

**ORDER CALLING  
CONFIRMATION, DIRECTOR, ROAD DISTRICT POWERS ELECTION AND  
APPROVING ENGINEERING REPORTS, AND CALLING UTILITY BOND  
ELECTION, UTILITY REFUNDING BOND ELECTION, ROAD BOND ELECTION,  
ROAD REFUNDING BOND ELECTION, PARK AND RECREATIONAL FACILITIES  
BOND ELECTION, PARK AND RECREATIONAL FACILITIES REFUNDING BOND  
ELECTION, AND MAINTENANCE TAX ELECTION**

THE STATE OF TEXAS §

COUNTY OF CALDWELL §

OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY §

The Temporary Board of Directors (the "Board" or "Board of Directors") of Open R Fresh Water Supply District of Caldwell County (the "District") met in special session open to the public at 322 Bobwhite Road, Lockhart, Texas 78644, a location within the boundaries of the District, on August 17, 2023, whereupon, the roll was called of the members of the Board of Directors, to-wit:

Pamela Rockhill	President
Terry Michael Franks	Vice President
Whitney Kelly	Secretary
James Schellhase	Treasurer/Assistant Secretary
Matt D. Zukauckas	Assistant Secretary

All members of the Board were present and participated in the meeting except Director Zukauckas and Director Kelly.

WHEREUPON, among other business conducted by the Board, Director Franks introduced the Order set out below and moved its adoption, which motion was seconded by Director Schellhase, and after a full discussion and the question being put to the Board of Directors, said motion was carried by the following vote:

"Aye" 3 ; "No" 0 .

The Order thus adopted is as follows:

WHEREAS, Open R Fresh Water Supply District of Caldwell County was created by Order of the Commissioners Court of Caldwell County (the "District Act") and is a body politic and corporate and a governmental agency of the State of Texas, operating under and governed by the provisions of Article III, Section 52 and Article XVI, Section 59 of the Texas Constitution, with boundaries as set forth in Exhibit "A" attached hereto;

WHEREAS, pursuant to the terms and provisions of the District Act and Chapter 49.102, Texas Water Code, and the provisions of the Texas Election Code, the Board has determined that it is appropriate to conduct a confirmation election for the District in conjunction with an election of a

permanent Board of Directors;

WHEREAS, pursuant to Subsection (c) of Article III, Section 52, of the Texas Constitution, the Board has determined that it is appropriate to conduct an election for the District to determine whether the District should assume the rights, authority, privileges and functions of a road district operating under Article III, Section 52, of the Texas Constitution, and other general laws of this state relating to road districts;

WHEREAS, there has been filed with the District, open to inspection by the public, an August 17, 2023 engineer's report covering the utility works, improvements, facilities, plants, equipment and appliances to be purchased, constructed or otherwise acquired and constructed by the District and the property, contract rights, rights of use, and interests in property to be purchased or otherwise acquired, as well as the estimated cost of all the foregoing, together with maps, plats, profiles and data showing and explaining the report, and the report has been carefully considered by the Board and has been fully approved by the Board;

WHEREAS, said utility works, improvements, facilities, plants, equipment, appliances, property, contract rights, rights of use and interests in property are designed and intended to furnish a waterworks system, a sanitary sewer system, a drainage and storm sewer system;

WHEREAS, the August 17, 2023 engineer's report heretofore filed contains an estimate of the cost of the purchase, construction or other acquisition of the proposed utility works, improvements, facilities, purchase or other acquisition of property, contract rights, rights of use and interests in property, and an estimate of expenses incident thereto, as follows:

[Remainder of the Page Left Blank Intentionally]

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
Preliminary Engineering Report – Utility Facilities**

**COST SUMMARY**

TABLE 2 – DISTRICT UTILITY PRELIMINARY COST ESTIMATE

<b>CONSTRUCTION COSTS</b>	<b>District Share (100%)</b>
<b>A. Developer Contribution Items</b>	
1. Water, Wastewater, Drainage	\$ 61,524,412
2. Contingencies (15% of Item 1)	\$ 9,228,662
3. Engineering (15% of Items 1-2)	<u>\$ 10,612,961</u>
<b>Total Developer Contribution Items</b>	<b>\$ 81,366,035</b>
<b>B. District Items</b>	
1. Offsite Water & Wastewater	\$ 68,542,880
2. Contingencies (15% of Item 1)	\$ 10,281,432
3. Engineering (15% of Items 1-2)	<u>\$ 11,823,647</u>
<b>Total District Contribution Items</b>	<b>\$ 90,647,959</b>
<b>TOTAL CONSTRUCTION COSTS</b>	<b>\$ 172,013,994</b>
<b>Inflation (10 years at 5%)</b>	<b>\$ 86,006,997</b>
<b>TOTAL CONSTRUCTION COSTS W/ INFLATION</b>	<b>\$ 258,020,991</b>
<b>NON-CONSTRUCTION COSTS</b>	
A. Bond Counsel Fees (3.0%)	\$ 11,250,000
B. Fiscal Agent Fees (2.5%)	\$ 9,375,000
<b>C. Interest Costs</b>	
1. Capitalized Interest (2 yrs. @ 6%)	\$ 45,000,000
2. Developer Interest (2 yrs. @ 6% on Const Cost)	\$ 30,962,519
D. Underwriter's Discount (3.0%)	\$ 11,250,000
E. Creation	\$ 250,000
F. Bond Application Report Costs	\$ 3,750,000
G. Bond Issuance Expenses	\$ 3,478,991
H. TCEQ Fee (.25% BIR)	\$ 937,500
I. Attorney General's Fee (0.1% of BIR)	\$ 375,000

