

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKEWAY MUNICIPAL UTILITY DISTRICT AUTHORIZING EXECUTION OF CLOSING AND SALE INSTRUMENTS FOR "PARCEL 1" (PERTAINING TO THE 39.145 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES), PURSUANT TO THAT "COMMERCIAL CONTRACT-UNIMPROVED PROPERTY" BY AND BETWEEN THE DISTRICT AND HSD-HOLDINGS, LTD. DATED EFFECTIVE MARCH 31, 2016, AS AMENDED; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Lakeway Municipal Utility District (the "District") and HSD-Lakeway Holdings, Ltd. (the "Buyer") are parties to that certain "Commercial Contract-Unimproved Property" dated effective March 31, 2016, as amended by First Amendment dated September 27, 2016; Second Amendment dated June 2017; Third Amendment dated October 2017; Fourth Amendment dated May 14, 2018; Fifth Amendment dated August 16, 2019; Sixth Amendment dated May 1, 2020; Seventh Amendment dated July 24, 2020; and Eighth Amendment dated January 19, 2021 (collectively, the "Contract") concerning certain real property situated at 1931 Lohmans Crossing, Lakeway, Texas, consisting of approximately 81 acres of land being more particularly defined in the Contract (the "Property"); and

WHEREAS, the Contract provides for the closing on Parcel 1 of the Property (as described in Exhibit A attached hereto and incorporated herein for all purposes, on or before March 31, 2021 (the "Parcel 1 Closing"); and

WHEREAS, the District Board desires to authorize the District Board President, or, in his absence any District Board member or the District's General Manager, to execute the instruments necessary to effectuate the sale of Parcel 1, provided that said instruments are prepared in accordance with the terms and conditions of the Contract .

**NOW THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE LAKEWAY MUNICIPAL UTILITY DISTRICT AS FOLLOWS:**

SECTION 1. The foregoing recitals are all true and correct and are incorporated herein by reference as if set forth in full. The Contract is also incorporated herein by reference for all purposes.

SECTION 2. The Board of Directors of the Lakeway Municipal Utility District hereby authorizes the District Board President, or, in his absence, any District Board member or the District's General Manager, to execute the instruments necessary to effectuate the closing and sale of Parcel 1 of the Property pursuant to the Contract, subject to confirmation by the attorney for the District that all closing instruments for the Parcel 1 Closing are consistent with the terms and conditions of the Contract.

PASSED, APPROVED and EFFECTIVE on March 25, 2021.



LAKEWAY MUNICIPAL UTILITY DISTRICT

By:   
Jerry Hietpas, President

ATTEST:

  
Don Goff, Secretary

## **EXHIBIT A**

### **DESCRIPTION OF PARCEL 1**

BEING ALL OF THAT CERTAIN 39.145 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE T.C. R.R. CO. SURVEY NUMBER 195, ABSTRACT NUMBER 2260 AND THE T.C. R.R. CO. SURVEY NUMBER 196, ABSTRACT NUMBER 2526, BOTH SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF LOT 1, LAKEWAY M.U.D E5 TANK SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200800329 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 39.145 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS SHOWN ON ATTACHED **EXHIBIT A-1** HERETO.

**EXHIBIT A-1**

**METES AND BOUNDS DESCRIPTION OF THE PROPERTY**

**[SEE ATTACHED]**

**FIELD NOTES**

**BEING ALL OF THAT CERTAIN 39.145 ACRE TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE T.C. R.R. CO. SURVEY NUMBER 195, ABSTRACT NUMBER 2260 AND THE T.C. R.R. CO. SURVEY NUMBER 196, ABSTRACT NUMBER 2526, BOTH SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF LOT 1, LAKEWAY M.U.D E5 TANK SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200800329 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 39.145 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at a ½" iron pipe found, being a southwestern corner of said Lot 1, and being also a northeastern corner of Lot 1B of The Amended Resubdivision of Lot 1, The Towers of Lakeway, a subdivision recorded in Document Number 200800045 (O.P.R.T.C.TX.), for the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, crossing said Lot 1, the following nine (9) courses and distances, numbered 1 through 9,

