RESOLUTION NO. 10-1350

A RESOLUTION CREATING, AUTHORIZING, AND ESTABLISHING THE GLADE PARKS PUBLIC IMPROVEMENT DISTRICT; AUTHORIZING ASSESSMENT METHOD AND COLLECTION SERVICE THEREOF; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

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

WHEREAS, on October 4, 2010, owners of real property located near the intersection of SH-121 and Cheek Sparger Road delivered to the City of Euless a Petition (the "Petition") to establish the Glade Parks Public Improvement District (the "District") that is shown on the map attached hereto and made a part hereof and labeled **Exhibit A** (the "PID Boundary"); and

WHEREAS, the Act states that the Petition is sufficient if signed by owners of more than 50 percent of taxable real property, according to appraised value, and either of the following: more than 50 percent of the area of all taxable real property liable for assessment under the proposal, or more than 50 percent of all record owners of property liable for assessment; and

WHEREAS, City staff has reviewed the Petition and determined that owners of more than 50 percent of the appraised value of the taxable real property liable for assessment, and owners of more than 50 percent of the area of all taxable real property liable for assessment within the District have executed the petition; and

WHEREAS, the Act further requires that prior to the adoption of the resolution providing for the establishment of the Glade Parks Public Improvement District to provide supplemental public improvements to be funded by assessments on real property and real property improvements, the City Council must hold a public hearing on the advisability of the improvements; the nature of the improvement; the estimated cost of the improvement; the boundaries of the public improvement district; the method of assessment; and the apportionment of costs between the district and the municipality as a whole; and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on November 23, 2010, conducted a public hearing on the advisability of the improvements, and adjourned such public hearing.

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

Section 1. Pursuant to the requirements of the Act, the City Council, after considering the Petition for the proposed District and the evidence and testimony presented at the public hearing on November 23, 2010, hereby finds and declares:

(a) Advisability of Improvements Proposed for the District. It is advisable to create the District to provide the improvements described in this Resolution.

(b) Nature of the Improvements. The general nature of the improvements to be performed by the District is to construct public infrastructure, produce pedestrian amenities and linkages and provide other improvements that are authorized by the Act.

(c) Estimated Cost of the Improvements. The total estimated cost of improvements provided by the District is approximately twelve million, one hundred thousand, six hundred and four dollars ($12,100,604). The estimated costs do not include any interest costs associated with debt service. The District shall incur no bonded indebtedness, but will be responsible for indebtedness, including principal, interest and other financing costs, incurred by the City of Euless to finance improvements that are listed as Authorized Improvements attached hereto and made a part here of and labeled **Exhibit B** (the "Authorized Improvements").

(d) Boundaries. The District is located wholly within the City of Euless, Texas. The boundaries of the District are shown on the map of the District (**Exhibit A**).

(e) Method of Assessment. The method of assessment is based on a variable assessment rate on the value of property in the Public Improvement District (PID) equal to the annual debt service costs incurred by the City of Euless to fund Authorized Improvements within the PID less any available incremental tax revenue generated from City of Euless Tax Increment Reinvestment Zone Number Three. The Service Plan will reflect the District's intention to reduce the annual assessment rate proportional to the annual incremental revenue received from City of Euless Tax Increment Reinvestment Zone Number Three.

(f) Apportionment of Cost Between District and Municipality. All of the costs of the Authorized Improvements will be paid from the assessments or available incremental tax revenue generated from the City of Euless Tax Increment Reinvestment Zone Number Three and from other sources of funds, if any, available to the Owner. The City will at no time be responsible to fund the costs of the Authorized Improvements with any revenue other than paid from the assessments

or that which is available in the City of Euless Tax Increment Reinvestment Zone Number Three.

The City of Euless is not responsible for payment of assessments against exempt City property in the District, which is specially benefited. Property owned by tax-exempt religious organizations will be exempt from assessment, as will property owned by persons receiving and qualifying for 65-or-older homestead exemption under Section 11.13 (c) or (d) of the Texas Property Tax Code. Payment of assessment by other exempt jurisdictions must be established by contract. No such contracts are in place, nor are any proposed. City rights-of-way and city parks are not subject to assessment. Properties otherwise exempt from ad valorem taxes are not subject to assessment.

(g) Assessment Roll and Setting of Rate. The City Manager shall annually prepare an assessment roll and file that roll with the City Secretary, in conformity with the exemptions from assessment established under subparagraph (f) above. The annual assessment installment for each year shall equal the City of Euless annual debt service for Authorized Improvements constructed under subparagraph (b) above less any available incremental tax revenue generated from City of Euless Tax Increment Reinvestment Zone Number Three.

