

CITY OF BASTROP, TX
RESOLUTION NO. R-2024-99

DENIAL OF EXTRATERRITORIAL JURISDICTION RELEASE

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS
DENYING THE RELEASE OF LAND FROM THE CITY'S
EXTRATERRITORIAL JURISDICTION AND PROVIDING
FOR FINDINGS OF FACT, REPEALER, SEVERABILITY,
EFFECTIVE DATE, PROPER NOTICE, AND MEETING.**

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Bastrop ("City") has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Senate Bill 2038 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS, pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS, pursuant to Texas Local Government Code Section 42.152, a resident of an area in the City's ETJ may request the City to hold an election to vote on the question of whether to release the area from the City's ETJ by filing a petition with the City Secretary; and

WHEREAS, the City Council has received petitions for multiple properties to be released from the ETJ, a list of which is included in **Exhibit A**; and

WHEREAS, the City Council received a petition from Colin and Maria Lineberry on June 11, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 1**, which is attached hereto and incorporated herein; and

WHEREAS, the City Council received a petition from CTX HWY 21, LP on June 13, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 2**, which is attached hereto and incorporated herein; and

WHEREAS, the City Council received a petition from CTX SPE 4, LP, the designated representative of Westside Mesa, LLC, on May 13, 2024, for the release of a certain tract of land (“Property”), which Property is more accurately described in **Attachment 3**, which is attached hereto and incorporated herein; and

WHEREAS, *The City of Grand Prairie v. The State of Texas*, D-1-GN-23-007785, has been filed in the 261st District Court of Travis County, Texas, and challenges Senate Bill 2038 as an unconstitutional delegation of legislative authority (among other legal defects) and seeks to render the bill void and unenforceable in its entirety; and

WHEREAS, the above-named properties are part of, or adjacent, to the Garfield Municipal Utility District, a development that is critical to the City’s current and/or future development; and

WHEREAS, due to the nature of the lawsuit and the legitimate interests of our community, the City elects to reserve its rights to enforcement of regulations in the ETJ, until the conclusion of the pending litigation; and

WHEREAS, The City’s ETJ has traditionally been regarded by the City as an important component of our comprehensive planning efforts, including land use, development, capital improvements (infrastructure), and the extension of utilities; and

WHEREAS, the City is inclined to proceed in a deliberate, cautious manner when considering whether to release an area pursuant to new legislation that is currently undergoing a legal challenge.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bastrop, Texas:

Section 1. Findings of Fact: The foregoing recitals are incorporated into this resolution (“Resolution”) by reference as findings of fact as if expressly set forth word-for-word herein.

Section 2. Release Denied: The Petitions are hereby considered verified; however, the Properties as described in the Petitions included as **Attachments 1-3** are denied and shall not be released from the City’s ETJ pending the outcome of the *City of Grand Prairie v. The State of Texas* litigation.

Section 3. Repealer: To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby

repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.

Section 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

Section 5. Effective Date: This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, its Code of Ordinances, and the laws of the State of Texas.

Section 6. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 23rd day of July 2024.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit "A"

List of Property Owners and Legal Description of Properties of Which Release Has Been Denied

Property Owner(s)	Legal Description of Property	Attachment
Colin and Maria Lineberry	Approximately 2.03 acres consisting of Lots 20, 21, 22, 50, 51, and 52, Block 1, Unit 5, Tahitian Village Subdivision, Bastrop County, Texas.	Attachment 1
CTX HWY 21, LP	A 267.792-acre tract of land out of the Reuben Gage Survey, Abstract No. 31, Bastrop County, Texas; being all of a called 261.430-acre tract of land described as Tract 1 as conveyed to CTX HWY 21, LP, by Warranty Deed with Vendor's Lien recorded in Document Number 202216695 of the Official Public Records of Bastrop County, Texas being all of a called 6.362-acre tract of land as conveyed to CTX HW 21, LP, by Special Warranty Deed 100' ROW recorded in Document Number 202221197 of the Official Public Records of Bastrop County, Texas, being a portion 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, and being a portion of Lots 7, 8, 10 and 11 of Mark Young Ranch, a subdivision as referenced in Volume 52, Page 351 of the Deed Records of Bastrop County, Texas.	Attachment 2
CTX SPE 4, LP	A 135.047-acre tract of land out of the Reuben Gage Survey, Abstract No. 31, the Hiram Beales Survey, Abstract No. 12, and the Isaac Lindsey Survey, Abstract No. 226, all of Bastrop County, Texas; being a portion of a called 808.872-acre tract of land as conveyed to Freddie Wayne Hoskins, Trustee of the Hoskins Grantor Retained Annuity Trust by warranty Deed recorded in Document Number 200411085 of the Official Public Records of Bastrop County, Texas, and being a portion of Lot 7 and Lot 10 of Mark Young Ranch, a subdivision as referenced in Volume 52, Page 351 of the Deed Records of Bastrop County, Texas.	Attachment 3

RECEIVED
6/11/2024

June 5, 2024
Lineberry
4127 Travis Country Circle
Austin, TX 78735

Ms. Ann Franklin
Bastrop City Secretary
1311 Chestnut Street
Bastrop, Texas 78602
(via Hand Delivery)

Re: Petition for Release of Property from Bastrop City ETJ

Dear Secretary Franklin:

Attached is a Petition to the City of Bastrop for release of certain property my wife and I own from the City's extra-territorial jurisdiction. A map and supporting affidavit are attached to the Petition. The Petition is being filed pursuant to TEX. LOCAL GOV'T CODE § 42.102. Please notify me in accordance with TEX. LOCAL GOV'T CODE § 42.105 of the results of the Petition.

Thank you for your consideration and please let me know if you need any additional information from me.

