

**RESOLUTION NO. 877**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE 9<sup>TH</sup> STREET RESIDENTIAL PARTNERSHIP MAINTENANCE PUBLIC IMPROVEMENT DISTRICT CITY OF TERRELL PID NO. 4.**

**WHEREAS**, on November 20, 2017, there was presented to the City of Terrell, Texas, (the "City") a Petition seeking the authorization to establish the 9<sup>th</sup> Street Residential Partnership Maintenance Public Improvement District City of Terrell PID No. 4 (the "District") within the City pursuant to Chapter 372, Texas Local Government Code; and

**WHEREAS**, said Petition, attached hereto as Exhibit "A" and made a part hereof for all purposes, described public improvements that the property owners desire to be made within the District; and

**WHEREAS**, the City Council called a public hearing held on January 16, 2018, with respect to the creation of the District and determined the advisability of the proposed improvements.

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


**Section 1.** That the City Council of the City of Terrell, Texas, accepts the Petition for the Establishment of the 9<sup>th</sup> Street Residential Partnership Maintenance Public Improvement District City of Terrell PID No. 4.

**Section 2.** That the City Council authorizes the creation of the proposed District as described in Exhibit "A".


**Section 3.** That the City Secretary is hereby authorized and directed to publish notice of the creation of the District in a newspaper of general circulation in the City.

**Section 4.** That this Resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED this 16th day of January, 2018.

  
\_\_\_\_\_  
D. J. ORY, Mayor

ATTEST:

  
\_\_\_\_\_  
JOHN ROUNSAVALL, City Secretary

STATE OF TEXAS )  
 )  
COUNTY OF KAUFMAN )

**PETITION FOR THE ESTABLISHMENT OF  
9<sup>th</sup> STREET RESIDENTIAL PARTNERSHIP MAINTENANCE PUBLIC  
IMPROVEMENT DISTRICT CITY OF TERRELL PID NO. 4  
("PETITION")**

**TO THE CITY COUNCIL, CITY OF TERRELL, TEXAS**

COMES NOW,

TERRELL FOREST CREEK, LP ("Company")  
4500 Sterling Lane  
Plano, Texas 75093

TERRELL CREEKSIDE DEVELOPMENT, LP ("Company")  
4500 Sterling Lane  
Plano, Texas 75093

MAN-TO-MAN MINISTRIES ("Company")  
4500 Sterling Lane  
Plano, Texas 75093

CITY OF TERRELL, TEXAS  
201 East Nash Street  
Terrell, Texas 75160

the owners of taxable real property in the City of Terrell, Texas, and pursuant to Section 372.005 of the Texas Local Government Code, who hereby petition the City Council of the City of Terrell, Texas ("City"), to conduct a hearing on this Petition, pursuant to Section 372.009 of the Texas Local Government Code, in anticipation of the establishment of a Public Improvement District to be known as the 9<sup>th</sup> Street Residential Partnership Maintenance Public Improvement District City of Terrell PID #4 (the "District"). In support of same, Owners would respectfully show the following:

I.

The boundaries of the proposed District are set forth in Exhibit "A" attached hereto and incorporated by reference herein.

II.

The general purpose and nature of the District will be to provide general maintenance of

the land area by providing mowing services and maintenance of landscaping of newly established public rights of way within its boundaries. It is estimated that the cost of these services will be \$35,000.00 annually.

### III.

The proposed method of assessment is the governing body of the City will levy assessments for the costs of maintenance on each parcel within the proposed District in a manner that results in imposing equal shares of the costs on property similarly benefited. The proposed PID assessment level on the projected 480 homes to be built in the District is \$0.03 per \$100.00 of valuation for the land and improvement values of all taxable property with building improvements on parcels new to the Kaufman County tax rolls after January 1, 2018. Company will assume the costs of maintenance over and above income provided by the assessment. Maintenance of any City park lands within the boundary of the District will be paid by the City. This PID is proposed not to terminate, however, the City Council may reduce the PID assessment if it is deemed by the City to be an excess of the minimum sum necessary to maintain landscaping in the public right of way in the District.

### IV.

The management of the District will be by the City.

### V.

The persons or entities (through authorized representatives) signing this Petition request or concur with the establishment of the District.

