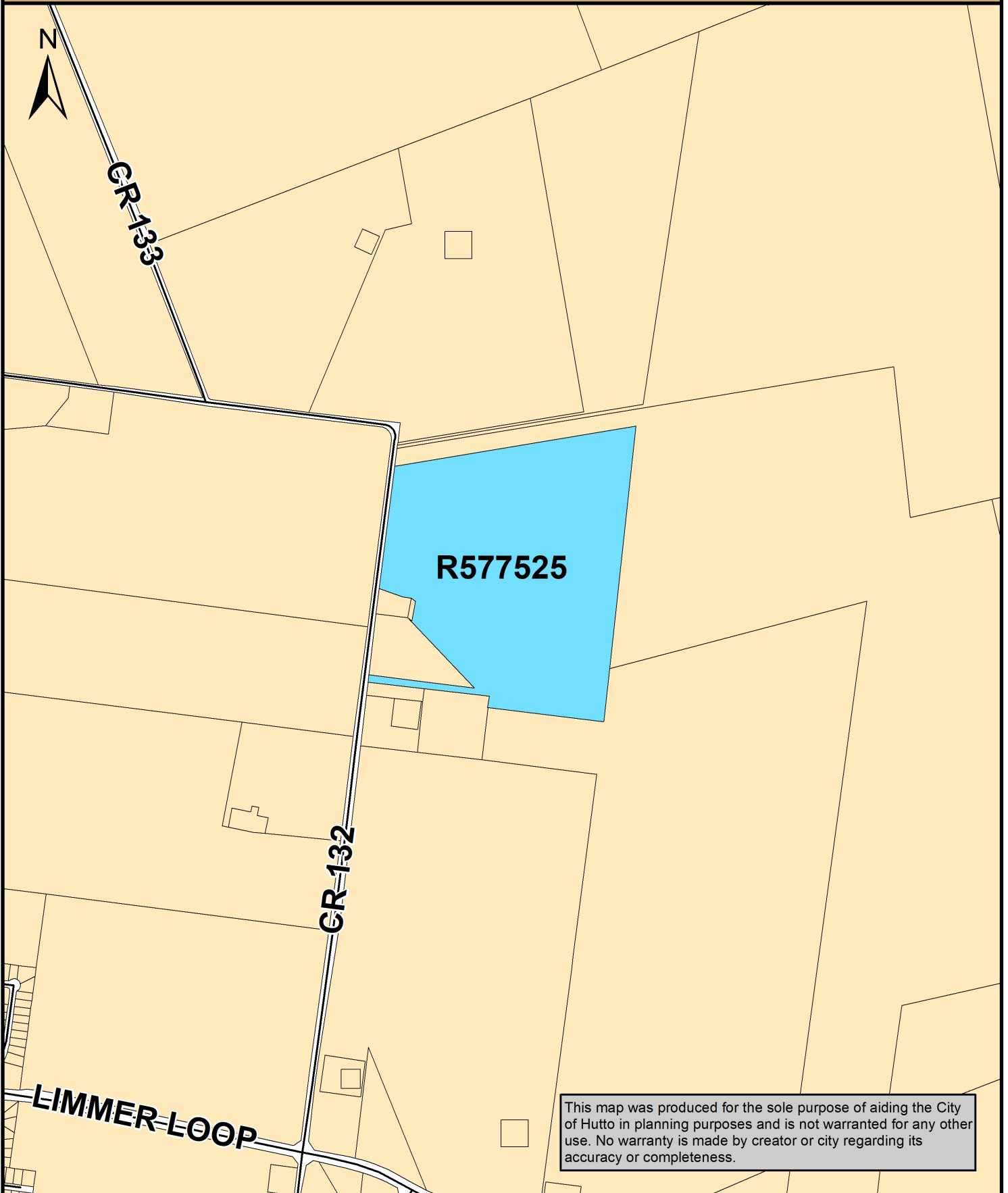
Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary

# Highlands North



This map was produced for the sole purpose of aiding the City of Hutto in planning purposes and is not warranted for any other use. No warranty is made by creator or city regarding its accuracy or completeness.

TRACT 1 75.812 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the north and east line of said Decker 101.51 Acre Tract and along the westerly lines of said Klaus Farms, LTD 101.51 Acre Tract the following two courses:

1. N80°30'26"E a distance of 1843.61 feet to a channel iron marker found;
2. S04°54'54"W a distance of 1883.49 feet to a 5/8" iron rod found at the southwest corner of said Klaus Farms, LTD 101.51 Acre Tract, being also at the northwest corner of a 100 Acre Tract of land conveyed to Marvin H. Decker and wife, Lorene Decker by deed recorded in Volume 754, Page 769 of the Deed Records of Williamson County, Texas and on an easterly angle point of said Decker 101.51 Acre Tract;

THENCE S07°49'18"W along the east line of said Decker 101.51 Acre Tract and the west line of said 100 Acre Tract a distance of 401.65 feet to a 1/2" iron rod set;

THENCE N83°09'13"W across said Decker 101.51 Acre Tract a distance of 898.52 feet to a 1/2" iron rod set on the east line of a 5.66 Acre Tract of land (Tract 1) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas;

THENCE along the east and north lines of said 5.66 Acre Tract, the north line of a 5.00 Acre Tract of land (Tract 2) conveyed to Michael Edmonds, Sr., by deed recorded in Document No. 2004023887 of the Official Public Records of Williamson County, Texas, and continuing across said Decker 101.51 Acre Tract the following three courses:

1. N06°50'47"E a distance of 85.50 feet to a 1/2" iron rod with cap marked RPLS 4967 at the northeast corner of said 5.66 Acre Tract;
2. N83°08'53"W a distance of 499.91 feet to a 1/2" iron rod with cap marked RPLS 4967 found at the northwest corner of said 5.66 Acre Tract and the Northeast corner of said 5.00 Acre Tract;
3. N83°09'52"W a distance of 437.45 feet to a 1/2" iron rod set on the west line of said 101.51 Acre Tract and the east line of said County Road 132, from which a 1/2" iron rod found at the northwest corner of said 5.00 Acre Tract bears, N83°09'52"W a distance of 4.07 feet;

THENCE N07°18'53"E along the west line of said Decker 101.51 Acre Tract and the east line

of said County Road 132 a distance of 50.00 feet to a 1/2" iron rod set;

THENCE continuing across said Decker 101.51 Acre Tract the following nine courses:

1. S83°09'52"E a distance of 437.04 feet to a 1/2" iron rod set;
2. S83°08'53"E a distance of 381.88 feet to a 1/2" iron rod set;
3. N44°43'30"W a distance of 726.71 feet to a 1/2" iron rod set at the southeast corner of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Records of Williamson County, Texas;
4. S82°51'07"E a distance of 30.05 feet to a 1/2" iron rod set;
5. N10°22'21"E a distance of 153.05 feet to a 1/2" iron rod set;
6. N65°41'31"W a distance of 10.30 feet to a 1/2" iron rod set;
7. N73°23'22"W a distance of 92.44 feet to a 1/2" iron rod set;
8. N70°08'30"W a distance of 91.15 feet to a 1/2" iron rod set;
9. N72°34'11"W a distance of 95.60 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract, from which a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract bears, S07°06'04"W along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 11.18 feet;

THENCE N07°06'04"E along the east line of said County Road 132 and the west line of said Decker 101.51 Acre Tract a distance of 968.72 feet to the said Point of Beginning.

Containing 75.812 acres, more or less, as shown on the Land Title Survey attached.

#### TRACT 2 5.524 Acres

THAT PART OF THE PATRICK O. DAUGHERTY SURVEY, ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT REMAINDER OF A 101.51 ACRE TRACT OF LAND CONVEYED TO MARVIN H. DECKER AND WIFE, LORENE DECKER BY DEED RECORDED IN VOLUME 442, PAGE 309 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at a 1/2" iron rod set on the east line of County Road 132 at the northwest corner of said Decker 101.51 Acre Tract, being also at the most westerly southwest corner of a 101.51 Acre Tract (Exhibit A) conveyed to Klaus Farms, LTD by deed recorded in Document No. 2007099204 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rod with cap marked RPLS 4967 bears, N07°06'04"E along the east line of said County Road 132 and the west line of said Klaus Farms, LTD tract a distance of 135.00 feet;

THENCE along the east line of said County Road 132 and in part the west line of said 101.51 Acre Tract and the west line of a 1.0004 Acre Tract of land conveyed to Marc Decker by deed recorded in Document No. 2015038885 of the Official Public Record of Williamson County, Texas, the following two courses:

1. S07°18'53"W a distance of 979.90 feet to a 1/2" iron rod found in a driveway, approximately 1.7 feet deep at the northwest corner of said 1.0004 Acre Tract;
2. S07°06'53"W along the east line of said County, Road 132 and the west line of said 1.0004 Acre Tract a distance of 196.98 feet to a 1/2" iron rod set at the southwest

corner of said 1.0004 Acre Tract at the Point of Beginning;

THENCE S82°51'07"E along the south line of said 1.0004 Acre Tract and across said Decker 101.51 Acre Tract a distance of 245.93 feet to a 1/2" iron rod set at the southeast corner of said 1.0004 Acre Tract;

THENCE continuing across said Decker 101.51 Acre Tract the following three courses:

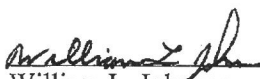
1. S44°43'30"E a distance of 726.71 feet to a 1/2" iron rod set;
2. N83°08'53"W a distance of 381.88 feet to a 1/2" iron rod set;
3. N83°09'52"W a distance of 437.04 feet to a 1/2" iron rod set on the east line of said County Road 132 and the west line of said 101.51 Acre Tract;

THENCE N07°18'53"E along the east line of said County, Road 132 and the west line of said 101.51 Acre Tract a distance of 453.04 feet to the said Point of Beginning.

Containing 5.524 acres, more or less, as shown on the Land Title Survey attached.

All iron rods set have RJ Surveying caps

Bearings are Texas Coordinate System of 1983, Central Zone (4203)

 21 DECEMBER 2018  
William L. Johnson  
Registered Professional Land Surveyor No. 5425  
State of Texas

RJ Surveying & Associates, Inc.  
2900 Jazz Street  
Round Rock, TX 78664  
Firm No. 10015400





SCALE: 1" = 100'

**CITY OF HUTTO  
MUNICIPAL SERVICE PLAN  
FOR PROPOSED ANNEXATION OF**

**EXHIBIT “B”**

**75.812 acres, more or less, of land, out of the  
Patrick O. Daugherty Survey, Abstract No. 184, Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

**FIRE**

*Existing Services:* Williamson County Emergency Service District #3

*Services to be Provided:*

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**POLICE**

*Existing Services:* Williamson County Sheriff's Department

*Services to be Provided:*

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

**BUILDING INSPECTION**

*Existing Services:* None

*Services to be Provided:*

The Development Services Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**PLANNING AND ZONING**

*Existing Services:* Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

*Services to be Provided:*

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

**LIBRARY**

*Existing Services:* None

*Services to be Provided:*

City Library privileges will be available to future residents in this area.

## **HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* Williamson Cities and County Health District

*Services to be Provided:*

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

## **STREET MAINTENANCE**

*Existing Services:* Williamson County

*Services to be Provided:*

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

## **STORM WATER MANAGEMENT**

*Existing Services:* Williamson County Flood Plain Administrator

*Services to be Provided*

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

## **STREET LIGHTING**

*Existing Services:* Oncor Electric Delivery

*Services to be Provided:*

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

## **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:*

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

## **WATER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Water service to the properties will be provided by Jonah S.U.D.

## **SANITARY SEWER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Sanitary sewer service to the properties will be provided by Jonah S.U.D.

### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:*

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

### **PARKS AND TRAILS**

*Existing Service:* None

*Services to be Provided:*

All City operated parks and trail systems will be available to the residents of this area upon annexation.

### **MISCELLANEOUS**

*Existing Services:* None

*Services to be Provided:*

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

### **NOTE:**

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8G.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director of Infrastructure and Development Services

**ITEM:**

Consideration and possible action on a resolution authorizing the City manager to prepare a Municipal Service Plan for the proposed annexation of Riverwalk South, 118.971 acres, more or less, of land located on CR 138. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

Per the Texas Local Government Code, a Municipal Service Plan (MSP) is required to be prepared for proposed annexation areas. This MSP essentially states that the annexed land will receive services from the City, including but not limited to Police and patrol services, utility service, planning and building inspection services, code enforcement, library privileges, and street maintenance. Only annexed land into the city limits is entitled to full services by the City. This MSP has gone through the applicable departments for review.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

There are no related advisory board recommendations for this item.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Riverwalk South Annexation (118.971 acres) - Municipal Service Plan

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## **RESOLUTION NO.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE A MUNICIPAL SERVICE PLAN FOR THE ANNEXATION OF THE PROPERTY KNOWN AS “RIVERWALK SOUTH” (118.971 ACRES), MORE OR LESS, OF LAND, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, AND ATTACHED HERETO.**

**WHEREAS**, Section 43.065(a) of the Texas Local Government Code requires that, within certain specified statutory timeframes, the Hutto City Council must authorize the City Manager to prepare a service plan that provides for the extension of full municipal services to the areas which are proposed for annexation, and;

**WHEREAS**, the service plan has been prepared and described in **Exhibit “B”**, and attached hereto.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS**, hereby authorizes the City Manager to immediately prepare a service plan that provides for the extension of full municipal services, and described in **Exhibit “B”**, a copy of same being attached hereto and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**RESOLVED** this **6th** day of **June, 2019**.

**CITY OF HUTTO, TEXAS**

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Doug Gaul, Mayor

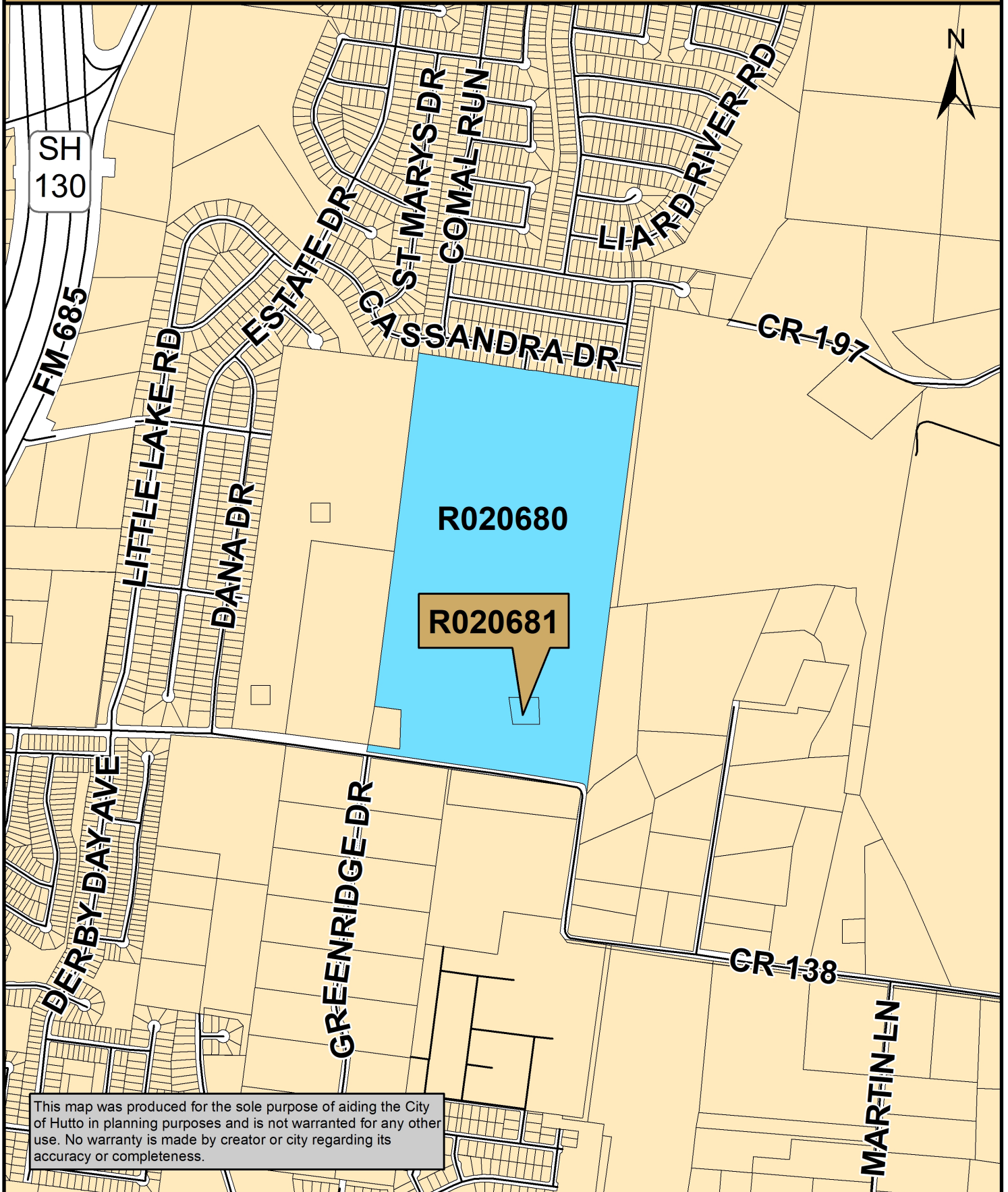
**ATTEST:**

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Lacie Hale, City Secretary



# Riverwalk South





Date: Mar 04, 2019, 3:42pm User: ID: jpricorda  
File: H:\Survey\Civil\51061-00 Land Title Survey\BS-5106100.dwg

FIELD NOTES  
FOR

A 118.971 ACRE, OR 5,182,372 SQUARE FOOT, TRACT OF LAND BEING ALL OF THE REMNANT PORTION OF A CALLED 120.7058 ACRE TRACT CONVEYED TO JOSEPH F. GIBNEY AND JUDITH A. GIBNEY, IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2726, PAGE 76 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS, SAID 118.971 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE;

BEGINNING at an iron rod with cap marked "Bryan Tech" found on a point in the northwest corner of a called 0.365 acre tract recorded in Document No. 2016037486 of the Official Public Records of Williamson County, Texas, same being a point in the east boundary line of a remnant portion of a called 75.35 acre tract recorded in Document No. 2007040774 of the Official Public Records of Williamson County, Texas, also being a west corner of said remnant portion of a 120.7058 acre tract for a west corner and POINT OF BEGINNING hereof;

THENCE N 07°28'47" E, with the east boundary line of said remnant portion of a 75.35 acre tract, same being the west boundary line of said remnant portion of a 120.7058 acre tract, at a distance of 2648.31 feet, passing through the northeast corner of said remnant portion of a 75.35 acre tract, continuing with the west boundary line of the aforementioned remnant portion of a 120.7058 acre tract, for a total distance of 2705.44 feet to an iron rod with cap marked "RJ Surveying" found on a point in the east boundary line of Lakeside Estates, Section Three, a subdivision according to the plat recorded in Document No. 2002048767 of the Official Public Records of Williamson County, Texas, also being the southwest corner of Riverwalk Phase 3, Section 4, a subdivision according to the plat recorded in Document No. 2017016719 of the Official Public Records of Williamson County, Texas, for the northwest corner hereof;

THENCE S 81°28'31" E, with the south boundary line of said Riverwalk, Phase 3, Section 4, same being the north boundary line of said remnant portion of a 120.7058 acre tract, at a distance of 853.55 feet, passing through an iron rod with cap marked "RJ Surveying" found on the southeast corner of said Riverwalk, Phase 3, Section 4, same being the southwest corner of Riverwalk, Phase 3, Section 5, a subdivision according to the plat recorded in Document No. 2017016719 of the Official Public Records of Williamson County, Texas, continuing with the south boundary line of the aforementioned Riverwalk, Phase 3, Section 5, for a total distance of 1701.09 feet to a 600 nail found on a point in the west boundary line of a called 307.5795 acre tract recorded in Document No. 2016098133 of the Official Public Records of Williamson County, Texas, for the northeast corner hereof;

THENCE S 07°35'18" W, in part with the west boundary line of said 307.5795 acre tract, and in part with the west boundary line of a called 10.0 acre tract recorded in Volume 2364, Page 184 of the Official Records of Williamson County, Texas, same being the east boundary line of said remnant portion of a 120.7058 acre tract, a distance of 3098.34 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the north margin of County Road 138, a variable width right-of-way, for the southeast corner hereof;

THENCE N 81°22'41" W, with the north margin of said County Road 138, same being the south boundary line of said remnant portion of a 120.7058 acre tract, a distance of 1695.27 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the southwest corner of said remnant portion of a 120.7058 acre tract, said point being the southeast corner of a called 1.210 acre tract recorded in Document No. 2009062923 of the Official Public Records of Williamson County, Texas for the southwest corner hereof;

THENCE N 07°28'47" E, departing the north margin of said County Road 138, with the east boundary line of said 1.210 acre tract, a distance of 60.10 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on a point in the southwest corner of a called 1.377 acre tract recorded in Document No. 2006109103 of the Official Public Records of Williamson County, Texas for a west corner hereof;

THENCE S 82°25'12" E, with the south boundary line of said 1.377 acre tract, at a distance of 200.00 feet passing through the southwest corner of a said 0.365 acre tract, continuing with the south boundary line of the aforementioned 0.365 acre tract, same being a north boundary line of said remnant portion of a 120.7058 acre tract, for a total distance of 230.03 feet to a 1/2" iron rod found for a west corner hereof;

THENCE N 07°28'46" E, with the east boundary line of said 0.365 acre tract, same being a west boundary line of said remnant portion of a 120.7058 acre tract, a distance of 330.11 feet to an iron rod with cap marked "Bryan Tech" found on a point in the northeast corner of said 0.365 acre tract, for a west corner hereof;

THENCE N 82°26'35" W, with the north boundary line of said 0.365 acre tract, same being a south boundary line of said remnant portion of a 120.7058 acre tract, a distance of 230.03 feet to the POINT OF BEGINNING, and containing 118.971 acres in Williamson County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape Dawson Engineers, Inc. under Job No. 51061-00

REFERENCES :

This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

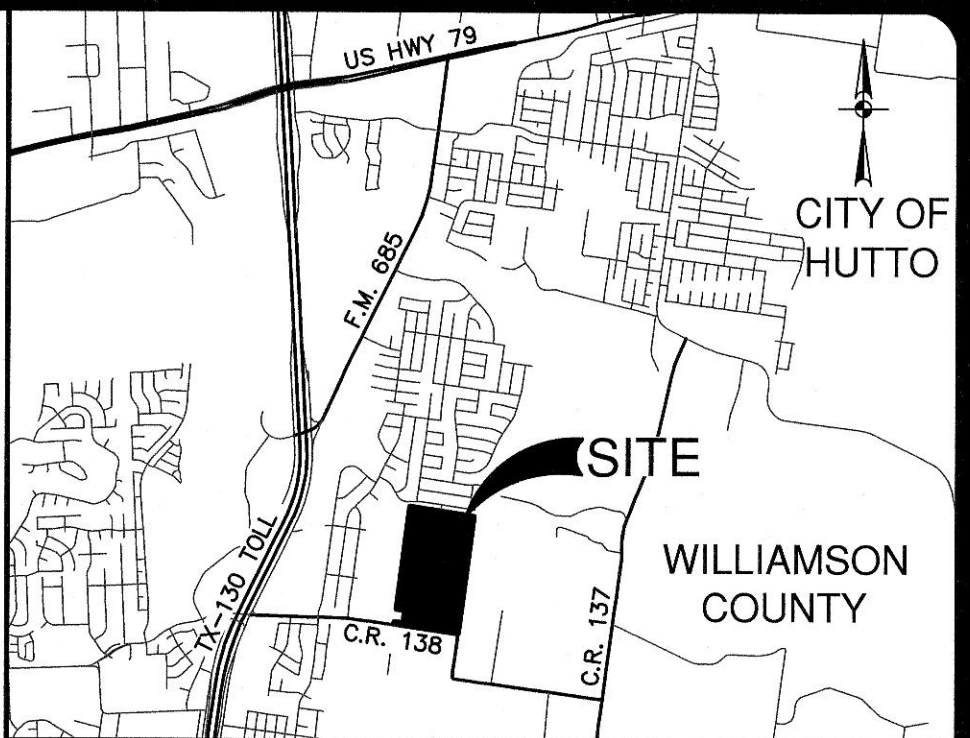
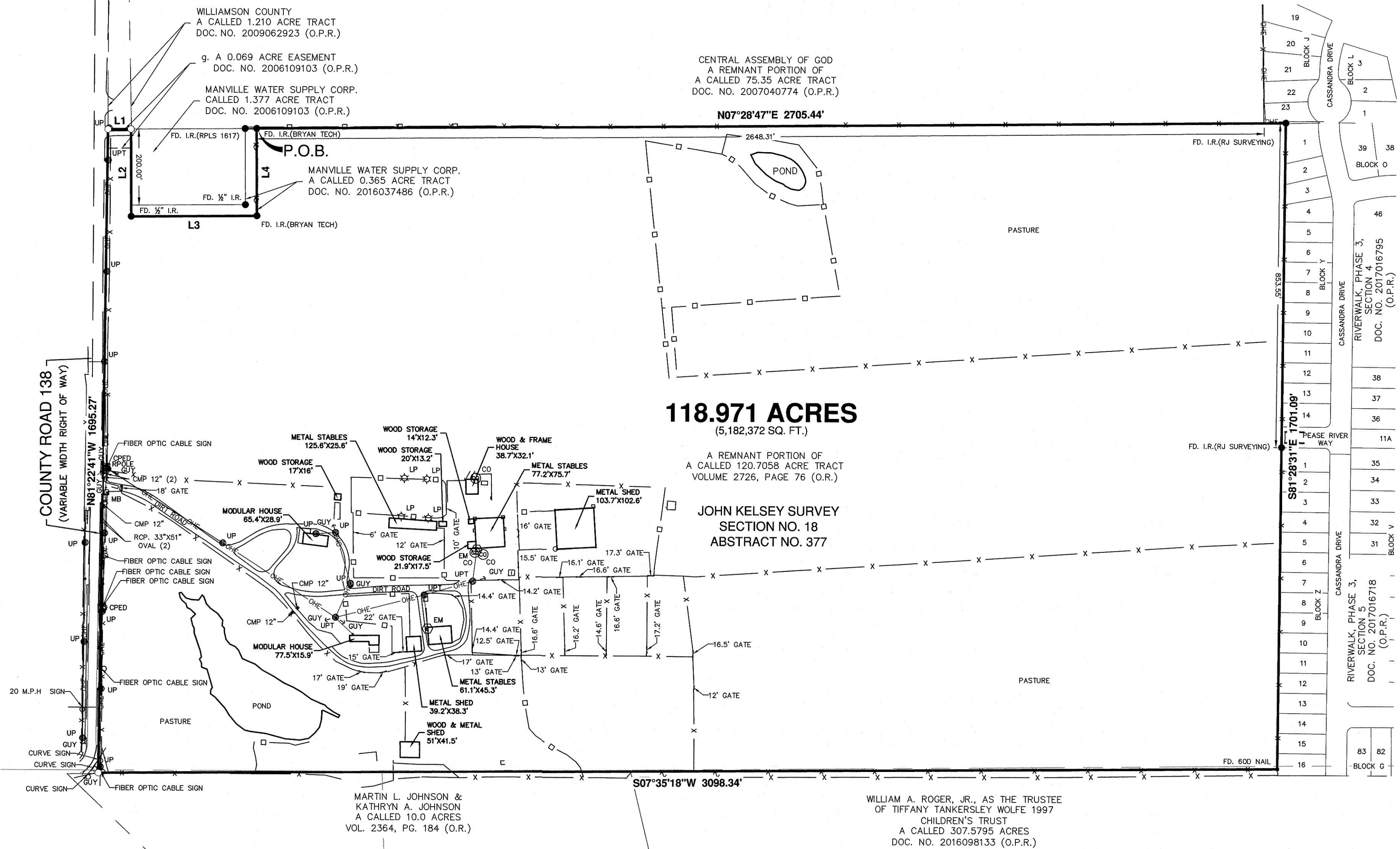
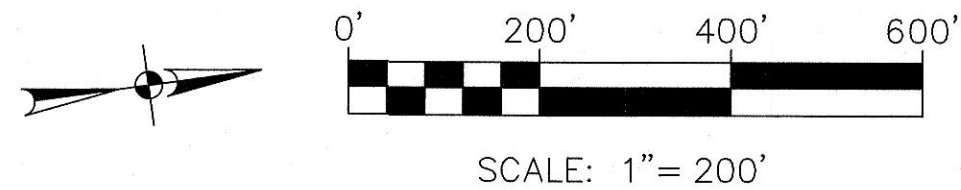
Title Commitment: GF No. 1900301-COM  
Stewart Title Guaranty Company  
Date issued: February 21, 2019  
Date Effective: February 9, 2019

10. The following matters and all terms of the documents creating or offering evidence of the matters:

- Rights of Parties in Possession. (Not under the purview of the undersigned).
- Rights of tenants, as tenants only, under any and all unrecorded leases or rental agreements. (Not under the purview of the undersigned).
- Any visible and apparent easement, either public or private, located on or across the land, the existence of which is not disclosed by the Public Records as herein defined. (Not under the purview of the undersigned).
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land. (Visible improvements are as shown hereon. The undersigned offers no opinion as to whether or not any improvement constitute an encroachment).
- Any portion of subject property lying within the boundaries of a dedicated or undedicated public or private roadway. (Boundary lines of subject property are as shown hereon).
- Easement:  
Recorded: Volume 774, Page 930, Deed Records, Williamson County, Texas.  
To: Manville Water Supply Corp.  
Purpose: pipeline (The location of this easement cannot be determined from the record document).
- Easement:  
Recorded: Document No. 2006109103, Official Public Records, Williamson County, Texas.  
Purpose: access (As shown hereon).
- Deleted.
- The liability insofar as the manufactured home is effective only as long as the home remains affixed to the subject property described herein. (Not under the purview of the undersigned).
- Deleted

NOTES:

- 1/2" IRON ROD WITH 'YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.
- THE SUBJECT PROPERTY IS NOT IN A FLOOD ZONE(S) AS DEPICTED ON THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBERS 48491C0515E, 48491C0520E AND 48491C0675E, ALL WITH EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
- ADJOINERS SHOWN ARE FOR INFORMATIONAL PURPOSE ONLY.
- EASEMENTS THAT THE SURVEYOR HAS KNOWLEDGE ARE SHOWN OR NOTED HEREON.



