

**A Resolution of the City of Plano, Texas, authorizing the establishment of the Collin Creek West Public Improvement District within the City of Plano, Texas, in accordance with Chapter 372 of the Texas Local Government Code, and authorizing and directing the publication of this resolution; providing for related matters and providing an effective date.**

**WHEREAS**, on December 15, 2020, the City Secretary of the City of Plano, Texas (the “City”), received a petition (the “Petition”) requesting creation of a public improvement district (the “District”) under Chapter 372 of the Texas Local Government Code (the “Act”), by (1) the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Collin County) in the proposed District, and (2) the record owners of taxable real property that constitute more than 50% of all the area of all taxable real property that is liable for assessment under the proposal or own 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 Petition, has been examined, verified, and found to meet the requirements of Section 372.005(b) of the Act, and to be sufficient for consideration by the City Council; and

**WHEREAS**, the boundaries of the proposed District are more fully set forth and described by metes and bounds in “**Exhibit A**” attached hereto, said area for the District being within the boundaries of the City; and

**WHEREAS**, after providing all the notices required by the Act, including the publication of the date for the public hearing and mailing of notice of the public hearing to property owners in a timely manner, the City, on February 8, 2021, conducted a public hearing on the advisability of the improvements and services described in the Petition; and

**WHEREAS**, after all persons having an interest in the creation of the District were given the opportunity to be heard, the City Council closed the public hearing;

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

**Section I.** The findings set forth in the recitals of this Resolution are hereby found to be true and correct and are incorporated herein for all purposes.

**Section II.** The Petition submitted to the City was filed with the City Secretary and complies with Section 372.005 of the Act.

**Section III.** Pursuant to the requirements of the Act, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on February 8, 2021, hereby finds and declares:

- (a) Advisability of the Proposed Improvements. It is advisable to create the District to provide the Authorized Improvements described in the Petition and this

Resolution. The Authorized Improvements will promote the interests of the City and will confer a special benefit on the property within the District.

- (b) The District shall be known as “Collin Creek West Public Improvement District.”
- (c) General Nature of the Authorized Improvements. The general nature of the proposed public improvements may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vii) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.
- (d) Estimated Cost of the Authorized Improvements. The estimated total costs of the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District, is \$32,000,000.00, which costs shall be paid by assessment of the property owners within the proposed District. The developer of the Property (the “Developer”) will be obligated for the costs of certain specified Authorized Improvements within the District. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on real property within the District, if created. The City and the Developer may be reimbursed for the costs of certain specified Authorized Improvements from assessments levied within the District. No municipal property in the District shall be assessed. The Developer may also pay certain costs of the Authorized Improvements from other funds available to the Developer.
- (e) Boundaries. The boundaries of the District shall include approximately 39.37 acres of land located within the City, as more properly described by metes and bounds in “**Exhibit A.**”
- (f) Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in the imposition of an equal share of the costs of Authorized Improvements for each parcel within the District similarly

benefitted by such Authorized Improvements. The proposed method of assessment shall be determined by the City in accordance with the provisions of the Act in a manner that results in imposing equal shares of the cost on property similarly benefitted. The assessments may be paid in full at any time (including accrued and unpaid interest, if any), and certain assessments may be paid in annual installments (including accrued and unpaid interest, if any). 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 in part by the assessment, and must continue for a period necessary to retire the indebtedness on those Authorized Improvements (including any interest and principal amortization). A report will be prepared showing the special benefit accruing to the property in the District and how the costs of the public improvements are assessed to property on the basis of special benefit.

- (g) Apportionment of Cost between the City and the District. The City will not be obligated to provide any funds to finance the Authorized Improvements other than from assessments levied on properties in the District.
- (h) Management of the District. The District shall be managed by the City with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.
- (i) Advisory Body. The District shall be managed without the creation of an advisory body.

**Section IV.** The Collin Creek West Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution; the nature and the estimated costs of the Authorized Improvements; the boundaries of the District; the method of assessment; and the apportionment of costs as described herein; and the determination that the District is needed to fund such Authorized Improvements.

**Section V.** The City Secretary is authorized and directed to give notice of this Resolution and the authorization for the establishment of the Collin Creek West Public Improvement District by publishing a copy of this Resolution along with such notice once in a newspaper of general circulation within the City. Such authorization shall take effect and the Collin Creek West Public Improvement District shall be deemed to be established effective upon the publication of such notice.

