

THE STATE OF TEXAS

COUNTY OF KAUFMAN

PETITION FOR THE ESTABLISHMENT OF THE  
CROSSROADS CENTER PUBLIC IMPROVEMENT DISTRICT ("PETITION")

TO THE CITY COUNCIL, CITY OF TERRELL, TEXAS:

COMES NOW

Cross Roads at Terrell 2015, L.P a Texas limited partnership of  
8350 N. Central Expressway, Suite M1020 Dallas, TX 75206

and

Hiser Lane LLC, a California limited liability company of  
4018 South Hempstead Circle, San Diego, CA 92116

and

CFT NV DEVELOPMENTS, LLC, a Nevada limited liability company of  
1683 Walnut Grove Avenue, Rosemead, CA 91770

The owners of real property (the "Petitioners"), and pursuant to Section 372.005 of the Texas Local Government Code, who hereby petition the City Council, City of Terrell, Texas ("City"), to conduct a 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 "Crossroads Center Public Improvement District" (hereinafter referred to as the "District").

In support of same, Petitioners would respectfully show the following:

I.

The boundaries of the proposed District are set forth in the survey of approximately 77.23 acres shown in Exhibit "A" ("Property") attached hereto and incorporated by reference herein.

II.

The general purpose and nature of the District will be to repair and maintain common drainage and other common improvements located on the Property, as generally depicted on Exhibit "B" (Public Facilities).

III.

The annualized expenses are estimated to total approximately \$36,000 based on the maintenance program shown in Exhibit "C" ("Maintenance Program"), attached hereto and incorporated by reference herein. The Petitioners acknowledge that expenses of the Maintenance Program will vary based on actual expenses incurred by the District for the Maintenance Program. The Petitioners acknowledge that the work of the

Public Improvement District initiates only after the City accepts as complete such Common Drainage Facilities as may be developed and dedicated to the City by the Petitioner.

#### IV.

The proposed method of assessment for each parcel within the District is as follows: the governing body of the City will calculate and levy assessments for the actual expenses incurred by the City for the Maintenance Program based on each parcel's percentage of square feet of property as indicated on Exhibit "A". Annually, the City shall determine each respective property owner's share of land area; which shall represent each respective property owner's share of the costs. Property owned by the City and utilized for above ground drainage or stormwater detention shall not be included in the calculation. Property utilized by TxDOT shall not be included in the calculation. The Petitioner acknowledges the City will adjust the allocation of assessments based on changes in ownership and calculating the allocation based upon the size of each parcel's share of the land area, and actual expenses of the Maintenance Program on an as needed basis.

#### V.

The management of the District will be by the City.

#### VI.

The persons or entities (through authorized representatives) signing this Petition request or concur with the establishment of the District and for the District to be managed and operated by the City, including, but not limited to:

- 1) Developing a budget for the annual expenses.
- 2) Determining and establishing the annual assessment.
- 3) Procuring all services.
- 4) Assuring timely and quality performance of services.
- 5) Auditing, reporting, and otherwise performing all accounting, oversight, and other management functions.
- 6) All such management and operations to be subject to annual approval by the Terrell City Council.

#### VII.

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 regarding the Maintenance Program. The City of Terrell shall not exempt or waive the obligations of this Petition for any land owner, current or future, in the District.

#### VIII.

The persons or entities (through authorized representatives) signing this Petition are:

- 1) Owners of real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment under this Petition as determined by the current roll of the appraisal district in which the Property is located; and,

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

IX.

The Exhibits to this Petition are summarized as follows:


Exhibit "A"	Boundary of District
Exhibit "B"	Public Facilities
Exhibit "C"	Maintenance Program

X.

This Petition for the Crossroads Center Public Improvement District will be filed with the City Secretary, City of Terrell, Texas. This Petition shall become effective upon the latest date of execution below.

