

# AGENDA

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on **Monday, June 2, 2025 at 7:00 p.m.**

Council Members Present: Billie Wallace, Mayor, Council Member Place 4  
Patrick Souter, Mayor Pro Tem, Council Member Place 2  
Tres Atkins, Council Member Place 1  
Chris Wright, Council Member Place 3  
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. **Public Comments:** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. *Speakers must observe the five (5) minute time limit.*
5. **Consent Agenda**

All matters listed under Item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of May 19, 2025
- b. Event application for 55<sup>th</sup> Annual Gingerbread Trail: Echoes of the Past Tour at the Waxahachie City Cemetery to be held June 6-7, 2025
- c. Event application for Ellis County African American Museum & Library Juneteenth Parade to be held June 14, 2025
- d. Event application for 911 Gives Back – School Supply Drive to be held June 28, 2025 at Railyard Park
- e. Event application for Service to America Blood Drive to be held October 11, 2025 in Downtown Waxahachie
- f. Proposed Ordinance approving a request by James Hearon, for a Petition for ETJ Release for approximately 11.489 acres, located at 4021 FM 813 (Property ID 198102) – Owner: Lena Hearon & Jerry Bollman (ETJ-PTN-62-2025)
- g. Proposed Ordinance approving a request by Dustin Jordan, for a Petition for ETJ Release for approximately 7.490 acres, located at 3927 FM 813 (Property ID 234426) – Owner: Eagle 3 RE LLC (ETJ-PTN-64-2025)
- h. Proposed Ordinance approving a request by Robert & Melissa Tinning, for a Petition for ETJ Release for approximately 17.119 acres, located at 1070

Broadhead Rd (Property ID 235630) – Owner: Robert & Mellissa Tinning (ETJ-PTN-73-2025)

- i. Accept the FY 2024-2025 Impact Fee Revenue and Expenditure Mid-Year Report
  - j. Funding Request from the TIRZ Fund for Building Improvements for 201 S. College Street
  - k. Downtown Building Improvement Program Grant Application for 114 S. Rogers Street
  - l. Funding Request from the TIRZ Fund for Public Infrastructure Improvements for 114 S. Rogers Street
  - m. Funding Request from the TIRZ Fund for Downtown Improvements
6. **Introduce** Honorary Council Member
  7. **Public Hearing** on a request by Ryan McIntosh, Trinity Partners, for a Specific Use Permit (SUP) for a Unified Lot Sign use within a Planned Development-42-C (PD-42-C) zoning district, located directly south of 1650 N US Highway 77 (Property ID: 223131) – Owner: Bomac Wax Investments LLC (ZDC-14-2025)
  8. **Consider** proposed Ordinance approving ZDC-14-2025
  9. **Public Hearing** on a request by Alexandria Webber, for a Specific Use Permit (SUP) for a Short-Term Rental use within a Multi-Family Residential-1 (MF-1) zoning district located at 865 Cantrell St. (Property ID 179113) - Owner: Alexandria Webber & Dustin Webber (ZDC-54-2025)
  10. **Consider** proposed Ordinance approving ZDC-54-2025
  11. **Public Hearing** on a request by Mark McReynolds for a Specific Use Permit (SUP) for an Accessory Dwelling Unit use within a Single Family-2 (SF-2) zoning district located at 218 University Avenue (Property ID 176327) - Owner: Mark McReynolds & Janet McReynolds (ZDC-58-2025)
  12. **Consider** proposed Ordinance approving ZDC-58-2025
  13. **Public Hearing** on a request by Lexi Cassels, Kimley-Horn, for a Zoning Change from a Commercial (C) zoning district to Planned Development-Multi-Family-2 and Planned Development-Commercial (PD-MF-2 & PD-C) zoning district, for a mixed-use development, located directly east of 2050 Conquest Boulevard, (Property ID 191630 & 191636) - Owner: B&T Realty Services Inc (ZDC-91-2024)
  14. **Consider** proposed Ordinance approving ZDC-91-2024
  15. **Consider** Development Agreement for ZDC-91-2024
  16. **Consider** Development Agreement for digital billboard conversion
  17. **Consider** and take action on a resolution directing publication of notice of intention to issue Certificates of Obligation; directing the preparation of a preliminary official statement and related materials; and providing an effective date
  18. **Consider** contract for Mustang Creek Park Improvements

19. **Consider** resolution determining the costs of Phase Four public improvements to be financed by the Waxahachie Public Improvement District No. 1, approving a Preliminary Service and Assessment Plan and Phase Four Assessment Roll and calling a public hearing to consider the levy of assessments in Phase Four
20. **Discuss** proposed project at Midway Regional Airport
21. **Convene** into Executive Session for deliberation regarding real property as permitted under Section 551.072 of the Texas Government Code
22. **Reconvene** and take any necessary action
23. Comments by Mayor, City Council, City Attorney and City Manager
24. Adjourn

**The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein.** This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, May 19, 2025 at 7:00 p.m.

Council Members Present: Billie Wallace, Mayor, Council Member Place 4  
Patrick Souter, Mayor Pro Tem, Council Member Place 2  
Tres Atkins, Council Member Place 1  
Chris Wright, Council Member Place 3  
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Terry Welch, City Attorney  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor Billie Wallace called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Jimmy Poarch gave the invocation. Mayor Wallace led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

None.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of May 5, 2025
- b. Minutes of the Special City Council meeting of May 12, 2025
- c. Event application for Juneteenth Day Parade and Celebration to be held June 19, 2025 at Lee Penn Park
- d. Event application for Summer Soul Affair event to be held at Railyard Park on July 5, 2025
- e. Event application for Hispanic Heritage event to be held September 6, 2025 at Railyard Park
- f. Event application for Walk to End Alzheimer's event to be held October 11, 2025 at Getzendaner Park
- g. Receive Fiscal Year 2025 2<sup>nd</sup> Quarter Financial Report
- h. Supplemental appropriation for FY 2025 Water Operations and Maintenance Budget
- i. City Council liaison appointments to Boards and Commissions

Council Member Chris Wright requested additional discussion of Items c. and g.

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**Action:**

*Patrick Souter moved to approve all items on the Consent Agenda, except for Items c. and g. Motion was seconded by Chris Wright and carried unanimously (5-0).*

Council Member Chris Wright expressed opposition to using City resources to support two separate Juneteenth parades. While he voiced support for the events proposed by Betty Square Coleman and Dr. Jamal Rasheed, he stated that he could not support holding two parades.

The general consensus of the City Council was to support only one Juneteenth parade, to be held on June 19, citing concerns about the strain on City resources and promoting unity in the city.

**Action:**

*Chris Wright moved to approve Item c. on the Consent Agenda. Motion was seconded by Travis Smith and carried unanimously (5-0).*

Council Member Wright requested that quarterly financial reports be removed from the consent agenda going forward. He also asked Finance Director Chad Tustison to present the second quarter financial report.

Chad Tustison, Senior Director of Finance, presented the fiscal year 2025 2<sup>nd</sup> quarter financial report. The General Fund, which supports essential services like police, fire, parks, streets, and libraries, is primarily funded by property taxes (40%) and sales taxes (36%), along with user fees, permits, and other revenues.

- Revenues are outperforming expectations, and expenditures are within budget.
- Property tax collections total \$25.9 million, or 98% of the annual budget, with most collected between December and March.
- Sales tax collections total \$11.4 million, representing 48% of the budget—2% higher than last year, but 2% below projections.
- Other revenue sources, like building permits and interest income, are also exceeding expectations.
- General Fund expenditures reached \$35.1 million, or 49% of budget, with delays in some areas due to vacant positions and timing of purchases.

**Other Fund Highlights:**

- Water and Wastewater Funds: Revenues and expenses are on track.
- WCDC Fund: Funded by 0.5¢ sales tax and user fees; revenues and expenses are within budget, though sales tax is 2% under projection.
- Hotel/Motel Tax Fund: Revenues are exceeding budget due to high occupancy and room rates; expenditures slightly lag due to timing of Arts Council transfers.
- Investment Income: City earned \$2.87 million in interest, mainly from funds invested in the AAA-rated LOGIC pool, in compliance with the Texas Public Funds Investment Act

**Action:**

*Chris Wright moved to approve Item g. on the Consent Agenda. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

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**6. Introduce Honorary Council Member**

There was not an Honorary Council Member in attendance.

**7. Present Proclamation recognizing May 18-24, 2025 as “National Public Works Week”**

Mayor Wallace presented the Proclamation recognizing May 18-24, 2025 as “National Public Works Week.”

**8. Public Hearing on a request by Ryan McIntosh, Trinity Partners, for a Site Plan for the Plaza at Bessie Coleman, located directly south of 1650 N US Highway 77 (Property ID: 223131) – Owner: Bomac Wax Investments LLC (SP-222-2024)**

Trenton Robertson, Senior Director of Planning, presented the Item and Kevin McIntosh requested approval. The applicant proposes a Site Plan to allow for development of a Sprouts Farmers Market and three (3) multi-tenant retail buildings on approximately 8.53-acres of a 17.7-acre tract at the southeast corner of Bessie Coleman Boulevard and Highway 77. The subject property is currently situated in a Planned Development-42-Commercial (PD-42-C) zoning district. The PD zoning district allows for the development of “Retail Stores & Shops” Land Uses, with the approval of a Site Plan by the Planning & Zoning Commission and City Council.

The development is proposed to be anchored by a Sprouts Farmers Market. Sprouts is a supermarket brand that specializes in natural and organic foods. Typical Sprouts operating hours are 7:00am to 10:00pm. Sprouts Farmers Market does not currently intend to provide an online pick-up on the site and no Outdoor Storage or Display uses are proposed with this application. No specific users for the multi-tenant buildings have been identified with this Site Plan Application. However, the site is designed to accommodate users ranging from retail stores, restaurant, and medical offices.

The applicant has provided a Site Plan for the subject property, which is designed around a 23,299 square-foot structure that will house Sprouts Farmers Market. The Site Plan also includes three (3) multi-tenant retail buildings with a combined footprint of 24,024 square feet. Each building is proposed to be situated on an individual lot. The Sprouts Farmers Market is proposed to be constructed with the first phase of development, with the multi-tenant retail buildings following in later phases. Access between lots is proposed to be facilitated by the establishment of mutual access easements across the major internal drive-aisles connecting each lot. The Site Plan also identifies three remaining lots, totaling approximately seven-acres outside the floodplain, that are not proposed to be developed at this time. The property owner will return for Site Plan approval at the time each of these remaining lots are proposed to be developed.

The proposed Site Plan meets the minimum parking requirement of 301 parking spaces. The site has also been designed to meet the minimum setback requirements of the Commercial (C) zoning district; however, it is important to note that the primary building is situated approximately 254’ from the nearest adjacent single-family residential lot at its closest point to the east. The product loading area and trash compactor for the site are screened from view of the right-of-way (ROW) by the buildings on site and are located approximately 260’ from the nearest adjacent single-family residential lot. The trash compactor and product loading area are proposed to be screened from interior drive-aisles by a 6’ wall.

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The applicant has provided an Elevation/Façade Plan for the proposed multi-tenant retail buildings and the Sprouts Farmers Market. The primary exterior construction materials proposed for the development feature split face concrete masonry units (CMUs), stone veneer, and stucco, with minor EIFS and siding accents. All buildings on the subject property are proposed to utilize an earth tone color palette; which is designed to complement the color palette of the Sprouts brand. All proposed structures meet the typical articulation requirements of the Waxahachie Zoning Ordinance. Enhanced articulation is proposed at several key locations to ensure that all roof-mounted equipment is fully screened from view.

The applicant has provided a preliminary TIA with this application to identify options to accommodate the traffic generated by the proposed development. The preliminary TIA is currently under review by the Public Works & Engineering Department and is required to be approved prior to Platting the subject property. The TIA has identified several potential improvements to the road network in the surrounding area, including dedicated turn lanes, that are being evaluated by staff. TxDOT has indicated that installation of a traffic signal at the Bessie Coleman Boulevard and Highway 77 intersection will not be permitted with Phase 1 of the proposed development. As additional phases of the project develop, traffic and potential roadway improvements will continue to be evaluated.

The applicant proposes to install a 6' masonry screening wall approximately 50' from the eastern property line. The proposed screening wall adheres to the requirements of the Waxahachie Zoning Ordinance for non-residential development adjacent to existing single-family residences. The screening wall is situated on the western edge of an overhead electric easement, which results in a 50' open space buffer between the screening wall and adjacent residential property lines.

The applicant has provided a Photometric Plan for the proposed development that demonstrates compliance with the Waxahachie Lighting and Glare Standards. All light fixtures are proposed to be shielded and directed downwards to eliminate light trespass and glare onto adjacent residential property. All proposed light poles are restricted to a maximum height of 20'.

The applicant has provided a Landscape Plan that identifies the proposed landscaping for the site. The proposed landscaping does meet the minimum requirements of the Waxahachie Zoning Ordinance. The applicant has clustered required canopy and ornamental trees along the western and northern property lines; which are the most visible portions of the development. The proposed landscape design for the site is similar to the recently approved BJ's Wholesale Club development in this regard. A permanent irrigation system will be installed for all landscape areas.

The applicant has provided preliminary Utility and Grading Plans to identify the proposed utility and drainage infrastructure necessary to facilitate the development. The preliminary plans have demonstrated the feasibility of the infrastructure design for the development, based on the proposed site plan. The applicant proposes to improve existing drainage infrastructure on the site to account the additional run-off from the proposed development. The final utility and grading plans will be reviewed and approved by the Public Works and Engineering Department with a future Civil Construction Permit.

The applicant has proposed several single and multi-tenant monument signs for the subject property along with specific wall signs for the Sprouts Farmers Market. The proposed signs meet the size and dimension requirements of the Waxahachie Zoning Ordinance. The applicant has

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submitted a separate SUP Application (ZDC-14-2025) for 30' unified lot sign at the southeast corner of Bessie Coleman Boulevard and US Highway 77. This application is scheduled for consideration at the May 27th Planning & Zoning Commission and June 2nd City Council meetings.

The Parks and Recreation Department has requested the applicant install a 6' sidewalk along the southern boundary of the subject property, adjacent to the floodplain. The purpose of this sidewalk is to provide a connection point to the Mustang Creek Trail that the City is currently constructing south of the subject property. The long-term goal for this area is to develop an uninterrupted trail network from Mustang Creek Park to the YMCA to facilitate direct pedestrian access from the North Grove Area to the YMCA. The construction of a sidewalk connection on the subject property is a crucial part of the intended trail network. The YMCA is currently preparing development plans that include a 6' sidewalk extension to the western edge of Highway 77. Staff recommends that construction of the 6' sidewalk as requested by the Parks and Recreation Department be a condition of approval of the Site Plan Application. Staff supports the waiver of cash-in-lieu of park land dedication fees, if the sidewalk is constructed. The standard commercial cash-in-lieu of park land dedication fee is \$600.00 per acre.

Mayor Wallace opened the Public Hearing at approximately 7:26 p.m.

There being no others to speak for or against SP-222-2024, Mayor Wallace closed the Public Hearing at approximately 7:26 p.m.

Council Members discussed traffic concerns related to the proposed development. Council Members expressed strong concerns about increased traffic on Bessie Coleman, which is already considered a dangerous and busy street without a traffic signal at the intersection with 77. The main issue is the potential for accidents due to vehicles turning left onto or off of Bessie Coleman, particularly without a signal. The City Council emphasized a preference for right-in, right-out access only, aligning with prior development policies on Highway 77. While the developer cited adherence to the Traffic Impact Analysis (TIA), which recommended striping Bessie Coleman and adding a center turn lane, Council Members insisted on additional safety measures. After a lengthy discussion, the developer agreed, at minimum, to fund and install a "pork chop" concrete island at the intersection to prevent left turns, along with the proposed striping. The City Council also discussed the possibility of future improvements or alternatives suggested by traffic engineers, but stressed that public safety must not be compromised.