Sincerely,



Colin K. Lineberry
512-653-0798
colineberry@yahoo.com

Attachment 1

**Petition of Colin K. Lineberry and Maria A. Lineberry
for Release from the Extra-Territorial Jurisdiction
of the City of Bastrop, Texas**

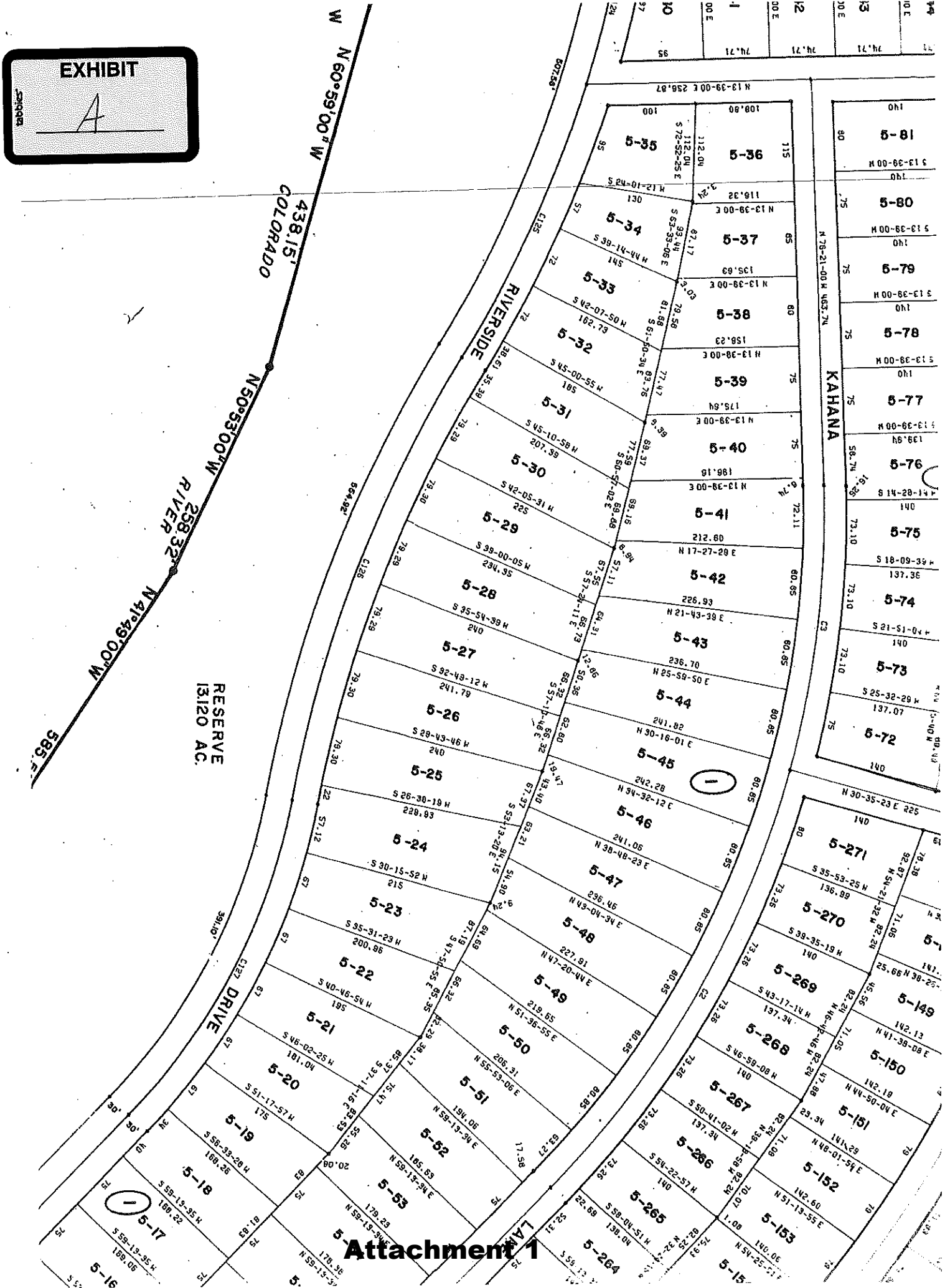
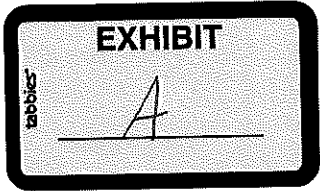
1. Colin K. Lineberry and Maria A. Lineberry (the "Petitioners") file this Petition pursuant to TEX. LOCAL GOV'T CODE § 42.102 for release of approximately 2.03 acres consisting of Lots 20, 21, 22, 50, 51, and 52, Block 1, Unit 5, Tahitian Village Subdivision, Bastrop County, Texas (the "Property") from the extra-territorial jurisdiction of the City of Bastrop.
2. The Petitioners, Colin K. Lineberry and Maria A. Lineberry, who is also known as Alice Lineberry, together own and hold 100% of the title of the lots that comprise the Property. The Petitioners' 100% ownership interest is reflected on the tax rolls of the Bastrop County Central Appraisal District and in the Bastrop County Deed Records at Volume 1848, Page 709; Volume 1859, Pages 485-86; Volume 2200, Pages 832-33; and, Volume 2218, Pages 842-43.
3. The property is located at 290 Riverside Drive in the Tahitian Village Subdivision of Bastrop County. The six lots comprising the Property are contiguous and form a tract of approximately 2.03 acres. The Property is currently within the designated extra-territorial jurisdiction of the City of Bastrop but was not voluntarily annexed into the extra-territorial jurisdiction of the City of Bastrop.
4. In accordance with the provisions of TEX. LOCAL GOV'T CODE § 42.104(d), a map of the Property is attached to this Petition as Exhibit A. Exhibit A is a true and correct depiction of the Property and is an excerpt from the Plat of Tahitian Village Unit 5 duly recorded in the Bastrop County Real Property Records - Plat Cabinet No. 1, Image 102A.
5. None of the disqualifying circumstances set out in TEX. LOCAL GOV'T CODE § 42.101 are applicable to the Property. The Property is not located: (1) within five miles of the boundary of a military base, as defined by TEX. LOCAL GOV'T CODE § 43.0117, at which an active training program is conducted; (2) in an area that was voluntarily annexed into the extra-territorial jurisdiction that is located in a county: (A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and (B) that has a population greater than 240,000; (3) within the portion of the extra-territorial 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 TEX. LOCAL GOV'T CODE § 43.0117, at which an active training program is conducted; and (B) in a county with a population of more than two million; (4) in an area designated as an industrial district under TEX. LOCAL GOV'T CODE § 42.044; or (5) in an area subject to a strategic partnership agreement entered into under TEX. LOCAL GOV'T CODE § 43.0751.
6. The Petitioners own 100% of the Property and are, therefore, the owners of a majority of the Property as required by TEX. LOCAL GOV'T CODE § 42.102(b) and Petitioners, as holders of 100% of the title to the Property, have both signed the Petition in accordance with the requirements of TEX. LOCAL GOV'T CODE § 42.104.