J. Administration & Operational	<u>\$ 350,000</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ 116,979,010</b>
<b>TOTAL BOND ISSUE REQUIREMENT</b>	<b>\$ 375,000,000</b>

WHEREAS, the Board finds that the above estimate of \$375,000,000 is reasonable and proper and hereby approves the same and all items thereof;

WHEREAS, the Board has determined that the engineer's report should be approved and an election should be held for the purpose of submitting a proposition on the issuance of the District's utility bonds in the total aggregate amount of \$375,000,000 and the levying and collecting of an annual ad valorem tax to support the issuance of such utility bonds;

WHEREAS, the Board has determined that an election should be held for the purpose of submitting a proposition on the issuance of the District's utility refunding bonds in the total aggregate amount of \$468,750,000 to cover the total amount of the bonds to be refunded plus costs related to the issuance of the refunding bonds and the levying and collecting of an annual ad valorem tax to support the issuance of such utility refunding bonds;

WHEREAS, there has been filed with the District, open to inspection by the public, an August 17, 2023 engineer's report covering the roadway system, improvements, facilities, plants, equipment and appliances to be purchased, constructed or otherwise acquired and constructed by the District and the property, contract rights, rights of use, and interests in property to be purchased or otherwise acquired, as well as the estimated cost of all the foregoing, together with maps, plats, profiles and data showing and explaining the report, and the report has been carefully considered by the Board and has been fully approved by the Board;

WHEREAS, said works, improvements, facilities, plants, equipment, appliances, property, contract rights, rights of use and interests in property are designed and intended to furnish a roadway system;

WHEREAS, the August 17, 2023 engineer's report heretofore filed contains an estimate of the cost of the purchase, construction or other acquisition of the proposed works, improvements, facilities, purchase or other acquisition of property, contract rights, rights of use and interests in property, and an estimate of expenses incident thereto, as follows:

[Remainder of the Page Left Blank Intentionally]

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
Preliminary Engineering Report – Roadway Facilities**

**COST SUMMARY**

TABLE 2 – DISTRICT ROADS PRELIMINARY COST ESTIMATE

CONSTRUCTION COSTS	District Share (100%)
1. Roads	\$ 75,524,948
2. Contingencies (15% of Item 1)	\$ 11,328,742
3. Engineering (15% of Items 1-2)	<u>\$ 13,028,054</u>
<b>Total Developer Contribution Items</b>	<b>\$ 99,881,744</b>
<b>TOTAL CONSTRUCTION COSTS</b>	<b>\$ 99,881,744</b>
<b>Inflation (10 years at 5%)</b>	<b>\$ 49,940,872</b>
<b>TOTAL CONSTRUCTION COSTS W/ INFLATION</b>	<b>\$ 149,822,616</b>
<b>NON-CONSTRUCTION COSTS</b>	
A. Bond Counsel Fees (3.0%)	\$ 6,450,000
B. Fiscal Agent Fees (2.5%)	\$ 5,375,000
C. Interest Costs	
1. Capitalized Interest (2 yrs. @ 6%)	\$ 25,800,000
2. Developer Interest (2 yrs. @ 6% on Const Cost)	\$ 17,978,714
D. Underwriter's Discount (3.0%)	\$ 6,450,000
E. Bond Engineering Costs	\$ 860,000
G. Bond Issuance Expenses	\$ 2,048,671
F. Attorney General's Fee (0.1% of BIR)	<u>\$ 215,000</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ 65,177,385</b>
<b>TOTAL BOND ISSUE REQUIREMENT</b>	<b>\$ 215,000,000</b>

WHEREAS, the Board finds that the above estimate of \$215,000,000 is reasonable and proper and hereby approves the same and all items thereof;

WHEREAS, the Board has determined that the engineer's report should be approved and an election should be held for the purpose of submitting a proposition on the issuance of the District's road bonds in the total aggregate amount of \$215,000,000 and the levying and collecting of an annual ad valorem tax to support the issuance of such road bonds;

WHEREAS, the Board has determined that an election should be held for the purpose of submitting a proposition of the issuance of the District's road refunding bonds in the total aggregate amount of \$268,750,000 to cover the total amount of bonds to be refunded plus costs related to the issuance of the refunding bonds and the levying and collecting of an annual ad valorem tax to support the issuance of such road refunding bonds;

WHEREAS, there has been filed with the District, open to inspection by the public, an August 17, 2023 engineer's report covering, with regard to park and recreational facilities in the District, works, improvements, facilities, equipment and appliances to be purchased, constructed or otherwise acquired and constructed by the District and the property, contract rights, rights of use, and interests in property to be purchased or otherwise acquired, as well as the estimated cost of all the foregoing, together with maps, plats, profiles and data showing and explaining the report, and the report has been carefully considered by the Board and has been fully approved by the Board;

WHEREAS, said works, improvements, facilities, equipment, appliances, property, contract rights, rights of use and interests in property regarding park and recreational facilities are designed and intended to furnish and improve park and recreational facilities in the District;

