

RESOLUTION NO. 876

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL,
TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE 9TH STREET
RESIDENTIAL PARTNERSHIP CAPITAL PUBLIC IMPROVEMENT
DISTRICT CITY OF TERRELL PID NO. 3.**

WHEREAS, on November 20, 2017, there was presented to the City of Terrell, Texas, (the "City") a Petition seeking the authorization to establish the 9th Street Residential Partnership Capital Public Improvement District City Of Terrell PID No. 3 (the "District") within the City pursuant to Chapter 372, Texas Local Government Code; and

WHEREAS, said Petition, attached hereto as Exhibit "A" and made a part hereof for all purposes, described public improvements that the property owners desire to be made within the District; and

WHEREAS, the City Council called a public hearing held on January 16, 2018, with respect to the creation of the District and determined the advisability of the proposed improvements.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

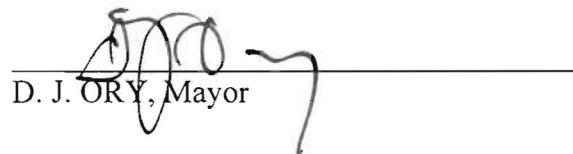
Section 1. That the City Council of the City of Terrell, Texas, accepts the Petition for the Establishment of the 9th Street Residential Partnership Capital Public Improvement District City of Terrell PID No. 3.

Section 2. That the City Council authorizes the creation of the proposed District as described in Exhibit "A".

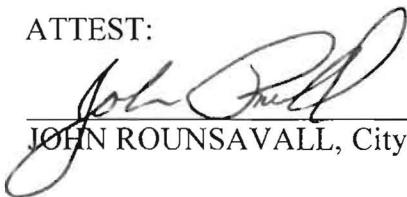
Section 3. That the City Secretary is hereby authorized and directed to publish notice of the creation of the District in a newspaper of general circulation in the City.

Section 4. That this Resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED this 16th day of January, 2018.


D. J. ORY, Mayor

ATTEST:



JOHN ROUNSAVALL, City Secretary

STATE OF TEXAS)
COUNTY OF KAUFMAN)

**PETITION FOR THE ESTABLISHMENT OF
9th STREET RESIDENTIAL PARTNERSHIP CAPITAL PUBLIC
IMPROVEMENT DISTRICT
CITY OF TERRELL PID NO. 3
(“PETITION”)**

TO THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS

COMES NOW,

TERRELL FOREST CREEK, LP ("Company")
4500 Sterling Lane
Plano, Texas 75093

TERRELL CREEKSIDE DEVELOPMENT, LP ("Company")
4500 Sterling Lane
Plano, Texas 75093

MAN-TO-MAN MINISTRIES ("Company")
4500 Sterling Lane
Plano, Texas 75093

CITY OF TERRELL, TEXAS ("CITY")
201 East Nash Street
Terrell, Texas 75160

the owners of taxable real property in the City of Terrell, Texas, and pursuant to Section 372.005 of the Texas Local Government Code, who hereby petition the City Council of the City of Terrell, Texas ("City"), to conduct a public hearing on this Petition, pursuant to Section 372.009 of the Texas Local Government Code, in anticipation of the establishment of a Public Improvement District to be known as the 9thStreet Residential Partnership Capital Public Improvement District City of Terrell PID #3 (the "District"). In support of same, Owners would respectfully show the following:

1

The boundaries of the proposed District are set forth in Exhibit "A" attached hereto and incorporated by reference herein.

II.

The general nature of the proposed improvements will involve the design and construction of a series of public improvements as shown in Exhibit "B" attached hereto and incorporated by reference herein. The public improvements are divided into those to be designed and constructed by the Company which total an estimated \$3,145,000.00 and those to be designed and constructed by the City which total an estimated \$9,400,000.00. All public improvements are subject to approval and acceptance by the City Engineer.

III.

The proposed method of assessment is that the governing body of the City will levy assessments for the costs of the improvements on each parcel within the proposed District in a manner that results in imposing equal shares of the costs on property similarly benefited. The proposed PID assessment level on the projected 480 homes to be built in the District is \$0.25 per \$100.00 of valuation for the land and improvement values of all taxable property with building improvements on parcels new to the Kaufman County tax rolls after January 1, 2018. It is proposed that the Company will be reimbursed from PID funds the actual cost of its accepted public improvements (currently estimated to be \$3,145,000.00). After the Company has been reimbursed the actual costs of its accepted public improvements, then the PID assessment shall be used to reimburse the City for its actual cost of its public improvements (currently estimated to be \$9,400,000.00). After the City has been reimbursed its actual cost of public improvements, the PID assessment of \$0.25 per \$100.00 valuation shall be terminated by action of the City Council.

IV.

The management of the District will be by the City.