7. The Petitioners hereby petition the City of Bastrop to release Lots 20, 21, 22, 50, 51, and 52, Block 1, Unit 5, Tahitian Village Subdivision, Bastrop County, Texas from the extra-territorial jurisdiction of the City of Bastrop.

Petitioners:

Colin K. Lineberry Date Signed 6-4-24
Colin K. Lineberry
Date of Birth - Dec. 14, 1961
Residence Address:
4127 Travis Country Circle
Austin, Texas 78735

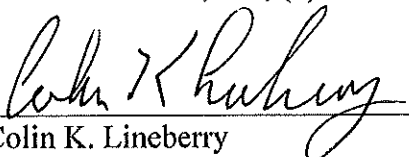
Maria A. Lineberry Date Signed 6-4-24
Maria A. Lineberry
Date of Birth - Oct. 12, 1962
Residence Address:
4127 Travis Country Circle
Austin, Texas 78735



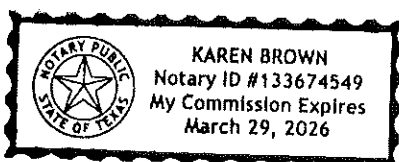
Affidavit of Colin K Lineberry in Support of
Petition for Release from the Extra-Territorial Jurisdiction of the City of
Bastrop, Texas

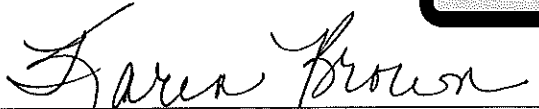
Before me, the undersigned authority, on this day personally appeared, Colin K. Lineberry, who under oath stated as follows:

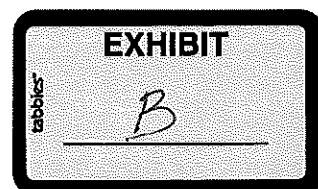
1. My name is Colin K. Lineberry, I am over eighteen (18) years of age and am legally competent to make this affidavit, which is true and correct, and is made voluntarily and not under duress.
2. Lots 20, 21, 22, 50, 51, and 52, Block 1, Unit 5, Tahitian Village Subdivision, Bastrop County, Texas (the "Property") are located within the designated extra-territorial jurisdiction area of Bastrop County. The six lots comprising the Property are contiguous and form a tract of approximately 2.03 acres. The Property was not voluntarily annexed into the extra-territorial jurisdiction of the City of Bastrop.
3. The map of the Property attached to the Petition as Exhibit A is a true and correct depiction of the Property and is an excerpt from the Plat of Tahitian Village Unit 5 duly recorded in the Bastrop County Real Property Records - Plat Cabinet No. 1, Image 102A.
4. Colin K. Lineberry and Maria A. Lineberry, who is also known as Alice Lineberry, (the "Petitioners") together own and hold 100% of the title of the lots that comprise the Property. The Petitioners' 100% ownership interest is reflected on the tax rolls of the Bastrop County Central Appraisal District.
5. The Property is not located: (1) within five miles of the boundary of a military base, as defined by TEX. LOCAL GOV'T CODE § 43.0117, at which an active training program is conducted; (2) in an area that was voluntarily annexed into the extra-territorial jurisdiction that is located in a county: (A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020; and (B) that has a population greater than 240,000; (3) within the portion of the extra-territorial 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 TEX. LOCAL GOV'T CODE § 43.0117, at which an active training program is conducted; and (B) in a county with a population of more than two million; (4) in an area designated as an industrial district under TEX. LOCAL GOV'T CODE § 42.044; or (5) in an area subject to a strategic partnership agreement entered into under TEX. LOCAL GOV'T CODE § 43.0751.
6. The Petition of Colin K. and Maria A. Lineberry for Release from the Extra-Territorial Jurisdiction of the City of Bastrop, Texas contains Petitioners valid and true: (1) signatures in writing; (2) printed names; (3) dates of birth; (4) Residence addresses; and, (5) dates of signature.


Colin K. Lineberry

Sworn and subscribed before me on this the 5 day of June, 2024.




Attachment 1 Notary Public in and for the State of Texas



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:

CTX HWY 21, LP, a Texas limited partnership (the "Petitioner"), acting pursuant to the provisions of Subchapter D, Chapter 42, Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions this Honorable City Council to release the 267.792 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 Petitioner represents, covenants, and agrees as follows:

I.

The Petitioner holds fee simple title to the Land, and hereby represents that it owns 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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.

CTX HWY 21, LP
a Texas limited partnership

By: 5Star Family GP, LLC
a Texas limited liability company
its General Partner

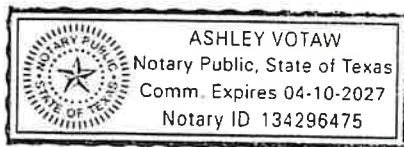
By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
DOB: 1/31/62
Residence Address: 1415 Wathen
Ave Austin, TX
Date of Signing: 6/11/24

THE STATE OF TEXAS

§
§
§

COUNTY OF Travis

This instrument was acknowledged before me on June 11th, 2024, by T. Craig Benson, Managing Partner of 5Star Family GP, LLC, a Texas limited liability company and General Partner of **CTX HWY 21, LP**, a Texas limited partnership, on behalf of said limited liability company and limited partnership.



(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

Attachments:

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

METES & BOUNDS DESCRIPTIONS

FIELD NOTES FOR A 267.792 ACRE TRACT OF LAND OUT OF THE REUBEN GAGE SURVEY, ABSTRACT NO. 31, BASTROP COUNTY, TEXAS; BEING ALL OF A CALLED 261.430 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CTX HWY 21, LP BY WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NUMBER 202216695 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, BEING ALL OF A CALLED 6.362 ACRE TRACT OF LAND AS CONVEYED TO CTX HWY 21, LP BY SPECIAL WARRANTY DEED 100' ROW RECORDED IN DOCUMENT NUMBER 20221197 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, BEING A PORTION 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, AND BEING A PORTION OF LOTS 7, 8, 10 AND 11 OF MARK YOUNG RANCH, A SUBDIVISION AS REFERENCED IN VOLUME 52, PAGE 351 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 267.792 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with cap stamped "BGE Inc" set on the southeast line of THE RANCH, a subdivision recorded in Cabinet 1, Page 74-B of the Plat Records of Bastrop County, Texas, at the most westerly corner of the above described CTX HWY 21 Tract 1, and at the most northerly corner of a called 100.842 acre tract of land described as Tract 1 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, for the most westerly corner of the herein described tract, from which a found 1/2-inch iron rod bears N 46°52'57" W a distance of 2.59 feet, and from which a found 1/2-inch iron pipe bears S 43°03'13" W a distance of 321.19 feet;