WHEREAS, the August 17, 2023 engineer's report heretofore filed contains an estimate of the cost of the purchase, construction, improvement or acquisition of the proposed works, improvements, facilities, purchase or other acquisition of property, contract rights, rights of use and interests in property regarding park and recreational facilities, and an estimate of expenses incident thereto, as follows:

[Remainder of the Page Left Blank Intentionally]

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
Preliminary Engineering Report – Park Plan**

**COST SUMMARY**

TABLE 2 – DISTRICT PARK PRELIMINARY COST ESTIMATE

<b>CONSTRUCTION COSTS</b>	<b>District Share (100%)</b>
1. Trails, Parks, and Amenities	\$ 15,000,000
2. Land Cost	\$ 5,000,000
3. Contingencies (15% of Item 1)	\$ 750,000
4. Planning / Design (15% of Item 1)	<u>\$ 750,000</u>
<b>Total Developer Contribution Items</b>	<b>\$ 21,500,000</b>
 <b>TOTAL CONSTRUCTION COSTS</b>	 <b>\$ 21,500,000</b>
 Inflation (10 years at 4%)	 \$ 8,600,000
<b>TOTAL CONSTRUCTION COSTS W/ INFLATION</b>	<b>\$ 30,100,000</b>
 <b>NON-CONSTRUCTION COSTS</b>	
A. Bond Counsel Fees (3.0%)	\$ 1,320,000
B. Fiscal Agent Fees (2.5%)	\$ 1,100,000
C. Interest Costs	
1. Capitalized Interest (2 yrs. @ 6%)	\$ 5,280,000
2. Developer Interest (2 yrs. @ 6% on Const Cost)	\$ 3,612,000
D. Underwriter's Discount (3.0%)	\$ 1,320,000
E. Bond Application Report Costs	\$ 440,000
F. Bond Issuance Expenses	\$ 674,000
G. TCEQ Fee (.25% BIR)	\$ 110,000
H. Attorney General's Fee (0.1% of BIR)	<u>\$ 44,000</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ 13,900,000</b>
 <b>TOTAL BOND ISSUE REQUIREMENT</b>	 <b>\$ 44,000,000</b>

WHEREAS, the Board finds that the above estimate of \$44,000,000 is reasonable and proper and hereby approves the same and all items thereof;

WHEREAS, the Board has determined that the engineer's report should be approved and an election should be held for the purpose of submitting a proposition on the issuance of the District's park and recreational facilities bonds in the total aggregate amount of \$44,000,000 and the levying and collecting of an annual ad valorem tax to support the issuance of such park and recreational facilities bonds;

WHEREAS, the Board has determined that an election should be held for the purpose of submitting a proposition of the issuance of the District's park and recreational facilities refunding bonds in the total aggregate amount of \$55,000,000 to cover the total amount of bonds to be refunded plus costs related to the issuance of the refunding bonds and the levying and collecting of an annual ad valorem tax to support the issuance of such road refunding bonds;

WHEREAS, the Board of Directors of the District has determined that in accordance with Texas Election Code, Section 3.009(b)(5), based on market conditions at the time of adoption of this Order, the estimated tax rate if the debt obligations are authorized is \$1.20 per \$100 valuation and the maximum interest rate of debt obligations or any series of debt obligations is 7.00%;

WHEREAS, the Board of Directors of the District has determined that in accordance with Texas Election Code, Section 3.009 (b)(7), the aggregate amount of the outstanding principal of the District's debt obligations as of the beginning of the District's fiscal year in which this election is ordered is \$0;

WHEREAS, the Board of Directors has determined that in accordance with Texas Election Code, Section 3.009 (b)(8), the aggregate amount of outstanding interest on debt obligations of the District as of the beginning of the District's fiscal year in which this election is ordered is \$0;

WHEREAS, the Board of Directors has determined that in accordance with Texas Election Code, Section 3.009 (b)(9), the ad valorem debt service tax rate for the District, as of the date of this Order, is \$0 per \$100 valuation of taxable property;

WHEREAS, pursuant to Chapter 49.107, Texas Water Code, the Board is of the opinion that it would be of benefit to the District to authorize the levy and collection of annual ad valorem taxes on all taxable property within the District to secure funds for operation and maintenance purposes and has determined that it is appropriate to conduct a maintenance tax election in conjunction with the confirmation election for the District, the election of a permanent Board of Directors, the election on the assumption of the rights, authority, privileges, and functions of a road district, the utility bonds, the utility refunding bonds, the road bonds and the road refunding bonds, the park and recreational facilities bonds and park and recreational facilities refunding bonds and to order said elections; and

WHEREAS, the Board of Directors wishes to proceed with the ordering of said elections.

BE IT ORDERED BY THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY THAT:

Section 1: The matters and facts set out in the preamble of this Order are hereby found and declared to be true and complete.