1. N27°26'35"E, a distance of 19.81 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
2. N52°05'49"E, a distance of 120.15 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
3. N07°56'38"W, a distance of 328.24 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
4. N20°35'17"E, a distance of 89.97 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
5. N73°13'41"W, a distance of 24.81 feet to a capped ½" iron rod set stamped "CBD SETSTONE", at a point of curvature, for a curve to the left,
6. with said curve to the left, having a radius of 370.00 feet, an arc length of 214.95 feet, and whose chord bears N89°52'17"W, a distance of 211.94 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
7. S73°29'07"W, a distance of 250.49 feet to a capped ½" iron rod set stamped "CBD SETSTONE", at a point of curvature, for a curve to the right,
8. with said curve to the right, having a radius of 550.00 feet, an arc length of 166.84 feet, and whose chord bears S82°10'32"W, a distance of 166.20 feet to a capped ½" iron rod set stamped "CBD SETSTONE", and
9. N89°08'04"W, a distance of 248.55 feet to a capped ½" iron rod set stamped "CBD SETSTONE", being a point on a western boundary line of said Lot 1 and being also a point on an eastern right-of-way line of Lohmans Crossing Road (R.O.W. Varies),

**THENCE**, with the common boundary line of said Lot 1 and said Lohmans Crossing Road, N03°08'15"E, a distance of 100.08 feet to a capped ½" iron rod set stamped "CBD SETSTONE", being a point on a western boundary line of said Lot 1 and being also a point on an eastern right-of-way line of said Lohmans Crossing Road,

**THENCE**, crossing said Lot 1, the following seven (7) courses and distances, numbered 1 through 7,

1. S89°08'04"E, a distance of 244.58 feet to a capped ½" iron rod set stamped "CBD SETSTONE", at a point of curvature, for a curve to the left,
2. with said curve to the left, having a radius of 450.00 feet, an arc length of 136.50 feet, and whose chord bears N82°10'32"E, a distance of 135.98 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
3. N73°29'07"E, a distance of 250.49 feet to a capped ½" iron rod set stamped "CBD SETSTONE", at a point of curvature, for a curve to the right,

4. with said curve to the right, having a radius of 470.00 feet, an arc length of 273.05 feet, and whose chord bears S89°52'17"E, a distance of 269.23 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
5. S73°13'41"E, a distance of 31.49 feet to a capped ½" iron rod set stamped "CBD SETSTONE",
6. N20°35'17"E, a distance of 160.89 feet to a capped ½" iron rod set stamped "CBD SETSTONE", and
7. N03°14'34"E, a distance of 214.31 feet to a capped ½" iron rod set stamped "CBD SETSTONE", being a point on a northern boundary line of said Lot 1 and being also a point on a southern boundary line of a called 1.63 acre tract of land described as Tract 2 and conveyed to Lake Travis Independent School District in Volume 12086, Page 1476 of the Real Property Records of Travis County, Texas (R.P.R.T.C.TX.),

**THENCE**, with the common boundary line of said Lot 1 and said 1.63 acre tract, S64°44'42"E, a distance of 268.04 feet to a ½" iron rod found, being a northern corner of said Lot 1, same being the southernmost corner of said 1.63 acre tract and being also a western corner of Lot 7 of Resubdivision of the Final Plat of Lakeway M.U.D. E5 Tank – Phase 2, a subdivision recorded in Document Number 202000137 (O.P.R.T.C.TX.),

**THENCE**, with the common boundary line of said Lot 1 and said Lot 7, the following five (5) courses and distances, numbered 1 through 5,

1. S64°44'42"E, a distance of 50.02 feet to a capped ½" iron rod found stamped "CBD SETSTONE",
2. N26°47'50"E, a distance of 184.07 feet to a capped ½" iron rod found stamped "CBD SETSTONE",
3. N25°40'25"E, a distance of 128.58 feet to a capped ½" iron rod found stamped "CBD SETSTONE",
4. N24°16'24"E, a distance of 695.83 feet to a capped ½" iron rod found stamped "CBD SETSTONE", and
5. S61°33'32"E, a distance of 832.76 feet to a capped ½" iron rod found stamped "CBD SETSTONE", being a point on an eastern boundary line of said Lot 1, same being a southeastern corner of said Lot 7, and being also a point on a western boundary line of Lot 10, Block B of The Oaks at Lakeway Subdivision, a subdivision recorded in Document Number 201400156 (O.P.R.T.C.TX.),