### VI.

It is acknowledged that an Advisory Body will not be established to develop and recommend an "improvement plan" to the City Council of the City of Terrell regarding the proposed maintenance plan.

### VII.

The persons or entities (through authorized representatives) signing this Petition are also owners of taxable real property representing more than fifty percent (50%) of the appraised value of taxable real property liable for assessment under this proposal as determined by the current roll of the appraisal district in which the property is located and the record owners of real property liable for assessment under this proposal who (a) constitute more than fifty percent (50%) of all record owners of property that are liable for assessment under this proposal, and (b) own taxable real property that constitute more than fifty percent (50%) of the area of all taxable real property that is liable for assessment under this proposal.

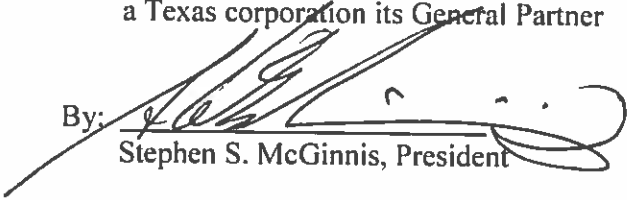
VIII.

This Petition will be filed with the City Secretary of the City of Terrell, Texas.

EXECUTED this 15<sup>th</sup> day of December, 2017.

TERRELL FOREST CREEK II, L.P.  
a Texas limited partnership

By: Terrell/Forest Creek Development, Inc.  
a Texas corporation its General Partner

By:   
Stephen S. McGinnis, President

TERRELL CREEKSIDE DEVELOPMENT, L.P.  
a Texas limited partnership

By: Terrell/Forest Creek Development, Inc.  
a Texas corporation its General Partner

By:   
Stephen S. McGinnis, President

MAN-TO-MAN MINISTRIES  
a Texas Non-Profit Corporation

By:   
Stephen S. McGinnis, President

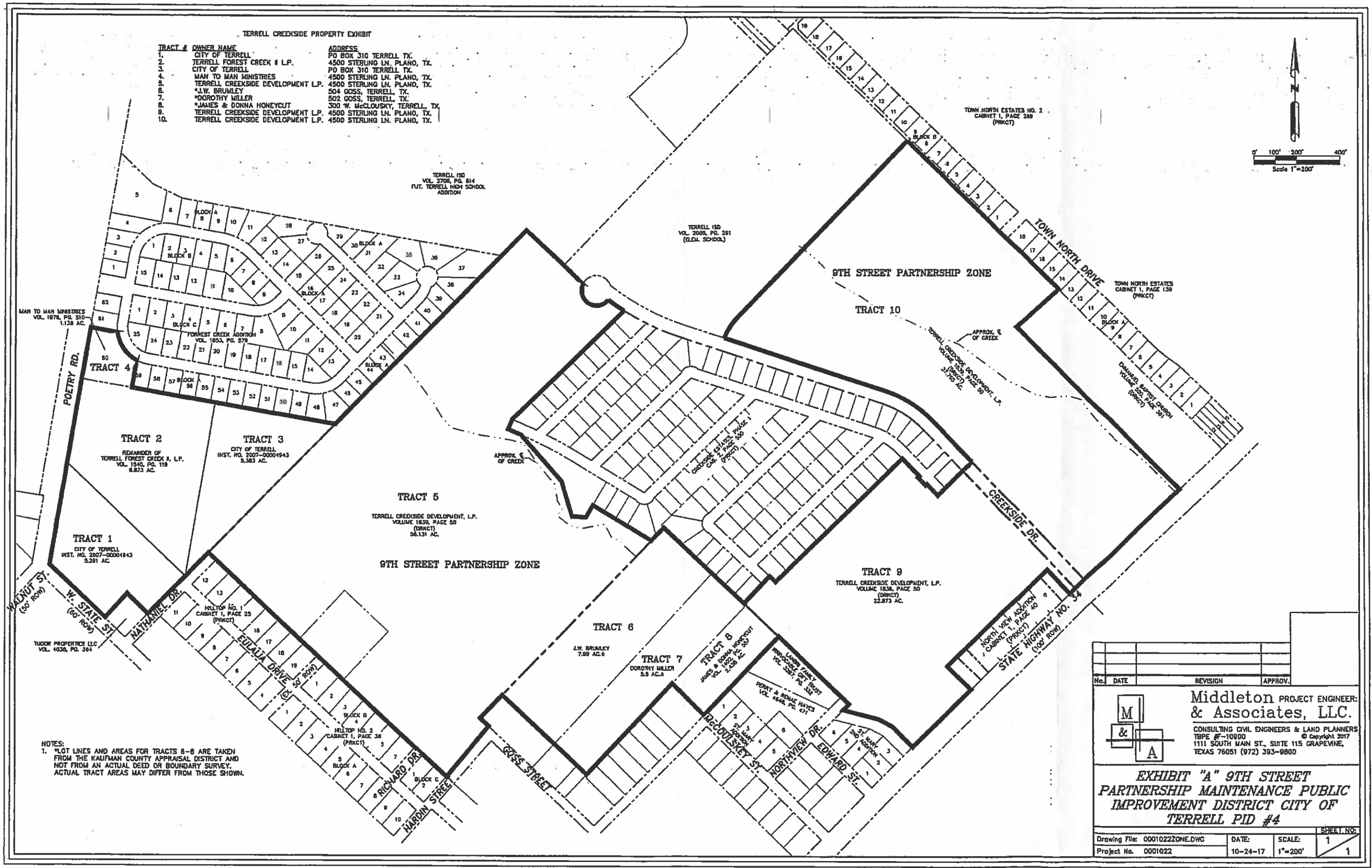
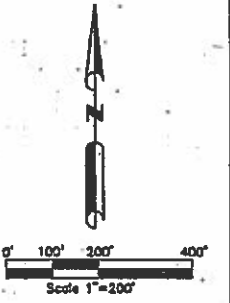
CITY OF TERRELL, TEXAS

