

PETITION FOR RELEASE OF AN AREA FROM A MUNICIPALITY'S
EXTRATERRITORIAL JURISDICTION

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BASTROP,
TEXAS:

SPE 3 MH, LP, a Texas limited partnership and **CTX SPE 3, LP**, a Texas limited partnership (the "Petitioners"), acting pursuant to the provisions of Subchapter D, Chapter 42, Texas Local Government Code, together with all amendments and additions thereto, respectfully petition this Honorable City Council to release the 54.535 acres of land described by metes and bounds in **Exhibit A** and shown on the map attached as **Exhibit B** (the "Land"), attached hereto and incorporated herein for all purposes, from the extraterritorial jurisdiction of the City of Bastrop, Texas (the "City"), and in support of this petition the Petitioners represent, covenant, and agree as follows:

I.

The Petitioners hold fee simple title to the Land, and hereby represent that they own a majority in value of the Land to be released from the extraterritorial jurisdiction of the City as indicated by the certificate of ownership provided by the Bastrop Central Appraisal District, attached hereto as **Exhibit C**.

II.

The Petitioners represent that the Land is not located within five (5) miles of the boundary of a military base, as defined by Section 43.0117 of the Texas Local Government Code, at which an active training program is conducted.

III.

The Petitioners represent that the Land has not been voluntarily annexed into the extraterritorial jurisdiction of a municipality that is located in a county (a) in which the population grew by more than fifty percent (50%) from the previous federal decennial census in the federal decennial census conducted in 2020; and (b) that has a population of greater than 240,000.

IV.

The Petitioners represent that the Land is not within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million

that is (a) within 15 miles of the boundary of a military base, as defined by Section 43.0117 of the Texas Local Government Code, at which an active training program is conducted; and (b) in a county with a population of more than two million.

V.

The Petitioners represent that the Land is not in an area designated as an industrial district under Section 42.944 of the Texas Local Government Code.

VI.

The Petitioners represent that the Land is not in an area subject to a strategic partnership agreement entered into under Section 43.0751 of the Texas Local Government Code.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City immediately release the Land from its extraterritorial jurisdiction, as required by Section 42.105(c) of the Texas Local Government Code, as it exists today and from any future expansions of the City's extraterritorial jurisdiction whether by annexation or pursuant to Section 42.021 of the Texas Local Government Code. If the City fails to release the Land from its extraterritorial jurisdiction by the later of forty-five (45) days from the date it receives this petition or the next meeting of the City's governing body that occurs after the 30th day after the date the City receives this petition, the Land shall be released from the City's extraterritorial jurisdiction by operation of law.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on June 11th, 2024.

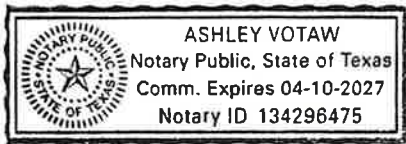
SPE 3 MH, LP
a Texas limited partnership

By: CTX Capital Partners, LLC
a Delaware limited liability company
its General Partner

By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
DOB: 1/31/62
Residence Address: 1415 Wathen
Ave Austin, TX
Date of Signing: 6/11/24

THE STATE OF TEXAS §
 §
COUNTY OF Travis §

This instrument was acknowledged before me on June 11th, 2024, by T. Craig Benson, Managing Partner of CTX Capital Partners, LLC, a Delaware limited liability company and General Partner of **SPE 3 MH, LP**, a Texas limited partnership, on behalf of said limited liability company and limited partnership.



(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

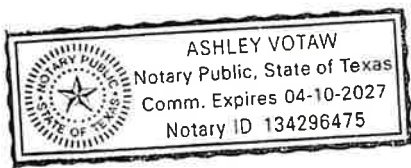
CTX SPE 3, LP
a Texas limited partnership

By: CTX Capital Partners, LLC
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its General Partner

By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
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This instrument was acknowledged before me on this 11th day of June, 2024, by T. Craig Benson, Managing Partner of CTX Capital Partners, LLC, a Delaware limited liability company and General Partner of CTX SPE 3, LP, a Texas limited partnership, on behalf of said limited liability company and limited partnership.



[Signature]
Notary Public, State of Texas

(NOTARY SEAL)

Attachments:

- Exhibit A:** Description of the Land
- Exhibit B:** Map of the Land
- Exhibit C:** Certificate of Ownership