**9. Consider approving SP-222-2024**

**Action:**

*Tres Atkins moved to approve SP-222-2024, a Site Plan for the Plaza at Bessie Coleman, subject to the conditions of the staff report. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**10. Consider Development Agreement for SP-222-2024**

**Action:**

*Travis Smith moved to approve the Development Agreement for SP-222-2024 with an amendment that prior to the issuance of any Certificate of Occupancy (CO), at minimum a hooded egress from Bessie Coleman to Highway 77 with right-turn only signage and striping along Bessie Coleman to include a turn lane be completed at the Developer's cost. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

Council Member Smith thanked City Council for prioritizing the safety of citizens.

**11. Public Hearing on a request by David Ruble, Altered Grounds Coffee Roasters, LLC, for a Specific Use Permit (SUP) for a Food Manufacturing (Coffee Roasting) use within a Light Industrial-2 (LI-2) zoning district located at 401 South Flat Street, Suite 1 & 2 (Property ID 170566) - Owner: Clover Properties LLC (ZDC-48-2025)**

Mr. Robertson presented the Item and David Ruble requested approval. The applicant requested a SUP for a Food Manufacturing use (Altered Grounds Coffee Roasters, LLC) within the Light Industrial-2 (LI-2) zoning district located at 401 S. Flat Street, Suite 1 & 2. A Food Manufacturing Land Use requires a SUP to be approved by City Council per the City of Waxahachie Zoning Ordinance.

David Rubble, the owner of Altered Grounds Coffee Roasters, LLC, is a locally-based coffee roaster who focuses on roasting high-quality, ethically sourced, green coffee beans, while also packaging them for retail, wholesale, and direct-to-customer sales. The business owner anticipates no more than two deliveries each week to their business of either green coffee beans, or orders that have been made for packaging materials. All deliveries are expected to be received via FedEx, UPS, Amazon, or similar third-party delivery, not 18-wheelers. The proposed business will be staffed by two (2) employees during the hours of 7:00 a.m. to 5:00 p.m., Monday-Saturday. This is not proposed to be a retail location that is open to the general public for walk-in purchases.

The proposed use does meet the minimum parking requirements and minimum landscape requirements per the City of Waxahachie Zoning Ordinance. The applicant is not requesting any deviations from the City's Code of Ordinances.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. Staff received two (2) letters in support and no letters of opposition for the SUP request.

Mayor Wallace opened the Public Hearing at approximately 8:02 p.m.

There being no others to speak for or against ZDC-48-2025, Mayor Wallace closed the Public Hearing at approximately 8:03 p.m.

**12. Consider proposed Ordinance approving ZDC-48-2025**

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**ORDINANCE NO. 3625**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A FOOD MANUFACTURING OR PROCESSING (COFFEE ROASTING) USE WITHIN THE LIGHT INDUSTRIAL-2 (LI-2) ZONING DISTRICT, LOCATED AT 401 SOUTH FLAT STREET, SUITES 1 & 2, BEING PROPERTY ID 170566, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT N 75, BLOCK 26 OF THE OLD TOWN WAXAHACHIE ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Patrick Souter moved to approve ZDC-48-2025, a Specific Use Permit for Food Manufacturing use, subject to the conditions of the staff report and authorize the Mayor and/or City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**13. Consider tax rate equivalent increase for Waxahachie Public Improvement District No. 1**

Mayor Wallace announced this item was removed.

**14. Consider Professional Services Agreement Amendment Number 1 for the US 77 Water Main Extension Phase I Project**

Kumar Gali, Senior Director of Utilities, presented the Item. As part of the TxDOT design of SPUR 394, TxDOT is requiring the City to relocate the existing water lines by making them deeper and installing casing pipe across their ROW. The City has the following water lines that need to be replaced based on this TxDOT requirement, due to the age and materials of these lines:

- At SPUR 394 and Howard Road Intersection: Replace an 18-inch domestic water and two 20-inch raw water mains for approximately 1,300 linear feet each (the approximate width of the ROW at this intersection).
- SPUR 394 and Old Italy Road: Replace a 10-inch water line with a 12-inch water line for approximately 200 linear feet.

Staff recommends amending the US 77 Water Main Extension Phase I Professional Services contract with Teague Nall & Perkins for the engineering design of these improvements in order to keep the High School water line and TxDOT's SPUR 394 project moving forward in a timely manner. This amendment and improvements will not delay the water line construction completion in relation to the High School opening in 2027.

The US 77 Water Main Extension Phase I project is funded from the Water Impact Fees in the amount of \$225,300. Staff recommends transferring \$71,000 from the 2019 Water Bond Fund savings to cover the additional design services for water main casings. With the approval of Amendment Number 1, the total professional services agreement with Teague Nall & Perkins, Inc. will be increased to \$296,300.

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**Action:**

*Tres Atkins moved to approve a Professional Services Agreement Amendment Number 1 with Teague Nall & Perkins, Inc. for the US 77 Water Main Extension Phase I Project in the amount of \$71,000 to be funded from 2019 Water Bond savings and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**15. Consider proposed Ordinance approving alley abandonment at North Grand Avenue, Poplar Street, and North Central Street.**

James Gaertner, Executive Director of Public Works and Engineering, presented the Item. Some residents brought to the City's attention their concern regarding the maintenance of the vegetation in certain alleys. A portion of these alleys have fences, structures, and/or trees which makes it impossible for the City to access.

These alleys do not serve a public purpose, but a power line does run through a portion of the alley. Therefore, a public utility easement will be recorded prior to the Deed recording to these property owners. The properties at 202 North Grand Avenue and 206 North Grand Avenue have driveways off North Grand Avenue so a private access easement will be executed before the Deeds for the abandoned alley are executed.

The remainder of the property owners will accept their half of the alley along their property. The Deed includes language that the sale of the main property includes their portion of the abandoned alley, however, no structures can be installed in the abandoned alley property until the alley is platted into the main property.

The City initiated alley abandonment survey cost \$17,200 (11 lots) and was paid from the Public Works Department Operating Fund.

**ORDINANCE NO. 3626**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG POPLAR STREET, GRAND AVENUE AND NORTH CENTRAL STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**Action:**

*Chris Wright moved to approve the ordinance for the alley abandonment between North Grand Avenue, Poplar Street, and North Central Street and authorize the City Manager to execute all necessary documents. Motion was seconded by Patrick Souter and carried unanimously (5-0).*

**16. Consider proposed Ordinance approving alley abandonment at E. Ross and Penn Street**

Mr. Gaertner presented item. The City is initiating Right-of-Way abandonment to alleys without public purposes at the following locations:

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- Alley running North/South between East Ross Street and Penn Street and west of the properties adjacent to Brown Street (referred hereafter as the Penn Alley).
- Alley running East/West south of 110, 112 and 114 East Ross Street (referred hereafter as the E. Ross Alley).

The current Penn Alley has a fence across it that prevents cross traffic. It is currently used as a driveway for the property on 110 East Ross St and a separate driveway for the duplex at 101 Penn Street. The property owners along Brown Street have provided in writing that they don't have interest in their half of the alley. 300 Brown Street does not want their half of the alley, but also does not want it abandoned. City staff still recommends abandoning the Penn Alley and to dedicate it to 110 East Ross St and 101 Penn Street as shown on the attached exhibit.

The E. Ross Alley was vegetated but the property owner at 112 East Ross Street has recently constructed an access to the rear of his property. The duplex property owner along Penn Street provided in writing that he is not interested on getting half of this alley. The property owner at 114 East Ross Street was not interested in any portion of the alley, but was agreeable to allow property at 112 East Ross Street to get the full alley along her southern property line.

City staff recommends moving forward with abandoning the Penn Alley as follows and shown on the attached exhibit:

- 1) Dedicate to 110 East Ross Street the full alley along their southern property line
- 2) Dedicate to 112 East Ross Street the full alley along their southern property
- 3) Dedicate to 112 East Ross Street the entire alley along the 114 East Ross Street southern property line

There are no visible franchise utilities along these alleys to be abandoned. The franchise utilities companies were contacted repeatedly to determine if an easement was necessary. A blanket utility easement will be placed in the alleys for any existing utilities that may be in place.

The Deed includes language that the sale of the main property includes their portion of the abandoned alley and no structures can be installed in the abandoned alley property until the alley is platted into the main property.

The City initiated alley abandonment survey cost was \$4,690 (3 lots) and paid from the Public Works Department Operating Fund.

Council Member Travis Smith raised concerns about the City funding property surveys and giving away land—specifically alleyways—without recovering any costs, even minimal amounts, from property owners. He questioned why the City initiated the process, paid for surveys, and then gave away land, suggesting this could lead to a costly precedent if more property owners request similar actions.

Mr. Gaertner explained that the City initiated these abandonments to reduce operational costs and liabilities, like maintaining overgrown alleys or dealing with property damage from fallen trees. These alleys often have unclear ownership or encroachments, complicating the situation. He

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emphasized that abandoning unused alleys not only eliminates maintenance costs but also allows the land to become taxable. They clarified that future abandonments would be evaluated on a case-by-case basis and property owners could be required to pay for surveys, especially in simpler cases. However, in complex situations with multiple stakeholders, the City steps in to manage disputes and ensure accurate, legal division of land. The discussion reflected a balance between financial responsibility and practical city planning

City Attorney Terry Welch explained that, under state law, cities are allowed to abandon alleyways without requiring fair market value because the land often has no practical use, especially when it's landlocked and inaccessible.

**ORDINANCE NO. 3627**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG EAST ROSS STREET AND PENN STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**Action:**

*Patrick Souter moved to approve the ordinance for the alley abandonment between East Ross Street and Penn Street and authorizer the City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**17. Consider authorizing the petition to abandon portion of University St Right-of-Way**

Mr. Gaertner presented the Item. James Poarch and Gregory Gerloff are requesting the City of Waxahachie to abandon a portion of University Avenue Right-of-Way along their property at 1201 West Marvin Avenue and 1119 West Marvin Avenue.

James Poarch and Gregory Gerloff are requesting the City of Waxahachie to abandon a portion of University Avenue Right-of-Way along their property at 1201 West Marvin Avenue and 1119 West Marvin Avenue. The City does not have a public use for this portion of the Right-of-Way. There is a power line that serves the properties and a utility easement has been placed over this line for franchise utility purposes. City staff recommends the abandonment of this portion of the street Right-of-Way since it is currently closed to traffic and it does not provide access across the BNSF train tracks.

**ORDINANCE NO. 3628**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ABANDONING AND VACATING CERTAIN RIGHT-OF-WAY ALONG UNIVERSITY STREET; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

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**Action:**

*Patrick Souter moved to approve the ordinance abandoning the University Avenue Right-of-Way along 1201 West Marvin Avenue and 1119 West Marvin Avenue properties and authorize the City Manager to execute all necessary documents. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**18. Consider Parkhill Fuel Farm Engineering Agreement for Mid-Way Regional Airport self-fueling station**

Dustin Deel, Senior Director of Administrative Services, presented the Item. Mid-Way Regional Airport is seeking to install new above-ground fuel tanks to provide updated storage capacity for both AvGas and jet fuel. Parkhill will provide engineering and design services for the project, including preparation of a categorical exclusion document, geotechnical engineering, professional surveying, stormwater pollution prevention plan updates, Spill Prevention Control & Countermeasures (SPCC) planning, and the final design and bidding phase services. This project is a joint effort between the Cities of Waxahachie and Midlothian as owners and operators of the airport.

- On April 10, 2025, the Mid-Way Regional Airport Joint Airport Board voted 4-1 to recommended approval of the agreement with Parkhill.
- On May 13, 2025 Midlothian City Council voted unanimously to recommend approval of the agreement with Parkhill.

The total cost for engineering services is \$144,652. This project is funded through a 90/10 grant under the 2022 Infrastructure Investment and Jobs Act (IIJA) administered by the Federal Aviation Administration (FAA). The Airport Fund will initially pay 100% of the cost and the FAA will reimburse the fund 90% of the cost, with the remaining 10%—approximately \$14,465—to be covered by the Airport Fund.

Council Member Smith confirmed that the project will be funded through airport funds, not the City's general fund, and Mr. Deel affirmed this.

Mayor Pro Tem Souter asked about the terms of the agreement and the timeline for reimbursement. Airport Manager Sharlette Wright explained that funds will be requested upon completion of the project and are expected to be reimbursed within 30 days.

**Action:**

*Tres Atkins moved to approve a Professional Services Agreement with Parkhill in the amount of \$144,652 for engineering services related to the Mid-Way Regional Airport Fuel Farm project and authorize the City Manager to execute all necessary documents. Motion was seconded by Travis Smith and carried unanimously (5-0).*

**19. Convene into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code**

(5a)

Mayor Wallace announced at 8:34 p.m. the City Council would convene into Executive Session to consult with City Attorney about pending or contemplated litigation as permitted by Section 551.071 of the Texas Government Code.

**20. Reconvene and take any necessary action**

The meeting reconvened at 8:55 p.m.

**Action:**

*Travis Smith moved to authorize the City Manager to execute an agreement and release, and all other related and pertinent documentation, in Civil Action No. 3:24-CV-01041 in the United States District Court of the Northern District of Texas, Dallas Division. Motion was seconded by Tres Atkins and carried unanimously (5-0).*

**21. Comments by Mayor, City Council, City Attorney and City Manager**

City Council and City Management wished Council Member Atkins a happy birthday.

Council Member Chris Wright expressed his gratitude to the police department, fire department, and city staff who responded early Sunday morning to a structural collapse at the building near Monroe and Main Street. He acknowledged their quick and safe handling of the situation. Additionally, he thanked City Manager Michael Scott for consistently being responsive, even on weekends, and expressed appreciation for his reliability and support.

Mayor Pro Tem Patrick Souter expressed gratitude to the police and fire departments, as well as other agencies in Ellis County, for their participation in the fallen officer's memorial ceremony held downtown the previous Friday. He specifically praised the police chief and acknowledged the involvement of various departments, including Midlothian, Ennis, and Sheriff's department, for their contributions to the powerful and emotional event. He also thanked the chief for the opportunity to deliver a speech, noting the presence of fallen officers' family members and the emotional impact it had on attendees, including himself.

**22. Adjourn**

There being no further business, the meeting adjourned at 8:56 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary



Date submitted \_\_\_\_\_

**Applicant Information**

Applicant name: ELLIS COUNTY MUSEUM SANDY EMMONS

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing address: 201 S. COLLEGE STREET WAXAHACHIE TX 75165

Host organization name: ELLIS COUNTY MUSEUM 55<sup>th</sup> ANNUAL GINGERBREAD TRAIL

Alternate contact that will be on-site during the event.