THENCE, with a northwest line of said CTX HWY 21 Tract 1 and the southeast line of said THE RANCH, N 43°08'04" E a distance of 314.84 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an exterior corner of said CTX HWY 21 Tract 1, and at the most westerly corner of a called 135.047 acre tract of land described as Tract 2 as conveyed to CTX SPE 4, LP by Warranty Deed with Vendor's Lien recorded in said Document Number 202216695 of the Official Public Records of Bastrop County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly corner of said THE RANCH, at the most southerly corner of FOREST LAKES, a subdivision recorded in Cabinet 1, Page 164-A of the Plat Records of Bastrop County, Texas, and at the most southerly terminus of Lakeview Drive (50 feet wide) as dedicated by said FOREST LAKES, bears N 43°08'04" E a distance of 204.63 feet;

THENCE, departing the southeast line of said THE RANCH, with the north line of said CTX HWY 21 Tract 1 and the south line of said CTX SPE 4 Tract, the following six (6) courses:

- 1) S 84°51'25" E a distance of 407.47 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 77°52'25" E a distance of 373.22 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) N 27°47'35" E a distance of 215.08 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an exterior corner of said CTX HWY 21 Tract 1, and at an interior corner of said CTX SPE 4 Tract, for an exterior corner of the herein described tract;

- 4) S 62°12'25" E a distance of 1,071.49 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of said CTX HWY 21 Tract 1, and at an exterior corner of said CTX SPE 4 Tract, for an interior corner of the herein described tract;
- 5) N 60°51'43" E a distance of 490.04 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 6) N 43°03'50" E a distance of 2,814.94 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the southwest line of THOUSAND OAKS, a subdivision recorded in Cabinet 1, Page 129-A of the Plat Records of Bastrop County, Texas, at the most northerly corner of said CTX HWY 21 Tract 1, and at the most easterly corner of said CTX SPE 4 Tract, for the most northerly corner of the herein described tract, from which a 1/2-inch iron rod found at the most southerly corner of Lot 53 and the most westerly corner of Lot 52, both of said THOUSAND OAKS, bears N 47°03'28" W a distance of 206.43 feet;

THENCE, with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said THOUSAND OAKS, S 47°03'28" E a distance of 1,016.21 feet to a 3/8-inch iron rod found at the most southerly corner of Lot 48 and the most westerly corner of Lot 47, both of said THOUSAND OAKS, for an angle point;

THENCE, continuing with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said THOUSAND OAKS and partly with the southwest line of AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, a subdivision recorded in Cabinet 6, Sheet 28A of the Plat Records of Bastrop County, Texas, S 46°46'54" E a distance of 770.36 feet to a 3/8-inch iron rod found for an angle point;

THENCE, continuing with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, S 46°27'13" E a distance of 342.84 feet to a fence post found at the most easterly corner of said CTX HWY 21 Tract 1, and at the most northerly corner of 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 Correction Instruments as to a Recorded Original Instrument recorded in Document Numbers 202216447 and 202216495, all of the Official Public Records of Bastrop County, Texas, for the most easterly corner of the herein described tract, from which a 1/2-inch iron rod found at the most southerly corner of said AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, bears S 46°52'02" E a distance of 1,345.39 feet;

THENCE, generally along a fence, with the southeast line of said CTX HWY 21 Tract 1 and the northwest line of said Cedar Creek East Tract 3, S 42°54'02" W a distance of 4,643.68 feet to a 1/2-inch iron rod found at the most southerly corner of said CTX HWY 21 Tract 1, and at the most easterly 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 said Document Number 202114074 of the Official Public Records of Bastrop County, Texas, for the most southerly corner of the herein described tract, from which a found 3/8-inch iron rod bears N 38°41'24" W a distance of 0.68 feet, and from which a 1/2-inch iron rod with cap stamped "BGE Inc" found on the north line of a called 141.079 acre tract of land as conveyed to NEU Community Creekside LLC by Special Warranty Deed recorded in Document Number 202207532 of the Official Public Records of Bastrop County, Texas, at a common corner of the remainders of said Cedar Creek East Tract 2 and said Cedar Creek East Tract 3, bears S 43°02'33" W a distance of 2,032.33 feet;

THENCE, generally along a fence, with the southwest line of said CTX HWY 21 Tract 1 and the northeast line of said Cedar Creek East Tract 2, N 46°52'57" W, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of said 100-foot wide unimproved right-of-way, at an exterior corner of said CTX HWY 21 Tract 1, at the most southerly corner of the above described CTX HWY 21 6.362 acre tract, and at the northeast corner of said Cedar Creek East Tract 2 at a distance of 476.83 feet, and continuing on generally along a fence, with the southwest line of said CTX HWY 21 6.362 acre tract and over and across said 100-foot wide unimproved right-of-way, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set on the north line of said 100-foot wide unimproved right-of-way, at an exterior corner of said CTX HWY 21 Tract 1, at the most westerly corner of said CTX HWY 21 6.362 acre tract, and at the most easterly corner of said Cedar Creek East Tract 1 at a distance of 588.33 feet, and continuing on generally along a fence, with the southwest line of said CTX HWY 21 Tract 1 and the northeast line of said Cedar Creek East Tract 1 for a total distance of 3,804.30 feet to the **POINT OF BEGINNING** and containing 267.792 acres 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 February 8, 2022 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.



