

CITY OF BASTROP, TX
RESOLUTION NO. R-2024-102

EXTRATERRITORIAL JURISDICTION RELEASE

A RESOLUTION OF THE CITY OF BASTROP, TEXAS FOR THE DISANNEXATION OF LAND FROM THE CITY'S EXTRATERRITORIAL JURISDICTION, 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 THE BASTROP COUNTY, TEXAS, UPON REQUEST 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 CTX SPE 3, LP on June 13, 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, having received verification from the City Clerk, the City Council finds the attached ETJ Release Petitions for the Property ("Petitions"), which are


attached as **Attachment 1** and incorporated herein, are valid and this Resolution is necessary and proper for the good government, peace, or order of the City to release the Properties from the City's ETJ.

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:** The Petitions are hereby considered verified; therefore, the Properties as described in the Petitions included as **Attachment 1** are hereby released from the City's ETJ.
- Section 3. Filing:** The City Secretary is hereby directed to file a certified copy of this Resolution and an updated map of the City's ETJ boundary with the County Clerk of Bastrop County, Texas.
- Section 4. 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 5. 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 6. 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 7. 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 13th day of August 2024.

APPROVED:

by: 
Lyle Nelson, Mayor

ATTEST:


Irma Parker, Interim City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney



Exhibit "A"

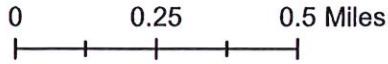
List of Property Owners and Legal Description of Properties to Be Released

Property Owner(s)	Legal Description of Property	Attachment
CTX SPE 3, LP	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 as 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, and 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 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.	Attachment 1