Section 2: An election shall be held on November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m. at all additional regular election day polling locations within Caldwell County, Texas designated by the Caldwell County Elections Administrator and approved by the Caldwell County Commissioners Court, including the county's regular election precinct that serves the District, as required by Section 42.0621 of the Texas Election Code, such detailed list of election day polling places being set out in the attached Exhibit "B", at which time the election of permanent Directors and the following propositions shall be submitted to the voters:

**PROPOSITION A**

“THE CONFIRMATION OF THE CREATION OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY”

**PROPOSITION B**

“THE ASSUMPTION BY OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY OF THE RIGHTS, AUTHORITY, PRIVILEGES, AND FUNCTIONS OF A ROAD DISTRICT UNDER ARTICLE III, SECTION 52(b), OF THE TEXAS CONSTITUTION”

**PROPOSITION C**

“SHALL THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$375,000,000 MATURING SERIALY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT ESTABLISHED BY SECTION 1204.006, TEXAS GOVERNMENT CODE, AS AMENDED, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING OR OTHERWISE ACQUIRING A WATERWORKS SYSTEM, A SANITARY SEWER SYSTEM AND DRAINAGE AND STORM SEWER SYSTEM FOR SAID DISTRICT AND ADDITIONS,

EXTENSIONS AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE OR INCIDENT TO THE PURCHASE, CONSTRUCTION, OR OTHER ACQUISITION OF SUCH WATERWORKS SYSTEM, SANITARY SEWER SYSTEM, DRAINAGE AND STORM SEWER SYSTEM, AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO AND SUCH EXPENSES AS ARE INCIDENTAL TO THE ORGANIZATION, ADMINISTRATION, AND FINANCING OF THE DISTRICT WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS, AND IN ACCORDANCE WITH THE ENGINEER'S REPORT, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND OF INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT FOR SUCH A PERIOD OF TIME AS THE BOARD OF DIRECTORS DETERMINES, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?"

#### **PROPOSITION D**

“SHALL THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$468,750,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT ESTABLISHED BY SECTION 1204.006, TEXAS GOVERNMENT CODE, AS AMENDED, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OF REFUNDING BONDS OF THE DISTRICT PREVIOUSLY ISSUED FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING OR OTHERWISE ACQUIRING A WATERWORKS SYSTEM, A SANITARY SEWER SYSTEM AND DRAINAGE AND STORM SEWER SYSTEM FOR SAID DISTRICT AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE OR INCIDENT TO THE PURCHASE, CONSTRUCTION, OR OTHER ACQUISITION OF SUCH WATERWORKS SYSTEM, SANITARY SEWER SYSTEM, DRAINAGE AND STORM SEWER SYSTEM, AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS

THERE TO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERE TO AND SUCH EXPENSES AS ARE INCIDENTAL TO THE ORGANIZATION, ADMINISTRATION, AND FINANCING OF THE DISTRICT WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS, AND IN ACCORDANCE WITH THE ENGINEER'S REPORT, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND OF INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT WITHOUT LIMIT AS TO RATE OR AMOUNT FOR SUCH A PERIOD OF TIME AS THE BOARD OF DIRECTORS DETERMINES, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?"

### **PROPOSITION E**

“WHETHER OR NOT THE BONDS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY SHALL BE ISSUED IN AN AMOUNT NOT TO EXCEED \$215,000,000, IN CONFORMITY WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, PARTICULARLY SECTION 52 OF ARTICLE III OF THE CONSTITUTION AND LAWS ENACTED PURSUANT THERETO, FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING AND OPERATING MACADAMIZED, GRAVELED OR PAVED ROADS AND TURNPIKES, OR IN AID THEREOF, WITHIN THE BOUNDARIES OF SAID DISTRICT, OR TO PROVIDE SERVICE TO PROPERTIES LOCATED WITHIN OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY, SUCH BONDS TO BE ISSUED IN ONE OR MORE SERIES OR ISSUES, TO MATURE SERIALY OR OTHERWISE NOT MORE THAN FORTY (40) YEARS FROM THEIR DATE AND TO BEAR INTEREST AT SUCH RATE OR RATES (NOT TO EXCEED THE MAXIMUM RATE PERMITTED BY LAW AT THE TIME OF ISSUANCE OF THE BONDS) AS IN ITS DISCRETION THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY SHALL DETERMINE AND SHALL AD VALOREM TAXES BE LEVIED ON ALL TAXABLE PROPERTY IN SAID DISTRICT SUBJECT TO TAXATION FOR THE PURPOSE OF PAYING THE INTEREST ON SAID BONDS AND TO PROVIDE A SINKING FUND FOR THEIR REDEMPTION AT MATURITY?

THE PROCEEDS FROM THE SALE AND DELIVERY OF SAID BONDS SHALL BE EXPENDED PRIMARILY FOR THE CONSTRUCTION OF ROADWAYS, LOCATED WITHIN THE BOUNDARIES OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY, OR TO PROVIDE SERVICE TO PROPERTIES LOCATED WITHIN OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY; AND TO PROVIDE FOR THE PAYMENT OF CAPITALIZED INTEREST, COSTS OF ISSUANCE, COSTS OF SURVEYING, COSTS OF CREATION OF THE DISTRICT, COSTS OF CONSTRUCTION, ACQUISITION OR PURCHASE AS MAY BE APPROVED

BY THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY; PROVIDED THAT IF THE AMOUNT EXPENDED FOR SUCH CONSTRUCTION AND ASSOCIATED COSTS SHOULD BE LESS THAN THE AMOUNT ESTIMATED TO BE REQUIRED THEREFOR, THE SURPLUS MAY BE USED FOR ANY OTHER LAWFUL PURPOSE AS PROVIDED ABOVE.”

