



**CITY OF HUTTO, TEXAS
REGULAR CITY COUNCIL MEETING
THURSDAY, MAY 3, 2018 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
401 WEST FRONT STREET**

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Nathan Killough, Place 3
Tim Jordan, Place 4
Lucio Valdez, Place 5
Terri Grimm, Place 6

AGENDA

1. **CALL SESSION TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE**

5. **PROCLAMATIONS:**

5A. Proclamation declaring May 2018 as Motorcycle Safety Month in Hutto, Texas.

5B. Proclamation declaring May 2018, as Historic Preservation Month in Hutto, Texas.

6. **CITY COUNCIL COMMENTS**

6A. General Comments from City Council

7. **PUBLIC COMMENT**

Any citizen wishing to speak during public comment regarding an item on or off the agenda may do so after completing the required registration card. 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. Each person providing public comment will be limited to 3 minutes.

7A. Remarks from visitors. (Three-minute time limit)

8. **PUBLIC HEARINGS:**

- 8A. Open and conduct the first public hearing regarding the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. (Ashley Lumpkin)

9. **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.

- 9A. Consideration and possible action on the meeting minutes for the April 12, 2018 Council and Economic Development Corporation Meeting, April 16, 2018 Special Called Council Meeting, April 18, 2018 Special Called Meeting, April 19, 2018 Regular City Council Meeting, and amended minutes for March 15, 2018. (Lisa Brown)
- 9B. Consideration and possible action on a resolution approving a Texas Local Gov't Code Chapter 380 agreement for JRS Company, Inc. (Helen Ramirez)
- 9C. Reconsideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)
- 9D. Reconsideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)
- 9E. Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Mustang Creek Project. (Helen Ramirez)

REGULAR AGENDA ITEMS

10. **ORDINANCES:**

- 10A. Consideration of a public hearing and possible action on the first reading of an ordinance approving the right-of-way vacation of Short Street, a 50-Foot Right-Of-Way, approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West. (David Magana)

11. **RESOLUTIONS:**

- 11A. Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a contract to renew electric rates when the current electric contract expires in March of 2020. (Anthony Emadi)

12. **ADJOURNMENT**

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].

CERTIFICATION

I certify that this notice of the May 3, 2018 Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on April 27, 2018 at _____ p.m.

Original Agenda Signed

Lisa Brown, 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) 759-4033 or lisa.brown@huttotx.gov for assistance.



PROCLAMATION

WHEREAS, motorcycle riding is a popular form of recreation and transportation for thousands of people across the state and nation; and

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

WHEREAS, the National Highway Traffic Safety Administration and the Motorcycle Safety Foundation have named May as Motorcycle Safety Awareness Month; and

WHEREAS, states and motorcycle organizations across this country will be conducting a variety of activities to promote the importance of motorist awareness and safely sharing the road with motorcycles and remind riders to make themselves more visible to others; and

WHEREAS, the City of Hutto, wishes to promote the safety campaign of the National Highway Traffic Safety Administration in their effort to ensure the safety and well being of all.

WHEREAS, all highway users should unite in the safe sharing of roadways throughout the City of Hutto, Williamson County and Texas with all others on the roadways.

NOW, THEREFORE, I, Doug Gaul, Mayor of the City of Hutto, do hereby proclaim the month of May 2018 as **MOTORCYCLE SAFETY AWARENESS MONTH** and urge all motor vehicle operators to join in this effort to keep our highway safe.

Doug, Gaul, Mayor





PROCLAMATION

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "This. Place. Matters." is the theme for National Preservation Month 2018, co-sponsored by the Hutto Historic Preservation Commission and the National Trust for Historic Preservation

NOW THEREFORE, I, DOUG GAUL, MAYOR OF THE CITY OF HUTTO, do hereby proclaim May, 2018 as

NATIONAL PRESERVATION MONTH

in Hutto and urge all citizens to recognize this month by dedicating ourselves to the task of recognizing and participating in this special observance.

Proclaimed this 3rd day of May 2018.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 8A. **AGENDA DATE:** May 03, 2018

PRESENTED BY: Ashley Lumpkin, AICP, Executive
Director, Business & Development
Services

ITEM: Open and conduct the first public hearing regarding the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. (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 April 19, 2018.

Notice was published in the Taylor Daily Press and has also been posted on the City of Hutto website.

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

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The City Attorney has approved the process as to form.

STAFF RECOMMENDATION:

Staff recommends that the Council open the public hearing, and then close it following any public comment.

SUPPORTING MATERIAL:

1. [Notice Posted](#)

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 65.925 acres heretofore referred to as the Pollard Tracts property, to-wit:

The Pollard Tracts property (65.925 acres) described as being situated in the William Gatlin Survey, Abstract No. 271, in Williamson County, Texas.

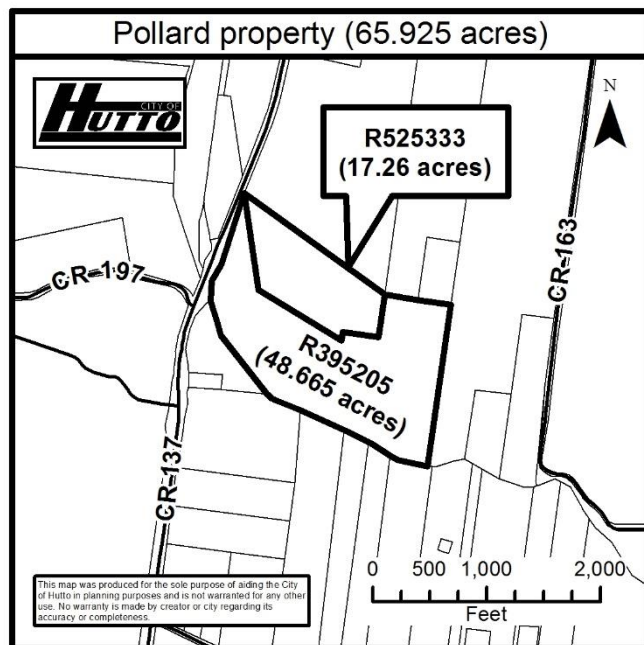
At said time and place all such persons interested shall have the right to appear and be heard. Of all said matters and things, all persons interested in the subject matter herein mentioned shall take notice.

A public hearing will be held on
May 3, 2018 at 7:00 p.m.

Hutto City Hall
401 W. Front St., Hutto, Texas

For additional information the public
may contact Development Services
at 512-759-3479 or
planning@huttotx.gov

Publication Date: April 15, 2018



**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 9A. **AGENDA DATE:** May 03, 2018

PRESENTED BY: Lisa Brown, City Secretary

ITEM:

Consideration and possible action on the meeting minutes for the April 12, 2018 Council and Economic Development Corporation Meeting, April 16, 2018 Special Called Council Meeting, April 18, 2018 Special Called Meeting, April 19, 2018 Regular City Council Meeting, and amended minutes for March 15, 2018. (Lisa Brown)

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND:

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the City Council meeting minutes.

SUPPORTING MATERIAL:

1. [April 19, 2018 Minutes](#)
2. [April 18, 2018](#)
3. [April 16, 2018](#)
4. [April 12, 2018](#)



**CITY COUNCIL
MEETING MINUTES
APRIL 19, 2018**

The Hutto City Council met in a regular session on Thursday, April 19, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 77634.

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 Terri Grimm, and Councilmember Lucio Valdez. Councilmember Tim Jordan was absent.

Members of staff that were present were Odis Jones, City Manager; Mike Shaunessy, City Attorney; Helen Ramirez, Assistant City Manager; Byron Frankland, Chief of Police; Paul Hall, Asst. Police Chief; Lisa Riggs, Library Manager; Jessica Bullock, Director of Economic Development; Anthony Emadi, Chief Financial Officer; Eliska Padilla, Executive Director of Communication; Dave Mason, Purchasing; Sam Pearson, Director of Public Works; Scot Stromsness, Executive Director of Public Works; Ashley Lumpkin, Executive Director of Business Development and Planning; and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL COMMENTS

There were no comments from the council.

PUBLIC COMMENTS

Bob Clark – 109 W. Live Oak - Requested the Council reconsider the development of Old Town, particularly the proposed development of a triplex on Pecan Street. Suggested considering two cottage style homes or a business office with access on Front Street.

Charlene Martindale – 105 W. Live Oak - Against the Triplex on Pecan Street. She says the easement is used for drainage off her property and should not be used as an alley. There are no storm drains just ditches that the property owners are required to maintain.

Rose Sullivan – 109 W. Live Oak -Thanked the Council for their service to the City. She thinks there can be compromise in development in Old Town. There needs to be more dialogue.

Donna Fowler – 108 W. Live Oak - Pointed out that the map of Historic Old Town on the City's website shows 35 easements. Allowing rear-entry would set a precedent for future development. She is concerned about the City turning these easements into streets or alleys. She is disappointed there was no notification to the residents like there was in the old days.

Mike Fowler – 108 W. Live Oak - 40 year resident of Hutto. He is pro-growth, but he believes the lot at 106 Pecan can be used in better ways than a triplex. Says there is considerable history connected with the alleys and is development of the alleys good for Hutto.

Ross Yharte – 512 W. Metcalfe - Concerned about why the construction has started on the Co-Op development when the preliminary and final plats have not been approved. Stated that allowing construction to continue until 8:00 p.m. at night is unreasonable when families have young children that are doing homework or going to bed. States the contractors are starting before 7:00 a.m. in violation of the noise ordinance. Complains that the City does not advise residents of projects.

The Mayor addressed Mr. Yharte and the stated that there was a scheduled meeting for the neighborhood behind the Co-Op and two city employees were present to provide an update to the residents about construction but no one from the neighborhood showed up.

Martin Baker – 303 N. FM 1660 - Resident of 27 years who lives off 1660. He made a trade of property with the HISD and owns 4 feet of the property in the alleyway. He wants a reasonable accommodation. Stated the antiquated sewer system in Old Town needs updating before any other projects are begun.

Mark Taylor – 1309 Creek Bend Cove - Stated the flooding in Creek Bend needs to be addressed. He has a neighbor that has a non-conforming lot. The pump station sits behind a chain link fence.

Mr. Jones addressed Mr. Taylor and stated that the City has been working with the developer about improving the drainage situation in the neighborhood.

CONSENT AGENDA ITEMS

- 7A. Consideration and possible action on the meeting minutes for March 10, 2017 Council Work Session, March 29, 2017 Special Called Meeting, and the April 5, 2017 Regular City Council Meeting.
- 7B. Consideration and possible action on a resolution approving the proposed WCESD3 Swindoll Station Subdivision Final Plat, 3.355 acres, more or less, of land, one commercial lot, located at FM 1660 South and Swindoll Lane.

- 7C. Consideration and possible action on a resolution approving the proposed Singh Subdivision Preliminary Plat, 6.06 acres, more or less, of land, one commercial lot, located within Hutto's extraterritorial jurisdiction (ETJ) on Mager Lane at CR 136.
- 7D. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Block C Lot 7 Final Plat, 2.67 acres, more or less, of land, one commercial lot, located within Hutto's extraterritorial jurisdiction at the southwest intersection of Star Ranch Boulevard and SH-130.
- 7E. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Block C Lots 2-7 Preliminary Plat, 12.26 acres, more or less, of land, seven commercial lots, located within Hutto's extraterritorial jurisdiction on Star Ranch Boulevard at Klattenhoff Lane.
- 7F. Consideration and possible action on a resolution approving the proposed Star Ranch Commercial Lot 1 Block A Final Plat, 1.755 acres, more or less, of land, one non-residential lot, located within Hutto's extraterritorial jurisdiction near the northwest intersection of Gattis School Road and Muirfield Bend Drive, more generally located west of SH-130.
- 7G. Consideration and possible action on a resolution approving the proposed Star Ranch Section 7 Phase 6 Final Plat, 23.277 acres, more or less, of land, 91 single family lots, located within Hutto's extraterritorial jurisdiction on Winterfield Drive at Elm Park Street.
- 7H. Consideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 27.9926 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)
- 7I. Consideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 27.9926 acres, more or less, of land, seven non-residential lots, located on US 79 West.
- 7J. Consideration and possible action on a resolution authorizing the City Manager to purchase a F350 CrewCab truck with Knapheide Service Body from Silsbee Ford.

Motion: Councilmember Grimm made a motion to remove Items 7H and 7I from the consent agenda. Councilmember Hines seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

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

Motion: Councilmember Hines made a motion to approve Items 7A through 7G and 7J. Councilmember Killough seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

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

Following voting on the consent agenda items, Steven Harris of the Planning and Zoning Commission address the Council and advised them that the Commission had reviewed and approved the preliminary and final plats for the Co-Op District.

Motion: Councilmember Hines made a motion to approve Items 7H. Councilmember Grimm seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

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

Motion: Councilmember Hines made a motion to approve Items 7H. Councilmember Rose seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm
 Absent Councilmember Tim Jordan

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

REGULAR AGENDA ITEMS

ORDINANCES

8A. Consideration of a public hearing and possible action on the **first reading** of an ordinance approving the zoning change for the property known as the Cross Creek PUD, 167.39 acres, more or less, of land, located on CR 199, from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district.

Ashley Lumpkin presented this project for re-zoning. The land is currently agricultural land that the owner has requested rezoning for single-family planned residential. Proposed lot sizes of 40, 50 and 60 foot lots.

Mr. Rose requested that the developer look at including turn lanes for the egress from the the development.

Mr. Killough stated that the City needs to deal with the flooding issues in that area.

Mr. Jones remarked that he has had discussions with the developers, Meritage Homes and Lennar Homes, who are interested in a PID to deal with this issue.

Mr. Hines asked if there would be one-sided street parking in this subdivision - yes.

Ms. Grimm stated the flooding issues needed to be address.

Mr. Jones assured the Council the City is working with FEMA and the Corps of Engineers on the problem.

Mayor Gaul opened the public hearing at 7:43 p.m. There were no comments from the public, therefore the hearing was closed at 7:43 p.m.

Motion: Councilmember Killough made a motion to approve the first reading of the ordinance approving the zoning change for the property known as the Cross Creek PUD, 167.39 acres, more or less, of land, located on CR 199, from SF-1 (single family residential) to Planned Unit Development (PUD) zoning district. Councilmember Valdez seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Councilmember Terri Grimm

Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

- 8B. Consideration and possible action on the first reading of an ordinance amending the Code of Ordinances (2014 Edition), chapter 2, Article 2.02.092 Library Advisory Board, Composition; terms of members.

Lisa Brown, City Secretary, presented an amendment to the ordinance requesting a change in the number of board members from five to seven. The request was made to bring the board into parity with the other boards and to help enable a quorum.

Motion: Councilmember Valdez made a motion to approve the ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02.092 Library Advisory Board, Composition: terms of members to change the number of members from 5 to 7. Councilmember Hines seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

Motion: Councilmember Rose moved to dispense with the second reading of the ordinance. Councilmember Killough seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

- 8C. Consideration and possible action on **the second and final reading** of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02, Section

2.02.122; Chapter 8, Article 8.04, Sections 8.04.105 and 8.04.108; and Chapter 16, Article 16.01, Sections 16.01.001 and 16.03.001.

Ashley Lumpkin presented the ordinance for a second reading to amend the Code of Ordinance in order to clean-up errors in the code.

Motion: Councilmember Killough made a motion to approve the second and final reading of an ordinance amending the Code of Ordinances (2014 Edition), Chapter 2, Article 2.02, Section 2.02.122; Chapter 8, Article 8.04, Sections 8.04.105 and 8.04.108; and Chapter 16, Article 16.01, Sections 16.01.001 and 16.03.001. Councilmember Valdez seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

RESOLUTIONS:

9A. Consideration and possible action on a resolution authorizing the City Manager to prepare a Municipal Service Plan for the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137.

Ms. Lumpkin presented this resolution authorizing the City Manager to prepare a Municipal Service Plan.

Motion: Councilmember Killough made a motion to approve the resolution authorizing the City Manager to prepare a Municipal Service Plan for the proposed annexation of the Pollard Tracts, 65.925 acres, more or less, of land, out of the William Gatlin Survey, Abstract No. 271, located on CR 137. Councilmember Valdez seconded the motion.

Vote:

Aye	Mayor Doug Gaul
	Mayor Pro-tem Tom Hines
	Councilmember Scott Rose
	Council Member Nate Killough
	Councilmember Lucio Valdez
	Councilmember Terri Grimm
Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, and 0 nays

9B. Consideration and possible action concerning Hutto Public Library policy and procedures.

Eliska Padilla presented proposed changes to the Public Library policy and procedure manual. The changes would modify the library's hours of operation around City holidays; issue temporary library cards to visitors and disaster victims; amend the donation policy and public use of internet; and the code of conduct policy.

City Manager, Odis Jones, stated that the building is used as part of the emergency management plan and this policy would not effect the usage for such purposes.

Mr. Valdez wanted to know when an individual is banned from the library would it be for a specific period of time or permanent. And if permanent would it be appealable.

Mike Shaunessy, City Attorney, stated that reasonable limits can be placed on the ban and nothing prevents the individual from appealing the ban.

A discussion was had regarding an incident where a library employee was being continually sexually harassed by a patron and the police were called.

Ms. Grimm wanted to know if we insure the art work that is on display. Ms. Padilla stated the Board is currently developing a policy for that. Currently, only the artist insure their work

Motion: Councilmember Killough made a motion to accept the Hutto Public Library policy and procedures. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Aye	Mayor Doug Gaul Mayor Pro-tem Tom Hines Councilmember Scott Rose Council Member Nate Killough Councilmember Lucio Valdez Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

9C. Resolution for continued participation in the Oncor Steering Committee and for payment of the annual membership.

Anthony Emadi, Chief Financial Officer, presented a resolution that authorizes the City's continued participation in the Oncor Steering committee and payment of dues.

Odis Jones requested that Mr. Emadi look at all of the franchise arrangements so the City can increase its access to all providers.

Mike Shaunessy stated that it would be prudent to review all provider agreements.

Motion: Councilmember Valdez made a motion to approve a resolution for continued participation in the Oncor Steering Committee and for payment of the annual membership. Councilmember Killough seconded the motion.

Councilmember Hines abstained from the vote because his wife is employed by Oncor.

<u>Vote:</u>	Aye	Mayor Doug Gaul
		Councilmember Scott Rose
		Council Member Nate Killough
		Councilmember Lucio Valdez
		Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan
	Abstained	Mayor Pro-tem Tom Hines

Action: The motion passed 6 ayes, 0 nays.

Action: The motion passed 5 ayes, 0 nays, and 1 abstention.

9D. Consideration and possible action ratifying the mailing notice for the creation of the Public Improvement District for the Co-Op District.

Mike Shaunessy, City Attorney requested the council defer consideration of this item until after the Executive Session.

Motion: Councilmember Hines made a motion to defer this item until after the Executive Session. Councilmember Grimm seconded the motion.

<u>Vote:</u>	Aye	Mayor Doug Gaul
		Mayor Pro-tem Tom Hines
		Councilmember Scott Rose
		Council Member Nate Killough
		Councilmember Lucio Valdez
		Councilmember Terri Grimm
	Absent	Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

CITY MANAGER COMMENTS

10A. Presentation of March and second quarter financial statements and investment report.

Anthony Emadi reviewed the financials for March that show an increase in revenues. He stated there is a healthy balance in the fund.

Ms. Grimm commented there is a big difference in revenue from last year and it shows fiduciary responsibility.

10B. Community Development Block Grant (CDBG) application submittal.

Jessica Bullock presented a funding opportunity the City is eligible to apply for. Eleven cities in Williamson County are eligible to apply for the grant. The City is applying for \$300,000 that would be applied toward the Creekside Park and Hutto Parke sidewalk projects.

Mr. Valdez commented that he did not understand how we could apply for this grant money for sidewalk projects when the fund he is familiar with deals with lower income issues.

Chief Byron Frankland stated the CDBG funds Mr. Valdez referenced were from a different fund that comes in June and deals with low income crime and demolition of derelict structures that are a health hazard.

Mayor Gaul recessed the meeting at 8:34 p.m. at the council retreated to Executive Session.

EXECUTIVE SESSION

11A. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consulting with an Attorney, and Section 551.087, economic development negotiations related to the Co-Op, Carmel Creek and Project Butterfly.

Council returned from Executive Session and the meeting reconvened at 9:15 p.m.

No action was taken in Executive Session.

At this time Council considered 9D.

9D. Consideration and possible action ratifying the mailing notice for the creation of the Public Improvement District for the Co-Op District.

Motion: Councilmember Hines made a motion to ratify the mailing of the notice for creation of the Public Improvement District for the Co-Op District.

