

**ORDER CREATING AND ESTABLISHING A NEW PEARSON PLACE ROAD
DISTRICT AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO THE
CREATION AND ESTABLISHMENT OF SUCH ROAD DISTRICT**

STATE OF TEXAS

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§

COUNTY OF WILLIAMSON

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WHEREAS, on June 29, 2010, the Commissioners Court ordered a public hearing be held on July 20, 2010 regarding the creation and establishment of a new Pearson Place Road District (the "District"); and

WHEREAS, notice of the public hearing was published in the *Williamson County Sun* on July 7, 2010 and was posted at the Courthouse door and three public places within the District; and

WHEREAS, it is hereby found and determined that all persons desiring to appear and be heard on the question of creating the District have been heard and their testimony duly considered; and

WHEREAS, pursuant to the authority conferred by Article III, Section 52 of the Constitution of Texas and Section 257.021 of Subchapter B of Chapter 257 of the Transportation Code, as amended, the Commissioners Court of the County is authorized and empowered to create and establish one or more road districts of the County after holding a public hearing, which district may include all or part of a municipality within the boundaries and limits of such district, by entering an order declaring such road district established and defining the boundaries thereof; and

WHEREAS, the Commissioners Court of Williamson County, Texas, hereby finds and determines that the creation and establishment of the District to include all territory within and having boundaries as described in Exhibit "A" attached hereto and incorporated by reference and made a part hereof for all purposes will serve the public good and enable the residents thereof to provide for the construction, acquisition by purchase, maintenance and operation of roads in such area, and that the description in Exhibit "A" forms a legal closure; and

WHEREAS, the Commissioners Court further finds and determines that no fractional part of a previously created and existing road district is included within the limits of the District;

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

Section 1. Under and pursuant to authority conferred by Article III, Section 52 of the Constitution of Texas and Subchapter B of Chapter 257 of the Transportation Code, as amended, there shall be and there is hereby created and established a road district in Williamson County, Texas, to be known as "**Pearson Place Road District**," (the "District") for the purposes as set forth

in the Petition attached hereto as Exhibit "B" and the boundaries of the District shall be and are hereby defined and established to be as set forth and described in Exhibit "A".

Section 2. The District shall be and is hereby declared to be a body corporate having such authority and powers conferred by the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and Subchapter B of Chapter 257 of the Transportation Code, as amended, as now or hereinafter amended. Notice of the District shall be provided as set forth in Chapter 257 of the Transportation Code.

PASSED AND ADOPTED, this the 20th day of July, 2010.

(SEAL)



ATTEST:

County Judge
Williamson County, Texas

County Clerk
Williamson County, Texas

EXHIBIT "A"



Landesign Services, Inc.

555 Round Rock West Drive
Bldg. D, Suite 170
Round Rock, Texas 78681
512-238-7901 office
512-238-7902 fax

EXHIBIT "A "

METES AND BOUNDS DESCRIPTION

BEING 1.256 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NO. 551 WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A OF 390.22 ACRE TRACT CONVEYED TO CLARETTA ENGLAND IN VOLUME 597, PAGE 553 RECORDED IN THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at 1/2" Iron rod with cap marked "LANDESIGN" set in the existing south right-of-way line of Avery Ranch Boulevard (120' R.O.W.), and the west line of a 295.73 acre tract conveyed to Ivalene Pearson Banks, Jeffery Banks, Ivalene Pearson Banks as trustee for Kyle Jeffray Banks and Brian Elam Banks in Volume 1844, Page 392 recorded in the Official Records of Williamson County, Texas, and being the southwest corner of a called 1.690 acre tract conveyed to Williamson County, recorded in Document Number 2000055509 of the Official Public Records of Williamson County, Texas and also being the northeast corner of Lot 16, Block B, Avery South Section One, Phase One a subdivision of record in Cabinet V, Slide 160 of the Plat Records of Williamson County, Texas;

THENCE North 68°15'59" East a distance of 1374.96 feet with the existing south right-of-way line of said Avery Ranch Boulevard, the south line of said 1.690 acre tract and with the north line of the remainder of the said 295.73 acre tract, to a 1/2" Iron rod with cap marked "LANDESIGN" set in the east line of said 295.73 acre tract and the west line of said 390.22 acre tract and POINT OF BEGINNING;


