

**PETITION FOR CONSENT TO THE CREATION  
OF MUNICIPAL UTILITY DISTRICT**

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

The undersigned ("Petitioner"), acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, respectfully petitions the City Council of the City of Austin, Texas (the "City"), for its written consent to the creation of a municipal utility district over the land described by metes and bounds on Exhibit "A", which is attached hereto and incorporated herein for all purposes (the "Land"), and, in support thereof, would show the following:

I.

The name of the proposed district is SOUTHEAST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 (the "District").

II.

The District is proposed to be created and organized under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code.

III.

The District will contain approximately 562.688 acres of land, more or less, situated in Travis County, Texas. All of the land proposed to be included in the District is located within the extraterritorial jurisdiction of the City. All of the Land proposed to be included may properly be included in the District.

IV.

Petitioner holds title to and is the owner of a majority in value of the holders of title to the Land as indicated by the tax rolls of Travis County, Texas. There are no lienholders to the Land.

V.

The general nature of the work to be done by the District at the present time is the design, construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system for domestic and commercial purposes; the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District and to control, abate and amend local storm waters or other harmful excesses of waters; the provision of and construction, acquisition, maintenance and operation of parks and recreational facilities and the construction, acquisition, improvement, maintenance and operation of such other and

additional facilities, systems, plants and enterprises as may be consonant with any or all of the purposes for which the District is created.

VI.

There is a necessity for the above-described work, because there is not now available within the area, which will be developed for single family residential and commercial uses, an adequate waterworks system, sanitary sewer system, drainage and storm sewer system or parks and recreational facilities. The health and welfare of the present and future inhabitants of the area and adjacent areas require the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of an adequate waterworks system, sanitary sewer system, drainage and storm sewer system, parks and recreational facilities and other facilities and systems. A public necessity, therefore, exists for the creation of the District in order to provide for the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of a waterworks system, sanitary sewer system, drainage and storm sewer system, parks and recreational facilities and other systems to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

A preliminary investigation has been made to determine the cost of the proposed District's project, and it is now estimated by Petitioner, from such information as it has available at this time, that such cost will be approximately \$28,000,000.

VIII.

Petitioner, by submission of this petition, requests the City's consent to the creation of the District and to the inclusion of the Land within the District.

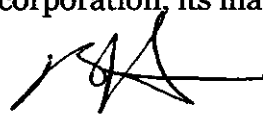
WHEREFORE, Petitioner prays that this petition be heard and that your Honorable Body duly pass and approve an ordinance or resolution granting consent to the creation of the District and authorizing the inclusion of the Land within the District.


RESPECTFULLY SUBMITTED this 25<sup>th</sup> day of March, 2011.

QUALICO CR, LP, a Texas limited partnership

By: Qualico CR Management, LLC, a Texas limited liability company, its general partner

By: Qualico Developments (U.S.), Inc., a Delaware corporation, its manager

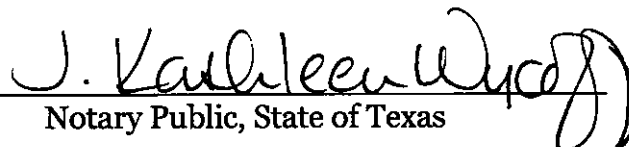
By:   
Brian Higgins, Vice President

By:   
Vera Massaro, Assistant Secretary

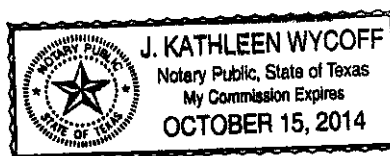
THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 25th day of March, 2011, by Brian Higgins, Vice President of Qualico Developments (U.S.), Inc., a Delaware corporation, Manager of Qualico CR Management, LLC, a Texas limited liability company, General Partner of Qualico CR, LP, a Texas limited partnership, on behalf of said corporation, limited liability company and limited partnership.

(SEAL)

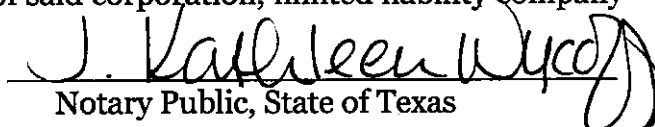
  
Notary Public, State of Texas

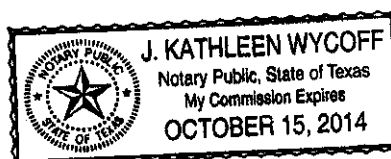
THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §



This instrument was acknowledged before me on the 25th day of March, 2011, by Vera Massaro, Assistant Secretary of Qualico Developments (U.S.), Inc., a Delaware corporation, Manager of Qualico CR Management, LLC, a Texas limited liability company, General Partner of Qualico CR, LP, a Texas limited partnership, on behalf of said corporation, limited liability company and limited partnership.

