

RESOLUTION NO. 2023-8
TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9

A RESOLUTION ORDERING ELECTIONS TO BE HELD RESPECTIVELY IN TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9 AND IN TERRITORY PROPOSED TO BE ANNEXED THERETO, AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS.

WHEREAS, registered voters of the territory identified in the attached Exhibit A locally known as Lost Creek (the “**Territory**”) have petitioned Travis County Emergency Services District No. 9 (the “**District**”) to be annexed into the District pursuant to Texas Health and Safety Code Section 775.051; and

WHEREAS, the Commissioners of the District have approved the annexation and hereby find that an election should be held to determine whether to annex the Territory; now, therefore,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9:

SECTION 1. An election shall be held, respectively, in Travis County Emergency Services District No. 9, and in the Territory on the 4th day of May 2024, a uniform election date in the State of Texas, which date is seventy (70) or more days from the date of the adoption of this Resolution. At each such election the following measures shall be submitted:

PROPOSITION NUMBER 1

Adding the area locally known as Lost Creek to Travis County Emergency Services District No. 9.

PROPOSITION NUMBER 2

The area locally known as Lost Creek assuming its proportionate share of the outstanding debts and taxes of Travis County Emergency Services District No. 9 if it is added to the district.

SECTION 2. The elections shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. The precincts and locations of the election day polling places; the dates, hours and locations of the early voting places; and the names of the officers appointed to conduct the elections shall all be as determined by the Travis County Clerk pursuant to that agreement in effect on the date of this Resolution or subsequently agreed between the District and Travis County in accordance with Chapter 271 of the Texas Election Code for the holding of joint elections with the various political subdivisions that share territory with the District or with the Territory and that are holding elections on the same day. A direct electronic recording voting system as the term is defined in Title 8 of the Texas Election Code, or other voting system authorized under Title 8 of the Texas Election Code and provided by Travis County pursuant to the agreement between the District and Travis County for the conduct of these elections, shall be used for early voting and for voting conducted on election day. The central counting station is established at the Travis County Elections Division, 5501 Airport Boulevard, Austin, Texas. The Board

hereby authorizes Chief David Wilson and his designee(s) to undertake those steps necessary to work with the Travis County Clerk to place these Propositions on the ballot for the May 4, 2024 Election and to ready the District for the conduct of the elections to consider the measures. These actions shall include preparation of ballots and submission of necessary filings. Ballots shall be prepared in accordance with the applicable provisions of the Election Code so the voters may cast their ballots either "FOR" or "AGAINST" said measures which shall appear on the ballot in substantially the following form:

PROPOSITION NUMBER 1

Adding the area locally known as Lost Creek to Travis County Emergency Services District No. 9.

PROPOSITION NUMBER 2

The area locally known as Lost Creek assuming its proportionate share of the outstanding debts and taxes of Travis County Emergency Services District No. 9 if it is added to the district.

SECTION 3. Notice of this election shall be given by posting and publishing a copy of this Resolution in both Spanish and English. The posted notice shall be posted at the District's administrative offices, 1301 S. Capital of Texas Hwy, Building B, Suite 123, West Lake Hills, Tx 78746 not later than the 21st day before election day. This Resolution shall also be published in a newspaper of general circulation in the territory of the District not earlier than the 30th day and not later than the 10th day before election day, and in any other manner required by applicable law.

PASSED and APPROVED this the 19th day of December, 2023



Virgil Flathouse
President, Board of Commissioners

ATTEST:



Steve Hudson
Secretary, Board of Commissioners

Exhibit A

Two areas of land for a total of approximately 903 acres located in Travis County, Texas as described and depicted below, to be annexed into and be a part of the service territory of the Travis County Emergency Services District #9.

