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.
- <u>Section 3.</u> <u>Estimated Cost and Terms of the Proposed Construction of the Public Improvements.</u> The estimated cost of the proposed construction is \$25,000,000.00 (including costs of issuance and other financing costs).
- <u>Section 4.</u> <u>Boundaries.</u> 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.
- <u>Section 10.</u> <u>Reimbursement.</u> 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 Title: DWALY

THE STATE OF TEXAS COUNTY OF Williamson

THIS INSTRUMENT is acknowledged before me on this stady of LUC, a Delaware limited liability company, on behalf of such entity.

2022, by Meadowlark Preserve,

SAMANTHA ILACQUA Notary Public, State of Texas Comm. Expires 12-27-2022 Notary ID 130023632 Notary Public, State of Texa

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 EXECUTER'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 5 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:

- 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,
- 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,
- 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\

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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