**THENCE**, with the common boundary line of said Lot 1 and said The Oaks at Lakeway Subdivision, the following four (4) courses and distances, numbered 1 through 4,

1. S28°22'38"W, a distance of 580.39 feet to a ½" iron rod found,
2. S28°17'47"W, a distance of 108.20 feet to a ½" iron pipe found,
3. S28°41'06"W, a distance of 536.67 feet to a capped ½" iron rod found stamped "CHAPARRAL", and
4. S28°26'36"W, a distance of 504.20 feet to a capped ½" iron rod set stamped "CBD SETSTONE", being a point on a southeastern boundary line of said Lot 1, same being a point on northwestern boundary line of Lot 2, Block C of said The Oaks at Lakeway Subdivision, and being also the northeastern corner of Lot 6 of said Resubdivision of the Final Plat of Lakeway M.U.D. E5 Tank – Phase 2,

**THENCE**, with the common boundary line of said Lot 1 and said Resubdivision of the Final Plat of Lakeway M.U.D. E5 Tank – Phase 2, and crossing said Lot 1, the following two (2) courses and distances, numbered 1 and 2,

1. N77°36'49"W, a distance of 458.74 feet to a capped ½" iron rod set stamped "CBD SETSTONE", and
2. S87°41'24"W, a distance of 416.64 feet to a capped ½" iron rod set stamped "CBD SETSTONE", being a point on a western boundary line of said Lot 1 and being also a point on an eastern boundary line of said Lot 1B,

**THENCE**, with the common boundary line of said Lot 1 and said Lot 1B, N27°26'35"E, a distance of 109.46 feet to the **POINT OF BEGINNING** and containing 39.145 acres of land.

Surveyed by:

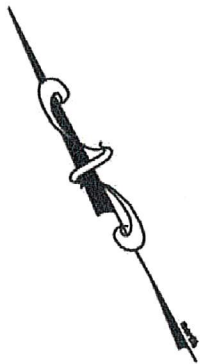
 21 JUN 2021

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Austin, TX 78749  
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BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)