Vote: Aye Mayor Doug Gaul

Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Lucio Valdez
Councilmember Terri Grimm
Absent Councilmember Tim Jordan

Action: The motion passed 6 ayes, 0 nays.

ADJOURNMENT

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary



**CITY COUNCIL SPECIAL CALLED
MEETING MINUTES
APRIL 18, 2018**

The Hutto City Council met in a regular session on Monday, April 18, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 6:30 p.m.

ROLL CALL

Members of the City Council present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Nathan Killough, Councilmember Lucio Valdez, and Councilmember Terri Grimm. Councilmember Nathan Killough and Councilmember Rose were absent.

Members of staff that were present were Helen Ramirez, Assistant City Manager; Jessica Bullock, Director of Economic Development; Eliska Padilla, Executive Director of Communications, and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

There were no public comments.

RESOLUTION

- 5A. Consideration and possible action on a second reading of a resolution approving a Resolution of the Hutto Economic Development Corporation Type B Authorizing the Issuance of Hutto Economic Development Corporation Type B Sales Tax Revenue Bonds, Taxable Series 2018; Authorizing a Pricing Officer of the Board to Approve the Amount, the Interest Rates, the Date, Payment Dates, Redemption Price, and Certain Other Terms of the Bonds; Approving Procedures and Documents Related to the Sale of the Bond and Other Matters Related Thereto.

Hasan Mack provided the Council with an overview of the EDC's deliberation regarding the issuance of the bonds. They decided on a 30 year term with a 7 year call. In doing so the will be the floor and not the cap underwriting rating went from an A- to AA. The proposal will be presented to the Attorney General for review and the April 20th will be met. The requested language change of no less than \$1.00 will be the cap and not the floor of the sale price. The Bond

transaction will close at 10:00 a.m. on Friday, April 20, 2018. He stated the second reading of the resolution is the last legal requirement.

Motion: Councilmember Hines made a motion to approve the resolution accepting the resolution of the Hutto Economic Development Corporation Type B to issue the bonds. Councilmember Killough seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Council Member Nate Killough
 Councilmember Lucio Valdez
 Nay Councilmember Terri Grimm
 Absent Councilmember Scott Rose
 Councilmember Tim Jordan

Action: The motion passed 4 ayes, and 1 nay.

ADJOURNMENT

There being no other business, the meeting was adjourned at 6:41 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary



**CITY COUNCIL SPECIAL CALLED
MEETING MINUTES
APRIL 16, 2018**

The Hutto City Council met in a regular session on Monday, April 16, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

Mayor Gaul called the session to order at 7:47 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 Tim Jordan, and Councilmember Terri Grimm, and Councilmember Lucio Valdez.

Members of staff that were present were Odis Jones, City Manager; Bill Bingham, City Attorney; Helen Ramirez, Assistant City Manager; Byron Frankland, Chief of Police; Eliska Padilla, Executive Director of Communications; Anthony Emadi, Chief Financial Officer; Jessica Bullock, Director of Economic Development, and Lisa Brown, City Secretary.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

There were no public comments.

RESOLUTIONS

- 5A. Consideration and possible action related to the reduction of financial obligations of the Hutto Economic Development Corporation Type B to the City of Hutto.

Anthony Emadi reviewed the financial obligations that would be assumed by the City that total approximately \$500,000.00 that include salaries, rental agreements, etc.

Scott Rose expressed concern that is EWCHEC is not holding up their part of the agreement why is the City continuing to do so. Can the agreement be renegotiated once the Type A Board is dissolved?

Terri Grimm stated it is not the City's responsibility to relieve the EDC of their obligations.

Motion: Councilmember Hines made a motion to reduce the financial obligations of the Hutto Economic Development Corporation Type B to the City of Hutto. Councilmember Killough seconded the motion.

Vote: Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 1 nay.

5B. Consideration and possible action regarding the Performance Agreement between Titan Lone Star, LLC and the Hutto Economic development Corporation Type B.

Bill Gravell, Chairman of the Economic Development Corporation addressed the Council regarding the agreement between the EDC and Titan regarding an agreement for the development of approximately 450 acres of land to be know as the Hutto Rail Central Project. He discussed the issuance of bonds by the EDC for the purchase of the land.

Mr. Rose questioned what land he was discussing – the response was the land previously referred to as the Megasite.

Judge Gravell stated the site was ideal in that it already has access to two different sources of electricity, water and rail.

Ms. Grimm wanted to know if it would be developed in conjunction with the Union Pacific Railroad. City Manager Odis Jones stated the Union Pacific is eager to participate in the development.

Mr. Jordan asked if approval of the Performance Agreement take away the right to negotiate the price.

Mr. Jones stated that it is contemplated that the sale price would be \$1.00 per square foot while it is valued at \$0.46 per square foot.

Mr. Killough does not know id \$1.00 is enough and wants to add language “not less than \$1.00.”

Hasan Mack answered that Section 1.1 is not set in stone and that change in language can be made.

Mr. Rose asked how much has already been spent on this project - \$400,000.00.

Motion: Councilmember Killough made a motion to accept the Performance Agreement between Titan Lone Star, LLC and the Hutto Economic Development Corporation, Type B with the change in language that to read not less than \$1.00 in Section 1.1 and throughout the agreement. Councilmember Valdez seconded the motion.

Before the vote, Mayor Pro-tem recused himself from the vote.

Vote: Ayes Mayor Doug Gaul
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm
Recused Mayor Pro-tem Tom Hines

Action: The motion passed 6 ayes, and 0 nay, 1 recusal.

5C. Consideration on first reading and possible action on a resolution approving the Resolution of the Hutto Economic Development Corporation Type B Authorizing Issuance of Hutto Economic Development Corporation Type B Sales Tax Revenue Bonds, Taxable Series 2018; Authorizing a Pricing Officer of the Board to Approve the Amount, the Interest Rates, the Date, Payment Dates, Redemption Price, and Certain Other Terms of the Bonds; Approving Procedures and Documents Related to the Sale of the Bonds and Other Matters Related Thereto.

Mr. Valdez wanted assurances that this is not a new tax. Mr. Jones assured him this was approved by the citizens in the November 2017 election.

Motion: Councilmember Killough made a motion to approve a resolution approving the Resolution of the Hutto Economic Development Corporation Type B Authorizing Issuance of Hutto Economic Development Corporation Type B Sales Tax Revenue Bonds, Taxable Series 2018; Authorizing a Pricing Officer of the Board to Approve the Amount, the Interest Rates, the Date, Payment Dates, Redemption Price, and Certain Other Terms of the Bonds; Approving Procedures and Documents Related to the Sale of the Bonds and Other Matters Related Thereto. Councilmember Thornton seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Nay Councilmember Terri Grimm

Action: The motion passed 6 ayes, and 1 nay.

5D. Consideration and possible action on a Sales Tax Economic Development Corporation Type B. Agreement with the Hutto Economic Development Corporation Type B.

Hasan Mack advised the Council that an agreement was need for the City to remit the tax revenue to the EDC.

Motion: Councilmember Jordan made a motion to enter into a Sales Tax Remittance Agreement with the Hutto Economic Development Corporation Type B. Councilmember Hines seconded the motion.

Vote: Aye Mayor Doug Gaul
Mayor Pro-tem Tom Hines
Councilmember Scott Rose
Council Member Nate Killough
Councilmember Tim Jordan
Councilmember Lucio Valdez
Councilmember Terri Grimm

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

5E. Consideration and possible action on requirements for winding up Hutto Economic Development Corporation Type A and transfer of assets and obligations from Hutto Economic Development Corporation Type A to Hutto Economic Development Corporation Type B.

Bill Bingham advised the Council that a motion was need as a follow-up to the voters' recommendation to eliminate the Type A Board and to transfer the to the Type B Corporation.

Mr. Killough asked in the Type A contracts will be renegotiated. Mr. Bingham stated some would assigned, some cancelled and some renegotiated.

Mr. Jones stated he is comfortable with the wind down of the Type A even though the investigation is ongoing. He believes the Police Chief is too.

Chief Frankland stated he is also comfortable in moving forward with the wind down.

Mr. Emadi advised the Council that the State Comptroller's office will begin sending the tax money to the Type B Board in the near future.

Motion: Councilmember Hines made a motion for the City Manager to take action to wind down the Type A Board and transfer the assets and obligations from the Hutto Economic Development Corporation Type A to the Hutto Economic Development Corporation Type B. Councilmember Rose seconded the motion.

Vote: Aye Mayor Doug Gaul
 Mayor Pro-tem Tom Hines
 Councilmember Scott Rose
 Council Member Nate Killough
 Councilmember Tim Jordan
 Councilmember Lucio Valdez
 Councilmember Terri Grimm

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

ADJOURNMENT

With there being no further business, the meeting was adjourned at 8:42 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED:

Lisa L. Brown, City Secretary



**JOINT MEETING OF CITY COUNCIL AND HUTTO
ECONOMIC DEVELOPMENT CORPORATION TYPE B
MEETING MINUTES
APRIL 12, 2018**

The Hutto City Council and the Hutto Economic Development Corporation Type B met in a special called session on Thursday, April 12, 2018, in the Hutto City Council Chamber, 401 W. Front Street, Hutto, TX 78634.

CALL SESSION TO ORDER

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

ROLL CALL

The mayor called the roll.

Members of the City Council that were present were Mayor Doug Gaul, Mayor Pro-tem Tom Hines, Councilmember Scott Rose, Councilmember Tim Jordan, Councilmember Terri Grimm, Councilmember Nathan Killough, and Councilmember Lucio Valdez.

Members of the Hutto Economic Development Corporation that were present were Bill Gravell, Chairman; Bryon Borchers, Vice-Chair; Dan Thornton, Secretary; Nelson Nagle, Treasurer; Chris Carey, and Jason Wirth. Scott Fuller was absent.

Members of staff that were present were Odis Jones, City Manager; Helen Ramirez, Assistant City Manager; City Attorney, Bill Bingham; Byron Frankland, Chief of Police; Eliska Padilla, Executive Director of Communications; Ryan Morgan, Manager of General Services; Jessica Bullock, Director of Economic Development; and Lisa Brown, City Secretary.

PUBLIC COMMENTS

There were no comments from the public.

The meeting was recessed at 7:01p.m. for the Executive Session.

EXECUTIVE SESSION

- 4A. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consulting with an Attorney, and Section 551.087, economic development negotiations related to Project Butterfly. With the City Council of the City of Hutto and the Hutto Economic Development Corporation Type B, as well as staff for the City of Hutto.

- 4B. Executive Session, as authorized by Texas Government Code, Section 551.071, regarding consulting with an Attorney on requirements for winding up Hutto Economic Development Corporation Type A and transfer of assets and obligations from Hutto Economic Development Corporation Type A to Hutto Economic Development Corporation Type B.

The Executive Session was recessed at 8:19 p.m. for a break and reconvened at 8:27 p.m.

The Council returned from Executive Session and the meeting was reconvened at 9:53 p.m.

No action was taken in Executive Session.

ADJOURNMENT

With no other business to conduct, the meeting was adjourned at 9:53 p.m.

CITY OF HUTTO

Doug Gaul, Mayor

APPROVED

Lisa L. Brown, City Secretary

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 9B. **AGENDA DATE:** May 03, 2018

PRESENTED BY: Helen Ramirez, Assistant City Manager

ITEM:

Consideration and possible action on a resolution approving a Texas Local Gov't Code Chapter 380 agreement for JRS Company, Inc. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

The City of Hutto entered in to a Development Agreement with JRS Company, Inc. in August 2017. Section III.1.a of the executed Development Agreement states that a 380 agreement will be utilized to reimburse the Company 50% of ad valorem taxes levied by the City on the property and improvements on the property which shall continue until January 1, 2017. The payments were conditioned upon the Company beginning construction prior to January of 2018 which has begun. This item creates the 380 agreement as directed by the Development Agreement.

BUDGETARY AND FINANCIAL SUMMARY:

A report on the economic impact of JRS Company, Inc. in Hutto was prepared in July of 2017.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not Applicable

CITY ATTORNEY REVIEW:

City Attorney has reviewed the attached 380 Agreement.

STAFF RECOMMENDATION:

Staff recommends approval of the 380 Agreement.

SUPPORTING MATERIAL:

1. [Draft Resolution](#)
2. [Draft Chapter 380 Agreement](#)

RESOLUTION NO. _____

A RESOLUTION APPROVING A TEXAS LOCAL GOV'T CODE CHAPTER 380 AGREEMENT FOR JRS COMPANY, INC. BETWEEN THE CITY OF HUTTO, A MUNICIPAL CORPORATION, AND JRS COMPANY, INC.

WHEREAS, JRS Company, Inc. (the “Company”) intends to relocate its business onto a property in Hutto and build improvements to house the Company’s Headquarters and manufacturing facility; and

WHEREAS, the City of Hutto (the “City”) wishes to enter into a Texas Local Gov’t Code Chapter 380 Agreement with the Company in order to participate in certain costs related to the project; and,

WHEREAS, the City has determined that the location of the Company within the City will be a public benefit; and

WHEREAS, the City and the Company desire to work together in good faith to enhance and preserve the general area of the Project for the benefit of the Citizens of the City and surrounding area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, that the Hutto City Council hereby approves and authorizes the City Manager to execute the 380 Agreement, attached as **Exhibit “A”**, 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 **3rd** day of **May, 2018**.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa Brown, City Secretary

JRS COMPANY, INC. AND

CITY OF HUTTO, TEXAS

CHAPTER 380

ECONOMIC DEVELOPMENT AGREEMENT

This Chapter 380 Economic Development Agreement ("Agreement") is entered into this 3rd day of May, 2018, by and between the City of Hutto, Texas, a Texas home rule municipal corporation ("City") and JRS Company, Inc. its successors and assigns ("Developer") (with each City and Developer a Party, and together, the "Parties").

WHEREAS, Developer intends to develop a tract of land (the "Property") known as Block A, Lots 5, 6, and 7 in the Burge Business Park, more particularly described on Exhibit A attached hereto; and

WHEREAS, the purpose of this Agreement is to promote economic development as contemplated by Chapter 380 of the Texas Local Government Code, and;

WHEREAS, the City hereby establishes and authorizes the making of economic development grants to Developer in recognition of the positive economic benefits to the City as evidenced by the Development Agreement entered into in August of 2017; and

WHEREAS, the City has agreed to reimburse 50% of ad valorem taxation payments levied by the City on the Property and improvements on the Property conditioned upon the Company commencing construction prior to January of 2018; and

NOW, THEREFORE, and in consideration of the promises and mutual covenants hereinafter set forth, the Parties agree as follows:

1. **Authority.** The City's execution of this Agreement, as authorized by Chapter 380 of the Texas Local Government Code, constitutes a valid and binding obligation of the City in the event Developer completes the Project as described herein. The City acknowledges that Developer is acting in reliance upon the City's performance of its obligations under this Agreement in making its decision to commit substantial resources and money to construct the Project.
2. **Term.** This Agreement shall become enforceable upon its Effective Date. This Agreement shall terminate on January 1, 2027, unless otherwise extended as provided for in Section 4.1(b), below.
3. **Rights and Obligations of Developer.**

In consideration of the City's compliance with this Agreement, Developer agrees as follows:

- 3.1 Construction of the Project. Developer will commence construction of the Project, including site work and site improvements, no later than the end of the Fourth Quarter of 2017.
- 3.2 Compliance with Development Regulations and Other Ordinances. Developer shall comply with the City's development approval processes and shall develop the Project on the Property consistent with City ordinances, City-approved design plans, and other applicable City development requirements. The Company will make timely application to the City for permits and approvals necessary to develop the project.
- 3.3 Acquisition of the Property. The Company will complete the acquisition of the Property no later than September 30, 2017.
- 3.4 Construction Commencement. The Company will commence construction of the Project, including site work and site improvements, no later than the end of Fourth Quarter of 2017.
- 3.5 Permits and Permission. The company will make timely application to the City for permits and approvals necessary to develop the Project.
- 3.6 Company Operations. The Company Headquarters will specialize in the manufacturing of aluminum sign frames and holders for doors, desktops and small wall wayfinding and will locate on the Property. At the start of manufacturing processes, the Company will commence with at least fifty-five (55) employees and grow to approximately seventy (70) employees within twelve (12) months.
- 3.7 Ongoing Operations. The Company will use its best efforts to purchase material, including construction material, including construction material within the City limits of the City or as close to the city limits as possible.
- 3.8 Ongoing Employment Obligations. After commencement of the manufacturing processes and initial employment of at least seventy (70) employees, Company shall employ at least seventy (70) employees for each of the next ten (10) years after commencement of the manufacturing processes. Company will provide to City, on or before March 1 of each year, a certification signed by an officer of the Company that as of January 1 of the year of the certification, Company employs at least seventy (70) employees within its facility in the Project.
- 3.9 Anticipated Costs. The Company anticipates that it will spend in excess of five and one-half million dollars (\$5,500,000) on the Project including land, planning, relocation expenses, equipment and construction.
- 3.10 Requests by the Company. The Company has requested assistance from the

City and City of Hutto Economic Development Corporation certain economic incentives to facilitate the move of the Company to the City, development of the Project and continued offers of employment to area citizens.

- 3.11 Financial Statements. The Company will provide quarterly financial statements to the City commencing June 1, 2018. The City will maintain the financial agreements in a confidential manner and will enter into a confidentiality agreement with the Company if requested by the Company.
- 3.12 Ceasing to Do Business. If the Company ceases to do business on the Property or at an alternative location within the City limits, within fifteen (15) years of the date of commencement of the Project, the Company will repay any economic incentive benefits received by the Company prior to the date of ceasing to operate within thirty (30) days after demand by the City.

4. Rights and Obligations of the City.

In consideration of Developer's compliance with this Agreement, the City agrees as follows:

4.1 City Property Tax Reimbursement.

Conditioned upon the payment by the Company of City-imposed ad valorem property taxes on the Property and improvements on the Property, within thirty (30) days after receipt of the Property tax payment, commencing January 1 2018, the City will pay to the Company fifty percent (50%) of ad valorem taxes levied by the City on the Property and improvements on the Property. The payments will continue until January 1, 2027. These payments are conditioned on the Company commencing construction prior to January of 2018, paying each year City ad valorem tax payments and complying with the Company Covenants and other provisions of this Agreement.

- 4.2 Utility Services for the Property. The City shall provide water, wastewater and other necessary utility services to Developer for the Project, subject to the same fees and charges assessed to similarly situated properties. Initial City construction, water, and wastewater fees and impact fees shall be reduced by fifty (50%)

- 4.3 Permitting. The City shall provide Developer with approved, permitted construction plans for the Project and shall cooperate with Developer to expeditiously process all City permit applications and City inspections.

5. Miscellaneous.

- 5.1 Mutual Assistance. The City and Developer will do all things reasonably necessary or appropriate to carry out the terms and provisions of this Agreement, and to aid and assist each other in carrying out such terms and

provisions in order to put each other in the same economic condition contemplated by this Agreement regardless of any changes in public policy, the law, or taxes or assessments attributable to the Property.

5.2 Representations and Warranties of Company.

- (a) Authorization. Company is a company duly organized, validly existing, and in good standing under the laws of the State of California with authority to perform its obligations under this Agreement.
- (b) Performance. Performance of this Agreement will not result in any breach of, or constitute any default under, any agreement or other instrument to which Company is a party or by which Company may be bound.
- (c) Execution. The execution and delivery by Company of, and Company's performance under, this Agreement are within Company's powers and have been duly authorized by all requisite organizational action. The Person executing this Agreement on behalf of Company has the authority to do so. This Agreement constitutes the legal, valid and binding obligation of Company enforceable in accordance with its terms.
- (d) Litigation. Company has not received written notice and has no actual knowledge of any litigation pending or threatened against Company that might adversely affect the Property or the Project or Company's ability to perform its obligations under this Agreement.

5.3 Representations and Warranties of City.

- (a) Authorization. The City is a municipal corporation with full right and authority to enter into this Agreement and to consummate the transactions described in this Agreement.
- (b) Performance. Performance of this Agreement will not result in any breach of, or constitute any default under, any agreement or other instrument to which the City is a party or by which the City may be bound.
- (c) Execution. The execution and delivery of, and the City's performance under, this Agreement are within the City's powers and have been duly authorized by all requisite municipal action. Each of the Persons executing this Agreement on behalf of the City is duly authorized to do so. This Agreement constitutes the legal, valid and binding obligation of the City enforceable in accordance with its terms.