LEGEND

|                   |                   |
|-------------------|-------------------|
| FD.               | FOUND             |
| I.R.              | 1/2" IRON ROD     |
| I.P.              | IRON PIPE         |
| (PD)              | PAPE-DAWSON CAP   |
| SET 1/2" I.R.(PD) | SET 1/2" I.R.(PD) |
| FOUND             | FOUND             |

DEED/PLAT REFERENCE

O.R. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS  
O.P.R. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

SYMBOL LEGEND

|                                                |                                                |
|------------------------------------------------|------------------------------------------------|
| CO                                             | SANITARY SEWER CLEANOUT                        |
| GATE                                           | GATE                                           |
| GUY ANCHOR                                     | GUY ANCHOR                                     |
| RISER POLE                                     | RISER POLE                                     |
| ADVERTISING/ROAD/UTILITY SIGN WITH DESCRIPTION | ADVERTISING/ROAD/UTILITY SIGN WITH DESCRIPTION |
| UP                                             | UTILITY POLE                                   |
| UPT                                            | UTILITY POLE W/TRANSFORMER                     |
| FAUCET                                         | FAUCET                                         |
| CPED                                           | COMMUNICATION, TELEPHONE, CABLE PEDESTAL       |
| EM                                             | ELECTRIC METER                                 |
| LM                                             | LAMP POST                                      |
| MB                                             | MAILBOX                                        |
| CMP                                            | CORRUGATED METAL PIPE                          |
| RCP                                            | REINFORCED CONCRETE PIPE                       |

LINE LEGEND

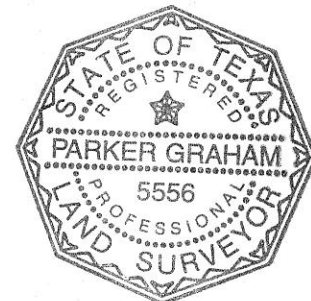
|                            |                            |
|----------------------------|----------------------------|
| BARBED WIRE FENCE          | BARBED WIRE FENCE          |
| CHAIN LINK FENCE           | CHAIN LINK FENCE           |
| POST & RAIL/HOG WIRE FENCE | POST & RAIL/HOG WIRE FENCE |
| WOOD FENCE                 | WOOD FENCE                 |
| OVERHEAD ELECTRIC          | OVERHEAD ELECTRIC          |

LINE TABLE

| LINE | BEARING     | LENGTH  |
|------|-------------|---------|
| L1   | N07°28'47"E | 60.10'  |
| L2   | S82°25'12"E | 230.03' |
| L3   | N07°28'46"E | 330.11' |
| L4   | N82°26'35"W | 230.03' |

I HEREBY CERTIFY THAT

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II, LAND TITLE SURVEY. THE FIELD WORK WAS COMPLETED ON FEBRUARY 12, 2019.



Parker Graham  
PAPER ENGINEERS  
10801 N. MOPAC EXPY.  
BLDG. 3, SUITE 200  
AUSTIN, TX 78759

03/04/2019  
DATE

LAND TITLE SURVEY

JOB NO. 51061-00  
DATE MARCH 1, 2019  
CHECKED PJG DRAWN JMO  
CIVIL JOB NO. ---  
REFERENCE: ---  
SHEET 1 OF 1

PAPE-DAWSON  
ENGINEERS  
AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N. MOPAC EXPY., BLDG. 3, SUITE 200 | AUSTIN, TX 78759 | 512.454.8711  
TYPE FIRM REGISTRATION #1028801

A 118.971 ACRE, OR 5,182,372 SQUARE FOOT, TRACT OF LAND BEING ALL OF THE REMNANT PORTION OF A CALLED 120.7058 ACRE TRACT CONVEYED TO JOSEPH F. GIBNEY AND JUDITH A. GIBNEY, IN WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 2726, PAGE 76 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN JOHN KELSEY SURVEY, SECTION NO. 18, ABSTRACT NO. 377, IN WILLIAMSON COUNTY, TEXAS.

PROJECT NAME: GIBNEY TRACT



**CITY OF HUTTO  
MUNICIPAL SERVICE PLAN  
FOR PROPOSED ANNEXATION OF**

**EXHIBIT “B”**

**118.971 acres, more or less, of land, out of the  
John Kelsey Survey, Abstract No. 377, Williamson County, Texas.**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056.

**FIRE**

*Existing Services:* Williamson County Emergency Service District #3

*Services to be Provided:*

Provides fire suppression and emergency services to the area. Primary fire response will be provided by Williamson County Emergency Service District #3, located at the following address: 501 Exchange Boulevard. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**POLICE**

*Existing Services:* Williamson County Sheriff's Department

*Services to be Provided:*

Upon annexation, the City of Hutto Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriations.

**BUILDING INSPECTION**

*Existing Services:* None

*Services to be Provided:*

The Development Services Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes that regulate building construction within the City of Hutto. Fire code inspections and enforcement will be handled by Williamson County Emergency Services District #3 on behalf of the City of Hutto.

**PLANNING AND ZONING**

*Existing Services:* Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

*Services to be Provided:*

The Hutto Development Services Department has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

**LIBRARY**

*Existing Services:* None

*Services to be Provided:*

City Library privileges will be available to future residents in this area.

## **HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* Williamson Cities and County Health District

*Services to be Provided:*

Williamson Cities and County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed by Hutto Animal Control Division of the Police Department.

## **STREET MAINTENANCE**

*Existing Services:* Williamson County

*Services to be Provided:*

Maintenance and access to adjacent existing street facilities will be provided/overseen by appropriate City of Hutto departments.

## **STORM WATER MANAGEMENT**

*Existing Services:* Williamson County Flood Plain Administrator

*Services to be Provided*

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage in public rights of way upon approval of the construction. Property owners and/or Home Owner's Associations or similar entities will maintain drainage facilities located on private property. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations.

## **STREET LIGHTING**

*Existing Services:* Oncor Electric Delivery

*Services to be Provided:*

There are no existing street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development until such time as any internal streets have been accepted by the City Council.

## **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:*

The City of Hutto, through its appropriate departments, will be able to provide any necessary additional traffic control devices after the effective date of annexation.

## **WATER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Water service to the properties will be provided by Jonah S.U.D.

## **SANITARY SEWER SERVICE**

*Existing Services:* None

*Services to be Provided:*

Sanitary sewer service to the properties will be provided by Jonah S.U.D.

### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:*

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

### **PARKS AND TRAILS**

*Existing Service:* None

*Services to be Provided:*

All City operated parks and trail systems will be available to the residents of this area upon annexation.

### **MISCELLANEOUS**

*Existing Services:* None

*Services to be Provided:*

All other applicable municipal services will be provided to the area in accordance with the City of Hutto's established policies governing extension of municipal services to newly-annexed areas.

### **NOTE:**

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8H.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director, Business & Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Star Ranch Parcel 31 Final Plat, 2.002 acres, more or less, of land, one commercial lot, located Gattis School Road at Winterfield Drive. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

Star Ranch Parcel 31 Final Plat is a proposed subdivision with the City of Hutto's ETJ, in the Star Ranch development area that includes a Limited Purpose Annexation and a Strategic Partnership Agreement, therefore the City has review authority and permit authority for this property. This subdivision includes 1 commercial lots that is 2.002 acres at the southwest corner of Winterfield Drive and Gattis School Road.

**WEST:** ETJ (Huntington Trails Subdivision)

**NORTH:** ETJ (Star Ranch Subdivision)

**EAST:** ETJ (Star Ranch Pool)

**SOUTH:** ETJ (Star Ranch Subdivision)

**Utilities**

Water and wastewater service will be provided by the Williamson County Water, Sewer, Irrigation and Drainage District No. 3.

This plat has been reviewed and all City comments have been addressed. The proposed Final Plat is in compliance with the applicable subdivision regulations.

**BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Star Ranch Parcel 31 Final Plat

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



## **RESOLUTION NO.**

### **A RESOLUTION APPROVING THE PLAT KNOWN AS "STAR RANCH PARCEL 31 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Star Ranch Parcel 31 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

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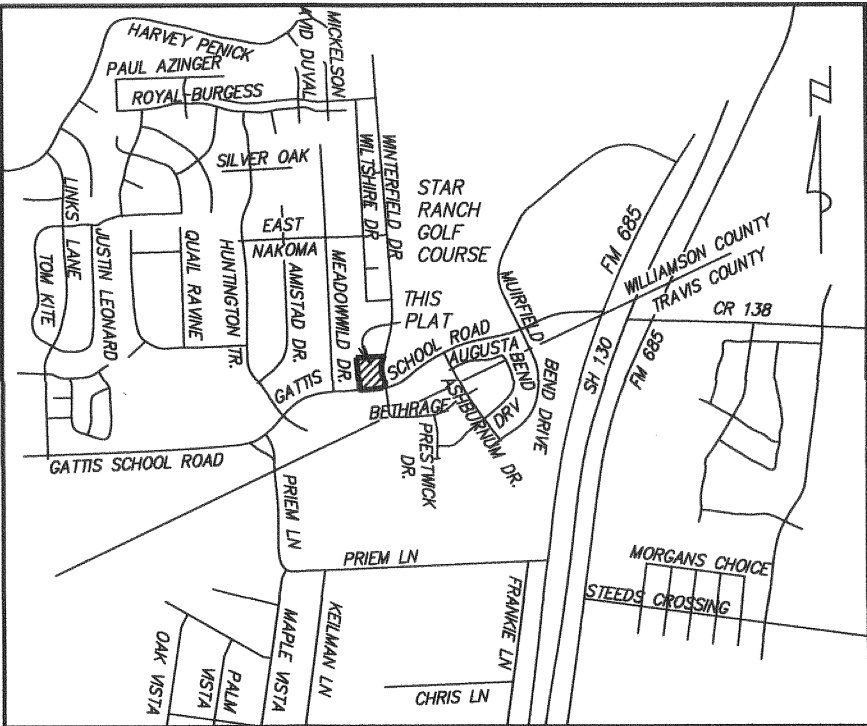
Doug Gaul, Mayor

**ATTEST:**

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Lacie Hale, City Secretary





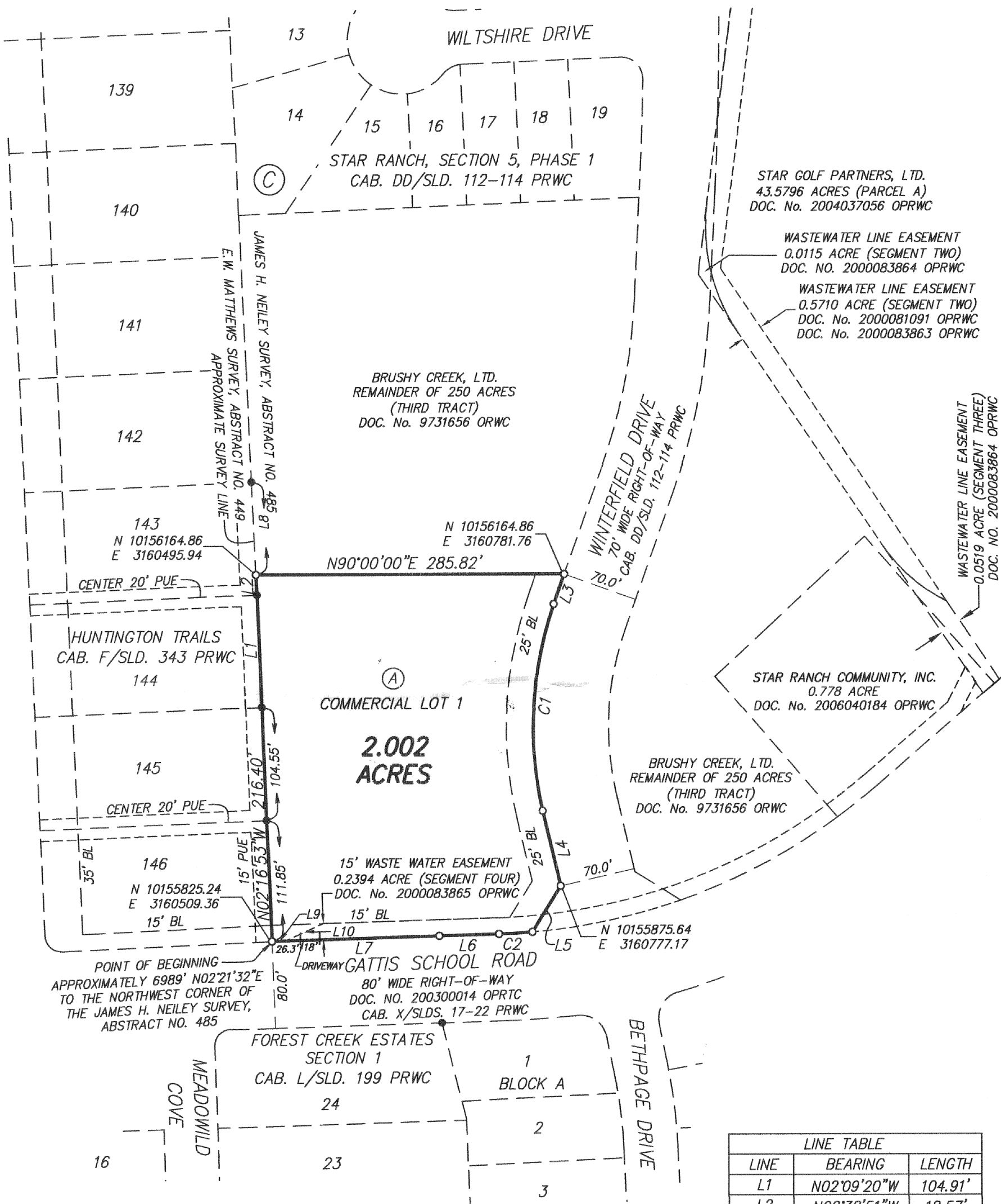
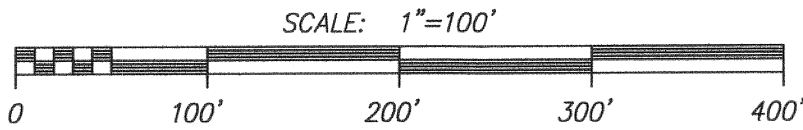
VICINITY MAP  
SCALE: 1" = 2000'

- NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
- BUILDING SETBACK LINES: 25' STREET FRONT ALONG WINTERFIELD DRIVE, 15' STREET SIDE ALONG GATTIS SCHOOL ROAD, 5' SIDE PROPERTY LINE(S), AND 5' REAR PROPERTY LINE.
- A 5' P.U.E. IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
- A 5' P.U.E. IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
- STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS.
- SIDEWALKS SHALL BE CONSTRUCTED ON THE SUBDIVISION SIDE OF GATTIS SCHOOL ROAD AND WINTERFIELD DRIVE.
- WATER AND WASTEWATER SERVICE FOR THIS SUBDIVISION WILL BE AVAILABLE THROUGH WILLIAMSON COUNTY WATER, SEWER, IRRIGATION AND DRAINAGE DISTRICT NO. 3 AFTER THE APPROPRIATE WATER AND WASTEWATER SYSTEM IMPROVEMENTS ARE INSTALLED TO THIS SITE. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION AND DRAINAGE DISTRICT NO. 3 ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER OR WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
- IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE-FOOT ABOVE THE SURROUNDING GROUND, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET.
- UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE: WATER: WILLIAMSON COUNTY WATER, SEWER, IRRIGATION AND DRAINAGE DISTRICT #3 GAS: ATOMS; AND ELECTRIC: TXU.
- ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE, CONSTRUCTION STANDARDS AND GENERAL ACCEPTED ENGINEERING STANDARDS.
- NO FENCES, STRUCTURES, STORAGE, OR FILL SHALL BE PLACED WITHIN THE LIMITS OF THE ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN; UNLESS APPROVED BY THE CITY ENGINEER. FILL MAY ONLY BE PERMITTED BY THE CITY ENGINEER AFTER APPROVAL OF THE PROPER ANALYSIS.
- NO PORTION OF THIS TRACT IS ENCROACHED BY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 48491C0675E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
- THIS PLAT LIES WITHIN THE BOUNDARIES OF THE UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1A.
- THIS PLAT LIES WITHIN THE BOUNDARIES OF THE WILLIAMSON COUNTY WATER, SEWER, IRRIGATION AND DRAINAGE DISTRICT NO. 3.
- THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS, COVENANTS AND RESTRICTIONS AS RECORDED IN DOCUMENT NUMBER 2003012152, AMENDED BY DOCUMENT NO. 2006036948, BOTH OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.
- IMPROVEMENTS WITHIN THE COUNTY ROAD RIGHT-OF-WAY INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, IRRIGATION LIGHTING, CUSTOM SIGNS, IS PROHIBITED WITHOUT FIRST OBTAINING AN EXECUTED LICENSE AGREEMENT WITH WILLIAMSON COUNTY.
- ALL SIDEWALKS ARE TO BE MAINTAINED BY EACH OF THE ADJACENT PROPERTY OWNERS.
- THIS SUBDIVISION IS SUBJECT TO STORM-WATER MANAGEMENT CONTROLS AS REQUIRED BY WILLIAMSON COUNTY SUBDIVISION REGULATIONS, SECTION B11.1, ON NEW DEVELOPMENT THAT WOULD EVOKE SUCH CONTROLS BEYOND EXISTING CONDITIONS.
- NO STRUCTURE OR LAND IN THIS PLAT SHALL HEREAFTER BE LOCATED OR ALTERED WITHOUT FIRST OBTAINING A DEVELOPMENT PERMIT FROM THE WILLIAMSON COUNTY FLOODPLAIN ADMINISTRATOR.
- THE MAXIMUM IMPERVIOUS COVERAGE PER COMMERCIAL LOT IS 65%.
- ALL PUBLIC ROADWAYS AND EASEMENTS AS SHOWN ON THIS PLAT ARE FREE OF LIENS.

- LEGEND:
- = SET 1/2" IRON ROD WITH "RJ SURVEYING" CAP
  - = FOUND 1/2" IRON ROD WITH NO CAP (UNLESS NOTED OTHERWISE)

Ⓐ = BLOCK NAME  
DRWC = DEED RECORDS OF WILLIAMSON COUNTY, TEXAS  
ORWC = OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS  
PRWC = PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS  
OPRWC = OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
OPRTC = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS  
BL = BUILDING SETBACK LINE  
PUE = PUBLIC UTILITY EASEMENT  
ALL BEARINGS ARE BASED ON THE PLAT OF STAR RANCH SECTION 5 PHASE 1 RECORDED IN CABINET DD, SLIDES 112-114 PRWC.

FINAL PLAT OF  
**STAR RANCH PARCEL 31**  
WILLIAMSON COUNTY, TEXAS



| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L1         | N02°09'20"W | 104.91' |
| L2         | N02°38'51"W | 18.57'  |
| L3         | S19°37'24"W | 29.38'  |
| L4         | S13°07'01"E | 71.36'  |
| L5         | S31°52'59"W | 50.09'  |
| L6         | S88°20'12"W | 55.26'  |
| L7         | S88°20'13"W | 155.17' |
| L8         | N02°38'51"W | 85.58'  |
| L9         | N88°23'23"E | 12.28'  |
| L10        | N65°26'06"E | 38.55'  |

| CURVE TABLE |         |         |           |             |         |
|-------------|---------|---------|-----------|-------------|---------|
| CURVE       | LENGTH  | RADIUS  | DELTA     | CHORD BRNG. | CHORD   |
| C1          | 195.00' | 341.25' | 32°44'26" | S03°15'12"W | 192.36' |
| C2          | 31.07'  | 560.00' | 03°10'44" | S86°44'49"W | 31.07'  |

LEGAL DESCRIPTION

THAT PART OF THE JAMES H. NEILEY SURVEY, ABSTRACT NO. 485, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THE REMAINDER OF THAT 250 ACRE TRACT (THIRD TRACT) CONVEYED TO BRUSHY CREEK, LTD. BY DEED RECORDED IN DOCUMENT NO. 9731656 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (ORWC), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET ON THE NORTH RIGHT-OF-WAY LINE OF GATTIS SCHOOL ROAD (80' WIDE RIGHT-OF-WAY PER THE PLAT OF STAR RANCH SECTION 1 RECORDED IN DOCUMENT NO. 200300014 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (OPRTC), ALSO RECORDED IN CABINET X, SLIDES 17-22 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (PRWC)), BEING THE SOUTHEAST CORNER OF LOT 146 OF HUNTINGTON TRAILS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET F, SLIDE 343 PRWC, FROM WHICH THE NORTHWEST CORNER OF THE JAMES H. NEILEY SURVEY, ABSTRACT NO. 485 BEARS APPROXIMATELY N02°21'32"E A DISTANCE OF 6989 FEET;

THENCE ALONG THE EAST LINE OF LOTS 146, 145, 144 AND 143 OF SAID HUNTINGTON TRAILS AND ACROSS SAID 250 ACRE TRACT, THE FOLLOWING THREE (3) COURSES:

- N02°16'53"W, PASSING AT A DISTANCE OF 111.85 FEET A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 146, CONTINUING FOR A TOTAL DISTANCE OF 216.40 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 145;
- N02°09'20"W A DISTANCE OF 104.91 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 144;
- N02°38'51"W A DISTANCE OF 18.57 FEET TO A 1/2" IRON ROD SET, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 143 BEARS N02°38'51"W A DISTANCE OF 85.58 FEET;

THENCE ACROSS SAID 250 ACRE TRACT N90°00'00"E A DISTANCE OF 285.82 FEET TO A 1/2" IRON ROD SET ON THE WEST RIGHT-OF-WAY LINE OF WINTERFIELD DRIVE (70' WIDE RIGHT-OF-WAY PER THE PLAT OF STAR RANCH, SECTION 5, PHASE 1 RECORDED IN CABINET DD, SLIDES 112-114 PRWC;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WINTERFIELD DRIVE AND ACROSS SAID 250 ACRE TRACT, THE FOLLOWING FOUR (4) COURSES:

- S19°37'24"W A DISTANCE OF 29.38 FEET TO A 1/2" IRON ROD SET FOR A POINT OF CURVATURE OF A TANGENT CURVE TO THE LEFT;
- SOUTHERLY ALONG SAID CURVE, AN ARC LENGTH OF 195.00 FEET, HAVING A RADIUS OF 341.25 FEET, A CENTRAL ANGLE OF 32°44'26", AND A CHORD BEARING S03°15'12"W A DISTANCE OF 192.36 FEET TO A 1/2" IRON ROD SET;
- S13°07'01"E A DISTANCE OF 71.36 FEET TO A 1/2" IRON ROD SET;
- S31°52'59"W A DISTANCE OF 50.09 FEET TO A 1/2" IRON ROD SET ON THE NORTH RIGHT-OF-WAY LINE OF SAID GATTIS SCHOOL ROAD AT A POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID GATTIS SCHOL ROAD AND ACROSS SAID 250 ACRE TRACT, THE FOLLOWING THREE (3) COURSES:

- WESTERLY ALONG SAID CURVE, AN ARC LENGTH OF 31.07 FEET, HAVING A RADIUS OF 560.00 FEET, A CENTRAL ANGLE OF 03°10'44", AND A CHORD BEARING S86°44'49"W A DISTANCE OF 31.07 FEET TO A 1/2" IRON ROD SET;
- S88°20'12"W A DISTANCE OF 55.26 FEET TO A 1/2" IRON ROD SET;
- S88°20'13"W A DISTANCE OF 155.17 FEET TO THE SAID POINT OF BEGINNING.

CONTAINING 2.002 ACRES, MORE OR LESS.  
ALL IRON RODS SET HAVE "RJ SURVEYING" CAPS.  
ALL IRON RODS FOUND HAVE NO CAP (UNLESS NOTED OTHERWISE).  
ALL BEARINGS ARE BASED ON PLAT OF STAR RANCH SECTION 5 PHASE 1 RECORDED IN CABINET DD, SLIDES 112-114 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.

OWNER:

BRUSHY CREEK, LTD.  
230 KLATTENHOFF LANE, SUITE 100  
HUTTO, TEXAS 78634  
TIMOTHY TIMMERMAN

DEVELOPER:

BRUSHY CREEK, LTD.  
230 KLATTENHOFF LANE, SUITE 100  
HUTTO, TEXAS 78634  
TIMOTHY TIMMERMAN

Received 6/4/19



DATE: APRIL 18, 2019

**RANDALL JONES & ASSOCIATES ENGINEERING, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817 F-9784

**RJ SURVEYING & ASSOCIATES, INC.**  
2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664  
(512) 836-4793 FAX: (512) 836-4817



FINAL PLAT OF  
STAR RANCH PARCEL 31  
WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS {  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WILLIAMSON {

WE, BRUSHY CREEK, LTD., SOLE OWNER OF THE CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 9731656 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND DO HEREBY STATE THAT THERE ARE NO LIEN HOLDERS OF THE CERTAIN TRACT OF LAND, AND DO HEREBY SUBDIVIDE SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO AND TO WILLIAMSON COUNTY THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO AND WILLIAMSON COUNTY MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS "STAR RANCH PARCEL 31".

TO CERTIFY WHICH, WITNESS BY MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BRUSHY CREEK, LTD., A TEXAS LIMITED PARTNERSHIP

BY: COMMERCE TEXAS PROPERTIES, INC., A TEXAS CORPORATION,  
GENERAL PARTNER OF BRUSHY CREEK, LTD.

BY: \_\_\_\_\_  
TIMOTHY TIMMERMAN, PRESIDENT  
BRUSHY CREEK, LTD.  
230 KLATTENHOFF LANE, SUITE 100  
HUTTO, TEXAS 78634

STATE OF TEXAS {  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WILLIAMSON {

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TIMOTHY TIMMERMAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME: \_\_\_\_\_

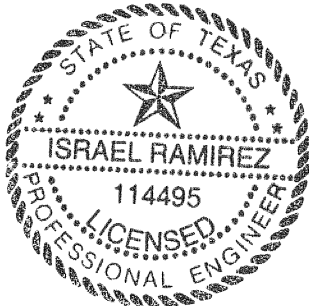
MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS {  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WILLIAMSON {

I, ISRAEL RAMIREZ, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY WILLIAMSON COUNTY, TEXAS.

Israel Ramirez 6.3.2019  
ISRAEL RAMIREZ DATE  
REGISTERED PROFESSIONAL ENGINEER No. 114495  
STATE OF TEXAS

RANDALL JONES & ASSOCIATES ENGINEERING, INC.  
2900 JAZZ STREET  
ROUND ROCK, TX 78664  
PHONE (512) 836-4793  
FIRM NO. 9784



STATE OF TEXAS {  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WILLIAMSON {

I, JOHN D. KIPP, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ON THE GROUND SURVEY OF THE LAND SHOWN HEREON AND THAT THE CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION. THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCE OF WILLIAMSON COUNTY, TEXAS. ALL EASEMENTS OF RECORD ARE SHOWN OR NOTED ON THE PLAT AS FOUND IN THE TITLE POLICY LISTED IN THE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY UNDER GF NO. 1912065JM, EFFECTIVE DATE MARCH 22, 2019. THE FIELD NOTES SHOWN HEREON MATHEMATICALLY CLOSE.

John D Kipp 6/3/2019  
JOHN D. KIPP DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5844  
STATE OF TEXAS

RJ SURVEYING & ASSOCIATES  
2900 JAZZ STREET, ROUND ROCK, TX 78664  
PHONE (512) 836-4793  
FIRM NO. 10015400



THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DOUG GAUL, MAYOR DATE LISA L. BROWN, CITY SECRETARY DATE

THIS SUBDIVISION IS LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HUTTO, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ASHLEY LUMPKIN, AICP, EXECUTIVE DIRECTOR DATE

ROAD NAME AND ADDRESS ASSIGNMENTS VERIFIED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

WILLIAMSON COUNTY ADDRESSING COORDINATOR

IT IS THE RESPONSIBILITY OF THE OWNER, NOT WILLIAMSON COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE STATE, FEDERAL AND LOCAL LAWS AND REGULATIONS RELATING TO THE PLATTING AND DEVELOPMENT OF THIS PROPERTY.

IN APPROVING THIS PLAT BY THE COMMISSIONERS' COURT OF WILLIAMSON COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES AND ANY BRIDGES OR CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IS THE RESPONSIBILITY OF THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS' COURT OF WILLIAMSON COUNTY, TEXAS. SAID COMMISSIONERS' COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OF OF CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS IN CONNECTION THEREWITH. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR DRAINAGE WAYS OR EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE ROAD SYSTEM AND STREETS.

THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATIONS BY OTHER PARTIES IN THIS PLAT. FLOOD PLAIN DATA, IN PARTICULAR, MAY CHANGE DEPENDING ON SUBSEQUENT DEVELOPMENT. IT IS FURTHER UNDERSTOOD THAT THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT MUST INSTALL AT THEIR OWN EXPENSE ALL TRAFFIC CONTROL DEVICES AND SIGNAGE THAT MAY BE REQUIRED BEFORE THE STREETS IN THE SUBDIVISION HAVE FINALLY BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY.

STATE OF TEXAS  
KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF WILLIAMSON

I, BILL GRAVELL JR., COUNTY JUDGE OF WILLIAMSON COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS MAP OR PLAT, WITH FIELD NOTES HEREON, FOR A SUBDIVISION HAVING BEEN FULLY PRESENTED TO THE COMMISSIONER'S COURT OF WILLIAMSON COUNTY, TEXAS, AND BY THE SAID COURT DULY CONSIDERED, WERE ON THIS DAY APPROVED AND THAT THIS PLAT IS AUTHORIZED TO BE REGISTERED AND RECORDED IN THE PROPER RECORDS OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

BILL GRAVELL JR., COUNTY JUDGE DATE  
WILLIAMSON COUNTY, TEXAS

STATE OF TEXAS §  
§ KNOWN ALL MEN BY THESE PRESENTS:  
COUNTY OF WILLIAMSON §

I, NANCY E. RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATION OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_ O'CLOCK \_\_\_\_M. AND DULY RECORDED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_ O'CLOCK \_\_\_\_M., IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, IN DOCUMENT NO. \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

NANCY E. RISTER, CLERK COUNTY COURT OF WILLIAMSON COUNTY, TEXAS

BY: \_\_\_\_\_  
DEPUTY

Received 6/4/19



DATE: APRIL 18, 2019

RANDALL JONES & ASSOCIATES ENGINEERING, INC.

2900 JAZZ STREET, ROUND ROCK, TEXAS, 78664

(512) 836-4793 FAX: (512) 836-4817

F-9784

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F-10015400

SHEET 2 OF 2 SHEETS

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 8I.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Ashley Lumpkin, AICP, Executive Director, Business & Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Mustang Creek Phase 1 Final Plat, 33.25 acres, more or less, of land, 143 residential lots, located on FM 1660 North at Lavaca River Lane. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

The Mustang Creek Phase 1 Final Plat includes Preliminary Plat includes 159 total lots and 33.255 acres of land. There are 143 proposed single-family residential lots, 4 green link lots, 11 open space/drainage easement/wastewater easement lots and 1 amenity lot.