On-site contact name: ANDY EMMONS Cell: \_\_\_\_\_

**About the Event**

Event name: 55<sup>th</sup> ANNUAL GINGERBREAD TRAIL TOUR OF HOMES PRESENTS:

Location: ECHOES OF THE PAST TOUR  
WAXAHACHIE CITY CEMETERY

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 50

Description of event: HISTORIC CEMETERY TOUR IS A GUIDED WALK THROUGH

THAT PROVIDES HISTORICAL CONTEXT ABOUT THE CITIZENS BURIED THERE AND INFORMATION ABOUT CUSTOMS, SYMBOLS, AND OTHER INTERESTING FACTS

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 - 4 times  5 or more times  Location: \_\_\_\_\_

**Choose the best description of the event:**

- |  |  |
|--|--|
| <input type="checkbox"/> Festival        | <input type="checkbox"/> Birthday Party / Picnic             |
| <input type="checkbox"/> Movie Screening | <input checked="" type="checkbox"/> Charitable / Fundraising |
| <input type="checkbox"/> Parade          | <input type="checkbox"/> Community / Neighborhood            |
| <input type="checkbox"/> Private Event   | <input type="checkbox"/> Concert / Live Performance          |
| <input type="checkbox"/> Run / Walk      | <input type="checkbox"/> Other: _____                        |



(5b)

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other: **LIVE NARRATORS, FAMILY DEJOURNALES**

**The event is:**

- Private
  - Free & open to the general public
  - Entry by participation or registration fee
  - Entry by admission fee or ticket
- Admission information, if applicable: **\$30 PER PERSON 100% OF PROCEEDS TO MUSEUM**
- Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date <b>JUNE 6<sup>th</sup>, 7<sup>th</sup></b>	<b>6/6/25 6/7/25</b>	<b>8:00 PM</b>	<b>9:30 PM</b>
Event Set-up		<b>7:00 PM</b>	<b>7:30 PM</b>
Event Breakdown		<b>9:30 PM</b>	<b>9:30 PM</b>

**Run / Walk:**

Please provide the start time for each distance (if applicable)

\_\_\_\_\_ 1 mile      \_\_\_\_\_ 5K      \_\_\_\_\_ Other distance

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

*Provide route on attached site map.*



**Food / Beverage:**

- Will the event offer food/beverages? Yes  No
- Will event require any food preparation on-site? Yes  No
- Will alcohol be served/sold? Yes  No

[Sample Downtown Event/Festival Boundary Map](#)

**Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events**

*If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.*

**Police / Security Services:**

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

- Event staff                      How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Volunteers                      How many: WE HAVE OUR OWN Date(s) & time(s): \_\_\_\_\_
- Private security                How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

- Off duty police                How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_
- Have you made arrangements with the police? Yes  No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

- Does the event propose closing, blocking, or using City streets and/or parking lots? Yes  No

If yes, please list all streets, intersections, and parking lots that apply: \_\_\_\_\_

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

- Will any businesses be impacted by the proposed road closure? Yes  No

**Traffic Safety Equipment:**

- Does your event require traffic cones or barricades? Yes  No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones                      How many: \_\_\_\_\_ Barricades    How many: \_\_\_\_\_

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? \_\_\_\_\_



(5b)

When will the traffic equipment be set-up?

Date: \_\_\_\_\_ Time: \_\_\_\_\_

When will the traffic equipment be removed?

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Are you requesting the use of City traffic equipment?

Yes

No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

**NO NEED / WE WILL HAVE BATTERY OPERATED LIGHTS**

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

\_\_\_\_\_  
Signature

2.27.2025  
Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



Date submitted

**Applicant Information**

Applicant name: Ellis County African American Museum & Library

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: goinsonmyron78@gmail.com

Mailing address: 441 E Martin Luther King Blvd

Host organization name: ECAAM Hall of Fame & Library

Alternate contact that will be on-site during the event.

On-site contact name: \_\_\_\_\_ Cell: \_\_\_\_\_

**About the Event**

Event name: June 14th Parade

Location: 441 E Martin Luther King Blvd

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 150-200

Description of event: Food Fair Activities Dancing (African Drum)

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 - 4 times  5 or more times  Location: \_\_\_\_\_

**Choose the best description of the event:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Festival | <input type="checkbox"/> Birthday Party / Picnic             |
| <input type="checkbox"/> Movie Screening     | <input type="checkbox"/> Charitable / Fundraising            |
| <input checked="" type="checkbox"/> Parade   | <input checked="" type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event       | <input type="checkbox"/> Concert / Live Performance          |
| <input type="checkbox"/> Run / Walk          | <input type="checkbox"/> Other: _____                        |



**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

**The event is:**

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	June 14 <sup>th</sup>	9:00 AM	3pm
Event Set-up	" Handover	8:00 AM	10:00am
Event Breakdown	" "	2:30 PM	3:00 PM

**Run / Walk:**

Please provide the start time for each distance (if applicable)

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

*(Handwritten signature)*

Provide route on attached site map.



**Food / Beverage:**

Will the event offer food/beverages? Yes  No

Will event require any food preparation on-site? Yes  No

Will alcohol be served/sold? Yes  No

[Sample Downtown Event/Festival Boundary Map](#)

**Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events**

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

**Police / Security Services:**

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Volunteers How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Private security How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police How many: 2 Date(s) & time(s): June 14<sup>th</sup>

Have you made arrangements with the police? Yes  No  TBA

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes  No

If yes, please list all streets, intersections, and parking lots that apply:

All side streets from Peters/Wyatt to Railroad Park

Street closings to begin on date: June 14<sup>th</sup> Start time: 10:30 End time: 11:30 note

Will any businesses be impacted by the proposed road closure? Yes  No

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: 10 Barricades How many: 6

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? 411 E MLK Blvd



City of Waxahachie  
City Secretary's Office

(50)

Special Event Application

When will the traffic equipment be set-up?  
When will the traffic equipment be removed?  
Are you requesting the use of City traffic equipment?

Date: June 14<sup>th</sup> Time: 9:00 am  
Date: June 14<sup>th</sup> Time: 11:00 am  
Yes  No

**Availability is not guaranteed**  
**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'? Yes  No

List the # of tents & sizes:  
**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied? Generator  Franchise Utilities  Both

List contractor / supplier: N/A  
Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]  
Signature

April 22, 2025  
Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

[Signature]  
Signature

April 22, 2025  
Date





(hc)  
124 FM876, Waxahachie, TX 75167  
972-938-1570  
txdot.gov

May 13, 2025

ECAAM Hall of Fame & Library  
441 E. Martin Luther King Blvd  
Waxahachie, TX

Ellis County African American Museum & Library:

Please make reference to your email concerning the Juneteenth Parade scheduled for Saturday, June 14, 2025. The route is approved for the Juneteenth Parade, with the assistance of the Waxahachie Police Department to control traffic. If there is a traffic delay longer than 10 minutes, the parade/march will be stopped to allow traffic to clear. Uniformed police officers, with vehicles and flashing lights, must maintain traffic control at the intersections for safety of parade participants and the traveling public. Officers should remain in place until the parade has cleared the intersection.

Approval for any activity on city streets must be obtained from the City of Waxahachie. We appreciate your continued emphasis on the safety of the travelling public. If you have any questions, please call me at 972-938-1570.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Anthony".

Michael Anthony  
Ellis County Maintenance Supervisor

(50)

**Bonner, Jami**

---

**From:** Bonner, Jami  
**Sent:** Tuesday, April 22, 2025 4:21 PM  
**To:** Joe Wisner; Ricky Boyd; Griffith, Thomas; Donna Insixiengmay; Megan Womack; Guinn, Danielle; Mosley, Laurie; Martinez, Gumaro; Cooper, Kyle; Massey, Matt; Stoker, Justin; Barnes, Bradley; Massey, Morgan; Garten, Kevin; Jordan, Me'Lony; Muniz, Vanessa  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber  
**Subject:** Event Application 6/14/25 Juneteenth Parade  
**Attachments:** EA2025.06.14 Juneteenth Parade.pdf

For your review / comments.

This event application is for a Juneteenth parade hosted by the Ellis County African American Museum & Library scheduled for June 14th. The NAACP also submitted an application (already shared for review) for a separate parade on June 19th.

- The parade participants will line up at Wyatt St. and Peters St. at 9:00 am. At 10:00 – 10:30 am, the parade will proceed west on Wyatt, turn right on MLK, turn left on Rogers and the parade will end at Railyard Park.
- The applicant will request a letter of permission from TxDOT for the use of MLK Jr. Blvd.
- Last year, a PD squad car led the parade and a Fire engine followed. Please let me know if you recommend this practice again. If so, we'll need Streets staff to close / reopen cross streets as the parade proceeds on the route.
- The applicant plans to contact Chief Wisner to request participation from the PD's Color Guard.

The Ellis County African American Museum & Library will also host activities at Railyard Park on June 14th, which have already been approved by City Council. Thank you.

***We value your feedback! Please take a moment to complete our [customer satisfaction survey!](#)***

**JAMIBONNER**

ASSISTANT CITY SECRETARY

PO BOX 757, WAXAHACHIE, TX 75168  
(469)309-4005  
WWW.WAXAHACHIE.COM



*We have temporarily relocated to the Charles Beatty Municipal Services Building at 408 S. Rogers St. (across from City Hall)*



Date submitted 5/22/25

**Applicant Information**

Applicant name: Danielle Guinn

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing address: 2000 Civic Center Lane, Waxahachie, TX 75165

Host organization name: Railyard Park

Alternate contact that will be on-site during the event.

On-site contact name: Amber Barber Cell: \_\_\_\_\_

**About the Event**

Event name: 911 Gives Back - School Supply Drive

Location: Railyard Park

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 500

Description of event: School Supply Drive, Touch a Truck event with local law enforcement agencies, participation from local non-profit agencies

**How many times has this event been hosted before?**

1<sup>st</sup> time  2 – 4 times  5 or more times  Location: \_\_\_\_\_

**Choose the best description of the event:**

- |  |  |
|--|--|
| <input type="checkbox"/> Festival        | <input type="checkbox"/> Birthday Party / Picnic             |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising            |
| <input type="checkbox"/> Parade          | <input checked="" type="checkbox"/> Community / Neighborhood |
| <input type="checkbox"/> Private Event   | <input type="checkbox"/> Concert / Live Performance          |
| <input type="checkbox"/> Run / Walk      | <input type="checkbox"/> Other: _____                        |



(5d)

**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other: MKT Parking Lot Closure

**The event is:**

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	6/28/25	9:00am	12:00pm
Event Set-up	6/28/25	7:00am	-
Event Breakdown	6/28/25	-	2:00pm

**Run / Walk:**

Please provide the start time for each distance (if applicable)

\_\_\_\_\_ 1 mile      \_\_\_\_\_ 5K      \_\_\_\_\_ Other distance

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

*Provide route on attached site map.*





(5d)

When will the traffic equipment be set-up?

Date: 6/28/25

Time: 7:00am

When will the traffic equipment be removed?

Date: 6/28/25

Time: 2:00pm

Are you requesting the use of City traffic equipment?

Yes

No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

Explain services in detail:

Stage Power & Power for a couple of inflatables & Face Painter

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Danielle Guinn

Digitally signed by Danielle Guinn  
Date: 2025.05.22 16:00:17 -05'00'

05/22/25

Signature

Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Danielle Guinn

Digitally signed by Danielle Guinn  
Date: 2025.05.22 16:00:26 -05'00'

05/22/25

Signature

Date

# RAILYARD

## PARK



**RAILYARD PARK**  
**ON-SITE CONTACT**  
**DANIELLE GUINN**  
**214-463-7815**

**RAILYARD PARK**  
**455 S. COLLEGE STREET**  
**WAXAHACHIE, TX 75165**

(hd)

**Bonner, Jami**

---

**From:** Guinn, Danielle  
**Sent:** Friday, May 23, 2025 9:24 AM  
**To:** Bonner, Jami  
**Cc:** Amber Barber  
**Subject:** 911 Gives Back Event - June 28 at Railyard Park  
**Attachments:** 911 Gives Back Site Map.png; 911 Gives Back Special Event Application.pdf

Good Morning Jami,

Attached, please find a Special Event Application for a 911 Gives Back School Supply Drive & Touch-a-Truck event at Railyard Park on Saturday, June 28. Railyard Park is hosting this event alongside Ellis County Sheriff's Office Emergency Communications Department. I have also attached the proposed site layout. The request for street closures would be to accommodate the different participating department "trucks" (10-15) from various Law Enforcement agencies in Ellis County. We are also requesting the closure of the MKT/Hike & Bike Trail Parking lot across the street just in case extra space is needed.

Date: Saturday, June 28

Time: 9am - 12pm

Purpose: School Supply Drive for school aged children in Ellis County who cannot afford school supplies

Please let me know if you have any questions or need any clarification. Thank you!

Danielle K. Guinn  
Cultural Arts & Programming Coordinator  
Waxahachie Convention & Visitors Bureau | City of Waxahachie  
(o) 469-309-4051 | (c) 214-463-7815  
Office: 2000 Civic Center Lane, Waxahachie, Texas, 75165

[Railyard Park Event Calendar](#)  
[Texas Music Office - Music Friendly Community Liaison](#)



Date submitted 5/21/25

### Applicant Information

Applicant name: Vicki Williams

Are you representing the host organization? Yes  No

Will you be the on-site point of contact during the event? Yes  No

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing address: 204 Meandering Lane, Burleson, TX 76028

Host organization name: Rebecca Boyce Chapter Daughters of the American Revolution

Alternate contact that will be on-site during the event.

On-site contact name: Pat Hernandez Cell: \_\_\_\_\_

### About the Event

Event name: Service to America Blood Drive with Carter Bloodcare

Location: North East Corner of College Street at Franklin

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: \_\_\_\_\_

Description of event: Community Blood Drive

### How many times has this event been hosted before?

1<sup>st</sup> time  2 – 4 times  5 or more times  Location: Same location annually

### Choose the best description of the event:

- |  |  |
|--|--|
| <input type="checkbox"/> Festival        | <input type="checkbox"/> Birthday Party / Picnic       |
| <input type="checkbox"/> Movie Screening | <input type="checkbox"/> Charitable / Fundraising      |
| <input type="checkbox"/> Parade          | <input type="checkbox"/> Community / Neighborhood      |
| <input type="checkbox"/> Private Event   | <input type="checkbox"/> Concert / Live Performance    |
| <input type="checkbox"/> Run / Walk      | <input checked="" type="checkbox"/> Other: Blood Drive |



**Event activities include (check all that apply):**

- Amusement rides / Inflatables
- Animals / Petting Zoo
- Announcement / Speeches
- Information / Literature Distribution
- DJ / Recorded Music
- Food – sampled, served, or sold
- Products / Services – given away, sampled, or sold
- Live music
- Street closure
- Other:

**The event is:**

- Private
- Free & open to the general public
- Entry by participation or registration fee
- Entry by admission fee or ticket

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Event timeline:**

	Date(s)	Start Time:	End Time:
Event Date	10-11-2025	9:00 am	3:30 pm
Event Set-up	10-11-2025	8 am	
Event Breakdown			

**Run / Walk:**

Please provide the start time for each distance (if applicable)

NA                      1 mile                      NA                      5K                      NA                      Other distance

Please indicate your expected attendance:                      Hoping for 35 donors

Number of participants:

- 1-99
- 100-199
- 200-299
- 300+

*Provide route on attached site map.*



(5c)

**Food / Beverage:**

Will the event offer food/beverages? Yes  No

Will event require any food preparation on-site? Yes  No

Will alcohol be served/sold? Yes  No

[Sample Downtown Event/Festival Boundary Map](#)

[Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events](#)

*If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.*

**Police / Security Services:**

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff          How many: 0          Date(s) & time(s): \_\_\_\_\_

Volunteers          How many: 0          Date(s) & time(s): \_\_\_\_\_

Private security      How many: 0          Date(s) & time(s): \_\_\_\_\_

Company name: NA

Contact name and number: NA

Off duty police      How many: NA          Date(s) & time(s): \_\_\_\_\_

Have you made arrangements with the police? Yes  No

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

**Street Closures:**

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes  No

If yes, please list all streets, intersections, and parking lots that apply: Temporary use of

5 parking spaces to be blocked at the Northeast corner of College at Franklin (Pocket Park)

Street closings to begin on date: \_\_\_\_\_ Start time: \_\_\_\_\_ End time: \_\_\_\_\_

Will any businesses be impacted by the proposed road closure? Yes  No

**Traffic Safety Equipment:**

Does your event require traffic cones or barricades? Yes  No

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones          How many: 7          Barricades      How many: \_\_\_\_\_

Other: = 5 for blood mobile bus and 2 for volunteers

Where should equipment be dropped off & picked up?



When will the traffic equipment be set-up?

Date: 10-11-2025

Time: Before 7 am

When will the traffic equipment be removed?

Date: 10-11-2025

Time: By 4 pm

Are you requesting the use of City traffic equipment?

Yes

No

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes

No

List the # of tents & sizes:

**Indicate locations on attached required site map.**

**Electrical Services:**

How will electrical services be supplied?