- 5.4 Default. If either the City or Developer should default in the performance of any obligations of this Agreement, the other party shall provide such defaulting party written notice of the default, and a minimum period of thirty (30) days to cure such default, prior to instituting an action for breach or pursuing any

other remedy for default. If the City remains in default after notice and opportunity to cure, Developer shall have the right to pursue any remedy at law or in equity for the City's breach. If Developer remains in default after notice and opportunity to cure, the City's remedy shall be limited to a termination of any City obligation to reimburse property taxes as described above.

- 5.5 Attorney's Fees. In the event any legal action or proceeding is commenced between the City and Developer to enforce provisions of this Agreement and recover damages for breach, the prevailing party in such legal action shall be entitled to recover its reasonable attorney's fees and expenses incurred by reason of such action, to the extent allowed by law.
- 5.6 Entire Agreement. This Agreement contains the entire agreement between the parties. This Agreement may only be amended, altered or revoked by written instrument signed by the City and Developer.
- 5.7 Binding Effect. This Agreement shall be binding on and inure to the benefit of the parties, their respective successors and assigns.
- 5.8 Assignment. Developer may assign all or part of its rights and obligations to a third party upon thirty days written notice to the City.
- 5.9 Amendment. This Agreement may be amended by the mutual written agreement of the parties.
- 5.10 Termination. In the event Developer elects not to proceed with the Project as contemplated by this Agreement, Developer shall notify the City in writing, and this Agreement and the obligations on the part of both parties shall be deemed terminated and of no further force or effect.
- 5.11 Notice. All notices and other communications hereunder shall be in writing and, shall be delivered by hand delivery, expedited courier delivery or mailed (if mailed, by registered or certified mail, return receipt requested, postage prepaid) addressed as follows, and shall be effective upon actual delivery if delivered by hand or by expedited courier delivery or, if mailed, three days after deposit in the United States mail:

If to Company, to:

With a copy to:

If to the City, to:

Odis Jones, City Manager
401 West Front Street
Hutto, Texas 78634
Phone: (512) 759-4030

With a copy to:

William H. Bingham
McGinnis Lochridge & Kilgore, L.L.P.
600 Congress Avenue, Suite 2100
Austin, Texas 78701
Phone: (512) 495-6000
Facsimile: (512) 495-6093

Either party may designate a different address at any time upon written notice to the other party.

- 5.12 Interpretation. Each of the parties have been represented by counsel of their choosing in the negotiation and preparation of this Agreement. Regardless of which party prepared the initial draft of this Agreement, this Agreement shall, in the event of any dispute, however its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against any party.
- 5.13 Applicable Law. This Agreement is made, and shall be construed and interpreted, under the laws of the State of Texas and venue shall lie in Williamson County, Texas.
- 5.13. Severability. In the event any provisions of this Agreement are illegal, invalid or unenforceable under present or future laws, and in that event, it is the intention of the parties that the remainder of this Agreement shall not be affected. It is also the intention of the parties of this Agreement that in lieu of each clause and provision that is found to be illegal, invalid or unenforceable, a provision be added to this Agreement which is legal, valid or enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- 5.14 Paragraph Headings. The paragraph headings contained in this Agreement are for convenience only and will in no way enlarge or limit the scope or meaning of the various and several paragraphs.

- 5.14 No Third Party Beneficiaries. This Agreement is not intended to confer any rights, privileges or causes of action upon any third party.
- 5.15 No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create any partnership or joint venture among the parties. The City, its past, present and future officers, elected officials, employees and agents of the City, do not assume any responsibilities or liabilities to any third party in connection with the development of the Project or the design, construction or operation of any portion of the Project.

EXECUTED to be effective as of the ____ day of _____, 2018.

JRS Company, Inc.

By: _____

Printed Name: _____

Title: _____

CITY OF HUTTO, TEXAS

A home rule city and municipal corporation

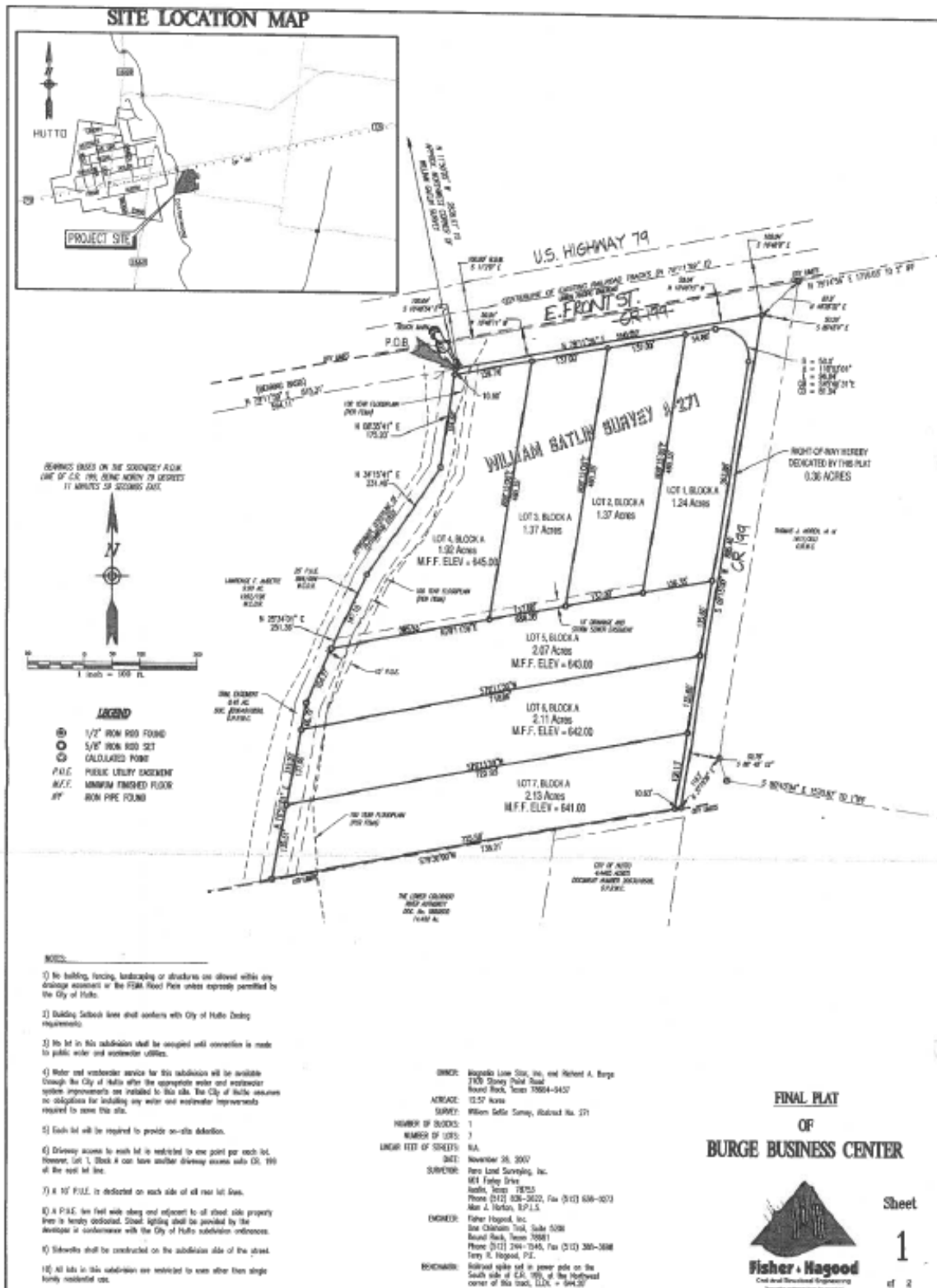
By: _____

Printed Name: _____

Title: _____

EXHIBIT A

Property Description



CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.: 9C. **AGENDA DATE:** May 03, 2018

PRESENTED BY: Ashley Lumpkin, AICP, Executive
Director, Business & Development
Services

ITEM:

Reconsideration and possible action on a resolution approving the proposed Co-Op District Preliminary Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

The Co-Op District Preliminary Plat is proposing a 28.73 acre subdivision consisting of seven non-residential lots. Two of the lots are large landscaped islands, located inside the proposed rights-of-way. The proposed subdivision is located on the north side of US 79, between Short Street and Exchange Boulevard.

Access to the site during construction will be from US 79. When the subdivision is complete, access to and through the site will be available from US 79, Live Oak Street, and Pecan Street. Water and wastewater are available to the site.

All department review comments have been addressed.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the resolution.

SUPPORTING MATERIAL:

1. [Resolution - Co-Op District Preliminary Plat](#)
2. [Co-Op Preliminary Plat](#)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "CO-OP 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 "Co-Op 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 3rd day of the month May, 2018.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

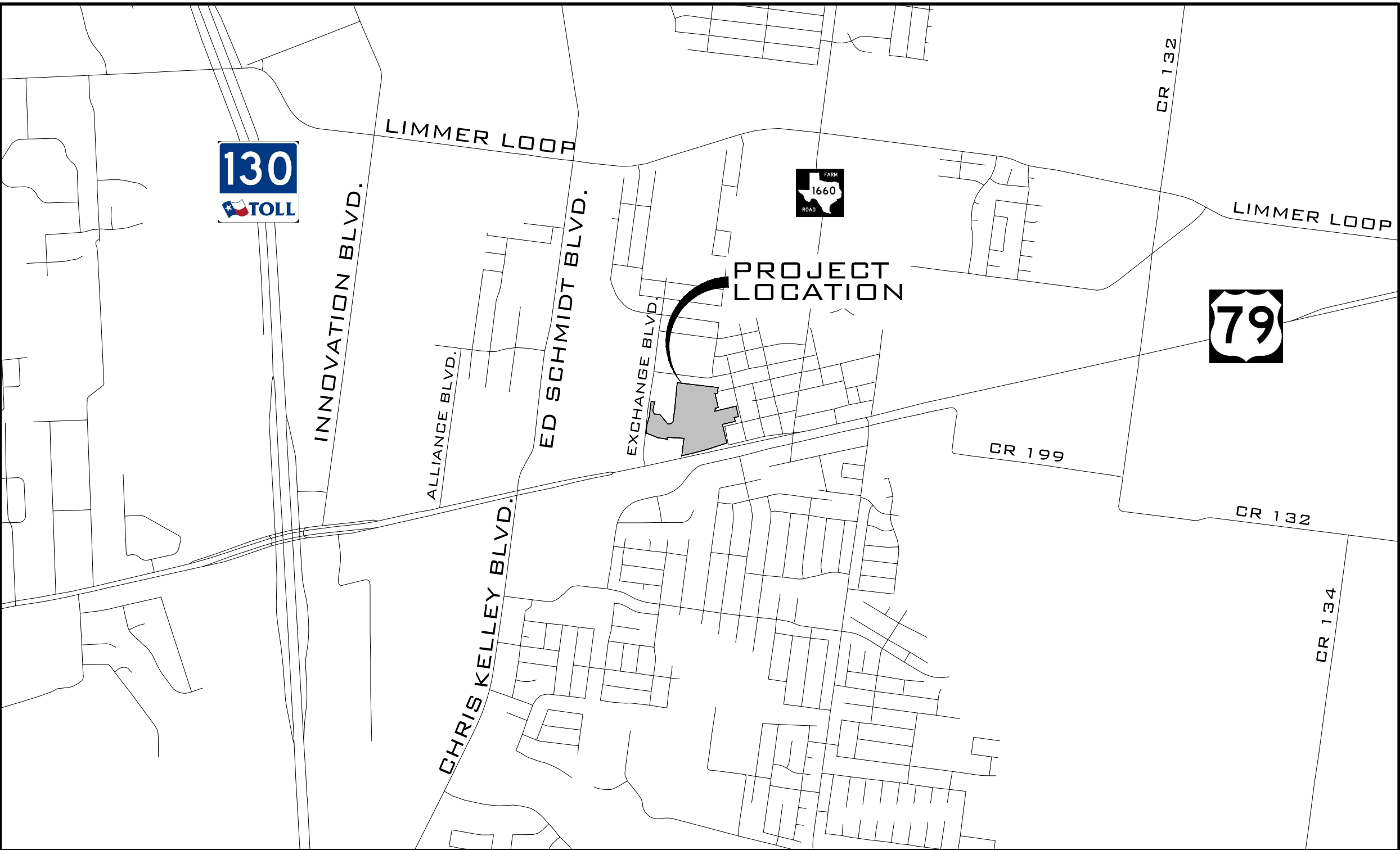
ATTEST:

Lisa L. Brown, City Secretary

THE CO-OP DISTRICT

PRELIMINARY PLAN

420 US HWY 79, HUTTO, TX 78628



VICINITY MAP
1" = 2000'

NOTES:

1. THIS SITE IS NOT LOCATED IN THE EDWARD'S AQUIFER RECHARGE ZONE.
2. THIS PROPERTY DOES NOT LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48491C0520E, DATED SEPTEMBER 26, 2008.
3. JURISDICTION AND RESPONSIBILITY LIST:
A. CITY OF HUTTO
B. WILLIAMSON COUNTY
C. WATER - CITY OF HUTTO
D. WASTEWATER - CITY OF HUTTO
4. FIRE/EMERGENCY SERVICES - WILLIAMSON COUNTY ESD #3

OWNER/DEVELOPER: MA PARTNERS, LLC
15443 KNOLL TRAIL RD, SUITE 130
DALLAS, TEXAS 75248

ENGINEER: LANDDEV CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TEXAS 78735
(512) 872-6696

SURVEYOR: 4WARD LAND SURVEYING
PO BOX 90876
AUSTIN, TEXAS 78709
(512) 537-2384

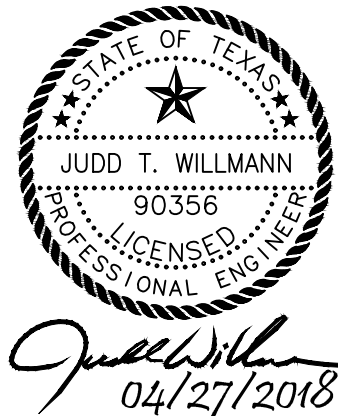


SHEET INDEX

1 OF 1 PRELIMINARY PLAN
EXHIBIT A OVERALL WATER EXHIBIT
EXHIBIT B OVERALL WASTEWATER EXHIBIT
EXHIBIT C OVERALL STORM EXHIBIT



LANDDEV
CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: (512) 872-6696
FIRM NO.: 16394



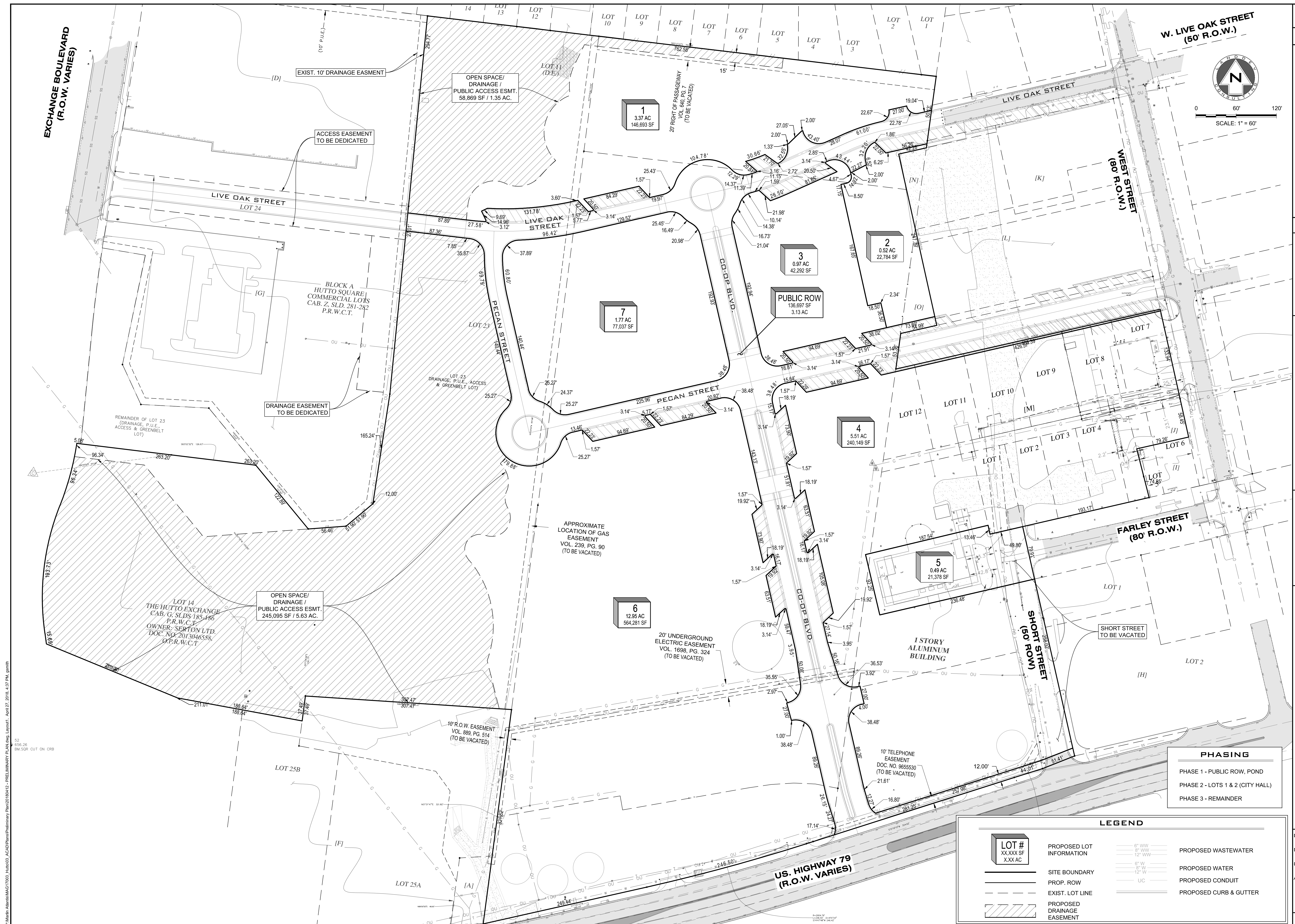
COVER
THE CO-OP DISTRICT
PRELIMINARY PLAN
WILLIAMSON COUNTY, HUTTO, TEXAS

"I CERTIFY THAT THESE ENGINEERING DOCUMENTS ARE COMPLETE, ACCURATE AND ADEQUATE FOR THE INTENDED PURPOSES, INCLUDING CONSTRUCTION, BUT ARE NOT AUTHORIZED FOR CONSTRUCTION PRIOR TO FORMAL CITY APPROVAL."