AREA ONE: Approximately 738 acres consisting of two parcels of land as follows:

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO PARCELS OF LAND. THE PARCEL HEREINAFTER DESCRIBED AS PARCEL ONE CONTAINING APPROXIMATELY 730 ACRES OF LAND OUT OF THE PATTERSON MOORE SURVEY NO. 84, ABSTRACT NO. 563, THE ALEXANDER EANES SURVEY NO. 506, ABSTRACT NO. 271, THE JOHN L. BRAY SURVEY NO. 72, ABSTRACT NO. 74, THE JOSEPH FESSENDEN SURVEY NO. 73, ABSTRACT NO. 291, THE JOHN SWESEY SURVEY NO. 506, ABSTRACT NO. 702 AND THE JACOB STANDERFORD SURVEY NO. 100, ABSTRACT NO. 741 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS PARCEL TWO CONTAINING APPROXIMATELY 8.4 ACRES OF LAND OUT OF THE JOSEPH FESSENDEN SURVEY NO. 73, ABSTRACT NO. 291 AND THE JOHN SWESEY SURVEY NO. 506, ABSTRACT NO. 702; OF WHICH A TOTAL OF APPROXIMATELY 738 ACRES OF LAND ARE TO BE MADE A PART OF THE SERVICE TERRITORY OF THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #9. SAID APPROXIMATE 738 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL ONE: BEING approximately 730 acres of land being a portion of those tracts of land totaling approximately 775 acres and comprising the boundaries of Lost Creek Municipal Utility District as identified and described in Ordinance No. 20130606-028 as adopted by the City of Austin, Travis County, Texas. SAVE and EXCEPT out of said 775 acres, a called 45-acre tract of land identified and described in Ordinance No. 20081218-033 (Case No. C7a-07-022) as adopted by the City of Austin, Travis County, Texas.

PARCEL TWO: BEING approximately 8.4 acres of land being that portion of Lost Creek Boulevard in Travis County, Texas excluded from said Lost Creek MUD as described by metes and bounds for a called 720.91-acre tract of land identified and described in Ordinance No. 20130606-028 as adopted by the City of Austin, Travis County, Texas and bounded on the east by the corporate limit line of the City of Austin, Travis County, Texas as adopted by Ordinance 20081218-033 (Case No. C7a-07-022).

AREA TWO: Approximately 165 acres consisting of two tracts of land as follows:

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO TRACTS OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 163.97 ACRES OF LAND OUT OF THE PATTERSON MOORE SURVEY NO. 84, ABSTRACT NO. 563, THE ALEXANDER EANES SURVEY, ABSTRACT NO. 270 AND THE JOHN L BRAY SURVEY NO. 72, ABSTRACT NO. 74 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 0.8 ACRES OUT OF THE JOHN L. BRAY SURVEY NO. 72, ABSTRACT NO. 74; OF WHICH APPROXIMATELY 165 ACRES OF LAND ARE TO BE MADE PART OF THE SERVICE TERRITORY OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9, SAID APPROXIMATE 165 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT ONE: Being approximately 163.97 acres of land out of that called 174.56-acre tract of land conveyed to Hill Country Golf, Inc. by Deed without Warranty recorded in Document No. 2011179843 of the Official Public Records of Travis County, Texas, **SAVE AND EXCEPT** that called 10.59-acre tract of land described as part of the Lost Creek Municipal Utility District by Amended and Restated Strategic Partnership Agreement between the City of Austin and Lost Creek Municipal Utility District in Ordinance No. 20130606-028 as adopted by the City of Austin, Travis County, Texas.

TRACT TWO: Being approximately 0.8 acres of land being that portion of Lost Creek Boulevard bounded on the east by southerly prolongation of the common line of the aforesaid 174.56 acre tract and The Valley of Lost Creek, a subdivision of record in Book 76, Page 312 of the Plat Records of Travis County, Texas to the southerly right-of-way line of Lost Creek Boulevard and bounded on the west by the southerly prolongation of the common line of the aforesaid 174.56 acre tract and a called 30.029 acre tract of land referred to as Parcel 19 Tract II by General Warranty Deed recorded in Volume 11706, Page 447 of the Real Property Records of Travis County, Texas to a point on the southerly right-of-way line of Lost Creek Boulevard.