### **PROPOSITION F**

“WHETHER OR NOT THE BONDS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY SHALL BE ISSUED IN AN AMOUNT NOT TO EXCEED \$268,750,000 IN CONFORMITY WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, PARTICULARLY SECTION 52 OF ARTICLE III OF THE CONSTITUTION AND LAWS ENACTED PURSUANT THERETO, FOR THE PURPOSES OF REFUNDING BONDS WHICH WERE ISSUED FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING AND OPERATING MACADAMIZED, GRAVELED OR PAVED ROADS AND TURNPIKES, OR IN AID THEREOF, WITHIN THE BOUNDARIES OF SAID DISTRICT, OR TO PROVIDE SERVICE TO PROPERTIES LOCATED WITHIN OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY, SUCH REFUNDING BONDS TO BE ISSUED IN ONE OR MORE SERIES OR ISSUES, TO MATURE SERIALLY OR OTHERWISE NOT MORE THAN FORTY (40) YEARS FROM THEIR DATE AND TO BEAR INTEREST AT SUCH RATE OR RATES (NOT TO EXCEED THE MAXIMUM RATE PERMITTED BY LAW AT THE TIME OF ISSUANCE OF THE BONDS) AS IN ITS DISCRETION THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY SHALL DETERMINE AND SHALL AD VALOREM TAXES BE LEVIED ON ALL TAXABLE PROPERTY IN SAID DISTRICT SUBJECT TO TAXATION FOR THE PURPOSE OF PAYING THE INTEREST ON SAID REFUNDING BONDS AND TO PROVIDE A SINKING FUND FOR THEIR REDEMPTION AT MATURITY?

THE PROCEEDS FROM THE SALE AND DELIVERY OF SAID REFUNDING BONDS SHALL BE EXPENDED TO REFUND BONDS WHICH WERE INITIALLY EXPENDED PRIMARILY FOR THE CONSTRUCTION OF ROADWAYS, LOCATED WITHIN THE BOUNDARIES OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY, OR TO PROVIDE SERVICE TO PROPERTIES LOCATED WITHIN OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY; AND TO PROVIDE FOR THE PAYMENT OF CAPITALIZED INTEREST, COSTS OF ISSUANCE, COSTS OF SURVEYING, COSTS OF CREATION OF THE DISTRICT, COSTS OF CONSTRUCTION, ACQUISITION OR PURCHASE AS MAY BE APPROVED BY THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY; PROVIDED THAT IF THE AMOUNT EXPENDED FOR SUCH CONSTRUCTION AND ASSOCIATED COSTS

SHOULD BE LESS THAN THE AMOUNT ESTIMATED TO BE REQUIRED THEREFOR, THE SURPLUS MAY BE USED FOR ANY OTHER LAWFUL PURPOSE AS PROVIDED ABOVE.”

### **PROPOSITION G**

“SHALL THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$44,000,000 MATURING SERIALY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT ESTABLISHED BY SECTION 1204.006, TEXAS GOVERNMENT CODE, AS AMENDED, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING AND IMPROVING PARK AND RECREATIONAL FACILITIES FOR SAID DISTRICT AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE OR INCIDENT TO THE PURCHASE, CONSTRUCTION, ACQUISITION, OR IMPROVEMENT OF SUCH PARK AND RECREATIONAL FACILITIES, AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS, AND IN ACCORDANCE WITH THE ENGINEER’S REPORT, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND OF INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT FOR SUCH A PERIOD OF TIME AS THE BOARD OF DIRECTORS DETERMINES, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?”

### **PROPOSITION H**

“SHALL THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$55,000,000 MATURING SERIALY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM

THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT ESTABLISHED BY SECTION 1204.006, TEXAS GOVERNMENT CODE, AS AMENDED, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OF REFUNDING BONDS OF THE DISTRICT PREVIOUSLY ISSUED FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING AND IMPROVING PARK AND RECREATIONAL FACILITIES FOR SAID DISTRICT AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE OR INCIDENT TO THE PURCHASE, CONSTRUCTION, ACQUISITION, OR IMPROVEMENT OF SUCH PARK AND RECREATIONAL FACILITIES, AND ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS, AND IN ACCORDANCE WITH THE ENGINEER'S REPORT, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND OF INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT WITHOUT LIMIT AS TO RATE OR AMOUNT FOR SUCH A PERIOD OF TIME AS THE BOARD OF DIRECTORS DETERMINES, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?"

#### **PROPOSITION I**

“SHALL THE BOARD OF DIRECTORS OF OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY BE AUTHORIZED TO ASSESS, LEVY AND COLLECT ANNUAL AD VALOREM TAXES NOT TO EXCEED \$1.20 PER \$100 OF ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT TO SECURE FUNDS FOR OPERATION AND MAINTENANCE PURPOSES, INCLUDING BUT NOT LIMITED TO FUNDS FOR PLANNING, MAINTAINING, REPAIRING AND OPERATING ALL NECESSARY PLANTS, PROPERTIES, FACILITIES AND IMPROVEMENTS OF THE DISTRICT AND FOR PAYING COSTS OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES, IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SECTION 49.107 OF THE TEXAS WATER CODE, AS AMENDED, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?"