The proposed subdivision conforms to the development agreement for Packsaddle. Per the development agreement all residential lots must be 50 feet wide. This phase includes the southernmost development of the subdivision that borders the River's Crossing Subdivision. As a condition of approval of the preliminary plat, the developer will install, with this phase, a gate along Red River Drive that will be used for emergency access only.

**WEST:** RSI Subdivision across FM 1660 N

**NORTH:** Future HISD site, currently vacant (going through voluntary annexation process)

**EAST:** Vacant Pastureland

**SOUTH:** River's Crossing Subdivision (ETJ)

**Utilities**

Water will be provided by Jonah and wastewater service will be provided by City of Hutto.

This plat has been reviewed and all City comments have been addressed. The proposed Final Plat is in compliance with the applicable subdivision regulations and Development Agreement.

### **BUDGETARY AND FINANCIAL SUMMARY:**

There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Mustang Creek Phase 1 Final Plat

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



## **RESOLUTION NO.**

### **A RESOLUTION APPROVING THE PLAT KNOWN AS "MUSTANG CREEK PHASE 1 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Mustang Creek Phase 1 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

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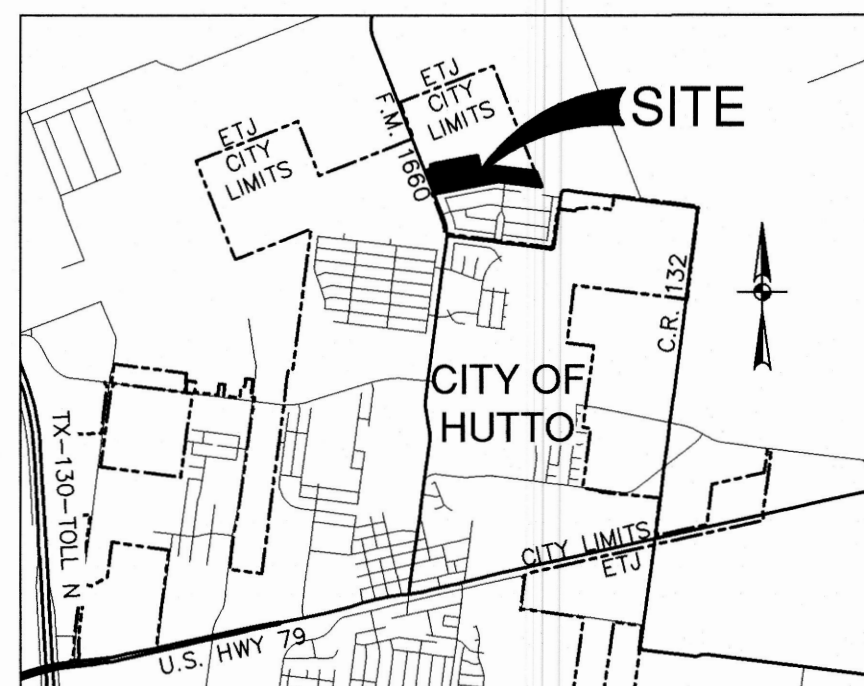
Doug Gaul, Mayor

**ATTEST:**

---

Lacie Hale, City Secretary





LOCATION MAP

SCALE: 1" = 5,000'

LEGEND

- BL BUILDING SETBACK LINE
- DOC. NO. DOCUMENT NUMBER
- OPR OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- PR PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- DR DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- FD. I.R. FOUND IRON ROD
- ROW RIGHT OF WAY
- DE DRAINAGE EASEMENT
- CAB CABINET
- SL SLIDE
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- WW WASTEWATER
- ESMT EASEMENT
- (SURVEYOR) FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
- SET 1/2" IRON ROD (PD)
- 5' SIDEWALK

OWNER: HUTTO 1660, LP,  
ADDRESS: 12306 TECHNOLOGY BLVD  
AUSTIN, TX 78727  
(210) 495-2668 P

ACREAGE: 33.255 ACRES  
LOTS ACREAGE: 26.893 ACRES  
ROW ACREAGE: 6.362 ACRES

ENGINEER & SURVEYOR:  
PAPE-DAWSON ENGINEERS, INC.  
10801 N MOPAC EXPY.  
BLDG. 3, SUITE 200  
AUSTIN, TX 78759  
(512) 454-8711 P  
(512) 459-8867 F

SURVEY: CCD CO. SURVEY  
SECTION NO. 204, ABSTRACT NO. 693

JOHN DYKES SURVEY  
ABSTRACT NO. 186

JOSIAS B. BEALLE SURVEY  
ABSTRACT NO. 97

NUMBER OF BLOCKS: 5  
SINGLE FAMILY LOTS: 143  
GREENLINK LOTS: 4  
OPEN SPACE/PRIVATE DE LOTS: 8  
OPEN SPACE/WW/PRIVATE DE LOTS: 2  
GREENLINK/OPEN SPACE/PRIVATE DE LOTS: 1  
PRIVATE PARKLAND/AMENITY LOTS: 1

TOTAL LOTS: 159

LINEAR FEET OF NEW STREETS: 4916 LF

PLAT PREPARATION DATE: APRIL 9, 2019  
SUBMITTAL DATE: 2019

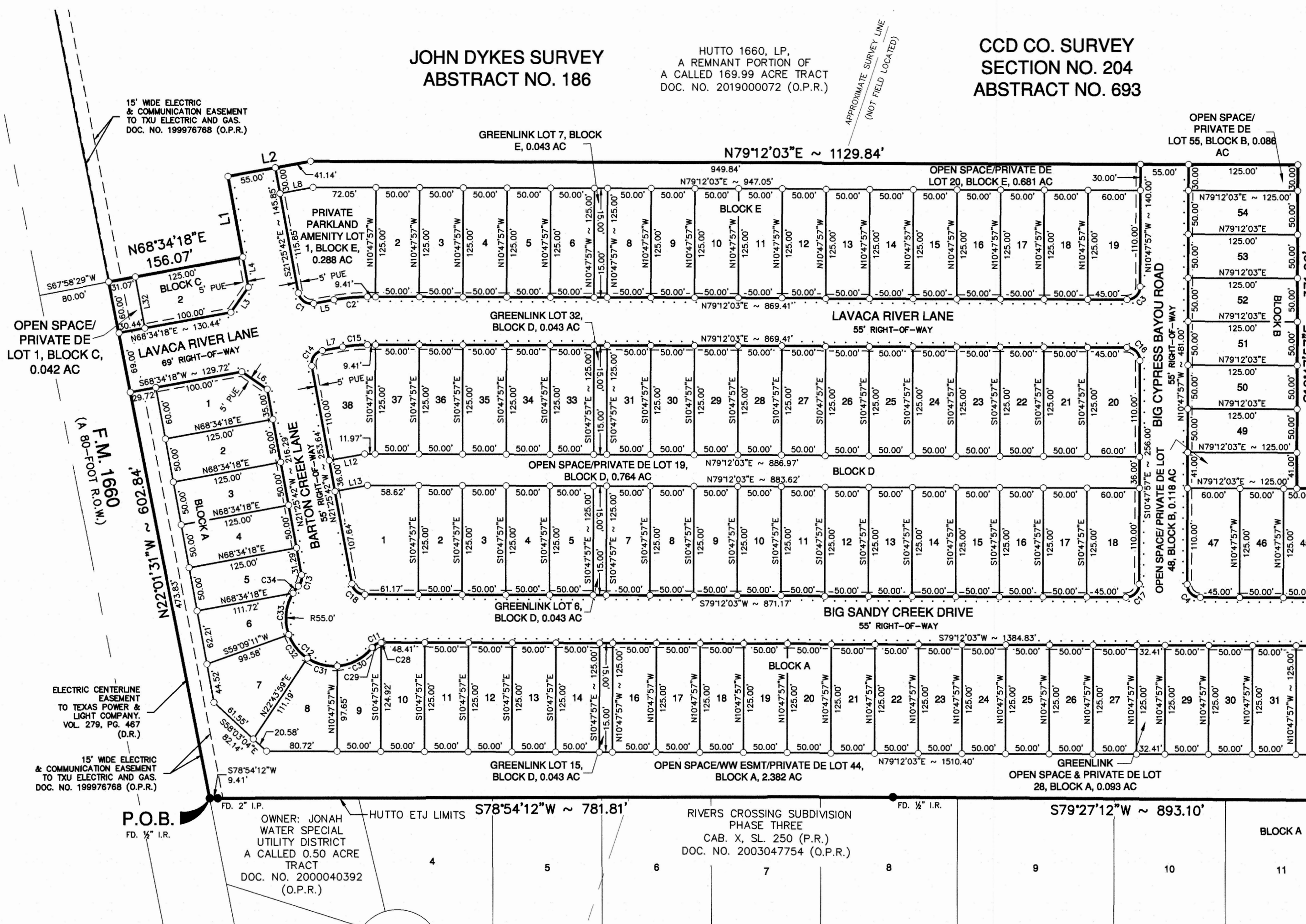
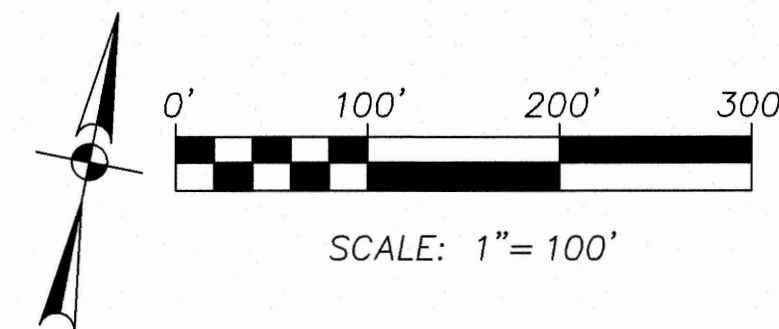
NAVD88 (GEOID03)  
COMBINED SCALE FACTOR OF 0.99988

LINEAR FEET OF NEW STREETS:

RED RIVER DRIVE: 180 LF  
BARTON CREEK LANE: 520 LF  
BIG CYPRESS BAYOU ROAD: 524 LF  
LAVACA RIVER LANE: 1194 LF  
BIG SANDY CREEK DRIVE: 2498 LF

FINAL PLAT  
OF  
MUSTANG CREEK, PHASE 1

A 33.255 ACRE, OR 1,448,568 SQUARE FOOT TRACT OF LAND BEING OUT OF A REMNANT PORTION OF A CALLED 169.99 ACRE TRACT OF LAND CONVEYED TO HUTTO1660, LP, IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186, AND IN THE CCD CO. SURVEY, SECTION NO. 204, ABSTRACT NO. 693, AND ALSO IN THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97, ALL IN WILLIAMSON COUNTY, TEXAS.



MATCHLINE - SHEET 2 OF 4

Received 5/9/19



FOR REVIEW ONLY, NOT FOR FINAL RECORDATION

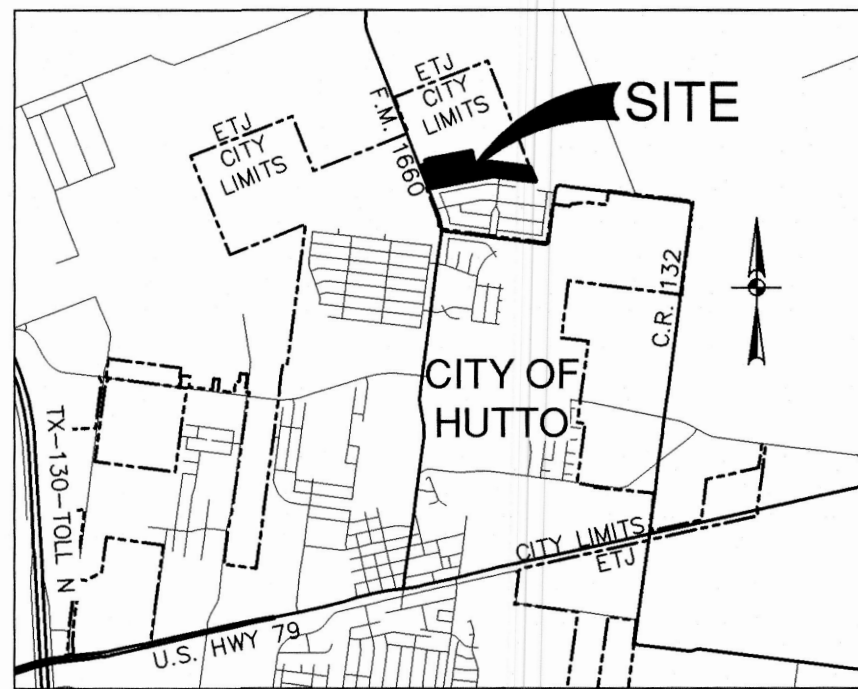


AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

DATE OF PLAT PREPARATION: APRIL 9, 2019  
DATE OF PLAT SUBMITTAL: 2019

SHEET 1 OF 4



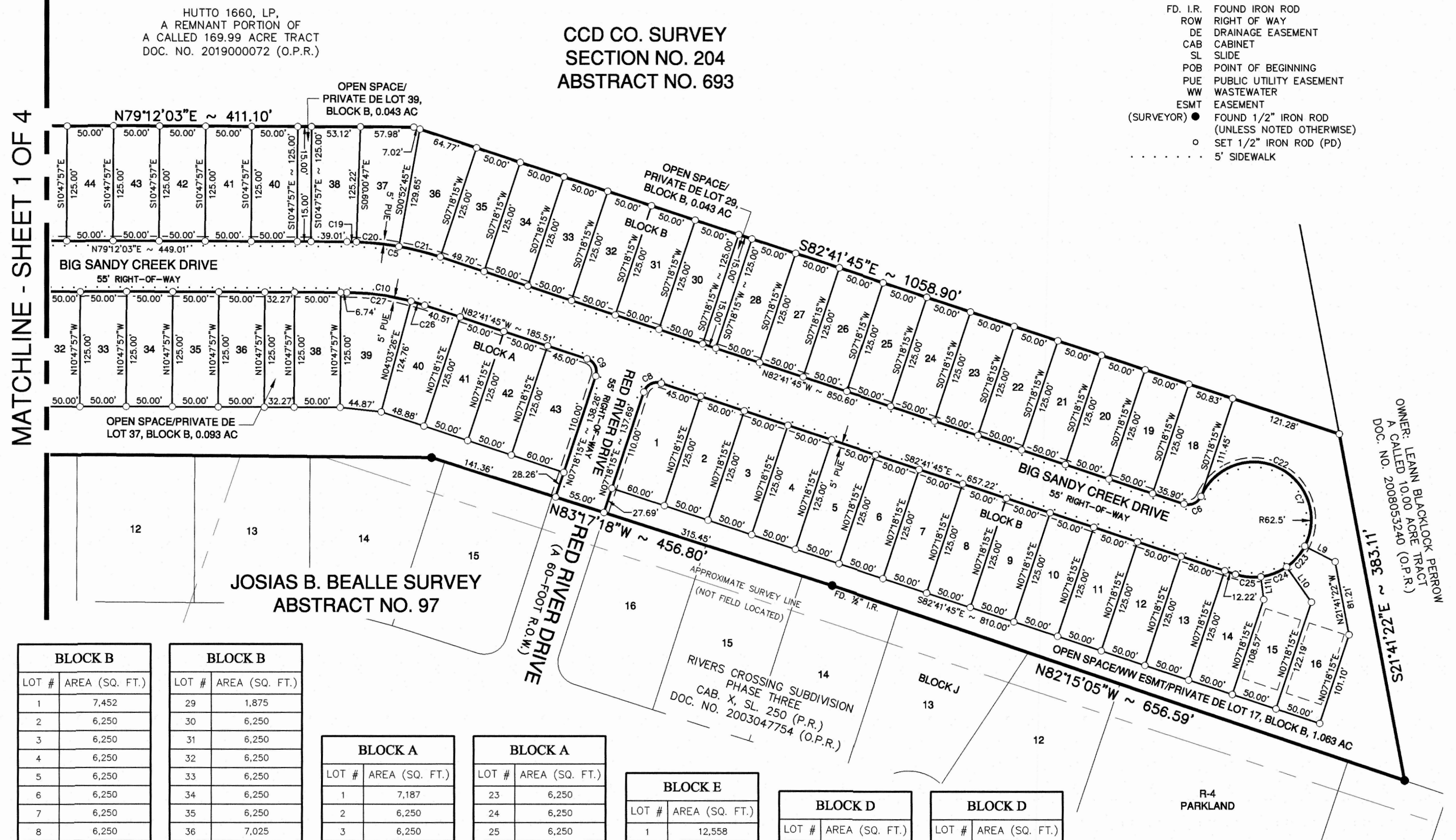


LOCATION MAP  
SCALE: 1" = 5,000'

| LINE TABLE |             |        |
|------------|-------------|--------|
| LINE #     | BEARING     | LENGTH |
| L1         | N21°25'42"W | 93.85' |
| L2         | N68°34'18"E | 96.14' |
| L3         | N23°34'18"E | 35.36' |
| L4         | N21°25'42"W | 35.00' |
| L5         | N68°34'18"E | 23.59' |
| L6         | N66°25'42"W | 35.36' |
| L7         | N68°34'18"E | 23.59' |
| L8         | N68°34'18"E | 38.35' |
| L9         | N73°49'07"W | 37.11' |
| L10        | N46°02'44"W | 46.91' |
| L11        | N18°16'21"W | 25.00' |
| L12        | N68°34'18"E | 41.14' |
| L13        | N68°34'18"E | 37.80' |

| CURVE TABLE |         |            |               |         |         |  |
|-------------|---------|------------|---------------|---------|---------|--|
| CURVE #     | RADIUS  | DELTA      | CHORD BEARING | CHORD   | LENGTH  |  |
| C1          | 15.00'  | 090°00'00" | S66°25'42"E   | 21.21'  | 23.56'  |  |
| C2          | 207.50' | 010°37'45" | N73°53'11"E   | 38.44'  | 38.49'  |  |
| C3          | 15.00'  | 090°00'00" | N34°12'03"E   | 21.21'  | 23.56'  |  |
| C4          | 15.00'  | 090°00'00" | N55°47'57"W   | 21.21'  | 23.56'  |  |
| C5          | 327.50' | 018°06'11" | S88°15'09"W   | 103.05' | 103.48' |  |
| C6          | 15.00'  | 084°26'47" | S55°04'50"W   | 20.16'  | 22.11'  |  |
| C7          | 62.50'  | 264°26'48" | N34°55'09"W   | 92.57'  | 288.47' |  |
| C8          | 15.00'  | 090°00'00" | N52°18'15"E   | 21.21'  | 23.56'  |  |
| C9          | 15.00'  | 090°00'00" | N37°41'45"W   | 21.21'  | 23.56'  |  |
| C10         | 272.50' | 018°06'11" | S88°15'09"W   | 85.74'  | 86.10'  |  |
| C11         | 15.00'  | 052°37'00" | S52°53'33"W   | 13.30'  | 13.78'  |  |
| C12         | 55.00'  | 184°36'16" | N61°06'49"W   | 109.91' | 177.21' |  |
| C13         | 15.00'  | 052°37'00" | N04°52'48"E   | 13.30'  | 13.78'  |  |
| C14         | 15.00'  | 090°00'00" | N23°34'18"E   | 21.21'  | 23.56'  |  |
| C15         | 152.50' | 010°37'45" | N73°53'11"E   | 28.25'  | 28.29'  |  |
| C16         | 15.00'  | 090°00'00" | S55°47'57"E   | 21.21'  | 23.56'  |  |
| C17         | 15.00'  | 090°00'00" | S34°12'03"W   | 21.21'  | 23.56'  |  |
| C18         | 15.00'  | 079°22'15" | N61°06'49"W   | 19.16'  | 20.78'  |  |
| C19         | 327.50' | 001°47'10" | N80°05'38"E   | 10.21'  | 10.21'  |  |
| C20         | 327.50' | 008°08'02" | N85°03'14"E   | 46.45'  | 46.49'  |  |
| C21         | 327.50' | 008°07'48" | S86°48'50"E   | 46.43'  | 46.47'  |  |
| C22         | 62.50'  | 183°19'26" | S75°28'50"E   | 124.95' | 199.98' |  |
| C23         | 62.50'  | 027°46'23" | S30°04'05"W   | 30.00'  | 30.30'  |  |
| C24         | 62.50'  | 027°46'23" | S57°50'28"W   | 30.00'  | 30.30'  |  |
| C25         | 62.50'  | 025°34'36" | S84°30'57"W   | 27.67'  | 27.90'  |  |
| C26         | 272.50' | 003°14'48" | S84°19'10"E   | 15.44'  | 15.44'  |  |
| C27         | 272.50' | 014°51'23" | N86°37'45"E   | 70.46'  | 70.66'  |  |
| C28         | 15.00'  | 006°05'21" | N76°09'22"E   | 1.59'   | 1.59'   |  |
| C29         | 15.00'  | 046°31'39" | N49°50'52"E   | 11.85'  | 12.18'  |  |
| C30         | 55.00'  | 048°24'52" | N50°47'29"E   | 45.10'  | 46.47'  |  |
| C31         | 55.00'  | 037°44'04" | S86°08'03"E   | 35.57'  | 36.22'  |  |
| C32         | 55.00'  | 036°25'12" | S49°03'28"E   | 34.37'  | 34.96'  |  |
| C33         | 55.00'  | 051°34'03" | S05°03'48"E   | 47.85'  | 49.50'  |  |
| C34         | 55.00'  | 010°28'05" | S25°57'16"W   | 10.03'  | 10.05'  |  |

MATCHLINE - SHEET 1 OF 4



| BLOCK B |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 1       | 7,452          |
| 2       | 6,250          |
| 3       | 6,250          |
| 4       | 6,250          |
| 5       | 6,250          |
| 6       | 6,250          |
| 7       | 6,250          |
| 8       | 6,250          |
| 9       | 6,250          |
| 10      | 6,250          |
| 11      | 6,250          |
| 12      | 6,250          |
| 13      | 6,250          |
| 14      | 6,248          |
| 15      | 7,053          |
| 16      | 8,535          |
| 17      | 46,291         |
| 18      | 6,307          |
| 19      | 6,250          |
| 20      | 6,250          |
| 21      | 6,250          |
| 22      | 6,250          |
| 23      | 6,250          |
| 24      | 6,250          |
| 25      | 6,250          |
| 26      | 6,250          |
| 27      | 6,250          |
| 28      | 6,250          |

| BLOCK B |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 29      | 1,875          |
| 30      | 6,250          |
| 31      | 6,250          |
| 32      | 6,250          |
| 33      | 6,250          |
| 34      | 6,250          |
| 35      | 6,250          |
| 36      | 7,025          |
| 37      | 7,091          |
| 38      | 6,397          |
| 39      | 1,875          |
| 40      | 6,250          |
| 41      | 6,250          |
| 42      | 6,250          |
| 43      | 6,250          |
| 44      | 6,250          |
| 45      | 6,250          |
| 46      | 6,250          |
| 47      | 7,452          |
| 48      | 5,125          |
| 49      | 6,250          |
| 50      | 6,250          |
| 51      | 6,250          |
| 52      | 6,250          |
| 53      | 6,250          |
| 54      | 6,250          |
| 55      | 3,750          |

| BLOCK A |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 1       | 7,187          |
| 2       | 6,250          |
| 3       | 6,250          |
| 4       | 6,250          |
| 5       | 6,162          |
| 6       | 5,444          |
| 7       | 7,482          |
| 8       | 7,044          |
| 9       | 5,423          |
| 10      | 6,250          |
| 11      | 6,250          |
| 12      | 6,250          |
| 13      | 6,250          |
| 14      | 6,250          |
| 15      | 1,875          |
| 16      | 6,250          |
| 17      | 6,250          |
| 18      | 6,250          |
| 19      | 6,250          |
| 20      | 6,250          |
| 21      | 6,250          |
| 22      | 6,250          |

| BLOCK A |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 23      | 6,250          |
| 24      | 6,250          |
| 25      | 6,250          |
| 26      | 6,250          |
| 27      | 6,250          |
| 28      | 4,051          |
| 29      | 6,250          |
| 30      | 6,250          |
| 31      | 6,250          |
| 32      | 6,250          |
| 33      | 6,250          |
| 34      | 6,250          |
| 35      | 6,250          |
| 36      | 6,250          |
| 37      | 4,034          |
| 38      | 6,250          |
| 39      | 7,692          |
| 40      | 6,551          |
| 41      | 6,250          |
| 42      | 6,250          |
| 43      | 7,452          |
| 44      | 103,747        |

| BLOCK E |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 1       | 12,558         |
| 2       | 6,250          |
| 3       | 6,250          |
| 4       | 6,250          |
| 5       | 6,250          |
| 6       | 6,250          |
| 7       | 1,875          |
| 8       | 6,250          |
| 9       | 6,250          |
| 10      | 6,250          |
| 11      | 6,250          |
| 12      | 6,250          |
| 13      | 6,250          |
| 14      | 6,250          |
| 15      | 6,250          |
| 16      | 6,250          |
| 17      | 6,250          |
| 18      | 6,250          |
| 19      | 7,452          |
| 20      | 29,646         |

| BLOCK D |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 1       | 10,504         |
| 2       | 6,250          |
| 3       | 6,250          |
| 4       | 6,250          |
| 5       | 6,250          |
| 6       | 1,875          |
| 7       | 6,250          |
| 8       | 6,250          |
| 9       | 6,250          |
| 10      | 6,250          |
| 11      | 6,250          |
| 12      | 6,250          |
| 13      | 6,250          |
| 14      | 6,250          |
| 15      | 6,250          |
| 16      | 6,250          |
| 17      | 6,250          |
| 18      | 7,452          |
| 19      | 33,292         |

| BLOCK D |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 20      | 7,452          |
| 21      | 6,250          |
| 22      | 6,250          |
| 23      | 6,250          |
| 24      | 6,250          |
| 25      | 6,250          |
| 26      | 6,250          |
| 27      | 6,250          |
| 28      | 6,250          |
| 29      | 6,250          |
| 30      | 6,250          |
| 31      | 6,250          |
| 32      | 1,875          |
| 33      | 6,250          |
| 34      | 6,250          |
| 35      | 6,250          |
| 36      | 6,250          |
| 37      | 6,250          |
| 38      | 8,039          |

| BLOCK C |                |
|---------|----------------|
| LOT #   | AREA (SQ. FT.) |
| 1       | 1,845          |
| 2       | 7,188          |

Received 5/9/19  
**HUTTO** CITY OF

FOR REVIEW ONLY, NOT FOR FINAL RECORDATION  
**PAPE-DAWSON ENGINEERS**

AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

DATE OF PLAT PREPARATION: APRIL 9, 2019  
DATE OF PLAT SUBMITTAL: \_\_\_\_\_, 2019

SHEET 2 OF 4



FINAL PLAT  
OF  
MUSTANG CREEK, PHASE 1

A 33.255 ACRE, OR 1,448,568 SQUARE FOOT TRACT OF LAND BEING OUT OF A REMNANT PORTION OF A CALLED 169.99 ACRE TRACT OF LAND CONVEYED TO HUTTO1660, LP, IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186, AND IN THE CCD CO. SURVEY, SECTION NO. 204, ABSTRACT NO.693, AND ALSO IN THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97, ALL IN WILLIAMSON COUNTY, TEXAS.

**PLAT NOTES**

1. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
2. BUILDING SETBACKS SHALL CONFORM TO UDC REQUIREMENTS.
3. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ALONG AND ADJACENT TO ALL STREET SIDE PROPERTY LINES.
4. A FIVE (5) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR LOT LINES.
5. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
6. SIDEWALKS AND TREES SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS WITHIN THIS SUBDIVISION.
7. SIDEWALKS AND TREES SHALL BE PROVIDED ALONG ALL STREETS BOUNDING THIS SUBDIVISION.
8. SIDEWALKS SHALL BE 5' IN WIDTH.
9. AN ARTERIAL FENCE SHALL BE CONSTRUCTED PER UDC REQUIREMENTS.
10. STREET LIGHTING SHALL BE PROVIDED BY THE DEVELOPER IN CONFORMANCE WITH THE UDC REQUIREMENTS.
11. UTILITY NOTES:
  - A. WITHIN CCN
    - I. WASTEWATER WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WASTEWATER SYSTEMS ARE INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WASTEWATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
  - B. OUTSIDE CCN
    - I. WATER WILL BE AVAILABLE THROUGH JONAH WATER SUD AFTER THE APPROPRIATE WATER SYSTEM IS INSTALLED TO THIS SITE. JONAH WATER SUD ASSUMES NO OBLIGATIONS FOR INSTALLING ANY WATER IMPROVEMENTS REQUIRED TO SERVE THIS SITE.
12. FLOODPLAIN NOTES:
  - A. ULTIMATE FLOODPLAIN
    - I. "NO PORTION OF THIS TRACT IS ENCLOSED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY ULTIMATE 1% ANNUAL CHANCE FLOODPLAIN."
  - B. EXISTING FLOODPLAIN
    - I. "NO PORTION OF THIS TRACT IS ENCLOSED BY ANY SPECIAL FLOOD HAZARD AREAS INUNDATED BY THE 1% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 4849C0510E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS."
13. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHALL BE BUILT AT LEAST ONE (1) FOOT ABOVE THE SURROUNDING GROUND AND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST TEN (10) FEET.
14. ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO ALL JONAH SUD AND CITY STANDARD SPECIFICATIONS AND DETAILS, UDC REGULATIONS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
15. ON-SITE STORM WATER DETENTION FACILITIES WILL NOT BE REQUIRED FOR THIS PROJECT IN ACCORDANCE WITH THE MUSTANG CREEK - FLOOD STUDY DATED MARCH 18, 2019 BY PAPE-DAWSON ENGINEERS.
16. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
17. ALL DRAINAGE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
18. THE MAXIMUM IMPERVIOUS COVERAGE PER RESIDENTIAL LOT IS 55%.
19. ALL OPEN SPACE, GREENLINKS AND PRIVATE DRAINAGE LOTS WILL BE MAINTAINED BY THE H.O.A.
20. ALL STREET TREES WITHIN AND BOUNDING THE SUBDIVISION WILL BE MAINTAINED BY THE H.O.A.
21. SURVEY REFERENCE:

ELEVATIONS ARE BASED ON NAVD88 (GEOID03).  
BEARINGS BASED ON N.A.D. 1983 (NA 2011) EPOCH 2010.00, TEXAS STATE PLANE COORDINATE SYSTEM CENTRAL ZONE.  
SCALE FACTOR OF 0.99988, ORIGIN (0,0).
22. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:

|               |               |
|---------------|---------------|
| WATER         | JONAH SUD     |
| WASTEWATER    | CITY OF HUTTO |
| ELECTRIC      | ONCOR         |
| GAS (NATURAL) | ATMOS         |
23. GREENLINK LOTS SHALL BE DEVELOPED IN CONFORMANCE WITH THE UDC.
24. THIS SUBDIVISION WILL BE ZONED: SF-1
25. ALL LOTS IN THIS SUBDIVISION ARE RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE, UNLESS OTHERWISE INDICATED.
26. RIPARIAN SETBACK VARIANCE TO CITY OF HUTTO UDC SEC. 10.403.4.03 HAS BEEN GRANTED WITH THE PRELIMINARY PLAN IN ACCORDANCE WITH THE MUSTANG CREEK DEVELOPMENT AGREEMENT.
27. A FIRE ACCESS GATE WITH KNOX BOX ENTRY SYSTEM SHALL BE INSTALLED AT THE INTERCONNECTION WITH RED RIVER DRIVE.

