

**ORDER CALLING A BOND ELECTION IN AVERY CENTRE ROAD DISTRICT
NO. 1; MAKING PROVISIONS FOR CONDUCTING THE ELECTION AND
ORDERING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

**STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §**

WHEREAS, pursuant to the provisions of Subchapter B of Chapter 257, Texas Transportation Code, the Commissioners Court (the "Commissioners Court") of Williamson County, Texas (the "County") has duly created the Avery Centre Road District No. 1 (the "District"); and

WHEREAS, pursuant to the provisions of Section 1471.016(b), Texas Government Code, as amended, the Commissioners Court has received a petition signed by all of the landowners and the majority of registered voters within the District requesting the Commissioners Court to order an election to determine whether bonds of the District should be issued in an amount not to exceed \$70,000,000 to construct, maintain, or operate macadamized, graveled, or paved roads within the District, and whether taxes shall be imposed on all taxable property in the District in payment of such bonds; and

WHEREAS, pursuant to the provisions of Section 1471.016(c), upon receipt of such petition, the Commissioners Court ordered a hearing to be held on August 19, 2008 in connection with the issuance of such bonds; and

WHEREAS, in compliance with the provisions of Section 1471.017(b), the Commissioners Court hereby finds that (i) such petition was signed by the proper number of qualified persons, (ii) the notice required pursuant to Section 1471.016(c), (d) and (e) was given, and (iii) the proposed improvements will benefit all taxable property in the District; and

WHEREAS, a small portion of the District overlaps the County's existing Northeast Round Rock Road District No. 1 (the "NERRRD"), which has \$1,410,000 principal amount of special assessment refunding bonds outstanding; and

WHEREAS, the sole landowner within the portion of the District that overlaps the NERRRD has prepaid its assessment related to the NERRRD's outstanding bonds and the assessment liens on such overlapping land have been released; and

WHEREAS, in consideration of ordering an election on the question of whether bonds of the District should be issued, the Commissioners Court hereby confirms that the remaining \$1.7 million authorized but unissued bonds of the NERRRD has been abandoned and that no such remaining authorized but unissued bonds shall be issued by the NERRRD and such covenant is part of the contract with the voters of the District; and

WHEREAS, the Commissioners Court of the County deems it advisable to call the election hereinafter ordered; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Order was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS THAT:

1. **TIME AND ELECTION DAY POLLING PLACE.** An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on November 4, 2008. In accordance with Section 42.0621 of the Texas Election Code, the election day polling location shall be the regular county election precinct being Precinct 308 at the County Central Maintenance Facility, 3151 SE Inner Loop Dr., Georgetown, Texas 78626; Precinct 484 at Caldwell Heights Elementary School, 4010 Eagles Nest St., Round Rock, Texas 78664; and Precinct 491 at Double File Trail Elementary School, 2400 Chandler Creek Blvd., Round Rock, Texas 78664.

2. **EARLY VOTING.** Early voting shall be conducted at the main early voting polling place and early voting shall also be conducted at the branch and temporary early voting polling places at the times identified in Exhibit "A" to this Order, and this exhibit is incorporated by reference for all purposes. These offices or places shall remain open on the dates and at the times set forth in Exhibit "A" hereto. Rick Barron is hereby appointed as the Early Voting Clerk. The Early Voting Clerk's physical address is 301 S. E. Inner Loop, Suite 104, Georgetown, Texas 78626. The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is P. O. Box 209, Georgetown, Texas 78627.

3. **EARLY VOTING BALLOT BOARD.** An early voting ballot board is hereby created to process early voting results, and Karen Adair Murphy is hereby appointed the Presiding Judge of the board. The Presiding Judge shall appoint not less than two nor more than eighteen (18) resident qualified electors of the County to serve as members of the Early Voting Ballot Board.

4. **CONDUCTING ELECTION.** The election shall be held and conducted by the County in accordance with the Joint Election Agreement, as hereby approved, and returns made to the Commissioners Court in accordance with the Texas Election Code, as amended.

5. **VOTING DEVICES.** Optical scan voting devices will be used in conducting the election. The County may also utilize a central counting station as provided by Section 127.000 *et seq.*, as amended, Texas Election Code. The County will comply with federal and state law regarding conducting the election including the Help America Vote Act and will have at least one Direct Record Electronic voting device available at each election day and early voting polling location.

6. **ELECTION OFFICIALS.** The Commissioners Court shall appoint the election officials at such time and in accordance with the Texas Election Code.

7. **ELECTORS.** All resident, qualified electors of the District shall be entitled to vote at said election.

8. **OFFICIAL PROPOSITION.** At the election the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

“Shall the bonds of the Avery Centre Road District No. 1 be issued in an amount not to exceed \$70,000,000, in conformity with the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and laws enacted pursuant thereto, for the purpose of constructing, improving, acquiring, or reimbursing for the costs of constructing, improving or acquiring, maintaining, financing and operating macadamized, graveled or paved roads and turnpikes and related bridges, trails, drainage works and other similar improvements and carrying out other improvements that are necessary, convenient, related or in aid thereto or that are otherwise permitted to be done under applicable laws at the time of issuance of such bonds, both within and outside the boundaries of said District, or in aid of those purposes, and to refund any bonds or other evidences of indebtedness issued for any of the foregoing purposes in an amount not to exceed one and one-half times the amount of bonds or other evidences of indebtedness issued, such bonds to be issued in one or more series or issues, to mature serially or otherwise not more than thirty (30) years from their date and to bear interest at such rate or rates (not to exceed the maximum rate permitted by law at the time of issuance of the bonds) as in its discretion the Commissioners Court of Williamson County, Texas shall determine and shall the Commissioners Court be authorized to levy and pledge and cause to be assessed and collected annual ad valorem taxes on all taxable property in the District sufficient to pay the annual interest on the bonds and to provide a sinking fund to pay the bonds at maturity or redemption all as now or hereafter authorized by the Constitution and laws of the State of Texas?

