

A Resolution

No. 3060

ESTABLISHING FORT WORTH PUBLIC IMPROVEMENT DISTRICT NO. 12 (CHAPEL HILL) AND TAKING CERTAIN OTHER ACTIONS CONCERNING THE DISTRICT

WHEREAS, on February 3 2004 the City Council of the City of Fort Worth received a petition for the establishment of the Fort Worth Public Improvement District No 12 and

WHEREAS, on February 24, 2004 the City Council found and determined the petition included sufficient signatures and met other requirements of Section 372.002 and 372.005 of the Public Improvement District Assessment Act (V T C.A., Local Government Code, Section 372.001 et seq) (the Act") and

WHEREAS, the City Secretary of the City of Fort Worth gave notice of the March 23 2004 public hearing in accordance with the Act; and

WHEREAS, the City Council held a public hearing at its regular open and public meeting at 10:00 a.m. on March 23 2004 concerning the following matters:

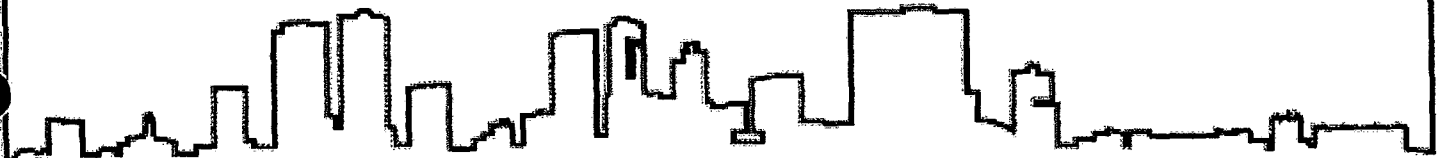
- a. the advisability of establishing a public improvement district;
- b. the general nature of the proposed improvements and services,
- d. the estimated costs of the proposed improvements and/or supplemental services,
- e. the boundaries of the improvement district;
- f. the proposed method of assessment; and
- g. the proposed apportionment of costs between the improvement district and the municipality as a whole; and

WHEREAS, the City Council closed the public hearing on the same day

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

Section 1 The City Council, after duly considering the evidence and testimony presented at the public hearing on March 23 2004, hereby makes the following findings:

- a. It is advisable to establish a public improvement district under the Act, which district shall be known as the Fort Worth Public Improvement District No 12 ("PID 12")



CITY OF FORT WORTH

- b. It is advisable to authorize the City of Fort Worth to exercise the powers granted by the Act in connection with the establishment of PID 12, including the undertaking of improvement projects and/or services that confer a special benefit on property in the PID 12 and the levying and collecting of special assessments on property in the district, based on the benefit conferred by the improvement projects and/or services
- c. It is advisable for improvements and/or special supplemental services to be undertaken and provided for by PID 12.
- d. The general nature of the improvements and/or services to be provided by PID 12 shall include
- 1) Turf maintenance, which includes seasonal specifications for mowing height and cycles for the various types of landscaped areas and grasses, specifications for edging and trimming, and specifications for the application of herbicides as required,
 - 2) Horticultural maintenance, which controls the weeding and cultivation of shrubs and ground cover beds,
 - 3) Irrigation maintenance, which includes inspection schedules and management of seasonal watering schedules and repairs to the system as required,
 - 4) Seasonal color specifications to control type, color number and size of plants to be installed in applicable areas,
 - 5) Tree care, which includes hazard mitigation, tree fertilization, pruning, replacement and insect disease control,
 - 6) Water and electricity costs for irrigation systems,
 - 7) Fence maintenance and repair for specialty fencing;
 - 8) Ground and holiday lighting maintenance,
 - 9) Security services supplemental to existing services, when appropriate,
 - 10) Other services incidental to the maintenance of landscaping;
 - 11) Maintenance and repair of special streetlights and street signs;
 - 12) Lake maintenance and management, which includes ecosystem management, fountains and lighting;
 - 13) Trail system maintenance and repair
 - 14) Maintenance and repair and replacement of playground or other recreational equipment located within the District; and
 - 15) Capital Improvement. Park benches and other playground equipment.

The proposed special supplemental services would be a supplement to the standard existing level of city improvements and/or services and would constitute an added increment to the services currently provided by the City of Fort Worth to the taxpayers generally. The City will continue to furnish or pay for the standard services in PID 12 at the same level, as they would be provided for the taxpayers generally.