Section 3: Voting in said election shall be by the use of electronic equipment which shall conform to the requirements of the Texas Election Code. The ballots shall have printed thereon the following as well as the names of the candidates listed below, the names of any additional candidates who file applications to have their names printed on the ballot by 5:00 p.m. on August 21, 2023 and the names of any write-in candidates who file a declaration of write-in candidacy by 5:00 p.m. on August 25, 2023, in addition to instructions for marking such ballot:

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY**

**CONFIRMATION, DIRECTOR, ROAD DISTRICT POWERS, UTILITY BOND, UTILITY REFUNDING BOND, ROAD BOND, ROAD REFUNDING BOND, PARK AND RECREATIONAL FACILITIES BOND, PARK AND RECREATIONAL FACILITIES REFUNDING BOND ELECTION, AND MAINTENANCE TAX ELECTION**

**November 7, 2023**

**OFFICIAL BALLOT**

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION A**

For	The Confirmation of the Creation of Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY**

**Directors**

Vote for no more than five.

- Terry Michael Franks
- Matt D. Zuckauckas
- Pamela Rockhill
- Whitney Kelly
- James Schellhase

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION B**

For	Shall Open R Fresh Water Supply District of Caldwell County Assume the Rights, Authority, Privileges and Functions of a Road District Under Article III, Section 52(b) of the Texas Constitution?
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION C**

For	The Issuance of \$375,000,000 Utility Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Utility Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION D**

For	The Issuance of \$468,750,000 Utility Refunding Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Utility Refunding Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION E**

For	The Issuance of \$215,000,000 Road Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Road Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION F**

For	The Issuance of \$268,750,000 Road Refunding Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Road Refunding Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION G**

For	The Issuance of \$44,000,000 Park and Recreational Facilities Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Park and Recreational Facilities Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION H**

For	The Issuance of \$55,000,000 Park and Recreational Facilities Refunding Bonds and the Levy of Ad Valorem Taxes Adequate to Provide for the Payment of the Park and Recreational Facilities Refunding Bonds by Open R Fresh Water Supply District of Caldwell County
Against	

**OPEN R FRESH WATER SUPPLY DISTRICT OF CALDWELL COUNTY  
PROPOSITION I**

For	The Imposition and Levy of a Maintenance Tax in an Amount Not to Exceed \$1.20 per \$100/Assessed Valuation by Open R Fresh Water Supply District of Caldwell County
Against	

Section 4: A copy of this Order is on file and available for review in the following District counsel’s office, Winstead PC, 401 Congress Avenue, Suite 2100, Austin, Texas 78701.

Section 5: The election will be conducted under an Election Agreement with Caldwell County, Texas (“Election Agreement”) and other political subdivisions participating in the joint November 7, 2023 elections handled through Caldwell County, Texas elections office.

Section 6: Early voting by personal appearance shall be conducted at the Main Early Voting Location, Caldwell County Elections, Scott Annex Building, 403 Blackjack, Suite A, Lockhart, Texas 78644 and the additional early voting locations on the dates and times designated by the Caldwell County Clerk ("Elections Officer") designated in the Elections Agreement and attached hereto as Exhibit "C", all of which locations are designated as public places within Caldwell County, Texas. The Elections Officer shall appoint qualified Clerks for early voting for said election.

Pursuant to the terms of the Election Agreement, the District hereby appoints Kimberly Studdard, as the District’s Regular Early Voting Clerk to who applications for early voting ballots by mail may be sent. Please address such applications to: Kimberly Studdard, Regular Early Voting Clerk, Open R Fresh Water Supply District of Caldwell County, 401 Congress Avenue, Suite 2100, Austin, Texas 78701, who will forward the applications on to the Joint Early Voting Clerk designated in the Election Agreement.

Section 7: Notice of the election shall be provided and the election held and conducted and returns made to the Board of Directors and canvassed all in accordance with the Texas Election Code, as modified by Chapter 49, Texas Water Code or the District Act.

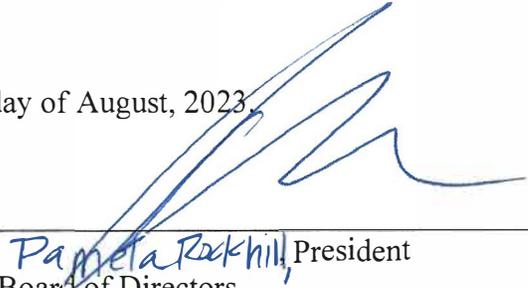
Section 8: All qualified resident electors of the District shall be entitled to vote in the election.

Section 9: The Secretary of the Board is hereby directed to cause notice of this election

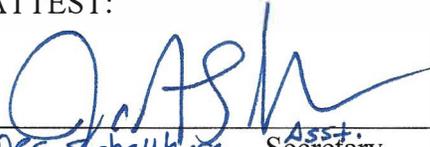
to be posted within the District.

(REMAINDER OF PAGE LEFT BLANK INTENTIONALLY)

PASSED and APPROVED this 17<sup>th</sup> day of August, 2023.

