

CITY OF DRIPPING SPRINGS

RESOLUTION No. 2020-R18

A RESOLUTION ACCEPTING THE PETITIONS REQUESTING THE CONSENT OF THE CITY OF DRIPPING SPRINGS FOR DRIFTWOOD CONSERVATION DISTRICT TO ANNEX CERTAIN PROPERTY INTO THE DISTRICT

WHEREAS, by Resolutions No. 2017-17, 2018-R25, 2019-R06, and 2019-R37 the City of Dripping Springs, Texas (the "City") consented to the creation of the Driftwood Conservation District, subject to certain conditions and restrictions and consented to the annexation of certain other property into the District;

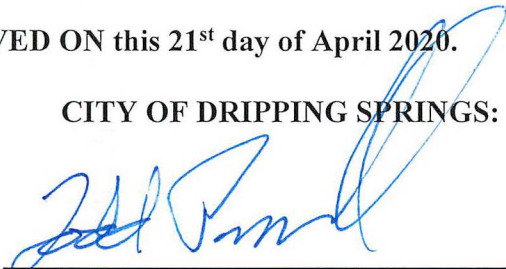
WHEREAS, The City has received two Petitions formally requesting that the City consent to the annexation of the combined amount of approximately 44.3905 acres of land (described by the Field notes attached as Exhibit A and ownership verified in the Affidavits of Ownership from Hays County attached as Exhibit B) into the Driftwood Conservation District pursuant to Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, as follows:

- Section 1. The petitions requesting consent of the City for the Driftwood Conservation District annexing certain property identified in Exhibit A (attached hereto) into the Driftwood Conservation District is granted.
- Section 2. The Mayor of the City of Dripping Springs is authorized and directed to execute this Resolution Consenting to the Driftwood Conservation District's annexation of certain property into the District.

PASSED AND APPROVED ON this 21st day of April 2020.

CITY OF DRIPPING SPRINGS:



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary



EXHIBIT “A”

Field Notes – Tract 1

Lot 1-B, Block A, Driftwood Solage Subdivision, a subdivision located in Hays County, Texas according to the plat thereof recorded as Document No. 19037665, Official Public Records of Hays County, Texas; said property being the same and more fully described by the Declaration of Condominium Regime for Driftwood Condominiums recorded on December 20, 2018 as Document No. 19046718, Official Public Records of Hays County, Texas, reference to which is hereby made for all purposes, SAVE and EXCEPT the Club Unit in Driftwood Condominiums, a condominium regime in Hays County, Texas, being the same property more fully described in that certain Warranty Deed from Driftwood Golf Club Development, Inc., a Delaware corporation, to Driftwood Golf Club, LP, a Delaware limited partnership recorded under Instrument #20001142, Official Public Records of Hays County, Texas.

Field Notes – Tract 2

A tract or parcel of land containing 10.1952 acres situated in the Freelove Wood Survey No. 23, Abstract No. 20, Hays County Texas, being a portion Lot 1-B, Block “A”, “Final Plat” of Driftwood Solage Subdivision, Block A, Lot 1-B, being a Replat of Block A, Lot 1 of the Driftwood Solage Subdivision and 17.3859 acres out of the Freelove Woody Survey No. 23, Abstract No. 664, within the Extraterritorial Jurisdiction of the City of Dripping Springs, Hays County, Texas, a subdivision recorded in Document No. 19037665 of the Plat Records of Hays County, Texas; the herein described 10.1952 acres being more particularly described by metes and bounds on Exhibit “A-2” attached hereto and incorporated herein for all purposes.

EXHIBIT "B"

Affidavits of Ownership

**Hays
Central
Appraisal
District**



512-268-2522 ■ Lex Word Building ■ 21001 IH 35 ■ Kyle, Texas 78640

AFFIDAVIT OF OWNERSHIP

I, Laura Raven, Chief Appraiser of the Hays Central Appraisal District of Hays County, Texas, do hereby certify that as of March 1, 2020, the following entities combined constitute the sole owners following described real property:

Unit 157 through Unit 160; Unit 167 through Unit 170; and the Club Unit, in Driftwood Condominiums (the "Regime"), a condominium regime in Hays County, Texas, established pursuant to that certain Declaration of Condominium Regime for Driftwood Condominiums, recorded in Document No. 19046718, Official Public Records of Hays County, Texas. The Regime was established on that certain 44.3905 acre tract of land in Hays County, Texas as described by metes and bounds in Exhibit "A" attached hereto.

Owner of Units 157 – 160 and Units 168 – 170:

DRIFTWOOD GOLF CLUB DEVELOPMENT, INC.

Owner of the Club Unit:

DRIFTWOOD GOLF CLUB, L.P.

Owner of Unit 167:

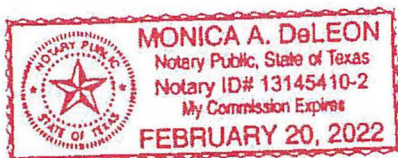
CASA M INVESTMENTS, LLC

Laura Raven, Chief Appraiser

THE STATE OF TEXAS §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 19th day of March, 2020 by Laura Raven, Chief Appraiser of the Hays Central Appraisal District.