By: 

EXHIBIT "A"  
"The District: The 9<sup>th</sup> Street Residential Partnership Zone"

TERRELL CREEKSIDE PROPERTY EXHIBIT

TRACT #	OWNER NAME	ADDRESS
1.	CITY OF TERRELL	PO BOX 310 TERRELL, TX.
2.	TERRELL FOREST CREEK # L.P.	4500 STERLING LN. PLANO, TX.
3.	CITY OF TERRELL	PO BOX 310 TERRELL, TX.
4.	MAN TO MAN MINISTRIES	4500 STERLING LN. PLANO, TX.
5.	TERRELL CREEKSIDE DEVELOPMENT L.P.	4500 STERLING LN. PLANO, TX.
6.	*J.W. BRUMLEY	504 GOSS, TERRELL, TX.
7.	*DOROTHY MILLER	502 GOSS, TERRELL, TX.
8.	*JAMES & DONNA HONEYCUT	300 W. McCLIOUSKY, TERRELL, TX.
9.	TERRELL CREEKSIDE DEVELOPMENT L.P.	4500 STERLING LN. PLANO, TX.
10.	TERRELL CREEKSIDE DEVELOPMENT L.P.	4500 STERLING LN. PLANO, TX.



NOTES:  
 1. \*LOT LINES AND AREAS FOR TRACTS 6-8 ARE TAKEN FROM THE KAUFMAN COUNTY APPRAISAL DISTRICT AND NOT FROM AN ACTUAL DEED OR BOUNDARY SURVEY. ACTUAL TRACT AREAS MAY DIFFER FROM THOSE SHOWN.

No.	DATE	REVISION	APPROV.

**Middleton PROJECT ENGINEER:  
& Associates, LLC.**

CONSULTING CIVIL ENGINEERS & LAND PLANNERS  
 TBPE #10900 © Copyright 2017  
 1111 SOUTH MAIN ST., SUITE 115 GRAPEVINE,  
 TEXAS 76051 (972) 393-9800

**EXHIBIT "A" 9TH STREET  
 PARTNERSHIP MAINTENANCE PUBLIC  
 IMPROVEMENT DISTRICT CITY OF  
 TERRELL PID #4**

Drawing File: 0001022ZONE.DWG	DATE: 10-24-17	SCALE: 1"=200'	SHEET NO: 1
Project No. 0001022			1