  
\_\_\_\_\_  
Pamela Rockhill, President  
Board of Directors  
Open R Fresh Water Supply District of Caldwell  
County

ATTEST:

  
\_\_\_\_\_  
James Schellhase, Asst. Secretary  
Board of Directors  
Open R Fresh Water Supply District of Caldwell  
County



**EXHIBIT "A"**  
(Boundaries of the District)

## EXHIBIT "A" LEGAL DESCRIPTION

File No.: 21000220767

### METES AND BOUNDS (OVERALL)

BEING a 1,278.22 acre tract of land situated in the William Morrison Survey, Abstract Number 187, the Ira Brisbee Survey, Abstract No. 53 and the William Morrison Survey, Abstract Number 200, Caldwell County, Texas, being all of tracts of land described as Tracts 1, 2, 3, 4, 5, 7, 9, 10 and 11 in the deed to Open R. Family Partnership, Ltd., recorded in Volume 536, Page 157, Official Public Records of Caldwell County, Texas, and all of a tract of land described in the deed to Michael M. Reynolds, recorded in Volume 130, Page 887, Official Public Records of Caldwell County, Texas, said 1,278.22 acres being more particularly described as follows;

BEGINNING at a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC" at the intersection of the west right-of-way line of F.M. 2001 (80 foot wide) and the north right-of-way line of Bob White Road (CR 232)  
(undetermined width right-of-way);

THENCE South 80 degrees 13 minutes 21 seconds West, along the north right-of-way line of Bob White Road, a distance of 3,378.55 feet to a found 1/2-inch iron rod with cap (illegible) for the common south corner of said Open R. Family Partnership, Ltd. tract and a tract of land described in the deed to Jacob K. Hohertz recorded in Instrument Number 2015-004255, Official Public Records of Caldwell County, Texas;

THENCE North 09 degrees 31 minutes 05 seconds West, departing the north right-of-way line of Bob White Road, along the east line of said to Jacob K. Hohertz tract, a distance of 975.62 feet to a found 3/8-inch iron rod with cap stamped "RPLS 454?) for the northeast corner of said to Jacob K. Hohertz tract;

THENCE South 78 degrees 45 minutes 59 seconds West, along the north line of said to Jacob K. Hohertz tract, at a distance of 519.41 feet passing a found 1/2-inch iron rod for the common north line of said to Jacob K. Hohertz tract and a tract of land described in the deed to Bob White Ranch Partners, LP, recorded in Instrument Number 2020-005485, Official Public Records of Caldwell County, Texas, continuing along the north line of said Bob White Ranch Partners, LP tract, in all a total distance of 5,150.26 feet to a found 1/2-inch iron with cap stamped "UDG #2433" in the east right-of-way line of F.M. 2720 (80 foot wide) being the northwest corner of said Bob White Ranch Partners, LP tract;

THENCE North 41 degrees 18 minutes 01 second West, along the east right-of-way line of F.M. 2720, a distance of 2,311.60 feet to a found 1/2-inch iron rod with cap stamped "UDG #2433" for the southwest corner of a tract of land described in the deed to Ranch Road Bollinger, LLC, recorded in Instrument Number 2021-009404, Official Public Records of Caldwell County, Texas;

THENCE North 59 degrees 03 minutes 35 seconds East, departing the east right-of-way line of F.M. 2720 and along the south line of said Ranch Road Bollinger, LLC tract, a distance of 2,317.52 feet to a found stone mound for the southeast corner of said Ranch Road Bollinger, LLC tract;

THENCE North 10 degrees 38 minutes 30 seconds West, along the east line of said Ranch Road

Bollinger, LLC tract, a distance of 1,714.09 feet to a found 1/2-inch iron with cap stamped "UDG #2433" for the common east corner of said Ranch Road Bollinger, LLC tract and a tract of land described in the deed to Marshall G. Varner recorded in Instrument Number 2021-004273, Official Public Records of Caldwell County, Texas;

THENCE North 10 degrees 19 minutes 42 seconds West, along the east line of said Marshall G. Varner tract, a distance of 1,082.15 feet to a found mag nail in concrete around a fence post for the southwest corner of a tract of land described in the deed to Uhland High Ground Group, LLC recorded in Instrument Number 2021-007504, Official Public Records of Caldwell County, Texas;

THENCE North 79 degrees 20 minutes 07 seconds East, departing the east line of said Marshall G. Varner tract and with a south line of said Uhland High Ground Group, LLC tract, a distance of 3,748.76 feet to a found 3-inch metal fence post, for the southernmost southeast corner of said Uhland High Ground Group, LLC tract;

THENCE North 10 degrees 28 minutes 44 seconds West, along an east line of said Uhland High Ground Group, LLC tract, a distance of 2,039.59 feet to a point from which a found 1/2-iron rod bears South 78 degrees 38 minutes 59 seconds East, a distance of 0.39 feet, for an interior ell corner of said Uhland High Ground Group, LLC tract;

THENCE North 74 degrees 44 minutes 07 seconds East, along a south line of said Uhland High Ground Group, LLC tract, a distance of 3,318.07 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC" in the west right-of-way line of F.M. 2001 for the southeast corner of said Uhland High Ground Group, LLC tract;

THENCE South 10 degrees 19 minutes 38 seconds East, along the west right-of-way line of F.M. 2001, a distance of 803.75 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC" for the beginning of a circular curve to the left having a radius of 2,937.38 feet and whose chord bears South 20 degrees 39 minutes 23 seconds East, a chord distance of 1,033.38 feet;

THENCE Southeasterly, along said circular curve to the left and along the west right-of-way line of F.M. 2001, through a central angle of 20 degrees 15 minutes 44 seconds, a distance of 1,038.78 feet to a found broken concrete TXDOT monument at the end of said curve;

