

RESOLUTION NO. [_____]

**A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS,
ACCEPTING A PETITION FOR AND CALLING FOR A PUBLIC
HEARING ON THE CREATION OF THE MEADOWLARK PRESERVE
PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF
PFLUGERVILLE, TEXAS AND WITHIN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF PFLUGERVILLE, TEXAS**

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") authorizes the creation of public improvement districts; and

WHEREAS, the owners of certain real property (the "Petitioners") have signed and delivered to the City a petition (the "Petition"), which is attached as **Exhibit A** meeting the requirements of the Act and indicating that the Petitioners are: (i) the owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal as determined by the current roll of the Travis Central Appraisal District and are (ii) the record owners of taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under the proposal; and

WHEREAS, the Act states that a petition to include land in a public improvement district is sufficient if signed by owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located, and, who (i) constitute more than fifty percent (50%) of all record owners of property that is liable for assessment under the proposal, or (ii) own taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under the proposal; and

WHEREAS, the Act further requires that prior to the adoption of the resolution determining the boundaries of the Meadowlark Preserve Public Improvement District (the "District"), the City Council of (the "City Council") the city of Pflugerville, Texas ("the City") must hold a public hearing on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the public improvement district, the method of assessment, and the apportionment, if any, of the costs between the District and the City.

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

SECTION 1. The findings set forth in the recitals of this Resolution are found to be true and correct and are hereby incorporated herein.

SECTION 2. City staff reviewed the Petition and determined that same complied with the requirements of the Act and the City Council accepts the Petition. The Petition is filed with the office of the City Secretary and is available for public inspection.

SECTION 3. The City Council calls a public hearing to be scheduled on September 27, 2022 at 7:00 p.m. at Pflugerville City Council Chambers, 100 East Main Street, Suite 500, Pflugerville, Texas 78660, on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City. Attached hereto as **Exhibit B** is a form of the Notice of Public Hearing Regarding Petition for creation of the Meadowlark Preserve Public Improvement District, the form and substance of which is hereby adopted and approved. All residents and property owners within the District and the proposed boundaries, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the revisions of the District's boundaries and the increase in the estimated costs of the Authorized Improvements.

SECTION 4. The Public Hearing may be adjourned from time to time. Upon the closing of the public hearing, the City Council may consider the adoption of a resolution revising and amending the boundaries of the District, increasing the estimated costs of the Authorized Improvements, or may defer the adoption of such a resolution for up to six months. The aforementioned amendments to the District are within the sole discretion of the City Council.

SECTION 5. The City Council hereby authorizes and directs the City Secretary, in accordance with the Act, to: (a) publish notice of the public hearing in a newspaper of general circulation in the City; and (b) mail notice of the public hearing to the owners of the real property located within the proposed boundaries of the District as reflected on the tax rolls.

[Remainder of page left blank intentionally.]

PASSED AND APPROVED ON August 23, 2022.

APPROVED:

**VICTOR GONZALES, MAYOR
CITY OF PFLUGERVILLE**

ATTEST:

**TRISTA EVANS, CITY SECRETARY
CITY OF PFLUGERVILLE**

EXHIBIT A

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT
DISTRICT WITHIN THE CITY OF PFLUGERVILLE, TEXAS AND WITHIN
THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF
PFLUGERVILLE, TEXAS FOR THE MEADOWLARK PRESERVE PUBLIC
IMPROVEMENT DISTRICT**

[See attached]

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO FINANCE
IMPROVEMENTS TO MEADOWLARK DEVELOPMENT

THE STATE OF TEXAS §
 §
CITY OF PFLUGERVILLE §

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
PFLUGERVILLE

The undersigned petitioners (the "*Petitioners*"), acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "*Act*"), request that the City of Pflugerville, Texas (the "*City*") create a public improvement district (the "*District*") in the territory described in Exhibit A attached hereto (the "*Land*") within the City, and in support of this petition the Petitioners would present the following:

Section 1. Standing of Petitioners. In compliance with the requirements of Texas Local Government Code, Section 372.005(b), as determined by the current tax roll of the Travis Central Appraisal District, the Petitioners constitute: (i) the owners of taxable real property representing more than 50% of the appraised value of real property liable for assessment under the proposal described herein, and (ii) the record owners of taxable real property that constitutes more than 50% of the area of all taxable real property that is liable for assessment under such proposal.

Section 2. General Nature of the Proposed Construction and Maintenance of the Public Improvements. The general nature of the proposed public improvements are: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, swimming pools, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) – (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) – (vii) above, including costs of establishing, administering and operating the District.

Section 3. Estimated Cost and Terms of the Proposed Construction of the Public Improvements. The estimated cost of the proposed construction is \$25,000,000.00 (including costs of issuance and other financing costs).