APPROVED BY:

DESIGNED BY: JW/BG
DRAWN BY: gs
CHECKED BY: BG
APPROVED BY: JW

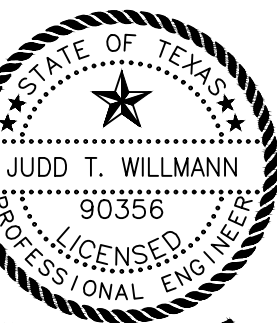
1514-PLAT

[illegible]

**Know what's below.
Call before you dig.**

LAND DEV

CONSULTING, LLC
108 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384



04/27/2018

PRELIMINARY PLAN

THE CO. OF DISTRICT
PRELIMINARY PLAN
AMSON COUNTY UNITED F

WILLIAMSON COUNTY, HOUID, TEXAS

DESIGNED BY: JW/BG

DRAWN BY: gs

CHECKED BY: BG

APPROVED BY: JW

SHEET 1 OF 1

1514-PLAT

P:\Martin_Alanjula\AAG7703_Martin03_ACAD\Plan\Overall Water Plan.dwg, Overall Water, April 27, 2018, 1:20 AM, gmmh



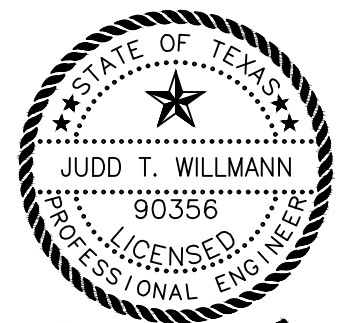
0 60' 120'
SCALE: 1" = 60'

LEGEND

- PROPERTY LINE
- ROW
- PROPOSED WASTEWATER
- PROPOSED STORM DRAIN
- PROPOSED STORM MANHOLE
- PROPOSED WATER
- PROPOSED CONDUIT
- PROPOSED CURB & GUTTER
- PROPOSED CONTOUR MAJOR
- PROPOSED CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- EXISTING CONTOUR MINOR



LAND DEV
CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.787.6696
FIRM NO. 16394



OVERALL WATER PLAN

THE CO-OP DISTRICT
PRELIMINARY PLAN

WILLIAMSON COUNTY, HUTTO, TEXAS

DESIGNED BY: JW/BG

DRAWN BY: gs

CHECKED BY: BG

APPROVED BY: JW

EXHIBIT A
1514-PLAT



LEGEND

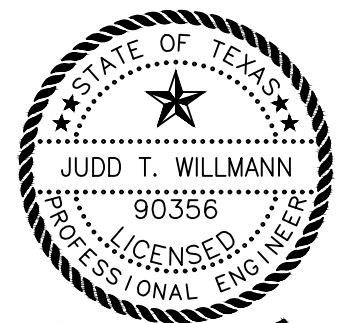
- | | |
|--|------------------------|
| | PROPERTY LINE |
| | ROW |
| | PROPOSED WASTEWATER |
| | PROPOSED STORM DRAIN |
| | PROPOSED STORM MANHOLE |
| | PROPOSED WATER |
| | PROPOSED CONDUIT |
| | PROPOSED CURB & GUTTER |
| | PROPOSED CONTOUR MAJOR |
| | PROPOSED CONTOUR MINOR |
| | EXISTING CONTOUR MAJOR |
| | EXISTING CONTOUR MINOR |
| | FLOW ARROW |



Know what's below.
Call before you dig

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AUSTIN, TX 78735
OFFICE: 512.872.6696
FIRM NO. 16384



04/27/2018

OVERALL WASTEWATER PLAN

THE CO-OP DISTRICT
PRELIMINARY PLAN
WILLIAMSON COUNTY, HUTTO, TEXAS

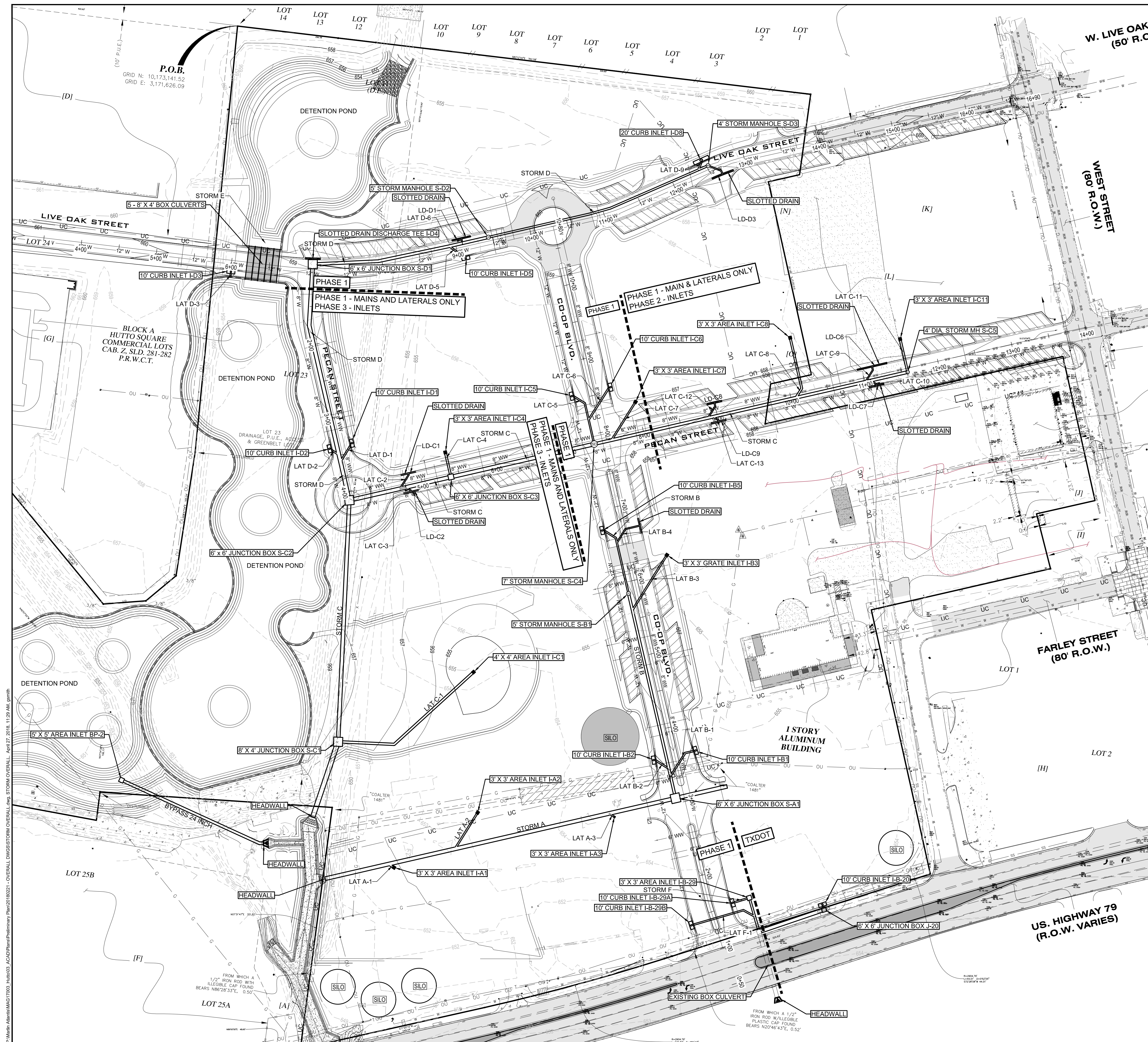
DESIGNED BY: JW/BG

DRAWN BY: gs

CHECKED BY: BG

APPROVED BY: JW

EXHIBIT B
1514-PLAT



SCALE: 1" = 60'

LEGEND

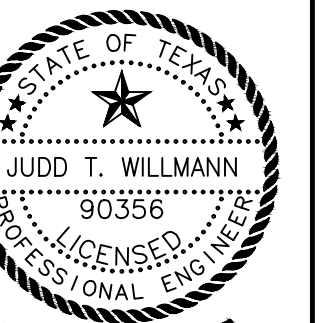
-
- PROPERTY LINE
- ROW
- PROPOSED STORM DRAIN
- PROPOSED STORM MANHOLE
- PROPOSED CURB INLET
- PROPOSED GRATE INLET
- PROPOSED WATERLINE
- PROPOSED WASTEWATER
- PROPOSED CURB & GUTTER
- PROPOSED CONTOUR MAJOR
- PROPOSED CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- EXISTING CONTOUR MINOR
- 12" W 12" W 12" W
- 8" WW 8" WW 8" WW
- 655
- 654
- 655
- 654
- Diagram Description: This plan view illustrates the layout of a proposed stormwater management facility. Key features include a proposed storm drain, a storm manhole, a curb inlet, a grate inlet, a waterline, a wastewater line, a curb and gutter, and proposed contours for both major and minor roads. The diagram also shows existing contours and property lines. Specific dimensions and elevations are noted: three 12-inch wide sections and three 8-inch wide sections, and elevations of 655, 654, and 655.



Now what's below.
Call before you dig.

LAND DEV

5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX . 78735
OFFICE: 512.872.6696
FIRM NO. 16384



04/27/2018

OVERALL STORM EXHIBITION

THE COUNTY OF DISTRICT
PRELIMINARY PLAN
WILLIAMSON COUNTY, HUTTO, TEXAS

DESIGNED BY: JW/BG

DRAWN BY: gs

CHECKED BY: BG

APPROVED BY: JW

EXHIBIT C
514-PLAT

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

9D.

AGENDA DATE: May 03, 2018

PRESENTED BY:

Ashley Lumpkin, AICP, Executive
Director, Business & Development
Services

ITEM:

Reconsideration and possible action on a resolution approving the proposed Co-Op District Final Plat, 28.73 acres, more or less, of land, seven non-residential lots, located on US 79 West. (Ashley Lumpkin)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

The Co-Op District Final Plat is proposing a 28.73 acre subdivision consisting of seven non-residential lots. Two of the lots are large landscaped islands, located inside the proposed rights-of-way. The proposed subdivision is located on the north side of US 79, between Short Street and Exchange Boulevard.

Access to the site during construction will be from US 79. When the subdivision is complete, access to and through the site will be available from US 79, Live Oak Street, Exchange Boulevard, and Pecan Street. Water and wastewater are available to the site.

The remaining comments on the plat are regarding notes on maintenance, updating signatories, and filling in document numbers. These items can be addressed prior to recordation.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

Not applicable.

STAFF RECOMMENDATION:

Staff recommends that the Council approve the resolution.

SUPPORTING MATERIAL:

1. [Resolution - Co-Op District Final Plat](#)
2. [Co-Op Final Plat](#)

RESOLUTION NO.

A RESOLUTION APPROVING THE PLAT KNOWN AS "CO-OP DISTRICT 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 "Co-Op District Final Plat", a copy of same being attached hereto as "Exhibit A" and incorporated herein for all purposes.

CONSIDERED and RESOLVED on this the **3rd** day of the month **May, 2018**.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary



LEGEND

	PREVIOUS SUBDIVISION PER VOL. 50 PG. 253, D.R.W.C.T.
	PREVIOUS SUBDIVISION PER PLAT CAB. Z SLDS. 281-282
	PREVIOUS SUBDIVISION PER PLAT CAB. G SLDS. 185-186

[A] CALLED 0.093 ACRE
OWNER: CITY OF HUTTO
DOC. NO. 2016079125
O.P.R.W.C.T.

[B] CALLED 1.256 ACRE
(DESCRIBED AS TRACT II)
OWNER: CITY OF HUTTO
DOC. NO. 2003119272,
O.P.R.W.C.T.

[C] LOTS 1-4 & A PORTION OF LOT 5, BLOCK 8 I & G RR ADDITION
OWNER: CITY OF HUTTO
DOC. NO. 2003119272, O.P.R.W.C.T.

[D] PART OF LOTS 5 AND 6 BLOCK 8 RAILROAD ADDN
OWNER: WELDON R. COPELAND
DOC. NO. 9729237, O.P.R.W.C.T.

LAND DEV
CONSULTING, LLC

4WARD
Land Surveying
A Limited Liability Company
PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

**FINAL PLAT OF
THE CO-OP DISTRICT**

Date:	4/27/2018
Project:	00627
Scale:	1" = 100'
Reviewer:	SMD
Tech:	RM
Field Crew:	HT/DC
Survey Date:	AUG. 2017
Sheet:	1 OF 8

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000117952327.

STATE PLANE GRID CONTROL FOR THIS SURVEY IS
BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL"
CAP SET, GRID COORDINATES AND ELEVATIONS SHOWN
HEREON WERE DERIVED FROM GPS STATIC
OBSERVATIONS ON JULY 24, 2017, (NAVD 88)
PROCESSED BY O.P.U.S., 4WARD CONTROL POINT WAS
CHECKED TO LCRA MONUMENT CS01, HAVING A
PUBLISHED GRID COORDINATE & (NAVD 88, GEOID 03
ELEVATION OF) N 10175029.3595, E 3169445.5793,
ELEV. 678.7542'.

THIS PROPERTY IS LOCATED WITHIN ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.I.R.M. PANEL NO.48491C 0520E, WILLIAMSON COUNTY, TEXAS DATED SEPTEMBER 26, 2008.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

**TBM #2- SQUARE CUT ON TOP OF CONCRETE CURB
ON THE SOUTH SIDE OF A DRIVEWAY ON THE WEST
SIDE OF EXCHANGE BOULEVARD, ± 420' NORTH OF
US HIGHWAY 79. ELEVATION = 656.26**

OWNER:
CITY OF HUTTO
210 US-79, HUTTO, TX
78634

420 US 79, LTD.
10095 US 290 EAST
MANOR, TEXAS 78653

ENGINEER:
LAND DEV CONSULTING
5508 HIGHWAY 290
WEST SUITE 150
AUSTIN, TEXAS 78735

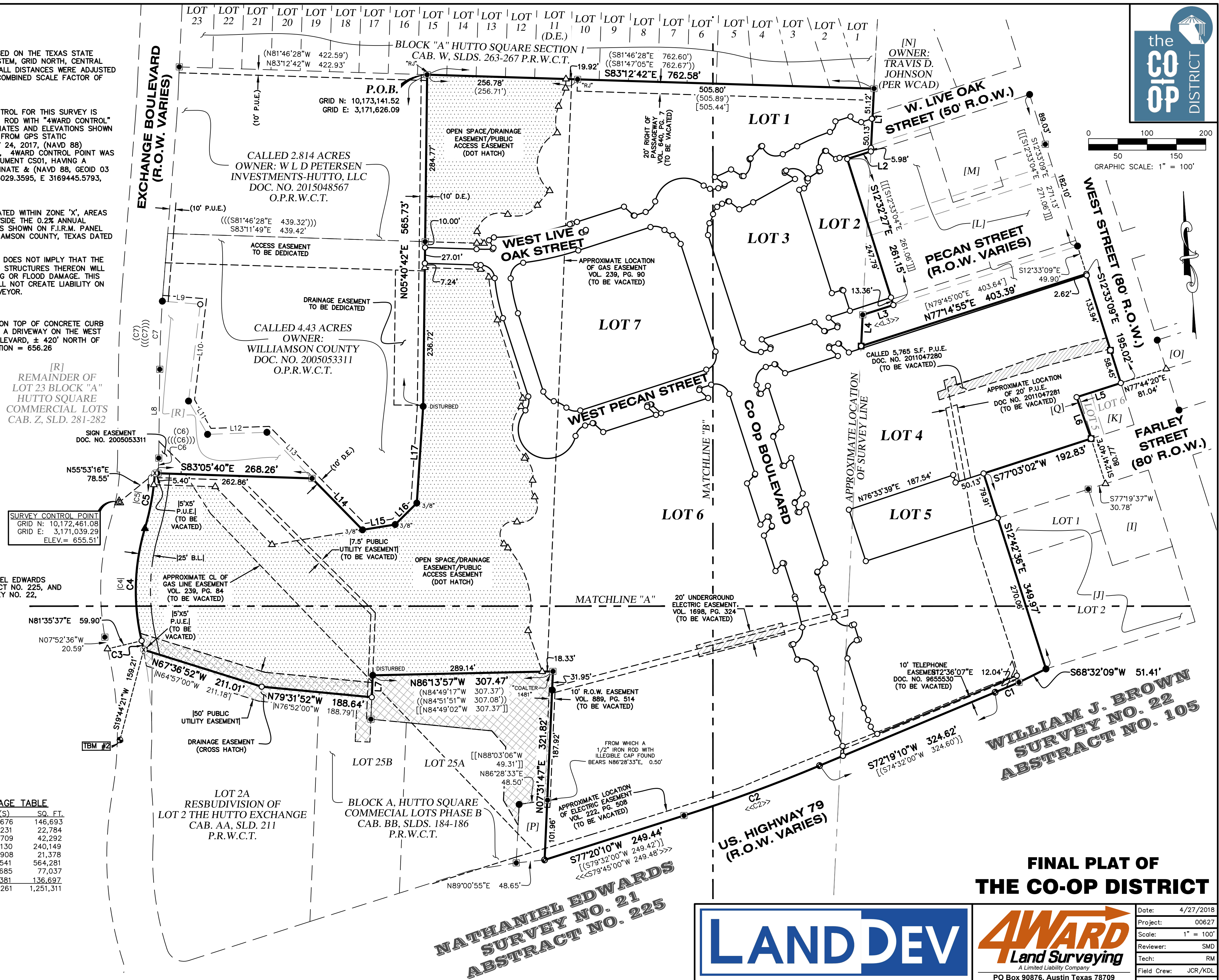
SURVEYOR:
4WARD LAND
SURVEYING
2201 WOODWARD
STREET, SUITE 2201
AUSTIN, TEXAS 78745

ACREAGE: 28.7261

PATENT SURVEY: NATHANIEL EDWARDS
SURVEY NO. 21, ABSTRACT NO. 225, AND
WILLIAM J. BROWN SURVEY NO. 22,
ABSTRACT NO. 105

NUMBER OF LOTS: 7

ACREAGE TABLE		
LOT #	ACRE(S)	SQ. FT.
1	3.3676	146,693
2	0.5231	22,784
3	0.9709	42,292
4	5.5130	240,149
5	0.4908	21,378
6	12.9541	564,281
7	1.7685	77,037
(R.O.W.)	3.1381	136,697
TOTAL	28.7261	1,251,311



FINAL PLAT OF THE CO-OP DISTRICT

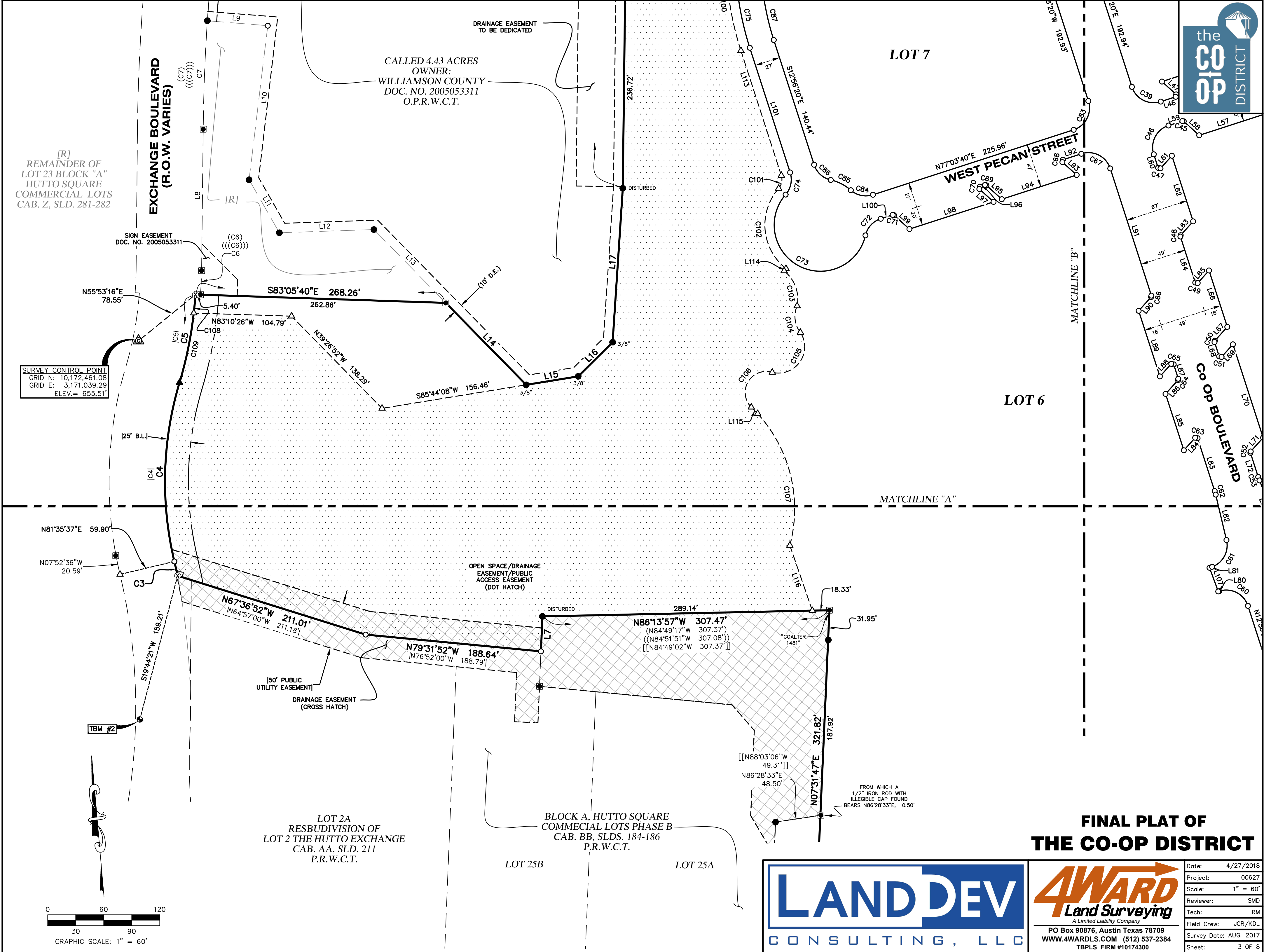
LANDDEV
CONSULTING, LLC



4WARD
Land Surveying

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	4/27/2018
Project:	00627
Scale:	1" = 100'
Reviewer:	SMD
Tech:	RM
Field Crew:	JCR/KDL
Survey Date:	AUG. 2017
Sheet:	2 OF 8

