

A Resolution of the City of Plano, Texas, authorizing the establishment of the Haggard Farm 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 filing of this Resolution; providing for related matters and providing an effective date.

WHEREAS, on November 30, 2022, 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, as amended (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 under the proposal (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 liable for assessment under the proposal who (A) constitute more than 50% of all record owners of property that is liable for assessment under the proposal or (B) 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 and depicted in "**Exhibit A**" (the "Property") attached hereto and incorporated herein for all purposes, 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 notice of the public hearing in an official newspaper of general circulation in the City and mailing of notice of the public hearing to property owners in a timely manner, all as required by and in conformity with the Act, the City, on January 9, 2023, conducted a public hearing on the advisability of the improvements and services described in the Petition and the creation of the District; 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 on the advisability of the improvements and services on January 9, 2023.

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 January 9, 2023, hereby finds and declares:

- (a) Advisability of the Proposed Improvements. It is advisable to create the District to provide the Authorized Improvements (as defined and described below) The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.
- (b) The District shall be known as “Haggard Farm Public Improvement District.”
- (c) General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the “Authorized Improvements”) to be provided by the District that are necessary for the development of the Property within the District and which shall promote the interest of the City and confer a special benefit upon the Property, 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; and (vii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, including costs incurred in connection with the issuance of bonds for such projects, 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 cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the District is \$115,000,000 plus the annual cost of supplemental services, if any. The City will pay no costs of the Authorized Improvements or supplemental services costs from funds other than assessments levied on property within the District. The remaining costs of the proposed improvements will be paid from sources other than those described above.

- (e) Boundaries. The boundaries of the District shall include approximately 142.49 acres of land located North of Windhaven Parkway, South of Spring Creek Parkway and East of Parkwood Boulevard, within the City, as more particularly described by metes and bounds and more particularly depicted in “**Exhibit A**” attached hereto.
- (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 the Authorized Improvements on property within the District similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). 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 incurred to pay the costs of those Authorized Improvements (including interest). 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 and collected from property within the District. No City property shall be assessed. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the District and from other sources of funds available to the Petitioners.
- (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 Board. The District shall be managed without the creation of an advisory board.

Section IV. The Haggard Farm Public Improvement District is hereby authorized and approved 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 hereby authorizes and directs the City Secretary, on or before January 16, 2023, in accordance with the Act, to file a copy of this Resolution authorizing the District with the county clerk of each county in which all or part of the public improvement district is located.

Section VI. Effective upon the date of the passage of this Resolution, the District shall be established.

Section VII. This Resolution shall take effect and be in full force and effect immediately from and after the date of its passage.

PASSED AND APPROVED on the 9th day of January, 2023.