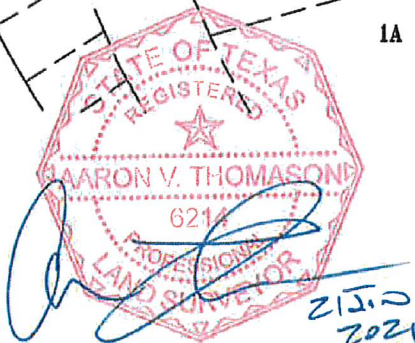
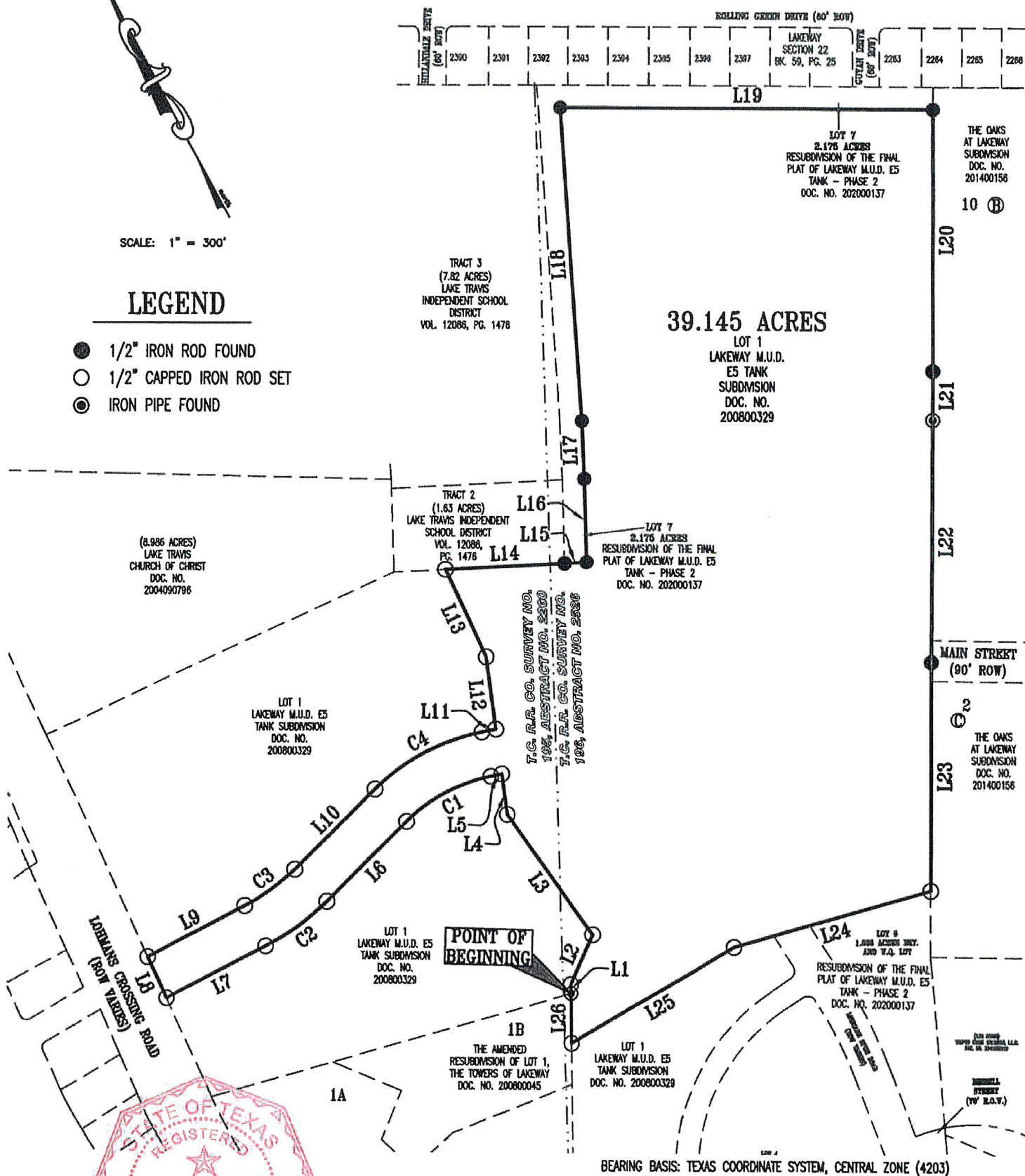
# SKETCH TO ACCOMPANY FIELD NOTES



SCALE: 1" = 300'

## LEGEND

- 1/2" IRON ROD FOUND
- 1/2" CAPPED IRON ROD SET
- ⊙ IRON PIPE FOUND



SHEET 1 OF 2



Carlson, Brigrance & Doering, Inc.

FIRM ID #F3791 REG. # 10024900

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# SKETCH TO ACCOMPANY FIELD NOTES

Line Table		
Line #	Length	Direction
L1	19.81	N27°26'35"E
L2	120.15	N52°05'49"E
L3	328.24	N07°56'38"W
L4	89.97	N20°35'17"E
L5	24.81	N73°13'41"W
L6	250.49	S73°29'07"W
L7	248.55	N89°08'04"W
L8	100.08	N03°08'15"E
L9	244.58	S89°08'04"E
L10	250.49	N73°29'07"E
L11	31.49	S73°13'41"E
L12	160.89	N20°35'17"E
L13	214.31	N03°14'34"E

Line Table		
Line #	Length	Direction
L14	268.04	S64°44'42"E
L15	50.02	S64°44'42"E
L16	184.07	N26°47'50"E
L17	128.58	N25°40'25"E
L18	695.83	N24°16'24"E
L19	832.76	S61°33'32"E
L20	580.39	S28°22'38"W
L21	108.20	S28°17'47"W
L22	536.67	S28°41'06"W
L23	504.20	S28°26'36"W
L24	458.74	N77°36'49"W
L25	416.64	S87°41'24"W
L26	109.46	N27°26'35"E

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	214.95	370.00	N89°52'17"W	211.94	110.61	33°17'11"
C2	166.84	550.00	S82°10'32"W	166.20	84.06	17°22'49"
C3	136.50	450.00	N82°10'32"E	135.98	68.78	17°22'49"
C4	273.05	470.00	S89°52'17"E	269.23	140.50	33°17'11"

BEARING BASIS: TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203)

SHEET 2 OF 2



**Carlson, Brigrance & Doering, Inc.**

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