Generator

Franchise Utilities

Both

List contractor / supplier:

The generator is part of the blood mobile

Explain services in detail:

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Patricia A. Hernandez Digitally signed by Patricia A. Hernandez  
Date: 2025.05.20 19:43:16 -05'00'

5/20/2025

Signature

Date

**Contract Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Patricia A. Hernandez Digitally signed by Patricia A. Hernandez  
Date: 2025.05.20 19:43:29 -05'00'

5/20/2025

Signature

Date



(5c)

(5f)

# Planning & Zoning Department

## Petition for ETJ Release

Case: ETJ-PTN-62-2025



### MEETING DATE(S)

City Council:

June 2, 2025

### CAPTION

**Consider** proposed Ordinance approving a request by James Hearon, for a **Petition for ETJ Release** for approximately 11.489 acres, located at 4021 FM 813 (Property ID 198102) – Owner: Lena Hearon & Jerry Bollman (ETJ-PTN-62-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-62-2025, a request by James Hearon, for a Petition for ETJ Release for approximately 11.489 acres, at 4021 FM 813, authorizing the Mayor to sign the associated documents accordingly."*

### APPLICANT REQUEST

The property owners have petitioned the City to remove thier property from the extraterritorial jurisdiction (ETJ).

### CASE INFORMATION

<i>Applicant:</i>	James Hearon
<i>Property Owner(s):</i>	Lena Hearon & Jerry Bollman
<i>Site Acreage:</i>	11.489 acres
<i>Number of Lots:</i>	N/A (Not Platted)
<i>Number of Dwelling Units:</i>	1 unit

### SUBJECT PROPERTY

<i>General Location:</i>	4021 FM 813
<i>Parcel ID Number(s):</i>	198102
<i>Current Zoning:</i>	N/A (ETJ)
<i>Existing Use:</i>	Single Family Residence
<i>Platting History:</i>	This property has not been platted
<i>CCN Service Area:</i>	Rockett SUD

**Site Aerial:**



**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

**RECOMMENDATION**

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

**ATTACHED EXHIBITS**

1. ETJ Petition Map for June 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Survey (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

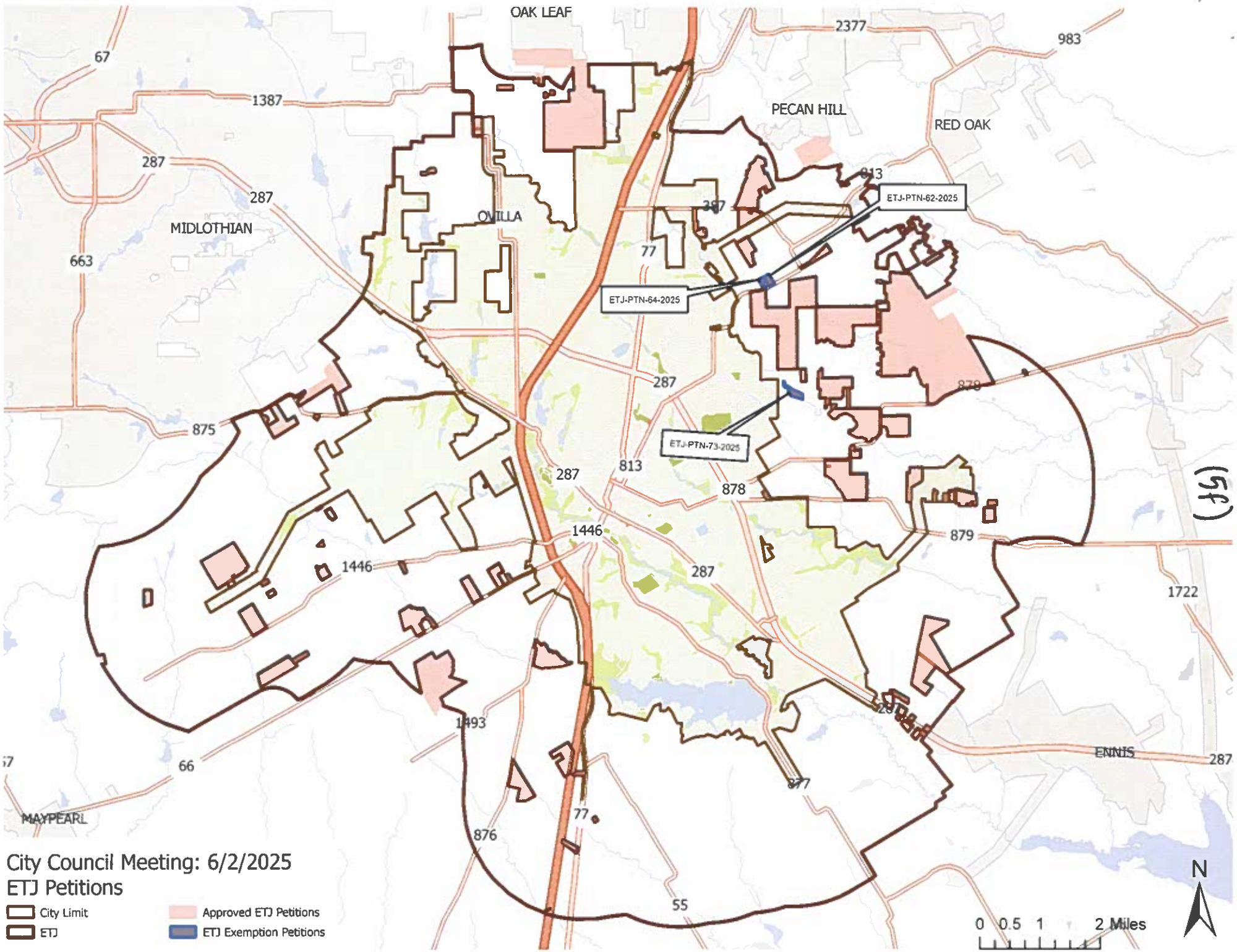
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION OF A 11.489 ACRE TRACT OF LAND, LOCATED AT 4021 FM 813 KNOWN AS PROPERTY ID 198102, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE’S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie (“City”) exclude the property herein described from the City’s Extraterritorial Jurisdiction (“**ETJ**”); and

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-62-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City’s ETJ.

**NOW, THEREFORE**, the following described tracts of land are hereby released and removed from the City’s ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by the recorded Plat in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City’s ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City’s ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of June, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

REVISIONS	BY

**EXHIBIT A SURVEY**

**DAVIS & McDILL**  
CONSULTING ENGINEERS - LAND SURVEYORS  
P.O. Box 688, Waco, Texas 76788 - 1 Area 951-100

**D & M**

**(5f)**

Date	6-7-1997
Scale	1" = 40'
Drawn	A.J.F./K.B.
Job	77-047
Sheet	

**ALLEGED ENCUMBRANCES**

TO THE UNDEVELOPED AREAS AND CROPLAND WHICH THE PURCHASERS OF THE PREMISES SURVEYED AND TO PHASE III OF THE

Tract 1 - 9.094 Acres

Tract 2 - 1.197 Acres

Tract 3 - 1.198 Acres

Tract 4 - 1.198 Acres

Tract 5 - 1.198 Acres

Tract 6 - 1.198 Acres

Tract 7 - 1.198 Acres

Tract 8 - 1.198 Acres

Tract 9 - 1.198 Acres

Tract 10 - 1.198 Acres

Tract 11 - 1.198 Acres

Tract 12 - 1.198 Acres

Tract 13 - 1.198 Acres

Tract 14 - 1.198 Acres

Tract 15 - 1.198 Acres

Tract 16 - 1.198 Acres

Tract 17 - 1.198 Acres

Tract 18 - 1.198 Acres

Tract 19 - 1.198 Acres

Tract 20 - 1.198 Acres

Tract 21 - 1.198 Acres

Tract 22 - 1.198 Acres

Tract 23 - 1.198 Acres

Tract 24 - 1.198 Acres

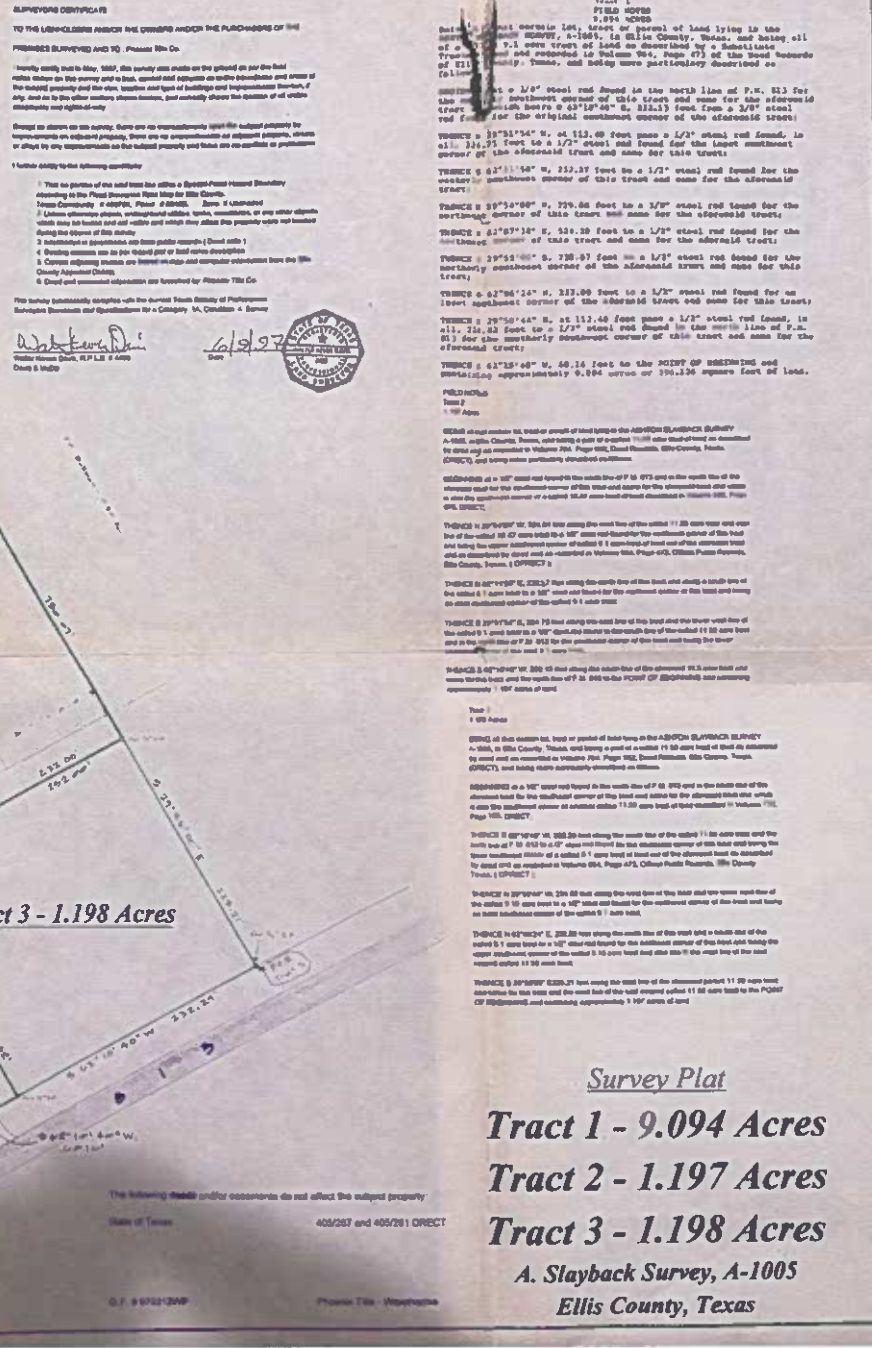
Tract 25 - 1.198 Acres

Tract 26 - 1.198 Acres

Tract 27 - 1.198 Acres

Tract 28 - 1.198 Acres

Tract 29 - 1.198 Acres



**Tract 1 - 9.094 ACRES**

**Tract 3 - 1.198 Acres**

**Tract 2 - 1.197 Acres**



**Location Map 1" = 2000'**

**Survey Plat**  
**Tract 1 - 9.094 Acres**  
**Tract 2 - 1.197 Acres**  
**Tract 3 - 1.198 Acres**  
**A. Slayback Survey, A-1005**  
**Ellis County, Texas**

The following ~~encumbrances~~ encumbrances do not affect the subject property  
State of Texas 402/287 and 402/281 DIRECT  
D.F. # 9721/2807 Phone T88 - Mesquite

Tract 1  
9.094 ACRES

Tract 2  
1.197 ACRES

Tract 3  
1.198 ACRES

Tract 4  
1.198 ACRES

Tract 5  
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Tract 28  
1.198 ACRES

Tract 29  
1.198 ACRES

Tract 30  
1.198 ACRES



# Planning & Zoning Department (5g)

## Petition for ETJ Release

Case: ETJ-PTN-64-2025



### MEETING DATE(S)

City Council:

June 2, 2025

### CAPTION

**Consider** proposed Ordinance approving a request by Dustin Jordan, for a **Petition for ETJ Release** for approximately 7.490 acres, located at 3927 FM 813 (Property ID 234426) – Owner: Eagle 3 RE LLC (ETJ-PTN-64-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-64-2025, a request by Dustin Jordan, for a Petition for ETJ Release for approximately 7.490 acres, at 3927 FM 813, authorizing the Mayor to sign the associated documents accordingly."*

### APPLICANT REQUEST

The property owners have petitioned the City to remove thier property from the extraterritorial jurisdiction (ETJ).

### CASE INFORMATION

**Applicant:** Dustin Jordan

**Property Owner(s):** Eagle 3 RE LLC

**Site Acreage:** 7.490 acres

**Number of Lots:** 1 lot

**Number of Dwelling Units:** 1 unit

### SUBJECT PROPERTY

**General Location:** 3927 FM 813

**Parcel ID Number(s):** 234426

**Current Zoning:** N/A (ETJ)

**Existing Use:** Single Family Residence

**Platting History:** A Plat for The Taylor Bright Addition, Lot 1, was filed for the subject property on October 16, 2008.

**CCN Service Area:** Rockett SUD

(59)

**Site Aerial:**



**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

**RECOMMENDATION**

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

**ATTACHED EXHIBITS**

1. ETJ Petition Map for June 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Survey (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

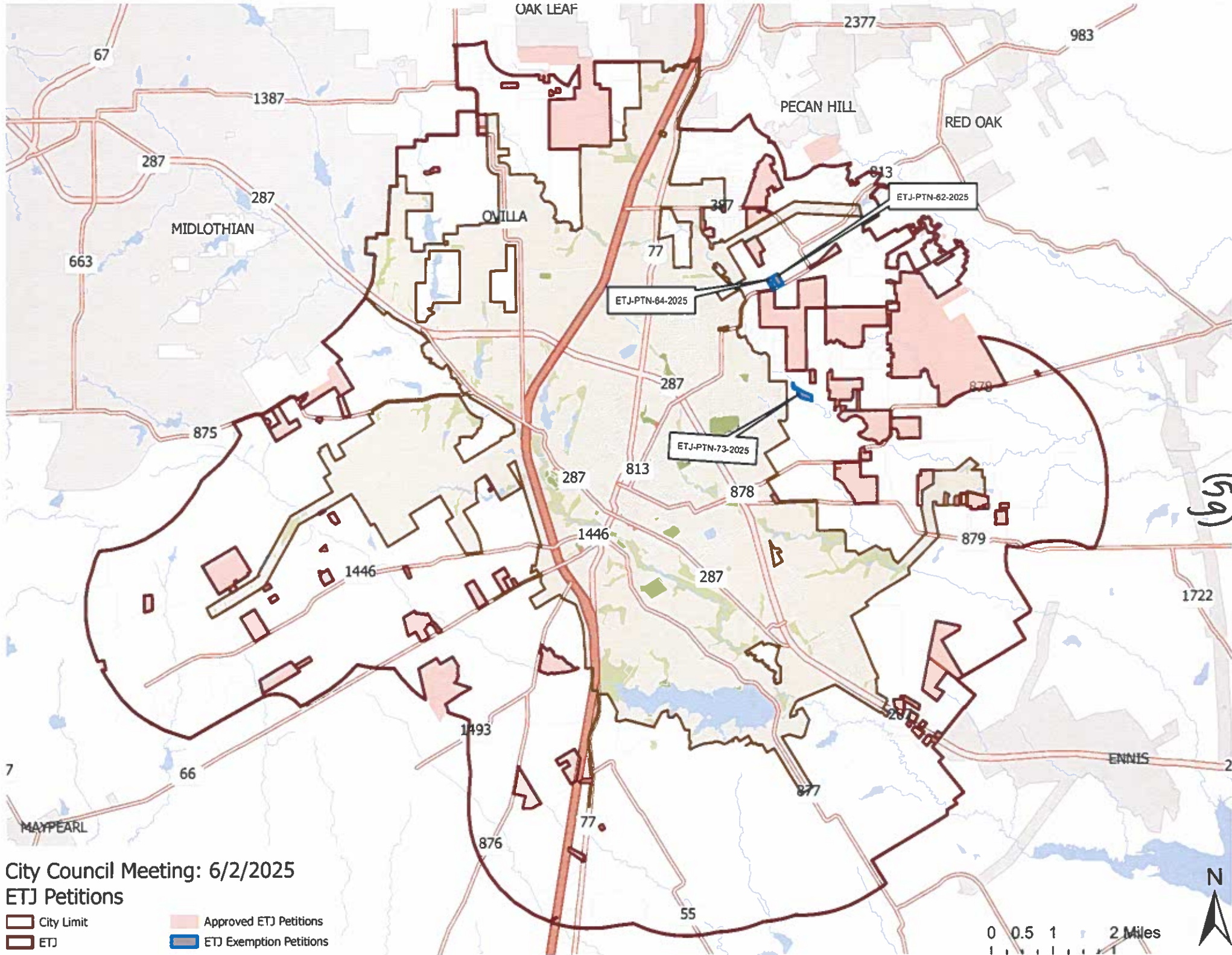
[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



**City Council Meeting: 6/2/2025**  
**ETJ Petitions**

- City Limit
- ETJ
- Approved ETJ Petitions
- ETJ Exemption Petitions

(59)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 7.490 ACRE TRACT OF LAND, LOCATED AT 3927 FM 813 KNOWN AS PROPERTY ID 234426, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**WHEREAS**, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("ETJ"); and

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-64-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

**NOW, THEREFORE**, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by the recorded Plat in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of June, 2025.