**Section VI.** This Resolution shall take effect and be in full force and effect immediately from and after the date of its passage and publication, and it is so resolved; and all Resolutions of the City Council of the City in conflict herewith are hereby amended or repealed to the extent of such conflict.

**DULY PASSED AND APPROVED** on this 8<sup>th</sup> day of February, 2021.

---

Harry LaRosiliere, MAYOR

**ATTEST:**

---

Lisa C. Henderson, CITY SECRETARY

**APPROVED AS TO FORM:**

---

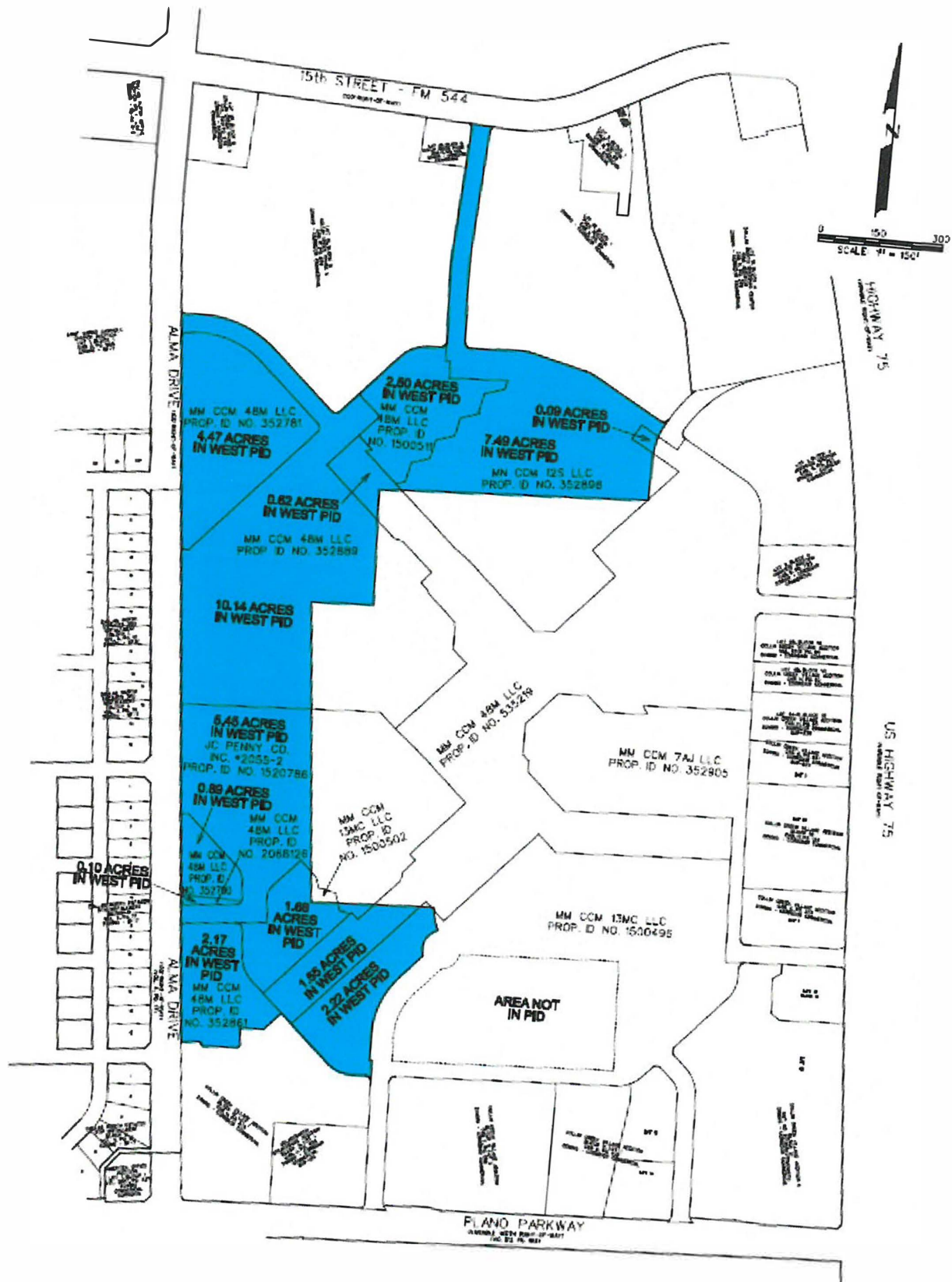
Paige Mims, CITY ATTORNEY

**EXHIBIT A**

BOUNDARIES AND MAP

PROPERTY METES AND BOUNDS

# BOUNDARIES AND MAP



**Collin Creek West Public Improvement District**

**39.37 Acres**

## PROPERTY METES AND BOUNDS

PID West Legal Description – Approximately 39.37 Acres

BEING a tract of land situated in the Joseph Klepper Survey, Abstract No. 213 and the Samuel Klepper Survey, Abstract No. 216, in the City of Plano, Collin County, Texas, being all of Lot 7 Block A and part of Lots 1,2 & 6, Block A, of the Second Filing of Regional Mall Addition, an addition to the City of Plano, recorded in Cabinet C, Page 319, in the Map Records of Collin County, Texas, being more particularly described as follows:

BEGINNING at a PK Nail set at a northwest corner of said Regional Mall Addition, same being the southwest corner of Lot 1R, Block B, Collin Creek Phase II, an addition to the City of Plano, records in Cabinet P, Page 989, in said Map Records, being in the east line of Alma Drive (called 100-foot right-of-way), said point also being on a curve to the left, having a radius of 30.00 feet and a central angle of  $44^{\circ}25'24''$ ;

THENCE with the northerly line of said Regional Mall Addition and the south line of said Collin Creek Phase II, an arc distance of 23.26 feet (Chord Bearing South  $72^{\circ}52'08''$  East 22.68 feet), to an "X" found in concrete at the point of tangency;

THENCE North  $84^{\circ}55'10''$  East, continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, a distance of 19.73 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the right, having a radius of 360.00 feet and a central angle of  $47^{\circ}43'00''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, and with said curve to the right, an arc distance of 299.81 feet (Chord Bearing South  $71^{\circ}13'20''$  East 291.22 feet) to a 1/2-inch iron rod found at the point of tangency;

THENCE South  $47^{\circ}21'50''$  East, continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, a distance of 275.51 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the left, having a radius of 20.00 feet and a central angle of  $90^{\circ}00'00''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, and with said curve to the left, an arc distance of 31.42 feet (Chord Bearing North  $87^{\circ}38'10''$  East 28.28 feet), to a Magnail set at the point of tangency;