THENCE North 68°15'59" East with the existing south right-of-way line of said Avery Ranch Boulevard and the south line of said 1.690 acre tract, a distance of 16.86 feet to a 1/2" Iron rod found for the southeast corner of said 1.690 acre tract;

THENCE South 18°20'42" East with the new boundary line per this agreement a distance of 2339.61 feet to a 3/4" Iron pipe found, from which a 5/8" iron rod in rock mound found for an easterly corner of said 295.73 acre tract and westerly corner of said 390.22 acre tract bears North 69°05'40" East a distance of 155.00 feet;

THENCE South 69°05'40" West with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract a distance of 30.00 feet to a 1/2 inch Iron rod with cap marked "LANDESIGN" set;

THENCE North 18°01'24" West a distance of 2338.99 feet with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to the POINT OF BEGINNING;

This parcel contains 1.256 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Description prepared from an on-the-ground survey made during February, 2008. All bearings are based on the Texas State Plane Coordinate System, Central, with all distances and coordinates being NAD 83 datum and adjusted to the surface by project surface factor of 1.00012.

 22 APR 08
Date
Joseph Beavers
Registered Professional Land Surveyor
State of Texas No. 4938



Project Number: 018-08-004
Attachments: Survey Drawing L:\PEARSON PLACE\DGNS\018004-01-SKETCH.dgn
L:\PEARSON PLACE\NOTES\01800402-BLA.doc



Landesign Services, Inc.

555 Round Rock West Drive
Bldg. D, Suite 170
Round Rock, Texas 78681
512-238-7901 office
512-238-7902 fax

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

BEING 194.307 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NO. 551 WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION A OF 295.73 ACRE TRACT CONVEYED TO IVALENE PEARSON BANKS, JEFFERY BANKS, IVALENE PEARSON BANKS AS TRUSTEE FOR KYLE JEFFREY BANKS AND BRIAN ELAM BANKS IN VOLUME 1844, PAGE 392 RECORDED IN THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING in the existing south right-of-way line of Avery Ranch Boulevard (120' R.O.W.), and the west line of said 295.73 acre tract, being the southwest corner of a called 1.690 acre tract conveyed to Williamson County, recorded in Document Number 2000055509 of the Official Public Records of Williamson County, Texas and being the northeast corner of Lot 16, Block B, Avery South Section One, Phase One a subdivision of record in Cabinet V, Slide 160 of the Plat Records of Williamson County, Texas;

THENCE North 68°15'59" East a distance of 1374.96' with the existing south right-of-way line of said Avery Ranch Boulevard, the south line of said 1.690 acre tract and with the north line of the remainder of said 295.73 acre tract to a 1/2" iron rod with cap marked "LANDESIGN" set in the east line of said 295.73 acre tract and the west line of a called 390.22 acre tract conveyed to Claretta England of record in Volume 597, Page 553 of the Deed Records of Williamson County, Texas, from which a 1/2" iron rod found for the southeast corner of said 1.690 acre tract bears North 68°15'59" East a distance of 16.86';

THENCE South 18°01'24" East a distance of 2338.99' with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2 inch iron rod with cap marked "LANDESIGN" set;

THENCE North 69°05'40" East (record: North 70°55'00" East, 185.00') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract, passing at a distance of 30.00' a 3/4" iron pipe found, and continuing for a total distance of 185.00' to a 5/8" iron rod in rock mound found, from which the face of a concrete and stone water tank bears a distance of 170.0' (170');

THENCE South 20°14'28" East (record: South 18°25'00" East, 3748.70') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract, passing at a distance of 1084.27' a 5/8" iron rod in rock mound found, then passing at a distance of 903.08' a 5/8" iron rod in rock mound found, then passing at a distance of 872.36' a 5/8" iron rod in rock mound found, and continuing for a total distance of 3748.70' to a 1/2 inch iron rebar with cap marked "LANDESIGN" set;

THENCE South 88°21'02" West a distance of 967.80' (record: North 89°30'00" West, 968.50') with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2" iron rod found;

THENCE South $10^{\circ}34'57''$ East a distance of 356.36' with the east line of said 295.73 acre tract and the west line of said 390.22 acre tract to a 1/2 inch iron rebar with cap marked "LANDESIGN" set;