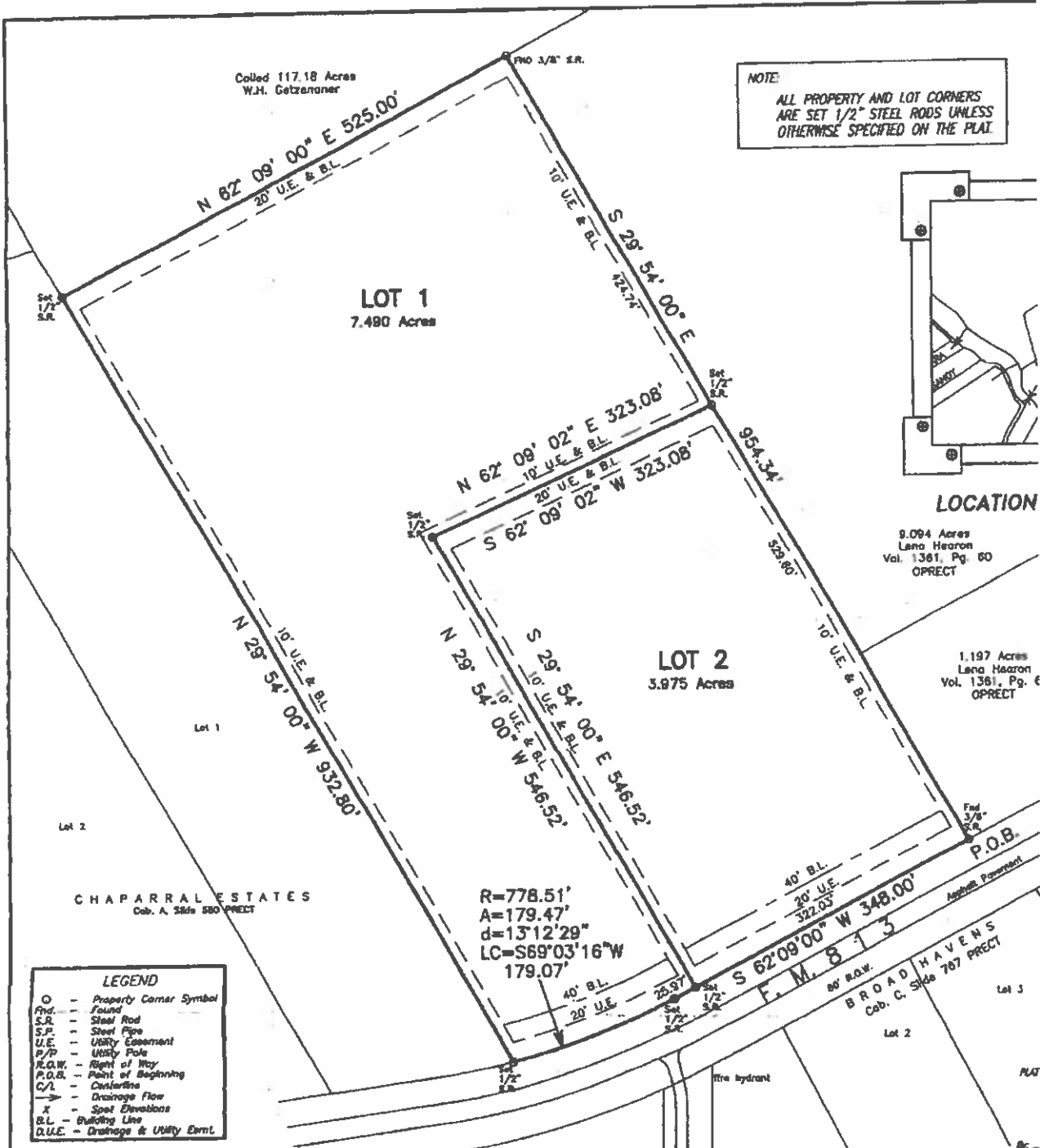
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

# EXHIBIT A SURVEY

(59)





(59)

# Planning & Zoning Department (5h)

## Petition for ETJ Release

Case: ETJ-PTN-73-2025



### MEETING DATE(S)

City Council:

June 2, 2025

### CAPTION

**Consider** proposed Ordinance approving a request by Robert & Melissa Tinning, for a **Petition for ETJ Release** for approximately 17.119 acres, located at 1070 Broadhead Rd (Property ID 235630) – Owner: Robert & Mellissa Tinning (ETJ-PTN-73-2025)

### RECOMMENDED MOTION

*"I move to approve ETJ-PTN-73-2025, a request by Robert & Melissa Tinning, for a Petition for ETJ Release for approximately 17.119 acres, at 1070 Broadhead Rd, authorizing the Mayor to sign the associated documents accordingly."*

### APPLICANT REQUEST

The property owners have petitioned the City to remove their property from the extraterritorial jurisdiction (ETJ).

### CASE INFORMATIONs

**Applicant:** Robert & Melissa Tinning

**Property Owner(s):** Robert & Melissa Tinning

**Site Acreage:** 17.119 acres

**Number of Lots:** 1 lot

**Number of Dwelling Units:** 1 unit

### SUBJECT PROPERTY

**General Location:** 1070 Broadhead Road

**Parcel ID Number(s):** 235630

**Current Zoning:** N/A (ETJ)

**Existing Use:** Single Family Residence

**Platting History:** A Plat for Dawn Estates was filed for the subject property on August 30, 2005. A Replat of Dawn Estates, Lot 4R, was filed for the subject property on May 15, 2018.

**CCN Service Area:** Rockett SUD

(5h)

**Site Aerial:**



**PLANNING ANALYSIS**

Starting September 1, 2023, residents living in areas within a municipality's ETJ are allowed to file a petition requesting their release from the ETJ. Upon providing the City with the minimum information listed below, the City must immediately release the area from its ETJ.

- The petition must be in writing and detail the area's boundaries through either metes and bounds or a recorded plat; and
- The petition must include the property owner's name, signature, date of birth, residence address, and date of signing.

This application satisfies the requirements of Chapter 42, Subchapter D of the Texas Local Government Code governing the requirements for an ETJ petition.

**RECOMMENDATION**

City staff has determined that the submitted petition complies with the requirements of Chapter 42, Subchapter D of the Texas Local Government Code and that such law requires the release of the subject property from the City's ETJ.

**ATTACHED EXHIBITS**

1. ETJ Petition Map for June 2, 2025 City Council Meeting
2. Proposed Ordinance
3. Recorded Plat (Exhibit A)
4. Location Map (Exhibit B)

**STAFF CONTACT INFORMATION**

*Prepared by:*

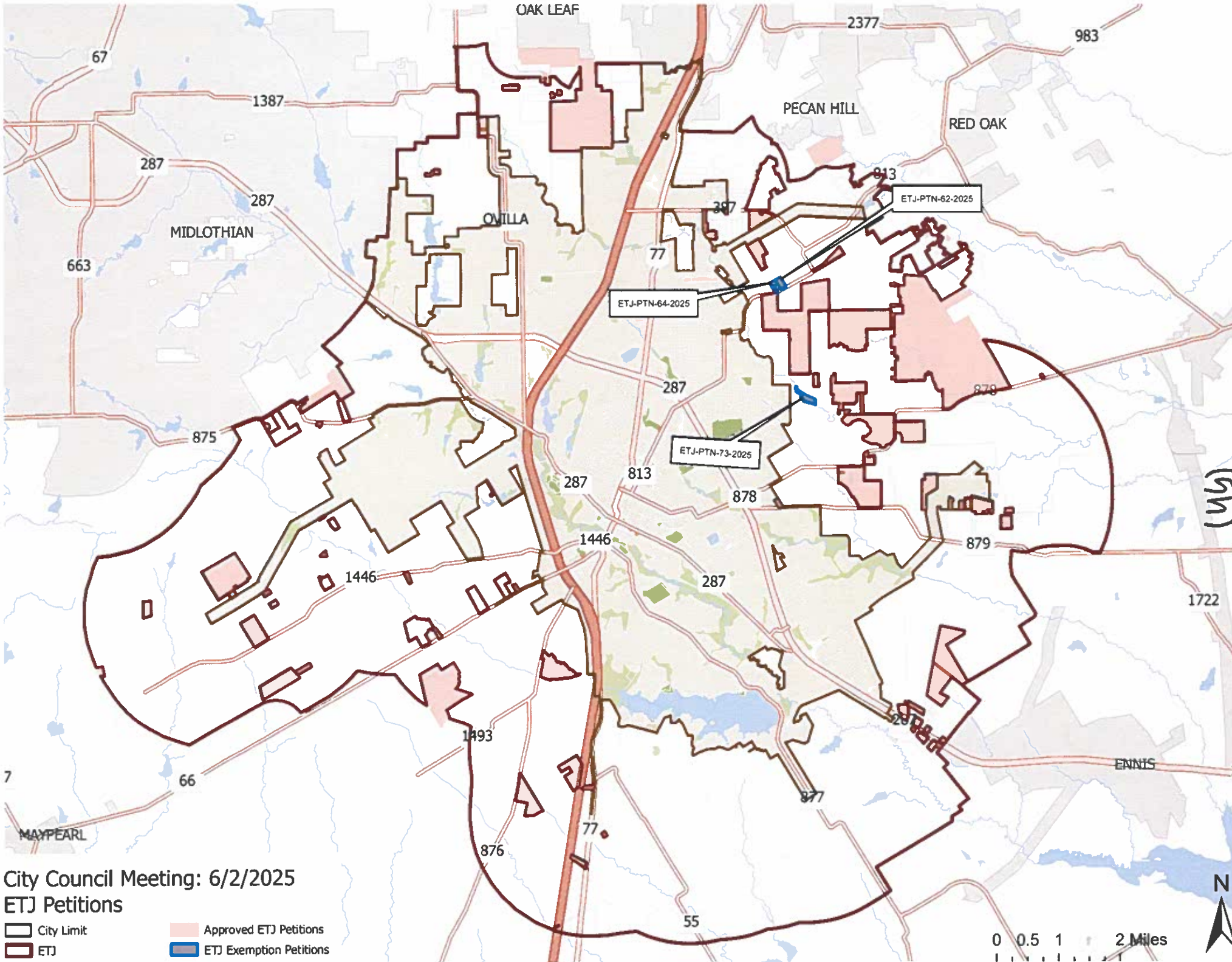
Caleb Ensley  
Planner

[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP  
Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)



(5h)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 17.119 ACRE TRACT OF LAND, LOCATED AT 1070 BROADHEAD ROAD KNOWN AS PROPERTY ID 235630, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, as authorized by Subchapter D of Chapter 42 of the Texas Local Government Code, the landowners of the herein described property have requested and petitioned in writing that the City of Waxahachie ("City") exclude the property herein described from the City's Extraterritorial Jurisdiction ("**ETJ**"); and

**WHEREAS**, City staff has determined that the submitted petition, case number ETJ-PTN-73-2025, complies with the requirements of Subchapter D of Chapter 42 of the Texas Local Government Code and that such law requires the release of the herein described property from the City's ETJ.

**NOW, THEREFORE**, the following described tracts of land are hereby released and removed from the City's ETJ, effective as of the date of the passage of this Ordinance:

All those certain lots, tracts or parcels of land situated in Ellis County, Texas, and being more particularly described by the recorded Plat in Exhibit A and shown on the location map in Exhibit B, which are made a part hereof and attached hereto for all purposes.

The City's ETJ boundary is hereby amended in accordance with said change. City staff is hereby directed to make all required changes to the City map showing the boundaries of the City's ETJ, as required by Section 41.002 of the Texas Local Government Code, and to promptly notify Ellis County of such changes.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of June, 2025.

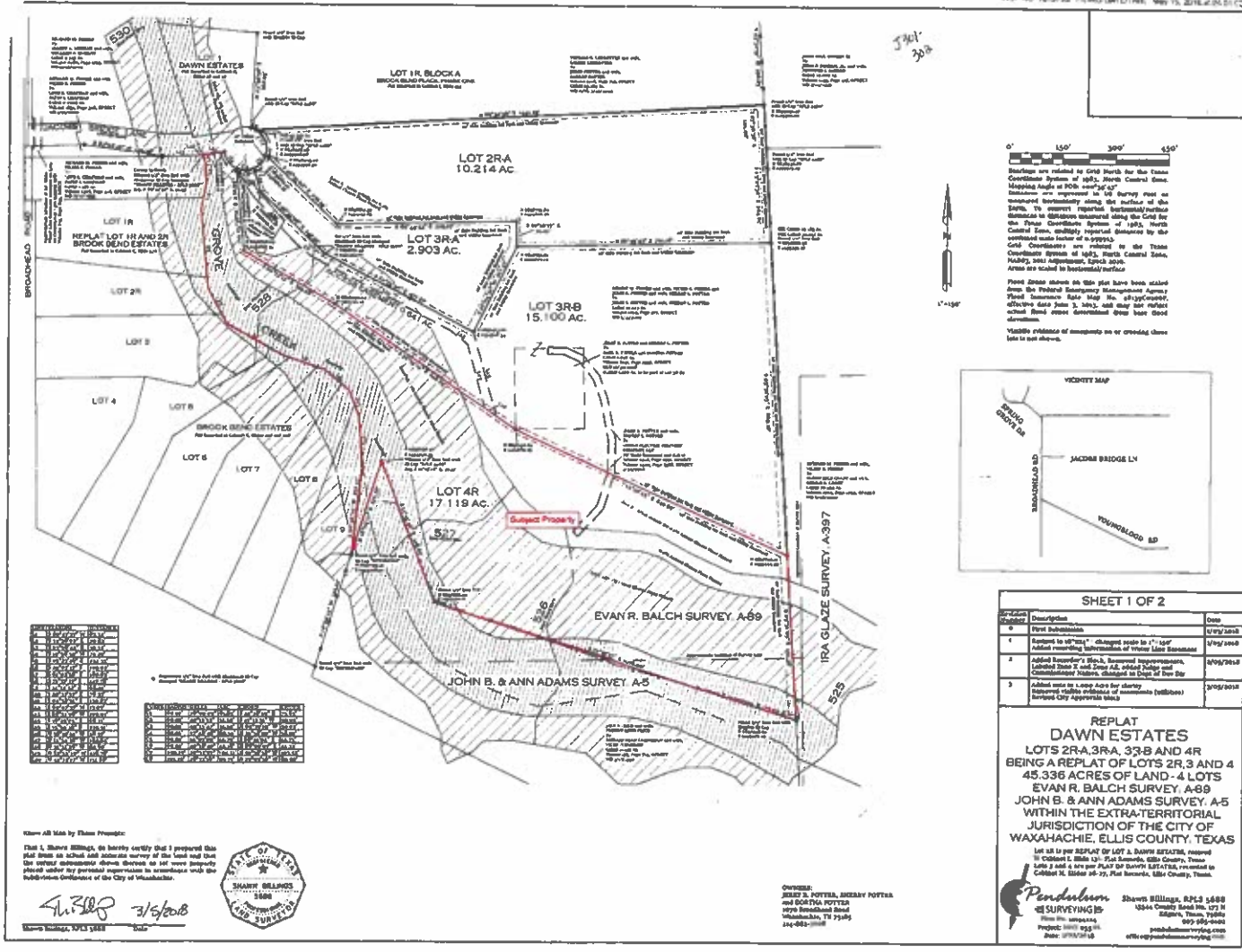
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