Damian G. Fisher RPLS No. 5777
BGE, Inc.
101 West Louis Henna Blvd, Suite 400
Austin, Texas 78728
Telephone: (512) 879-0400
TBPLS Licensed Surveying Firm No. 10106502

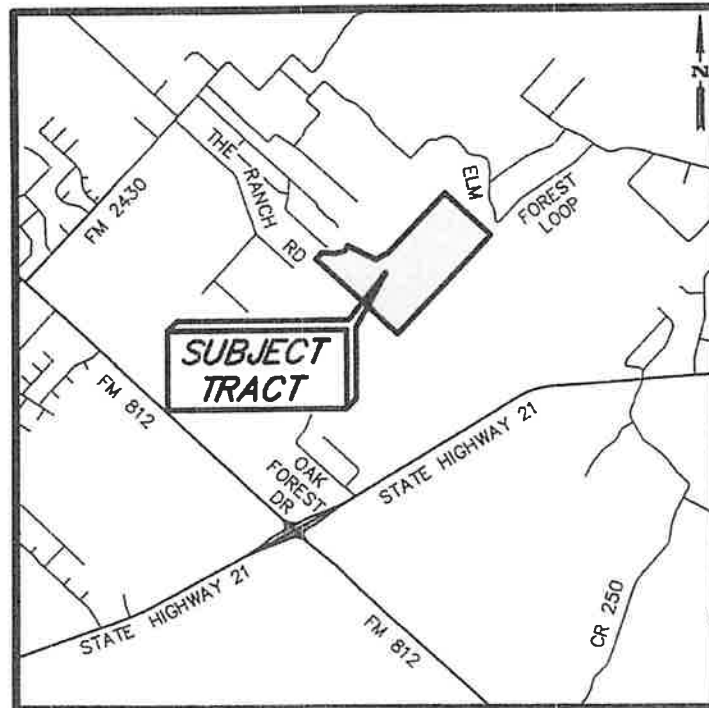


10/25/2022

Date

Client: NEU Communities
Date: June 8, 2022
Revised: October 25, 2022
Job No: 9989-00

EXHIBIT B



NOT TO SCALE

LOCATION MAP
BASTROP ETJ RELEASE
267.792 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:

CTX HWY 21 LP

OWNER/ACCOUNT	ACREAGE	VALUE
41808	261.43	\$ 2,268,882
UN-OPENED ROAD	6.362	\$ 0

CERTIFIED this 3rd day of June, 2024.

By: Faun Cullens

Name: Faun Cullens

Title: Chief Appraiser

METES & BOUNDS DESCRIPTIONS

FIELD NOTES FOR A 267.792 ACRE TRACT OF LAND OUT OF THE REUBEN GAGE SURVEY, ABSTRACT NO. 31, BASTROP COUNTY, TEXAS; BEING ALL OF A CALLED 261.430 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CTX HWY 21, LP BY WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NUMBER 202216695 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, BEING ALL OF A CALLED 6.362 ACRE TRACT OF LAND AS CONVEYED TO CTX HWY 21, LP BY SPECIAL WARRANTY DEED 100' ROW RECORDED IN DOCUMENT NUMBER 202221197 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, BEING A PORTION 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, AND BEING A PORTION OF LOTS 7, 8, 10 AND 11 OF MARK YOUNG RANCH, A SUBDIVISION AS REFERENCED IN VOLUME 52, PAGE 351 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 267.792 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with cap stamped "BGE Inc" set on the southeast line of THE RANCH, a subdivision recorded in Cabinet 1, Page 74-B of the Plat Records of Bastrop County, Texas, at the most westerly corner of the above described CTX HWY 21 Tract 1, and at the most northerly corner of a called 100.842 acre tract of land described as Tract 1 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, for the most westerly corner of the herein described tract, from which a found 1/2-inch iron rod bears N 46°52'57" W a distance of 2.59 feet, and from which a found 1/2-inch iron pipe bears S 43°03'13" W a distance of 321.19 feet;

THENCE, with a northwest line of said CTX HWY 21 Tract 1 and the southeast line of said THE RANCH, N 43°08'04" E a distance of 314.84 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at an exterior corner of said CTX HWY 21 Tract 1, and at the most westerly corner of a called 135.047 acre tract of land described as Tract 2 as conveyed to CTX SPE 4, LP by Warranty Deed with Vendor's Lien recorded in said Document Number 202216695 of the Official Public Records of Bastrop County, Texas, for an exterior corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly corner of said THE RANCH, at the most southerly corner of FOREST LAKES, a subdivision recorded in Cabinet 1, Page 164-A of the Plat Records of Bastrop County, Texas, and at the most southerly terminus of Lakeview Drive (50 feet wide) as dedicated by said FOREST LAKES, bears N 43°08'04" E a distance of 204.63 feet;

THENCE, departing the southeast line of said THE RANCH, with the north line of said CTX HWY 21 Tract 1 and the south line of said CTX SPE 4 Tract, the following six (6) courses:

- 1) S 84°51'25" E a distance of 407.47 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 2) N 77°52'25" E a distance of 373.22 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 3) N 27°47'35" E a distance of 215.08 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an exterior corner of said CTX HWY 21 Tract 1, and at an interior corner of said CTX SPE 4 Tract, for an exterior corner of the herein described tract;

- 4) S 62°12'25" E a distance of 1,071.49 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of said CTX HWY 21 Tract 1, and at an exterior corner of said CTX SPE 4 Tract, for an interior corner of the herein described tract;
- 5) N 60°51'43" E a distance of 490.04 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 6) N 43°03'50" E a distance of 2,814.94 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the southwest line of THOUSAND OAKS, a subdivision recorded in Cabinet 1, Page 129-A of the Plat Records of Bastrop County, Texas, at the most northerly corner of said CTX HWY 21 Tract 1, and at the most easterly corner of said CTX SPE 4 Tract, for the most northerly corner of the herein described tract, from which a 1/2-inch iron rod found at the most southerly corner of Lot 53 and the most westerly corner of Lot 52, both of said THOUSAND OAKS, bears N 47°03'28" W a distance of 206.43 feet;

THENCE, with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said THOUSAND OAKS, S 47°03'28" E a distance of 1,016.21 feet to a 3/8-inch iron rod found at the most southerly corner of Lot 48 and the most westerly corner of Lot 47, both of said THOUSAND OAKS, for an angle point;

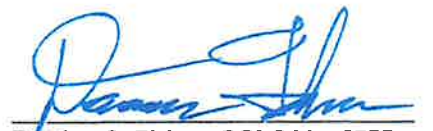
THENCE, continuing with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said THOUSAND OAKS and partly with the southwest line of AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, a subdivision recorded in Cabinet 6, Sheet 28A of the Plat Records of Bastrop County, Texas, S 46°46'54" E a distance of 770.36 feet to a 3/8-inch iron rod found for an angle point;

THENCE, continuing with the northeast line of said CTX HWY 21 Tract 1 and the southwest line of said AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, S 46°27'13" E a distance of 342.84 feet to a fence post found at the most easterly corner of said CTX HWY 21 Tract 1, and at the most northerly corner of 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 Correction Instruments as to a Recorded Original Instrument recorded in Document Numbers 202216447 and 202216495, all of the Official Public Records of Bastrop County, Texas, for the most easterly corner of the herein described tract, from which a 1/2-inch iron rod found at the most southerly corner of said AMENDED PLAT OF LOT 46 AND PORTION OF LOT 47, THOUSAND OAKS, bears S 46°52'02" E a distance of 1,345.39 feet;