(Affix Notary Seal)



Notary Public in and for the State of Texas

Exhibit "A"

44.3905 Acres

Freelove Woody Survey No. 23, Abst. No. 20

December 28, 2018

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18541.10

STATE OF TEXAS §
 §
COUNTY OF HAYS §

FIELDNOTE DESCRIPTION of a tract or parcel of land containing 44.3905 acres situated in the Freelove Woody Survey No. 23, Abstract No. 20, Hays County, Texas, being a portion of that 200 acre tract, described as Tract IV and that 100 acre tract, described as Tract II, both conveyed to Masa Scott Roberts by deed recorded in Volume 966, Page 677 of the Deed Records of Hays County, Texas, and all of Lot 1, Block A, Driftwood Solage, a subdivision recorded in Book 18, Page 257 of the Plat Records of Hays County, Texas; the herein described 44.3905 acre tract, being all of proposed "The "Final Plat" of the Driftwood Solage Subdivision, Block A, Lot 1-B, being a Replat of Block A, Lot 1 of the Driftwood Solage Subdivision and 17.3859 acres out of the Freelove Woody Survey No. 23, Abstract No. 664, within The Extraterritorial Jurisdiction of the City of Dripping Springs, Hays County, Texas' is more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the most northerly northwest corner of Lot 1, Block A, Driftwood Solage subdivision, same being on the east line of Lot 1, Block "A", Driftwood Subdivision, Phase One, Section One, a subdivision recorded in Book 18, Page 236 of the Plat Records of Hays County, Texas, from which a ½ inch iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the southeast corner of said Lot 1, Block "A", Driftwood Subdivision, Phase One, Section One, bears S07°22'23"W, 34.06 feet;

THENCE, leaving the northerly line of said Lot 1, Block A, Driftwood Solage Subdivision, across the said 100 acre tract, with the southeasterly line of said Driftwood Subdivision, Phase One, Section One subdivision, for the following six (6) courses:

- 1) N07°22'23"E, 103.84 feet to a ½ inch iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the northeast corner of said Lot 1, Block "A" and southeast corner of Lot 2, Block "A", Driftwood Subdivision, Phase One, Section One;
- 2) N17°52'14"E, 113.77 feet to a ½" inch iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the northeast corner of said Lot 2, Block "A" and southeast corner of Lot 3, Block "A", Driftwood Subdivision, Phase One, Section One;
- 3) N42°19'39"E, 152.02 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the most easterly corner of said Lot 3, Block "A";
- 4) N51°01'26"W, 271.17 feet to a ½" iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the most northerly corner of said Lot 3,

Block "A", being on the southeasterly right-of-way line of Thurman Roberts Way (right-of-way varies) as dedicated by plat of said Driftwood Subdivision, Phase One, Section One, and being the point of curvature of a non-tangent curve to the left;

- 5) With the said non-tangent curve to the left, having a central angle of $07^{\circ}28'18''$, a radius of 1225.00 feet, a long chord of 159.64 feet (chord bears $N43^{\circ}37'12''E$), for an arc distance of 159.75 feet to a $\frac{1}{2}$ inch iron rod, with a plastic cap marked "Capital Surveying Company, Inc.", found for the most westerly corner of Lot 4, Block "A", Driftwood Subdivision, Phase One, Section One;
- 6) $S50^{\circ}06'57''E$, passing at 260.73 feet a $\frac{1}{2}$ " iron rod, with plastic cap marked "Capital Surveying Company, Inc.", found for the most southerly corner of said Lot 4, Block "A", and continuing across the said 100 acre tract, for a total distance of 398.95 feet to a $\frac{1}{2}$ inch iron rod, with a plastic cap marked "Capital Surveying Company, Inc.", found for angle point;

THENCE, $S85^{\circ}26'34''E$, continuing across said 100 acre tract, for distance of 305.39 feet to a calculated point on the approximate centerline of Onion Creek, being on the common easterly line of the said 100 acre tract and westerly line of that 331.26 acre tract conveyed to R. L. Struhall be deed recorded in Volume 226, Page 633 of the Deed Records of Hays County, Texas;

THENCE, $S16^{\circ}23'23''E$, with the said common easterly line of the 100 acre tract and westerly line of the 331.26 acre tract, 513.45 feet to a calculated point for the most northerly east corner of said Lot 1, Block A, Driftwood Solage subdivision;

THENCE, with the common easterly line of the said Lot 1, Block A, Driftwood Solage subdivision and westerly line of the said 331.26 acre tract, being along the approximate centerline of Onion Creek, the following six (6) courses:

- 1) $S17^{\circ}10'43''E$, 220.66 feet to a calculated angle point;
- 2) $S25^{\circ}12'42''E$, 91.93 feet to a calculated angle point;
- 3) $S34^{\circ}24'43''E$, 293.21 feet to a calculated angle point;
- 4) $S36^{\circ}58'43''E$, 312.92 feet to a calculated angle point;
- 5) $S41^{\circ}11'43''E$, 251.02 feet to a calculated angle point;
- 6) $S52^{\circ}15'43''E$, 120.82 feet to a calculated angle point;