EXHIBIT A RECORDED PLAT

FILED FOR RECORD - ELLIS COUNTY TEXAS  
 INSTR NO 1842925 PLAT NO 2471746 - MAY 15, 2018 10:58 AM SUTCFM



Lot	Area (Ac)	Owner
1R	10.214	Dawn Estates
2R	10.214	Dawn Estates
3R	2.903	Dawn Estates
4R	17.118	Dawn Estates
5		
6		
7		
8		
9		
2RA	10.214	Dawn Estates
3RA	2.903	Dawn Estates
3RB	15.100	Dawn Estates
4R	17.118	Dawn Estates

Lot	Area (Ac)	Owner
1R	10.214	Dawn Estates
2R	10.214	Dawn Estates
3R	2.903	Dawn Estates
4R	17.118	Dawn Estates
5		
6		
7		
8		
9		
2RA	10.214	Dawn Estates
3RA	2.903	Dawn Estates
3RB	15.100	Dawn Estates
4R	17.118	Dawn Estates

Know All Men by These Presents:  
 That I, Sherrill Hillings, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the correct subdivisions shown therein do not ever previously placed under my personal supervision in accordance with the subdivision ordinance of the City of Waxahachie.  
 Sherrill Hillings 3/15/2018  
 Surveyor, TOL 1583



OWNERS:  
 JARED A. FORTAL, JERRY POTTER  
 and SCOTTA POTTER  
 1976 Broadhead Road  
 Waxahachie, TX 75165  
 242-661-1111

SHEET 1 OF 2

Change No.	Description	Date
0	First Submittal	3/15/2018
1	Revised to 10'x10' changed scale to 1"=100' Added recording jurisdiction of Minor Land Surveys	3/15/2018
2	Applied Recorder's Block, Reformed Improvements, Labeled Zone X and Zone A-5, added Subj and Commissioner Indices, changed to Copy of Plat Day	3/15/2018
3	Added note in Loop Aps for clarity Revised notes of easements (utilities) Revised City Approvals table	3/15/2018

REPLAT  
 DAWN ESTATES  
 LOTS 2RA, 3RA, 3RB AND 4R  
 BEING A REPLAT OF LOTS 2R, 3 AND 4  
 45.336 ACRES OF LAND - 4 LOTS  
 EVAN R. BALCH SURVEY, A-69  
 JOHN B. & ANN ADAMS SURVEY, A-5  
 WITHIN THE EXTRA-TERRITORIAL  
 JURISDICTION OF THE CITY OF  
 WAXAHACHIE, ELLIS COUNTY, TEXAS

THIS IS A REPLAT OF LOT 1, DAWN ESTATES, revised to conform to the City of Waxahachie, Ellis County, Texas Code and a replat of Dawn Estates, revised to conform to Section 66-27, Plat Records, like County, Texas.

**Pendleton**  
 SURVEYING &  
 CONSULTING  
 2800 W. 10th Street  
 Suite 100  
 Waxahachie, TX 75165  
 242-661-1111

Sherrill Hillings, RPLS 5688  
 4544 County Road 101, 107 N  
 Edgers, Texas, 75826  
 909-659-0000  
 pendletonsurveying.com  
 info@pendletonsurveying.com

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## Memorandum

To: Honorable Mayor and City Council  
From: Trenton Robertson, Senior Director of Planning  
Thru: Michael Scott, City Manager  
Date: June 2, 2025  
Re: FY 2025 Impact Fee Revenue and Expenditure Activity Mid-Year Report

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### RECOMMENDED MOTION

*"I move to approve the 2025 Impact Fee Revenue and Expenditure Activity Mid-Year Report as presented by staff."*

On May 13, 2025, city staff presented the FY 2025 Mid-Year Impact Fee Revenue and Expenditure Activity Report to the Impact Fee Capital Improvement Advisory Committee (IFCIAC). The activity summary detailed impact fee revenue and expenditures from October 1, 2024, to March 31, 2025, and the IFCIAC Committee voted 8-0 to recommend accepting and approval of the Mid-Year Report.

In October of 2024, city staff presented the End-of-Year FY 2024 Impact Fee Revenue and Expenditure Activity Report to the Impact Fee Capital Improvement Advisory Committee (IFCIAC) and City Council. The activity summary detailed impact fee revenue and expenditures from October 1, 2023 to September 30, 2024. The following report entails the Impact Fee revenue and expenditure activity summary for the 2025 fiscal year, which includes data from October 1, 2024 to March 31, 2025.

Impact fees are authorized under Chapter 395 of the Texas Local Government Code and empower municipalities to levy a charge or assessment against new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development.

(91)

**Impact Fee Revenues and Expenditures**

Below illustrates the revenues and expenditures for water, wastewater and roadway impact fees from October 1, 2024, to March 31, 2025, with a brief explanation of the associated spending from each project.

**Water Impact Fees**

<b>Current Fiscal Year</b>	<b>(Through 03/31/2025)</b>
Beginning Balance	\$6,985,719.37
Revenues	\$1,175,703.00
Expenses	<b>\$56,485.80</b>
Ending Balance	\$8,104,936.57

**Water Impact Fee Expenditure Summary FY 2025**

Below is a summary of the active projects which have been funded or partially funded through the use of water impact fees. The figures below are a total water impact fee allocated for each project and the status of the project, not the FY25 impact fee expenses.

**Distribution Line: Lofland/Ovilla Road Phase 2 (Engineering Design Phase)**

This project is currently in the design phase. The project scope includes the installation of a water transmission line along Ovilla Road between Marshall Road and US 287 Bypass. The project includes the installation of approximately 5,800 linear feet of 20-inch and 24-inch diameter pipes. In FY 2023, \$672,575.00 was transferred from Water Impact Fees into this project. The Consultant Engineer is finalizing the 100% construction plans, securing two additional easements, and preparing the plans for the construction bidding process.

**Howard Road WTP High Service Pump No.5 (Construction Phase)**

This project is currently under construction. The project scope includes, but is not limited to, the addition of Pump No. 5 at the High Service Pump Station. Work also includes the necessary electrical, instrumentation, and programming for a complete installation to enhance the treated water pumping capacity for the Howard Road Water Treatment Plant's distribution system. In FY 2022, \$718,263 was transferred from Water Impact Fees into this project fund. The project has reached substantial completion, and the contractor is working on the final punch list items of the project.

(51)

Water Distribution System Master Plan Update 2024 - (Professional Services)

This project is currently in the phase of finalizing the capital improvement projects. The project scope includes a revision to the Water Distribution System Master Plan. The revision encompasses updating land use assumptions, water demand projections, hydraulic water models, and recommending Capital Improvements Plan adjustments. In FY 2022, \$305,500.00 was transferred from Water Impact Fees into this project. The Consultant Engineer has finalized and submitted the master plan to the City. This project is complete.

Water Main Extension US77 to Old Italy RD (Engineering Design Phase)

This project is currently in the design phase. The project will extend approximately 2,100 linear feet of 24-inch water line and 3,000 linear feet of 12-inch water line from US 77 to Old Italy Road. This water line extension will serve the Waxahachie ISD's new high school and account for development near the construction of TxDOT's Spur 394. This year, \$225,300 was transferred from Water Impact Fees into this project. The Consultant Engineer is finalizing the 100% construction plans, securing two additional easements, and preparing the plans for the construction bidding process.

I-35 Water Main Lofland to Butcher (Construction Phase)

This project is currently in the design phase. The project scope includes the installation of a water transmission along the east right of way of I-35. The project includes the installation of approximately 4,230 linear feet of 18-inch water line connecting the existing 18-inch water lines at Butcher Road and Lofland Road's south side near the Owens Corning facility. In FY 2022, \$132,250.00 was transferred from Water Impact Fees into this project. The project construction is approximately 30% complete.

Debt Service

The City issues debt for financing long-term infrastructure capital improvements. Infrastructure includes those basic physical structures the government provides to support basic services, including improvements and new components to the City's utility system. Utility-related bond projects are largely financed by a portion of the monthly water fees paid by the City's utility customers. Additionally, water impact fees may be used to support and partially offset the required annual debt service for these bond funds. In FY 2025, water impact fees contributed \$98,250.00 toward the City's water debt service.

**Anticipated FY 2025 Water Impact Fee Expenditures**

**FM 878 at 287 Bypass 12" and 16" Oversize Waterline Participation (Construction Phase)**

This project is an anticipated construction project. The project scope includes the installation of a water transmission to extend water service from Cleaver Street to the eastern portion of the service area, encompassing FM 878 and FM 879 areas in the 715 Pressure Plane. The project includes the installation of approximately 13,500 linear feet of 16" and 12" water lines in addition to a bored waterline crossing beneath US-287 Bypass at Cleaver Street, connecting to the existing water line on Parks School House Road to establish a looped system. In FY 2023, \$416,000.00 was transferred from Water Impact Fees into this project. This project was postponed indefinitely, and the impact fees were returned to the Water Impact Fee fund.

**Saddle Brook Estates Phase III 16" Oversize Water Line Participation (Construction Phase)**

This project is an anticipated City's oversize participation share in the construction of 1,160 linear feet of 16-inch diameter water line within the Saddlebrook Estates development. Funding for the project will include a contribution from the Water Impact Fee fund, with the specific obligation to be determined based on the developer's finalized plans.

**Wastewater Impact Fees**

<b>Current Fiscal Year</b>	<b>(Through 03/31/2025)</b>
Beginning Balance	\$4,981,891.50
Revenues	\$1,170,218.00
Expenses	<b>\$184,051.80</b>
Ending Balance	\$5,968,057.70

**Wastewater Impact Fee Expenditure Summary FY 2025**

Below is a summary of the projects which have been funded or partially funded through the use of wastewater impact fees during the FY 2025 budget year. The figures below are a total wastewater impact fee allocated for each project and the status of the project, not the FY25 impact fee expenses.

**Jefferson Lift Station Capacity Expansion (Construction Phase)**

This project is substantially complete. The project scope included, but was not limited to, upgrading the Jefferson Lift Station to enhance pumping capacity from 28 MGD to 32 MGD, with future expansion potential to 48 MGD. In FY 2022, the project was partially funded with \$984,931,00 of Wastewater Impact Fees that were transferred to this project. The project is now complete.

*Wastewater Collection System Master Plan Update – FY23(Professional Services)*

This project is currently in the phase of finalizing the capital improvement projects. The project scope includes a revision to land use assumptions, wastewater demand, flow projections, hydraulic models, and the Capital Improvements Plan. In FY 2022, \$344,500.00 was transferred from Wastewater Impact Fees into this project. The Consultant Engineer has finalized and submitted the master plan to the City. This project is now complete.

*Wastewater Treatment Plant Master Plan Update (Professional Services)*

This project is currently in the condition assessment analysis phase for the master plan update. The project scope is to update the Wastewater Treatment Facilities Master Plan due to growth within the City planning area. The project consists of a Phase 1 to evaluate the existing plant site and two (2) additional sites to determine maximum amount of treatment capacity. Phase 2 of the project will provide planning level details of the treatment facilities needed to treat the flow identified in the Wastewater Treatment Master Plan and the location of the facilities. In FY 2022, \$276,000.00 was transferred from Wastewater Impact Fees into this project. The Consultant Engineer has submitted a draft master plan, which is now under staff review.

*Grove Creek Parallel Gravity Trunk Sewer Phase IV (Construction Phase)*

This project is currently under construction. The project scope includes the installation of approximately 18,675 linear feet of 27-inch diameter sanitary sewer main and 645 new five-foot diameter sanitary sewer manholes. This project is parallel to the existing Grove Creek Trunk Sewer, which runs from a point south of Butcher Road at Highland Village to the Grove Creek Lift Station. In FY 2022, this project was partially funded with \$3,052,565.00 of Wastewater Impact Fees that were transferred to this project fund. The project construction is substantially complete.

*Debt Service*

The City issues debt for financing long-term infrastructure capital improvements. Infrastructure includes those basic physical structures provided by the government to support basic services, including improvements and new components to the City's utility system. Utility-related bond projects are largely financed by a portion of the monthly sewer fees paid by the City's utility customers. Additionally, wastewater impact fees may be used to support and partially offset the required annual debt service for these bond funds. In FY 2025, wastewater impact fees contributed \$1,221,358.00 toward the City's wastewater debt service.

## **Anticipated FY 2025 Wastewater Impact Fee Expenditures**

### **Lower Mustang Creek Trunk Sewer Phase 3 (Engineering Design Phase)**

This project is an anticipated engineering design project. The project scope includes the installation of a sanitary sewer main from the existing 27" gravity sewer near the Lower Mustang Creek Lift Station, extending northwest upstream along Mustang Creek approximately and terminating near FM 878 and US Hwy 287 Bypass intersection. This project includes the installation of approximately 15,000 linear feet of 12-inch and 21-inch diameter sewer line that will provide service to an undeveloped area east of US Hwy 287 Bypass and FM 878/879 corridor. In FY 2023, this project was funded with \$367,000.00 of Wastewater Impact Fees that were transferred to this project. This project was postponed indefinitely, and the impact fees were returned to the Water Impact Fee fund.

### **Pine Meadows Oversized Wastewater Line Participation Project (Construction Phase)**

This project is an anticipated City's oversize participation share in the construction of a 15-inch sanitary sewer line along Cantrell Street. Funding for the project will include a contribution from the Wastewater Impact Fee fund, with the specific obligation to be determined based on the developer's finalized plans.

## **Roadway Impact Fees**

Below is a table illustrating the revenues and expenditures for roadway impact fees from October 1, 2024, to March 31, 2025:

<b>Service Area</b>	<b>FY 2025 Start (10/01/2024)</b>	<b>Revenues</b>	<b>Interest Allocation</b>	<b>Expense</b>	<b>March 2025 End (03/31/2025)</b>
<b>Service Area 1</b>	\$562,754.26	----	\$9,548.97	\$152,045.74	\$420,257.49
<b>Service Area 2</b>	\$6,127,535.13	\$589,105.71	\$156,161.84	----	\$6,872,802.68
<b>Service Area 3</b>	\$1,216,272.09	\$221,098.96	\$33,418.86	----	\$1,470,789.91
<b>Service Area 4</b>	\$1,968,624.43	----	\$45,770.50	----	\$2,014,394.93
<b>Service Area 5</b>	\$3,146,496.00	\$20,366.28	\$73,629.52	----	\$3,240,491.80
<b>Service Area 6</b>	\$3,016,193.60	\$107,769.48	\$61,212.19	\$491,179.58	\$2,693,995.69
<b>Service Area 7</b>	\$1,799,574.53	\$174,887.02	\$45,906.21	----	\$2,020,367.76
<b>Interest</b>	----	\$425,648.09	----	----	----
<b>Total</b>	\$17,837,450.04	\$1,538,875.54	\$425,648.09	\$643,225.32	\$18,733,100.26

**Roadway Impact Fee Expenditure Summary FY 2025**

Below is a summary of the projects which have been funded, or partially funded through the use of Roadway impact fees during the FY 2025 budget year. The figures below are a total roadway impact fee allocated for each project and the status of the project, not the FY25 impact fee expenses.