(h) The findings set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The Glade Parks Public Improvement District is hereby authorized and established as a Public Improvement District under the Act in accordance with the findings as to the advisability of the improvements contained in this Resolution. The District shall be subject to all of the terms, conditions, limitations and reservations contained in the findings of Section 1 of this Resolution.

Section 3. The City Secretary is directed to give notice of the authorization for the establishment of the District by publishing the caption of this Resolution once in the newspaper of general circulation in the City of Euless. Such authorization shall take effect and the District shall be deemed to be established effective upon the publication of such notice. The District shall automatically dissolve on December 31, 2035 unless the District is renewed through the petition and approval process as provided by the Act or the District is sooner terminated as provided by law. The power of the City to continue to levy and collect assessments within the District will cease and the District will be dissolved upon the date that all indebtedness incurred by the City of Euless to finance the Authorized Improvements has been liquidated and a petition requesting dissolution is filed with the City Secretary of the City of Euless and the

petition contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

Section 4. The City Secretary will provide assessment collection services for collection of the special assessments.

Section 5. This Resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Euless and upon publication, and it is accordingly so resolved.

APPROVED at a regular meeting of the Euless City Council on the 14th day of December 2010 by a vote of 7 ayes, 0 nays, and 0 abstentions.

APPROVED:

Mary Lib Saleh

Mary Lib Saleh, Mayor

ATTEST:

Susan Crim

Susan Crim, TRMC, City Secretary

Exhibit A

Legend
PID Boundary
GLADE
AMBERLEY
QUEENSBURY
WEXFORD
PRESTWICK
CROSSGATE
WINEWOOD
WINDSOR
CAMBRIDGE
HERITAGE
HARRINGTON GARDENS
WILLIAM D TATE
121
CHAMPAGNE
CENTURION
GATEWAY
GRIZZLEY RUN
HIGH HAWK
LOST VALLEY
MID CITIES
CANVASBACK
FM 157
CHEEK SPARGER
LEXINGTON
BOWDEN HILL
PARKVIEW
WOODPARK
SILVERWOOD
CEDAR RIDGE
BAYLOR

Exhibit A

Beginning at the point of intersection of the west right-of-way (ROW) line of State Highway 121 and the north ROW line of Cheek Sparger Road, thence

Westward to a point where said line intersects with the western property line of Bbb & C RY Survey Abstract 204 Tracts 5 & 5e, thence

Northward along the west property of line Bbb & C RY Survey Abstract 204 Tracts 5 & 5e to a point where said line intersects with the western property line of Doss, Jesse Survey abstract 441 Tract 6B, thence

Northward along the west property line of Doss, Jesse Survey abstract 441 Tract 6B to a point where said line intersects with the western property line of Doss, Jesse Survey abstract 441 Tract 6B1, thence

Northward along the western property line of Doss, Jesse Survey abstract 441 Tract 6B1 to a point where said line intersects with the southern property line of the Doss, Jesse Survey Abstract 441 tract 3c, thence

West along the southern property line of the Doss, Jesse Survey Abstract 441 tract 3c to a point where said line intersects with the western property line of the Doss, Jesse Survey Abstract 441 tract 3c, thence

North along the western property line of the Doss, Jesse Survey Abstract 441 tract 3c to a point where said line intersects with the southern property line of Doss, Jesse Survey Abstract 441 Tract 5, thence

West along the southern property line of Doss, Jesse Survey Abstract 441 Tract 5 to a point where said property line intersects with the eastern ROW line of Heritage Avenue, thence

Northward along the eastern ROW line of Heritage Avenue to a point where said line intersects with the northern property line of Havins, John H Survey, Abstract 685 Tract 2A, thance

Eastward along the northern property line of Havins, John H Survey, Abstract 685 Tract 2A to a point where said line intersects with the western ROW line of State Highway 121, thence

Southward along the western ROW line of State Highway 121 to a point where said line intersects with the northern ROW line of , Cheek Sparger Road, which is the point of beginning

Exhibit B

Authorized Improvements	Estimated Costs
1) Construction of Rio Grand Boulevard	$3,911,023
2) Construction of Rio Grande Bridge	$1,016,065
3) Construction of Heritage Drive	$231,767
4) SH – 121 improvements	$1,297,164
5) Landscaping	$517,029
6) Wetland mitigation	$296,000
7) Construction of Brazos and remaining streets	$3,494,309
8) Main Entrance and Median (Chisolm Trail)	$587,247
9) Administrative & Financing Costs	$750,000
Total Costs	**$12,100,604***

* $12,100,604 does not include interest costs associated with financing the improvements.