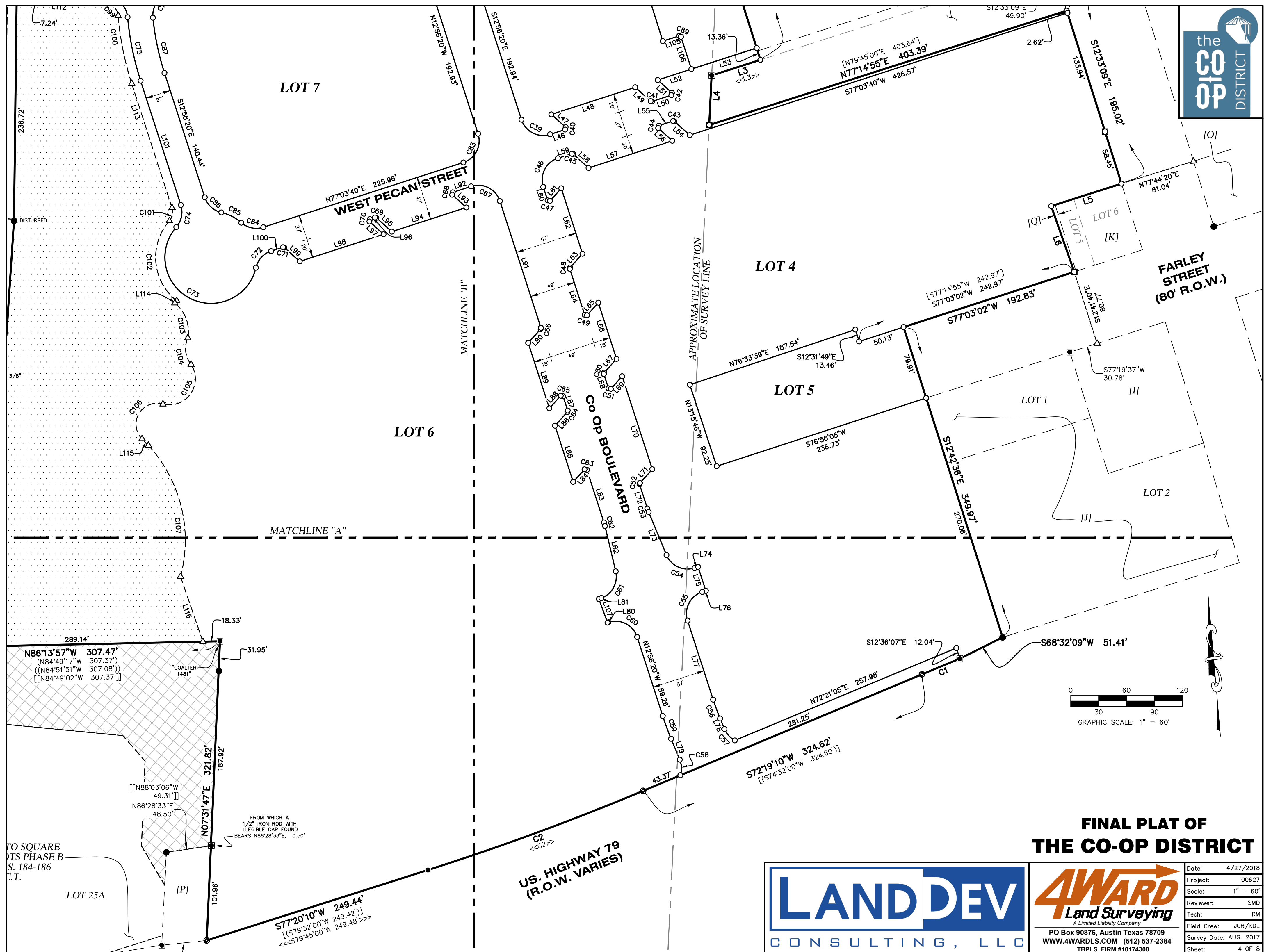


**FINAL PLAT OF
THE CO-OP DISTRICT**



4WARD
Land Surveying
A Limited Liability Company
PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

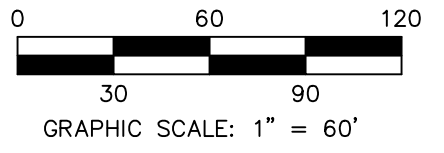
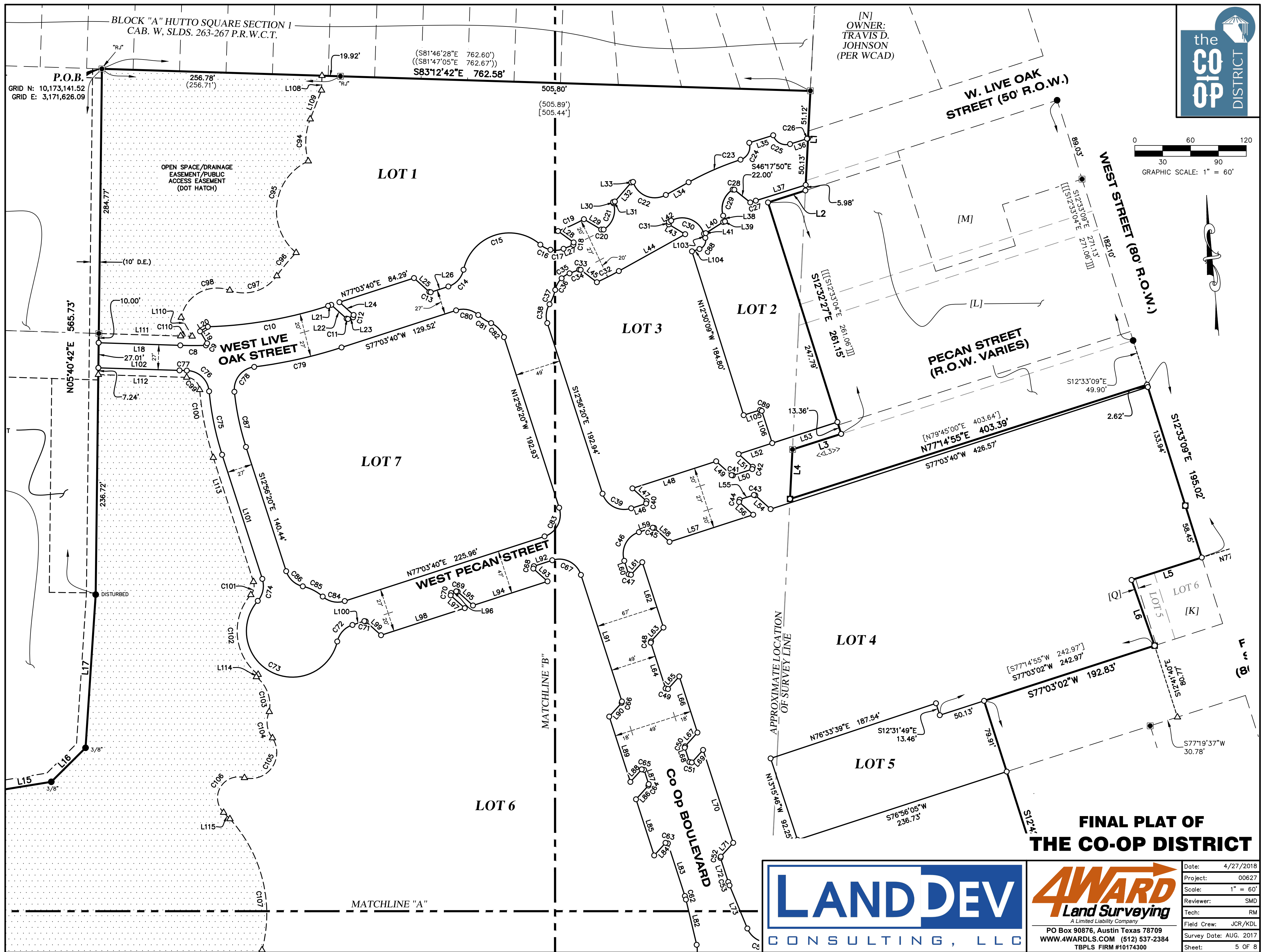
Date:	4/27/2018
Project:	00627
Scale:	1" = 60'
Reviewer:	SMD
Tech:	RM
Field Crew:	JCR/KDL
Survey Date:	AUG. 2017
Sheet:	3 OF 8



FINAL PLAT OF THE CO-OP DISTRICT



Date:	4/27/2018
Project:	00627
Scale:	1" = 60'
Reviewer:	SMD
Tech:	RM
Field Crew:	JCR/KDL
Survey Date:	AUG. 2017
Sheet:	4 OF 8



(B)

(C)

(D)

(E)

(F)

(G)

(H)

(I)

(J)

(K)

(L)

(M)

(N)

(O)

(P)

(Q)

(R)

(S)

(T)

(U)

(V)

(W)

(X)

(Y)

(Z)

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	44.01'	2,904.79'	0°52'05"	S72°28'08"W	44.01'
C2	246.50'	2,824.79'	4°59'59"	S74°47'48"W	246.42'
C3	15.69'	680.00'	1°19'19"	N07°41'36"W	15.69'
C4	193.73'	370.00'	29°59'57"	N06°38'44"E	191.52'
C5	96.13'	430.00'	12°48'33"	N15°13'50"E	95.93'
C6	25.84'	435.00'	3°24'12"	N07°40'10"E	25.83'
C7	134.63'	1,965.00'	3°55'33"	N07°27'50"E	134.61'
C8	27.58'	486.50'	3°14'53"	S84°49'16"E	27.58'
C9	3.12'	1.50'	119°02'59"	N34°01'48"E	2.59'
C10	131.78'	466.50'	16°11'06"	N85°09'12"E	131.34'
C11	1.57'	1.50'	60°00'00"	S72°56'20"E	1.50'
C12	3.14'	1.50'	120°00'00"	S17°03'40"W	2.60'
C13	1.57'	1.50'	60°00'00"	S72°56'20"E	1.50'
C14	25.43'	24.50'	59°27'45"	N47°11'15"E	24.30'
C15	104.78'	50.50'	118°52'41"	N76°53'43"E	86.97'
C16	12.29'	24.50'	28°44'01"	S58°01'57"E	12.16'
C17	14.37'	24.50'	33°35'57"	S89°11'56"E	14.16'
C18	3.16'	1.50'	120°41'00"	N11°22'26"E	2.61'
C19	30.66'	202.75'	8°39'46"	N70°26'13"E	30.63'
C20	2.72'	2.50'	62°17'27"	S85°14'11"E	2.59'
C21	32.55'	24.50'	76°07'14"	N25°33'29"E	30.21'
C22	43.40'	24.50'	101°29'18"	S63°20'48"E	37.94'
C23	61.00'	313.50'	11°08'55"	N71°29'00"E	60.91'
C24	22.67'	14.50'	89°33'37"	N32°16'40"E	20.43'
C25	22.78'	14.50'	90°00'00"	S57°30'09"E	20.51'
C26	1.18'	4,986.51'	0°00'49"	N77°29'27"E	1.18'
C27	6.25'	266.50'	1°20'36"	S76°49'33"W	6.25'
C28	1.86'	1.50'	70°53'49"	N81°44'45"W	1.74'
C29	32.20'	24.50'	75°18'29"	S25°09'06"W	29.93'
C30	43.44'	24.50'	101°35'19"	N63°17'48"W	37.97'
C31	3.14'	1.50'	120°00'00"	S05°54'33"W	2.60'
C32	26.50'	333.50'	4°33'10"	S68°11'07"W	26.49'
C33	1.59'	2.09'	4°34'05"	N77°31'02"W	1.55'
C34	11.15'	313.50'	2°02'16"	S73°36'47"W	11.15'
C35	10.14'	24.50'	23°43'07"	S62°46'22"W	10.07'
C36	14.38'	24.50'	33°37'57"	S34°05'50"W	14.18'
C37	16.73'	50.50'	18°59'12"	S26°46'28"W	16.66'
C38	21.04'	24.50'	49°12'24"	S11°39'52"W	20.40'
C39	38.48'	24.50'	90°00'00"	S57°56'20"E	34.65'
C40	3.14'	1.50'	120°00'00"	N17°03'40"E	2.60'
C41	1.57'	1.50'	60°00'00"	S72°56'20"E	1.50'
C42	3.14'	1.50'	120°00'00"	N17°03'40"E	2.60'
C43	1.57'	1.50'	60°00'00"	N72°56'20"W	1.50'
C44	3.14'	1.50'	120°00'00"	S17°03'40"W	2.60'
C45	1.57'	1.50'	60°00'00"	N72°56'20"W	1.50'
C46	38.48'	24.50'	90°00'00"	S32°03'40"W	34.65'
C47	3.14'	1.50'	120°00'00"	S72°56'20"E	2.60'
C48	1.57'	1.50'	60°00'00"	S17°03'40"W	1.50'
C49	3.14'	1.50'	120°00'00"	S72°56'20"E	2.60'

RECORD CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
<<C2>>	246.55'	2824.79'	5°00'03"	S77°15'00"W	246.47'
[C3]	15.69'	680.00'	1°19'19"	N04°50'20"W	15.69'
[C4]	193.74'	370.00'	30°00'02"	N09°30'00"E	191.53'
[C5]	95.84'	430.00'	12°46'12"	N18°06'54"E	95.64'
(((C6)))	25.81'	435.00'	3°24'00"	N08°42'03"E	25.81'
(C7)	134.74'	1,965.00'	3°55'44"	N08°57'55"E	134.72'
((((C7))))	134.74'	1,965.00'	3°55'44"	N08°57'55"E	134.72'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
<<L3>>	S77°14'42"W	54.96'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C50	1.57'	1.50'	60°00'00"	S17°03'40"W	1.50'
C51	3.14'	1.50'	120°00'00"	S72°56'20"E	2.60'
C52	1.57'	1.50'	60°00'00"	S17°03'40"W	1.50'
C53	3.95'	49.50'	4°34'26"	S15°13'33"E	3.95'
C54	36.53'	24.50'	85°25'34"	S60°13'33"E	33.24'
C55	38.48'	24.50'	90°00'00"	S32°03'40"W	34.65'
C56	21.61'	271.50'	4°33'40"	S15°13'10"E	21.61'
C57	16.80'	25.00'	38°30'30"	S37°09'48"E	16.49'
C58	17.14'	24.50'	40°04'30"	N02°32'15"E	16.79'
C59	26.15'	328.50'	4°33'40"	N15°13'10"W	26.14'
C60	38.48'	24.50'	90°00'00"	N57°56'20"W	34.65'
C61	35.55'	24.50'	83°08'08"	N33°12'10"E	32.51'
C62	3.95'	49.50'	4°34'26"	N10°39'07"W	3.95'
C63	3.14'	1.50'	120°00'00"	N72°56'20"W	2.60'
C64	1.57'	1.50'	60°00'00"	N17°03'40"E	1.50'
C65	3.14'	1.50'	120°00'00"	N72°56'20"W	2.60'
C66	1.57'	1.50'	60°00'00"	N17°03'40"E	1.50'
C67	38.48'	24.50'	89°59'58"	N57°56'20"W	34.65'
C68	3.14'	1.50'	120°00'00"	S17°03'40"W	2.60'
C69	1.57'	1.50'	60°00'00"	N72°56'20"W	1.50'
C70	3.14'	1.50'	120°00'00"	S17°03'40"W	2.60'
C71	1.57'	1.50'	60°00'00"	N72°56'20"W	1.50'
C72	25.27'	24.50'	59°06'07"	S47°30'36"W	24.17'
C73	179.88'	49.50'	208°12'13"	N57°56'20"W	96.02'
C74	25.27'	24.50'	59°06'07"	N16°36'43"E	24.17'
C75	69.79'	313.50'	12°45'21"	N06°33'40"W	69.65'
C76	35.87'	24.50'	83°53'24"	N42°07'42"W	32.75'
C77	7.85'	513.50'	0°52'34"	N83°38'07"W	7.85'
C78	37.89'	24.50'	88°35'58"	S43°31'11"W	34.22'
C79	96.42'	513.50'	10°45'30"	S82°26'25"W	96.28'
C80	25.45'	24.50'	59°30'40"	N73°11'00"W	24.32'
C81	16.49'	50.50'	18°42'39"	N52°47'00"W	16.42'
C82	20.98'	25.89'	46°25'39"	N37°32'32"W	20.41'
C83	38.48'	24.50'	90°00'00"	N32°03'40"E	34.65'
C84	25.27'	24.50'	59°06'07"	S73°23'17"E	24.17'
C85	24.37'	49.50'	28°12'13"	S57°56'20"E	24.12'
C86	25.27'	24.50'	59°06'07"	S42°29'24"E	24.17'
C87	60.80'	286.50'	12°09'32"	S06°51'34"E	60.69'
C88	14.92'	9.50'	90°00'00"	N32°29'51"E	13.44'
C89	2.34'	1.50'	89°33'48"	N57°43'14"W	2.11'
C90	64.91'	24.50'	151°47'47"	S57°56'20"E	47.52'
C91	89.03'	24.50'	208°12'45"	S57°56'20"E	47.52'
C92	77.09'	24.50'	180°16'43"	N72°37'53"W	49.00'
C93	76.85'	24.50'	179°43'17"	S72°37'53"E	49.00'

EASEMENT CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C94	46.07'	70.55'	37°24'39"	N07°41'04"E	45.25'
C95	118.55'	58.79'	115°32'22"	N12°32'35"E	99.46'
C96	32.53'	209.08'	8°54'56"	N44°46'48"E	32.50'
C97	56.96'	43.38'	75°13'24"	N77°56'02"E	52.95'
C98	68.07'	39.23'	99°25'36"	N65°49'56"E	59.85'
C99	21.13'	14.50'	83°28'28"	N41°27'35"W	19.31'
C100	74.62'	323.50'	13°12'59"	N06°19'51"W	74.46'
C101	14.96'	14.50'	59°06'07"	N16°36'43"E	14.30'
C102	96.38'	49.50'	92°48'50"	N00°14'39"W	86.19'
C103	42.08'	38.53'	62°35'02"	N15°21'32"W	40.02'
C104	29.91'	27.77'	61°41'50"	N01°58'31"W	28.48'
C105	67.32'	28.11'	137°13'43"	N40°09'39"E	52.34'
C106	59.47'	22.50'	151°27'31"	N35°57'47"E	43.61'
C107	151.54'	151.12'	57°27'10"	N08°44'16"W	145.27'
C108	19.90'	430.00'	2°39'04"	N10°09'05"E	19.90'
C109	76.23'	430.00'	10°09'29"	S16°33'22"W	76.13'
C110	12.44'	476.50'	1°29'46"	S83°56'42"E	12.44'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S07°51'48"W	107.24'
L2	S77°15'43"W	42.28'
L3	S77°15'17"W	54.99'
L4	S07°51'48"W	53.36'
L5	S77°14'55"W	79.26'
L6	S14°18'53"E	74.85'
L7	S07°20'38"W	37.49'
L8	N05°38'31"E	151.41'
L9	S80°19'09"E	64.91'
L10	S11°54'56"W	166.18'
L11	S24°44'20"E	65.45'
L12	S86°57'08"E	101.29'
L13	S39°25'22"E	109.97'
L14	S39°26'52"E	122.95'
L15	N85°44'08"E	56.46'
L16	N50°12'36"E	51.90'
L17	N08°47'04"E	165.24'
L18	S83°11'49"E	87.89'
L19	N25°29'41"W	14.96'
L20	N64°30'19"E	9.69'
L21	N77°03'40"E	3.60'
L22	S42°56'20"E	22.23'
L23	N77°03'40"E	5.77'
L24	N42°56'20"W	20.50'
L25	S42°56'20"E	22.23'
L26	N77°03'39"E	19.97'
L27	N72°51'43"E	11.39'
L28	N48°58'32"W	20.81'
L29	S54°05'27"E	21.70'
L30	N12°30'09"W	1.33'
L31	N77°29'51"E	2.00'
L32	N45°47'30"E	27.05'
L33	N77°23'51"E	2.00'
L34	N65°54'33"E	28.07'
L35	N77°28'38"E	27.00'
L36	N77°29'51"E	19.04'
L37	S77°29'51"W	56.26'
L38	S12°30'09"E	6.52'
L39	S77°29'51"W	2.00'
L40	S62°25'31"W	22.27'
L41	S77°29'51"W	2.00'
L42	S65°54'33"W	2.85'
L43	S54°05'27"E	20.50'
L44	S65°54'33"W	81.65'
L45	N47°37'20"W	21.98'
L46	N77°03'40"E	16.81'
L47	N42°56'20"W	20.50'
L48	N77°03'40"E	94.69'
L49	S42°56'20"E	22.23'
L50	N77°03'40"E	21.91'
L51	N42°56'20"W	20.50'
L52	N77°03'40"E	38.02'
L53	N77°03'40"E	73.69'
L54	N42°56'20"W	22.23'
L55	S77°03'40"W	16.17'
L56	S42°56'20"E	20.50'
L57	S77°03'40"W	94.69'
L58	N42°56'20"W	22.29'
L59	S77°03'40"W	15.64'
L60	S12°56'20"E	15.17'
L61	N47°03'40"E	18.19'
L62	S12°56'20"E	73.90'
L63	S47°03'40"W	19.92'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L64	S12°56'20"E	51.81'
L65	N47°03'40"E	18.19'
L66	S12°56'20"E	63.51'
L67	S47°03'40"W	19.92'
L68	S12°56'20"E	16.17'
L69	N47°03'40"E	18.19'
L70	S12°56'20"E	105.08'
L71	S47°03'40"W	19.92'
L72	S12°56'20"E	27.14'
L73	S17°30'46"E	50.16'
L74	N77°03'40"E	3.92'
L75	S12°56'20"E	27.00'
L76	S77°03'40"W	4.00'
L77	S12°56'20"E	89.26'
L78	S17°30'00"E	12.27'
L79	N17°30'00"W	24.27'
L80	S77°03'40"W	1.00'
L81	N74°46'13"E	2.97'
L82	N08°21'54"W	50.08'
L83	N12°56'20"W	59.47'
L84	S47°03'40"W	18.19'
L85	N12°56'20"W	63.51'
L86	N47°03'40"E	19.92'
L87	N12°56'20"W	16.17'
L88	S47°03'40"W	18.19'
L89	N12°56'20"W	73.90'
L90	N47°03'40"E	19.92'
L91	N12°56'20"W	143.13'
L92	S77°03'40"W	20.82'
L93	S42°56'21"E	20.50'
L94	S77°03'40"W	84.29'
L95	N42°56'20"W	22.23'
L96	S77°03'40"W	5.77'
L97	S42°56'20"E	20.50'
L98	S77°03'40"W	94.69'
L99	N42°56'20"W	22.23'
L100	S77°03'40"W	13.46'
L101	N12°56'20"W	140.44'
L102	N83°11'49"W	87.36'
L103	N12°30'09"W	4.67'
L104	N77°29'51"E	8.50'
L105	S77°29'51"W	18.50'
L106	N12°56'20"W	36.50'
L107	N15°11'14"W	27.00'