**Left turn lane of Northgate onto Highway 77 - Service Area 4**

This project has been completed and is being closed out. No additional money has been allocated to the project in FY25 for this project. The total construction contract amount is \$477,206.70.

**Broadhead Road Reconstruction - Service Area 5**

This project was terminated by the City Council. The \$412,500 in project funds has been returned to Roadway Impact Fees Service Area 5.

**New High School Road between Spur 394 and US 77 - Service Area 6**

This project has completed 90% design plans and is being reviewed by City staff and right-of-way is being acquired. The project includes a four-lane concrete roadway from the new Spur 394 to the northwest for approximately 5,600 feet and then turns toward the west and runs an additional 850 feet to US 77. It includes left turn lanes near the new high school and new intersections at the connection with Old Italy Road and Matthews Street. The design budget is \$964,000.

**Anticipated FY 2025 Roadway Impact Fee Expenditures**

Future projects for Roadways that may utilize impact fee money within FY 2025 include:

**Ovilla Road Widening (FM 664) - Service Area 1**

The Texas Department of Transportation (TxDOT) requires the City to reimburse the State for the ROW acquisition needed to widen FM 664. The city entered into an agreement with TxDOT to pay the initial cost of \$136,207 in 2022, and a yearly payment of \$156,776 from 2023 to 2026. Up to date, the city has paid \$288,253 (initial payment and 2023) out of General Fund and a payment of \$152,045.74 (paid Oct. 2024) was made from Impact Fee Service Area 1 to TxDOT. Future yearly payments (2025 & 2026) will likewise be paid from roadway impact fees.

**Cardinal Road (power corridor to Vista Way) - Service Area 2**

This project has not yet begun and is dependent upon development, but design is anticipated to start before the end of the fiscal year. Development proposed at the intersection of US 77 and Grove Creek Road is proposing to construct of a portion of Cardinal Road from US 77 eastward to a power corridor. This project would allocate an estimated \$375,000 for design of the roadway extension of a four-lane concrete roadway from the power corridor near US 77 to Vista Way.

(hi)

Farley Street - Service Area 4

This project has been presented before and has had preliminary design completed. In order to refine the scope of the project, City Staff has been working with a licensed traffic engineer to determine the appropriate timing for the roadway widening of the different segments of Farley Street. This will lead to a more refined scope for the Farley Street project. Additional information will be provided in future updates.

Engineering Design for New High School Road between Spur 394 and US 77 - Service Area 6

This project is currently 90% designed, will complete its design this fiscal year, and be bid for construction. The project estimates for construction are \$9,500,000 and includes a four-lane concrete roadway from the new Spur 394 to the northwest for approximately 5,600 feet and then turns toward the west and runs an additional 850 feet to US 77. It includes left turn lanes near the new high school and new intersections at the connection with Old Italy Road and Matthews Street.

**Future Roadway Impact Fee Projects FY 2026**

Cardinal Road (power corridor to Vista Way) – Service Area 2

Design of this project is anticipated prior to the end of FY25. Development proposed at the intersection of US 77 and Grove Creek Road is proposing to construct of a portion of Cardinal Road as a four-lane divided roadway from US 77 eastward to a power corridor. Cardinal Road is on the impact fee capital improvement plan and this project would allocate an estimated \$3,750,000 for construction of the roadway extension from the power corridor to Vista Way.

Cardinal Road (IH 35E to US 77) – Service Area 2

Design of this segment of the Cardinal Road thoroughfare is anticipated in FY26. This segment includes design of a four-lane concrete arterial roadway between the Lofland Road bridge at IH 35E and Cardinal Road at US 77. Improvements to Cardinal Road through this segment is on the impact fee capital improvement plan. Design for this segment is anticipated to include approximately two years for permitting with Union Pacific Railroad. This project would allocate \$500,000 for design of the roadway extension and widening from the Lofland Road bridge at IH 35E to Cardinal Road at US 77.

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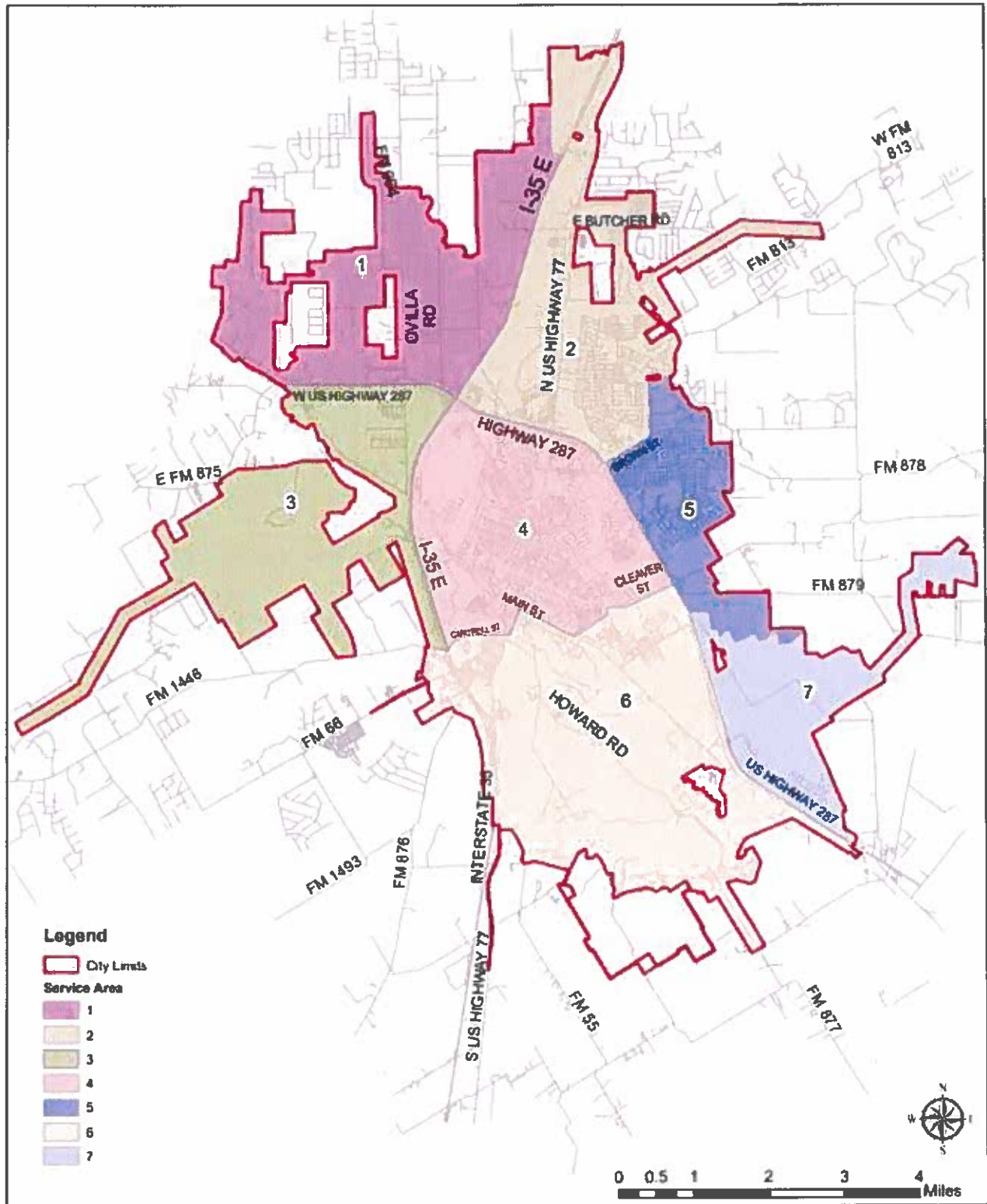
### **Next Steps**

Staff will continue to provide periodic updates to the Impact Fee Advisory Committee and City Council regarding the use of impact fees and the progress on the overall Capital Improvement Plan.

Staff intends to provide its next Impact report to the Advisory Committee in the Fall of 2025, covering revenues and expenses for the period from FY 2019 through FY 2025. This report will serve as the five-year update of Land Use Assumptions and Capital Improvements Plan required by Chapter 395 of the Texas Local Government Code. Capital improvement plans and land use assumptions must be updated at minimum every five years. The City's next update must be completed prior to December 7, 2025. Staff has contracted with a professional engineering firm to complete an update to the City's water, wastewater and roadway impact fees, and updates to the capital improvement plan prior to December 7, 2025.

(51)

# Roadway Impact Fee Service Area Map





## Memorandum

To: Honorable Mayor and City Council  
From: Eleana Tuley, AICP, Downtown Redevelopment & Historic Preservation Manager  
Thru: Michael Scott, City Manager *[Signature]*  
Date: June 2, 2025  
Re: Consider a Funding Request from the TIRZ Fund for Building Improvements for 201 S. College Street

---

**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$18,000.00 for the building improvements at 201 S. College Street, and authorize the City Manager to execute all documents as necessary."

**Item Description:** Consider authorizing funding from the TIRZ fund in the amount of \$18,000.00 for the building improvements at 201 S. College Street.

**Item Summary:** On Saturday, March 8, 2025, the Ellis County Museum sustained significant hail damage to the roof, windows, stained glass, and tin globes. The Applicant has filed an insurance claim to cover the cost of repairs. To help offset expenses, the Applicant is requesting \$18,000 in funding to cover 50 percent of the \$36,000 insurance deductible. This funding request aligns with the Downtown Building Improvement Grant Program, which offers a 50/50 match for improvement costs up to \$50,000.


The Applicant has confirmed that all repairs will be completed in a historically appropriate manner and acknowledges that reimbursement of half the deductible will be provided after the deductible has been fully paid and the Applicant has supplied proof of payment to Staff.

This item was presented to the TIRZ Board on May 20, 2025 and was approved unanimously.

**Fiscal Impact:** The \$18,000.00 would be funded from the TIRZ fund, which has sufficient capacity to fund the improvements.



## Memorandum

To: Honorable Mayor and City Council  
From: Eleana Tuley, AICP, Downtown Redevelopment & Historic Preservation Manager  
Thru: Michael Scott, City Manager   
Date: June 2, 2025  
Re: Consider a Downtown Building Improvement Program Grant Application for 114 S. Rogers Street

---

**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$16,000.00 for the improvements at 114 S. Rogers Street and authorize the City Manager to execute all documents as necessary."

**Item Description:** Consider authorizing funding from the TIRZ fund in the amount of \$16,000.00 for the improvements at 114 S. Rogers Street.

**Item Summary:** The Applicant has submitted a request through the Downtown Building Improvement Grant Program for \$16,000, which represents 50 percent of the total project cost of \$32,000, to install a new grease trap for Prime 115.

The existing grease trap is located in the basement of the building and connected to an old sewer line that has been abandoned and is severely deteriorated. At any moment, it could collapse. As a result, the Applicant plans to purchase and install a new grease trap to connect to the newer active sewer line in the alleyway behind the building. However, to connect to the sewer line, the new grease trap must be installed below grade in the alleyway to allow for gravity flow. City staff have worked with the applicant to ensure the new grease trap is sized properly and can be accommodated within the space constraints of the alleyway.

(4K)

The Applicant has selected J&K Excavation LLC to complete the work, as the contractor will also complete the public infrastructure improvements needed for this project, which were considered and approved separately by the TIRZ board.

The project scope for this grant request encompasses the costs of installing a new grease trap and connecting it to the restaurant's internal plumbing.

As noted above, the grant request aligns with the Downtown Building Improvement Grant Program, which offers a 50/50 match for qualifying improvement costs up to \$50,000.

This item was presented to the TIRZ Board on May 20, 2025 and was approved unanimously.

**Fiscal Impact:** The \$16,000.00 would be funded from the TIRZ fund, which has sufficient capacity to fund the improvements.

(51)



## Memorandum

To: Honorable Mayor and City Council

From: Eleana Tuley, AICP, Downtown Redevelopment & Historic Preservation Manager

Thru: Michael Scott, City Manager 

Date: June 2, 2025

Re: Consider a Funding Request from the TIRZ Fund for Public Infrastructure Improvements for 114 S. Rogers Street

---

**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$12,900 for the public infrastructure improvements for 114 S. Rogers Street."

**Item Description:** Consider authorizing funding from the TIRZ fund in the amount of \$12,900 for the public infrastructure improvements for 114 S. Rogers Street.

**Item Summary:** This request is associated with the Downtown Building Improvement Grant request for Prime 115. The City of Waxahachie is requesting \$12,900 from the TIRZ fund to install a new manhole and connect a new grease trap for Prime 115 to the new active sewer line in the alleyway behind the building. This work must be completed as soon as possible, as the existing grease trap is connected to an abandoned sewer line that is severely deteriorated and could collapse at any moment.

This item was presented to the TIRZ Board on May 20, 2025 and was approved unanimously.

**Fiscal Impact:** The funding request for \$12,900 would be funded from the TIRZ fund, which has sufficient capacity to fund the improvements.



## Memorandum

To: Honorable Mayor and City Council  
From: Eleana Tuley, AICP, Downtown Redevelopment & Historic Preservation Manager  
Thru: Michael Scott, City Manager   
Date: June 2, 2025  
Re: Consider a Funding Request from the TIRZ Fund for Downtown Improvements

---

**Recommended Motion:** "I move to approve funding from the TIRZ fund in the amount of \$46,800.34 for the projects as presented by staff, and authorize the City Manager to execute all documents as necessary."

**Item Description:** Consider authorizing funding from the TIRZ fund in the amount of \$46,800.34 for the downtown restroom and county courthouse improvement projects enhancing the aesthetics and safety of downtown.

**Item Summary:** The City of Waxahachie is in the process of renovating the Downtown Restrooms, initially budgeting \$36,600 for the project. However, an additional \$13,000 is being requested from the TIRZ Fund to complete the renovations. The project scope includes a full interior remodel of both the men's and women's restrooms, featuring new quartz flooring, fresh wall paint, anti-graffiti partitions, and upgraded stainless steel plumbing fixtures and accessories. All material selections were made with durability in mind, specifically chosen to withstand heavy use and minimize the impact of vandalism over time.

Additionally, the City of Waxahachie partnered with Ellis County several years ago to install tree-mounted lighting around the courthouse lawn to enhance courthouse overall lighting and aesthetics. Over time, the light fixtures began to fail and detach from the trees, posing a safety risk to both the courthouse grounds and the public. As a precaution, the City removed the existing fixtures. The City now plans to reinstall updated, modern, and energy-efficient lighting on the trees surrounding the courthouse lawn to replace the previous system. The estimated cost of the project is \$33,800.34. The project scope

(5m)

includes installing new, more discreet and organized wiring along with LED color-changing light fixtures designed to improve safety, efficiency, and visual appeal.

These items were presented to the TIRZ Board on May 20, 2025 and were approved unanimously.

**Fiscal Impact:** The two funding requests totaling \$46,800.34 would be funded from the TIRZ fund, which has sufficient capacity to fund the improvements identified by staff.

# Planning & Zoning Department (7)

## Zoning Staff Report

**Case: ZDC-14-2025**



**MEETING DATE(S)**

*Planning & Zoning Commission:* May 27, 2025  
*City Council:* June 2, 2025

**CAPTION**

**Public Hearing** on a request by Ryan McIntosh, Trinity Partners, for a **Specific Use Permit (SUP)** for a **Unified Lot Sign** use within a Planned Development-42-C (PD-42-C) zoning district, located directly south of 1650 N US Highway 77 (Property ID: 223131) – Owner: Bomac Wax Investments LLC (ZDC-14-2025)

**RECOMMENDED MOTION**

*"I move to approve ZDC-14-2025, a Unified Lot Sign for the Plaza at Bessie Coleman, subject to the conditions the staff report."*

**ACTION SINCE INITIAL STAFF REPORT**

At the Planning & Zoning Commission meeting held on May 27, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-14-2025, subject to the conditions of the staff report.