THENCE North  $42^{\circ}38'10''$  East, continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, a distance of 267.84 feet to a nail found at the point of curvature of a curve to the right, having a radius of 119.50 feet and a central angle of  $45^{\circ}00'00''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, and with said curve to the right, an arc distance of 93.86 feet (Chord Bearing North  $65^{\circ}08'10''$  East 91.46 feet), to an "X" found in concrete at the point of tangency;

THENCE North  $87^{\circ}38'10''$  East, continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, a distance of 44.00 feet to an "X" found in concrete at the point of curvature of a curve to the left, having a radius of 20.00 feet and a central angle of  $90^{\circ}00'00''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the south line of said Collin Creek Phase II, and with said curve to the left, an arc distance of 31.42 feet (Chord Bearing North  $42^{\circ}38'10''$  East 28.28 feet), to an "X" set in concrete at the point of tangency, being in the east line of said Lot 1R

THENCE North  $02^{\circ}21'50''$  West, continuing with the northerly line of said Regional Mall Addition and with the east line of said Collin Creek Phase II, a distance of 199.99 feet to a nail found at the point of curvature of a curve to the right, having a radius of 1,030.00 feet and a central angle of  $06^{\circ}00'30''$ ;

THENCE, continuing with the northerly line of said Regional Mall Addition and the east line of said Collin Creek Phase II, an arc distance of 108.01 feet (Chord Bearing North  $00^{\circ}38'25''$  East 107.96 feet) to a PK Nail set at the point of tangency;

THENCE North  $03^{\circ}38'40''$  East, continuing with the northerly line of said Regional Mall Addition and with the east lines of said Collin Creek Phase II and Lot 3R, Block B, Collin Creek Phase II, an addition to the City of Plano, recorded in Cabinet H, Page 408, in said Map Records, a distance of 392.14 feet to a PK Nail set at the point of curvature of a curve to the left, having a radius of 30.00 feet and a central angle of  $41^{\circ}45'15''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the east line of said Lot 3R, an arc distance of 21.86 feet (Chord Bearing North  $17^{\circ}13'58''$  West 21.38 feet), to a PK Nail set at the northeast corner of said Lot 3R, being in the south line of FM 544 15th Street (100-foot right-of-way);