**Cross Roads at Terrell 2015 L.P., a Texas limited partnership**

By: Terrell 80/20 GP L.L.C., a Texas limited liability company, its general partner

By:  10/6/16  
George Allen, Manager Date

**HISER LANE LLC, a California limited liability company**

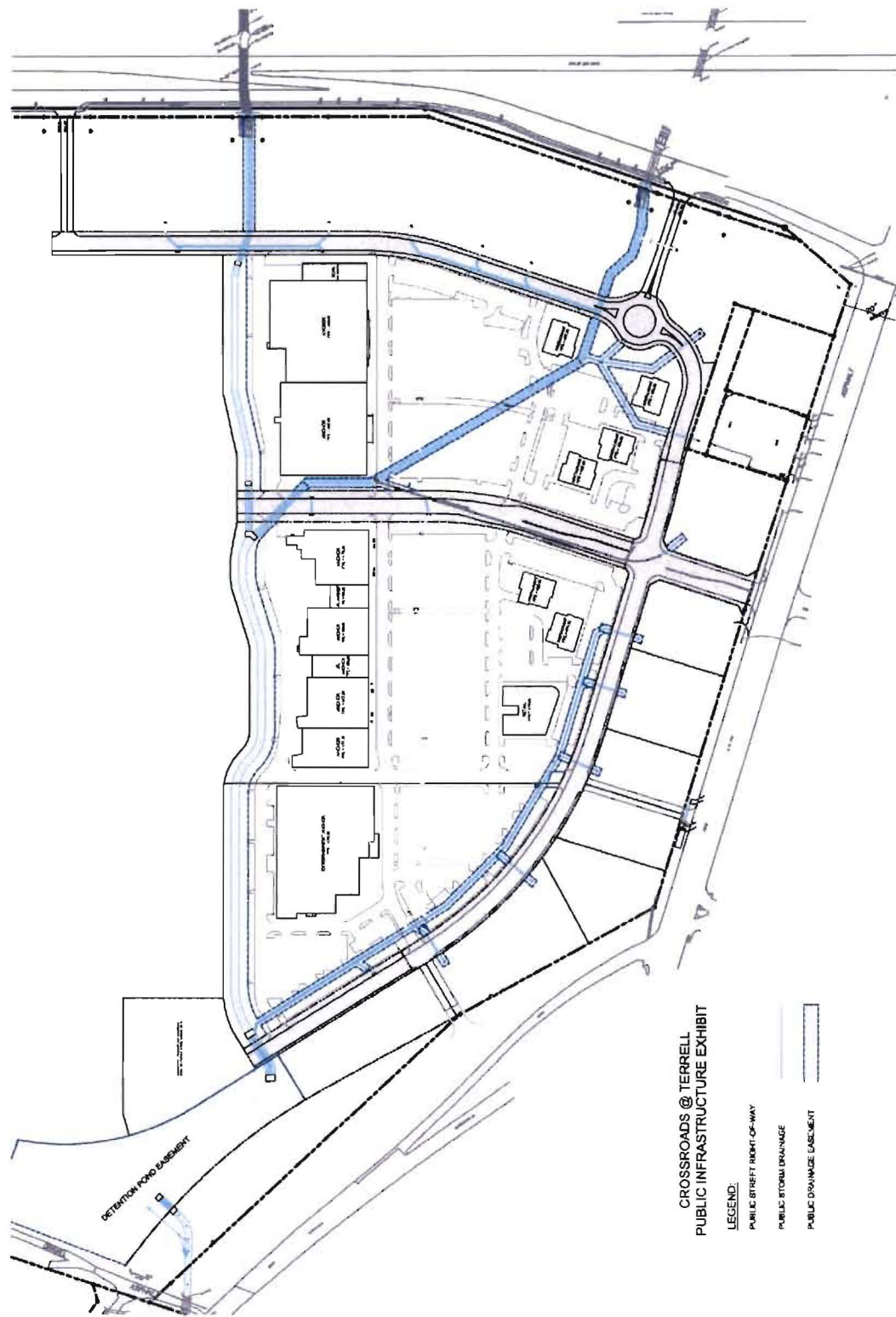
By: Michele Serra, Manager 10/24/16  
Michele Serra, Manager Date