(SEAL)

  
Notary Public, State of Texas



## **EXHIBIT "A"**

562.688 ACRES  
JOSE ANTONIO NAVARRO SURVEY, ABS. NO. 18  
TRAVIS COUNTY, TEXAS  
SOUTHEAST TRAVIS COUNTY MUD #3

### **FIELD NOTES**

**BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE JOSE ANTONIO NAVARRO SURVEY, ABSTRACT 18, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THAT CERTAIN 74.590 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2008139825, ALL OF THAT CERTAIN 23.841 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2007154328, A PORTION OF THAT CERTAIN 290.812 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2007160468, A PORTION OF THAT CERTAIN 49.020 ACRE TRACT OF LAND CONVEYED TO CENTURY RANCH I, LP IN DOCUMENT NUMBER 2010119927 AND A PORTION OF THAT CERTAIN 362.872 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2008082363 ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING 562.688 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at an iron rod found at the southwest corner of said 23.841 acre Qualico CR, LP tract, also being the southernmost southeast corner of said 362.872 acre Qualico CR, LP tract, also being a point on the northern right-of-way line of Pearce Lane, a varying width public roadway, for the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with the southern boundary line of said 362.872 acre Qualico CR, LP tract and the northern right-of-way line of said Pearce Lane, N63°00'48"W, a distance of 183.67 feet to an iron rod found at the southwest corner of said 362.872 acre Qualico CR, LP tract, also being the southeast corner of said 290.812 acre Qualico CR, LP tract,

**THENCE**, with the southern boundary line of said 290.812 acre Qualico CR, LP tract and the northern right-of-way line of said Pearce Lane, the following three (3) courses and distances numbered 1 through 3,

1. N62°50'18"W, a distance of 259.97 feet to an iron rod found,
2. N62°24'59"W, a distance of 199.34 feet to an iron rod found and
3. N61°59'58"W, a distance of 669.48 feet to a calculated point for the southwest corner of the herein described tract,

**THENCE**, leaving the northern right-of-way line of said Pearce Lane, and crossing said 290.812 acre Qualico CR, LP tract and said 49.020 acre Century Ranch I, LP tract, the following nineteen (19) courses and distances, numbered 1 through 19,

1. N28°02'07"E, a distance of 720.75 feet to a calculated point,
2. N31°30'38"W, a distance of 170.81 feet to a calculated point of curvature to the left,
3. with said curve to the left having a radius of 535.00 feet, an arc length of 228.96 feet and whose chord bears N43°46'14"W, a distance of 227.21 feet to a calculated point,
4. N56°01'50"W, a distance of 475.38 feet to a calculated point of curvature to the right,
5. with said curve to the right having a radius of 20.00 feet, an arc length of 31.42 feet, and whose chord bears N11°01'50"W, a distance of 28.28 feet to a calculated point,
6. N33°58'10"E, a distance of 25.37 feet to a calculated point of curvature to the left,
7. with said curve to the left having a radius of 1143.00 feet, an arc length of 152.95 feet, and whose chord bears N30°08'09"E, a distance of 152.84 feet to a calculated point,
8. N40°56'29"E, a distance of 469.43 feet to a point,

9. N56°53'58"E, a distance of 865.12 feet to a point,
10. N80°38'54"E, a distance of 302.42 feet to a point,
11. N50°01'31"E, a distance of 223.20 feet to a point,
12. N14°09'53"E, a distance of 488.10 feet to a point,
13. N16°31'07"E, a distance of 26.41 feet to a point,
14. N08°11'43"E, a distance of 668.26 feet to a point,
15. N40°50'46"W, a distance of 58.27 feet to a point,
16. N22°14'54"E, a distance of 56.10 feet to a point,
17. N20°32'37"E, a distance of 151.41 feet to a calculated point of curvature to the left,
18. with said curve to the left having a radius of 1143.00 feet, an arc length of 397.93 feet, and whose chord bears N37°24'41"E, a distance 395.93 feet to a calculated point,
19. N27°26'16"E, a distance of 467.26 feet to a calculated point on the northern boundary line of said 290.812 acre Qualico CR, LP tract, also being located on the southern boundary line of that certain 130.5 acre tract of land conveyed to John Richards, Jr. in Volume 2807, Page 382 of the Deed Records of Travis County, Texas for the northwest corner of the herein described tract,