Section 4. Boundaries. The proposed boundaries of the District are described on Exhibit A attached hereto.

Section 5. Method of Assessment. An assessment methodology will be prepared that will address: (i) how the costs of the public improvements financed with the assessments are assessed against the property in the District, (ii) the assessments to be collected each year, and (iii) reduction of the assessments for costs savings (pursuant to the annual review of the service plan for the District). Additionally, a report will be prepared showing the special benefits accruing to

property in the District and how the costs of the public improvements are assessed to property on the basis of the special benefits. The result will be that equal shares of the costs will be imposed on property similarly benefited.

The assessment methodology will result in each parcel paying its fair share of the costs of the public improvements provided with the assessments based on the special benefits received by the property from the public improvements and property equally situated paying equal shares of the costs of the public improvements.

Section 6. Apportionment of Cost between the City and the District. Approval and creation of the District will not obligate the City to provide any funds to finance the proposed public improvements. All of the costs of the proposed public improvements will be paid by assessments of the property within the District and from other sources of funds, if any, available to the owner of the Land.

Section 7. Management of the District. The City will manage the District, or, to the extent allowed by law, the City may contract with either a non-profit, or a for-profit organization including a Public Facilities Corporation created by the City pursuant to Chapter 303, Texas Local Government Code, to carry out all or a part of the responsibilities of managing the District, including the day-to-day management and administration of the District.

Section 8. Advisory Board. An advisory board may be established by the City Council of the City (the "*City Council*") and recommend an improvement plan to the City Council.

Section 10. Reimbursement. The City will be reimbursed for the actual costs incurred by the city for legal, engineering, administrative, and financial advisory services and fees in connection with vetting the petition and negotiating any associated development, strategic partnership or allocation agreements associated with the District.

The signers of this petition request the establishment for the District and this petition will be filed with the City Secretary in support of the creation of the District by the City Council as herein provided.

[Signature on following page]

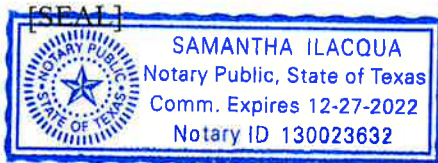
PETITIONER:

Meadowlark Preserve, LLC, a Delaware limited liability company

By: Charlie Coleman
Name: Charlie Coleman
Title: Owner

THE STATE OF TEXAS
COUNTY OF Williamson

THIS INSTRUMENT is acknowledged before me on this 8th day of July, 2022, by Charlie Coleman, Owner of Meadowlark Preserve, LLC, a Delaware limited liability company, on behalf of such entity.



Samantha Ilacqua
Notary Public, State of Texas

Exhibit A



FIELD NOTES FOR "TRACT 1"

A 97.882 ACRE OR 4,263,759 SQUARE FOOT TRACT OF LAND, SITUATED IN THE JOHN LEISSE SURVEY, SECTION NO. 18, ABSTRACT NO. 496 IN TRAVIS COUNTY, TEXAS. BEING A CALLED 50 ACRE TRACT (FIRST TRACT), BEING A PORTION OF A CALLED 45 ACRE TRACT (SECOND TRACT), AND BEING ALL OF A CALLED 5.24 ACRE TRACT (THIRD TRACT), SAVE AND EXCEPT A 0.28 OF AN ACRE TO GEORGE S. MATTHEWS COUNTY JUDGE IN DEED DATED MAY 16, 1925, ALL AS NOTED IN AN EXECUTOR'S DEED RECORDED IN DOCUMENT NO. 2009129811 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 97.882 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at an iron rod with cap marked "SA Garza Engineers" found on a point in the south margin of Jesse Bohls Road, said point being in the west right-of-way line of Cameron Road, a variable width right-of-way, same being the northeast corner of said 50-acre tract for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE S 27°09'09" W, with the west right-of-way line of said Cameron Road, same being the east boundary line of said 50-acre tract, and, in part, with the east boundary line of said 5.24-acre tract, a distance of **2519.38 feet** to a found mag nail with washer stamped "SPPC" found in the south side of a cedar fence post, being in the west right-of-way line of said Cameron Road, said point being the southeast corner of said 5.24-acre tract, same being the northeast corner of a called 10.290-acre tract (Tract 6) conveyed to SBJV Investments, LTD., recorded in Document No. 2017091667 of the Official Public Records of Travis County, Texas for the southeast corner hereof;