METES & BOUNDS DESCRIPTION

FIELD NOTES FOR A 54.535 ACRE TRACT OF LAND OUT OF THE REUBEN GAGE SURVEY, ABSTRACT NO. 31 AND THE L.C. CUNNINGHAM SURVEY, ABSTRACT NO. 24, BOTH OF BASTROP COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A CALLED 810.512 ACRE TRACT OF LAND AS CONVEYED TO CTX SPE 3, LP BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 202114026 AND CORRECTED BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 202115827, BOTH OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 231.318 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 AS CONVEYED TO CTX SPE 3, LP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 202114039 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND BEING A PORTION OF LOT 2, LOT 4 AND LOT 5 OF MARK YOUNG RANCH, A SUBDIVISION AS REFERENCED IN VOLUME 52, PAGE 351 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 54.535 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for **POINT OF REFERENCE** at a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of a 100-foot wide unimproved right-of-way as dedicated by Volume 427, Page 848 of the Official Public Records of Bastrop County, Texas, at the most northerly corner of the remainder of the above described CTX SPE 3 231.318 acre tract, and at the most westerly corner of a called 121.000 acre tract of land described as Tract 2 as conveyed to Cedar Creek East LP by Special Warranty Deed recorded in Document Number 202114074 of the Official Public Records of Bastrop County, Texas; Thence, with the northeast line of the remainder of said CTX SPE 3 231.318 acre tract and the southwest line of said Cedar Creek East Tract 2, S 46°57'27" E a distance of 654.31 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most northerly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing with the northeast line of the remainder of said CTX SPE 3 231.318 acre tract and the southwest line of said Cedar Creek East Tract 2, S 46°57'27" E, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most southerly common corner of the remainder of said CTX SPE 3 231.318 acre tract and said Cedar Creek East Tract 2, and at the most northerly common corner of the remainder of said CTX SPE 3 810.512 acre tract and a called 587.274 acre tract of land described as Tract 3 as conveyed to Cedar Creek East LP by Special Warranty Deed recorded in said Document Number 202114074 and corrected by instruments recorded in Document Numbers 202216447 and 202216495, all of the Official Public Records of Bastrop County, Texas, at a distance of 1,770.53 feet, and continuing on with the northeast line of the remainder of said CTX SPE 3 810.512 acre tract and a southwest line of said Cedar Creek East Tract 3, for a total distance of 2,050.82 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly corner of the remainder of said CTX SPE 3 810.512 acre tract, and at an interior corner of said Cedar Creek East Tract 3, for the most easterly corner of the herein described tract;

THENCE, with a south line of the remainder of said CTX SPE 3 810.512 acre tract and a north line of said Cedar Creek East Tract 3, S 66°59'14" W a distance of 129.90 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the curving northeast line of a called 19.283 acre tract of land described as Tract 1 as conveyed to SPE 3 MH, LP by Warranty Deed recorded in Document Number 202217283 of the Official Public Records of Bastrop County, Texas, at an exterior corner of the remainder of said CTX SPE 3 810.512 acre tract, at an exterior corner of said Cedar Creek East Tract 3, and at the beginning of a non-tangent curve to the left, for an exterior corner of the herein described tract;

THENCE, with the south line of the remainder of said CTX SPE 3 810.512 acre tract and the north line of said SPE 3 MH Tract 1, along said curve to the left, an arc distance of 112.14 feet, having a radius of 120.00 feet, a central angle of 53°32'29" and a chord which bears N 65°12'35" W a distance of 108.10 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for a point of tangency;

THENCE, continuing with the south line of the remainder of said CTX SPE 3 810.512 acre tract and the north line of said SPE 3 MH Tract 1, S 88°01'10" W, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set at the northwest corner of said SPE 3 MH Tract 1, and at the northeast corner of a called 14.860 acre tract of land described as Tract 2 as conveyed to SPE 3 MH, LP by said Warranty Deed recorded in Document Number 202217283 of the Official Public Records of Bastrop County, Texas, at a distance of 303.75 feet, and continuing on with the south line of the remainder of said CTX SPE 3 810.512 acre tract and the north line of said SPE 3 MH Tract 2, for a total distance of 694.42 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an interior corner of the remainder of said CTX SPE 3 810.512 acre tract, and at the northwest corner of said SPE 3 MH Tract 2, for an interior corner of the herein described tract;

THENCE, with the southeast line of the remainder of said CTX SPE 3 810.512 acre tract and the northwest line of said SPE 3 MH Tract 2, S 43°06'35" W a distance of 1,596.37 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an interior corner of the remainder of said CTX SPE 3 810.512 acre tract, and at an exterior corner of said SPE 3 MH Tract 2, for an interior corner of the herein described tract;

THENCE, with a northeast line of the remainder of said CTX SPE 3 810.512 acre tract and a southwest line of said SPE 3 MH Tract 2, S 46°53'25" E a distance of 263.97 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an exterior corner of the remainder of said CTX SPE 3 810.512 acre tract, and at an interior corner of said SPE 3 MH Tract 2, for an exterior corner of the herein described tract;

THENCE, with a southeast line of the remainder of said CTX SPE 3 810.512 acre tract and a northwest line of said SPE 3 MH Tract 2, S 43°06'35" W a distance of 669.80 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an interior corner of the remainder of said CTX SPE 3 810.512 acre tract, and at the most westerly corner of said SPE 3 MH Tract 2, for an interior corner of the herein described tract;

THENCE, with a northeast line of the remainder of said CTX SPE 3 810.512 acre tract and a southwest line of said SPE 3 MH Tract 2, S 46°53'25" E a distance of 327.22 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an exterior corner of the remainder of said CTX SPE 3 810.512 acre tract, and at an interior corner of said SPE 3 MH Tract 2, for an exterior corner of the herein described tract;