**THENCE**, with the northern boundary line of said 290.812 acre Qualico CR, LP tract and said 362.872 acre Qualico CR, LP tract, the following nine (9) courses and distances, numbered 1 through 9,

1. N75°19'19"E, a distance of 33.40 feet to a point,
2. N74°59'38"E, a distance of 231.78 feet to a point,
3. N87°19'49"E, a distance of 97.84 feet to a point,
4. N65°09'08"E, a distance of 331.76 feet to a point,
5. N54°26'47"E, a distance of 893.89 feet to a point,
6. N81°47'24"E, a distance of 654.16 feet to a point,
7. N16°08'07"W, a distance 200.20 feet to a point,
8. N71°43'37"E, a distance of 216.98 feet to a point and
9. S67°15'25"E, a distance of 246.43 feet to a point at the northernmost corner of said 362.872 acre Qualico CR, LP tract, also being a point on the western boundary line of that certain 147.806 acre tract of land conveyed to Gregory C. Weiss & Virginia G. Bassett in Document Number 2006186612, for the northernmost corner of the herein described tract,

**THENCE**, with the common boundary lines of said said 362.872 acre Qualico CR, LP tract and said Gregory C. Weiss & Virginia G. Bassett tract, the following two (2) courses and distances, numbered 1 and 2,

1. S29°46'38"W, a distance of 1015.44 feet to a point and
2. S63°19'24"E, a distance of 1970.74 feet to a calculated point on the northern boundary line of said 362.872 acre Qualico CR, LP tract, for the northeast corner of the herein described tract,

**THENCE**, leaving the said common boundary line and crossing said 362.872 acre Qualico CR, LP tract, said 161.518 acre Qualico CR, LP tract, and said 74.590 acre Qualico CR, LP tract, the following twelve (12) courses and distances, numbered 1 through 12,

1. S30°19'13"W, a distance of 1597.94 feet to a calculated point,
2. S31°33'30"W, a distance of 578.23 feet to a calculated point,
3. S18°05'14"E, a distance of 633.66 feet to a calculated point,
4. S30°27'47"W, a distance of 295.08 feet to a calculated point,

5. S62°26'37"W, a distance of 544.11 feet to a calculated point,
6. S16°17'52"E, a distance of 1014.45 feet to a calculated point,
7. S55°53'27"E, a distance of 506.81 feet to a calculated point,
8. S08°39'51"W, a distance of 919.38 feet to a calculated point,
9. S45°54'29"W, a distance of 698.92 feet to a calculated point,
10. N84°08'57"W, a distance of 722.01 feet to a calculated point,
11. N77°46'45"W, a distance of 440.15 feet to a calculated point and
12. S59°39'27"W, a distance of 145.30 feet to an iron rod found on the northern right-of-way line of said Pearce Lane and the southern boundary line of said 74.590 acre Qualico CR, LP tract, for the southeast corner of the herein described tract,

**THENCE**, with the northern right-of-way line of said Pearce Lane and the southern boundary line of said 74.590 acre Qualico CR, LP tract and said 23.841 acre Qualico CR, LP tract, the following six (6) courses and distances, numbered 1 through 6,

1. N67°38'41"W, a distance of 186.74 feet to an iron rod found at a point of curvature to the right,
2. with said curve to the right having a radius of 1329.27 feet, an arc length of 478.34 feet and whose chord bears N57°19'42"W, a distance of 475.76 feet to an iron rod found,
3. N47°00'32"W, a distance of 562.30 feet to an iron rod found at a point of curvature to the left,
4. with said curve to the left having a radius of 1734.28 feet, an arc length of 501.54 feet and whose chord bears N55°27'23"W, a distance of 499.79 feet to an iron rod found,
5. N63°58'45"W, a distance of 167.98 feet to an iron rod found at a point of curvature to the right,
6. with said curve to the right having a radius of 6994.05 feet, an arc length of 222.75 feet and whose chord bears N63°26'01"W, a distance of 222.74 feet to the **POINT OF BEGINNING** and containing 562.688 acres of land.