THENCE, generally along a fence, with the southeast line of said CTX HWY 21 Tract 1 and the northwest line of said Cedar Creek East Tract 3, S 42°54'02" W a distance of 4,643.68 feet to a 1/2-inch iron rod found at the most southerly corner of said CTX HWY 21 Tract 1, and at the most easterly 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 said Document Number 202114074 of the Official Public Records of Bastrop County, Texas, for the most southerly corner of the herein described tract, from which a found 3/8-inch iron rod bears N 38°41'24" W a distance of 0.68 feet, and from which a 1/2-inch iron rod with cap stamped "BGE Inc" found on the north line of a called 141.079 acre tract of land as conveyed to NEU Community Creekside LLC by Special Warranty Deed recorded in Document Number 202207532 of the Official Public Records of Bastrop County, Texas, at a common corner of the remainders of said Cedar Creek East Tract 2 and said Cedar Creek East Tract 3, bears S 43°02'33" W a distance of 2,032.33 feet;

THENCE, generally along a fence, with the southwest line of said CTX HWY 21 Tract 1 and the northeast line of said Cedar Creek East Tract 2, N 46°52'57" W, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set on the south line of said 100-foot wide unimproved right-of-way, at an exterior corner of said CTX HWY 21 Tract 1, at the most southerly corner of the above described CTX HWY 21 6.362 acre tract, and at the northeast corner of said Cedar Creek East Tract 2 at a distance of 476.83 feet, and continuing on generally along a fence, with the southwest line of said CTX HWY 21 6.362 acre tract and over and across said 100-foot wide unimproved right-of-way, pass a 1/2-inch iron rod with cap stamped "BGE Inc" set on the north line of said 100-foot wide unimproved right-of-way, at an exterior corner of said CTX HWY 21 Tract 1, at the most westerly corner of said CTX HWY 21 6.362 acre tract, and at the most easterly corner of said Cedar Creek East Tract 1 at a distance of 588.33 feet, and continuing on generally along a fence, with the southwest line of said CTX HWY 21 Tract 1 and the northeast line of said Cedar Creek East Tract 1 for a total distance of 3,804.30 feet to the **POINT OF BEGINNING** and containing 267.792 acres 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 February 8, 2022 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.



Damian G. Fisher RPLS No. 5777
BGE, Inc.
101 West Louis Henna Blvd, Suite 400
Austin, Texas 78728
Telephone: (512) 879-0400
TBPLS Licensed Surveying Firm No. 10106502



10/25/2022

Date

Client: NEU Communities
Date: June 8, 2022
Revised: October 25, 2022
Job No: 9989-00

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:

CTX SPE 4, LP, a Texas limited partnership (the "Petitioner"), acting pursuant to the provisions of Subchapter D, Chapter 42, Texas Local Government Code, together with all amendments and additions thereto, respectfully petitions this Honorable City Council to release the 135.047 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 Petitioner represents, covenants, and agrees as follows:

I.

The Petitioner holds fee simple title to the Land, and hereby represents that it owns 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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 Petitioner represents 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.

CTX SPE 4, LP
a Texas limited partnership

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

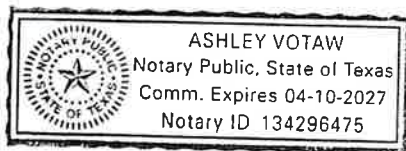
By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
DOB: 1/31/62
Residence Address: 1415 Wathen
Ave Austin, TX
Date of Signing: 6/11/24

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 **CTX SPE 4, LP**, a Texas limited partnership, on behalf of said limited liability company and limited partnership.



(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

Attachments:

Exhibit A: Description of the Land

Exhibit B: Map of the Land

Exhibit C: Certificate of Ownership

METES & BOUNDS DESCRIPTIONS

FIELD NOTES FOR A 135.047 ACRE TRACT OF LAND OUT OF THE REUBEN GAGE SURVEY, ABSTRACT NO. 31, THE HIRAM BEALES SURVEY, ABSTRACT NO. 12, AND THE ISAAC LINDSEY SURVEY, ABSTRACT NO. 226, ALL OF BASTROP COUNTY, TEXAS; BEING A PORTION OF A CALLED 808.872 ACRE TRACT OF LAND AS CONVEYED TO FREDDIE WAYNE HOSKINS, TRUSTEE OF THE HOSKINS GRANTOR RETAINED ANNUITY TRUST BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 200411085 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND BEING A PORTION OF LOT 7 AND LOT 10 OF MARK YOUNG RANCH, A SUBDIVISION AS REFERENCED IN VOLUME 52, PAGE 351 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 135.047 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the northwest line of the above described Hoskins Tract and the southwest right-of-way line of Privada Drive (50 feet wide) as shown on the plat of ESCONDIDO, a subdivision recorded in Cabinet 1, Page 66-A of the Plat Records of Bastrop County, Texas, at the most easterly corner of Lot 20 of said ESCONDIDO, for the most northerly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, leaving the southeast line of said ESCONDIDO, over and across said Hoskins Tract and with the apparent southwest right-of-way line of said Privada Drive, S 47°24'40" E a distance of 31.39 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on a southeast line of said Hoskins Tract and the northwest line of THOUSAND OAKS, a subdivision recorded in Cabinet 1, Page 129-A of the Plat Records of Bastrop County, Texas, at the intersection with the southeast right-of-way line of Elm Forest Loop (called 12 varas wide) as recorded in Volume 55, Page 223 of the Deed Records of Bastrop County, Texas, and as shown on said ESCONDIDO and said THOUSAND OAKS, for an exterior corner of the herein described tract;

THENCE, with a southeast line of said Hoskins Tract and the northwest line of said THOUSAND OAKS, S 43°23'38" W a distance of 65.41 feet to a 1/2-inch iron rod found at an interior corner of said Hoskins Tract, and at the most westerly corner of said THOUSAND OAKS, for an interior corner of the herein described tract;

THENCE, with the northeast line of said Hoskins Tract and the southwest line of said THOUSAND OAKS, S 46°56'10" E a distance of 1,427.18 feet to a 1/2-inch iron rod found at the most southerly corner of Lot 53 and the most westerly corner of Lot 52, both of said THOUSAND OAKS, for an angle point;