LEGAL DESCRIPTION

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 28.7261 ACRES (1,251,311 SQUARE FEET), PARTIALLY OUT OF THE WILLIAM J. BROWN SURVEY NO. 22, ABSTRACT NO. 105, AND PARTIALLY OUT OF THE NATHANIEL EDWARDS SURVEY NO. 21, ABSTRACT NO. 225, BOTH IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF A CALLED 8.62 ACRE TRACT CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2008077696 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID TRACT BEING A PORTION OF LOT 23, BLOCK A, HUTTO SQUARE COMMERCIAL LOTS, RECORDED IN CABINET Z, PAGES 281-282 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAVE AND EXCEPT A PORTION OF A CALLED 0.055 ACRE TRACT CONVEYED TO HILL COUNTRY BIBLE CHURCH HUTTO IN DOCUMENT NO. 2017025032 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 11.157 ACRE TRACT (DESCRIBED AS TRACT I), SAVE AND EXCEPT A CALLED 2.00 ACRE TRACT CONVEYED TO HUTTO DEVELOPMENT, LTD., RECORDED IN DOCUMENT NO. 2002055851 (O.P.R.W.C.T.), SAID TRACT 1 CONVEYED TO THE CITY OF HUTTO, TEXAS, IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 1.256 ACRE TRACT (DESCRIBED AS TRACT II), SAID TRACT II BEING ALL OF LOTS 7 THROUGH 12, BLOCK 8, I. & G. N. RAILROAD ADDITION, A SUBDIVISION RECORDED IN VOLUME 50, PAGE 251 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), SAVE AND EXCEPT A PORTION OF LOT 7 AND 8, CONVEYED TO THE HUTTO VOLUNTEER FIRE DEPARTMENT, RECORDED IN DOCUMENT NO. 1999058911 (O.P.R.W.C.T.) AND DOCUMENT NO. 2001069610 (O.P.R.W.C.T.), SAID TRACT II CONVEYED TO THE CITY OF HUTTO, TEXAS IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 1.364 ACRE TRACT (DESCRIBED AS TRACT III), AND BEING ALL OF A CALLED 0.691 ACRE TRACT (DESCRIBED AS TRACT IV) SAID TRACT IV BEING ALL OF LOTS 1-4 AND A PORTION OF LOT 5, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, SAVE AND EXCEPT THE PORTION OF SAID LOTS 4 AND 5 CONVEYED TO WELDON R. COPELAND IN DOCUMENT NO. 2003044735 (O.P.R.W.C.T.), SAID TRACTS III-IV CONVEYED TO THE CITY OF HUTTO, TEXAS, IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 0.31 ACRE TRACT (DESCRIBED AS TRACT 1), AND A CALLED 0.02 ACRE TRACT (DESCRIBED AS TRACT 2), AND A CALLED 0.13 ACRE TRACT, AND A CALLED 0.01 ACRE TRACT (DESCRIBED AS TRACT 4), ALL OF WHICH WERE CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2006070154 (O.P.R.W.C.T.), SAID TRACTS 2 AND 4 BEING A PORTION OF AN ALLEY (17' RIGHT-OF-WAY) CROSSING BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION (SAID TRACTS 2 AND 4 INCORRECTLY REFERENCED IN DOCUMENT NO. 2006070154 (O.P.R.W.C.T.) THE ALLEY TO BE 20' WIDE), AND BEING A PORTION OF THE ALLEY (17' RIGHT-OF-WAY) CROSSING BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING ALL OF A CALLED 1.442 ACRE TRACT (DESCRIBED AS TRACT II) AND A CALLED 2.919 ACRE TRACT (DESCRIBED AS TRACT III) CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2004003059 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 0.093 ACRE TRACT CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2016079125 (O.P.R.W.C.T.), SAID 0.093 ACRE TRACT BEING A PORTION OF LOT 1, LOT 7 AND AN ALLEY (21' RIGHT-OF-WAY, VACATED PER DOCUMENT NO. 2015052472 (O.P.R.W.C.T.)) IN BLOCK 9 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING ALL OF A CALLED 0.1469 ACRE TRACT CONVEYED TO 420 US 79, LTD., IN DOCUMENT NO. 2018026889 (O.P.R.W.C.T.), AND BEING ALL OF LOT 14 OF THE HUTTO EXCHANGE, RECORDED IN CABINET G, SLIDES 185-186 (P.R.W.C.T.), SAID LOT 14 WAS CONVEYED TO 420 US 79 LTD., RECORDED IN DOCUMENT NO. 2018003332 (O.P.R.W.C.T.), AND BEING ALL OF THE RIGHT-OF-WAY OF SHORT STREET (50' RIGHT-OF-WAY, DEDICATED IN SAID I. & G. N. RAILROAD ADDITION), SAID 28.7261 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2-INCH IRON ROD WITH "RJ" CAP FOUND IN THE SOUTH LINE OF LOT 15, BLOCK A, HUTTO SQUARE SECTION 1, RECORDED IN CABINET W, SLIDES 263-267 (P.R.W.C.T.), AND BEING THE NORTHEAST CORNER OF A CALLED 2.814 ACRE TRACT CONVEYED TO WLD PETERSEN INVESTMENTS-HUTTO, LLC, IN DOCUMENT NO. 2015048567 (O.P.R.W.C.T.), AND BEING THE COMMON NORTH CORNER OF LOTS 23 AND 24, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND BEING THE NORTHWEST CORNER OF SAID CITY OF HUTTO 8.62 ACRE TRACT, FOR THE NORTHWEST CORNER AND POINT OF BEGINNING HEREOF, FROM WHICH A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND IN THE EAST RIGHT-OF-WAY LINE OF EXCHANGE BOULEVARD (RIGHT-OF-WAY VARIES), AND BEING THE SOUTHWEST CORNER OF LOT 23, BLOCK A OF SAID HUTTO SQUARE SECTION 1, AND BEING THE NORTHWEST CORNER OF LOT 24, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND BEING THE NORTHWEST CORNER OF SAID WLD PETERSEN TRACT BEARS, N83°12'42"W, A DISTANCE OF 422.93 FEET;

THENCE, WITH THE SOUTH LINE OF BLOCK A OF SAID HUTTO SQUARE SECTION 1, AND WITH THE NORTH LINE OF LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND IN PART WITH THE NORTH LINES OF SAID CITY OF HUTTO 8.62 ACRE AND 11.157 ACRE TRACT, S83°12'42"E, A DISTANCE OF 762.58 FEET TO A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND FOR THE NORTHEAST CORNER HEREOF, SAID POINT BEING IN THE WEST LINE OF LOT 1, BLOCK 13 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK A OF SAID HUTTO SQUARE SECTION 1, AND BEING THE NORTHEAST CORNER OF LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND SAID CITY OF HUTTO 8.62 ACRE AND 11.157 ACRE TRACTS;

THENCE, WITH THE EAST LINES OF LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND SAID CITY OF HUTTO 8.62 ACRE AND 11.157 ACRE TRACTS, IN PART WITH THE WEST LINE OF LOT 1, BLOCK 13 OF SAID I. & G. N. RAILROAD ADDITION, AND IN PART WITH THE WESTERN TERMINUS OF WEST LIVE OAK STREET (RIGHT-OF-WAY VARIES), S07°51'48"W, PASSING AT A DISTANCE OF A 96.56 FEET, A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND AT THE PREVIOUS SOUTHWEST TERMINUS OF SAID W. LIVE OAK STREET, AND CONTINUING FOR A TOTAL DISTANCE OF 107.24 FEET TO A 1/2-INCH IRON ROD WITH "WARD-5811" CAP SET FOR AN ANGLE POINT HEREOF, SAID POINT BEING AT THE SOUTHWEST TERMINUS OF SAID LIVE OAK STREET, AND BEING AT THE NORTHEAST CORNER OF SAID 0.055 ACRE HILL COUNTRY BIBLE CHURCH HUTTO TRACT, AND BEING IN THE NORTH LINE OF LOT 1A, BLOCK 9 OF RAILROAD ADDITION, LOTS 1-4, 5 (S/P1), AND 7 BLOCK 9, AMENDED PLAT, RECORDED IN DOCUMENT NO. 2015080695 (O.P.R.W.C.T.);

THENCE, LEAVING THE EAST LINE OF LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND SAID CITY OF HUTTO 8.62 ACRE AND 11.157 ACRE TRACTS, IN PART OVER AND ACROSS LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND SAID CITY OF HUTTO 8.62 ACRE AND 11.157 ACRE TRACTS, WITH THE NORTH AND WEST LINES OF SAID 0.055 HILL COUNTRY BIBLE CHURCH HUTTO TRACT AND SAID LOT 1A, IN PART WITH THE EAST AND SOUTH LINES OF SAID 0.093 ACRE CITY OF HUTTO TRACT, AND IN PART WITH THE NORTH RIGHT-OF-WAY LINE OF PECAN STREET (RIGHT-OF-WAY VARIES), THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1)S77°15'43"W, A DISTANCE OF 42.28 FEET TO A 1/2-INCH IRON ROD WITH "WARD-5811" CAP SET FOR AN INTERIOR ELL-CORNER HEREOF,
- 2) S12°32'27"E, A DISTANCE OF 261.15 FEET TO A 1/2-INCH IRON ROD WITH "WARD-5811" CAP SET FOR AN EXTERIOR ELL-CORNER HEREOF, AND
- 3) S77°15'17"W, A DISTANCE OF 54.99 FEET TO A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND FOR AN INTERIOR ELL-CORNER HEREOF, SAID POINT BEING AT THE NORTHWEST TERMINUS OF SAID PECAN STREET, AND BEING AT THE SOUTHWEST CORNER OF SAID 0.093 CITY OF HUTTO TRACT, AND BEING IN THE EAST LINE OF SAID 11.157 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE WESTERN TERMINUS OF SAID PECAN STREET AND THE EAST LINE OF SAID 11.157 ACRE CITY OF HUTTO TRACT, S07°51'48"W, A DISTANCE OF 53.36 FEET TO A

1/2-INCH IRON ROD WITH "CITY OF HUTTO-PROPERTY CORNER" ALUMINUM CAP FOUND FOR AN INTERIOR ELL-CORNER HEREOF, SAID POINT BEING AT THE SOUTHWEST TERMINUS OF SAID PECAN STREET, AND BEING THE NORTHWEST CORNER OF LOT 12, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING THE NORTHWEST CORNER OF SAID 1.256 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID PECAN STREET, THE NORTH LINE OF BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND THE NORTH LINE OF SAID 1.256 ACRE CITY OF HUTTO TRACT, N77°14'55"E, A DISTANCE OF 403.39 FEET TO A CALCULATED POINT FOR AN EXTERIOR ELL-CORNER HEREOF, SAID POINT BEING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WEST STREET (80' RIGHT-OF-WAY) WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID PECAN STREET, AND BEING THE NORTHEAST CORNER OF LOT 7, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND SAID 1.256 ACRE CITY OF HUTTO TRACT, FROM WHICH A DISTURBED 1/2-INCH IRON ROD WITH "CITY OF HUTTO-PROPERTY CORNER" ALUMINUM CAP FOUND BEARS, S77°14'55"W, A DISTANCE OF 0.58 FEET;

THENCE, WITH THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET, IN PART WITH THE EAST LINES OF LOT 7 AND LOT 5, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, IN PART WITH THE EAST LINE OF SAID 0.31 ACRE CITY OF HUTTO TRACT, IN PART WITH THE EAST LINE OF SAID 0.02 ACRE CITY OF HUTTO TRACT, IN PART WITH THE EASTERN TERMINUS OF THE VACATED PORTION OF SAID 17' ALLEY, IN PART WITH THE EAST LINE OF SAID 0.1469 ACRE 420 US 79 TRACT, S12°33'09" E, PASSING AT A DISTANCE OF 136.57 FEET, A 1/2-INCH IRON ROD WITH "CITY OF HUTTO-PROPERTY CORNER" ALUMINUM CAP FOUND, AND CONTINUING FOR AN OVERALL DISTANCE OF 195.02 FEET TO A 1/2-INCH IRON ROD WITH "WARD-5811" CAP SET FOR AN EXTERIOR ELL CORNER HEREOF, SAID POINT BEING THE SOUTHWEST CORNER OF SAID 0.1469 ACRE 420 US 79 TRACT, AND BEING THE NORTHEAST CORNER OF A CALLED 0.13 ACRE TRACT CONVEYED TO JASPAS PROPERTIES, LLC, IN DOCUMENT NO. 2008077200 (O.P.R.W.C.T.);

THENCE, LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID WEST STREET AND THE EAST LINE OF SAID LOT 6, OVER AND ACROSS LOTS 4, 5 AND 6, ALL OF SAID I. & G. N. RAILROAD ADDITION, WITH THE NORTH LINE OF SAID JASPAS 0.13 ACRE TRACT, IN PART WITH THE NORTH LINE OF A TRACT DESCRIBED AS A PORTION OF LOTS 5 AND 6, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, CONVEYED TO LEROY CAST IN VOLUME 1159, PAGE 563 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (O.R.W.C.T.), AND IN PART WITH THE SOUTH LINE OF SAID 0.1469 ACRE 420 US 79 TRACT, S77°14'55"W, A DISTANCE OF 79.26 FEET TO A 1/2-INCH IRON ROD WITH "AWARD-BOUNDARY" CAP SET FOR AN INTERIOR ELL CORNER HEREOF, SAID POINT BEING IN THE SOUTH LINE OF SAID 0.1469 ACRE 420 US 79 TRACT, AND BEING THE NORTHWEST CORNER OF SAID CAST TRACT, AND BEING AN EXTERIOR ELL-CORNER IN THE EAST LINE OF SAID CITY OF HUTTO TRACT (DOCUMENT NO. 2003119272), AND BEING THE SOUTHEAST CORNER OF SAID 0.03 ACRE COPELAND TRACT (DOCUMENT NO. 2003044735), FROM WHICH A 1/2-INCH IRON ROD WITH "CITY OF HUTTO - PROPERTY CORNER" ALUMINUM CAP FOUND AT THE SOUTHWEST CORNER OF SAID 0.1469 ACRE 420 US 79 TRACT AND SAID CITY OF HUTTO TRACT (DOCUMENT NO. 2003119272), BEARS S77°14'55"W, A DISTANCE OF 30.30 FEET;

THENCE, WITH THE COMMON LINE OF SAID CAST TRACT AND 0.691 ACRE CITY OF HUTTO TRACT, S14°18'53"E, A DISTANCE OF 74.85 FEET TO A 1/2-INCH IRON ROD WITH "CITY OF HUTTO-PROPERTY CORNER" ALUMINUM CAP FOUND FOR AN EXTERIOR ELL-CORNER HEREOF, SAID POINT BEING IN THE NORTH RIGHT-OF-WAY LINE OF FARLEY STREET (80' RIGHT-OF-WAY), AND BEING IN THE SOUTH LINE OF LOT 5, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING THE SOUTHWEST CORNER OF SAID CAST TRACT, AND BEING THE SOUTHEAST CORNER OF SAID 0.691 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID FARLEY STREET, AND WITH THE SOUTH LINE OF BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION AND SAID 0.691 ACRE CITY OF HUTTO TRACT, S77°03'02"W, A DISTANCE OF 192.83 FEET TO 1/2-INCH IRON ROD WITH "WARD-5811" CAP SET FOR AN INTERIOR ELL-CORNER HEREOF, SAID POINT BEING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID FARLEY STREET WITH THE EAST RIGHT-OF-WAY LINE OF SAID SHORT STREET, AND BEING AT THE COMMON SOUTH CORNER OF LOTS 1 AND 2, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION;

THENCE, LEAVING THE NORTH RIGHT-OF-WAY LINE OF SAID SHORT STREET, IN PART WITH THE EASTERN TERMINUS OF SAID SHORT STREET, IN PART WITH THE WESTERN TERMINUS OF SAID FARLEY STREET, IN PART WITH THE EAST RIGHT-OF-WAY LINE OF SHORT STREET, IN PART WITH THE WEST LINE OF LOT 1, AND IN PART WITH THE WEST LINE OF LOT 2, BOTH OF BLOCK 1 OF THE AMENDED PLAT OF LOTS 1 THROUGH 9, INCLUSIVE, AND LOTS 12-13 AND 14 AND THE 17-FOOT ALLEY IN BLOCK 1 OF I&GN RAILROAD ADDITION ORIGINAL CITY OF HUTTO, A SUBDIVISION PLAT RECORDED IN CABINET EE, SLIDE 293 (P.R.W.C.T.), S12°42'36"E, A DISTANCE OF 349.97 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER HEREOF, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 2, AND BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID SHORT STREET WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79, FROM WHICH AN IRON ROD WITH "ILLEGIBLE" CAP FOUND AT AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 2, AND BEING AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79 BEARS, N77°28'11"E, A DISTANCE OF 9.18 FEET;

THENCE, WITH THE SOUTH TERMINUS OF SAID SHORT STREET, AND THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79, S68°32'09"W, A DISTANCE OF 51.41 FEET TO A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND FOR AN ANGLE POINT HEREOF, SAID POINT BEING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID SHORT STREET WITH THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 79 (RIGHT-OF-WAY VARIES), AND BEING THE SOUTHEAST CORNER OF SAID 1.364 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID US HIGHWAY 79, IN PART WITH THE SOUTH LINE OF SAID 2.919 ACRE AND SAID 1.442 ACRE CITY OF HUTTO TRACTS, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1)44.01 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,904.79 FEET, AND A CHORD WHICH BEARS S72°28'08"W, A DISTANCE OF 44.01 FEET TO A TXDOT TYPE II BRASS DISC FOUND FOR A POINT OF TANGENCY HEREOF,
- 2) S72°19'10"W, A DISTANCE OF 324.62 FEET TO A TXDOT TYPE II BRASS DISC FOUND FOR A POINT OF CURVATURE HEREOF,
- 3) 246.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,824.79 FEET, AND A CHORD WHICH BEARS S74°47'48"W, A DISTANCE OF 246.42 FEET TO A 1/2-INCH IRON ROD WITH "BAKER AICKLEN" CAP FOUND FOR A POINT OF TANGENCY HEREOF, AND
- 4) S77°20'10"W, A DISTANCE OF 249.44 FEET TO A TXDOT TYPE II BRASS DISC FOUND FOR THE SOUTHWEST CORNER HEREOF, SAID POINT BEING AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79, AND BEING THE SOUTHEAST CORNER OF A CALLED 0.11 ACRE TRACT DESCRIBED IN VOLUME 238, PAGE 172 (D.R.W.C.T.), AND BEING THE SOUTHWEST CORNER OF SAID 1.442 ACRE CITY OF HUTTO TRACT, FROM WHICH A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND AT AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79, AND BEING THE SOUTHEAST CORNER OF LOT 25A, BLOCK A OF HUTTO SQUARE COMMERCIAL LOTS, PHASE B, RECORDED IN CABINET BB, SLIDES 184-186 (P.R.W.C.T.), AND BEING THE SOUTHWEST CORNER OF SAID 0.11 ACRE TRACT BEARS, S89°00'55"W, A DISTANCE OF 48.65 FEET;