THENCE South  $86^{\circ}21'20''$  East, continuing with the northerly line of said Regional Mall Addition and with the south line of said FM 544, a distance of 76.34 feet to a PK Nail set at the northwest corner of Pace Addition, an addition to the City of Plano, recorded in Cabinet K, Page 90, in said Map Records, said point being on a curve to the left, having a radius of 30.00 feet and a central angle of  $44^{\circ}49'28''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the west line of said Pace Addition, and with said curve to the left, an arc distance of 23.47 feet (Chord Bearing South  $26^{\circ}03'24''$  West 22.88 feet), to a PK Nail set at the point of tangency;

THENCE South  $03^{\circ}38'40''$  West, continuing with the northerly line of said Regional Mall Addition and the west line of said Pace Addition, a distance of 390.97 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the left, having a radius 970.00 feet and a central angle of  $06^{\circ}00'30''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the west line of said Pace Addition, and with said curve to the left, an arc distance of 101.72 feet (Chord Bearing South  $00^{\circ}38'25''$  West 101.67 feet), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of tangency;

THENCE South  $02^{\circ}21'50''$  East, continuing with the northerly line of said Regional Mall Addition and with the west line of said Pace Addition, a distance of 200.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the left, having a radius of 20.00 feet and a central angle of  $90^{\circ}00'00''$ ;

THENCE continuing with the northerly line of said Regional Mall Addition and with the west line of said Pace Addition, and with said curve to the left, an arc distance of 31.42 feet (Chord Bearing South  $47^{\circ}21'50''$  East 28.28 feet), to an "X" set in concrete at the point of tangency, being in the south line of said Pace Addition;

THENCE North  $87^{\circ}38'10''$  East, continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, a distance of 162.94 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the right, having a radius of 119.50 feet and a central angle of  $16^{\circ}15'00''$ ;

THENCE continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, and with said curve to the right, an arc distance of 33.89 feet (Chord Bearing South  $84^{\circ}14'22''$  East 33.78 feet), to an "X" set in concrete at the point of tangency;

THENCE South  $76^{\circ}06'50''$  East, continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, a distance of 194.97 feet to a Magnail set at the point of curvature of a curve to the right, having a radius of 119.50 feet and a central angle of  $16^{\circ}15'00''$ ;

THENCE continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, and with said curve to the right, an arc distance of 33.89 feet (Chord Bearing South  $67^{\circ}59'22''$  East 33.78 feet), to an "X" set in concrete at the point of tangency;

THENCE South  $59^{\circ}51'50''$  East, continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, a distance of 258.64 feet to an "X" set in concrete at the point of curvature of a curve to the left, having a radius of 20.00 feet and a central angle of  $90^{\circ}00'00''$ ;

THENCE continuing with the northerly line of said Regional Mall and the south line of said Pace Addition, and with said curve to the left, an arc distance of 31.42 feet (Chord Bearing North  $75^{\circ}08'10''$  East 28.28 feet), to an "X" set in concrete;

THENCE, South 30°30'03" West, departing said northerly line, for a distance of 35.29 feet, to a point on a curve to the left, having a radius of 231.50 feet, a central angle of 25°20'15";

THENCE, along said curve to the left for an arc distance of 102.38 feet (Chord Bearing South 13°18'43" West - 101.54 feet), to a point of tangency;

THENCE, South 00°38'35" West, for a distance of 140.77 feet;

THENCE, South 87°38'43" West, for a distance of 810.01 feet;

THENCE, South 84°55'10" West, for a distance of 64.65 feet, on a curve to the right, having a radius of 281.50 feet, a central angle of 05°48'35";

THENCE, along said curve to the right for an arc distance of 28.54 feet (Chord Bearing South 05°15'35" East - 28.53 feet), at the point of tangency

THENCE, South 02°21'17" East, for a distance of 347.71 feet;

THENCE, South 87°20'25" West, for a distance of 204.53 feet;

THENCE, South 05°04'48" East, for a distance of 987.92 feet;

THENCE, North 87°38'43" East, for a distance of 402.25 feet, to a point on a non-tangent curve to the left, having a radius of 213.50 feet, a central angle of 21°14'45";

THENCE, along said curve to the left for an arc distance of 79.17 feet (Chord Bearing South 14°31'32" East - 78.72 feet), to a point on a non-tangent curve to the left, having a radius of 64.36 feet, a central angle of 95°02'21";