FIELD NOTES  
FOR

A 33.255 ACRE, OR 1,448,568 SQUARE FOOT TRACT OF LAND BEING OUT OF A REMNANT PORTION OF A CALLED 169.99 ACRE TRACT OF LAND CONVEYED TO HUTTO1660, LP, IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186, AND IN THE CCD CO. SURVEY, SECTION NO. 204, ABSTRACT NO.693, AND ALSO IN THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97, ALL IN WILLIAMSON COUNTY, TEXAS. SAID 33.255 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM 1983 (NA2011) EPOCH 201000, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at a 1/2" iron rod found on the northwest corner of a called 0.50 acre tract recorded in Document No. 2000040392 of the Official Public Records of Williamson County, Texas, same being a point in the east right-of-way line of F.M. 1660, an 80-foot right-of-way recorded in Volume 476, Page 593 of the Deed Records of Williamson County, Texas for the southeast corner and POINT OF BEGINNING hereof,

THENCE N 22°01'31" W, with the east right-of-way line of said F.M. 1660, same being the west boundary line of said 169.99 acre tract a distance of 602.84 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

THENCE, departing the east right-of-way line of said F. M. 1660, through the interior of said 169.99 acre tract, the following seven (7) courses and distances:

1.N 68°34'18" E, a distance of 156.07 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

2.N 21°25'42" W, a distance of 93.85 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

3.N 68°34'18" E, a distance of 96.14 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

4.N 79°12'03" E, a distance of 1129.84 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

5.S 10°47'57" E, a distance of 371.00 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof,

6.N 79°12'03" E, a distance of 411.10 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set hereof, and

7.S 82°41'45" E, a distance of 1058.90 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" set on the east line of said 169.99 acre tract, same being the west line of a called 10.00 acre tract recorded in Document No. 2008053240 of the Official Public Records of Williamson County, Texas, hereof,

THENCE S 21°41'22" E, with the east boundary line of said 10.00 acre tract, a distance of 383.11 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" found on a point in the north boundary line of Rivers Crossing Subdivision, Phase Three, a subdivision according to the plat recorded in Cabinet X, Slide 250 of the Plat Records of Williamson County, Texas for a southeast corner hereof;

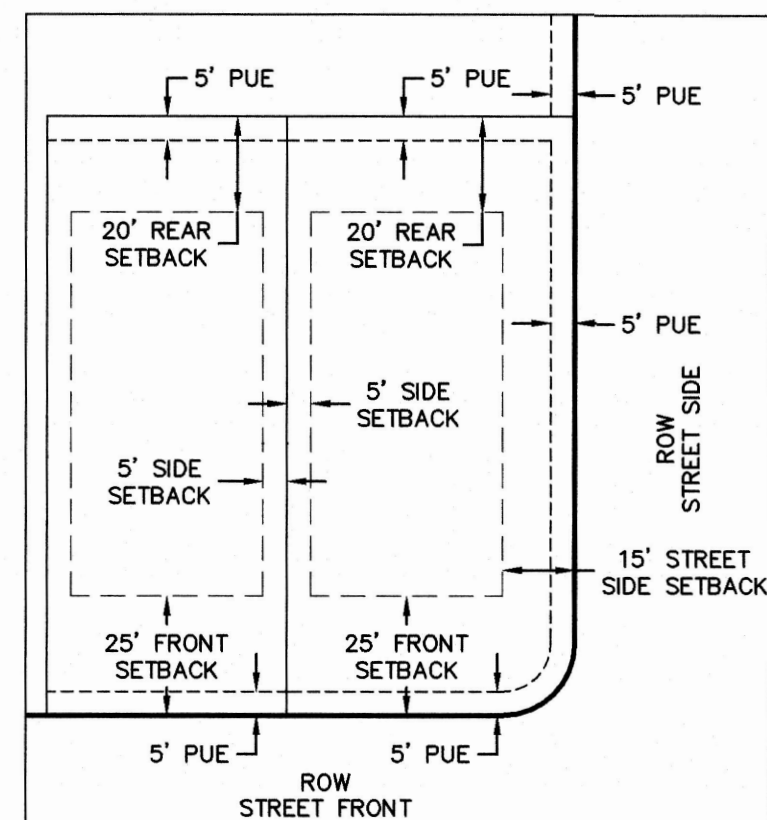
THENCE with the north boundary line of said Rivers Crossing Subdivision, Phase Three, same being the south boundary line of said 169.99 acre tract the following four (4) courses and distances:

1.N 82°15'05" W, a distance of 656.59 feet to a 1/2" iron rod found hereof,

2.N 83°17'18" W, a distance of 456.80 feet to a 1/2" iron rod with yellow cap marked "Pape-Dawson" found for a south corner hereof,

3.S 79°27'12" W, a distance of 893.10 feet to a 1/2" iron rod found hereof, and

4.S 78°54'12" W, at a distance of 772.40 feet passing through a 2" iron pipe found in the south boundary line of the aforementioned 169.99 acre tract, continuing with the south boundary line of said 169.99 acre tract, same being the north boundary line of said 0.50 acre tract for a total distance of 781.81 feet to the POINT OF BEGINNING, and containing 33.255 acres in Williamson County, Texas. Said tract being described in accordance with a survey map prepared by Pape-Dawson Engineers, Inc. under Job No. 51048-00.



**PUBLIC UTILITY EASEMENT (PUE) AND  
SINGLE FAMILY LOT SETBACK DETAIL**

SCALE: 1" = 40'

Received 5/9/19



FOR REVIEW ONLY, NOT FOR FINAL RECORDATION

**PAPE-DAWSON  
ENGINEERS**

AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

DATE OF PLAT PREPARATION: APRIL 9, 2019  
DATE OF PLAT SUBMITTAL: , 2019

SHEET 3 OF 4



FINAL PLAT  
OF  
**MUSTANG CREEK, PHASE 1**

A 33.255 ACRE, OR 1,448,568 SQUARE FOOT TRACT OF LAND BEING OUT OF A REMNANT PORTION OF A CALLED 169.99 ACRE TRACT OF LAND CONVEYED TO HUTTO1660, LP, IN SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186, AND IN THE CCD CO. SURVEY, SECTION NO. 204, ABSTRACT NO. 693, AND ALSO IN THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97, ALL IN WILLIAMSON COUNTY, TEXAS.

STATE OF TEXAS       §  
COUNTY OF WILLIAMSON §  
KNOW ALL MEN BY THESE PRESENTS

THAT HUTTO1660, LP, A TEXAS LIMITED PARTNERSHIP, AS OWNERS OF THE REMNANT PORTION OF THE CERTAIN 169.99 ACRE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES HEREBY SUBDIVIDE SAID 33.255 ACRE TRACT AS SHOWN HEREON, AND DOES HEREBY CONSENT TO ALL PLAT NOTE AND REQUIREMENTS SHOWN HEREON, AND DOES HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, RIGHT-OF-WAY, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE.

THIS SUBDIVISION IS TO BE KNOWN AS MUSTANG CREEK, PHASE 1.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

HUTTO1660, LP, A TEXAS LIMITED PARTNERSHIP

BY: PACKSADDLE REAL ESTATE PARTNERS, LLC,  
A TEXAS LIMITED LIABILITY COMPANY,  
ITS GENERAL PARTNER

BY: \_\_\_\_\_  
SCOTT REMPE, MANAGER

STATE OF TEXAS       §  
COUNTY OF \_\_\_\_\_ §  
KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SCOTT REMPE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS       §  
COUNTY OF \_\_\_\_\_ §  
KNOW ALL MEN BY THESE PRESENTS

THAT ROTHCOM, LP, LIEN HOLDER OF THE CERTAIN 169.99 ACRE TRACT OF LAND SHOWN HEREON AND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2019000074 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID 33.255 ACRE TRACT AS SHOWN HEREON, AND DOES FURTHER HEREBY JOIN, APPROVE AND CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DOES HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHTS-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS MUSTANG CREEK, PHASE 1.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
LARRY ROTHER, PRESIDENT  
ROTHCOM, LP

STATE OF TEXAS       §  
COUNTY OF \_\_\_\_\_ §  
KNOW ALL MEN BY THESE PRESENTS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LARRY ROTHER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: \_\_\_\_\_

ENGINEER'S CERTIFICATION

I, DUSTIN GOSS, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS (MUSTANG CREEK, PHASE 1) PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT TRAVIS, COUNTY, TEXAS THIS 23<sup>rd</sup> DAY OF April, 2019.

\_\_\_\_\_  
DUSTIN GOSS  
REGISTERED PROFESSIONAL ENGINEER NO. 91805  
PAPE-DAWSON ENGINEERS, INC.  
TBPE, FIRM REGISTRATION NO. 470  
TBPLS, FIRM REGISTRATION NO. 10028801



SURVEYOR'S CERTIFICATION

I, PARKER J. GRAHAM, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY AND THAT THE PROPERTY MARKERS AND MONUMENTS WERE PLACED UNDER MY SUPERVISION ON THE GROUND. THE FIELD WORK WAS COMPLETED ON \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT TRAVIS, COUNTY, TEXAS THIS 8<sup>th</sup> DAY OF MAY, 2019.

\_\_\_\_\_  
PARKER J. GRAHAM  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5556  
PAPE-DAWSON ENGINEERS, INC.  
TBPE, FIRM REGISTRATION NO. 470  
TBPLS, FIRM REGISTRATION NO. 10028801



APPROVAL  
CITY OF HUTTO

THIS PLAT WAS APPROVED FOR RECORDING BY THE HUTTO CITY COUNCIL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DOUG GAUL, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
LISA L. BROWN, CITY SECRETARY

\_\_\_\_\_  
DATE

THIS SUBDIVISION IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF HUTTO, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
ASHBY GRUNDMAN  
DIRECTOR OF DEVELOPMENT SERVICES

\_\_\_\_\_  
DATE

THE STATE OF TEXAS       §  
COUNTY OF WILLIAMSON §  
KNOW ALL MEN BY THESE PRESENTS

THAT I, NANCY E. RISTER, CLERK OF THE COUNTY COURT OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATION OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. AND DULY RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, IN DOCUMENT NO. \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST ABOVE WRITTEN.

NANCY E. RISTER, CLERK   COUNTY COURT OF WILLIAMSON COUNTY, TEXAS

BY: \_\_\_\_\_, DEPUTY

Received 5/9/19



FOR REVIEW ONLY, NOT FOR FINAL RECORDATION



AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS  
10801 N MOPAC EXPY, BLDG 3, STE 200 | AUSTIN, TX 78759 | 512.454.8711  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

DATE OF PLAT PREPARATION: APRIL 9, 2019  
DATE OF PLAT SUBMITTAL: \_\_\_\_\_, 2019

SHEET 4 OF 4

## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:**

8J.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

Ashley Lumpkin, AICP, Executive Director, Business & Development Services

**ITEM:**

Consideration and possible action on a resolution approving the proposed Hutto Crossing Phase 4 Section 11 Final Plat, 2.912 acres, more or less, of land, two commercial lots, located on Chris Kelley Boulevard. (Ashley Lumpkin)

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

The proposed Hutto Crossing Phase 4, Section 11 Final Plat, is located south of the southwest intersection of Carl Stern Drive and Chris Kelley Boulevard (FM 685). The Final Plat is 2.913 acres and consists of 2 commercial lots with frontage along Chris Kelley Boulevard.

The proposed subdivision is part of the Hutto Crossing Planned Unit Development, and any development that occurs on these lots is subject to the Planned Unit Development standards

**WEST:** North Creek Apartments

**NORTH:** Circle K Convenience Store with Gas

**EAST:** Big Red Carwash and Golden Chick Restaurant

**SOUTH:** North Creek Apartments

**Utilities**

The property is served by City of Hutto Wastewater, City of Hutto Water and Oncor for electricity.

This plat has been reviewed and all City comments have been addressed. The Final Plat is in compliance with the applicable subdivision regulations and in conformance with the PUD.

**BUDGETARY AND FINANCIAL SUMMARY:**



There is no financial impact.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

The Planning and Zoning Commission recommended approval to City Council on June 11, 2019.

**CITY ATTORNEY REVIEW:**

The City Attorney has approved the process as to form.

**STAFF RECOMMENDATION:**

Staff recommends that the Council approve the resolution.

**SUPPORTING MATERIAL:**

1. Resolution - Hutto Crossing Phase 4 Section 11 Final Plat

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

## **RESOLUTION NO.**

**A RESOLUTION APPROVING THE PLAT KNOWN AS "HUTTO CROSSING PHASE 4 SECTION 11 FINAL PLAT"; IN THE CITY OF HUTTO, WILLIAMSON COUNTY, TEXAS.**

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the Planning and Zoning Commission to take action to recommend to the City Council whether or not to approve or disapprove a subdivision plat within thirty (30) days of the date an application is accepted, and;

**WHEREAS**, the Texas Local Government Code Chapter 212 and the City of Hutto Subdivision Ordinance requires the City Council take action to approve or disapprove a subdivision plat within thirty (30) days of the date of presentation at Planning and Zoning Commission, and;

**WHEREAS**, the Development Services Department and the City Engineer have reviewed the above referenced plat for compliance with statute and engineering standards, and;

**WHEREAS**, if City Council fails to take action on this plat within the prescribed thirty (30) day period, the plat is granted statutory approval, Now therefore,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

that the Hutto City Council hereby approves the resolution for the plat known as "Hutto Crossing Phase 4 Section 11 Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

**CONSIDERED and RESOLVED** on this the **20th** day of the month **June, 2019**.

**THE CITY OF HUTTO, TEXAS**

---

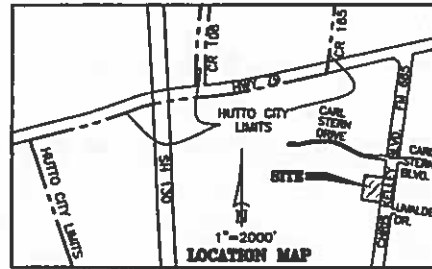
Doug Gaul, Mayor

**ATTEST:**

---

Lacie Hale, City Secretary





LOCATION MAP  
SCALE 1" = 2000'

#### OWNER'S CERTIFICATION

STATE OF TEXAS {  
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

I, AARON GIOVARA, OWNER, HUTTO OPTION MEZZ HOLDINGS, LLC, SOLE OWNER OF THAT CERTAIN 51.979 ACRE TRACT (TRACT 5) AND THAT CERTAIN 64.428 ACRE TRACT (TRACT 7) DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 2009018029 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO HEREBY STATE THAT THERE ARE NO LIEN HOLDERS OF THE SAID 51.979 ACRE TRACT AND THE SAID 64.428 ACRE TRACT, AND DO HEREBY SUBDIVIDE 2.912 ACRES OF SAID TRACTS AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE CITY OF HUTTO THE STREETS, ALLEYS, RIGHT-OF-WAY, EASEMENTS AND PUBLIC PLACES SHOWN HEREON FOR SUCH PUBLIC PURPOSES AS THE CITY OF HUTTO MAY DEEM APPROPRIATE. THIS SUBDIVISION IS TO BE KNOWN AS HUTTO CROSSING, PHASE 4, SECTION 11.

TO CERTIFY WHICH, WITNESS by my hand this \_\_\_\_ day of \_\_\_\_\_, 2019.

Aaron A. Giovara, Owner  
Hutto Option Mezz Holdings LLC  
10100 Santa Monica Blvd., Suite 1000  
Los Angeles, CA 90067

State of California {  
County of \_\_\_\_\_ {

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared Aaron A. Giovara who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

#### ENGINEER'S CERTIFICATION

STATE OF TEXAS {  
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

NO PORTION OF THIS TRACT IS WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 48491C0515E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.

I, KENNETH W. MARTIN, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS IN COMPLIANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT AUSTIN, TRAVIS COUNTY, TEXAS, THIS 24th DAY OF MAY, 2019.

Kenneth W. Martin  
KENNETH W. MARTIN  
Registered Professional Engineer No. 65971  
State of Texas  
Murfee Engineering Company  
1101 Capital of Texas Highway South  
Building D, Austin, Texas 78746 (512)  
(512)-327-9204



## HUTTO CROSSING PHASE 4, SECTION 11 FINAL PLAT

OWNER:  
HUTTO OPTION MEZZ HOLDINGS, LLC  
10100 Santa Monica Blvd., Suite 1000  
Los Angeles, CA 90067

ENGINEER:  
MURFEE ENGINEERING COMPANY  
1101 Capital of Texas Highway South  
Building D,  
Austin, Texas 78746

SURVEYOR:  
CAPITAL SURVEYING CO., INC.  
925 Capital of Texas Highway South  
Building B, Suite 115  
Austin, Texas 78746  
Firm Registration No. 101267-0

LAND USE SUMMARY:  
TOTAL ACREAGE: 2.913 ACRES  
NON-RESIDENTIAL LOTS: 2 2.913 ACRES  
TOTAL NUMBER OF LOTS: 2

#### GENERAL NOTES:

- STREET LIGHTING SHALL BE PROVIDED IN ACCORDANCE WITH SEC. 3.8 OF THE HUTTO CROSSINGS PUD AGREEMENT.
- WATER AND WASTEWATER SERVICE FOR THIS SUBDIVISION WILL BE AVAILABLE THROUGH THE CITY OF HUTTO AFTER THE APPROPRIATE WASTEWATER SYSTEM IS INSTALLED TO THIS SITE. THE CITY OF HUTTO ASSUMES NO OBLIGATION FOR INSTALLING ANY WASTEWATER IMPROVEMENTS TO SERVE THIS SITE.
- UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE: WATER: CITY OF HUTTO; WASTEWATER: CITY OF HUTTO; ELECTRIC: ONCOR.
- CITY OF HUTTO ASSUMES NO RESPONSIBILITY FOR INSTALLING ANY WATER AND WASTEWATER IMPROVEMENTS TO SERVE THIS SITE.
- DEVELOPMENT OF THIS SUBDIVISION CONFORMS WITH THE CONCLUSIONS OF "DETERMINATION OF THE HYDROLOGIC IMPACT OF PROPOSED HUTTO CROSSING DEVELOPMENT USING UPPER BRUSHY CREEK WCD WATERSHED MODEL", DATED NOVEMBER 10, 2013 AND ADDENDUM DATED JANUARY 16, 2014.
- THIS TRACT LIES IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP) COMMUNITY PANEL NUMBER 48491C0515E, EFFECTIVE DATE SEPTEMBER 26, 2008, FOR WILLIAMSON COUNTY, TEXAS.
- NO BUILDING, FENCING, LANDSCAPE OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE OR WASTEWATER EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
- BUILDING SETBACK LINES SHALL CONFORM TO THE HUTTO CROSSING P.U.D. REQUIREMENTS.
- A FIVE FOOT (5') PUBLIC UTILITY EASEMENT (P.U.E.) IS HEREBY DEDICATED ON EACH SIDE OF ALL REAR PROPERTY LINES.
- A FIVE FOOT (5') PUBLIC UTILITY EASEMENT (P.U.E.) IS HEREBY DEDICATED ON EACH SIDE OF ALL SIDE PROPERTY LINES.
- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
- SIDEWALKS AND TREES SHALL BE PROVIDED ON THE SUBDIVISION SIDE OF FM 685 (CHRIS KELLEY BOULEVARD).
- IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATIONS SHOULD BE A MINIMUM OF ONE FOOT (1') ABOVE THE SURROUNDING GROUND AND THE GROUND SHOULD BE GRADED AWAY FROM THE SLAB AT A SLOPE OF AT LEAST 1/2 INCH PER FOOT FOR A DISTANCE OF AT LEAST TEN FEET.
- ALL SUBDIVISION CONSTRUCTION SHALL CONFORM TO THE HUTTO CROSSING P.U.D. AGREEMENT, CITY OF HUTTO CONSTRUCTION STANDARDS AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
- ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HERS ASSIGNS.
- THE LOTS IN THIS SUBDIVISION ARE RESTRICTED TO USES OTHER THAN SINGLE FAMILY RESIDENTIAL.

#### SURVEYOR'S CERTIFICATION

STATE OF TEXAS {  
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

I, BLAINE J. MILLER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, BOUNDARY LINE CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT CORNER MONUMENTS SHOWN HEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE CODES AND ORDINANCES OF THE CITY OF HUTTO, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT AUSTIN, TRAVIS COUNTY, TEXAS, THIS 24th DAY OF MAY, 2019.

Blaine J. Miller  
BLAINE J. MILLER  
Registered Professional Land Surveyor  
No. 5121 State of Texas  
Firm Registration No. 101267-0  
925 Capital of Texas Highway South  
Building B, Suite 115  
Austin, Texas 78746  
(512) 327-4006



#### CITY OF HUTTO BUSINESS AND DEVELOPMENT SERVICES

This subdivision is located within the city limits of the City of Hutto, this the day of \_\_\_\_\_, 2019.

ASHBY GRUNDMAN, DIRECTOR OF DEVELOPMENT SERVICES DATE: \_\_\_\_\_

APPROVAL  
CITY OF HUTTO

This plat was approved for recording by the Hutto City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Doug Gaul, Mayor DATE: \_\_\_\_\_

Lacie Hale, City Secretary DATE: \_\_\_\_\_

STATE OF TEXAS {  
COUNTY OF WILLIAMSON { KNOW ALL MEN BY THESE PRESENTS

I, Nancy E. Rister, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication, was filed for record in my office on the \_\_\_\_ day of \_\_\_\_\_, 2019, A.D., at \_\_\_\_ o'clock, \_\_\_\_ M. and duly recorded this \_\_\_\_ day of \_\_\_\_\_, 2019, A.D., at \_\_\_\_ o'clock, \_\_\_\_ M., in the Official Public Records of said County in Document No. \_\_\_\_\_.

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of said County, at my office in Georgetown, Texas, the date last shown above written.

Nancy E. Rister, Clerk County Court  
Williamson County, Texas

By: \_\_\_\_\_, Deputy

Received 5/28/19



HUTTO CROSSING  
PHASE 4, SECTION 11  
FINAL PLAT

| CSCI                                                                                                 |                   | CAPITAL SURVEYING COMPANY      |        |
|------------------------------------------------------------------------------------------------------|-------------------|--------------------------------|--------|
| 205 Capital of Texas Highway South<br>Building B, Suite 115<br>Austin, Texas 78746<br>(512) 327-4006 |                   | Firm Registration No. 101267-0 |        |
| DRAWN BY: BLM                                                                                        | SCALE: 1" = 100'  | F.S.                           |        |
| JOB NO.: 19511.10                                                                                    | DATE: MAY 6, 2019 | SHEET NO.:                     |        |
| DRAWING NO.: 19511P1                                                                                 | CRD #: 13541      |                                | 1 OF 2 |

FIELDNOTE DESCRIPTION of a 2.912 acre tract out of the Nathaniel Edwards Survey No. 21, Abstract No. 225, Williamson County, Texas, being out of the remainder of that certain 51.979 acre tract, described as Tract 5 and the remainder of that certain 64.428 acre tract, described as Tract 7, both conveyed to Hutto Option Mezz Holdings LLC, by deed recorded in Document No. 2009018029 of the Official Public Records of Williamson County Texas; the said 2.912 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod, with aluminum TxDOT cap, found on the westerly right-of-way line of Chris Kelley Boulevard (State Highway FM 685 - R.O.W. varies), same being the southeast corner of the said Tract 5, the northeast corner of said Tract 7 and the southwest corner of that 3.315 acre tract, described as Exhibit "B", and northwest corner of that 1.399 acre tract, described as Exhibit "C", both conveyed to the Texas Transportation Commission, recorded in Document No. 201304568 of the said Official Public Records;

THENCE, S07°35'46"W, with the common easterly line of said Tract 7 and westerly line of the said 1.399 acre tract, being Chris Kelley Boulevard, passing at 72.90 feet a 1/2" iron rod, with aluminum TxDOT cap, found, for a total distance of 91.18 feet to a 1/2" iron rod, plastic cap marked "Capital Surveying Company, Inc.", found for the most easterly northeast corner of Lot 3, Block "B", Hutto Crossing, Phase 4, Section 2 subdivision, recorded in Document No. 2017025369 of the said Official Public Records and the southeast corner of the herein described tract;

THENCE, leaving the westerly right-of-way line of the aforesaid 1.399 acre tract (Chris Kelley Boulevard), across said Tract 7 and Tract 5, with the easterly line of aforesaid Lot 3, Block "B", Hutto Crossing, Phase 4, Section 2, for the following four (4) courses:

1. N82°18'19"W, 273.69 feet to a 1/2" iron rod, plastic cap marked "Capital Surveying Company, Inc.", set for the southwest corner of the herein described tract;
2. N07°43'57"E, 269.18 feet to a 1/2" iron rod, plastic cap marked "Capital Surveying Company, Inc.", set for corner;
3. N82°16'03"W, 13.74 feet to a 1/2" iron rod, plastic cap marked "Capital Surveying Company, Inc.", found for corner;
4. N07°33'42"E, 185.55 feet to an "X" found in concrete for the southwest corner of Lot 1, Block B, Hutto Crossing, Phase 4, Section 3, Block B, Lot 1 and Lot 2, Final Plat subdivision, recorded in Document No. 2017014637 of the said Official Public Records, for the northwest corner of the herein described tract;

THENCE, S82°24'36"E, leaving the easterly line of said Lot 3, Block "B", Hutto Crossing, Phase 4, Section 2, with the south line of said Lot 1, Block B, Hutto Crossing, Phase 4, Section 3, being across said Tract 5, for a distance of 286.94 feet to a 1/2" iron rod, plastic cap marked "Capital Surveying Company, Inc.", set for the southeast corner of aforesaid Lot 1, Block B, being on the westerly right-of-way line of Chris Kelley Boulevard and the northeast corner of the herein described tract;

THENCE, S07°36'11"W, leaving the south line of said Lot 1, Block B, Hutto Crossing, Phase 4, Section 3, with the common westerly right-of-way line of Chris Kelley Boulevard and said Tract 5, for a total distance of 364.02 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 2.912 acres of land area.