THENCE, $S63^{\circ}34'43''E$, leaving the southeast line of aforesaid Driftwood Solage subdivision, with the common easterly line of the said 200 acre tract and westerly line of the said

331.26 acre tract, 223.03 feet to a calculated point for the southeast corner of the herein described tract;

THENCE, leaving the westerly line of the said 331.26 acre tract and the approximate centerline of Onion Creek, and continuing across the said 200 acre tract, for the following fifteen (15) courses:

- 1) S53°37'15"W, at a distance of 110.60 feet pass a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found on line, and continuing for a total distance of 410.60 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 2) S83°45'47"W, 373.76 feet to a cotton gin spindle found for an angle point;
- 3) S71°43'37"W, 140.00 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 4) S75°18'49"W, 419.98 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 5) S69°45'59"W, 23.70' feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 6) N02°46'13"E, 20.69 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of curvature of a curve to the right;
- 7) With said curve to the right, having a central angle of 01°48'34", a radius of 975.19 feet, a chord distance of 30.79 feet (chord bears N01°51'55"E), for an arc distance of 30.79 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of tangency;
- 8) N00°57'39"E, 317.81 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of curvature of curve to the left;
- 9) With said curve to the left, having a central angle of 23°43'44", radius of 375.00 feet, a chord distance of 154.20 feet (chord bears N10°54'13"W), for an arc distance of 155.31 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of tangency;
- 10) N22°46'05"W, 42.55 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 11) N14°38'40"W, 372.96 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;

- 12) N21°45'28"W, 30.71 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for corner;
- 13) S80°36'36"W, 280.00 feet to ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for corner;
- 14) N10°21'10"W, 220.19 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 15) N28°08'35"W, 75.29 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found on the southerly line of said Lot 1, Block "A", Driftwood Solage, subdivision;

THENCE, with the southerly line of said Lot 1, Block A, Driftwood Solage subdivision and continuing across the said 200 acre tract, for the following two (2) courses:

- 1) N50°40'23"W, 232.12 feet to 4" diameter steel fence post found;
- 2) N85°21'33"W, 156.63 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of curvature of a non-tangent curve to the left, on the easterly right-of-way line of said Thurman Roberts Way;

THENCE, with the common west line of the said Lot 1, Block A, Driftwood Solage subdivision and easterly right-of-way line of said Thurman Roberts Way, across the said 200 acre tract, with said non-tangent curve to the left, having a central angle of 02°22'08", a radius of 1275.00 feet, a chord distance of 52.71 feet (chord bears N23°06'09"E), for an arc distance of 52.72 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the point of tangency;

THENCE, leaving said Thurman Roberts Way and continuing with the said westerly line of Lot 1, Block A, Driftwood Solage subdivision, being across the said 200 acre tract, for the following four (4) courses:

- 1) S85°21'33"E, 228.91 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 2) N14°30'17"E, 131.29 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 3) N14°09'20"W, 149.71 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for an angle point;
- 4) N05°20'52"E, 82.17 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found on the south line of aforesaid Lot 1, Block "A", Driftwood Subdivision, Phase One, Section One;

THENCE, continuing across the said 200 acre tract, with common line between said Lot 1, Block A, Driftwood Solage subdivision and Lot 1, Block "A", Driftwood Subdivision, Phase One, Section One, for the following two (2) courses:

- 1) S84°39'08"E, 113.68 feet to a ½" iron rod, with cap marked "Capital Surveying Company, Inc.", found for the southeast corner of aforesaid Lot 1, Block "A", Driftwood Subdivision, Phase One, Section One;
- 2) N07°22'23"E, 34.06 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 44.3905 acres of land area.

Bearing Basis is the Texas State Plane Coordinate System, South Central Zone, NAD 83 (GRID).

I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 28th day of December, 2018.



Gregory A. Way

 Gregory A. Way
 Registered Professional Land Surveyor
 No. 4567 - State of Texas



April 28, 2020

Andy Barrett & Associates, PLLC
Attn: Andrew N. Barrett
3300 Bee Cave Road, Suite 650 #189
Austin, TX 78746
Email Copy to: andy@westtexlaw.com

I, Andrea Cunningham City Secretary of the City of Dripping Springs, certify that the attached documents (9 pages) is a true and correct copy of:

RESOLUTION No. 2020-R18

A RESOLUTION ACCEPTING THE PETITIONS REQUESTING THE CONSENT OF THE CITY OF DRIPPING SPRINGS FOR DRIFTWOOD CONSERVATION DISTRICT TO ANNEX CERTAIN PROPERTY INTO THE DISTRICT

Resolution No. 2020-R18 was passed and approved at the Regular City Council meeting on April 21, 2020 and by a vote of 5 ayes to 0 nays to 0 abstentions of the City Council of Dripping Springs, Texas; and is on filed in the City Secretary's Office.

SIGEND & CERTIFIED, this the 24th day of April 2020.



Andrea Cunningham

Andrea Cunningham, City Secretary