THENCE, along said curve to the left for an arc distance of 106.76 feet (Chord Bearing South 25°34'47" West - 94.94 feet);

THENCE, South 42°39'24" West, for a distance of 104.89 feet, to a point of curvature of a curve to the left, having a radius of 286.50 feet, a central angle of 44°43'15";

THENCE, along said curve to the left for an arc distance of 223.62 feet (Chord Bearing South 20°17'46" West - 217.99 feet);

THENCE, South 02°03'52" East, for a distance of 76.98 feet;

THENCE, North 87°26'22" East, for a distance of 6.16 feet;

THENCE, South  $02^{\circ}33'38''$  East, for a distance of 70.02 feet, to a 1/2-inch iron rod found in the southerly line of said Regional Mall Addition and the east line of Collin Creek Village Addition, Block IV, Lot 1 an addition to the City of Plano, recorded in Cabinet H, Page 433, in said Map Records being on a curve to the left, having a radius of 20.00 feet and a central angle of  $90^{\circ}00'00''$ ;

THENCE continuing with the southerly line of said Regional Mall Addition and the east line of said Collin Creek Village Addition, Block IV, Lot 1, an arc distance of 31.42 feet (Chord Bearing North  $47^{\circ}21'50''$  West 28.28 feet), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of tangency;

THENCE South  $87^{\circ}38'10''$  West, continuing with the southerly line of said Regional Mall Addition and with northerly line of said Collin Creek Village Addition, Block IV, Lot 1, a distance of 40.00 feet to an "X" in concrete found at the point of curvature of a curve to the right, having a radius of 119.50 feet and a central angle of  $45^{\circ}00'00''$ ;

THENCE continuing with the southerly line of said Regional Mall Addition and the northerly line of said Collin Creek Village Addition, Block IV, Lot 1, an arc distance of 93.86 feet (Chord Bearing North  $69^{\circ}51'50''$  West 91.46 feet), to a 1-inch iron rod found at the point of tangency;

THENCE North  $47^{\circ}21'50''$  West, continuing with the southerly line of said Regional Mall Addition and the northerly line of said Collin Creek Village Addition, Block IV, Lot 1, a distance of 224.59 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northernmost corner of said Collin Creek Village Addition, Block IV, Lot 1 and the southeast corner of a tract of land described as "Vacant Property - Tract A", in a deed to JPMCCM 2201-CIBC2 Collin Creek Mall, LLC, recorded in Instrument No. 20150430000496790, in said Deed Records,

THENCE South  $42^{\circ}38'10''$  West, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and with the southerly line of said "Vacant Property Tract A", a distance of 77.87 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South  $87^{\circ}38'10''$  West, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", a distance of 77.64 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South  $05^{\circ}04'50''$  East, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", a distance of 54.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the right, having a radius of 10.00 feet and a central angle of  $92^{\circ}43'00''$ ;

THENCE continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", and with said curve to the right, an arc distance of 16.18 feet (Chord Bearing South  $41^{\circ}16'40''$  West 14.47 feet), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of tangency;

THENCE South  $87^{\circ}38'10''$  West, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", a distance of 107.91 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of curvature of a curve to the right, having a radius of 10.00 feet and a central angle of  $87^{\circ}17'00''$ ;

THENCE continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", and with said curve to the right, an arc distance of 15.23 feet (Chord Bearing North  $48^{\circ}43'20''$  West 13.80 feet), to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the point of tangency;

THENCE North  $05^{\circ}04'50''$  West, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", a distance of 5.00 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set;

THENCE South  $84^{\circ}55'10''$  West, continuing with the northerly line of said Collin Creek Village Addition, Block IV, Lot 1 and the southerly line of said "Vacant Property Tract A", a distance of 65.49 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" set at the northwest corner of said Collin Creek Village Addition, Block IV, Lot 1 and the southwest corner of said "Vacant Property Tract A", also being in the east line of Alma Drive (100 foot right-of-way);

THENCE North  $05^{\circ}04'50''$  West, with the west line of said "Vacant Property Tract A", the west line of said Regional Mall Addition, the west line of a tract of land described as "Vacant Property - Tract B" in a deed to JPMCCM 2201-CIBC2 Collin Creek Mall, LLC, recorded in Instrument No. 20150430000496790, in said Deed Records, and with the east line of said Alma Drive, a distance of 2403.56 feet to the POINT OF BEGINNING and containing 39.37 acres of land.