9. **FORM OF BALLOT.** The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote “FOR” or “AGAINST” the aforesaid PROPOSITION with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

FOR	[]	THE ISSUANCE BY AVERY CENTRE ROAD DISTRICT
AGAINST	[]	NO. 1 OF \$70,000,000 OF BONDS FOR ROADS AND
		LEVYING THE TAX IN PAYMENT THEREOF

10. **BILINGUAL ELECTION MATERIALS.** All election materials (including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign) and all early voting materials shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and the Federal Voting Rights Act of 1965, each as amended.

11. **NOTICE.** Pursuant to the provisions of Section 1471.018, Texas Government Code, notice of said election shall be given by publishing one time in the *Williamson County Sun*, not more than 30 days and not less than 10 days prior to the date set for said election a notice of election, both in English and in Spanish, in substantially the form of this Order. It is hereby found and declared that the *Williamson County Sun* is a newspaper of general circulation within the District. Notice shall also be given by posting not later than the 21st day before the election a copy of such notice of election, both in English and in Spanish, (i) on the bulletin board used for posting notices of the meetings of the Commissioners Court, (ii) at the County Courthouse door and (iii) in at least three public places in the District.

12. **INCORPORATION OF RECITALS.** The Commissioners Court hereby finds that the statements set forth in the recitals of this Order are true and correct and hereby incorporates such recitals as a part of this Order.

13. **EFFECTIVE DATE.** This Order shall become effective immediately after its adoption.

**APPROVED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY,
TEXAS ON THE 19TH DAY OF AUGUST, 2008.**

Attest:


County Clerk
Williamson County, Texas


County Judge
Williamson County, Texas



EXHIBIT A

EARLY VOTING SCHEDULE
(HORARIO DE VOTACIÓN ANTICIPADA)

EARLY VOTING SCHEDULE
NOVEMBER 2008 ELECTIONS – NOVEMBER 4, 2008

DATES AND TIMES FOR FULL-TIME LOCATIONS:

Monday, October 20 through Friday, October 31
7:00 a.m. to 7:00 p.m. Weekdays and Saturday
Noon – 6:00 p.m. on Sunday

FULL-TIME LOCATIONS:

Main Location:

Williamson County Inner Loop Annex, 301 SE Inner Loop, Georgetown, TX

Branch Locations:

Parks & Recreation Admin. Bldg., 1101 N. College, Georgetown, TX

Sun City Social Center, 2 Texas Dr., Georgetown, TX

McConico Building, 301 W. Bagdad St., Round Rock, TX

Kinningham Park, 1000 South Creek Dr., Round Rock, TX

Brushy Creek Community Center, 16318 Great Oaks Dr., Round Rock, TX

Round Rock ISD Performing Arts Center, 5800 McNeil Dr., Austin, TX

Anderson Mill Municipal Utility District, 11500 El Salido Parkway, Austin, TX

Cedar Park Public Library, 550 Discovery Blvd., Cedar Park, TX

Pat Bryson Municipal Hall, 201 N. Brushy, Leander, TX

Taylor City Hall, 400 Porter St., Taylor, TX

PART-TIME LOCATIONS, DATES, AND TIMES:

Georgetown ISD Admin Bldg, 603 Lakeway Dr., Georgetown, TX
Thursday, October 23 through Saturday, October 25

Wednesday, October 29 through Friday, October 31

7:00 a.m. to 7:00 p.m.

Seton Medical Center Williamson, 201 Seton Parkway, Round Rock TX

Tuesday, October 28 and Wednesday, October 29

7:00 a.m. to 7:00 p.m.

Austin Community College Campus, 1555 Cypress Creek Rd., Cedar Park, TX

Thursday, October 30 and Friday, October 31

7:00 a.m. to 7:00 p.m.

Twin Lakes Family YMCA, 204 East Little Elm Trail, Cedar Park TX

Thursday, October 30 and Friday, October 31

7:00 a.m. to 7:00 p.m.

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

Thursday, October 23 through Saturday, October 25

Thursday, October 30 and Friday, October 31

7:00 a.m. to 7:00 p.m.

RURAL TEMPORARY LOCATIONS, DATES AND TIMES:

Jarrell Memorial Park , 1651 CR 305, Jarrell, TX	Thursday	Oct 23
Florence VFD , 301 S. Patterson, Florence, TX	Friday	Oct 24
Liberty Hill Annex , 3407 RR 1869, Liberty Hill, TX	Saturday	Oct 25
Thrall VFD , 210 Main St., Thrall, TX	Tuesday	Oct 28
Granger City Hall , 214 E. Davilla, Granger, TX	Wednesday	Oct 29
Andice Community Center , 6600 FM 970, TX	Wednesday	Oct 29

Hours for voting at the Rural Temporary Locations are from 11 a.m. to 7 p.m.

SUBJECT TO CHANGE
(SUJETO A CAMBIOS)