

10:30

AGENDA ITEM 31

Hold public hearing for establishment of Avery Ranch Road District No. 1.

Judge Doerfler announced the public hearing open at 10:30 a.m., on Tuesday, February 27, 2001.

Charlie Crossfield discussed the forming of Avery Ranch Road District No. 1.

Gary Kimball, financial advisor with First Southwest discussed the road district and issuance of bonds.

Bob Wunsch, a representative of Avery Ranch, discussed construction and development of Avery Ranch.

Judge Doerfler announced the public hearing closed at 10:43 a.m., on Tuesday, February 27, 2001.

AGENDA ITEM 32

Consider and take action regarding "Order Creating and Establishing Avery Ranch Road Dist. No. 1 and ordering other matters incident and related to the creation and establishment of such road district."

Moved: **Judge Doerfler**

Seconded: **Commissioner Boatright**

Motion: To approve "Order Creating and Establishing Avery Ranch Road Dist. No. 1 and ordering other matters incident and related to the creation and establishment of such road district."

Vote: **3 – 0** with Commissioner Hays absent from the dais.

< Attachment >

CERTIFICATE FOR ORDER**THE STATE OF TEXAS**

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§

COUNTY OF WILLIAMSON

§

We, the undersigned Elected Officials of Williamson County, Texas (the "County"), hereby certify as follows:

1. The Commissioners Court of the County convened in a REGULARLY SCHEDULED MEETING ON THE 27TH DAY OF FEBRUARY, 2001, at the County Courthouse (the "Meeting"), and the roll was called of the duly constituted Commissioners Court of the County, to-wit:

John C. Doerfler, County Judge
 Michael Heiligenstein, Commissioner, Precinct 1
 Greg Boatright, Commissioner, Precinct 2
 David Hays, Commissioner, Precinct 3
 Frankie Limmer, Commissioner, Precinct 4

and all of the persons were present, except the following absentees: MICHAEL HEILIGENSTEIN
DAVID HAYS, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

**ORDER CREATING AND ESTABLISHING AVERY RANCH ROAD DISTRICT NO. 1
 AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO THE
 CREATION AND ESTABLISHMENT OF SUCH ROAD DISTRICT**

was duly introduced for the consideration of the Commissioners Court. It was then duly moved and seconded that the Order be passed; and, after due discussion, said motion carrying with it the passage of the Order, prevailed and carried by the following vote:

AYES: 3

NOES: 0

2. A true, full and correct copy of the Order passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Order has been duly recorded in the Commissioners Court's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Commissioners Court's minutes of the Meeting pertaining to the passage of the Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting city officials of the Commissioners Court as indicated therein; that each of the elected officials and members of the Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the

Meeting, and that the Order would be introduced and considered for passage at the Meeting, and each of the elected officials and members consented, in advance, to the holding of the Meeting for such purpose, and that the Meeting was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

3. The County Judge of the County has approved and hereby approves the Order; that the County Judge and the County Clerk of the County have duly signed the Order; and that the County Judge and the County Clerk of the County hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of the Order for all purposes.

SIGNED AND SEALED the 27th DAY OF February, 2001

Nancy E. Rister
County Clerk

John C. Daefler 2-27-01
County Judge

[COUNTY SEAL]



**ORDER CREATING AND ESTABLISHING AVERY RANCH ROAD DISTRICT NO. 1
AND ORDERING OTHER MATTERS INCIDENT AND RELATED TO THE
CREATION AND ESTABLISHMENT OF SUCH ROAD DISTRICT**

STATE OF TEXAS

202

20

COUNTY OF WILLIAMSON

202

WHEREAS, on February 6, 2001, the Commissioners Court ordered a public hearing be held on February 27, 2001 regarding the creation and establishment of Avery Ranch Road District No. 1 (the "District"); and

WHEREAS, notice of the public hearing was published in the *Williamson County Sun* on February 11, 2001 and was posted at the Courthouse door and three public places within the District; and

WHEREAS, it is hereby found and determined that all persons desiring to appear and be heard on the question of creating the District have been heard and their testimony duly considered; and

WHEREAS, pursuant to the authority conferred by Article III, Section 52 of the Constitution of Texas and Section 257.021 of Subchapter B of Chapter 257 of the Transportation Code, as amended, the Commissioners Court of a county is authorized and empowered to create and establish one or more road districts of the County after holding a public hearing, which district may include all or part of a municipality within the boundaries and limits of such district, by entering an order declaring such road district established and defining the boundaries thereof; and

WHEREAS, the Commissioners Court of Williamson County, Texas, hereby finds and determines that the creation and establishment of the District to include all territory within and having boundaries as described in Exhibit "A" attached hereto and incorporated by reference and made a part hereof for all purposes will serve the public good and enable the residents thereof to provide for the construction, acquisition by purchase, maintenance and operation of roads in such area, and that the description in Exhibit "A" forms a legal closure; and

WHEREAS, the Commissioners Court further finds and determines that no fractional part of a previously created and existing road district is included within the limits of the District;

**NOW, THEREFORE, BE IT ORDERED, BY THE COMMISSIONERS COURT OF
WILLIAMSON COUNTY, TEXAS:**

Section 1. Under and pursuant to authority conferred by Article III, Section 52 of the Constitution of Texas and Subchapter B of Chapter 257 of the Transportation Code, as amended, there shall be and there is hereby created and established a road district in Williamson County, Texas, to be known as **"AVERY RANCH ROAD DISTRICT NO. 1,"** (the "Dsitric") for the purposes

as set forth in the Petition attached hereto as Exhibit "B" and the boundaries of the District shall be and are hereby defined and established to be as set forth and described in Exhibit "A".

Section 2. The District shall be and is hereby declared to be a body corporate having such authority and powers conferred by the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and Subchapter B of Chapter 257 of the Transportation Code, as amended, as now or hereinafter amended. Notice of the District shall be provided as set forth in Chapter 257 of the Transportation Code.

10:45

AGENDA ITEM 33

Hold public hearing on petition calling a Bond Election for Avery Ranch Road District No. 1.

Judge Doerfler announced the public hearing open at 10:50 a.m., on Tuesday, February 27, 2001.

Charlie Crossfield discussed the Avery Ranch Road District No. 1, stating that a bond election would be held in May, 2001.

Judge Doerfler announced the public hearing closed at 10:51 a.m., on Tuesday, February 27, 2001.

AGENDA ITEM 34

Consider and take action regarding "Order calling a Bond Election in Avery Ranch Road Dist. No. 1; making provisions for conducting the election and ordering other matters incident and related to such election."

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To approve "Order calling a Bond Election in Avery Ranch Road Dist. No. 1; making provisions for conducting the election and ordering other matters incident and related to such election."

Vote: **3- 0** with Commissioner Hays absent from the dais.

< Attachment >