**CFT NV DEVELOPMENTS, LLC, a Nevada limited liability company**

By: \_\_\_\_\_  
\_\_\_\_\_  
Name, Title Date

The site plan for 'CROSSROADS at TERRELL' is a detailed layout of a proposed development. The plan is bounded by SPUR 557 to the north, F.M. ROAD 148 to the east, and I-20 to the south. The development is divided into several lots, including LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7, LOT 8, LOT 9, LOT 10, LOT 11, LOT 12, LOT 13, LOT 14, LOT 15, LOT 16, LOT 17, LOT 18, LOT 19, LOT 20, LOT 21, LOT 22, LOT 23, LOT 24, LOT 25, LOT 26, LOT 27, LOT 28, LOT 29, LOT 30, LOT 31, LOT 32, LOT 33, LOT 34, LOT 35, LOT 36, LOT 37, LOT 38, LOT 39, LOT 40, LOT 41, LOT 42, LOT 43, LOT 44, LOT 45, LOT 46, LOT 47, LOT 48, LOT 49, LOT 50, LOT 51, LOT 52, LOT 53, LOT 54, LOT 55, LOT 56, LOT 57, LOT 58, LOT 59, LOT 60, LOT 61, LOT 62, LOT 63, LOT 64, LOT 65, LOT 66, LOT 67, LOT 68, LOT 69, LOT 70, LOT 71, LOT 72, LOT 73, LOT 74, LOT 75, LOT 76, LOT 77, LOT 78, LOT 79, LOT 80, LOT 81, LOT 82, LOT 83, LOT 84, LOT 85, LOT 86, LOT 87, LOT 88, LOT 89, LOT 90, LOT 91, LOT 92, LOT 93, LOT 94, LOT 95, LOT 96, LOT 97, LOT 98, LOT 99, LOT 100. The plan also shows various parking areas, including 'PARKING LOT 1', 'PARKING LOT 2', 'PARKING LOT 3', 'PARKING LOT 4', 'PARKING LOT 5', 'PARKING LOT 6', 'PARKING LOT 7', 'PARKING LOT 8', 'PARKING LOT 9', 'PARKING LOT 10', 'PARKING LOT 11', 'PARKING LOT 12', 'PARKING LOT 13', 'PARKING LOT 14', 'PARKING LOT 15', 'PARKING LOT 16', 'PARKING LOT 17', 'PARKING LOT 18', 'PARKING LOT 19', 'PARKING LOT 20', 'PARKING LOT 21', 'PARKING LOT 22', 'PARKING LOT 23', 'PARKING LOT 24', 'PARKING LOT 25', 'PARKING LOT 26', 'PARKING LOT 27', 'PARKING LOT 28', 'PARKING LOT 29', 'PARKING LOT 30', 'PARKING LOT 31', 'PARKING LOT 32', 'PARKING LOT 33', 'PARKING LOT 34', 'PARKING LOT 35', 'PARKING LOT 36', 'PARKING LOT 37', 'PARKING LOT 38', 'PARKING LOT 39', 'PARKING LOT 40', 'PARKING LOT 41', 'PARKING LOT 42', 'PARKING LOT 43', 'PARKING LOT 44', 'PARKING LOT 45', 'PARKING LOT 46', 'PARKING LOT 47', 'PARKING LOT 48', 'PARKING LOT 49', 'PARKING LOT 50', 'PARKING LOT 51', 'PARKING LOT 52', 'PARKING LOT 53', 'PARKING LOT 54', 'PARKING LOT 55', 'PARKING LOT 56', 'PARKING LOT 57', 'PARKING LOT 58', 'PARKING LOT 59', 'PARKING LOT 60', 'PARKING LOT 61', 'PARKING LOT 62', 'PARKING LOT 63', 'PARKING LOT 64', 'PARKING LOT 65', 'PARKING LOT 66', 'PARKING LOT 67', 'PARKING LOT 68', 'PARKING LOT 69', 'PARKING LOT 70', 'PARKING LOT 71', 'PARKING LOT 72', 'PARKING LOT 73', 'PARKING LOT 74', 'PARKING LOT 75', 'PARKING LOT 76', 'PARKING LOT 77', 'PARKING LOT 78', 'PARKING LOT 79', 'PARKING LOT 80', 'PARKING LOT 81', 'PARKING LOT 82', 'PARKING LOT 83', 'PARKING LOT 84', 'PARKING LOT 85', 'PARKING LOT 86', 'PARKING LOT 87', 'PARKING LOT 88', 'PARKING LOT 89', 'PARKING LOT 90', 'PARKING LOT 91', 'PARKING LOT 92', 'PARKING LOT 93', 'PARKING LOT 94', 'PARKING LOT 95', 'PARKING LOT 96', 'PARKING LOT 97', 'PARKING LOT 98', 'PARKING LOT 99', 'PARKING LOT 100'. The plan also shows a 'DEVELOPMENT PARCEL' and a 'DEVELOPMENT PARCEL'.