By: _____
John B. Muns, MAYOR

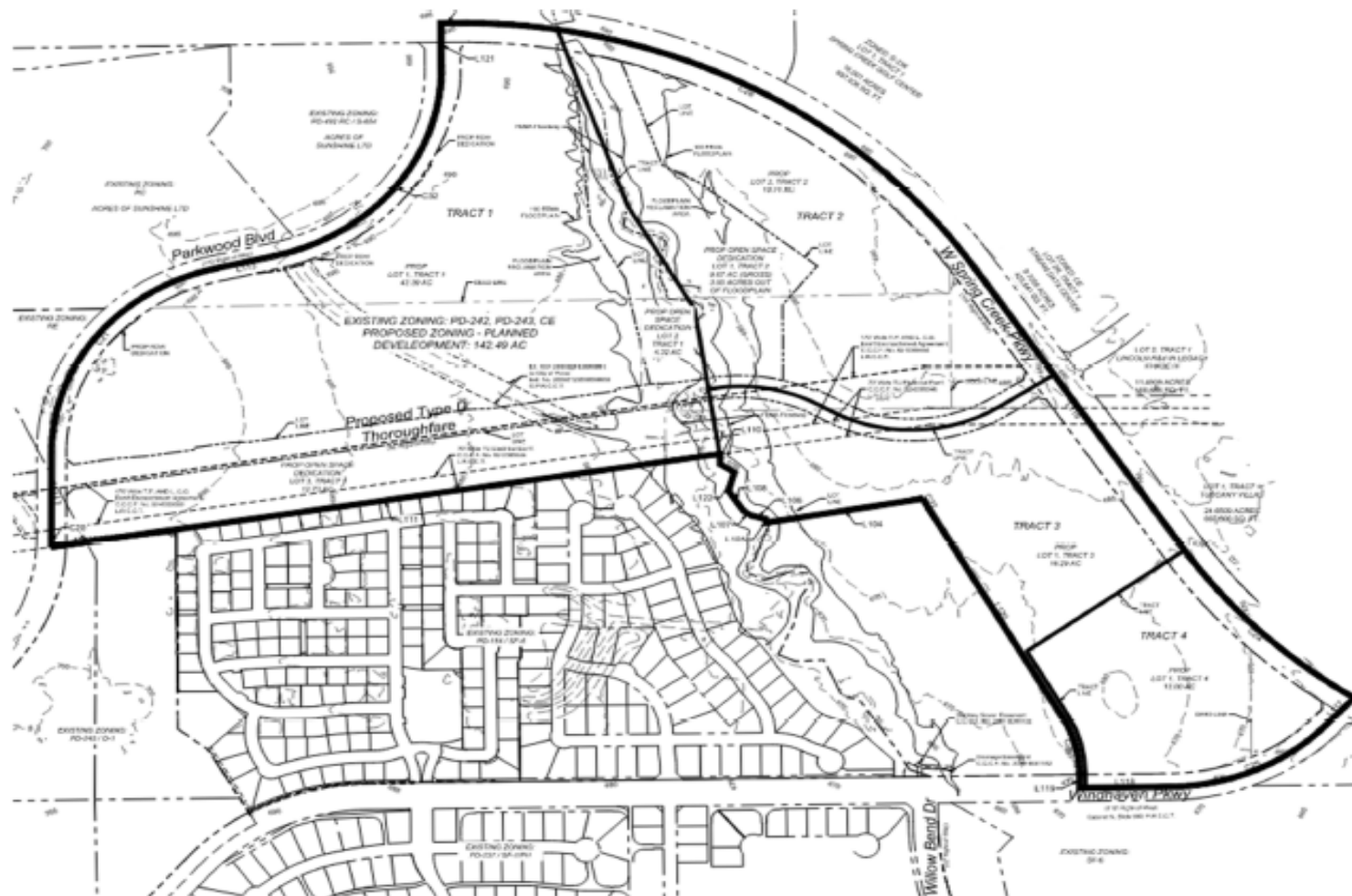
ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

EXHIBIT A
BOUNDARIES AND MAP



PROPERTY METES AND BOUNDS

ZONING DESCRIPTION

142.49 ACRES

BEING a tract of land situated in the Maria Cantalina Vela Survey, Abstract No. 935, City of Plano, Collin County, Texas; and being part of Windhaven Parkway, Spring Creek Parkway and Parkwood Boulevard and being part of a tract of land described in Special Warranty Deed to Haggard Enterprises Limited, LTD. recorded in Volume 2523, Page 172 of the Land Records of Collin County, Texas and being part of a tract of land described in Special Warranty Deed to Haggard Enterprises Limited, LTD. recorded in Volume 2739, Page 967 of said Land Records and being part of a tract of land described in Special Warranty Deed, Bill of Sale and Assignment to Acres of Sunshine, LTD. recorded in Volume 4227, Page 835 of the Land Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Spring Creek Parkway (a variable width right-of-way) and the centerline of Windhaven Parkway (a variable width right-of-way);

THENCE with said centerline of Windhaven Parkway, the following courses and distances:

South 42°22'41" West, a distance of 158.86 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 46°00'40", a radius of 800.00 feet, a chord bearing and distance of South 66°13'45" West, 625.31 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 642.44 feet to a point for corner;

South 89°14'05" West, a distance of 337.88 feet to a point for corner;

THENCE said centerline of Windhaven Parkway, the following courses and distances:

North 0°00'00" East, a distance of 63.50 feet to a point at the beginning of a tangent curve to the left having a central angle of 29°35'57", a radius of 450.00 feet, a chord bearing and distance of North 14°47'58" West, 229.89 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 232.47 feet to a point for corner;