THENCE, LEAVING THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 79, IN PART WITH THE EAST LINES OF SAID 0.11 ACRE TRACT AND SAID LOT 25A, AND IN PART WITH THE WEST LINES OF SAID 1.442 ACRE, SAID 2.919 ACRE AND SAID 11.157 ACRE CITY OF HUTTO TRACTS, N07°31'47"E, A DISTANCE OF 321.82 FEET TO A 1/2-INCH IRON ROD WITH "COALTER-1481" CAP FOUND FOR AN INTERIOR ELL-CORNER HEREOF, SAID POINT

BEING IN THE WEST LINE OF SAID 11.157 ACRE CITY OF HUTTO TRACT, AND BEING AT THE NORTHEAST CORNER OF SAID LOT 25A, AND BEING A SOUTHEAST CORNER OF LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS AND SAID 8.62 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE COMMON LINE OF SAID LOT 25A, LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS AND SAID 8.62 ACRE CITY OF HUTTO TRACT, N86°13'57"W, A DISTANCE OF 307.47 FEET TO A DISTURBED 1/2-INCH IRON ROD FOUND FOR AN INTERIOR ELL-CORNER HEREOF, SAID POINT BEING IN THE EAST LINE OF LOT 14 OF THE HUTTO EXCHANGE, RECORDED IN CABINET G, SLIDES 185-186 (P.R.W.C.T.), AND BEING THE COMMON WEST CORNER OF LOT 25A, LOT 23, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS AND SAID 8.62 ACRE CITY OF HUTTO TRACT;

THENCE, WITH THE EAST AND SOUTH LINES OF SAID LOT 14, IN PART WITH THE NORTH LINE OF SAID LOTS 25A & 25B, IN PART WITH THE NORTH LINE OF LOT 2A OF THE RESUBDIVISION OF LOT 2, HUTTO EXCHANGE, RECORDED IN CABINET AA, SLIDES 211-212 (P.R.W.C.T.), AND IN PART WITH THE EAST RIGHT-OF-WAY LINE OF EXCHANGE BOULEVARD (RIGHT-OF-WAY VARIES), THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1)S07°20'38"W, A DISTANCE OF 37.49 FEET TO A CALCULATED POINT FOR AN EXTERIOR ELL-CORNER HEREOF,
- 2) N79°31'52"W, A DISTANCE OF 188.64 FEET TO A CALCULATED POINT FOR AN ANGLE POINT HEREOF, AND
- 3) N67°36'52"W, A DISTANCE OF 211.01 FEET TO A CHISELED "X" FOUND IN CONCRETE FOR THE SOUTHWEST CORNER HEREOF, SAID POINT BEING A CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID EXCHANGE BOULEVARD, AND BEING THE SOUTHWEST CORNER OF SAID LOT 14;

THENCE, WITH THE EAST RIGHT-OF-WAY LINE OF SAID EXCHANGE BOULEVARD AND THE WEST LINE OF SAID LOT 14, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1)15.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 680.00 FEET, AND A CHORD WHICH BEARS N07°41'36"W, A DISTANCE OF 15.69 FEET TO A CALCULATED POINT FOR A POINT OF REVERSE CURVATURE HEREOF,
- 2) 193.73 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 370.00 FEET, AND A CHORD WHICH BEARS N06°38'44"E, A DISTANCE OF 191.52 FEET TO A MAG NAIL IN ASPHALT FOUND FOR A POINT OF REVERSE CURVATURE HEREOF,
- 3) 96.13 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 430.00 FEET, AND A CHORD WHICH BEARS N15°13'50"E, A DISTANCE OF 95.93 FEET TO A CHISELED "X" FOUND IN CONCRETE FOR A POINT OF NON-TANGENCY HEREOF, SAID POINT BEING AT A CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID EXCHANGE BOULEVARD, AND BEING THE NORTHWEST CORNER OF SAID LOT 14;

THENCE, IN PART WITH THE EAST RIGHT-OF-WAY LINE OF SAID EXCHANGE BOULEVARD, IN PART WITH THE NORTH LINE OF SAID LOT 14, IN PART WITH THE SOUTH LINE OF A CALLED 4.43 ACRE TRACT CONVEYED TO WILLIAMSON COUNTY, TEXAS, IN DOCUMENT NO. 2005053311 (O.P.R.W.C.T.), IN PART WITH THE SOUTH LINE OF SAID LOT 23, AND IN PART OVER AND ACROSS SAID LOT 23, S83°05'40"E, PASSING AT A DISTANCE OF 5.40 FEET, A 1/2-INCH IRON ROD WITH "RJ" CAP FOUND AT A CORNER IN THE EAST RIGHT-OF-WAY LINE OF SAID EXCHANGE BOULEVARD, AND BEING THE SOUTHEAST CORNER OF SAID LOT 23 AND SAID WILLIAMSON COUNTY TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 268.26 FEET TO A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND FOR AN ANGLE POINT HEREOF, SAID POINT BEING IN THE COMMON LINE OF LOTS 23 AND 24, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, AND BEING AN ANGLE POINT IN THE COMMON LINE OF SAID 8.62 ACRE CITY OF HUTTO TRACT AND SAID WILLIAMSON COUNTY TRACT;

THENCE, WITH THE COMMON LINE OF SAID 8.62 ACRE CITY OF HUTTO TRACT, AND LOTS 23 AND 24, BLOCK A, OF SAID HUTTO SQUARE COMMERCIAL LOTS, IN PART WITH THE SOUTH AND EAST LINES OF SAID WILLIAMSON COUNTY TRACT, AND IN PART WITH THE EAST LINE OF SAID WLD PETERSEN TRACT, THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1)S39°26'52"E, A DISTANCE OF 122.95 FEET TO A 3/8-INCH IRON ROD FOUND FOR AN ANGLE POINT HEREOF,
- 2) N85°44'08"E, A DISTANCE OF 56.46 FEET TO A 3/8-INCH IRON ROD FOUND FOR AN ANGLE POINT HEREOF,
- 3) N50°12'36"E, A DISTANCE OF 51.90 FEET TO A 3/8-INCH IRON ROD FOUND FOR AN ANGLE POINT HEREOF,
- 4) N08°47'04"E, A DISTANCE OF 165.24 FEET TO A BENT 1/2-INCH IRON ROD FOUND FOR AN ANGLE POINT HEREOF, AND
- 5) N05°40'42"E, PASSING AT A DISTANCE OF 280.97 FEET, A 1/2-INCH IRON ROD WITH ILLEGIBLE CAP FOUND AT THE COMMON EAST CORNER OF SAID WILLIAMSON COUNTY TRACT AND SAID WLD PETERSEN TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 565.73 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.7261 ACRES (1,251,311 SQUARE FEET) OF LAND, MORE OR LESS.

FINAL PLAT OF
THE CO-OP DISTRICT



Date:	4/27/2018
Project:	00627
Scale:	-
Reviewer:	SMD
Tech:	RM
Field Crew:	JCR/KDL
Survey Date:	Aug. 2017
Sheet:	7 OF 8

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

KNOW ALL MEN BY THESE PRESENTS

THAT ODIS JONES, MANAGER OF THE CITY OF HUTTO, WELDON R. COPELAND, EDWARD S. BUTLER, MEMBER OF 420 US 79, LTD., A TEXAS LIMITED PARTNERSHIP, AND DAN GATTIS, COUNTY JUDGE FOR WILLIAMSON COUNTY:

BEING THE OWNERS OF A TRACT OF LAND CONTAINING 28.7261 ACRES (1,251,311 SQUARE FEET), PARTIALLY OUT OF THE WILLIAM J. BROWN SURVEY NO. 22, ABSTRACT NO. 105, AND PARTIALLY OUT OF THE NATHANIEL EDWARDS SURVEY NO. 21, ABSTRACT NO. 225, BOTH IN WILLIAMSON COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

(CITY OF HUTTO)
BEING ALL OF A CALLED 8.62 ACRE TRACT CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2008077696 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.T.), SAID TRACT BEING A PORTION OF LOT 23, BLOCK A, HUTTO SQUARE COMMERCIAL LOTS, RECORDED IN CABINET Z, PAGES 281–282 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAVE AND EXCEPT A PORTION OF A CALLED 0.055 ACRE TRACT CONVEYED TO HILL COUNTRY BIBLE CHURCH HUTTO IN DOCUMENT NO. 2017025032 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 11.157 ACRE TRACT (DESCRIBED AS TRACT I). SAVE AND EXCEPT A CALLED 2.00 ACRE TRACT CONVEYED TO HUTTO DEVELOPMENT, LTD., RECORDED IN DOCUMENT NO. 2002055851 (O.P.R.W.C.T.), SAID TRACT 1 CONVEYED TO THE CITY OF HUTTO, TEXAS, IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 1.256 ACRE TRACT (DESCRIBED AS TRACT II), SAID TRACT II BEING ALL OF LOTS 7 THROUGH 12, BLOCK 8, I. & G. N. RAILROAD ADDITION, A SUBDIVISION RECORDED IN VOLUME 50, PAGE 251 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (D.R.W.C.T.), SAVE AND EXCEPT A PORTION OF LOT 7 AND 8, CONVEYED TO THE HUTTO VOLUNTEER FIRE DEPARTMENT, RECORDED IN DOCUMENT NO. 1999058911 (O.P.R.W.C.T.) AND DOCUMENT NO. 2001069610 (O.P.R.W.C.T.), SAID TRACT II CONVEYED TO THE CITY OF HUTTO, TEXAS IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 1.364 ACRE TRACT (DESCRIBED AS TRACT III), AND BEING ALL OF A CALLED 0.691 ACRE TRACT (DESCRIBED AS TRACT IV) SAID TRACT IV BEING ALL OF LOTS 1–4 AND A PORTION OF LOT 5, BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, SAVE AND EXCEPT THE PORTION OF SAID LOTS 4 AND 5 CONVEYED TO WELDON R. COPELAND IN DOCUMENT NO. 2003044735 (O.P.R.W.C.T.), SAID TRACTS III–IV CONVEYED TO THE CITY OF HUTTO, TEXAS, IN DOCUMENT NO. 2003119272 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 0.31 ACRE TRACT (DESCRIBED AS TRACT 1), AND A CALLED 0.02 ACRE TRACT (DESCRIBED AS TRACT 2), AND A CALLED 0.13 ACRE TRACT, AND A CALLED 0.01 ACRE TRACT (DESCRIBED AS TRACT 4), ALL OF WHICH WERE CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2006070154 (O.P.R.W.C.T.), SAID TRACTS 2 AND 4 BEING A PORTION OF AN ALLEY (17' RIGHT–OF–WAY) CROSSING BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION (SAID TRACTS 2 AND 4 INCORRECTLY REFERENCED IN DOCUMENT NO 2006070154 (O.P.R.W.C.T) THE ALLEY TO BE 20' WIDE), AND BEING A PORTION OF THE ALLEY (17' RIGHT–OF–WAY) CROSSING BLOCK 8 OF SAID I. & G. N. RAILROAD ADDITION, AND BEING ALL OF A CALLED 1.442 ACRE TRACT (DESCRIBED AS TRACT II) AND A CALLED 2.919 ACRE TRACT (DESCRIBED AS TRACT III) CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2004003059 (O.P.R.W.C.T.), AND BEING ALL OF A CALLED 0.093 ACRE TRACT CONVEYED TO THE CITY OF HUTTO IN DOCUMENT NO. 2016079125 (O.P.R.W.C.T.), SAID 0.093 ACRE TRACT BEING A PORTION OF LOT 1, LOT 7 AND AN ALLEY (21' RIGHT–OF–WAY, VACATED PER DOCUMENT NO. 2015052472 (O.P.R.W.C.T)) IN BLOCK 9 OF SAID I. & G. N. RAILROAD ADDITION, AND ALL OF THE RIGHT–OF–WAY OF SHORT STREET (50' R.O.W.)

(420 US 79, LTD)
BEING ALL OF LOT 14 OF THE HUTTO EXCHANGE, RECORDED IN CABINET G, SLIDES 185–186 (P.R.W.C.T.), SAID LOT 14 WAS CONVEYED TO 420 US 79, LTD, RECORDED IN DOCUMENT NO. 2018003332 (O.P.R.W.C.T.), AND

BEING ALL OF A CALLED 0.1469 ACRE TRACT (6,398 SQUARE FEET), OUT OF THE WILLIAM J. BROWN SURVEY NO. 22, ABSTRACT NO. 105, WILLIAMSON COUNTY, TEXAS, CONVEYED TO 420 US 79, LTD., IN DOCUMENT NO. 2018026889 (O.P.R.W.C.T.)

THE CO–OP DISTRICT

AND DO CONSENT TO ALL PLAT REQUIREMENTS SHOWN HEREON, AND HEREBY DEDICATE TO THE PUBLIC THE STREETS, RIGHT–OF–WAY, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON. IT IS THE RESPONSIBILITY OF THE OWNERS, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE STATE, FEDERAL AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT, INCLUDING (BUT NOT LIMITED TO) THE ENDANGERED SPECIES ACT, STATE AQUIFER REGULATIONS AND MUNICIPAL WATERSHED ORDINANCES

CITY OF HUTTO:

BY: _____
ODIS JONES, CITY MANAGER
401 W. FRONT STREET
HUTTO, TEXAS 78634

420 US 79, LTD.:

BY: _____
EDWARD S. BUTLER, MEMBER FOR 420 US 79, LTD.
10095 US 290 EAST
MANOR, TEXAS 78653

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20____

BY, ODIS JONES, WITNESS MY HAND AND SEALED IN MY OFFICE, THIS THE ____ DAY OF _____, 20____

NOTARY PUBLIC, THE STATE OF TEXAS

PRINTED NAME _____ MY COMMISSION EXPIRES _____

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20____

BY, WELDON COPELAND, WITNESS MY HAND AND SEALED IN MY OFFICE, THIS THE ____ DAY OF _____, 20____

NOTARY PUBLIC, THE STATE OF TEXAS

PRINTED NAME _____ MY COMMISSION EXPIRES _____

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20____

BY, _____, WITNESS MY HAND AND SEALED IN MY OFFICE, THIS THE ____

DAY OF _____, 20____

NOTARY PUBLIC, THE STATE OF TEXAS

PRINTED NAME _____ MY COMMISSION EXPIRES _____

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20____

BY, DAN GATTIS, WITNESS MY HAND AND SEALED IN MY OFFICE, THIS THE ____ DAY OF _____, 20____

NOTARY PUBLIC, THE STATE OF TEXAS

PRINTED NAME _____ MY COMMISSION EXPIRES _____

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

THAT I JUDD WILLMANN, A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THIS SUBDIVISION IS NOT LOCATED IN THE EDWARDS AQUIFER RECHARGE ZONE. THIS SUBDIVISION IS LOCATED WITHIN ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON F.I.R.M. PANEL NO.48491C 0520E, WILLIAMSON COUNTY, TEXAS DATED SEPTEMBER 26, 2008.

I JUDD WILLMANN, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF HUTTO, TEXAS.

JUDD WILLMANN, P.E. DATE
REGISTERED PROFESSIONAL ENGINEER NO. 90356

STREET NAMES APPROVED

WILLIAMSON COUNTY ADDRESSING COORDINATOR DATE

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 _____

STATE OF TEXAS

COUNTY OF WILLIAMSON

KNOWN 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 _____, 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

PLAT NOTES:

1. NO BUILDING, FENCING, LANDSCAPING OR STRUCTURES ARE ALLOWED WITHIN ANY DRAINAGE EASEMENT UNLESS EXPRESSLY PERMITTED BY THE CITY OF HUTTO.
2. ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
3. A MINIMUM 10 FOOT PUBLIC ACCESS EASEMENT SHALL BE DEDICATED ADJACENT TO ALL PUBLIC RIGHT OF WAY AT SITE DEVELOPMENT PERMIT.
4. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO PUBLIC WATER AND WASTEWATER UTILITIES.
4. 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.
5. UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:
WATER: CITY OF HUTTO
WASTEWATER: CITY OF HUTTO
ELECTRIC: ONCOR
GAS (NATURAL OR PROPANE): ATMOS ENERGY/TEXAS COMMUNITY PROPANE
PHONE/CABLE: TIME WARNER CABLE/CENTURY LINK
6. THERE ARE NO AREAS OF THIS SUBDIVISION IN THE 100–YEAR FLOODPLAIN AS DEFINED BY FIRM MAP NUMBER NO.48491C 0520E, DATED SEPTEMBER 26, 2008.
7. THE 2 TRACTS ARE DESCRIBED IN 2006070154 AS BEING PORTIONS OF THE 20' – WIDE ALLEY THAT CROSSES BLOCK 8 OF THE I & GN RAILROAD ADDITION, AND SUFFICIENT MONUMENTS WERE FOUND IN THE FIELD TO LOCATE THESE TRACTS. HOWEVER, THE ALLEY THAT CROSSES BLOCK 8 OF THE I & GN RAILROAD ADDITION IS SHOWN ON THE PLAT TO BE 17' – WIDE. SEVERAL MONUMENTS WERE FOUND IN THE FIELD THAT SUPPORT THE PROPER LENGTH (128') FOR THE LOTS ALONG THE NORTH SIDE OF SAID BLOCK 8 AND THE PROPER MIDPOINT OF THE ALLEY IF HALF WAS VACATED AT 17' WIDE, AS SHOWN IN THE DETAIL ON PAGE 2. THE SURVEYOR DID NOT FIND ANY DOCUMENTS TO SUPPORT THE CORRECTION OF THE IMPROPER ALLEY VACATION TRACTS AND COULD NOT FIND ANY INFORMATION FROM THE CITY OF HUTTO. THE MONUMENTS FOUND WERE 1/2" IRON RODS WITH "CITY OF HUTTO – PROP CORNER" ALUMINUM CAPS, AND SEEMED TO BE PLACED MATCHING THE RECORD DISTANCES OF THE PLAT AND DEEDS,, AND MATCHED THE RELATIVELY NEW IMPROVEMENTS IN THAT AREA
8. A PROPERTY OWNER'S ASSOCIATION (POA) WILL BE ESTABLISHED AND IN PLACE PRIOR TO THE FIRST BUILDING CERTIFICATE OF OCCUPANCY BEING ISSUED.
9. ALL OPEN SPACE/ DRAINAGE EASEMENTS/ PUBLIC UTILITY EASEMENTS WILL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION.
10. 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.
11. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF HUTTO UNIFIED DEVELOPMENT CODE, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.



FINAL PLAT OF THE CO-OP DISTRICT

STATE OF TEXAS {
COUNTY OF WILLIAMSON {

I, STEVEN M. DUARTE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEYING RELATED PORTIONS OF THE CITY OF HUTTO, TEXAS SUBDIVISION ORDINANCE, IS TRUE AND CORRECT TO THE BEST OF MY ABILITY, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. LOT CORNERS WILL BE SET AFTER THE PLAT IS RECORDED AND SITE GRADING IS COMPLETE.

PRELIMINARY FOR REVIEW ONLY
THIS DOCUMENT SHALL NOT BE RECORDED
FOR ANY PURPOSE

STEVEN M. DUARTE R.P.L.S. NO. 5940
4WARD LAND SURVEYING
2201 WOODWARD STREET, SUITE 2201
AUSTIN, TEXAS 78744
512–537–2384



Date:	4/27/2018
Project:	00627
Scale:	–
Reviewer:	SMD
Tech:	RM
Field Crew:	JCR/KDL
Survey Date:	AUG. 2017
Sheet:	8 OF 8

CITY OF HUTTO CITY COUNCIL AGENDA

AGENDA ITEM NO.:

9E.

AGENDA DATE: May 03, 2018

PRESENTED BY:

Helen Ramirez, Assistant City Manager

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a Development Agreement by the City of Hutto for the development of the Mustang Creek Project. (Helen Ramirez)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Packsaddle developers propose the Mustang Creek Project which includes developing a quality master planned community, including parkland, homes, commercial and a church site.