BENCHMARK:

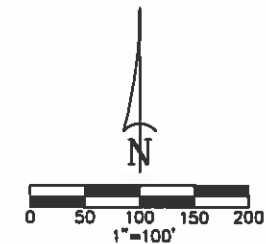
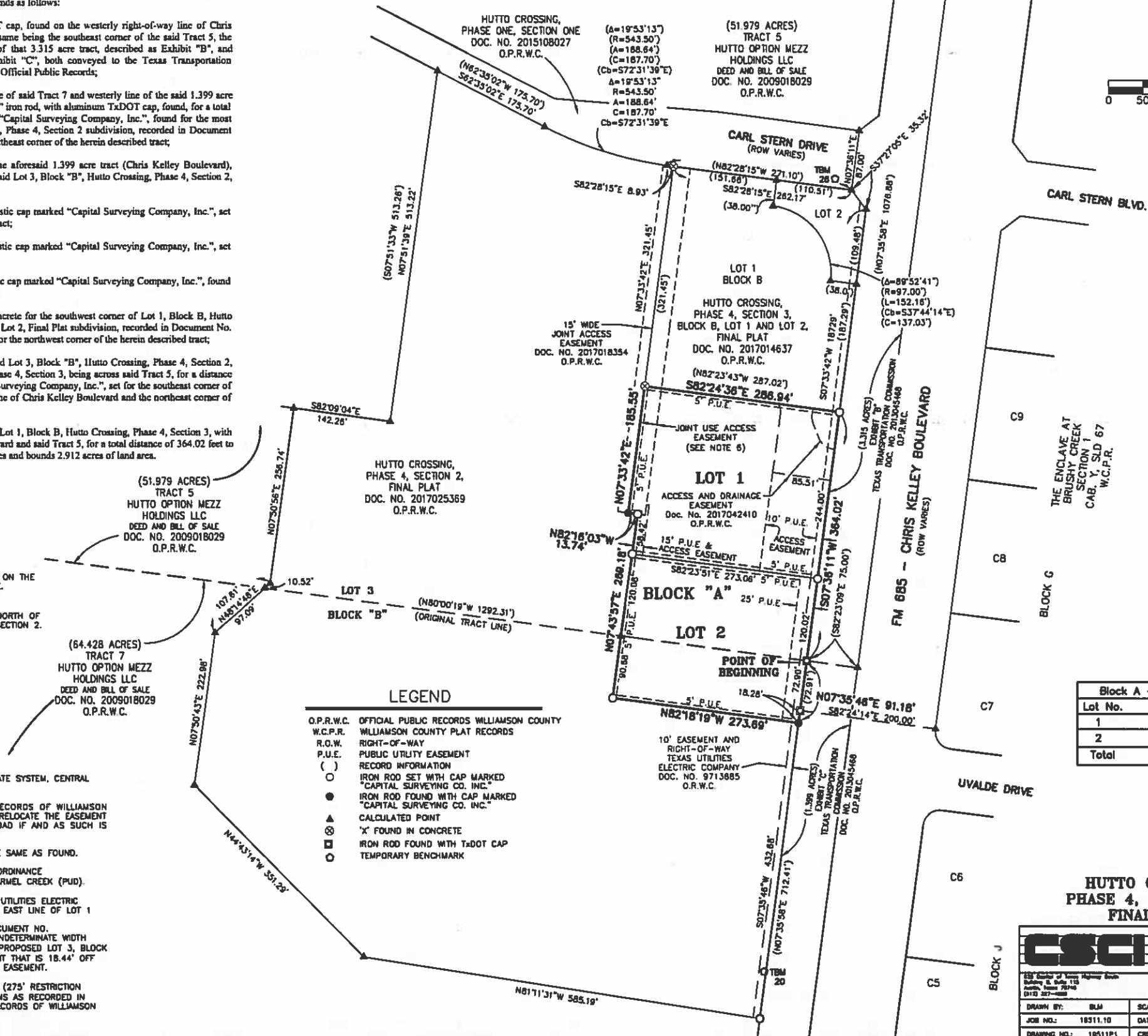
TBM 28  
COTTON GIN SPINDLE SET IN NORTH SIDE OF POWER POLE ON THE WEST SIDE OF FM 685, SOUTH SIDE OF CARL STERN DRIVE.  
ELEV. = 841.84' F.B. 1797

TBM 20 COTTON GIN SPINDLE SET IN POWER POLE, 70' NORTH OF THE SOUTHEAST CORNER OF HUTTO CROSSING, PHASE 4, SECTION 2.  
ELEV.=834.13' F.B. 1801 P. 30

GENERAL NOTES:

1. BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (GRID)
2. DOCUMENT NO. 9713885 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS STATES THAT THEY HAVE THE RIGHT TO RELOCATE THE EASEMENT IN THE SAME RELATIVE POSITION TO ANY ADJACENT ROAD IF AND AS SUCH IS WIDENED IN THE FUTURE.
3. UNLESS OTHERWISE NOTED, RECORD INFORMATION IS THE SAME AS FOUND.
4. ZONING AND SETBACK REQUIREMENTS ARE SUBJECT TO ORDINANCE 0-13-05-09-11AT AMENDING THE CROSSROADS OF CARMEL CREEK (PUD).
5. 10' P.U.E. AND ELECTRIC EASEMENT GRANTED TO TEXAS UTILITIES ELECTRIC COMPANY IN DOC. NO. 9713885 ARE ADJACENT TO THE EAST LINE OF LOT 1
6. THE JOINT USE ACCESS EASEMENT AS RECORDED IN DOCUMENT NO. 2017018354, O.P.R.W.C. SHOWS AN EASEMENT LINE OF INDETERMINATE WIDTH PARALLEL TO THE EAST LINE (S07°33'42"W 507.00') OF PROPOSED LOT 3, BLOCK "B". AN ACCESS DRIVE IS ALSO SHOWN IN THE DOCUMENT THAT IS 18.44' OFF THE SAID EAST LINE AND WITHIN THE JOINT USE ACCESS EASEMENT.
7. LOTS 1 AND 2, BLOCK "A" ARE A PORTION OF TRACT 2 (275' RESTRICTION EASEMENT) DECLARATION OF EASEMENTS AND RESTRICTIONS AS RECORDED IN DOCUMENT NO. 2017042410 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

# HUTTO CROSSING PHASE 4, SECTION 11 FINAL PLAT



Received 5/28/19



| Block A - 2 Lots |       |
|------------------|-------|
| Lot No.          | Acres |
| 1                | 1.588 |
| 2                | 1.324 |
| Total            | 2.912 |

## HUTTO CROSSING PHASE 4, SECTION 11 FINAL PLAT

|                               |                   |                                                 |
|-------------------------------|-------------------|-------------------------------------------------|
| <b>CSCI</b>                   |                   | CAPITAL<br>SURVEYING<br>COMPANY<br>INCORPORATED |
| 18511P1<br>18511P1<br>18511P1 |                   |                                                 |
| DRAWN BY: BLM                 | SCALE: 1" = 100'  | F.B.                                            |
| JOB NO.: 18511.10             | DATE: MAY 8, 2019 | SHEET NO.:                                      |
| DRAWING NO.: 18511P1          | CRD #: 13541      | 2 OF 2                                          |

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 9A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Jessica Bullock

**ITEM:**

Resolution of the City of Hutto, Texas, amending the Resolution authorizing and creating the Mustang Creek Public Improvement District within the City of Hutto pursuant to Chapter 372 Texas Local Government Code.

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

A Public Improvement District for the Mustang Creek project was created in June 2018. The boundary for that District is proposed to be modified with this resolution.

**BUDGETARY AND FINANCIAL SUMMARY:**

This is a non-recourse bond to finance the construction of this project.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

Not applicable

**CITY ATTORNEY REVIEW:**

City Attorney has reviewed the resolution.

**STAFF RECOMMENDATION:**

Not applicable

**SUPPORTING MATERIAL:**

1. [Resolution](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

**CITY OF HUTTO**

**RESOLUTION NO. - \_\_\_\_\_**

**RESOLUTION OF THE CITY OF HUTTO, TEXAS, AMENDING THE RESOLUTION AUTHORIZING AND CREATING THE MUSTANG CREEK PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF HUTTO PURSUANT TO CHAPTER 372 TEXAS LOCAL GOVERNMENT CODE**

**WHEREAS**, the City Council of the City (the “City Council”) of Hutto, Texas (the “City”) received a petition (the “Petition”) requesting creation of a public improvement district under Chapter 372 of the Texas Local Government Code (the “Act”), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Williamson County) in the proposed Mustang Creek Public Improvement District (the “District”) and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment under the proposal; and

**WHEREAS**, the Petition, was examined, verified, and found to meet the requirements of Section 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

**WHEREAS**, the boundaries of the proposed District were described in the Petition, said boundaries being within the boundaries and/or the extraterritorial jurisdiction of the City; and

**WHEREAS**, after providing all notices required by the Act, the City conducted a public hearing on the advisability of the improvements and services described in the Petition; and

**WHEREAS**, after adjourning the aforementioned public hearing, the City Council adopted Resolution No. R-18-06-07-9C on June 7, 2018 authorizing and creating the Mustang Creek Public Improvement District (the “Creation Resolution”); and

**WHEREAS**, the owner of all property currently in District has requested that certain property be excluded from the boundaries of the District; and

**WHEREAS**, the City Council finds and determines that it is in the City’s best interests to amend the Creation Resolution to provide that the boundaries of the District shall be as identified in Exhibit A attached hereto, said area for the District being within the boundaries and/or the extraterritorial jurisdiction of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**SECTION 1:** The findings set forth in the recitals of this Resolution are hereby found to be true and correct.

**SECTION 2:** The City hereby amends the Creation Resolution so that Exhibit A thereto is deleted and replaced with the boundary description attached to this Resolution as Exhibit A so that the boundaries of the District shall be identified in the description provided in Exhibit A attached hereto. All other portions of the Creation Resolution shall remain in full force and effect.



**SECTION 3.** The City's staff is directed to give notice of this amendment by publishing a copy of this Resolution once in a newspaper of general circulation within the City.

**SECTION 4.** This Resolution shall take effect immediately from and after its passage and it is accordingly so resolved.

[Signature page follows]

**PASSED & APPROVED** by the **CITY COUNCIL** of the **CITY OF HUTTO** on the \_\_\_\_ day of \_\_\_\_\_, 201\_\_ on a vote of \_\_\_\_ AYES; \_\_\_\_ NAYS; \_\_\_\_ ABSTENTIONS.

\_\_\_\_\_  
**MAYOR**  
**CITY OF HUTTO**

**ATTEST:**

\_\_\_\_\_  
**LACIE HALE, CITY SECRETARY**  
**CITY OF HUTTO**

## EXHIBIT A

### BOUNDARIES

A 153.340 ACRE, OR 6,679,481 SQUARE FOOT, TRACT OF LAND BEING A PORTION OF A CALLED 169.99 ACRE TRACT RECORDED IN DOCUMENT NO. 2019000072 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SITUATED IN THE JOHN DYKES SURVEY, ABSTRACT NO. 186, AND IN THE CCD CO. SURVEY, SECTION NO. 204, ABSTRACT NO. 693, AND ALSO IN THE JOSIAS B. BEALLE SURVEY, ABSTRACT NO. 97, ALL IN WILLIAMSON COUNTY, TEXAS. SAID 153.340 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE;

**BEGINNING** at a ½" iron rod found on the northwest corner of a called 0.50 acre tract recorded in Document No. 2000040392 of the Official Public Records of Williamson County, Texas, same being a point in the east right-of-way line of F.M. 1660, an 80-foot right-of-way recorded in Volume 476, Page 593 of the Deed Records of Williamson County, Texas for the southeast corner and **POINT OF BEGINNING** hereof, from which a TXDOT Type I monument found bears, S 22°01'31" E, 688.30 feet;

**THENCE** with the east right-of-way line of said F.M. 1660, same being the west boundary line of said 169.99 acre tract the following two (2) courses and distances:

1. N 22°01'31" W, a distance of 935.01 feet to a TXDOT Type I monument found, and
2. N 21°04'51" W, a distance of 1071.21 feet to a ½" iron rod with yellow cap marked "Pape-Dawson" set on a point in the west boundary line of said 169.99 acre tract, same being the east right-of-way line of said F.M. 1660 for the northwest corner hereof, from which a TXDOT Type I monument found bears N 21°04'51" W, 1001.02 feet;

**THENCE**, departing the east right-of-way line of said F. M. 1660, through the interior of said 169.99 acre tract, the following three (3) courses and distances:

1. N 68°33'50" E, a distance of 1312.44 feet to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a north corner hereof,
2. S 51°25'33" E, a distance of 216.15 feet to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a north corner hereof, and
3. N 21°26'10" E, a distance of 711.67 feet to a ½" iron rod with yellow cap marked "Pape-Dawson" set on a point in the north boundary line of said 169.99 acre tract, same being a point in the south boundary line of a called 65.00 acre tract recorded in Document No. 2009044814 of the Official Public Records of Williamson County, Texas for a north corner hereof,

**THENCE N 68°33'50" E**, with the south boundary line of said 65.00 acre tract, same being the north boundary line of said 169.99 acre tract, a distance of **1189.71 feet** to a an iron rod with cap marked "Lenz & Assoc." found on the southeast corner of said 65.00 acre tract, same being a point in the west boundary line of a called 27.36 acre tract recorded in Volume 866, Page 661 of the Deed Records of Williamson County, Texas for the northeast corner hereof, from which an iron rod with cap marked "Lenz and Assoc." found on the northeast corner of said 65.00 acre tract bears, N 21°41'22" W, 1087.75 feet;

**THENCE S 21°41'22" E**, with the east boundary line of said 169.99 acre tract, same being in part the west boundary line of said 27.36 acre tract, also being in part the west boundary line of a remnant portion of called 107 acre tract recorded in Volume 309, Page 269 of the Deed Records of Williamson County, Texas and being in part the west boundary line of a called 10.00 acre tract recorded in Document No. 2008053240 of the Official Public Records of Williamson County, Texas, a distance of **3375.35 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set on a point in the north boundary line of Rivers Crossing Subdivision, Phase Three, a subdivision according to the plat recorded in Cabinet X, Slide 250 of the Plat Records of Williamson County, Texas for a southeast corner hereof, from which a ½" iron rod found on the northeast corner of said Rivers Crossing Subdivision, Phase Three bears, S 82°15'05" E, 522.64 feet;

**THENCE** with the north boundary line of said Rivers Crossing Subdivision, Phase Three, same being the south boundary line of said 169.99 acre tract the following four (4) courses and distances:

1. **N 82°15'05" W**, a distance of **656.59 feet** to a ½" iron rod found for a south corner hereof,
2. **N 83°17'18" W**, a distance of **456.80 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a south corner hereof,
3. **S 79°27'12" W**, a distance of **893.10 feet** to a ½" iron rod found for a south corner hereof, and
4. **S 78°54'12" W**, at a distance of **772.40 feet** passing through a 2" iron pipe found in the south boundary line of the aforementioned 169.99 acre tract, continuing with the south boundary line of said 169.99 acre tract, same being the north boundary line of said 0.50 acre tract for a total distance of **781.81 feet** to the **POINT OF BEGINNING**, and containing 153.340 acres in Williamson County, Texas. Said tract being described in accordance with a survey map prepared by Pape-Dawson Engineers, Inc. under Job No. 51048-00.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: February 18, 2019  
JOB No.: 51048-00  
DOC.ID.: H:\survey\CIVIL\51048-00 MUSTANG CREEK\Word\FN-51048-00\_153.340Ac.docx  
TBPE Firm Registration #470  
TBPLS Firm Registration #100288-01

# CITY OF HUTTO

## CITY COUNCIL AGENDA

**AGENDA ITEM NO.:** 9B.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:**

**ITEM:**

Consideration and possible action on a resolution amending the by-laws of the Economic Development Corporation Type A Board.

## STRATEGIC GUIDE

**POLICY:**

**ITEM BACKGROUND:**

**BUDGETARY AND FINANCIAL SUMMARY:**

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

**CITY ATTORNEY REVIEW:**

**STAFF RECOMMENDATION:**

**SUPPORTING MATERIAL:**

1. [Resolution](#)
2. [Revised By-Laws](#)
3. [Current By-Laws](#)

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



**RESOLUTION NO. R-19-06-20-\_\_**

**A RESOLUTION AMENDING THE BY-LAWS OF THE HUTTO TYPE A ECONOMIC DEVELOPMENT CORPORATION.**

**WHEREAS**, the Hutto Economic Development Corporation Type A Board of Directors wishes to make several updates to their current by-laws; and

**WHEREAS**, the Hutto Economic Development Corporation Type A Board of Directors is respectfully asking for the City Council's approval of the amendments that were presented and approved by the Hutto Economic Development Board of Directors at their regular meetings held on January 7, 2019 and May 20, 2019.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

That the Hutto City Council hereby accepts and approves the amendments to the By-Laws of the Hutto Economic Development Corporation Type A Board of Directors as presented.

**RESOLVED** on this the 20<sup>th</sup> day of **June, 2019**.

**CITY OF HUTTO, TEXAS**

\_\_\_\_\_  
Doug Gaul, Mayor

**ATTEST:**

\_\_\_\_\_  
Lacie Hale, City Secretary

**AMENDED AND RESTATED BYLAWS OF  
THE HUTTO ECONOMIC DEVELOPMENT CORPORATION, TYPE A**

**Effective January \_\_, 2019**

**Article I: Powers and Purposes**

**Section 1.1: Corporate Identity: Offices.** The name of the corporation is the Hutto Economic Development Corporation, Type A d/b/a Hutto Community Development Corporation (the "Corporation"). The principal office of the Corporation shall be at 401 W. Front Street, Hutto, TX 78634. The Corporation may relocate such principal office and have such other offices as the Board of Directors shall determine.

**Section 1.2: Powers.** Purposes and Authority. In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Chapter 501 of the Local Government Code, as amended (the "Act"). The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided that the Corporation shall be governed by Chapter 505 of the Local Government Code and any other term or provision of the Act, Chapter 505 of the Local Government Code shall govern and prevail. The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall promote economic development benefiting the City of Hutto, Texas (the "City"), including without limitation promoting industrial, manufacturing, commercial, retail, parks and residential development to encourage employment and the public welfare, both within the City limits and areas outside of the City limits which contribute to the economic welfare of the City. The powers of the Corporation shall include the authority to contract and be contracted with and, absent a conflict with Chapter 505 of the Local Government Code, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more Projects as defined in the Act.

**Section 1.3: Annual Corporate Budget.** At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications as shall be in such form as may be prescribed from time to time by the City Manager and/or Council. The budget shall not be effective until same has been approved by the City Council. The Corporation's fiscal year shall start on October 1 and end on September 30th of the following year and may be changed by action of the Board and approval of the City Council.

**Section 1.4: Books and Records: Review of Financial Statements.** The Corporation shall keep correct and complete books and records of all accounts and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any director or his or her agent or attorney at a reasonable time: and at all times the City Manager and /or City Council of the City (the "City of Hutto") will have access to the books, records and financial statements of

the Corporation. At the direction of the City Manager and/or Council, the books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

**Section 1.5: Powers in General.** The Corporation may exercise all powers granted under the Act consistent with its Certificate of Formation, these Bylaws and the Resolutions, Orders and Ordinances of the City Council.

**Article II: Board of Directors**

**Section 2.1: Appointment, Powers, Number and Term of Office.** The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws.

The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Certificate of Formation and these Bylaws.

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the Hutto City Council and subject to the applicable limitations imposed by the Act, other applicable legislation and these Bylaws. The Board may, by contract, resolution or otherwise, give general or limited or special powers and authority to the Officers of the Corporation.

The Board may plan and direct its work through the Chairman who will be charged with the responsibility of carrying out the Corporation's programs as adopted and planned by the Board.

The Board shall consist of seven (7) persons who shall each be appointed by the City Council. No more than four (4) of the seven (7) directors may be City employees or City Council members. The term of each directorship will be for two (2) years. All directors must be residents of the City of Hutto or its Extraterritorial Jurisdiction "ETJ" to ensure Hutto residents have the opportunity to sit on and participate in the activities of the Hutto Economic Development Corporation. Those filling vacancies shall serve out the term of those seats.

Any Director, or all Directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board shall be filled by appointment by majority vote of the City Council.

**Section 2.2: Meetings of Directors in General.** The Board shall meet quarterly or as needed and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Secretary no later than 10 days prior to the date of the Board meeting. The Board may hold its meetings at any place authorized by the Act and as the Board may from time to time determine; provided that. In the absence of any such determination by the Board, the meeting shall be held at the principal office of the Corporation or at the City Council Chambers of the City. The Board shall conduct its meetings in accordance with the requirements of the Act and Chapter 505 of the Local Government Code as amended.

**Section 2.3: Regular Meetings.** Regular meetings of the Board shall be held at such times and places as shall be designated, from time to time, by resolution of the Board. Notice of regular meetings need not be given to each of the Directors, but public notice of each meeting shall be given in the manner prescribed by law.

**Section 2.4: Special Meetings.** Special meetings of the Board shall be held whenever called by the Chairperson, by the Secretary or by a majority of the Directors then in office, or upon advice of or by request of the City Council.

The Secretary or his/her designee shall give or cause public notice to be given of each special meeting. Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person at least two (2) hours before the meeting. Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law. Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered and acted upon, except as otherwise provided by law.

**Section 2.5: Quorum.** A majority of the Directors fixed by these Bylaws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.

**Section 2.6: Conduct of Business.** At the meetings of the Board, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time as the Board may determine.

**Section 2.7: Compensation of Directors.** Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they shall be reimbursed for their actual expenses incurred in the performance of their official duties.

**Section 2.8: Board Committees.** The Board may designate two (2) or more directors to constitute an official committee of the Board to exercise such authority as is delegated and approved by resolution of the Board. It is provided, however, that all final, official actions of the Corporation may be exercised only by the full Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

**Section 2.9: Advisory Board.** The Board may appoint an advisory board or boards to assist the Board and perform such other duties as the Board may from time to time assign to the advisory board. An advisory board shall be made up of no more than seven (7) individuals. At the time the Board creates an advisory board, the Board shall adopt rules and regulations regarding membership of the advisory board. The advisory boards may make recommendations to the Board, but all final, official actions of the Corporation shall be exercised only by the Board. The Board shall create a small business, convention and tourism advisory board which may include board members of the Hutto Chamber of Commerce, in addition to such other advisory boards desired by the Board.

**Section 2.10: Texas Open Meetings Act and Open Records Act.** Meetings of the Board, Board committees, and the advisory board are subject to the Texas Open Meetings Act, Texas Government Code Chapter 551, and the Corporation is subject to the Texas Open Records Act, Texas Government Code Chapter 552.

### **Article III: Officers**

**Section 3.1: Titles and Terms of Office.** The Officers of the Corporation shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, and such person may hold more than one office, except the Chairperson shall not hold the office of Secretary. The Chairperson and each other Officer of the Corporation shall be appointed by a majority vote of the Directors then in office and shall hold office for a term of two (2) years or until his or her successor is elected or appointed.

All Officers shall be subject to removal from office with or without cause at any time by a majority vote of the Directors then in office.

A vacancy in any office shall be filled by appointment by a majority vote of the Directors then in office.

**Section 3.2: Chairperson** The Chairperson shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board of Directors, the Chairperson shall be in general charge of the proper lies and affairs of the Corporation. The Chairperson shall preside at all meetings of the Board of Directors in furtherance of the purposes of this Corporation; the Chairperson may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

The Chairperson shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The Chairperson shall have the authority to appoint ad-hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.

**Section 3.3: Vice Chairperson.** The Vice Chairperson shall have such powers and duties as may be assigned by the Board of Directors and shall exercise the powers of the Chairperson during the Chair person's absence or inability to act. Any action taken by the Vice Chairperson in the performance of the duties of the Chairperson shall be with conclusive evidence of the absence or inability of the Chairperson to act at the time such action was taken.

**Section 3.4: Treasurer.** The Treasurer shall have custody of all the funds and securities of the Corporation that come in to his or her hands. When necessary, or proper, the Treasurer may sign or endorse, on behalf of the Corporation for collection or payment checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board of Directors. Whenever required by the Board of Directors, the Treasurer shall enter or cause to be entered regularly in the books of the Corporation to be kept by the Treasurer for that purpose full and accurate amounts of all monies received and paid out on account of the Corporation. The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board of Directors. The Treasurer, if



required by the Board of Directors, shall give such bond for the faithful discharge of his /her duties in such form as the Board of Directors may require.

**Section 3.5: Secretary.** The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board of Directors, its committees and those of Executive Sessions in books provided for that purpose. The Secretary shall attend to giving and serving notices in furtherance of the corporate purposes. The Secretary may attest or sign with the Chairperson in the Corporation's name, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The Secretary shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board of Directors may direct, all of which shall during business hours be open to inspection at the office of the Corporation; and the Secretary shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.

In the absence of the Secretary, the Chairperson may appoint any other Board of Director to act as Secretary during such absence.

**Section 3.6: Compensation.** Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties.

#### **Article JV: Provisions Regarding Bylaws**

**Section 4.1: Effective Date.** These Bylaws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these Bylaws by the Board of Directors; and
- (2) the approval of these Bylaws by the City Council.

**Section 4.2: Amendments to Bylaws.** These Bylaws may be amended at any time and from time to time by the Hutto City Council, or by majority vote of the Directors then in office, but only with approval of the City Council.

**Section 4.3: Interpretation of Bylaws.** These Bylaws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to a person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Bylaws to any other person or circumstance shall not be affected thereby.

#### **Article V: General Provisions**

**Section 5.1: Principal Office.** The current principal office of the Corporation is at shall be at 500 West Live Oak Street, Hutto, TX 78634. The Corporation may relocate such principal office and have such other offices as the Board shall determine.

**Section 5.2: Seal.** The seal of the Corporation shall be as determined by the Board of Directors. The Board may determine the Corporation will have no seal.

**Section 5.3: Notice and Waiver of Notice.** Whenever any notice whatsoever is required to be given to the Board of Directors under the Act, the Certificate of Formation or these Bylaws, such notices shall be deemed to be sufficient if given by depositing it for mailing in a post office box in a sealed postpaid wrapper addressed to the person entitled thereto at his or her post office address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing.

Attendance of a Director at a meeting shall constitute a waiver of notice of such meeting except where a Director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated there in, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted nor the purpose of any regular or special meeting of the Board of Directors need be set forth in any notice to a Director of such meeting unless required by the Board of Directors.

Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

**Section 5.4: Resignations.** Any Director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the Chairperson or the Secretary. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning Director shall serve until such time as her or her successor takes office.

**Section 5.5: Approval of the City Council.** To the extent these Bylaws refer to any approval or action to be taken by the City, such shall be evidenced by a certified copy of a Resolution, Ordinance, Order or Motion duly adopted by the City Council.

**Section 5.6: Organizational Control.** The City Council may, at its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act and any limitation on the impairment of contracts. The Corporation shall comply with all financial and administrative ordinances and policies of the City.

**Section 5.7: Dissolution of the Corporation.** Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless as authorized by the City Council.

**Section 5.8: Staff and organizational management.** The Board may hire and terminate an employee of the Corporation with the recommendation of the City Manager. The City shall continue to provide some staffing and legal support at the direction of the City Manager and the Corporation shall reimburse the City for any and all expenses necessary for such support.

**Section 5.9: Indemnification.** The Corporation shall indemnify any current or former director, officer, or employee of the Corporation, or any person who may have served at the Corporation's request as a director, officer, or employee of another corporation or entity in which it owns shares of stock or other ownership interest or of which it is a creditor,<sup>6</sup> against expenses actually and necessarily incurred

by such person and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil, criminal, arbitral, or investigative in nature, in which such person was, is, or is threatened to be made a named defendant or respondent by reason of being or having been such a director, officer, or employee (whether or not the person is or was such at the time such costs or expenses are incurred by or imposed upon such person) as is required by Section 8.051 of the Texas Business Organizations Code ("TBOC" ). The Corporation may indemnify any such person against and for any such expenses or costs and may advance expenses to any such person as is permitted by and according to the terms of Section 8.101 of the TBOC.

**Section 5.10: Insurance.** The Corporation may at the discretion of the Board of Directors purchase and maintain insurance on behalf of the Corporation and any person whom it has the power to indemnify pursuant to law, the Certificate of Formation, these Bylaws or otherwise, including without limitation directors and officers liability insurance.

The Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type A were adopted at a duly called meeting of the Board of Directors of the Corporation held on January 7, 2019 and May 20, 2019. The Amended and Restated Bylaws of the Hutto Economic Development Corporation, Type A shall become effective upon the date of their approval by resolution of the City Council of the City of Hutto, Texas.

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

By: \_\_\_\_\_  
Doug Gaul, Mayor

# **By-Laws of The Hutto Economic Development Corporation**

## **Article I: Powers and Purposes**

**Section 1.1: Corporate Identity; Offices.** The name of the corporation is The Hutto Economic Development Corporation (the "Corporation"). The principle office of the Corporation was initially at Hutto City Hall, 102 Highway 79 East, Hutto, TX 78634. The Corporation may relocate such principle office and have such other offices as the Board of Directors shall determine. Currently the principle office of the Corporation is at 321 Ed Schmidt Boulevard, Suite 200, Hutto, TX 78634.

**Section 1.2: Powers, Purposes and Authority.** In order to implement the purposes for which the Corporation was formed, as set forth in its Articles of Incorporation, the Corporation shall have all the authority and powers of every nature and kind whatsoever, both expressed and implied, which are authorized or permitted by the terms of the Development Corporation Act of 1979, Article 5190.6, Tex. Rev. Civ. Stat., as amended (the "Act"). The Corporation shall have and may exercise each power and authority enumerated in the Act as if such power and authority were specifically set forth herein; provided that the Corporation shall be governed by Section 4A and any other term or provision of the Act, Section 4A shall govern and prevail. The Corporation shall have the power and authority to undertake any lawful action not inconsistent with the Act and it shall undertake the promotion of economic development to promote and encourage employment and the public welfare in the City of Hutto (the "City"). The powers of the Corporation shall include the authority to contract and be contracted with and, absent a conflict with Section 4A, the power to purchase, lease, sell and mortgage real estate, and to issue obligations for or otherwise finance all or part of the cost of one or more Projects as defined in the Act.

**Section 1.3: Annual Corporate Budget.** At least sixty (60) days prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of anticipated revenues and proposed expenditures for the next ensuing fiscal year. The budget shall contain such classifications as shall be in such form as may be prescribed from time to time by the City Council. The budget shall not be effective until same has been approved by the City Council. The Corporation's fiscal year shall start on October 1 and end on September 30<sup>th</sup> of the following year and may be changed by action of the Board and approval of the City Council.

**Section 1.4: Books and Records: Review of Financial Statements.** The Corporation shall keep correct and complete books and records of *all* accounts and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any director or his or her agent or attorney at a reasonable time; and at all times the City Council of the City (the "City Council") will have access to the books, records and financial statements of the Corporation. At the direction of the City Council, the books, records, accounts and financial statements may be maintained for the Corporation by the staff of the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

**Section 1.5: Powers in General.** The Corporation may exercise all powers granted under the Act consistent with its Articles of Incorporation, these By-Laws and the Resolutions, Orders and Ordinances of the City Council.

## **Article II: Board of Directors**

**Section 2.1: Appointment, Powers, Number and Term of Office.** The Board of Directors shall exercise all of the powers of the Corporation, subject to the restrictions imposed by law, the Articles of Incorporation and these By-Laws.

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the Hutto City Council and subject to the applicable limitations imposed by the Texas Economic Development Corporation Act of 1979 as amended, other applicable legislation and these by-laws. The Board may, by contract, resolution or otherwise, give general or limited or special powers and authority to the Officers and employees of the Corporation.

The Board may plan and direct its work through the Executive Director who will be charged with the responsibility of carrying out the Corporation's programs as adopted and planned by the Board.

The Board of Directors shall consist of seven (7) persons who shall each be appointed by the City Council. The term of each directorship will be for three (3) years. Those filling vacancies shall serve out the term of those seats.

Any Director, or all Directors, may be removed from office at any time by majority vote of the City Council, for cause or at will. Any vacancy occurring on the Board of Directors shall be filled by appointment by majority vote of the City Council.

**Section 2.2: Meetings of Directors in General.** The Board shall meet at least once each month and any member of the Board may request that an item be placed on the agenda by providing same in writing, to the Secretary no later than 10 days prior to the date of the Board meeting. The Board of Directors may hold its meetings at any place authorized by the Act and as the Board of Directors may from time to time determine; provided that, in the absence of any such determination by the Board of Directors, the meeting shall be held at the principle office of the Corporation or at the City Council Chambers of the City. The Board of Directors shall conduct its meetings in accordance with the requirements of the Act and Art. 6252-17, Tex. Rev. Civ. Stat. as amended.

**Section 2.3: Regular Meetings.** Regular meetings of the Board of Directors shall be held at such times and places as shall be designated, from time to time, by resolution of the Board of Directors. Notice of regular meetings need not be given to each of the Directors, but public notice of each meeting shall be given in the manner prescribed by law.

**Section 2.4: Special Meetings.** Special meetings of the Board of Directors shall be held whenever called by the President, by the Secretary or by a majority of the Directors then in office, or upon advice of or by request of the City Council.

The Secretary or his/her designee shall give or cause public notice to be given of each special meeting. Special notice of each special meeting shall also be given to each Director either by mail, telephone, electronically or in person, at least two (2) hours before the meeting. Notice required by law to be given to any other person or entity shall be given in the manner prescribed by law. Except as otherwise provided by law or unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted



upon at a special meeting. At any meeting at which every Director is present, even though without any notice, any matter pertaining to the purposes of the Corporation may be considered and acted upon, except as otherwise provided by law.

**Section 2.5: Quorum.** A majority of the Directors fixed by these By-Laws shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law. Any member of the Board may request a record vote on any matter to come before the Directors and that record vote will become a part of the minutes.

**Section 2.6: Conduct of Business.** At the meetings of the Board of Directors, matters pertaining to the purposes of the Corporation shall be considered in such order from time to time the Board of Directors may determine.