North 29°36'05" West, a distance of 1011.83 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 5°58'43", a radius of 441.64 feet, a chord bearing and distance of North 27°16'14" West, 46.06 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 46.08 feet to a point for corner;

South 80°03'46" West, a distance of 584.73 feet to a point in the east line of Lot 58, Block A, Common Open Space, Avignon Windhaven, Phase 3 an addition to the City of Plano according to the plat recorded in Instrument No. 20111209010002540 of the Official Public Records of Collin County, Texas; and being in the approximate centerline of Creek Number 5B29;

THENCE with the east line of said Lot 58 and said approximate centerline of Creek Number 5B29, the following courses and distances:

North 24°50'38" West, a distance of 17.56 feet to a point for corner;
North 75°15'49" West, a distance of 53.86 feet to a point for corner;
North 55°19'20" West, a distance of 34.91 feet to a point for corner;
North 33°59'39" West, a distance of 99.90 feet to a point for corner;
North 15°48'40" East, a distance of 80.20 feet to a point for corner;
North 56°15'56" West, a distance of 62.96 feet to a point for corner;
North 0°28'11" West, a distance of 42.59 feet to the northeast corner of said Lot 58;

THENCE with the north line of said Block A, Avignon Windhaven, Phase 3, South 81°04'33" West, passing at a distance of 691.05 feet the northwest corner of said Block A, Avignon Windhaven, Phase 3 and the northeast corner of Lot 38, Block A, Avignon Windhaven, Phase 2 an addition to the City of Plano according to the plat recorded in Instrument No. 20091008010002560 of the Official Public Records of Collin County, Texas, continuing with north line of said Block A, Avignon Windhaven, Phase 2, passing at a distance of 1126.56 feet the northwest corner of said Block A, Avignon Windhaven, Phase 2 and the northeast corner of Lot 31, Block A, Avignon Windhaven, Phase 1 an addition to the City of Plano according to the plat recorded in Cabinet R, Slide 205 of the Map Records of Collin County, Texas, continuing with the north line of said Block A, Avignon Windhaven, Phase 1, passing at a distance of 2040.83 feet the northeast corner of said Block A, Avignon Windhaven, Phase 1, continuing in all a total distance of 2505.50 feet to a point for corner in said centerline of Parkwood Boulevard; said point also being at the beginning of a non-tangent curve to the left having a central angle of 2°41'09", a radius of 774.92 feet, a chord bearing and distance of North 1°21'12" East, 36.32 feet;

THENCE with said centerline of Parkwood Boulevard, the following courses and distances:

In a northeasterly direction, with said curve to the left, an arc distance of 36.32 feet to a point at the end of said curve;
North 0°00'44" East, a distance of 359.06 feet to a point at the beginning of a tangent curve to the right having a central angle of 76°22'01", a radius of 789.72 feet, a chord bearing and distance of North 38°11'45" East, 976.38 feet;
In a northeasterly direction, with said curve to the right, an arc distance of 1052.58 feet to a point at the end of said curve;
North 76°22'45" East, a distance of 230.20 feet to a point at the beginning of a tangent curve to the left having a central angle of 76°59'40", a radius of 805.00 feet, a chord bearing and distance of North 37°52'55" East, 1002.19 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 1081.76 feet to a point at the end of said curve;
North 0°36'55" West, a distance of 180.53 feet to at the intersection of the centerline of Spring Creek Parkway (a variable width right-of-way) and the centerline of Parkwood Boulevard (a variable width right-of-way);

THENCE with said centerline of Spring Creek Parkway, the following course and distances:

North 89°12'46" East, a distance of 47.67 feet to a point at the beginning of a tangent curve to the right having a central angle of 57°23'42", a radius of 2270.36 feet, a chord bearing and distance of South 62°05'23" East, 2180.39 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 2274.29 feet to a point for corner;

South $33^{\circ}23'29''$ East, a distance of 1403.39 feet to a point at the beginning of a tangent curve to the left having a central angle of $23^{\circ}53'29''$, a radius of 2153.93 feet, a chord bearing and distance of South $45^{\circ}20'14''$ East, 891.66 feet;

In a southeasterly direction with said curve to the left, an arc distance of 898.15 feet to the **POINT OF BEGINNING** and containing 142.49 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.