As part of the Co Op District project, Hutto Bible Church will be conveyed 12 acres.

The project also makes provisions for upgrading the sanitary sewer line to the Central Plant and providing sewer for the HISD site, improving and constructing new roads, and allocating four (4) acres of commercial on FM1660 North.

BUDGETARY AND FINANCIAL SUMMARY:

The Developer will design, engineer and construct a wastewater lift station and related facilities. The City will review and consider reimbursements to the Developer for its actual, out of pocket costs of the wastewater improvements (not to exceed \$2,000,000) from 50% reimbursement of wastewater impact fees.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

The project has been reviewed by the City Attorney.

STAFF RECOMMENDATION:

Staff recommends approval of the resolution.

SUPPORTING MATERIAL:

1. [Resolution - Mustang Creek Project](#)

RESOLUTION NO.

A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUTTO, A MUNICIPAL CORPORATION, AND HUTTO 1660 LP, A TEXAS LIMITED PARTNERSHIP AND JOYLINE KOVAR.

WHEREAS, the City of Hutto (the City) wishes to enter into a development agreement with Hutto 1660, a Texas Limited Partnership and Joyline Kovar (collectively the Developer) to establish development and infrastructure improvements and standards for the approximately 169 acre site (the Project): and

WHEREAS, Hutto1660, a Texas Limited Partnership is under contract with Joyline Lovar, the owner of certain real property consisting of approximately 169 acres located in Hutto's Extraterritorial Jurisdiction (ETJ) and situated in Williamson County; and

WHEREAS, the City and Developer mutually agree to develop the Project as a residential community with some complimentary commercial land uses; and

WHEREAS, the City and Developer desire to work together in good faith to enhance and preserve the general area of the Project for the benefit of the Citizens of the City and surrounding area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, that the Hutto City Council hereby approves and authorizes the City Manager to execute the Development Agreement, attached as **Exhibit "A"**, 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 **3rd** day of **May, 2018**.

CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 10A. **AGENDA DATE:** May 03, 2018

PRESENTED BY: David Magana, P.E., Executive Director,
Engineering & Public Works

ITEM:

Consideration of a public hearing and possible action on the first reading of an ordinance approving the right-of-way vacation of Short Street, a 50-Foot Right-Of-Way, approximately (0.4099 acres) 17,796 square feet in area, located adjacent to the Co-Op District development site on US 79 West. (David Magana)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Short Street is presently owned and maintained by the City and because it is no longer necessary for use by the public, the public may be better served by releasing the affected land from any and all public rights.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

City attorney has prepared the ordinance.

STAFF RECOMMENDATION:

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

SUPPORTING MATERIAL:

1. [Notice Posted](#)
2. [Ordinance - Short Street Right-Of-Way Vacation](#)
3. [Exhibit A - Short Street Vacation](#)

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:

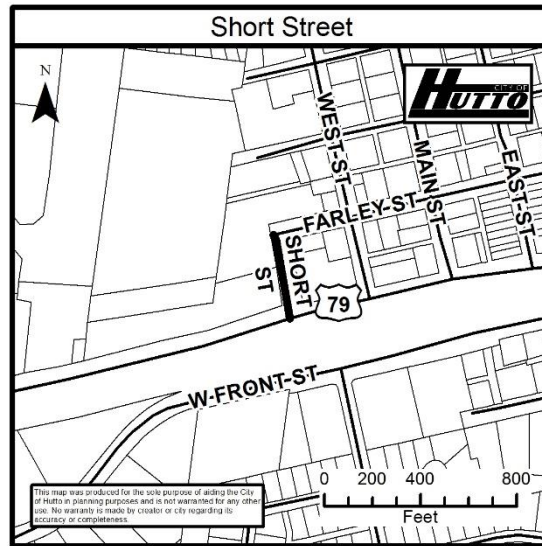
The Right-Of-Way Vacation (abandonment)
of Short Street (a 50-foot roadway),
approximately (0.4099 acres) 17,854 square
feet in area, located adjacent to the Co-Op
District development site on US 79 West.

A public hearing will be held on
May 3, 2018 at 7:00 p.m.

Hutto City Hall
401 W. Front St., Hutto, Texas

For additional information the public
may contact Development Services at
512-759-3479 or planning@huttotx.gov

Publication Date: April 15, 2018



ORDINANCE NO. _____

**AN ORDINANCE TO VACATE THE FOLLOWING PUBLIC STREET
SITUATED IN THE CITY OF HUTTO, COUNTY OF WILLIAMSON AND
STATE OF TEXAS AND TO RELEASE THE PUBLIC RIGHTS
THEREIN—SHORT STREET.**

WHEREAS, the City Council (“Council”) of the City of Hutto (“City”) has determined that it is in the best interest of the City and its residents to vacate Short Street, hereinafter described, which is presently owned and maintained by the City; and

WHEREAS, Texas Transportation Code §311.007 grants a home-rule municipality the right to vacate, abandon or close a street or alley; and

WHEREAS, Short Street appears to have been designated as an original street in the plat records of Williamson County, and is no longer necessary for use by the public; and

WHEREAS, for the reasons referenced above, among others, it appears to the Council that the public interest will be better served by releasing the affected land from any and all public rights therein and thereto pursuant to the above referenced statute.

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

1. The following herein described street and/or alley are hereby vacated and any and all public rights therein are hereby released and extinguished, the description is attached as **Exhibit A**.

2. That the public rights arising from any dedication, actual or implied, of the streets and/or alley above mentioned, and indicated on The plat records of Williamson County, as aforesaid, be and the same are hereby released and extinguished.

3. That the ownership of the underlying property will remain with the City.

4. That the Council hereby finds and determines that written notice of this date, hour, place and subject of the meeting at which this Ordinance was adopted has been 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 hereof were discussed, considered, and formerly acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

5. That all ordinances or parts of ordinances inconsistent with the provisions hereof be and the same hereby are repealed and this Ordinance shall take effect immediately after final passage and publication.

6. That this Ordinance having been introduced at a regular meeting of the Council, the requirement that the Ordinance be read on two separate days is waived.

READ, CONSIDERED, PASSED, AND APPROVED by the City Council of the City of Hutto as a regular meeting on the ____ day of April, 2018, 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.

CITY OF HUTTO, TEXAS

By: _____
Doug Gaul, Mayor

ATTEST:

By: _____
Lisa L. Brown, Secretary

EXHIBIT “ A ”

PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4099 ACRE (17,854 SQUARE FEET), BEING OUT OF THE WILLIAM J. BROWN SURVEY NO. 22, ABSTRACT NO. 105, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF SHORT STREET, (50' RIGHT-OF-WAY), DEDICATED BY THE MAP OR PLAT OF THE INTERNATIONAL AND GREAT NORTHERN RAILROAD ADDITION TO THE CITY OF HUTTO, RECORDED IN VOLUME 50, PAGES 251-253 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, (D.R.W.C.T.) AND ALSO BEING SHOWN ON THE MAP OR PLAT OF THE OFFICIAL REVISED MAP OF THE CITY OF HUTTO, TEXAS, RECORDED IN CABINET “A”, SLIDE 221 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.T.), SAID 0.4099 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with “illegible” cap found at the intersection of the west right-of-way line of said Short Street (50' Right-of-way), with the north right-of-way line of U.S. Highway 79 (Right-of-way Varies), and being the southeast corner of a called 2.919 acre tract, conveyed to the City of Hutto in Document No. 2004003059, of the Official Public Records of Williamson County, Texas (O.P.R.W.C.T.), for the southwest corner and **POINT OF BEGINNING** hereof, from which a TxDot Type II Brass Disc monument found, at a point of curvature in the south line of said City of Hutto 2.919 acre tract, and being in the north line of said U.S. Highway 79 bears, along the arc of a curve to the left, whose radius is 2,904.79 feet, whose arc length is 44.01 feet and whose chord bears S72°28'08”W, a distance of 44.01 feet;

THENCE, with the west right-of-way line of said Short Street, in part with the east line of said 2.919 acre City of Hutto tract, and in part with the east line of a called 1.364 acre tract, described as Tract III, conveyed to the City of Hutto in Document No. 2003119272 (O.P.R.W.C.T.), **N12°36'07”W**, a distance of **357.59** feet to a 1/2-inch iron rod with “Ward-5811” cap set for the northwest corner hereof, said point being the northwest corner of said Short Street, and being in the east line of said 1.364 acre City of Hutto tract, and being the southwest corner of Lot 1, Block 8 of said International and Great Northern Railroad Addition to the City of Hutto, from which a mag nail found in concrete, at the northwest corner of said Lot 1, and being the northeast corner of said 2.919 acre City of Hutto tract, and being in the south line of an Alley (17' Right-of-way), as shown on the plat of said International and Great Northern Railroad Addition to the City of Hutto bears, **N12°31'49”W**, a distance of 125.61 feet;

THENCE, with the north terminus of Short Street, in part with the south line of said Lot 1, and in part with the south line of Lot 2, also of Block 8 of said International and Great Northern Railroad Addition to the City of Hutto, **N77°03'02”E**, a distance of **50.13** feet to a 1/2-inch iron rod with “Ward-5811” cap set for the northeast corner hereof, said point being in the south line of said Lot 2, from which an iron rod with “City of Hutto-Property Corner” cap found at the southwest corner of a called 0.13 acre tract, conveyed to Jaspas Properties, LLC, recorded in Document No. 2008077200 (O.P.R.W.C.T.), and being in the north line of Farley Street (80' Right-of-way), and being in the south line of Lot 5, Block 8 of said International and Great Northern Railroad Addition to the City of Hutto bears, **N77°03'02”E**, a distance of 192.83 feet;

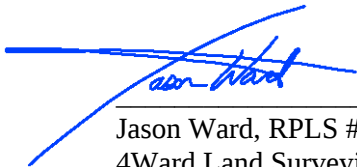
THENCE, with the east right-of-way line of Short Street, in part with the western terminus of said Farley Street, in part with the west line of Lot 1 and in part with the west line of Lot 2, both of Block 1 of the Amended plat of Lots 1 through 9, Inclusive, and Lots 12-13 and 14 and the 17-foot Alley in Block 1 of I&GN Railroad Addition Original City of Hutto, a subdivision plat recorded in Cabinet EE, Slide 293

(P.R.W.C.T.), **S12°42'36"E**, a distance of **349.97** feet to a 1/2-inch iron rod found for the southeast corner hereof, said point being the southwest corner of said Lot 2, and being the intersection of the east right-of-way line of said Short Street with the north right-of-way line of said U.S. Highway 79, from which an iron rod with "illegible" cap found at an angle point in the south line of said Lot 2, and being an angle point in the north right-of-way line of said U.S. Highway 79 bears, **N77°28'11"E**, a distance of 9.18 feet;

THENCE, with the south terminus of said Short Street, and the north right-of-way line of said U.S. Highway 79, **S68°32'09"W**, a distance of **51.41** feet to the **POINT OF BEGINNING** and containing 0.4099 Acre (17,854 Square Feet) of land, more or less.

NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000117952327. See attached sketch (reference drawing: 00627_vacation.dwg).

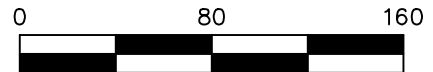


4/11/2018

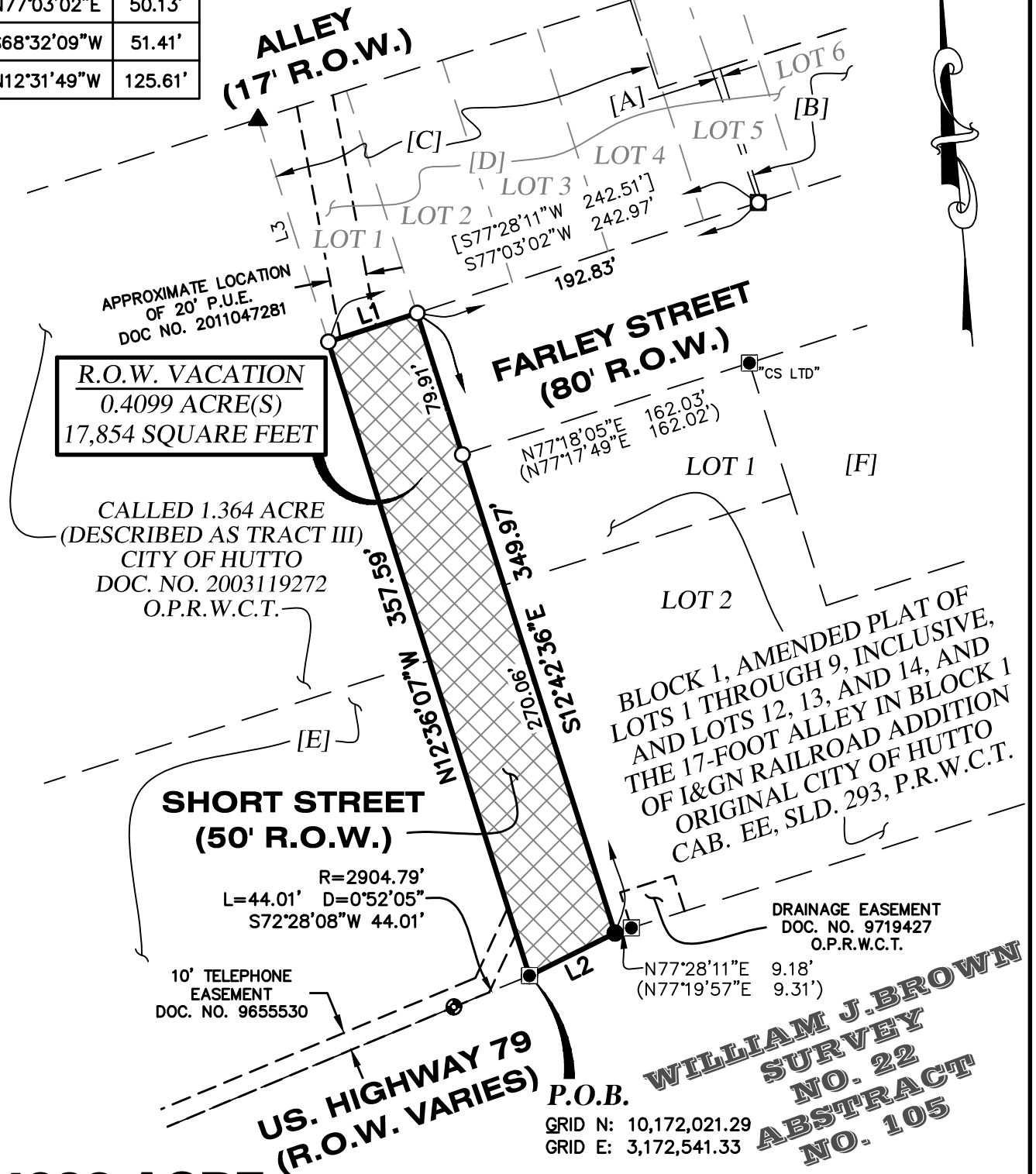
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N77°03'02"E	50.13'
L2	S68°32'09"W	51.41'
L3	N12°31'49"W	125.61'



GRAPHIC SCALE: 1" = 80'



**0.4099 ACRE
R.O.W. VACATION
City of Hutto,
Williamson County,
Texas**

4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	4/11/2018
Project:	00627
Scale:	1" = 80'
Reviewer:	JSW
Tech:	RM
Field Crew:	HT/DC
Survey Date:	AUG. 2017
Sheet:	1 OF 2

[A]
PORTION OF LOT 5
OWNER: LEROY CAST
VOL. 1159 PG. 563
D.R.W.C.T

[B]
CALLED 0.13 ACRE
PART OF LOTS 5 AND 6
BLOCK 8, I & GN RAILROAD ADDITION
OWNER: JASPAS PROPERTIES, LLC
DOC. NO. 2008077200, O.P.R.W.C.T.

[C]
LOTS 1-4 & A PORTION OF
LOT 5, BLOCK 8
I & G RR ADDITION
OWNER: CITY OF HUTTO
DOC. NO. 2003119272, O.P.R.W.C.T.

[D]
BLOCK 8
OF I. & G. N. RAILROAD ADDITION
AN ADDITION TO THE CITY OF HUTTO,
VOL. 50, PGS. 251-253, D.R.W.C.T.

[E]
CALLED 2.919 ACRES
OWNER: CITY OF HUTTO
DOC. NO. 2004003059
O.P.R.W.C.T.

[F]
LOTS 10 AND 11, BLOCK 1
OF THE RAILROAD ADDITION TO
THE TOWN OF HUTTO
OWNER: RUDOLFO J. ZAVALA AND WIFE
YSABEL C. ZAVALA
VOL. 612 PG. 891
D.R.W.C.T.

NOTES:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000117952327.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

**0.4099 ACRE
R.O.W. VACATION
City of Hutto,
Williamson County,
Texas**

LEGEND

	PROPOSED VACATION LINE
	EXISTING PROPERTY LINES
	EXISTING EASEMENTS
	1/2" IRON ROD FOUND (UNLESS NOTED)
	IRON ROD WITH ILLEGIBLE CAP FOUND (UNLESS NOTED)
	1/2" IRON ROD WITH "CITY OF HUTTO - PROPERTY CORNER" ALUMINUM CAP FOUND
	TXDOT TYPE II BRASS DISC FOUND
	MAG NAIL FOUND
	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
CAB./SLD.	CABINET, SLIDE
R.O.W.	RIGHT-OF-WAY
P.R.W.C.T.	PLAT RECORDS, WILLIAMSON COUNTY, TEXAS
D.R.W.C.T.	DEED RECORDS, WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT VOL. EE PG. 293
[.....]	RECORD INFORMATION PER DEED DOC. NO. 2003119272



4/11/2018



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	4/11/2018
Project:	00627
Scale:	1" = 80'
Reviewer:	JSW
Tech:	RM
Field Crew:	HT/DC
Survey Date:	AUG. 2017
Sheet:	2 OF 2

**CITY OF HUTTO
CITY COUNCIL AGENDA**

AGENDA ITEM NO.: 11A. **AGENDA DATE:** May 03, 2018

PRESENTED BY: Anthony Emadi, CFO

ITEM:

Consideration and possible action on a resolution authorizing the City Manager to negotiate and execute a contract to renew electric rates when the current electric contract expires in March of 2020. (Anthony Emadi)

STRATEGIC GUIDE POLICY: Well Balanced & Diversified Economy

ITEM BACKGROUND:

Current Rate Contract is set to expire in March 2020. However, rates are currently at historical low's and it is beneficial to lock in a rate now, before rates rise significantly.

BUDGETARY AND FINANCIAL SUMMARY:

Not applicable.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:

Not applicable.

CITY ATTORNEY REVIEW:

City Attorney will review the contract before it is signed.

STAFF RECOMMENDATION:

Staff recommends locking in the rate now.

SUPPORTING MATERIAL:

1. [Electric Rate Support](#)
2. [Resolution](#)

By **Chris Martin**

February 26, 2018, 3:09 PM CST

- Vistra closed three coal units that generated 4.2 gigawatts
- Forward price for 2018 peak jumped 40 percent over five days

Massive coal plant retirements are already pushing up Texas power prices, and next year it could get even worse.

Vistra Energy Corp. eliminated more than 4 gigawatts of Texas's capacity this year when it shut its money-losing Monticello, Sandow and Big Brown plants. That's tightened supplies in Texas's market, sending wholesale power prices for August delivery surging almost 40 percent in the past five days, forward curve data compiled by Bloomberg show. Vistra Chief Executive Office Curt Morgan is projecting that the same will happen next summer.



“The bigger upside for us is in 2019,” Morgan said on a conference call Monday.

The company is apt to close even more plants once it completes its acquisition of rival Dynegy Inc. later this spring. It plans to lock in higher power prices now, Morgan said.

RESOLUTION NO. R-

**A RESOLUTION OF THE CITY OF HUTTO, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
A CONTRACT TO RENEW ELECTRIC RATES WHEN
THE CURRENT ELECTRIC CONTRACT EXPIRES IN
MARCH OF 2020**

.

WHEREAS, the City acknowledges that the future electric rates for consumer consumption will increase over the next several years due to the shutdown of several fossil fuel burning plants and there is an advantage of locking in the rate now for future use.

WHEREAS, the City would like to authorize the City Manager to execute a contract renewal for electric rates starting in March 2020.

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

Authorizes the City Manager to execute a contract renewal for electric rates starting in March 2020.

CONSIDERED and RESOLVED by the City Council of the City of Hutto on this the 3rd day of May, 2018.

THE CITY OF HUTTO, TEXAS

Doug Gaul, Mayor

ATTEST:

Lisa L. Brown, City Secretary