**Section 2.7: Compensation of Directors.** Compensation of Directors. Directors shall not receive any compensation for their services as Directors except that they shall be reimbursed for their actual expenses incurred in the performance of their official duties.

### **Article III: Officers**

**Section 3.1: Titles and Terms of Office.** The Officers of the Corporation shall be a President, a Vice President, a Secretary, and a Treasurer, and such person may hold more than one office, except the President shall not hold the office of Secretary. Each Officer shall be appointed by a majority vote of the Directors then in office and shall hold office for a term of three (3) years or until his or her successor is elected or appointed.

All Officers shall be subject to removal from office with or without cause at any time by a majority vote of the Directors then in office.

A vacancy in any office shall be filled by appointment by a majority vote of the Directors then in office.

**Section 3.2: President.** The President shall be the Chief Executive Officer of the Corporation, and, subject to the control of the Board of Directors, the President shall be in general charge of the properties and affairs of the Corporation. The President shall preside at all meetings of the Board of Directors in furtherance of the purposes of this Corporation; the President may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, notes and other instruments in the name of the Corporation.

The President shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or matters incidental to the operation and functions of the Board. The President shall have the authority to appoint AD-HOC committees which may address issues of a temporary nature of concern or which have a temporary affect on the business of the Board.

**Section 3.3: Vice President.** The Vice President shall have such powers and duties as may be assigned by the Board of Directors and shall exercise the powers of the President during the President's absence or inability to act. Any action taken by the Vice President in the performance of the duties of the President shall be with conclusive evidence of the absence or inability of the President to act at the time such action was taken.

**Section 3.4: Treasurer.** The Treasurer shall have custody of all the funds and securities of the Corporation that come in to his or her hands. When necessary, or proper, the Treasurer may sign or endorse, on behalf of the Corporation for collection or payment checks, notes and other obligations and shall deposit any funds received to the credit of the Corporation in such bank or banks or depositories as shall be designated by the Board of Directors. Whenever required by the Board of Directors, the Treasurer shall enter or cause to be entered regularly in the books of the corporation to be kept by the Treasurer for that purpose full and accurate amounts of all monies received and paid out on account of the Corporation. The Treasurer shall perform all acts incident to the position of the Treasurer subject to the control of the Board of Directors. The Treasurer, if required by the Board of Directors, shall give such bond for the faithful discharge of his/her duties in such form as the Board of Directors may require.

**Section 3.5: Secretary.** The Secretary shall keep or shall cause to be kept the minutes of all meetings of the Board of Directors, its committees and those of Executive Sessions in books provided for that purpose. The Secretary shall attend to giving and serving notices in furtherance of the corporate purposes. The Secretary may attest or sign with the President, in the Corporation's name, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation. The Secretary shall have charge of the corporate books, records, and all records of the securities of which the Treasurer shall have custody, and such other books and papers as the Board of Directors may direct, all of which shall during business hours be open to inspection at the office of the Corporation; and the Secretary shall in general perform all duties incident to the office of Secretary subject to the control of the Board of Directors.

In the absence of the Secretary, the President may appoint any other person to act as Secretary during such absence.

**Section 3.6: Compensation.** Officers of the Board shall not receive any compensation for their services as Officers except that they may be reimbursed for their actual expenses incurred in the performance of their official duties.

**Section 3.7: Executive Director.** The Board of Directors shall employ the Executive Director. The Executive Director shall report to the President of the Board of Directors, shall serve as the Chief Administrative Officer of the Corporation, and shall oversee all administrative functions of the Corporation. The Executive Director shall develop policies and procedures for the Corporation including financing, accounting, personnel, and purchasing policies and procedures which shall be approved by the Board prior to submission to the City Council for their approval. The Executive Director shall represent the Corporation where and when appropriate or as directed by the Board.

The Executive Director shall implement the current EDC Strategic Plan and shall keep the Board informed of all development and activities concerning business retention, expansion and recruitment efforts.

## **Article IV: Provisions Regarding By-Laws**

**Section 4.1: Effective Date.** These By-Laws shall become effective only upon the occurrence of the following events:

- (1) the adoption of these By-Laws by the Board of Directors; and
- (2) the approval of these By-Laws by the City Council.

**Section 4.2: Amendments to By-Laws.** These By-Laws may be amended at any time and from time to time by majority vote of the Directors then in office, but only with approval of the City Council.

**Section 4.3: Interpretation of By-Laws.** These By-Laws shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these By-Laws, or the application thereof to *a* person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these By-Laws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these By-Laws to any other person or circumstance shall not be affected thereby.

## **Article V: General Provisions**

**Section 5.1: Principle Office.** The current principle office of the Corporation is at 321 Ed Schmidt Boulevard, Suite 200, Hutto, Texas, 78634. The Corporation may relocate such principle office and have such other offices as the Board shall determine.

**Section 5.2: Seal.** The seal of the Corporation shall be as determined by the Board of Directors.

**Section 5.3: Notice and Waiver of Notice.** Whenever any notice whatsoever is required to be given to the Board of Directors under the Act, the Articles of Incorporation or these By-Laws, such notices shall be deemed to be sufficient if given by depositing it for mailing in a post office box in a sealed postpaid wrapper addressed to the person entitled thereto at his or her post office address, as it appears on the books of the Corporation, and such notice shall be deemed given on the day of such mailing.

Attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the sole purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A written waiver of notice, signed by the person or persons entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Neither the business to be transacted nor the purpose of any regular or special meeting of the Board of Directors need be set forth in any notice to a Director of such meeting, unless required by the Board of Directors.

Any notice whatsoever that may be required to be given to the public by law, shall be given in the manner prescribed by law.

**Section 5.4: Resignations.** Any Director or Officer may resign at any time. Any such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the President or the Secretary. Absent a written notice of the resignation, the City Council of the City shall cause a notice of the resignation to be provided. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation. Notwithstanding the effective date, a resigning Director shall serve until such time as her or her successor takes office.

**Section 5.5: Approval of the City Council.** To the extent these By-Laws refer to any approval or action to be taken by the City, such shall be evidenced by a certified copy of a Resolution, Ordinance, Order or Motion duly adopted by the City Council.

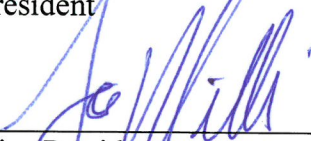
**Section 5.6: Organizational Control.** The City Council may, at its sole discretion and at any time, alter or change the structure, organization or activities of the Corporation (including the termination of the Corporation), subject to the Act and any limitation on the impairment of contracts.

**Section 5.7: Dissolution of the Corporation.** Upon dissolution of the Corporation, title to or other interest in any real or personal property then owned by the Corporation shall vest in the City except and unless as authorized by the City Council.

Adopted and approved this the 18th day of November, 2008

**Board of Directors**

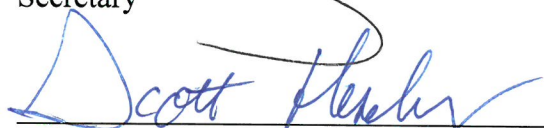
  
\_\_\_\_\_  
President

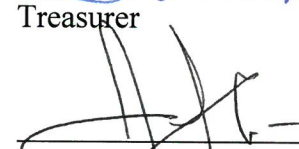
  
\_\_\_\_\_  
Vice President

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
Treasurer

  
\_\_\_\_\_  
Director

**CITY OF HUTTO  
CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 10A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Jessica Bullock

**ITEM:**

An Ordinance of the city council of the City of Hutto, Texas accepting and approving a Service and Assessment Plan and assessment roll for Mustang Creek Public Improvement District; making a finding of special benefit to the property in the District; levying special assessments against property within the District and establishing a lien on such property; providing for the method of assessment and the payment of the special assessments in accordance with Chapter 372, Texas Local Government Code, as amended, providing penalties and interest on delinquent assessments, providing for severability, and providing an effective date

**STRATEGIC GUIDE  
POLICY:**

Well Balanced & Diversified Economy

**ITEM BACKGROUND:**

A Public Improvement District for the Mustang Creek project was created in June 2018. The boundary for that District is proposed to be modified and this item proposes to update the Service and Assessment Plan to reflect those changes.

**BUDGETARY AND FINANCIAL SUMMARY:**

This is a non-recourse bond that will finance the development of the project.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

Not applicable

**CITY ATTORNEY REVIEW:**

The City Attorney has reviewed these documents.



**STAFF RECOMMENDATION:**

Not applicable

**SUPPORTING MATERIAL:**

1. Ordinance
2. Service and Assessment Plan

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |

**ORDINANCE NO. O-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS ACCEPTING AND APPROVING A SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR MUSTANG CREEK PUBLIC IMPROVEMENT DISTRICT; MAKING A FINDING OF SPECIAL BENEFIT TO THE PROPERTY IN THE DISTRICT; LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE DISTRICT AND ESTABLISHING A LIEN ON SUCH PROPERTY; PROVIDING FOR THE METHOD OF ASSESSMENT AND THE PAYMENT OF THE SPECIAL ASSESSMENTS IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, PROVIDING PENALTIES AND INTEREST ON DELINQUENT ASSESSMENTS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a petition for the creation of a Public Improvement District was submitted and filed with the City Secretary (the "City Secretary") of the City of Hutto, Texas (the "City") pursuant to the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code, as amended (the "PID Act"), requesting the creation of a public improvement district in the corporate limits of the City; and

**WHEREAS**, the petition contained the signatures of the owners of taxable property representing more than fifty percent of the appraised value of taxable real property liable for assessment within the District, as determined by the then current ad valorem tax rolls of Williamson Central Appraisal District and the signatures of the property owners who own taxable real property that constitutes more than fifty percent of the area of all taxable property within the District that is liable for assessment; and

**WHEREAS**, on June 7, 2018, after due notice, the City Council of the City (the "City Council") held a public hearing in the manner required by law on the advisability of the public improvements and services described in the petition as required by Section 372.009 of the PID Act and on June 7, 2018 made the findings required by Section 372.009(b) of the PID Act and, by Resolution No. R-18-06-07-9C (the "Authorization Resolution") adopted by a majority of the members of the City Council, authorized and created the Mustang Creek Public Improvement District (the "District") in accordance with its finding as to the advisability of the Authorized Improvements; and

**WHEREAS**, the City published the Authorization Resolution as required by law; and

**WHEREAS**, no written protests regarding the creation of the District from any owners of record of property within the District were filed with the City Secretary; and

**WHEREAS**, on June 20, 2019, the City Council adopted Resolution No. R-19-06-20-\_\_ (the "Amending Resolution"), which amended the Authorization Resolution to correct the property description of the District, and

**WHEREAS**, the City will publish Amending Resolution as required by law; and

**WHEREAS**, on \_\_\_\_\_, 2019, the City Secretary filed the Assessment Roll (defined below) and made the same available for public inspection; and

**WHEREAS**, the City Secretary, pursuant to Section 372.016(b) of the PID Act, published notice of the Levy and Assessment Hearing in a newspaper of general circulation in the City; and

**WHEREAS**, the City Secretary, pursuant to Section 372.016(c) of the PID Act, mailed the notice of the Levy and Assessment Hearing to the last known address of the owners of the property liable for the Special Assessments; and

**WHEREAS**, the City Council convened the Levy and Assessment Hearing on June 20, 2019 at which all persons

who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Assessment Roll, and the proposed Special Assessments, and to offer testimony pertinent to any issue presented on the amount of the Special Assessments, the allocation of the costs of the Authorized Improvements to be undertaken for the benefit of all property to be assessed within the District, the purposes of the Special Assessments, the special benefits of the Special Assessments, and the penalties and interest on annual installments and on delinquent annual installments of the Special Assessments; and

**WHEREAS**, the City Council finds and determines that the Assessment Roll and the Mustang Creek Public Improvement District Service and Assessment Plan, dated June 20, 2019, in a form substantially similar to Exhibit A attached hereto (the “Service and Assessment Plan”), shall be approved by the City Manager and the City’s attorney prior to execution, and which is incorporated herein for all purposes, should be approved and that the Special Assessments should be levied as provided in this Ordinance, the Service and Assessment Plan, and the Assessment Roll attached thereto as Appendix A (the “Assessment Roll”); and

**WHEREAS**, the City Council further finds that there were no written objections or evidence submitted to the City Secretary in opposition to the Service and Assessment Plan, the allocation of the costs of the Authorized Improvements as described in the Service and Assessment Plan, the Assessment Roll, and the levy of the Special Assessments; and

**WHEREAS**, in connection with the levy the Special Assessments, the owners (the “Landowners” or the “Assessed Parties”), or their representatives, of the majority of the privately-owned and taxable property located within the District, and who are the persons to be assessed pursuant to this Ordinance, appeared at the public hearing and accepted the Service and Assessment Plan, approved the Assessment Roll, approved this Ordinance, approved the levy of the Special Assessments against their property located within District, agreed to pay the Special Assessments when due and payable, and requested that the City file the Service and Assessment Plan and/or the assessment roll with the real property records of Williamson County; and

**WHEREAS**, the City Council closed the hearing, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the City, determined to proceed with the adoption of this Ordinance in conformity with the requirements of the PID Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**Section 1. Terms.**

Terms not otherwise defined herein are defined in the Service and Assessment Plan.

**Section 2. Findings.**

The findings and determinations set forth in the preambles hereof are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section. The City Council hereby finds, determines, and ordains, as follows:

- (a) The apportionment of the costs of the Authorized Improvements (as reflected in the Service and Assessment Plan, and the Administrative Expenses pursuant to the Service and Assessment Plan) is fair and reasonable, reflects an accurate presentation of the special benefit each Assessed Property will receive from the construction of the Authorized Improvements identified in the Service and Assessment Plan, and is hereby approved;
- (b) The Service and Assessment Plan covers a period of at least five years and defines the annual indebtedness and projected costs for the Authorized Improvements;

- (c) The Service and Assessment Plan apportions the costs of Authorized Improvements to be assessed against the property in the District and such apportionment is made on the basis of special benefits accruing to the property because of the Authorized Improvements;
- (d) All of the real property in the District which is being assessed in the amounts shown in the Assessment Roll will be benefited by the Authorized Improvements proposed to be constructed as described in the Service and Assessment Plan, and each Assessed Property will receive special benefits in each year equal to or greater than each annual Special Assessment and will receive special benefits during the term of the Special Assessments equal to or greater than the total amount assessed;
- (e) The method of apportionment of the costs of the Authorized Improvements, including the allocation of the costs thereof to the District, and the Administrative Expenses set forth in the Service and Assessment Plan, results in imposing equal shares of the costs of the Authorized Improvements and Administrative Expenses on property similarly benefited, and results in a reasonable classification and formula for the apportionment of such costs;
- (f) The Service and Assessment Plan should be approved as the service plan and assessment plan for the District as described in Sections 372.013 and 372.014 of the PID Act;
- (g) The Assessment Roll should be approved as the Assessment Roll for the District;
- (h) The provisions of the Service and Assessment Plan relating to due and delinquency dates for the Special Assessments, interest on Annual Installments, interest and penalties on delinquent Special Assessments and delinquent Annual Installments, and procedures in connection with the imposition and collection of Special Assessments should be approved and will expedite collection of the Special Assessments in a timely manner in order to provide the services and improvements needed and required for the District; and
- (i) A 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 for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered, and formally acted upon.

### **Section 3. Service and Assessment Plan.**

The Service and Assessment Plan is hereby accepted and approved pursuant to Sections 372.013 and 372.014 of the PID Act as the service plan and the assessment plan for the District.

### **Section 4. Assessment Roll.**

The Assessment Roll is hereby accepted and approved pursuant to Section 372.016 of the PID Act as the Assessment Roll of the District.

### **Section 5. Levy and Payment of Special Assessments for Costs of the Authorized Improvements.**

- (a) The City hereby levies an assessment on each Parcel of property (excluding Non-Benefitted Property) located within the District, as shown and described in the Service and Assessment Plan and the Assessment Roll, in the respective amounts shown on the Assessment Roll as a special assessment on the properties set forth in the Assessment Roll.

- (b) The levy of the Special Assessments shall be effective on the date of execution of this Ordinance levying Special Assessments and strictly in accordance with the terms of the Service and Assessment Plan and the PID Act.
- (c) The collection of the Special Assessments shall be as described in the Service and Assessment Plan and the PID Act.
- (d) Each Special Assessment may be paid in a lump sum at any time or may be paid in Annual Installments pursuant to the terms of the Service and Assessment Plan.
- (e) Each Special Assessment shall bear interest at the rate or rates specified in the Service and Assessment Plan.
- (f) Each Annual Installment shall be collected each year in the manner set forth in the Service and Assessment Plan.
- (g) The Administrative Expenses for Assessed Property shall be calculated pursuant to the terms of the Service and Assessment Plan.

**Section 6. Method of Assessment.**

The method of apportioning the costs of the Authorized Improvements and the allocation of such costs to the District and the Administrative Expenses are set forth in the Service and Assessment Plan.

**Section 7. Penalties and Interest on Delinquent Special Assessments.**

Delinquent Special Assessments shall be subject to the penalties, interest, procedures, and foreclosure sales set forth in the Service and Assessment Plan and as allowed by law.

**Section 8. Prepayments of Special Assessments.**

As provided in the Service and Assessment Plan, the owner of any Assessed Property may prepay the Special Assessments levied by this Ordinance.

**Section 9. Lien Priority.**

The City Council and the Landowners intend for the obligations, covenants, and burdens on the landowners of Assessed Property, including without limitation such Landowner's obligations related to payment of the Special Assessments and the Annual Installments thereof, to constitute covenants that shall run with the land. The Special Assessments and the Annual Installments thereof that are levied hereby shall be binding upon the Assessed Parties, as the owners of Assessed Property, and their respective transferees, legal representatives, heirs, devisees, successors, and assigns in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. Special Assessments shall have lien priority as specified in the Service and Assessment Plan and the PID Act.

**Section 10. Appointment of Administrator and Collector of Assessments.**

- (a) Appointment of Administrator.  
The City will appoint and designate an initial Administrator of the Service and Assessment Plan and of Special Assessments levied by this Ordinance. The Administrator shall perform the duties of the



Administrator described in the Service and Assessment Plan and in this Ordinance. The Administrator's and City related staff time, fees, charges, and expenses for providing such service shall constitute an Administrative Expense.

(b) Appointment of Temporary Collector.

The City Administrator is hereby appointed and designated as the temporary collector of the Special Assessments (the "Collector"). The Collector shall serve in such capacity until such time as the City shall arrange for the Collector's duties to be performed by the Williamson County Tax Assessor and Collector, or another qualified collection agent selected by the City.

**Section 11. Applicability of Tax Code.**

To the extent not inconsistent with this Ordinance, and not inconsistent with the PID Act or the other laws governing public improvement districts, the provisions of the Texas Tax Code shall be applicable to the imposition and collection of Special Assessments by the City.

**Section 12. Filing in Land Records.**

The City Secretary is directed to cause a copy of this Ordinance, including the Service and Assessment Plan, to be recorded in the real property records of Williamson County. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City.

**Section 13. Severability.**

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

**Section 14. Effective Date.**

This Ordinance shall take effect, and the levy of the Special Assessments, and the provisions and terms of the Service and Assessment Plan shall be and become effective upon passage and execution hereof.

**Section 16. Publication.**

This Ordinance or the caption shall be published on two days and become effective in accordance with the laws of the State of Texas on the date of the last publication.

**READ, CONSIDERED, PASSED, AND ADOPTED** on first reading by the City Council of the City of Hutto at a regular meeting on the 20th day of June, 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.00, et seq., of the Texas Government Code.

**READ, CONSIDERED, PASSED, AND ADOPTED** on second and final reading by the City Council of the City of Hutto at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2019, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et seq., of the Texas Government Code.

**THE CITY OF HUTTO, TEXAS**

---

Doug Gaul, Mayor

Attest:

---

Lacie Hale, City Secretary

(SEAL)

**EXHIBIT A**

**Service and Assessment Plan**



# Mustang Creek Public Improvement District

Preliminary Service and Assessment Plan

June 20, 2019

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## SECTION I – PLAN DESCRIPTION AND DEFINED TERMS

### SECTION I

#### PLAN DESCRIPTION AND DEFINED TERMS

##### A. Introduction

On June 7<sup>th</sup>, 2018 (the “**Creation Date**”), the City Council of the City of Hutto (“the City Council”) approved a Resolution which authorized the creation of the Mustang Creek Public Improvement District (the “**PID**”) to purchase the Authorized Improvements Costs (as defined below) for the benefit of certain property in the PID, all of which is located within the City of Hutto, Texas (the “**City**”).

Chapter 372 of the Texas Local Government Code (as amended, the “**PID Act**”) governs the creation of public improvement districts within cities and counties within the State of Texas. This Service and Assessment Plan (the “**SAP**”) was prepared pursuant to the PID Act. The PID Act requires that a service plan “cover a period of at least five years and ... define the annual indebtedness and the projected costs for improvements.” It also requires the plan “be reviewed and updated annually for the purpose of determining the annual budget for improvements.” The service plan for the PID is described in more detail in **Section V** herein.

The Assessment Roll for the PID is attached hereto as **Appendix A**, and is addressed in **Section IV** of this SAP. The Special Assessments as shown on the Assessment Roll are based on the method for establishing and levying the Special Assessment described in **Sections IV** and **VI** of this SAP.

##### B. Definitions

Capitalized terms shall have the meanings ascribed to them as follows:

“**Administrative Expenses**” means the administrative, organization, maintenance and operation costs and expenses associated with, or incident to, the administration, organization, maintenance and operation of the PID, including, but not limited to, the costs of (i) legal counsel, the Trustee, engineers, accountants, financial advisors, investment bankers or other consultants and advisors, (ii) creating and organizing the PID and preparing the Assessment Roll, (iii) computing, levying, collecting and transmitting the Special Assessments or the installments thereof, (iv) maintaining the record of installments, payments and reallocations and/or cancellations of the Special Assessments, (v) investing or depositing the Special Assessments or other monies, and (vi) administering the construction of the Authorized Improvements.

“**Administrator**” means an employee of the City or third party designee of the City who shall have the responsibilities provided for herein or in any other agreement approved by the City Council. The City has initially retained DPFG, Inc. to be the Administrator.

## SECTION I – PLAN DESCRIPTION AND DEFINED TERMS

**“Annual Installments”** means, with respect to each Assessed Property, each annual payment of: (i) the Special Assessment (including the principal of and interest on), as shown on the Assessment Roll attached hereto as **Appendix A**, as applicable, or in an Annual Service Plan Update, and calculated as provided in **Section VI** of this SAP and (ii) Administrative Expenses.

**“Annual Service Plan Update”** has the meaning set forth in **Section V** of this SAP.

**“Assessed Property”** means property on which Special Assessments have been levied as shown on the Assessment Roll (as the same may be updated each year by the Annual Service Plan Update) and which includes any and all Parcels within the PID other than Non-Benefited Property.

**“Assessment Order”** means each order adopted by the City Council approving this SAP (or amendments or supplements to the SAP) and levying the Special Assessments.

**“Assessment Roll”** means, as applicable, the Assessment Roll included in this SAP as **Appendix A**, which may be updated, or modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including updates prepared in connection with any Annual Service Plan Update.

**“Authorized Improvements”** means those improvements authorized under Section 372.003 of the PID Act.

**“Authorized Improvements Cost”** means the actual costs of design, engineering, construction, acquisition, and inspection of the Authorized Improvements and all costs related in any manner to the Authorized Improvements including (i) the costs of creating the PID, (ii) the costs incurred for the design, planning, financing, administration/ management, acquisition, installation, construction and/or implementation of such Authorized Improvement, (iii) the costs incurred in preparing the construction plans for such Authorized Improvement, (iv) the fees paid for obtaining permits, licenses or other governmental approvals for such Authorized Improvement, (v) the project management costs, (vi) the costs incurred for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, appraisals, legal, accounting and similar professional services related to the Authorized Improvement, (vii) the costs of all labor, bonds and materials, including equipment and fixtures, incurred by contractors, builders and materialmen in connection with the acquisition, construction or implementation of the Authorized Improvement, (viii) the costs of all permitting, zoning and authorized approval expenses, architectural, engineering, legal and consulting fees, financing charges, taxes, governmental fees and charges, insurance premiums, and miscellaneous expenses related to the Authorized Improvement, but excluding oversizing costs.

**“Budgeted Cost”** means with respect to any given Authorized Improvement, the estimated cost of such Authorized Improvement as set forth in **Section III** herein.

## SECTION I – PLAN DESCRIPTION AND DEFINED TERMS

**“City”** means the City of Hutto, Texas.

**“City Council”** means the City Council of Hutto, Texas.

**“City and Corporation Interlocal Agreement”** means the interlocal agreement between the City and the LGC to administer the PID and providing for the installment purchase by the City from the LGC of the Authorized Improvements to be funded by the Special Assessment Revenues.

**“County”** means Williamson County, Texas.

**“Delinquent Collection Costs”** mean interest, penalties, and expenses incurred or imposed with respect to any delinquent installment of a Special Assessment, or an Annual Installment thereof, in accordance with the PID Act, including the costs related to pursuing collection of such delinquent Special Assessment, or an Annual Installment thereof, and the costs related to foreclosing the lien against the Assessed Property, including attorney’s fees.

**“Developer”** means Hutto 1660, LP, their successors and assignees.

**“LGC”** means the local government corporation created by the City pursuant to Chapter 431, Texas Transportation Code, as amended, for the purpose of administering the PID and to provide for the installment purchase of the Authorized Improvements, among other purposes.

**“Lot”** means (i) for any portion of the Property for which a subdivision plat has been recorded in the official public records of the County, a tract of land described as a “lot” in such subdivision plat, and (ii) for any portion of the Property for which a subdivision plat has not been recorded in the official public records of the County, a tract of land anticipated to be described as a “lot” in a final recorded subdivision plat.

**“Lot Type”** means a classification of final building Lots with similar characteristics (e.g. commercial, light industrial, multi-family, single family residential, etc.), as determined by the Administrator and confirmed by the City Council.

**“Lot Type 1”** means a Lot marketed by the Developer as 50’ lots.

**“Mandatory Prepayment”** has the meaning set forth in **Section VI.C** of this SAP.

**“Non-Benefited Property”** means Parcels within the boundaries of the PID that accrue no special benefit from the Authorized Improvements, including Owner Association Property, Public Property, and easements that create an exclusive use for a public utility provider. Property may be identified as Non-Benefited Property at the time the Special Assessments (i) are levied or (ii) are reallocated pursuant to a subdivision of a Parcel. Assessed Property converted to Non-Benefited Property, if the Special Assessments may not be reallocated pursuant to **Section VI.B**, remains subject to the Special Assessments and requires the Special Assessments to be prepaid as provided for in **Section VI.C**.

## SECTION I – PLAN DESCRIPTION AND DEFINED TERMS

**“Owner’s Association”** means a homeowner’s association or property owner’s association.

**“Owner’s Association Property”** means property within the boundaries of the PID that is owned by or irrevocably offered for dedication to, whether in fee simple or through an exclusive use easement, an Owner’s Association established for the benefit of a group of homeowners or property owners within the PID.

**“Parcel”** means a property identified by either a tax map identification number assigned by the Williamson Central Appraisal District for real property tax purposes, by metes and bounds description, by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the County.

**“PID”** means the Mustang Creek Public Improvement District created by the City pursuant to a Resolution approved June 7th, 2018.

**“PID Act”** means Chapter 372 of the Texas Local Government Code, as amended.

**“Property”** means the approximately 169.99 acres of property depicted and described by metes and bounds on Exhibit A to Resolution as adopted by the City June 7th, 2018.

**“Public Property”** means property, real property, right of way, and easements located within the boundaries of the PID that is owned by or irrevocably offered for dedication to the federal government, the State of Texas, the City, a county, a school district, a public utility provider, or any other political subdivision or public agency, whether in fee simple, through an exclusive use easement, plat, or a public utility easement.

**“Service and Assessment Plan”** or **“SAP”** or **“Assessment Plan”** means this Mustang Creek Public Improvement District Service and Assessment Plan (as such plan is amended and updated from time to time) adopted by the City in the first Assessment Order.

**“Special Assessment”** means the assessment(s) levied against a Parcel or Lot imposed pursuant to the Assessment Order and the provisions herein, as shown on the Assessment Roll, subject to reallocation upon the subdivision of such Parcel or Lot created by such subdivision or reduction according to the provisions hereof and the PID Act.

## SECTION II –PROPERTY INCLUDED IN THE PID

### Section II

#### PROPERTY INCLUDED IN THE PID

##### A. Property Included in the PID

The PID comprises the entire Property. The PID is located entirely within the City. It contains approximately 169.99 acres planned for residential development including the associated rights of way, landscaping, and infrastructure necessary to provide roadways and water and wastewater utilities to the Property. A map of the property within the PID is shown in **Table II**. Legal descriptions for the Property within the PID are included in **Appendix B**.

**TABLE II**  
**Public Improvement District Boundaries**





## SECTION III –DESCRIPTION OF THE AUTHORIZED IMPROVEMENTS

### Section III

#### DESCRIPTION OF THE AUTHORIZED IMPROVEMENTS

##### A. Authorized Improvement Overview

Section 372.003 of the PID Act identifies the authorized improvements that the City may choose to purchase and finance with the establishment of a PID. The Authorized Improvements identified in the PID Act include:

- (i) landscaping;
- (ii) erection of fountains, distinctive lighting, and signs;
- (iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of way;
- (iv) construction or improvement of pedestrian mall;
- (v) acquisition and installment of pieces of art;
- (vi) acquisition, construction or improvement of libraries;
- (vii) acquisition, construction or improvement of off-street parking facilities;
- (viii) acquisition, construction, improvement or rerouting of mass transportation facilities;
- (ix) acquisition, construction or improvement of water, wastewater, or drainage facilities or improvements;
- (x) the establishment or improvement of parks;
- (xi) projects similar to those listed in Subdivisions (i)-(x)
- (xii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;
- (xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation and cultural enhancement;
- (xiv) the development, rehabilitation, or expansion of affordable housing; and,
- (xv) the payment of expenses incurred in the establishment, administration and operation of the district.

The City has determined that of the improvements authorized under the PID Act, it will purchase only those Authorized Improvements more particularly described in **Section III.B**. Any change to the list of Authorized Improvements will require the approval of the City.

## SECTION III –DESCRIPTION OF THE AUTHORIZED IMPROVEMENTS

### **B. Descriptions and Estimated Costs of Improvements**

The Authorized Improvements are described below and the costs of such improvements are shown in **Table III**. The Budgeted Cost of the Authorized Improvements is \$9,300,000. The Special Assessments will only be used to purchase Authorized Improvements that benefit the Assessed Property. The costs shown in **Table III** may be revised through Annual Service Plan Updates.