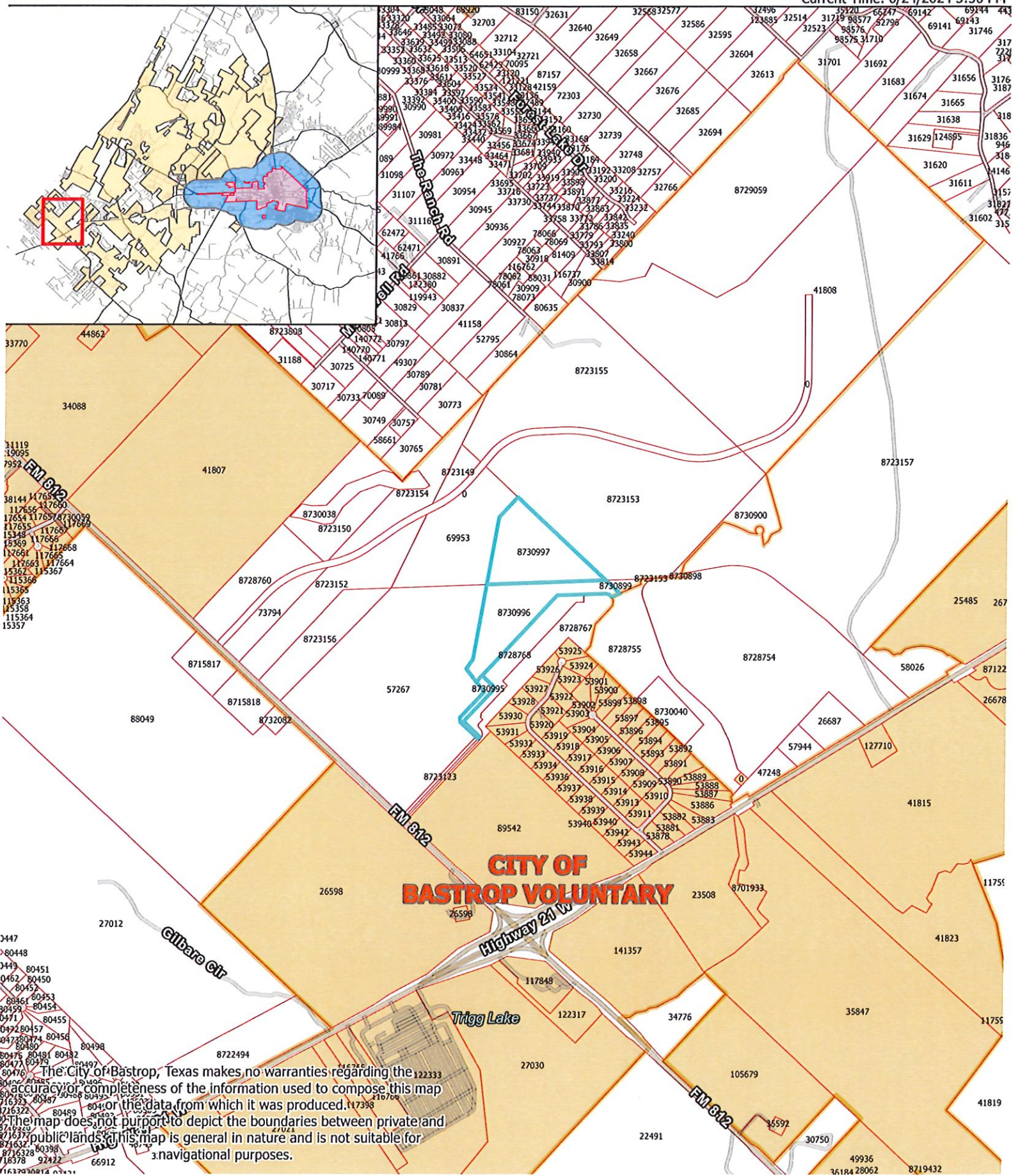


RELEASE OF PROPERTY FROM CITY OF BASTROP ETJ

CTX SPE 3 LP



Current Time: 6/24/2024 3:50 PM



The City of Bastrop, Texas makes no warranties regarding the accuracy or completeness of the information used to compose this map or the data from which it was produced. The map does not purport to depict the boundaries between private and public lands. This map is general in nature and is not suitable for navigational purposes.

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.

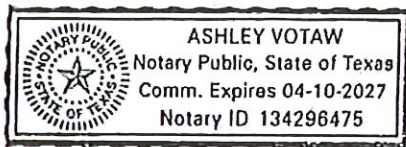
SPE 3 MH, LP
a Texas limited partnership

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

By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
DOB: [Redacted]
Residence Address: [Redacted]
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

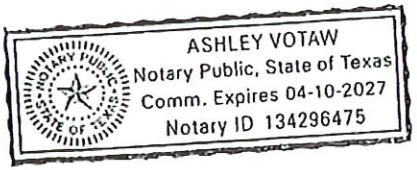
CTX SPE 3, LP
a Texas limited partnership

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

By: [Signature]
Name: T. Craig Benson
Title: Managing Partner
DOB: [Redacted]
Residence Address: [Redacted]
Date of Signing: 6/11/24

THE STATE OF TEXAS §
 §
COUNTY OF Travis §

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

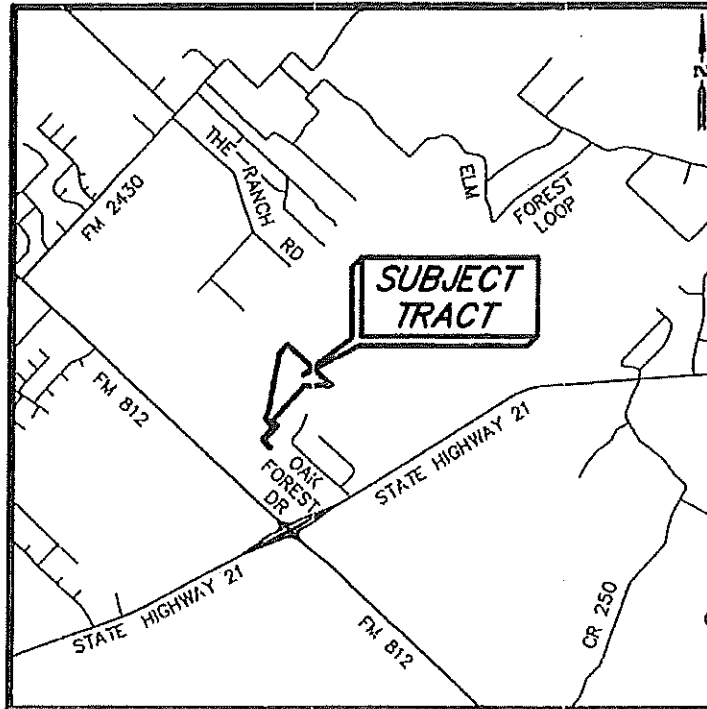


02/07/2023

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

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.

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02/07/2023

Date

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