- e. The estimated cost of the supplemental services for the proposed PID 12 during the first year of operation beginning 2005 as specified within the proposed budget and service plan, will total approximately \$75,675. This total includes payments for professional services of a management company to contract for supplemental services, city administration costs, miscellaneous expenses and a reserve for uncollected assessments. The total costs of the services will be paid from assessments. The PID 12 budget starting 2005 and subsequent years' budgets will be reviewed and approved by City Council annually.
- f. The cost of improvements and/or services shall be determined in accordance with the approved budget and service plan.
- g. The boundaries of PID 12 are shown on the map on file in the Office of the City Secretary.
- h. The method of assessment shall be as follows:
 - (1) A service plan will be approved and adopted by the City Council for a period of not less than five (5) years. The service plan will be reviewed and updated annually by the City Council to determine the annual budget for improvements and/or special supplemental services within PID 12.
 - (2) The cost of the improvements and/or special supplemental services will be assessed against real property within PID 12 according to the value of the property including improvements, as determined annually by the City Council.
 - (3) There will not be assessments levied during the first year immediately after the establishment of PID 12. The annual assessments against real property in the district including improvements will start in 2005 and will not exceed 19¢ per \$100 of value of such property as determined by the City Council.
- i. The apportionment of costs between PID 12 and the City as a whole shall be:
 - (1) The cost of the improvements and/or special services will be paid from special assessments levied against property within PID 12.
 - (2) The City of Fort Worth will be responsible for the payment of assessments on exempt City-owned real property and structures or other improvements thereon in the district. The payment of assessments, if any on property owned by other exempt jurisdictions will be established by contract. The City will continue to provide the standard improvements and services to the district as it does to the rest of the City.
 - (3) The City Council will be authorized to establish by ordinance reasonable classifications and formulas for the apportionment of cost between the City and

the property to be assessed and to establish the methods for assessing special benefits for various classes of improvements and/or special supplemental services.

- J The probable maximum benefits to be conferred on each tract in PID 12 because of the improvements and/or services will be greater than the amount of the assessment against such tract and the owners thereof.

Section 2. The Fort Worth Public Improvement District No 12 is authorized to be and is hereby established as a public improvement district under the Act and in accordance with the above findings as to the advisability of the improvements and/or services. The district will be subject to all conditions, limitations and reservations contained in such findings.

Section 3. The City Secretary is hereby directed to give notice of authorization for establishment of PID 12 by publishing a copy of this Resolution once in a newspaper of general circulation in the City of Fort Worth. Such authorization shall take effect and the district shall be deemed to be established effective upon the publication of such notice.

Section 4. PID 12 will be deemed established upon notice of authorization as stated in Section 3 above and will continue thereafter unless dissolved or reestablished in accordance with the Act. The City of Fort Worth shall not be obligated to undertake or pay for any improvements or services contemplated by PID 12 upon its dissolution.


Section 5. The area to be assessed may not include any property not within the boundaries of PID 12, unless there is an additional hearing pursuant to Section 372 009 of the Act, preceded by the required notice

Section 6. The City Manager hereby authorized to negotiate a contract with a property management company to oversee and provide the improvements and/or services in accordance with this Resolution and the service, improvement and assessment plan adopted by the City Council for the fiscal year of 2005-2006. Because there is no assessment or service for the first year immediately after the establishment of PID 12, a management contract is not necessary. During the first year of PID 12, Chapel Hill Venture, L.L.P. petitioner of PID 12 and developer will provide necessary notices to new property owners about PID 12, its purposes and services.



Section 7 No actual construction or improvements or implementation of services by the PID 12 shall begin until at least 20 days after authorization for the district takes effect.

Section 8. The district shall be a complete alternative to other methods by which the City of Fort Worth may finance public improvements and/or special supplemental services by assessing property owners

ADOPTED this 23rd day of March, 2004



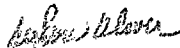
Mayor Mike Moncrief

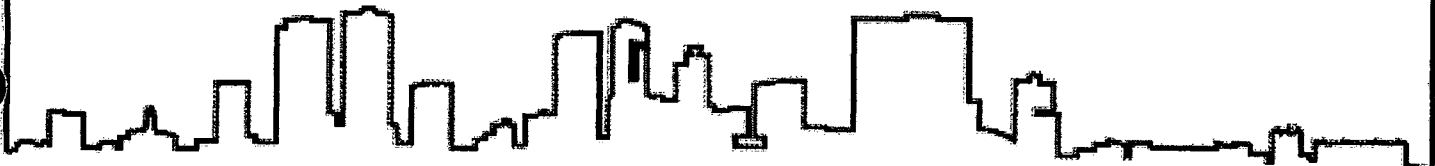
ATTEST



Acting City Secretary

CIL

MAR 23 2004


Acting Secretary of the
City of Fort Worth, Texas



CITY OF FORT WORTH

West Bonds Ranch Rd.