THENCE N 39°36'41" W, departing the west right-of-way line of said Cameron Road, with the south boundary line of said 5.24-acre tract, same being the north boundary line of said 10.290-acre tract, at a distance of 752.10 feet passing an iron rod with cap marked "Bryan Tech Services" found at the northwest corner of said 10.290-acre tract, same being the northeast corner of a called 84.3-acre tract (Tract 3) conveyed to SBJV Investments LTD, recorded said Document No. 2017091667, continuing with the south boundary line of said 5.24-acre tract, same being the north boundary line of said 84.3-acre tract, a total distance of **1127.67 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" found on a point in the east boundary line of a called 20.292-acre tract (Tract 5), conveyed to SBJV Investments LTD, recorded said Document No. 2017091667, at the west corner of said 5.24-acre tract, same being the southwest corner of said 50-acre tract, also being the northwest corner of said 84.3-acre tract for the southernmost southwest corner hereof;

THENCE N 27°28'49" E, with the west boundary line of said 50-acre tract, same being the east boundary line of said 20.292-acre tract, a distance of **284.86 feet** to an iron rod with cap marked "Bryan Tech Services" found on a point in the west boundary line of said 50-acre tract, said point being the southeast corner of said 45-acre tract, same being the northeast corner of said 20.292-acre tract for the southwest ell corner hereof;

THENCE N 63°15'45" W, departing the west boundary line of said 50-acre tract, with the south boundary line of said 45-acre tract, same being the north boundary line of said 20.292-acre tract, at a distance of

Exhibit A

97.882 Acre
Job No. 51260-00
Page 2 of 2

722.42 feet passing an iron rod with cap marked "Bryan Tech Services" found at the northwest corner of said 20.292-acre tract, same being the northeast corner of a called 33.233-acre tract (Tract 4) conveyed to SBJV Investments LTD, recorded said Document No. 2017091667, continuing with the south boundary line of said 45-acre tract, same being the north boundary line of said 33.233-acre tract, a total distance of **1082.97 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set in the east boundary line of a called 18.90-acre tract (Tract 2), conveyed to CE Development, Inc., recorded in Document No. 2018072720 of the Official Public Records of Travis County, Texas, said point being the southwest corner of said 45-acre tract, same being the northwest corner of a called 33.233-acre tract for the westernmost southwest corner hereof;

THENCE with the west boundary line of said 45-acre tract, same being the east boundary line of said 18.90-acre tract, and, in part, with the east margin of said Jesse Bohls Road, the following () courses and distances:

1. **N 26°45'16" E**, a distance of **348.02 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangent curvature hereof,
2. along the arc of a curve to the right, having a **radius of 380.00 feet**, a **central angle of 17°10'16"**, a **chord bearing and distance of N 35°20'24" E, 113.46 feet**, for an **arc length of 113.88 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of reverse curvature hereof,
3. along the arc of a curve to the left, having a **radius of 560.00 feet**, a **central angle of 17°07'55"**, a **chord bearing and distance of N 35°21'34" E, 166.82 feet**, for an **arc length of 167.44 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangency hereof, and
4. **N 26°45'16" E**, a distance of **913.08 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangency hereof;

THENCE along the arc of a curve to the right, with the southwest margin of said Jesse Bohls Road, said curve having a **radius of 260.00 feet**, a **central angle of 90°29'11"**, a **chord bearing and distance of N 71°59'51" E, 369.25 feet**, for an **arc length of 410.61 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangency hereof,

THENCE S 62°45'33" E, with the north boundary line of said 45-acre tract, and, in part, with the north boundary line of said 50-acre tract, same being the south margin of said Jesse Bohls Road, a distance of **1825.91 feet** to the **POINT OF BEGINNING** and containing 97.882 acres in Williamson County, Texas. Said tract being described in accordance with an on the ground survey prepared under Job No. 59014-21 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: May 17, 2021
JOB No.: 51160-00
DOC.ID.: H:\Survey\CIVIL\51260-00\Word\
FN51060-00_97.882Ac_Tract 1.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-01



Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 512-454-8711 address: 10801 NORTH MOPAC EXPRESSWAY, BUILDING 3 - SUITE 200 AUSTIN, TX 78759 website: PAPE-DAWSON.COM
Austin | San Antonio | Houston | Fort Worth | Dallas | New Braunfels Texas Engineering Firm #470 Texas Surveying Firm #10028801

EXHIBIT B
[SEE ATTACHED]

NOTICE OF HEARING

NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF THE MEADOWLARK PERSERVE PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended (the “Act”), notice is hereby given that the City Council of the City of Pflugerville, Texas (“City”), will hold a public hearing to accept public comments and discuss the petition (the “Petition”), filed by the Owners of all property within the District, requesting that the City create a public improvement district (the “District”) to include property owned by the Owners.

Time and Place of the Hearing. The public hearing will be held at Pflugerville City Council Chambers, 100 East Main Street, Suite 500, Pflugerville, Texas 78660, at 7:00 p.m., September 27, 2022.