THENCE South $84^{\circ}49'42''$ West a distance of 931.16' crossing through said 295.73 acre tract to a 1/2" iron rod found at fence corner post in the west line of said 295.73 acre tract and in the east line of a remainder of a called 45.14 acre tract conveyed to Ilean Pearson recorded in Volume 2100, Page 501 of the Official Records of Williamson County, Texas and described in Volume 667, Page 315 of the Deed Records of Williamson County, Texas, from which a fence post in tree found for an angle point in the west line of said 295.73 acre tract bears South $80^{\circ}57'13''$ West a distance of 109.43' (record: South $83^{\circ}00'00''$ West, 109.50');

THENCE North $17^{\circ}53'57''$ West a distance of 1138.11' with the west line of said 295.73 acre tract and the east line of said remainder of a called 45.14 acre tract to a 1/2 inch iron rebar with cap marked "LANDESIGN" set in the south line of a 45.20 acre tract conveyed to the Diocese of Austin recorded in Document Number 2004071186 of the Official Public Records of Williamson County, Texas;

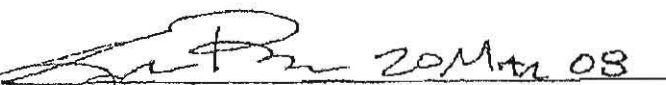
THENCE North $69^{\circ}00'00''$ East a distance of 596.79' with the south line of said 45.20 acre tract to a 1/2" iron rod found for the southeast corner of said 45.20 acre tract;

THENCE North $21^{\circ}02'34''$ West a distance of 1560.02' (record: North $18^{\circ}54'32''$ West, 1560.00') with the east line of said 45.20 acre tract to a cotton spindle found for the northeast corner of said 45.20 acre tract;

THENCE South $68^{\circ}57'34''$ West a distance of 169.94' with the north line of said 45.20 acre tract to 40d nail in base of fence post found in the west line of said 295.73 acre tract and the southeast corner of a Drainage and Water Quality Lot/Easement, Block K, Avery South Section Two, Phase Six a subdivision of record in Cabinet AA, Slide 353 of the Plat Records of Williamson County, Texas;

THENCE North $21^{\circ}02'48''$ West a distance of 3146.40' with the west line of said 295.73 acre tract and the east line of said Avery South Section Two, Phase Six, Avery South Section One, Phase Two a subdivision of record in Cabinet V, Slide 390 of the Plat Records of Williamson County, Texas and said Avery South Section One, Phase One to the POINT OF BEGINNING.

This parcel contains 194.307 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Description prepared from an on-the-ground survey made during February, 2008. All bearings are based on the Texas State Plane Coordinate System, Central, with all distances and coordinates being NAD 83 datum and adjusted to the surface by project surface factor of 1.00012.

 20 Mar 08

Joseph Beavers
Registered Professional Land Surveyor
State of Texas No. 4938

Date



Project Number: 018-08-004
Attachments: Survey Drawing L:\PEARSON PLACE\DGNS\018004-01-TTL.dgn
L:\PEARSON PLACE\NOTES\01800401-TTL.doc

EXHIBIT "B"

**PETITION FOR BOND ELECTION IN
PEARSON PLACE ROAD DISTRICT**

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

**TO THE HONORABLE COMMISSIONERS COURT OF WILLIAMSON COUNTY,
TEXAS:**

THE UNDERSIGNED, the duly authorized representative of Pearson Place at Avery Ranch, Ltd., the sole landowner within the proposed Pearson Place Road District (the "District"), respectfully prays and petitions the Court to order an election to be held in said District for the purpose of submitting the following proposition:

"Shall the bonds of the Pearson Place Road District be issued in an amount not to exceed \$10,000,000, 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?"

I FURTHER REPRESENT that the proposed improvements will be for the benefit of all taxable property situated in the District and that this petition is signed by the sole landowner within the District.

DATED this the 1st day of July, 2010.

PEARSON PLACE AT AVERY RANCH, LTD.

By: Gary L Neuman
Title: President

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 1st day of July, 2010, by
Gary Neuman.

[Signature]
Notary Public, State of Texas

(SEAL)