THENCE, continuing with the northeast line of said Hoskins Tract and the southwest line of said THOUSAND OAKS, S 47°03'28" E a distance of 206.43 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most easterly corner of the herein described tract, from which a 3/8-inch iron rod found at the most southerly corner of Lot 48 and the most westerly corner of Lot 47, both of said THOUSAND OAKS, bears S 47°03'28" E a distance of 1,016.21 feet;

THENCE, leaving the southwest line of said THOUSAND OAKS, over and across said Hoskins Tract, S 43°03'50" W a distance of 2,814.94 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, S 60°51'43" W a distance of 490.04 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most southerly corner of the herein described tract;

THENCE, continuing over and across said Hoskins Tract, N 62°12'25" W a distance of 1,071.49 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

THENCE, continuing over and across said Hoskins Tract, S 27°47'35" W a distance of 215.08 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, S 77°52'25" W a distance of 373.22 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, N 84°51'25" W a distance of 407.47 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the northwest line of said Hoskins Tract and the southeast line of Lot 22, THE RANCH, a subdivision recorded in Cabinet 1, Page 74-B of the Plat Records of Bastrop County, Texas, for the most westerly corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most westerly corner of said Hoskins Tract, and at the most northerly corner of a called 100.842 acre tract of land described as Tract 1 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, bears S 43°08'04" W a distance of 314.84 feet;

THENCE, with the northwest line of said Hoskins Tract and the southeast line of said THE RANCH, N 43°08'04" E a distance of 204.63 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly corner of said THE RANCH, at the most southerly corner of FOREST LAKES, a subdivision recorded in Cabinet 1, Page 164-A of the Plat Records of Bastrop County, Texas, and at the most southerly terminus of Lakeview Drive (50 feet wide) as dedicated by said FOREST LAKES, for an angle point, from which a found flagged 3/8-inch iron rod extruding from the ground bears N 38°18'55" W a distance of 2.42 feet;

THENCE, continuing with the northwest line of said Hoskins Tract, S 84°13'54" E a distance of 34.74 feet to 1/2-inch iron rod with cap stamped "BGE Inc" set at an angle point, from which a found flagged t-post bears N 40°56'38" W a distance of 2.76 feet;

THENCE, continuing with the northwest line of said Hoskins Tract, N 42°44'59" E a distance of 1,113.08 feet to a 1/2-inch iron rod found at the most southerly corner of said ESCONDIDO, for an angle point;

THENCE, continuing with the northwest line of said Hoskins Tract and the southeast line of said ESCONDIDO the following eight (8) courses:

- 1) N 43°11'44" E a distance of 720.41 feet to an 8-foot tall 10-inch by 10-inch concrete pillar found at the most easterly corner of Lot 39 of said ESCONDIDO, and at the most southerly terminus of Escondido Drive (50 feet wide) as dedicated by said ESCONDIDO, for an angle point;
- 2) N 43°40'05" E a distance of 48.94 feet to a 5/8-inch iron rod found at the most easterly terminus of said Escondido Drive, and at the most southerly corner of Lot 29 of said ESCONDIDO, for an angle point;

- 3) N 43°09'00" E a distance of 456.59 feet to a 5/8-inch iron rod found for an angle point;
- 4) N 43°03'58" E a distance of 629.59 feet to a 1/2-inch iron rod found for an angle point;
- 5) N 43°30'21" E a distance of 145.94 feet to a 1/2-inch iron rod found at the most easterly corner of said Lot 29, and at the most southerly corner of Lot 20 of said ESCONDIDO, for an angle point;
- 6) N 43°01'51" E a distance of 681.62 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 7) N 07°13'53" E a distance of 52.30 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 8) N 43°23'23" E a distance of 328.55 feet to the **POINT OF BEGINNING** and containing 135.047 acres 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 February 8, 2022 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.



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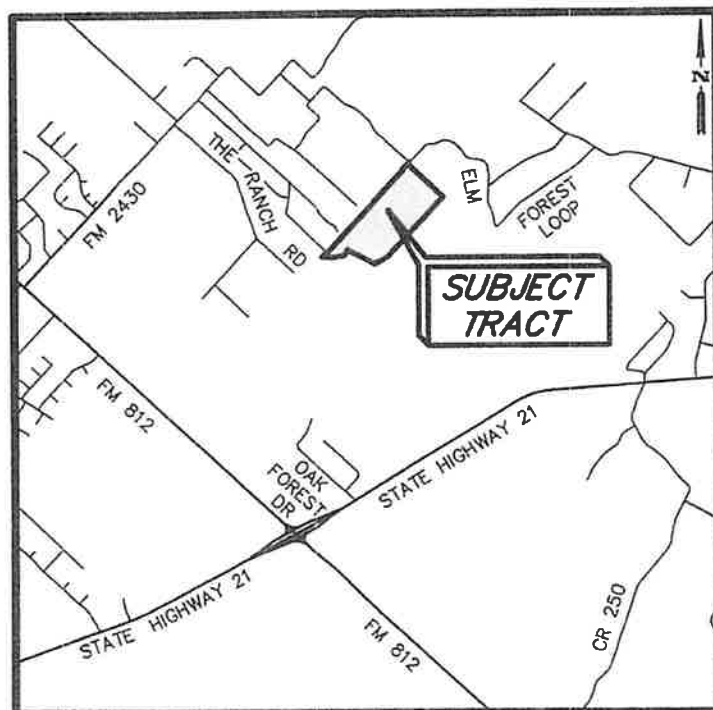


6/15/2022

Date

Client: CTX Management Holdings
Date: June 15, 2022
Job No: 9827-00

EXHIBIT B



NOT TO SCALE

LOCATION MAP
BASTROP ETJ RELEASE
135.047 ACRES



BGE, Inc.

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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:

CTX SPE 4 LP

OWNER/ACCOUNT	ACREAGE	VALUE
8729059	135.047	\$ 1,333,730

CERTIFIED this 3rd day of June, 2024.