Business Hwy 287 N

TXU right of way

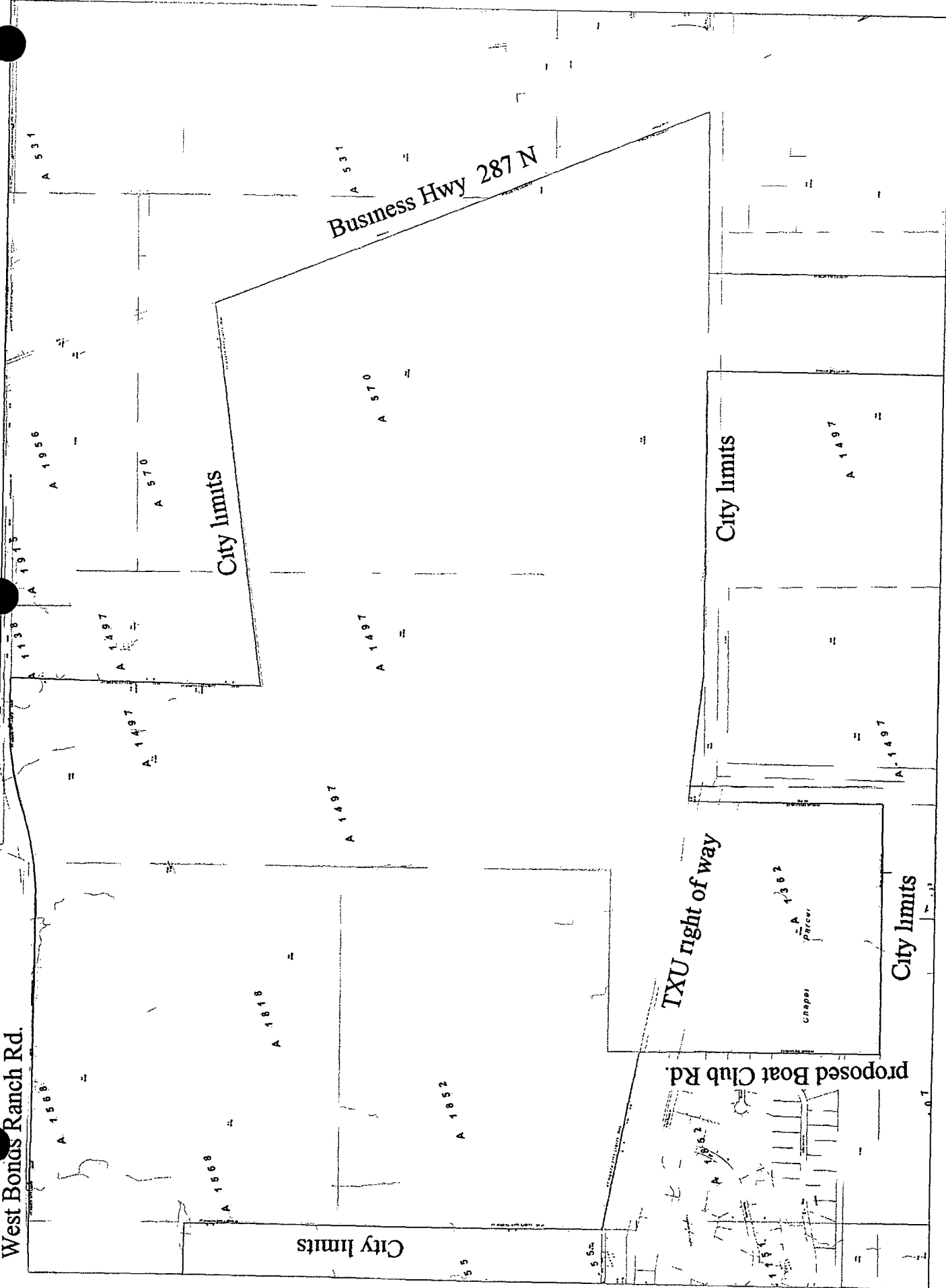
Proposed Boat Club Rd.

City limits

City limits

City limits

City limits



Legend

- parcels
- hydrology
- city limits
- school lines
- abstract lines
- Proposed DRI

1 inch equals 300 feet

PID 12 Chapel Hill