THENCE, with a southeast line of the remainder of said CTX SPE 3 810.512 acre tract and a northwest line of said SPE 3 MH Tract 2, S 43°06'35" W a distance of 39.01 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most southerly corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "BGE Inc" set on the northeast right-of-way line of F.M. 812 (100 feet wide) as dedicated by Volume 140, Pages 480 and 486 of the Deed Records of Bastrop County, Texas, at the most westerly corner of said SPE 3 MH Tract 2, bears S 43°06'35" W a distance of 1,567.98 feet;

THENCE, departing the northwest line of said SPE 3 MH Tract 2, over and across said CTX SPE 3 810.512 acre tract, N 46°53'25" W a distance of 352.54 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 09°38'15" W a distance of 64.44 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 43°06'35" E a distance of 517.47 feet to a calculated point for an interior corner of the herein described tract;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 38°10'11" W a distance of 427.36 feet to a calculated point for an exterior corner of the herein described tract;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 34°21'27" E a distance of 169.34 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 10°06'06" E a distance of 2,100.15 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said CTX SPE 3 810.512 acre tract, N 43°02'33" E a distance of 397.53 feet to the **POINT OF BEGINNING** and containing 54.535 acres (2,375,527 square feet) of land, more or less.

I hereby certify that these notes were prepared from a survey made on the ground by BGE Inc., under my supervision on May 26, 2021 and are true and correct to the best of my knowledge. Bearing orientation is based on the Texas State Plane Coordinate System, NAD 83, Texas Central Zone 4203. A survey plat accompanies this description.

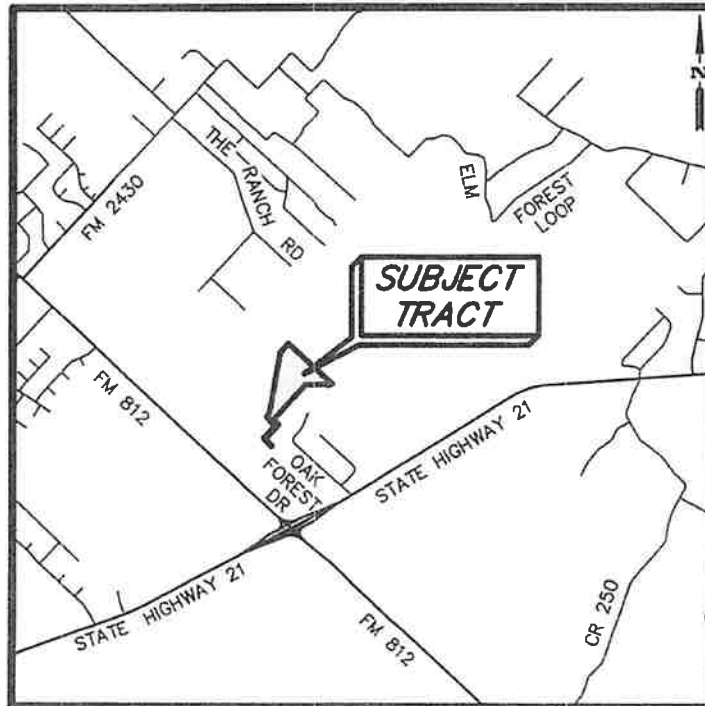
Damian G. Fisher RPLS No. 6928
BGE, Inc.
101 West Louis Henna Blvd, Suite 400
Austin, Texas 78728
Telephone: (512) 879-0400
TBPLS Licensed Surveying Firm No. 10106502



02/07/2023
Date

Client: CTX Management Holdings, LLC
Date: January 6, 2023
Revised: February 7, 2023
Job No: 9989-00

EXHIBIT B



NOT TO SCALE

LOCATION MAP
BASTROP ETJ RELEASE
54.535 ACRES



BGE, Inc.

101 West Louis Henna Blvd., Suite 400
Austin, Texas 78728

Tel: 512-879-0400 • www.bgeinc.com

TBPELS Registration No. F-1046

TBPELS Licensed Surveying Firm No. 10106502

EXHIBIT C

BASTROP CENTRAL APPRAISAL DISTRICT

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

I, the undersigned, hereby certify that I have examined the appraisal rolls of Bastrop County, Texas, and find that, as of June 3, 2024, the property described and attached hereto, is assessed on the appraisal rolls of Bastrop County, Texas, for the tax year 2024 in the name(s) of:

SPE 3 MH LP
CTX SPE 3 LP

<u>OWNER/ACCOUNT</u>	<u>ACREAGE</u>	<u>VALUE</u>
8730995	2.11	\$ 54,064
8730996	24.85	\$ 335,153
8730997	27.575	\$ 372,421

CERTIFIED this 3rd day of June, 2024.

By: *Faun Cullens*

Name: Faun Cullens

Title: Chief Appraiser

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Date: January 6, 2023
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