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. 4 (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 378.452 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 $33,000,000.

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 25th 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 28th 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)

J. Kathleen Wycoff
Notary Public, State of Texas

J. KATHLEEN WYCOFF
Notary Public, State of Texas
My Commission Expires
OCTOBER 15, 2014

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 28th 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)

J. Kathleen Wycoff
Notary Public, State of Texas

J. KATHLEEN WYCOFF
Notary Public, State of Texas
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EXHIBIT "A"

378.452 ACRES
JOSE ANTONIO NAVARRO SURVEY, ABS. NO. 18
TRAVIS COUNTY, TEXAS
SOUTHEAST TRAVIS COUNTY MUD #4

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, A PORTION OF THAT CERTAIN 362.872 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2008082363, ALL OF THAT CERTAIN 184.382 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2010119925 AND A PORTION OF THAT CERTAIN 161.518 ACRE TRACT OF LAND CONVEYED TO QUALICO CR, LP IN DOCUMENT NUMBER 2009141317 ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING 378.452 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron rod found at the southeast corner of said 74.590 acre Qualico CR, LP tract, also being the southwest corner of said 161.518 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 74.590 acre Qualico CR, LP tract and the northern right-of-way line of said Pearce Lane, the following two (2) courses and distances numbered 1 and 2,

1. N64°19'11"W a distance of 92.92 feet to an iron rod found at the point of curvature to the left,
2. with said curve to the left having a radius of 9419.72 feet, an arc length of 502.24 feet, and whose chord bears N65°59'24"W, a distance of 502.18 feet to an iron rod found,

THENCE, leaving the northern right-of-way line of said Pearce Lane, and crossing said 74.590 acre Qualico CR, LP tract, the said 161.518 acre Qualico CR, LP tract, and the 362.872 acre Qualico CR, LP tract , the following twelve (12) courses and distances, numbered 1 through 12,

1. N59°39'27"E, a distance of 145.30 feet to a calculated point,
2. S77°46'45"E, a distance of 440.15 feet to a calculated point,
3. S84°08'57"E, a distance of 722.01 feet to a calculated point,
4. N45°54'29"E, a distance of 698.92 feet to a calculated point,
5. N08°39'51"E, a distance of 919.38 feet to a calculated point,
6. N55°53'27"W, a distance of 506.81 feet to a calculated point,
7. N16°17'52"W, a distance of 1014.45 feet to a calculated point,
8. N62°26'37"E, a distance of 544.11 feet to a calculated point,
9. N30°27'47"E, a distance of 295.08 feet to a calculated point,
10. N18°05'14"W, a distance of 633.66 feet to a calculated point,
11. N31°33'30"E, a distance of 578.23 feet to a calculated point,
12. N30°19'13"E, a distance of 1597.94 feet to an iron rod found on the north line of said 362.872 acre Qualico CR, LP tract, and in the south line of a 147.806 acre tract conveyed to Gregory C. Weiss and Virginia G. Bassett tract, recorded in Document Number 2006186612,

THENCE, with the common southern boundary line of said 147.806 acre Gregory C. Weiss and Virginia G. Bassett tract and the northern boundary line of said 362.872 acre Qualico CR, LP tract, S63°19'24"E, a distance of 699.61 feet to the northwest corner of said 184.382 Qualico CR, LP tract,

THENCE, with the common southern boundary line of said 147.806 acre Gregory C. Weiss and Virginia G. Bassett tract and the northern boundary line of said 184.382 acre Qualico CR, LP tract, S63°21'31"E, a distance of 2403.99 feet to an iron rod found at the northeast corner of said 184.382 acre Qualico CR, LP tract, also being in the westerly right-of-way line of Wolfe Lane, a varying width public roadway,

THENCE, with the common boundary line of said 184.382 acre Qualico CR, LP tract and the west right-of-way line of said Wolfe Lane, the following nine (9) courses and distances, numbered 1 through 9,

1. S28°41'05"W, a distance of 93.30 feet to an iron rod found,
2. S28°01'16"W, a distance of 387.32 feet to an iron rod found,
3. S27°56'22"W, a distance of 289.74 feet to an iron rod found,
4. S27°35'22"W, a distance of 341.84 feet to an iron rod found,
5. S27°21'56"W, a distance of 191.88 feet to an iron rod found,
6. S26°52'52"W, a distance of 541.29 feet to an iron rod found,
7. S27°04'44"W, a distance of 1120.79 feet to an iron rod found,
8. S27°32'04"W, a distance of 329.70 feet to an iron rod found,
9. S27°38'13"W, a distance of 195.47 feet to an iron rod found, in the west right-of-way line of said Wolfe Lane and in the west line of said 161.518 acre Qualico CR, LP tract,

THENCE, with the common boundary line of said 161.518 acre Qualico CR, LP tract and the west right-of-way line of said Wolfe Lane, the following two (2) courses and distances, numbered 1 and 2,

1. S27°17'41"W, a distance of 103.86 feet to an iron rod found,
2. S27°06'59"W, a distance of 2038.07 feet to a calculated point,

THENCE, leaving right-of-way line of said Wolfe Lane and crossing said 161.518 acre Qualico CR, LP tract, S39°14'43"W, a distance of 856.86 feet to an iron rod found in the south line of said 161.518 acre Qualico CR, LP tract, also being in the northerly right-of-way line of said Pearce Lane, for the point of curvature to the left,

THENCE, with the common boundary line of said 161.518 acre Qualico CR, LP tract and the north right-of-way line of said Pearce Lane, the following six (6) courses and distances, numbered 1 through 6,

1. with said curve to the left having a radius of 2576.23 feet, an arc length of 451.04 feet, and whose chord bears N46°34'33"W, a distance of 450.46 feet to an iron rod found,
2. N51°35'30"W, a distance of 194.12 feet to an iron rod found at the point of curvature to the left,
3. with said curve to the left having a radius of 8327.42 feet, an arc length of 502.55 feet, and whose chord bears N53°20'29"W, a distance of 502.47 feet to an iron rod found,
4. N55°04'13"W, a distance of 181.98 feet to an iron rod found at the point of curvature to the left,
5. with said curve to the left having a radius of 3174.03 feet, an arc length of 506.11 feet, and whose chord bears N59°48'40"W, a distance of 505.58 feet to an iron rod found and

6. N64°22'45"W, a distance of 434.44 feet to the **POINT OF BEGINNING**, and containing 378.452 acres of land.