Exhibit "B"  
Public Facilities





## Exhibit "C"

### Maintenance Program

#### Overall Maintenance

1. Maintain detention pond, wetland or drainage facilities dedicated to the City and accepted by the City in good working order; such maintenance will be provided in perpetuity unless and until all parties formally enter into a revised agreement.
2. Remove silt and other debris from any drainage facilities, so as to maintain a proper bottom elevation and proper slopes.
3. Plant and mow grass or maintain a vegetative cover on any slopes surrounding the drainage ponds, wetlands, or drainage facilities.
4. Maintain in good order and repair any inflow or outflow devices in public ownership.
5. Excepting emergency circumstances, maintain the facility during daylight, week day hours.
6. Maintain public landscape areas on Crossroads Parkway and American Way and other public access way in the PID.
7. Keep records detailing inspection and maintenance activity and these records shall be made available to the City upon request.
8. Routine maintenance of Crossroads Parkway, American Way, other public access ways, including striping, joint sealing, and street light operations. Patching, repair, resurfacing, and reconstruction are specifically excluded. Striping and joint sealing costs incurred above \$30,000 per calendar year shall be completed at no cost to the District.
9. The PID provides no maintenance of any parking area or private land.

#### Routine Maintenance

1. Mowing of the bank slopes and areas owned by the City on a twice per month basis during the growing season or more frequently and as needed during the cooler months.
2. Inspect outfall structures monthly for debris which could inhibit the proper flow of discharge; any debris will be removed immediately and disposed of or placed in a location to prevent future maintenance and to not cause impact up or downstream of the drainage areas.
3. Remove trash from around detention ponds, wetlands, and drainage facilities. Remove trash from the public areas along Crossroads Parkway, American Way, and other public

access ways to prevent trash from entering drainage areas. Generally, the area owned by the public should be kept free of loose trash, which could be carried off site by wind or rain.

4. If needed, inspect all structures and facilities for non-routine maintenance needs.
5. Maintain all public drainage in a structurally sound condition so that it satisfies the drainage function for which it was intended; maintain all public drainage in a clean and safe condition so as not to constitute a hazard or nuisance to the public; and, to maintain all elements in accordance with all rules, standards and regulations applicable thereto as may from time to time be enacted by any governmental agency or authority, including the City.
6. Mow, edge, trim public landscape areas on Crossroads Parkway, American Way, and other public access ways on a weekly basis during the growing season and as needed during cooler months.
7. Maintain dedicated public park improvements in a high quality manner.
8. Maintain wetland areas consistent with applicable U.S.A.C.E. permit requirements or best practices.

#### Cyclical Maintenance of Detention Ponds / Drainage Ways

1. Monthly or after every one (1)-inch rainfall, whichever comes first:
  - a. Remove trash and debris.
  - b. Clear trash and debris from outlet pipes.
  - c. Check slopes and contributing areas owned by the City; repair any eroded areas owned by the City before the next rainfall.
  - d. Check inlet and outlet pipes, grass swales and inlet/outlet dissipaters.
  - e. Replace any rip rap that is eroded, undermined or choked with sediment.
2. Annually
  - a. Check facility depth at various locations. Remove sediment to restore original design capacity before 10% of original design capacity is lost.
  - b. Check the condition of the slopes owned by the City for erosion, transverse or longitudinal cracks, sinkholes, woody vegetation, signs of rodent infestation or other such problems.