By: Faun Cullens

Name: Faun Cullens

Title: Chief Appraiser

METES & BOUNDS DESCRIPTIONS

FIELD NOTES FOR A 135.047 ACRE TRACT OF LAND OUT OF THE REUBEN GAGE SURVEY, ABSTRACT NO. 31, THE HIRAM BEALES SURVEY, ABSTRACT NO. 12, AND THE ISAAC LINDSEY SURVEY, ABSTRACT NO. 226, ALL OF BASTROP COUNTY, TEXAS; BEING A PORTION OF A CALLED 808.872 ACRE TRACT OF LAND AS CONVEYED TO FREDDIE WAYNE HOSKINS, TRUSTEE OF THE HOSKINS GRANTOR RETAINED ANNUITY TRUST BY WARRANTY DEED RECORDED IN DOCUMENT NUMBER 200411085 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND BEING A PORTION OF LOT 7 AND LOT 10 OF MARK YOUNG RANCH, A SUBDIVISION AS REFERENCED IN VOLUME 52, PAGE 351 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 135.047 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found on the northwest line of the above described Hoskins Tract and the southwest right-of-way line of Privada Drive (50 feet wide) as shown on the plat of ESCONDIDO, a subdivision recorded in Cabinet 1, Page 66-A of the Plat Records of Bastrop County, Texas, at the most easterly corner of Lot 20 of said ESCONDIDO, for the most northerly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, leaving the southeast line of said ESCONDIDO, over and across said Hoskins Tract and with the apparent southwest right-of-way line of said Privada Drive, S 47°24'40" E a distance of 31.39 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on a southeast line of said Hoskins Tract and the northwest line of THOUSAND OAKS, a subdivision recorded in Cabinet 1, Page 129-A of the Plat Records of Bastrop County, Texas, at the intersection with the southeast right-of-way line of Elm Forest Loop (called 12 varas wide) as recorded in Volume 55, Page 223 of the Deed Records of Bastrop County, Texas, and as shown on said ESCONDIDO and said THOUSAND OAKS, for an exterior corner of the herein described tract;

THENCE, with a southeast line of said Hoskins Tract and the northwest line of said THOUSAND OAKS, S 43°23'38" W a distance of 65.41 feet to a 1/2-inch iron rod found at an interior corner of said Hoskins Tract, and at the most westerly corner of said THOUSAND OAKS, for an interior corner of the herein described tract;

THENCE, with the northeast line of said Hoskins Tract and the southwest line of said THOUSAND OAKS, S 46°56'10" E a distance of 1,427.18 feet to a 1/2-inch iron rod found at the most southerly corner of Lot 53 and the most westerly corner of Lot 52, both of said THOUSAND OAKS, for an angle point;

THENCE, continuing with the northeast line of said Hoskins Tract and the southwest line of said THOUSAND OAKS, S 47°03'28" E a distance of 206.43 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most easterly corner of the herein described tract, from which a 3/8-inch iron rod found at the most southerly corner of Lot 48 and the most westerly corner of Lot 47, both of said THOUSAND OAKS, bears S 47°03'28" E a distance of 1,016.21 feet;

THENCE, leaving the southwest line of said THOUSAND OAKS, over and across said Hoskins Tract, S 43°03'50" W a distance of 2,814.94 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, S 60°51'43" W a distance of 490.04 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for the most southerly corner of the herein described tract;

THENCE, continuing over and across said Hoskins Tract, N 62°12'25" W a distance of 1,071.49 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an interior corner of the herein described tract;

THENCE, continuing over and across said Hoskins Tract, S 27°47'35" W a distance of 215.08 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, S 77°52'25" W a distance of 373.22 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;

THENCE, continuing over and across said Hoskins Tract, N 84°51'25" W a distance of 407.47 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set on the northwest line of said Hoskins Tract and the southeast line of Lot 22, THE RANCH, a subdivision recorded in Cabinet 1, Page 74-B of the Plat Records of Bastrop County, Texas, for the most westerly corner of the herein described tract, from which a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most westerly corner of said Hoskins Tract, and at the most northerly corner of a called 100.842 acre tract of land described as Tract 1 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, bears S 43°08'04" W a distance of 314.84 feet;

THENCE, with the northwest line of said Hoskins Tract and the southeast line of said THE RANCH, N 43°08'04" E a distance of 204.63 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set at the most easterly corner of said THE RANCH, at the most southerly corner of FOREST LAKES, a subdivision recorded in Cabinet 1, Page 164-A of the Plat Records of Bastrop County, Texas, and at the most southerly terminus of Lakeview Drive (50 feet wide) as dedicated by said FOREST LAKES, for an angle point, from which a found flagged 3/8-inch iron rod extruding from the ground bears N 38°18'55" W a distance of 2.42 feet;

THENCE, continuing with the northwest line of said Hoskins Tract, S 84°13'54" E a distance of 34.74 feet to 1/2-inch iron rod with cap stamped "BGE Inc" set at an angle point, from which a found flagged t-post bears N 40°56'38" W a distance of 2.76 feet;

THENCE, continuing with the northwest line of said Hoskins Tract, N 42°44'59" E a distance of 1,113.08 feet to a 1/2-inch iron rod found at the most southerly corner of said ESCONDIDO, for an angle point;

THENCE, continuing with the northwest line of said Hoskins Tract and the southeast line of said ESCONDIDO the following eight (8) courses:

- 1) N 43°11'44" E a distance of 720.41 feet to an 8-foot tall 10-inch by 10-inch concrete pillar found at the most easterly corner of Lot 39 of said ESCONDIDO, and at the most southerly terminus of Escondido Drive (50 feet wide) as dedicated by said ESCONDIDO, for an angle point;
- 2) N 43°40'05" E a distance of 48.94 feet to a 5/8-inch iron rod found at the most easterly terminus of said Escondido Drive, and at the most southerly corner of Lot 29 of said ESCONDIDO, for an angle point;

- 3) N 43°09'00" E a distance of 456.59 feet to a 5/8-inch iron rod found for an angle point;
- 4) N 43°03'58" E a distance of 629.59 feet to a 1/2-inch iron rod found for an angle point;
- 5) N 43°30'21" E a distance of 145.94 feet to a 1/2-inch iron rod found at the most easterly corner of said Lot 29, and at the most southerly corner of Lot 20 of said ESCONDIDO, for an angle point;
- 6) N 43°01'51" E a distance of 681.62 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point;
- 7) N 07°13'53" E a distance of 52.30 feet to a 1/2-inch iron rod with cap stamped "BGE Inc" set for an angle point; and
- 8) N 43°23'23" E a distance of 328.55 feet to the **POINT OF BEGINNING** and containing 135.047 acres 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 February 8, 2022 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.



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6/15/2022

Date

Client: CTX Management Holdings
Date: June 15, 2022
Job No: 9827-00