General Nature of the Proposed Public Improvements. The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act (the “Authorized Improvements”) that are necessary for the development of the Property, which Authorized Improvements include: (i) the establishment of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, pavilions, community facilities, swimming pools, sidewalks, irrigation, walkways, lighting, benches, trash receptacles and any similar items located therein; (ii) landscaping; (iii) acquisition, construction, and improvement of water, wastewater and drainage facilities; (iv) acquisition, construction and improvement of streets, roadways, rights-of-way and related facilities; (v) entry monumentation and features; (vi) signage; (vii) projects similar to those listed in subsections (i) - (vi) above; and (viii) payment of costs associated with constructing and financing the public improvements listed in subparagraphs (i) - (vii) above, including costs of establishing, administering and operating the District.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements is \$25,000,000.00 (including issuance and other financing costs).

Proposed District Boundaries. The District is proposed to include approximately 97.882 acres of land generally located in Pflugerville, Travis County, Texas, as more particularly described by the legal description attached as **Exhibit A**.

Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and debt), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Proposed Apportionment of Cost between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the public improvement district property. No municipal property in the public improvement

district shall be assessed. Owners may also pay certain costs of the improvements from other funds available to the Owners.

EXHIBIT A

[See Attached]

PID LEGAL DESCRIPTION

Exhibit A



FIELD NOTES FOR "TRACT 1"

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BEGINNING at an iron rod with cap marked "SA Garza Engineers" found on a point in the south margin of Jesse Bohls Road, said point being in the west right-of-way line of Cameron Road, a variable width right-of-way, same being the northeast corner of said 50-acre tract for the northeast corner and **POINT OF BEGINNING** hereof;

THENCE S 27°09'09" W, with the west right-of-way line of said Cameron Road, same being the east boundary line of said 50-acre tract, and, in part, with the east boundary line of said 5.24-acre tract, a distance of **2519.38 feet** to a found mag nail with washer stamped "SPPC" found in the south side of a cedar fence post, being in the west right-of-way line of said Cameron Road, said point being the southeast corner of said 5.24-acre tract, same being the northeast corner of a called 10.290-acre tract (Tract 6) conveyed to SBJV Investments, LTD., recorded in Document No. 2017091667 of the Official Public Records of Travis County, Texas for the southeast corner hereof;

THENCE N 39°36'41" W, departing the west right-of-way line of said Cameron Road, with the south boundary line of said 5.24-acre tract, same being the north boundary line of said 10.290-acre tract, at a distance of 752.10 feet passing an iron rod with cap marked "Bryan Tech Services" found at the northwest corner of said 10.290-acre tract, same being the northeast corner of a called 84.3-acre tract (Tract 3) conveyed to SBJV Investments LTD, recorded said Document No. 2017091667, continuing with the south boundary line of said 5.24-acre tract, same being the north boundary line of said 84.3-acre tract, a total distance of **1127.67 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" found on a point in the east boundary line of a called 20.292-acre tract (Tract 5), conveyed to SBJV Investments LTD, recorded said Document No. 2017091667, at the west corner of said 5.24-acre tract, same being the southwest corner of said 50-acre tract, also being the northwest corner of said 84.3-acre tract for the southernmost southwest corner hereof;

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THENCE with the west boundary line of said 45-acre tract, same being the east boundary line of said 18.90-acre tract, and, in part, with the east margin of said Jesse Bohls Road, the following () courses and distances:

1. **N 26°45'16" E**, a distance of **348.02 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangent curvature hereof,
2. along the arc of a curve to the right, having a **radius of 380.00 feet**, a **central angle of 17°10'16"**, a **chord bearing and distance of N 35°20'24" E, 113.46 feet**, for an **arc length of 113.88 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of reverse curvature hereof,
3. along the arc of a curve to the left, having a **radius of 560.00 feet**, a **central angle of 17°07'55"**, a **chord bearing and distance of N 35°21'34" E, 166.82 feet**, for an **arc length of 167.44 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangency hereof, and
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THENCE along the arc of a curve to the right, with the southwest margin of said Jesse Bohls Road, said curve having a **radius of 260.00 feet**, a **central angle of 90°29'11"**, a **chord bearing and distance of N 71°59'51" E, 369.25 feet**, for an **arc length of 410.61 feet** to a ½" iron rod with yellow cap marked "Pape-Dawson" set for a point of tangency hereof,

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PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: May 17, 2021
JOB No.: 51160-00
DOC.ID.: H:\Survey\CIVIL\51260-00\Word\
FN51060-00_97.882Ac_Tract 1.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-01



Transportation | Water Resources | Land Development | Surveying | Environmental

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