The Authorized Improvements Costs of the Authorized Improvements are to be funded from the Special Assessment reimbursements as described herein.

A description of the Authorized Improvements follows:

- **Site Work, Site Grading, and Drainage:** Extensive grading and site balancing along with in-line detention designs will be implemented to reclaim considerable amounts of land inside the development. Due to the soil conditions in the area, the residential pad sites will also be moisture conditioned to provide increased stabilization and improved compaction conditions for residence foundations. The site also contains over 6,500' linear feet of underground storm drain ranging from 18" to 48" in diameter. The combined drainage system allows the subdivision to maximize the land usage within the development and provide an oversized stormwater system to efficiently, effectively and safely remove the storm water from the subdivision all while maintaining the current storm water levels required as the water exits the site.
- **Neighborhood Streets:** 18,129 linear feet of residential local (30' width) and collector streets (44' width) utilizing a total of 23.18 acres will be created throughout the subdivision to provide improved access within the subdivision as well as to FM1660 and future CR118 roadways.
- **Water:** Water provided by Jonah Special Utility District is available in the right of way of FM1660. Mustang Creek has negotiated with Jonah Special Utility District to secure water availability to all phases of the development. A new 17,000 linear feet of water service lines will be installed throughout the subdivision to provide domestic water services to each residence as well as new fire services throughout the subdivision including 30 new fire hydrants.
- **Wastewater:** A new wastewater lift station will be constructed on .27 acres in the southeastern corner of the property and will serve the entire subdivision. The system includes the associated dedicated land along with 7,000 linear feet of force mains, over 17,000 linear feet of gravity lines and new easement dedications for future expansions.

### SECTION III –DESCRIPTION OF THE AUTHORIZED IMPROVEMENTS

- **Erosion and Sedimentation Control:** The erosion and sediment improvements consist of silt barriers and other methods to best stabilize the improvements being constructed.
- **Engineering and Planning Costs:** Engineering fees and other expenses associated with the Authorized Improvements described above.
- **Parks and Open Space:** A large open space (approximately 49 acres) of riparian zone natural area, meadows, and play field to be dedicated to the City to provide run and play areas and walkable access to future school, church and commercial developments on the north end of the subdivision. An additional .29-acre amenity center lot will be near the entry of the subdivision and enhanced with playground equipment for neighborhood use.

| Table III<br>Authorized Improvements                                                                                                                                                                                                                      |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Description                                                                                                                                                                                                                                               | Costs               |
| <i>Authorized Improvements</i>                                                                                                                                                                                                                            |                     |
| Site Work, Site Grading, and Drainage                                                                                                                                                                                                                     | \$ 1,131,103        |
| Neighborhood Streets                                                                                                                                                                                                                                      | 885,847             |
| Water                                                                                                                                                                                                                                                     | 1,348,481           |
| Wastewater                                                                                                                                                                                                                                                | 1,022,486           |
| Erosion and Sedimentation Control                                                                                                                                                                                                                         | 32,223              |
| Engineering and Planning Costs                                                                                                                                                                                                                            | 2,071,190           |
| Parks and Open Space                                                                                                                                                                                                                                      | 2,808,670           |
| <b>Total Authorized Improvements</b>                                                                                                                                                                                                                      | <b>\$ 9,300,000</b> |
| <b>Source: Developer</b>                                                                                                                                                                                                                                  |                     |
| <b>Note: The figures shown in Table III and the Budgeted Costs for the Authorized Improvements may be revised in Annual Service Plan Updates, and may be reallocated between line items so long as the Authorized Improvements total does not change.</b> |                     |

**Section IV**  
**ASSESSMENT PLAN**

**A. Introduction**

The PID Act requires the City Council to apportion the cost of the Authorized Improvements based on the special benefits conferred to each lot or parcel by the Authorized Improvements. The PID Act provides that the Special Assessments and the costs of the Authorized Improvements may be allocated: (i) equally per front foot or square foot; (ii) according to the value of the property as determined by the governing body, with or without regard to improvements on the property; or (iii) in any other manner that results in imposing equal shares of the cost on property similarly benefited. The PID Act further provides that the City Council may establish the methods of assessing the special benefits for various classes of improvements. **Table IV-A** details the estimated allocation of costs of the Authorized Improvements between the Assessed Property and Non-Benefited Property.

This section of this SAP is intended to describe the special benefit conferred to each Parcel within the PID as a result of the Authorized Improvements, to provide the basis and justification for the determination that this special benefit exceeds the amount of the Special Assessments, and to explain the methodologies by which the City Council allocates and reallocates the special benefit for Authorized Improvements to Parcels and Lots so that there is an equal share of the cost of the Authorized Improvements and Special Assessments being apportioned to Parcels and Lots similarly benefited. The determination by the City Council of the assessment methodology set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Developer and all future owners of any Assessed Property.

**B. Special Benefit**

The Assessed Property must receive a direct and special benefit from the Authorized Improvements, which must be equal to or greater than the amount of the Special Assessments. The Authorized Improvements are provided for the benefit of the Assessed Property.

When the City Council approved this SAP, the Developer owned 100% of the Assessed Property. The Developer has acknowledged that the Authorized Improvements confer a special benefit on the Assessed Property and consented to the imposition of the Special Assessments to pay for the Authorized Improvements Cost associated therewith. The Developer has ratified, confirmed, accepted, agreed to and approved: (i) the determinations and findings by the City Council as to the special benefits described herein and the Assessment Order; (ii) the SAP and the Assessment Order, and (iii) the levying of Special Assessments on the Assessed Property.

## SECTION IV- ASSESSMENT PLAN

The City Council determined that funding the Authorized Improvements Cost for the Authorized Improvements through the PID is beneficial to the City. Accordingly, these Authorized Improvements confer a special benefit to the Assessed Property, and such special benefit exceeds the amount of the Special Assessment levied on the Assessed Property. This conclusion is supported by the evidence, information, and testimony provided to the City.

### C. Allocation of Authorized Improvements Costs

The Authorized Improvements will provide a special benefit only to the Assessed Property. The Budgeted Cost of the Authorized Improvements is, therefore, allocated entirely to Assessed Property, as shown in **Table IV-A**. The Budgeted Costs detailed in **Table IV-A** for the Authorized Improvements are subject to revision through the Annual Service Plan Updates, but may not result in increased Special Assessments except as authorized under this SAP or the PID Act.

| <b>Table IV-A</b>                                                                                        |                     |                         |
|----------------------------------------------------------------------------------------------------------|---------------------|-------------------------|
| <b>Allocation of Authorized Improvements to Assessed Property</b>                                        |                     |                         |
| <b>Authorized Improvements</b>                                                                           | <b>Total Cost</b>   | <b>% Allocation [a]</b> |
| Site Work, Site Grading, and Drainage                                                                    | \$ 1,131,103        | 100%                    |
| Neighborhood Streets                                                                                     | 885,847             | 100%                    |
| Water                                                                                                    | 1,348,481           | 100%                    |
| Wastewater                                                                                               | 1,022,486           | 100%                    |
| Erosion and Sedimentation Control                                                                        | 32,223              | 100%                    |
| Engineering and Planning Costs                                                                           | 2,071,190           | 100%                    |
| Parks and Open Space                                                                                     | 2,808,670           | 100%                    |
| <b>Total Authorized Improvements</b>                                                                     | <b>\$ 9,300,000</b> | <b>100%</b>             |
| [a] 100% of the Budgeted Costs for the Authorized Improvements are being allocated to Assessed Property. |                     |                         |

### D. Special Assessment Methodology

The City Council may assess all or a portion of the Budgeted Cost of the Authorized Improvements against the Assessed Property so long as the special benefit conferred upon the Assessed Property by the Authorized Improvements equals or exceeds the amount of the Special Assessments. All or a portion of the Budgeted Cost of the Authorized Improvements may be assessed using any methodology that results in the imposition of equal shares of costs on Assessed Property similarly benefited.

## SECTION IV- ASSESSMENT PLAN

For purpose of the Assessment Plan, the City Council has determined that the Budgeted Costs associated with the Authorized Improvements shall be allocated on the basis of estimated buildout value. The Budgeted Costs associated with the Authorized Improvements shall be allocated to the Assessed Property by spreading the entire Special Assessment across all benefitting Parcels and Lots within the PID based on the ratio of the estimated buildout value of such Parcel or Lot to the estimated buildout value for all Assessed Property within the PID. The results of this allocation methodology are presented in **Table IV-B**.

Based on the Budgeted Costs for the Authorized Improvements, the City Council has determined that the benefit to the Assessed Property from the Authorized Improvements is at least equal to the Special Assessments levied on the Assessed Property as subdivided into individual Parcels or Lots.

| Table IV-B<br>Special Assessment Allocation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |                                                |                                 |                             |                                  |                                   |                                              |                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------------------------------------------|---------------------------------|-----------------------------|----------------------------------|-----------------------------------|----------------------------------------------|------------------------------------------|
| Lot Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Units/ SF  | % Allocation of<br>Total Special<br>Assessment | Buildout Value<br>at Completion | Total Special<br>Assessment | Average<br>Annual<br>Installment | Special<br>Assessment<br>Per Unit | Average<br>Annual<br>Installment Per<br>Unit | Equivalent<br>Tax Rate (per<br>\$100/AV) |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 506        | 100.00%                                        | \$ 133,657,376                  | \$ 9,300,000                | \$ 710,154                       | \$ 18,379                         | \$ 1,403                                     | \$ 0.53                                  |
| <b>Total</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>506</b> | <b>100.00%</b>                                 | <b>\$ 133,657,376</b>           | <b>\$ 9,300,000</b>         | <b>\$ 710,154</b>                | <b>\$ 18,379</b>                  | <b>\$ 1,403</b>                              | <b>\$ 0.53</b>                           |
| Note: Although the actual unit counts and buildout value may vary from the allocations shown above, the initial assessment allocation for each Unit will not change unless modified in a Service Plan Update approved by the City Council, subject to the terms of this SAP, the PID Act, the City and Corporation Interlocal Agreement and any other documents associated with the creation of the PID. The above estimate assumes a 5.75% interest rate, a 35 year term for the PID, and initial Administrative Expenses of \$40,850. |            |                                                |                                 |                             |                                  |                                   |                                              |                                          |

### **E. Special Assessment and Annual Installments**

The Special Assessments for the PID will be levied on each Parcel and Lot according to the Assessment Roll. The Annual Installments for the PID will be collected on the dates and in the amounts shown on the Assessment Roll, subject to any revisions made during an Annual Service Plan Update.

### **F. Administrative Expenses**

The cost of administering the PID and collecting the Annual Installments shall be paid for on a pro rata basis by each Lot based on the amount of outstanding assessment remaining on the Lot. The Administrative Expenses shall be collected as part of and in the same manner as the Annual Installments in the amounts shown on the Assessment Roll shown on **Appendix A**, which are subject to revision through Annual Service Plan Updates.



## Section V

## SERVICE PLAN

The PID Act requires the SAP (i) cover a period of at least five years, and (ii) define the annual projected costs for the Authorized Improvements undertaken within the PID during the five year period. It is anticipated that it will take approximately 12 months for the Authorized Improvements to be constructed and purchased by the City.

The Budgeted Cost of the Authorized Improvements and payment of expenses incurred in the establishment, administration and operation of the PID is \$9,300,000 as shown in **Table V-A**. The SAP shall be reviewed and updated at least annually for purposes of determining the annual budget for Administrative Expenses, updating the Budgeted Costs of the Authorized Improvements, and updating the Assessment Roll shown on **Appendix A**. Any update to this SAP herein is referred to as an “**Annual Service Plan Update**.”

**Table V-A** summarizes the funds required to purchase the Authorized Improvements, and establish the PID. The funds shown in **Table V-A** shall be updated each year in the Annual Service Plan Update to reflect any revisions to the Budgeted Cost and/or Authorized Improvements Costs, if any.

| <b>Table V-A</b>                                     |                     |
|------------------------------------------------------|---------------------|
| <b>Sources and Uses of Funds</b>                     |                     |
| <b>Sources of Funds</b>                              |                     |
| Special Assessment                                   | \$ 9,300,000        |
| Owner Contribution                                   | -                   |
|                                                      | <b>\$ 9,300,000</b> |
| <b>Uses of Funds</b>                                 |                     |
| Authorized Improvements (a)                          | <b>\$ 9,300,000</b> |
| <b>(a) See Table III and Table IV-A for details.</b> |                     |

## SECTION V SERVICE PLAN

The Annual Installments for the first five years after the approval of this SAP are presented in **Table V-B**. The Annual Installments are subject to revision and shall be updated in the Annual Service Plan Update to reflect any change expected for each year.

| <b>Table V-B<br/>Projected Annual Installments</b>                                                                                                                                                                                                                                                                       |                               |                         |                                    |                                    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------|------------------------------------|------------------------------------|--|
| <b>Year</b>                                                                                                                                                                                                                                                                                                              | <b>Principal<br/>Payments</b> | <b>Interest Expense</b> | <b>Administrative<br/>Expenses</b> | <b>Annual PID<br/>Installments</b> |  |
| 2020                                                                                                                                                                                                                                                                                                                     | \$ 100,000                    | \$ 534,750              | \$ 40,850                          | \$ 675,600                         |  |
| 2021                                                                                                                                                                                                                                                                                                                     | 100,000                       | 529,000                 | 41,581                             | 670,581                            |  |
| 2022                                                                                                                                                                                                                                                                                                                     | 100,000                       | 523,250                 | 42,328                             | 665,578                            |  |
| 2023                                                                                                                                                                                                                                                                                                                     | 100,000                       | 517,500                 | 43,090                             | 660,590                            |  |
| 2024                                                                                                                                                                                                                                                                                                                     | 100,000                       | 511,750                 | 43,867                             | 655,617                            |  |
| <b>Total</b>                                                                                                                                                                                                                                                                                                             | <b>\$ 500,000</b>             | <b>\$ 2,616,250</b>     | <b>\$ 211,716</b>                  | <b>\$ 3,327,966</b>                |  |
| <b>Note: The Projected Annual Installments are the expenditures associated with the formation of the PID, the costs of formation and repayment of the PID Special Assessments as well as the administration of the PID. The estimates are based on a 35 year term for the PID and as assumed interest rate of 5.75%.</b> |                               |                         |                                    |                                    |  |

## SECTION VI TERMS OF THE SPECIAL ASSESSMENTS

### Section VI

#### TERMS OF THE SPECIAL ASSESSMENTS

##### A. Amount of Special Assessments and Annual Installments for Parcels

The Special Assessments and Annual Installments for each Assessed Property are shown on the Assessment Roll in **Appendix A-1**. The Special Assessments and Annual Installments shall not be changed except as authorized under the terms of this SAP and the PID Act. The Annual Installments shall be collected in an amount sufficient to cover the Administrative Expenses.

##### B. Reallocation of Special Assessments for Parcels

###### 1. *Upon Division Prior to Recording of Subdivision Plat*

Upon the division of any Assessed Property (without the recording of a subdivision plat), the Administrator shall reallocate the Special Assessment for the Assessed Property prior to the division among the newly divided Assessed Properties according to the following formula:

$$A = B \times (C / D)$$

“A” means the Special Assessment for a Parcel or Lot created by a subdivision plat.

“B” means the Special Assessment for the subdivided Parcel or Lot prior to division.

“C” means the Special Assessment for the Lot Type applicable to a Parcel or Lot created by a subdivision plat determined by reference to **Table IV-B**.

“D” means the sum of the Special Assessments for all Assessed Property created by a subdivision plat based on the Lot Type applicable to each Parcel or Lot.

If the resulting Special Assessment for a Parcel or Lot created by a subdivision plat exceeds the Special Assessment for the Lot Type applicable to such Parcel or Lot as shown in **Table IV-B**, the excess amount shall be prepaid as a Mandatory Prepayment as provided under **Section VI.C** herein.

The increase or reallocation of a Special Assessment for an Assessed Parcel that is a homestead under Texas law may not exceed the Special Assessment prior to the increase or reallocation. Any increase or reallocation pursuant to this section shall be reflected in a Service and Assessment Plan Update approved by

## SECTION VI TERMS OF THE SPECIAL ASSESSMENTS

the City. The division herein shall be considered an administrative action that will not require the City to issue notice and hold a public hearing.

### **2. *Upon Subdivision by a Recorded Subdivision Plat***

Once a Lot has a Special Assessment applied to it pursuant to **Section VI.B.1** above, and then proceeds to be subdivided again, the Special Assessments for each affected Lot will be allocated in accordance with the formula set forth in **Section VI.B.1** above. If the resulting Special Assessments for a Lot so subdivided exceeds the Special Assessment for the Lot Type applicable to such Lot as set forth in **Table IV-B**, the excess amount shall be prepaid as a Mandatory Prepayment as provided under **Section VI.C** herein.

Any reallocation pursuant to this section shall be calculated by the Administrator and reflected in an Annual Service Plan Update approved by the City Council. The reallocation of any Special Assessment as described herein shall be considered an administrative action and will not require any notice or public hearing by the City.

### **3. *Upon Consolidation***

Upon the consolidation of two or more Assessed Properties, the Special Assessment for the consolidated Assessed Property shall be the sum of the Special Assessments for the Assessed Properties prior to consolidation. The reallocation of a Special Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Special Assessment prior to the reallocation. Any reallocation pursuant to this section shall be calculated by the Administrator and reflected in an update to this SAP approved by the City. The consolidation of any Assessed Property as described herein shall be considered an administrative action and will not require any notice or public hearing by the City.

## **C. Mandatory Prepayment of Assessments**

If (i) Assessed Property or a portion thereof is transferred to a party that is exempt from the payment of the Special Assessment under applicable law, (ii) an owner causes a Parcel or Lot or portion thereof to become Non-Benefited Property, or (iii) a prepayment of a portion of a Special Assessment that has been reallocated as a result of a subdivision plat is required pursuant to **Section VI.B** above, the owner of such Parcel or Lot or portion thereof shall pay to the City, as applicable, the portion of the Special Assessment to be prepaid or the full amount of the Special Assessment for such Parcel or Lot or portion thereof prior to any such transfer or act (a "Mandatory Prepayment").

## SECTION VI TERMS OF THE SPECIAL ASSESSMENTS

### **D. Reduction of Special Assessments**

1. If, after all Authorized Improvements to be funded have been purchased, the Authorized Improvements Cost is less than the Budgeted Cost used to calculate the Special Assessments, then the City will reduce the Special Assessment securing each Assessed Property pro rata such that the sum of the resulting reduced Special Assessments for all Assessed Properties equals the reduced Authorized Improvements Cost.

### **E. Payment of Special Assessments**

#### **1. Payment in Full and Partial Pre-Payment**

- The Special Assessment for any Parcel may be paid in full at any time in accordance with the PID Act.
- If an Annual Installment has been billed prior to payment in full of a Special Assessment, the Annual Installment shall be due and payable and shall be credited against the payment-in-full amount upon payment.
- Upon payment in full of a Special Assessment, the City shall deposit the payment in accordance with the City and Corporation Interlocal Agreement; whereupon, the Special Assessment for the Lot shall be reduced to zero, and the Lot owner's obligation to pay the Special Assessment and Annual Installments thereof shall automatically terminate. The City shall provide the owner of the affected Assessed Property a recordable "**Notice of PID Assessment Termination.**"
- At the option of a Lot owner, the Special Assessment on any Lot may be paid in part in an amount equal to the amount of prepaid Special Assessments, with respect thereto. Upon the payment of such amount for a Lot, the City shall deposit the payment in accordance with the City and Corporation Interlocal Agreement, the Special Assessment for the Lot shall be reduced by the amount of such partial payment, the Assessment Roll shall be updated to reflect such partial payment, and the obligation to pay the Annual Installment for such Lot shall be reduced to the extent the partial payment is made.

#### **2. Payment of Annual Installments**

- The PID Act provides that a Special Assessment for a Parcel may be paid in full at any time. If not paid in full, the PID Act authorizes the City to collect interest and collection costs on the outstanding Special Assessment. A Special Assessment for a Parcel that is not paid in full will be collected in Annual Installments each year in the amounts shown in the Assessment Roll, which includes interest on the outstanding Special Assessment and Administrative Expenses. Pursuant to Section 372.018 of the PID Act, an Assessment bears

## SECTION VI TERMS OF THE SPECIAL ASSESSMENTS

interest at the rate specified by the governing body of the municipality or City beginning at the time or times or on the occurrence of one or more events specified by the governing body. The City Council has determined that the Assessments shall be paid in Annual Installments over a thirty five (35) year period, as shown in the Assessment Roll, with an interest rate not to exceed five hundred basis points above the highest average index rate for tax-exempt bonds reported in a daily or weekly bond index approved by the City Council and reported in the month prior to the establishment of the Special Assessments and continuing for a period of five years from such date. Such rate shall then adjust and shall not exceed two hundred basis points above the bond index rate described above and shall continue until the Assessments are paid in full. The index approved by the City Council is the Bond Buyer 25 Year Revenue Bond Index for which the average rate on May 2, 2019 was 4.21 percent (4.21%).

- The Annual Installments as listed on the Assessment Roll have been calculated assuming an interest rate of 5.75%. The Annual Installments may not exceed the amounts shown on the Assessment Roll except pursuant to any amendment or update to this SAP.
- The Annual Installments shall be reduced to equal the actual Administrative Expenses (as provided for in the definition of such term), taking into consideration any other available funds for these costs, such as interest income on account balances.

### **F. Collection of Annual Installments**

The Administrator shall, no less frequently than annually, prepare and submit to the City for its approval an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include an updated Assessment Roll and a calculation of the Annual Installment for each Assessed Property. Administrative Expenses shall be allocated among Assessed Properties in proportion to the amount of the Annual Installments for the Assessed Property. Each Annual Installment shall be reduced by any credits applied. Annual Installments may be collected by the City (or such entity to whom the City directs) in the same manner and at the same time as ad valorem taxes. Annual Installments shall be subject to the penalties, procedures, and foreclosure sale in case of delinquencies as set forth in the PID Act. The City may provide for other means of collecting the Annual Installments to the extent permitted under the PID Act. The Assessments shall have lien priority as specified in the PID Act.

Any sale of Assessed Property for nonpayment of the delinquent Annual Installments shall be subject to the lien established for the remaining unpaid Annual Installments against such Assessed Property and such Assessed Property may again be sold at a judicial foreclosure sale if the purchaser thereof fails to make timely payment of the non-delinquent Annual Installments against such Assessed Property as they become due and payable.



## SECTION VI TERMS OF THE SPECIAL ASSESSMENTS

Each Annual Installment, including the interest on the unpaid amount of a Special Assessment, shall be assessed annually. Each Annual Installment together with interest thereon shall be delinquent if not paid prior to February 1 of the following year. Delinquent installments of the Special Assessments shall incur interest, penalties, Administrative Expenses, and attorney's fees in the same manner as delinquent ad valorem taxes. The initial Annual Installments will be due when billed, and will be delinquent if not paid prior to February 1, 2020.

### **G. Summary of City Responsibilities**

The City's responsibility under the SAP shall be as follows:

1. The City shall have no responsibility for administration, assessment, collection or payment of any amounts except as specifically provided in the SAP.
2. The City's sole obligations are to:
  - Review and approve the Annual Service Plan Update including the Annual Installments due for the upcoming year;
  - Contract with the Williamson County Appraisal District or other third party to collect the Assessments;
  - Establish the assessment account ("Assessment Account") to receive the funds collected from Assessments;
  - Pay Administrative Expenses as provided herein;
  - Direct the Administrator to take all reasonable efforts to collect Assessments including foreclosure of any lien securing delinquent Assessments;
  - Deposit Assessments received, including funds received from foreclosure sales, into the Assessment Account; and,
  - Pay funds out of the Assessment Account as provided herein and in the City and Corporation Interlocal Agreement.

## SECTION VII THE ASSESSMENT ROLL

### Section VII

#### THE ASSESSMENT ROLL

##### A. Assessment Roll

The City has evaluated each Lot (based on numerous factors such as the Public Property, the types of Authorized Improvements, and other development factors deemed relevant by the City) to determine the amount of Assessed Property within the PID.

The Assessed Property will be assessed for the special benefits conferred upon the property resulting from the Authorized Improvements. **Table VII** summarizes the \$9,300,000 in special benefit received by the Assessed Property from the Authorized Improvements and the costs of the PID formation. The expected amount of the planned Special Assessment is \$9,300,000, which is less than the benefit received by the Assessed Property. Accordingly, the total Special Assessment to be applied to all the Assessed Property is \$9,300,000 plus annual Administrative Expenses. The Special Assessment for each Assessed Property is calculated based on the allocation methodologies described in **Section IV-D**. The Assessment Roll is attached hereto as **Appendix A**.

| <b>Table VII</b>                      |                     |
|---------------------------------------|---------------------|
| <b>Special Benefit Summary</b>        |                     |
| <b>Special Benefit Summary</b>        | <b>Total Cost</b>   |
| <b>Total Public Improvements (a)</b>  | <b>\$ 9,300,000</b> |
| <b>Total Special Benefit</b>          | <b>\$ 9,300,000</b> |
|                                       |                     |
| <i>Special Benefit</i>                |                     |
| Total Special Benefit                 | \$ 9,300,000        |
| Projected PID Special Assessment      | \$ 9,300,000        |
| <b>Excess Benefit</b>                 | <b>\$ -</b>         |
|                                       |                     |
| <b>(a) See Table III for details.</b> |                     |

##### B. Annual Assessment Roll Updates

The Administrator shall prepare, and shall submit to the City for approval, updates to the Assessment Roll and the Annual Service Plan Update to reflect changes such as (i) the identification of each Parcel (ii) the Special Assessment for each Assessed Property, including any adjustments authorized by this Service and Assessment Plan or in the PID Act; (iii) the Annual Installment for the Assessed Property for the year (if the Special Assessment is payable in installments); and (iv) payments of the Special Assessment, if any, as provided by **Section VI.E.** of this Service and Assessment Plan.

## SECTION VIII MISCELLANEOUS PROVISIONS

### Section VIII

#### MISCELLANEOUS PROVISIONS

##### **A. Administrative Review**

The City may elect to designate a third party to serve as Administrator of the PID. The City shall notify the Developer in writing upon appointing a third party Administrator.

To the extent consistent with the PID Act, if an owner of the Assessed Property claims that a calculation error has been made in the Assessment Roll, including the calculation of the Annual Installment, that owner must send a written notice describing the error to the Administrator no later than thirty (30) days after the date the invoice or other bill for the Annual Installment is received. If the owner fails to give such notice, such owners shall be deemed to have accepted the calculation of the Assessment Roll (including the Annual Installments) and to have waived any objection to the calculation. The Administrator shall promptly review the notice, and, if necessary, meet with the Assessed Property owner, consider written and oral evidence regarding the alleged error and decide whether, in fact, such a calculation error occurred.

If the Administrator determines that a calculation error has been made and the Assessment Roll should be modified or changed in favor of the Assessed Property owner, such change or modification shall be presented to the City Manager for approval, to the extent permitted by the PID Act. A cash refund may not be made for any amount previously paid by the Assessed Property (except for the final year during which the Assessment shall be collected), but an adjustment may be made in the amount of the Annual Installment to be paid in the following year. The decision of the Administrator regarding a calculation error relating to the Assessment Roll may be appealed to City for determination. Any amendments made to the Assessment Roll pursuant to calculation errors shall be made pursuant to the PID Act.

##### **B. Termination of Assessments**

Each Special Assessment shall terminate on the date the Special Assessment is paid in full, including payment of any unpaid Annual Installments and Delinquent Collection Costs, if any. After the termination of the Special Assessment, and the collection of any delinquent Annual Installments and Delinquent Collection Costs, the City shall provide the owner of the affected Assessed Property a recordable Notice of the PID Assessment Termination.

##### **C. Amendments**

Amendments to the Service and Assessment Plan can be made as permitted or required by the PID Act and under Texas law.

## SECTION VIII MISCELLANEOUS PROVISIONS

### **D. Administration and Interpretation of Provisions**

The City shall administer (or cause the administration of) the PID, this SAP, and all Annual Service Plan Updates consistent with the PID Act.

### **E. Severability**

If any provision, section, subsection, sentence, clause or phrase of this SAP, or the application of same to an Assessed Property or any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Service and Assessment Plan or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Service and Assessment Plan that no part thereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other part hereof, and all provisions of this Service and Assessment Plan are declared to be severable for that purpose.

If any provision of this SAP is determined by a court to be unenforceable, the unenforceable provision shall be deleted from this SAP and the unenforceable provision shall, to the extent possible, be rewritten to be enforceable and to give effect to the intent of the City.