THENCE South 30 degrees 34 minutes 49 seconds East, along the west right-of-way line of F.M. 2001, a distance of 344.36 feet to a found 1/2-iron rod with cap stamped "UDG #2433" for the beginning of a circular curve to the right having a radius of 2,796.29 feet and whose chord bears South 20 degrees 25 minutes 48 seconds East, a chord distance of 999.16 feet;

THENCE Southeasterly, along said circular curve to the right and along the west right-of-way line of F.M. 2001, through a central angle of 20 degrees 35 minutes 00 seconds, a distance of 1,004.55 feet to a found 1/2-iron rod with cap stamped "UDG #2433" at the end of said curve;

THENCE South 10 degrees 14 minutes 42 seconds East, along the west right-of-way line of F.M. 2001, a distance of 150.11 feet to a found 5/8-iron rod (bent) for the northeast corner of a tract of land described in the deed to Dora Cunningham recorded in Instrument Number 140027, Official Public Records of Caldwell County, Texas;

THENCE South 80 degrees 22 minutes 10 seconds West, departing the west right-of-way line of F.M. 2001 and along the north line of said Dora Cunningham tract, a distance of 674.37 feet to a point from

which a found

5/8-iron rod bears South 08 degrees 38 minutes 30 seconds West, a distance of 0.35 feet for the northwest corner of said Dora Cunningham tract;

THENCE South 10 degrees 11 minutes 05 seconds East, along the west line of said Dora Cunningham tract, at a deed distance of 216.09 feet passing the common west corner of said Dora Cunningham tract and a tract of land described in the deed to Allison Joyce and Jimmy S. Moore Jr., recorded in Instrument Number 2019-003313, Official Public Records of Caldwell County, Texas, continuing along the west line of said Allison Joyce and Jimmy S. Moore Jr. tract, in all a total distance of 926.23 feet to a found 1/2-iron rod with cap stamped "UDG #2433" for the southwest corner of said Allison Joyce and Jimmy S. Moore Jr. tract;

THENCE South 72 degrees 31 minutes 41 seconds East, along the south line of said Allison Joyce and Jimmy S. Moore Jr. tract, a distance of 740.92 feet to a found 5/8-inch iron rod in the west right-of-way line of F.M. 2001 for the southeast corner of said Allison Joyce and Jimmy S. Moore Jr. tract;

THENCE South 10 degrees 14 minutes 26 seconds East, along the west right-of-way line of F.M. 2001, a distance of 1,103.31 feet to a found 1/2-iron rod with cap stamped "UDG #2433";

THENCE North 79 degrees 45 minutes 34 seconds East, along the west right-of-way line of F.M. 2001, a distance of 20.00 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC";

THENCE South 10 degrees 14 minutes 26 seconds East, along the west right-of-way line of F.M. 2001, a distance of 984.80 feet to a point from which a found broken concrete TXDOT monument bears North 32 degrees 05 minutes 26 seconds East, a distance of 1.36 feet;

THENCE South 10 degrees 49 minutes 27 seconds East, along the west right-of-way line of F.M. 2001, a distance of 2,223.17 feet to a point from which a found broken concrete TXDOT monument bears North 32 degrees 05 minutes 26 seconds East, a distance of 1.36 feet;

THENCE South 12 degrees 38 minutes 33 seconds East, along the west right-of-way line of F.M. 2001, a distance of 15.80 feet to the POINT OF BEGINNING.

CONTAINING a computed area of 1,278.22 acres or 55,679,090 square feet of land, more or less.

NOTE: The Company does not represent that the above acreage or square footage calculations are correct.

## EXHIBIT "A" LEGAL DESCRIPTION

File No.: 21000220768

BEING a 10.00 acre tract of land situated in the William Morrison Survey, Abstract Number 187, Caldwell County, Texas, being all of tract of land described in the deed to Michael M. Reynolds, recorded in Volume 130, Page 887, Official Public Records of Caldwell County, Texas, said 10.00 acres being more particularly described as follows;

COMMENCING at a found 3/8-inch iron rod with cap stamped "RPLS 454r for the northeast corner of a tract of land described in the deed to Jacob K. Hohertz recorded in Instrument Number 2015-004255, Official Public Records of Caldwell County, Texas;

THENCE North 04 degrees 07 minutes 28 seconds West, a distance of 303.33 feet to a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC" for the POINT OF BEGINNING;

THENCE North 10 degrees 55 minutes 01 second West, a distance of 660.00 feet to a found 1/2-inch iron rod with cap stamped "UDG #2433";

THENCE North 79 degrees 04 minutes 59 seconds East, a distance of 660.00 feet to a found 1/2-inch iron rod with cap stamped "UDG #2433";

THENCE South 10 degrees 55 minutes 01 second East, a distance of 660.00 feet to set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC";

THENCE South 79 degrees 04 minutes 59 seconds West, a distance of 660.00 feet to the POINT OF BEGINNING. CONTAINING a computed area of 10.00 acres or 435,600 square feet of land, more or less.

NOTE: The Company does not represent that the above acreage or square footage calculations are correct.

**EXHIBIT “B”**

(List of November 7, 2023 Regular Election Day Polling Locations)

**EXHIBIT “C”**

(List of Early Voting Places, dates and Times of Early Voting)