V.

The persons or entities (through authorized representatives) signing this Petition request or concur with the establishment of the District.

VI.

It is acknowledged that an Advisory Body will not be established to develop and recommend an "improvement plan" to the City Council of the City of Terrell regarding the proposed improvements.

VII.

The persons or entities (through authorized representatives) signing this Petition are also owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under this proposal as determined by the current roll of the appraisal district in which the property is located and

the record owners of real property liable for assessment under this proposal who (a) constitute more than fifty percent (50%) of all record owners of property that are liable for assessment under this proposal, and (b) own taxable real property that constitute more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under this proposal.

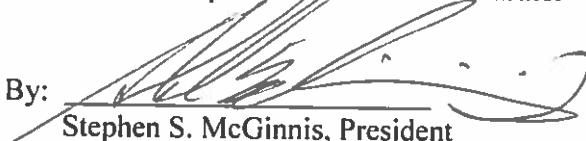
VIII.

This Petition will be filed with the City Secretary of the City of Terrell, Texas.

EXECUTED this 15th day of December, 2017.

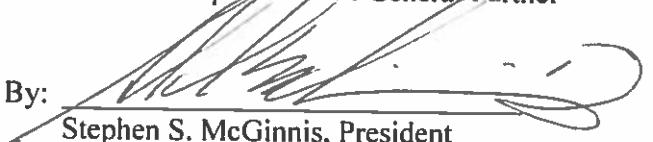
TERRELL FOREST CREEK II, L.P.
a Texas limited partnership

By: Terrell/Forest Creek Development, Inc.
a Texas corporation its: General Partner

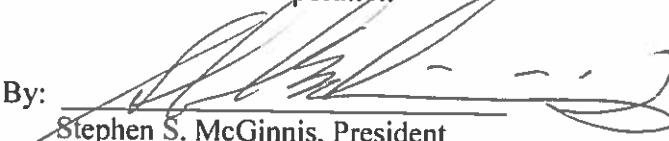
By: 
Stephen S. McGinnis, President

TERRELL CREEKSIDE DEVELOPMENT, L.P.
a Texas limited partnership

By: Terrell/Forest Creek Development, Inc.
a Texas corporation its: General Partner

By: 
Stephen S. McGinnis, President

MAN-TO-MAN MINISTRIES
a Texas Non-Profit Corporation

By: 
Stephen S. McGinnis, President

CITY OF TERRELL, TEXAS

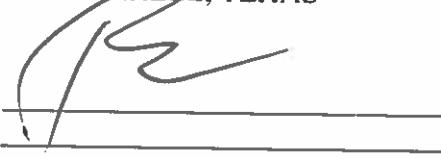
By: 

EXHIBIT "A"
"The District: The 9th Street Residential Partnership Zone"

EXHIBIT "B"
Area Infrastructure

	Estimated Eligible Costs (Cost Increases Allowable / Reimbursement Based on Actual Costs and Revenue Available)
<u>Company Reimbursable Obligations</u>	
(Reimbursements from the Partnership Infrastructure Fund to company for actual costs)	
1. Study/planning/engineering of public infrastructure	\$ 150,000
2. Off-site requirements of TIA (corner of Walnut/State, corner of Creekside/Frances, 9 th to State, other tbd)	\$ 500,000
3. Off-site water/sewer/drainage required per study	\$ 250,000
4. Creekside from cul de sac to 9 th Street	\$ 400,000
5. 9 th Street crossing over drainage	\$ 450,000
6. Trail from Redwood to Sequoia	\$ 15,000
7. Trailview crossing over drainage	\$ 350,000
8. 9 th Street sidewalks from Zone to Colquitt Road (one side)	\$ 550,000
9. Trail/Play Fields along floodplain zone	\$ 450,000
10. Documents costs associated with land conveyance	\$ 15,000
11. Cost of Accounting Document	\$ 15,000
Company Subtotal (Estimated)	\$ 3,145,000
<u>City Pay As You Go Projects</u>	
(City pay as you go funding from the City 9 th Street Zone Fund)	
1. Fire Station	\$ 3,000,000
2. Creekside from 9 th Street to Poetry	\$ 1,500,000
3. Connection between Denali and Creekside	\$ 100,000
4. 9 th from Creekside to Town North	\$ 2,000,000
5. Connections to SH34/SH205 as identified by TIA (engineering only)	\$ 1,000,000
6. 9 th Street sidewalks from Zone to Colquitt Road (second side, selected locations)	\$ 1,000,000
7. Spring Creek connector from Ruth to Willow Creek	\$ 600,000
8. Spring Creek to McCoulskey connector	\$ 200,000
City Subtotal (Estimated)	\$ 9,400,000
Infrastructure Total (Estimated)	\$ 12,545,000