**Appendix A**  
**Assessment Roll**

| <b>Appendix A</b>                           |                      |               |               |                           |                            |
|---------------------------------------------|----------------------|---------------|---------------|---------------------------|----------------------------|
| <b>Special Assessment by Property Owner</b> |                      |               |               |                           |                            |
| <b>Parcel</b>                               | <b>Tax Parcel ID</b> | <b>Acres</b>  | <b>Owner</b>  | <b>Special Assessment</b> | <b>Equivalent Tax Rate</b> |
| A                                           | R020381              | 164.57        | Hutto 1660 LP | \$ 9,003,477              | \$ 0.53                    |
| B                                           | R325413              | 4.42          | Hutto 1660 LP | \$ 241,814                | \$ 0.53                    |
| C                                           | R020382              | 1.00          | Hutto 1660 LP | \$ 54,709                 | \$ 0.53                    |
|                                             |                      | <b>169.99</b> |               | \$ 9,300,000              | \$ 0.53                    |
| <b>Preliminary and subject to change</b>    |                      |               |               |                           |                            |

## Appendix A-1

## Annual Installments

| Appendix A-1<br>Annual Installments |                   |               |                  |                             |                        |
|-------------------------------------|-------------------|---------------|------------------|-----------------------------|------------------------|
| Year Ending (a)                     | PID Reimbursement |               |                  | Administrative Expenses (b) | Annual Installment (c) |
|                                     | Principal         | Interest      | Net Debt Service |                             |                        |
| 2020                                | \$ 100,000        | \$ 534,750    | \$ 634,750       | \$ 40,850                   | \$ 675,600             |
| 2021                                | \$ 100,000        | \$ 529,000    | \$ 629,000       | \$ 41,581                   | \$ 670,581             |
| 2022                                | \$ 100,000        | \$ 523,250    | \$ 623,250       | \$ 42,328                   | \$ 665,578             |
| 2023                                | \$ 100,000        | \$ 517,500    | \$ 617,500       | \$ 43,090                   | \$ 660,590             |
| 2024                                | \$ 100,000        | \$ 511,750    | \$ 611,750       | \$ 43,867                   | \$ 655,617             |
| 2025                                | \$ 125,000        | \$ 506,000    | \$ 631,000       | \$ 44,661                   | \$ 675,661             |
| 2026                                | \$ 125,000        | \$ 498,813    | \$ 623,813       | \$ 45,464                   | \$ 669,277             |
| 2027                                | \$ 125,000        | \$ 491,625    | \$ 616,625       | \$ 46,284                   | \$ 662,909             |
| 2028                                | \$ 125,000        | \$ 484,438    | \$ 609,438       | \$ 47,121                   | \$ 656,558             |
| 2029                                | \$ 150,000        | \$ 477,250    | \$ 627,250       | \$ 47,975                   | \$ 675,225             |
| 2030                                | \$ 150,000        | \$ 468,625    | \$ 618,625       | \$ 48,840                   | \$ 667,465             |
| 2031                                | \$ 150,000        | \$ 460,000    | \$ 610,000       | \$ 49,723                   | \$ 659,723             |
| 2032                                | \$ 175,000        | \$ 451,375    | \$ 626,375       | \$ 50,624                   | \$ 676,999             |
| 2033                                | \$ 175,000        | \$ 441,313    | \$ 616,313       | \$ 51,537                   | \$ 667,850             |
| 2034                                | \$ 200,000        | \$ 431,250    | \$ 631,250       | \$ 52,469                   | \$ 683,719             |
| 2035                                | \$ 200,000        | \$ 419,750    | \$ 619,750       | \$ 53,414                   | \$ 673,164             |
| 2036                                | \$ 225,000        | \$ 408,250    | \$ 633,250       | \$ 54,378                   | \$ 687,628             |
| 2037                                | \$ 225,000        | \$ 395,313    | \$ 620,313       | \$ 55,356                   | \$ 675,668             |
| 2038                                | \$ 250,000        | \$ 382,375    | \$ 632,375       | \$ 56,354                   | \$ 688,729             |
| 2039                                | \$ 250,000        | \$ 368,000    | \$ 618,000       | \$ 57,366                   | \$ 675,366             |
| 2040                                | \$ 275,000        | \$ 353,625    | \$ 628,625       | \$ 58,400                   | \$ 687,025             |
| 2041                                | \$ 275,000        | \$ 337,813    | \$ 612,813       | \$ 59,449                   | \$ 672,261             |
| 2042                                | \$ 300,000        | \$ 322,000    | \$ 622,000       | \$ 60,520                   | \$ 682,520             |
| 2043                                | \$ 325,000        | \$ 304,750    | \$ 629,750       | \$ 61,607                   | \$ 691,357             |
| 2044                                | \$ 325,000        | \$ 286,063    | \$ 611,063       | \$ 62,710                   | \$ 673,772             |
| 2045                                | \$ 350,000        | \$ 267,375    | \$ 617,375       | \$ 63,836                   | \$ 681,211             |
| 2046                                | \$ 375,000        | \$ 247,250    | \$ 622,250       | \$ 64,980                   | \$ 687,230             |
| 2047                                | \$ 400,000        | \$ 225,688    | \$ 625,688       | \$ 66,142                   | \$ 691,829             |
| 2048                                | \$ 425,000        | \$ 202,688    | \$ 627,688       | \$ 67,321                   | \$ 695,008             |
| 2049                                | \$ 450,000        | \$ 178,250    | \$ 628,250       | \$ 68,519                   | \$ 696,769             |
| 2050                                | \$ 475,000        | \$ 152,375    | \$ 627,375       | \$ 69,735                   | \$ 697,110             |
| 2051                                | \$ 500,000        | \$ 125,063    | \$ 625,063       | \$ 70,972                   | \$ 696,034             |
| 2052                                | \$ 525,000        | \$ 96,313     | \$ 621,313       | \$ 72,228                   | \$ 693,541             |
| 2053                                | \$ 550,000        | \$ 66,125     | \$ 616,125       | \$ 73,505                   | \$ 689,630             |
| 2054                                | \$ 600,000        | \$ 34,500     | \$ 634,500       | \$ 74,803                   | \$ 709,303             |
| Totals                              | \$ 9,300,000      | \$ 12,500,500 | \$ 21,800,500    | \$ 1,968,010                | \$ 23,768,510          |

(a) The dates represent the fiscal year ending 12/31/19 for the PID.

(b) Preliminary Estimate. The Administrative Expenses will be revised in Annual Service Plan Updates based on actual costs.

(c) Annual Installments are calculated assuming a 5.75% interest rate for the 35 year term of the PID plus Administrative Expenses.



APPENDIX A

| Appendix A-2<br>Annual Installments- Lot Type 1 |                   |               |                  |                             |                        |
|-------------------------------------------------|-------------------|---------------|------------------|-----------------------------|------------------------|
| Year Ending (a)                                 | PID Reimbursement |               |                  | Administrative Expenses (b) | Annual Installment (c) |
|                                                 | Principal         | Interest      | Net Debt Service |                             |                        |
| 2020                                            | \$ 100,000        | \$ 534,750    | \$ 634,750       | \$ 40,850                   | \$ 675,600             |
| 2021                                            | \$ 100,000        | \$ 529,000    | \$ 629,000       | \$ 41,581                   | \$ 670,581             |
| 2022                                            | \$ 100,000        | \$ 523,250    | \$ 623,250       | \$ 42,328                   | \$ 665,578             |
| 2023                                            | \$ 100,000        | \$ 517,500    | \$ 617,500       | \$ 43,090                   | \$ 660,590             |
| 2024                                            | \$ 100,000        | \$ 511,750    | \$ 611,750       | \$ 43,867                   | \$ 655,617             |
| 2025                                            | \$ 125,000        | \$ 506,000    | \$ 631,000       | \$ 44,661                   | \$ 675,661             |
| 2026                                            | \$ 125,000        | \$ 498,813    | \$ 623,813       | \$ 45,464                   | \$ 669,277             |
| 2027                                            | \$ 125,000        | \$ 491,625    | \$ 616,625       | \$ 46,284                   | \$ 662,909             |
| 2028                                            | \$ 125,000        | \$ 484,438    | \$ 609,438       | \$ 47,121                   | \$ 656,558             |
| 2029                                            | \$ 150,000        | \$ 477,250    | \$ 627,250       | \$ 47,975                   | \$ 675,225             |
| 2030                                            | \$ 150,000        | \$ 468,625    | \$ 618,625       | \$ 48,840                   | \$ 667,465             |
| 2031                                            | \$ 150,000        | \$ 460,000    | \$ 610,000       | \$ 49,723                   | \$ 659,723             |
| 2032                                            | \$ 175,000        | \$ 451,375    | \$ 626,375       | \$ 50,624                   | \$ 676,999             |
| 2033                                            | \$ 175,000        | \$ 441,313    | \$ 616,313       | \$ 51,537                   | \$ 667,850             |
| 2034                                            | \$ 200,000        | \$ 431,250    | \$ 631,250       | \$ 52,469                   | \$ 683,719             |
| 2035                                            | \$ 200,000        | \$ 419,750    | \$ 619,750       | \$ 53,414                   | \$ 673,164             |
| 2036                                            | \$ 225,000        | \$ 408,250    | \$ 633,250       | \$ 54,378                   | \$ 687,628             |
| 2037                                            | \$ 225,000        | \$ 395,313    | \$ 620,313       | \$ 55,356                   | \$ 675,668             |
| 2038                                            | \$ 250,000        | \$ 382,375    | \$ 632,375       | \$ 56,354                   | \$ 688,729             |
| 2039                                            | \$ 250,000        | \$ 368,000    | \$ 618,000       | \$ 57,366                   | \$ 675,366             |
| 2040                                            | \$ 275,000        | \$ 353,625    | \$ 628,625       | \$ 58,400                   | \$ 687,025             |
| 2041                                            | \$ 275,000        | \$ 337,813    | \$ 612,813       | \$ 59,449                   | \$ 672,261             |
| 2042                                            | \$ 300,000        | \$ 322,000    | \$ 622,000       | \$ 60,520                   | \$ 682,520             |
| 2043                                            | \$ 325,000        | \$ 304,750    | \$ 629,750       | \$ 61,607                   | \$ 691,357             |
| 2044                                            | \$ 325,000        | \$ 286,063    | \$ 611,063       | \$ 62,710                   | \$ 673,772             |
| 2045                                            | \$ 350,000        | \$ 267,375    | \$ 617,375       | \$ 63,836                   | \$ 681,211             |
| 2046                                            | \$ 375,000        | \$ 247,250    | \$ 622,250       | \$ 64,980                   | \$ 687,230             |
| 2047                                            | \$ 400,000        | \$ 225,688    | \$ 625,688       | \$ 66,142                   | \$ 691,829             |
| 2048                                            | \$ 425,000        | \$ 202,688    | \$ 627,688       | \$ 67,321                   | \$ 695,008             |
| 2049                                            | \$ 450,000        | \$ 178,250    | \$ 628,250       | \$ 68,519                   | \$ 696,769             |
| 2050                                            | \$ 475,000        | \$ 152,375    | \$ 627,375       | \$ 69,735                   | \$ 697,110             |
| 2051                                            | \$ 500,000        | \$ 125,063    | \$ 625,063       | \$ 70,972                   | \$ 696,034             |
| 2052                                            | \$ 525,000        | \$ 96,313     | \$ 621,313       | \$ 72,228                   | \$ 693,541             |
| 2053                                            | \$ 550,000        | \$ 66,125     | \$ 616,125       | \$ 73,505                   | \$ 689,630             |
| 2054                                            | \$ 600,000        | \$ 34,500     | \$ 634,500       | \$ 74,803                   | \$ 709,303             |
| Totals                                          | \$ 9,300,000      | \$ 12,500,500 | \$ 21,800,500    | \$ 1,968,010                | \$ 23,768,510          |

(a) The dates represent the fiscal year ending 12/31/19 for the PID.

(b) Preliminary Estimate. The Administrative Expenses will be revised in Annual Service Plan Updates based on actual costs.

(c) Annual Installments are calculated assuming a 5.75% interest rate for the 35 year term of the PID plus Administrative Expenses.

## Appendix B

### Legal Description

Packsaddle 169.99 Acre Tract  
783-17-01

Hutto, Williamson County, Texas

#### EXHIBIT 'A'

#### METES AND BOUNDS DESCRIPTION

BEING 169.99 ACRES OF LAND OUT OF THE JOHN DYKES SURVEY, ABSTRACT NO. 186, WILLIAMSON COUNTY, TEXAS. BEING A PORTION OF THE REMAINDER OF THAT CERTAIN 238 ACRE TRACT, CALLED TRACT 1, AND THE REMAINDER OF THAT CERTAIN 100 ACRE TRACT, CALLED TRACT 2, CONVEYED TO IVER E. WALLIN IN DOCUMENT 2001059720 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. THE SAID 169.99 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON PIPE FOUND IN THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 1660, BEING THE NORTHWEST CORNER OF THAT CERTAIN 0.50 OF AN ACRE TRACT CONVEYED TO JONAH WATER SPECIAL UTILITY DISTRICT IN DOCUMENT 2000040392 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND THE SOUTHWEST CORNER OF SAID REMAINDER OF TRACT 1, BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 22°34'00" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD, AND THE WEST LINE OF SAID REMAINDER OF TRACT 1, FOR A DISTANCE OF 937.19 FEET TO CONCRETE MONUMENT FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 20°53'50" WEST, A DISTANCE OF 1585.78 FEET TO AN IRON ROD FOUND IN SAID EAST RIGHT-OF-WAY LINE, BEING THE SOUTHWEST CORNER OF THAT CERTAIN 65.00 ACRE TRACT CONVEYED TO HUTTO ISD IN DOCUMENT 2009044814 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING THE NORTHWEST CORNER OF SAID REMAINDER OF TRACT 1 AND THE HEREIN DESCRIBED TRACT (FROM WHICH A TXDOT CONCRETE RIGHT-OF-WAY MONUMENT BEARS NORTH 21°31'02" WEST, AT A DISTANCE OF 1767.21 FEET);

THENCE, LEAVING SAID EAST RIGHT-OF-WAY LINE, NORTH 68°21'20" EAST, ALONG THE SOUTH LINE OF SAID HUTTO ISD TRACT AND ALONG THE NORTH LINE OF THE SAID REMAINDER OF TRACT 1 AND TRACT 2, FOR A DISTANCE OF 2,601.32 FEET TO AN IRON ROD FOUND IN THE WEST LINE OF THAT CERTAIN 41.36 ACRE TRACT CONVEYED TO HOWARD SLADEK IN VOLUME 866, PAGE 661 (27.36 ACRES) AND VOLUME 867, PAGE 747 (14.00 ACRES) BOTH OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THE SOUTHEAST CORNER OF SAID HUTTO ISD TRACT, AND THE NORTHEAST CORNER OF SAID REMAINDER OF TRACT 2 AND THE HEREIN DESCRIBED TRACT (FROM WHICH AN IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID HUTTO ISD TRACT BEARS NORTH 21°41'15" WEST, FOR A DISTANCE OF 1,087.61 FEET);

THENCE, SOUTH 21°38'22" EAST, ALONG THE WEST LINES OF SAID SLADEK TRACT, AND THE REMAINDER OF A CERTAIN 107 ACRE TRACT CONVEYED TO HARVEY I. JOHNSON IN VOLUME 309, PAGE 269, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (W.C.A.D SHOWS CURRENT OWNERS AS ALBERT JOHNSON AND NANCY WENDLAND), AND THAT CERTAIN 10.00 ACRE TRACT CONVEYED TO LEANN PERROW IN DOCUMENT 2008053240 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS ALSO BEING ALONG THE EAST LINE OF SAID REMAINDER OF TRACT 1 AND SAID REMAINDER OF TRACT 2, FOR A DISTANCE OF 3370.41 FEET TO AN IRON ROD FOUND IN THE NORTH LINE OF RIVERS CROSSING SUBDIVISION PHASE 3 RECORDED IN CABINET X, SLIDE 249

EXHIBIT "A"

Packsaddle 169.99 Acre Tract  
783-17-01

Hutto, Williamson County, Texas

OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING THE SOUTHWEST CORNER OF SAID PERROW TRACT, AND THE SOUTHEAST CORNER OF SAID REMAINDER OF TRACT 1 AND THE HEREIN DESCRIBED TRACT (FROM WHICH AN IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 132, BEING THE NORTHEAST CORNER OF SAID RIVERS CROSSING SUBDIVISION, PHASE 3 BEARS SOUTH 82°25'10" EAST, FOR A DISTANCE OF 510.52 FEET);

**THENCE**, ALONG THE NORTH LINE OF SAID RIVERS CROSSING SUBDIVISION PHASE 3 AND SAID JONAH WATER SPECIAL UTILITY DISTRICT TRACT, ALSO BEING THE SOUTH LINE OF SAID REMAINDER OF TRACT 1 AND THE HEREIN DESCRIBED TRACT, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1) NORTH 82°25'10" WEST, FOR A DISTANCE OF 653.47 FEET TO AN IRON ROD FOUND;
- 2) NORTH 83°19'35" WEST, FOR A DISTANCE OF 452.97 FEET TO AN IRON ROD FOUND;
- 3) SOUTH 79°28'28" WEST, FOR A DISTANCE OF 895.03 FEET TO AN IRON ROD FOUND;
- 4) SOUTH 78°53'12" WEST, FOR A DISTANCE OF 772.35 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 169.99 ACRES, MORE OR LESS.

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND, TOGETHER WITH RECORD INFORMATION, UNDER MY SUPERVISION. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS.



TIMOTHY E. HAYNIE  
R.P.L.S. No. 2380, State of Texas  
Haynie Consulting, Inc.  
Engineers – Surveyors  
1010 Provident Lane  
Round Rock, Texas 78664  
TBPLS Firm No. 100250-00



10-02-17  
Date

Appendix C

Parcel Map



## **CITY OF HUTTO CITY COUNCIL AGENDA**

**AGENDA ITEM NO.:** 11A.

**AGENDA DATE:** June 20, 2019

**PRESENTED BY:** Lacie Hale, City Secretary

**ITEM:**

Consideration of and possible appointments to City Boards and Commissions. (Lacie Hale)

**STRATEGIC GUIDE  
POLICY:**

Quality of Life & Services

**ITEM BACKGROUND:**

On July 7, 2018, the City Council approved Ordinance 0-18-07-05-8B that changed the terms of service of the boards, commissions and corporation members to be realigned to match those of the council places and terms. Beginning July 1, 2018, new terms will expire on June 30, of the corresponding Council Member term. Transition to new terms for current board and commission members can be reappointed to the new terms based on the new expiration terms, or new appointments can be recommended during a council meeting in July. All current board and commission members have been assigned Place numbers to coincide with existing council members. On June 20, 2018, the Council re-appointed all seated board members to terms aligned with the corresponding member term.

There are several seats on the boards and commissions that were created as a result of the ordinance in July that need to be filled. Additionally, there are some board and commission members who have been reappointed that do not wish to continue past the expiration of their original term and intend to resign their position at that time.

**BUDGETARY AND FINANCIAL SUMMARY:**

Not applicable.

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**

Not applicable.

**CITY ATTORNEY REVIEW:**

Not applicable.

**STAFF RECOMMENDATION:**

Not applicable.

**SUPPORTING MATERIAL:**

## 1. B&C Spreadsheet

| Funding Source                 | Fund | Div | Dept | Object/Project | Total Requested Amount | Available FY Budget |
|--------------------------------|------|-----|------|----------------|------------------------|---------------------|
|                                |      |     |      |                |                        |                     |
|                                |      |     |      |                |                        |                     |
| Fiscal and Budgetary Comments: |      |     |      |                |                        |                     |
| Fiscal Review Signature:       |      |     |      |                |                        |                     |



## Boards and Commissions Master Transition

|                        |               |        |
|------------------------|---------------|--------|
| Council Member Place 1 | Scott Rose    | May-20 |
| Council Member Place 2 | Tom Hines     | May-21 |
| Council Member Place 3 | Nate Killough | May-19 |
| Council Member Place 4 | Tim Jordan    | May-20 |
| Council Member Place 5 | Patti Turner  | May-21 |
| Council Member Place 6 | Tanner Rose   | May-19 |
| Mayor (Place 7)        | Doug Gaul     | May-19 |

\* **Newly Appointed**  
 \* **Re-appointed**  
 \* **Vacant**  
 \*\* **Plans to resign Dec 2018**

*All Boards and Commissions terms Realigned for appointment in June  
 Terms Run 7/1 to 6/30 unless otherwise indicated*

**Last update:** 6/17/2019

| Planning & Zoning Commission                                            |         |          |          |              |        |         |              |                              |
|-------------------------------------------------------------------------|---------|----------|----------|--------------|--------|---------|--------------|------------------------------|
| Meets: 1st Tuesday @ 7:00pm of each month in the City Council Chamber   |         |          |          |              |        |         |              |                              |
| 2 yr Terms Per Charter                                                  |         |          |          |              |        |         |              |                              |
| Liaison - Ashley Lumpkin                                                |         |          |          |              |        |         |              |                              |
| Approved                                                                |         |          |          |              | Term   | Term    | Phone        | Email Address                |
| 20-Sep                                                                  | Place 1 | Davey    | Robinson | Vice-Chair   | Dec-19 | June-20 | 512-635-0169 | davey.robinson@austin.rr.com |
| 6-Dec                                                                   | Place 2 | Randal   | Clark    | Commissioner | Dec-19 | June-20 | 512-876-3277 | texas30@gmail.com            |
| 20-Sep                                                                  | Place 3 | Jessica  | Romigh   | Chair        | Dec-19 | June-19 | 512-906-9453 | jessicaromigh@gmail.com      |
|                                                                         | Place 4 | Vacant   |          | Commissioner | Dec-18 | June-20 |              |                              |
| 2-Aug                                                                   | Place 5 | Richard  | Hudson   | Commissioner | Dec-18 | June-20 | 562-841-2145 | sfchudson@gmail.com          |
| 20-Sep                                                                  | Place 6 | Tony     | Wertz    | Commissioner | Dec-19 | June-19 | 512-785-3242 | awertz1952@yahoo.com         |
| 2-Aug                                                                   | Place 7 | Lori     | Ortiz    | Commissioner | Dec-18 | June-19 | 512-203-6813 | lori.ortiz@austin.rr.com     |
| Parks Advisory Board                                                    |         |          |          |              |        |         |              |                              |
| Meets: 2nd Wednesday @ 7:00pm of each month in the City Council Chamber |         |          |          |              |        |         |              |                              |
| Liaison - Shane Mize                                                    |         |          |          |              |        |         |              |                              |
| Approved                                                                |         |          |          |              | Term   | Term    |              |                              |
| 20-Sep                                                                  | Place 1 | Katie    | Weiss    | Member       | Dec-18 | June-20 | 512-619-7099 | katieweiss95@gmail.com       |
| 20-Sep                                                                  | Place 2 | Michael  | Orman    | Member       | Dec-20 | June-21 | 512-636-8521 | MikeOrmanPBC@orman.us        |
| 20-Sep                                                                  | Place 3 | Dana     | Lively   | Member       | Dec-20 | June-19 | 713-824-7337 | danaklively@gmail.com        |
|                                                                         | Place 4 | Vacant   |          | Member       | Dec-19 | June-20 |              |                              |
|                                                                         | Place 5 | Vacant   |          | Chair        | Dec-20 | June-21 |              |                              |
| 6-Sep                                                                   | Place 6 | Rose     | McMillin | Member       | Dec-20 | June-19 | 512-656-8486 | rosemcmillin@yahoo.com       |
| 2-Aug                                                                   | Place 7 | Perry    | Savard   | Acting Chair | Dec-19 | June-19 | 512-560-1133 | pmsstreetglide@gmail.com     |
| Library Advisory Board                                                  |         |          |          |              |        |         |              |                              |
| Meets: Quarterly @ 6:00pm of each month in the City Council Chamber     |         |          |          |              |        |         |              |                              |
| Liaison - Lisa Riggs                                                    |         |          |          |              |        |         |              |                              |
| Approved                                                                |         |          |          |              | Term   | Term    |              |                              |
|                                                                         | Place 1 | Cristina | Garza    | Member       | Dec-20 | June-20 |              |                              |
| 20-Sep                                                                  | Place 2 | Dwight   | Baker    | Chair        | Dec-20 | June-21 | 714-585-3713 | baker1640@sbcglobal.net      |
| 20-Sep                                                                  | Place 3 | Tara     | Chappell | Vice Chair   | Dec-20 | June-19 | 512-914-2011 | tchappell08@gmail.com        |
| 20-Sep                                                                  | Place 4 | Kathi    | Shilling | Member       | Dec-20 | June-20 | 214-676-4565 | kshilling873@gmail.com       |
|                                                                         | Place 5 | Havala   | Merit    | Member       | Dec-18 | June-21 |              |                              |
| 6-Sep                                                                   | Place 6 | Patricia | Elsasser | Member       | Dec-20 | June-19 | 512-317-0306 | elsasserpatricia@yahoo.com   |
| 1-Nov                                                                   | Place 7 | Lori     | Ortiz    | Member       |        | June-19 | 512-203-6813 | lori.ortiz@austin.rr.com     |
| Zoning Board of Adjustments                                             |         |          |          |              |        |         |              |                              |
| Meets: 4th Wednesday @ 7:00pm of each month in the City Council Chamber |         |          |          |              |        |         |              |                              |
| Liaison - Ashby Grundman                                                |         |          |          |              |        |         |              |                              |
| Approved                                                                |         |          |          |              | Term   | Term    |              |                              |
| 17-Jan                                                                  | Place 1 | Bryan    | Dempsey  | Member       | Dec-18 | June-20 |              |                              |
| 20-Sep                                                                  | Place 2 | Thomas   | McGowan  | Member       | Dec-20 | June-21 | 512-516-3968 | tmmcgowan@yahoo.com          |
| 20-Sep                                                                  | Place 3 | Randal   | Clark    | Member       | Dec-20 | June-19 | 512-876-3277 | texas30@gmail.com            |
|                                                                         | Place 4 |          |          | Member       | Dec-20 | June-20 |              |                              |
|                                                                         | Place 5 |          |          | Member       |        | June-21 |              |                              |
| 6-Sep                                                                   | Place 6 | Maureen  | Rooker   | Member       | Dec-19 | June-19 | 512-789-2210 | MaureenRooker@remax.net      |
| 2-Aug                                                                   | Place 7 | Dana     | Lively   | Member       | Dec-20 | June-19 | 713-824-7337 | danaklively@gmail.com        |

| Historic Preservation Commission                                      |         |          |              |              |              |               |              |                                    |
|-----------------------------------------------------------------------|---------|----------|--------------|--------------|--------------|---------------|--------------|------------------------------------|
| Meets: 4th Tuesday @ 6:00pm of each month in the City Council Chamber |         |          |              |              |              |               |              |                                    |
| Liaison - John Byrum                                                  |         |          |              |              |              |               |              |                                    |
| Approved                                                              |         |          |              |              | Term         | Term          |              |                                    |
|                                                                       | Place 1 | Vacant   |              | Commissioner | Dec-18       | June-20       |              |                                    |
| 2-Aug                                                                 | Place 2 | Mary     | Belton       | Commissioner | Dec-18       | June-21       | 951-218-3235 | meh2745@gmail.com                  |
| 20-Sep                                                                | Place 3 | Curtis   | Orton        | Commissioner | Dec-18       | June-19       | 512-689-8759 | curtisorton3@gmail.com             |
| 20-Sep                                                                | Place 4 | Robert   | Lykins       | Commissioner | Dec-19       | June-20       | 512-788-3978 | rlykins4066@yahoo.com              |
|                                                                       | Place 5 | Vacant   |              | Commissioner | Dec-19       | June-21       |              |                                    |
| 19-Jul                                                                | Place 6 | Travis   | Allen        | Commissioner |              | June-19       | 512-740-4831 | travallenman@yahoo.com             |
|                                                                       | Place 7 | Vacant   |              | Commissioner |              | June-19       |              |                                    |
| Building and Standards Commission                                     |         |          |              |              |              |               |              |                                    |
| Meets: As Needed in the City Council Chamber                          |         |          |              |              |              |               |              |                                    |
| Liaison - Tamera Baird                                                |         |          |              |              |              |               |              |                                    |
| Approved                                                              |         |          |              |              | Term         | Term          |              |                                    |
| jan 3 2019                                                            | Place 1 | Troy     | Manella      | Commissioner | Dec-19       | June-20       | 512-785-3561 | troy737@gmail.com                  |
| 20-Sep                                                                | Place 2 | Olinda   | Ramirez      | Commissioner | Dec-19       | June-21       | 972-974-7712 | olinda.ramirez1982@gmail.com       |
| 2-Aug                                                                 | Place 3 | Kendrick | Whittington  | Commissioner |              | June-19       | 512-426-9688 | kendrick@nexlegacyconstruction.com |
| 20-Sep                                                                | Place 4 | Vacant   |              |              | Dec-18       | June-20       |              |                                    |
| 20-Sep                                                                | Place 5 | Tom      | Brown        | Commissioner | Dec-18       | June-21       | 256-473-3128 | tjandsjbrown@att.net               |
| 16-Aug                                                                | Place 6 | Maureen  | Rooker       | Commissioner | Dec-18       | June-19       | 512-789-2210 | MaureenRooker@remax.net            |
| 20-Sep                                                                | Place 7 | Richard  | Hudson       | Commissioner | Dec-19       | June-19       | 552-841-2145 | sfchudson@gmail.com                |
| Ethics Review Commission                                              |         |          |              |              |              |               |              |                                    |
| Meets: As Needed in the City Council Chamber (at least once a year)   |         |          |              |              |              |               |              |                                    |
| Liaison - Lacie Hale                                                  |         |          |              |              |              |               |              |                                    |
| Approved                                                              |         |          |              |              | Term         | Term          |              |                                    |
| 20-Sep                                                                | Place 1 | Craig    | Cargill      | Member       | Dec-19       | June-20       | 512-638-3214 | craig.cargill@gmail.com            |
| 20-Sep                                                                | Place 2 | Lori     | Brown-Duncan | Member       | Dec-19       | June-21       | 512-426-9380 | loribd216@aol.com                  |
| 20-Sep                                                                | Place 3 | Larry    | Straughn     | Vice Chair   | Dec-19       | June-19       | 512-876-1590 | olin.straughn@huttoisd.net         |
| 20-Sep                                                                | Place 4 | Russell  | Daniel       | Chair        | Dec-19       | June-20       | 512-626-7873 | russelldaniel7@gmail.com           |
| 20-Sep                                                                | Place 5 | Dana     | Lively       | Member       | Dec-19       | June-21       | 713-824-7337 | danaklively@gmail.com              |
| 2-Aug                                                                 | Place 6 | April    | Willis       | Member       |              | June-19       | 817-996-8197 | aprilacm@gmail.com                 |
|                                                                       | Place 7 | Vacant   |              | Member       |              | June-19       |              |                                    |
| Economic Development Corporation                                      |         |          |              |              |              |               |              |                                    |
| Meets: 1st Monday @ 6:30pm of each month in the City Council Chamber  |         |          |              |              |              |               |              |                                    |
| Liaison - Tim Jordan                                                  |         |          |              |              |              |               |              |                                    |
| Approved                                                              |         |          |              |              | Current Term | Proposed Term |              |                                    |
| 20-Sep                                                                | Place 1 | Nelson   | Nagle        | Treasurer    | Oct-19       | June-20       | 512-426-2025 | nelson.nagle@huttotx.gov           |
| 13-Dec                                                                | Place 2 | Doug     | Gaul         | Member       | Oct-19       | June-21       | 512-413-4370 | doug.gaul@huttotx.gov              |
| 20-Sep                                                                | Place 3 | Dan      | Thornton     | Secretary    | Oct-19       | June-19       | 512-529-4213 | dan.thornton@huttotx.gov           |
|                                                                       | Place 4 | Don      | Carlson      | Member       | Oct-19       | June-20       |              | don.carlson@huttotx.gov            |
| 7-Feb                                                                 | Place 5 | Kevin    | LaFrance     | Member       | Oct-19       | June-21       | 512-466-8906 | kevin.lafrance@huttotx.gov         |
| 20-Sep                                                                | Place 6 | Greg     | Braun        | Vice-Chair   | Oct-19       | June-19       | 512-299-0188 | greg.braun@huttotx.gov             |
| 19-Jul                                                                | Place 7 | Steve    | Harris       | Chair        | Oct-19       | June-19       | 254-498-2224 | Steven.Harris@huttotx.gov          |