**APPLICANT REQUEST**

The applicant requests approval of a Specific Use Permit to allow for the construction of a Unified Lot Sign for the Plaza at Bessie Coleman multi-tenant retail center.

**CASE INFORMATION**

*Applicant:* Ryan McIntosh, Trinity Partners  
*Property Owner(s):* Bomac Wax Investments LLC  
*Site Acreage:* 8.53 acres  
*Current Zoning:* Planned Development-Commercial (PD-42-C) – Ord. 1528  
*Requested Zoning:* Planned Development-Commercial (PD-42-C) – Ord. 1528, with SUP

**SUBJECT PROPERTY**

*General Location:* Directly south of 1650 N US Highway 77  
*Parcel ID Number(s):* 223131  
*Existing Use:* Undeveloped

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	PD-42-C	Academy, Raising Canes
East	PD-64-SF-3	Country Meadows Subdivision
South	PD-1-C & PD-42-C	Belk, Boot Barn, Ellis County Music Center
West	O & GR w/ SUP	Waxahachie YMCA, Expedient Urgent Care

(7)

*Future Land Use Plan:*

Local Commercial & Residential Neighborhood

*Comprehensive Plan:*

*Local Commercial:* The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

*Residential Neighborhood:* This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context sensitive. Commercial uses in this placetype may be a small pop up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

*Thoroughfare Plan:*

The subject property is accessible via Bessie Coleman Blvd only.

*Site Image:*



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**PLANNING ANALYSIS**

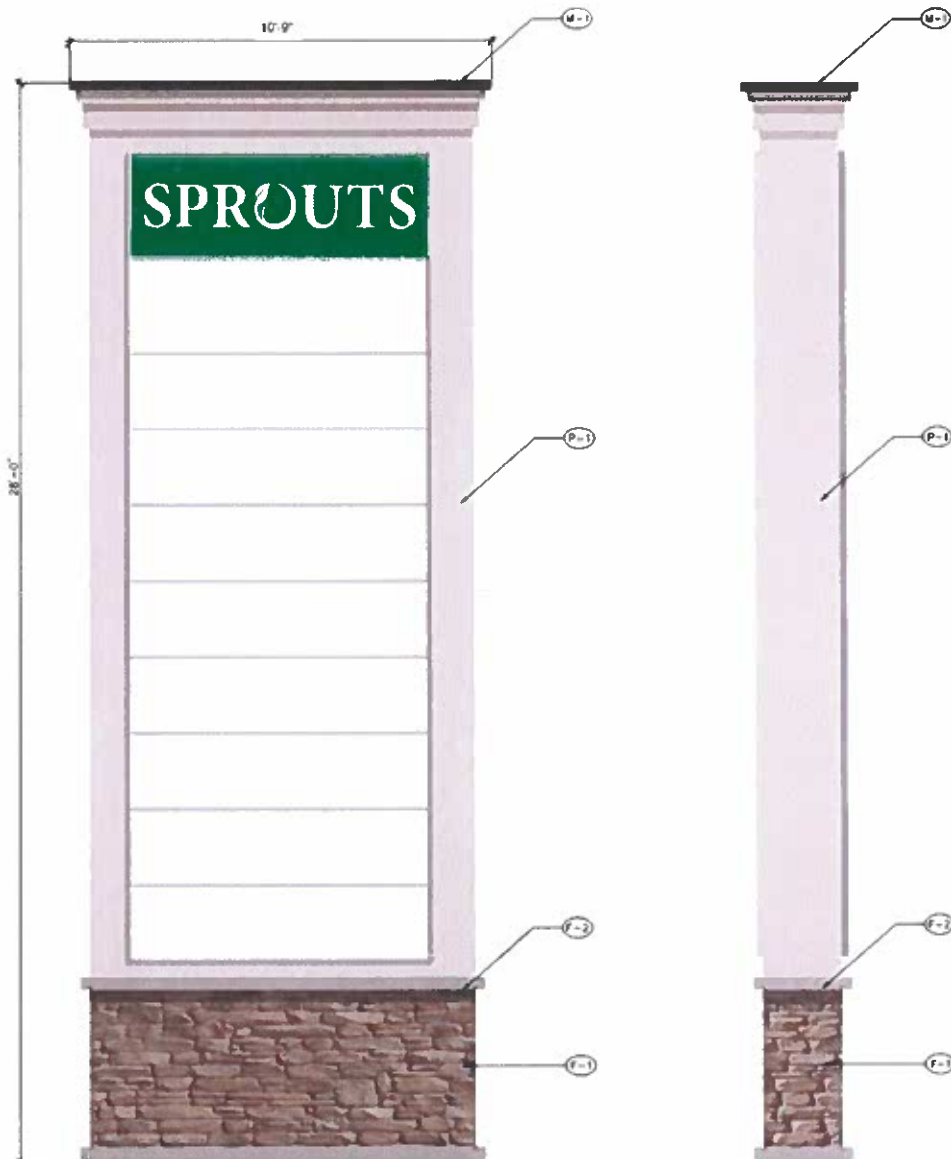
**Purpose of Request:**

The applicant requests approval of a Specific Use Permit to allow for the construction of a Unified Lot Sign. The Waxahachie Zoning Ordinance only allows for the construction of Unified Lot Signs with prior approval of a Specific Use Permit (SUP) by City Council.

**Proposed Use:**

The subject property is currently situated in a Planned Development-42-Commercial (PD-42-C) zoning district and recently received Site Plan approval for the development of the Plaza at Bessie Coleman; which is anchored by Sprouts Farmers Market and includes 3 additional multi-tenant retail buildings. The proposed Unified Lot Sign is proposed to take the form of a monument sign situated at the southeast corner of the intersection of Bessie Coleman Boulevard and N US Highway 77. The location of the sign meets the typical setback requirements for signage. This ensures that there will not be a visibility conflict for vehicles traveling through the adjacent intersection.

The sign is proposed to reach a maximum height of 28'; which is approximately 2' shorter than the existing unified lot sign for Waxahachie Marketplace on the northeast corner of the intersection of Bessie Coleman Boulevard and N US Highway 77. The total size of the sign is 301 square feet and a total of ten (10) static advertising spaces are proposed on the sign. The sign is proposed to utilize the same color palette and stone veneer base as the buildings approved for the Plaza at Bessie Coleman.



(7)

### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 30 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

### **PUBLIC NOTIFICATION RESPONSES**

Staff has received zero (0) letters of support and zero (0) letters of opposition for the PD request.

### **APPLICANT REQUIREMENTS**

1. If approved by City Council, the applicant can apply for building permits from the Building and Community Services Department.

### **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

#### **Conditions:**

1. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the sign.
2. City Council shall have the right to review the Specific Use Permit at any point, if needed.

### **ATTACHED EXHIBITS**

1. SUP Ordinance
2. Exhibit A - Location Map
3. Exhibit B – Sign Plan

### **STAFF CONTACT INFORMATION**

#### ***Prepared by:***

Zack King, AICP  
Planning Manager  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

#### ***Reviewed by:***

Trenton Robertson, AICP  
Senior Director of Planning  
[trenton.robertson@waxahachie.com](mailto:trenton.robertson@waxahachie.com)

(8)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A UNIFIED LOT SIGN USE WITHIN A PLANNED DEVELOPMENT-42-COMMERCIAL (PD-42-C) ZONING DISTRICT, LOCATED DIRECTLY SOUTH OF 1650 N US HIGHWAY 77, BEING PROPERTY ID 223131, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as PD-42-C; and

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-14-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from PD-42-C to PD-42-C, with a SUP in order to permit a Unified Lot Sign use on the following property: Property ID 223131, which is shown on Exhibit A, in accordance with the Sign Plan attached as Exhibit B.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

**FOR OPERATION OF A SPECIFIC USE PERMIT FOR A UNIFIED LOT SIGN USE WITHIN A PLANNED DEVELOPMENT-42-COMERCIAL (PD-42-C) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The development shall conform as approved by the City Council under case number ZDC-14-2025.
2. The development shall adhere to the City Council approved in Exhibit A- Location Map and Exhibit B – Sign Plan.
3. All improvements within the subject property will be subject to obtaining building permits from the City in accordance with the City’s applicable rules and regulations governing such permits.
4. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
5. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance (Ordinance No. TBD) or the Development Agreement, shall conform to those requirements and/or standards prescribed in Exhibit B – Detailed Site Plan, Exhibit C – Elevation/Façade Plan, Exhibit D – Sign Plan, and Exhibit E – Landscape Plan. Where regulations are not specified in Exhibits B, C, D, E, in this Zoning Ordinance (Ordinance No. TBD) or the Development Agreement, the regulations of the General Retail (GR) zoning district and the City of Waxahachie Zoning Ordinance shall apply to this development.
6. City Council shall have the right to review the Specific Use Permit at any point, if needed.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or cease to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new.

(8)

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of May, 2025.

---

MAYOR

ATTEST:

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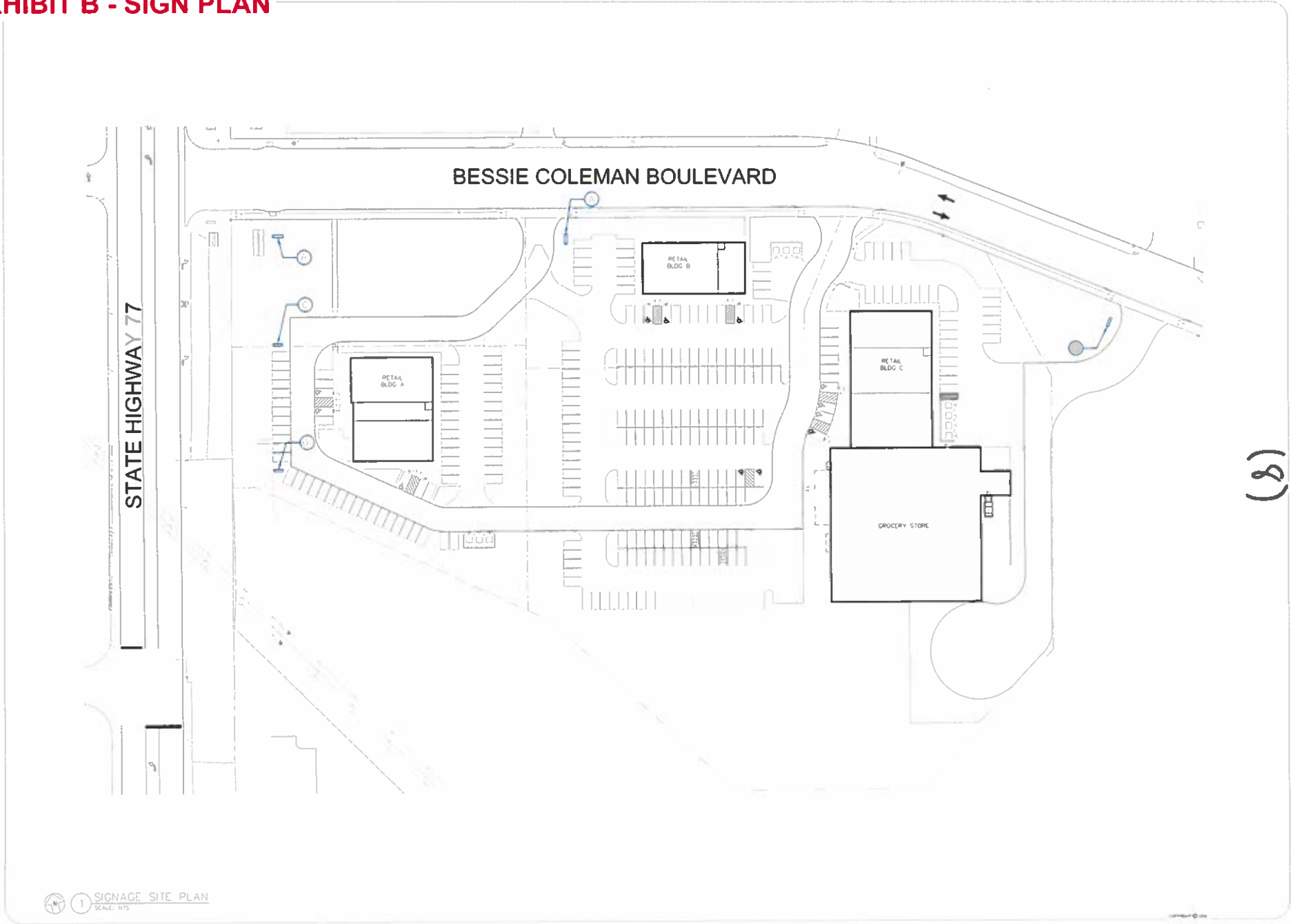
City Secretary

**EXHIBIT A - LOCATION MAP**



(8)

**EXHIBIT B - SIGN PLAN**



1 SIGNAGE SITE PLAN  
SCALE: NTS

(8)

PRELIMINARY  
NOT TO BE USED  
FOR  
REGULATORY  
APPROVAL,  
PERMITTING OR



SHELL BUILDINGS  
TBD HWY 77 & BESSIE COLEMAN  
WAYAKOCHIF, TX

Project No. 2224  
Date: 12/28/22  
Scale: AS BUILT  
Drawn by: [Name]

SHEET  
SG-1  
DATE: 12/28/22

# EXHIBIT B - SIGN PLAN



**STONE VENEER**  
CORONADO STONE  
OLD WORLD LEDGE  
"MONARCH"  
F-1



**SILL**  
CORONADO STONE  
900 SERIES  
"GREY"  
F-2



**PAINT**  
PPG 1009-1  
"TUNDRA FROST"  
P-1



**PREFINISHED METAL**  
BERRIDGE  
"AGED BRONZE"  
M-1

(8)

**SG-2**  
SIGNAGE  
MATERIALS

The Number: 22234-06-2  
Project No: 22234  
Date: 12/20/2024  
Drawn By: [blank]  
Checked By: [blank]

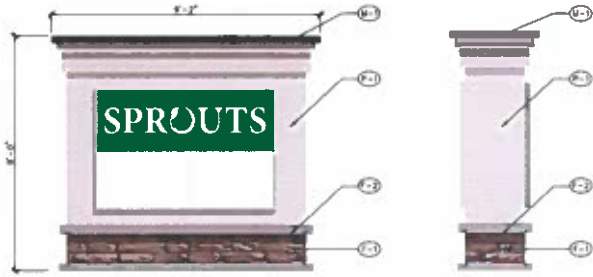
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**SHELL BUILDINGS**  
TBD HWY 77 & BESSIE COLEMAN  
WAKARUSA, TX

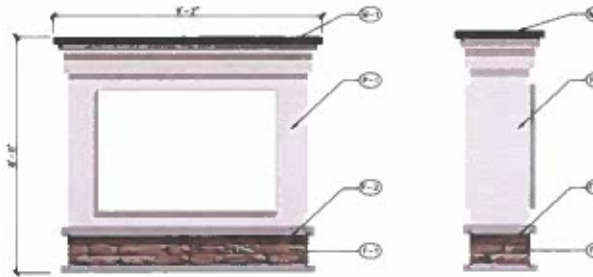
**FRANZ**  
architects  
1888 Sherman Parkway  
Dallas, TX 75201

PRELIMINARY  
NOT TO BE USED  
FOR  
REGULATORY  
APPROVAL,  
PERMITTING OR

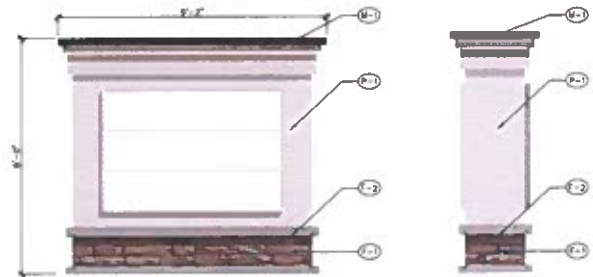
# EXHIBIT B - SIGN PLAN



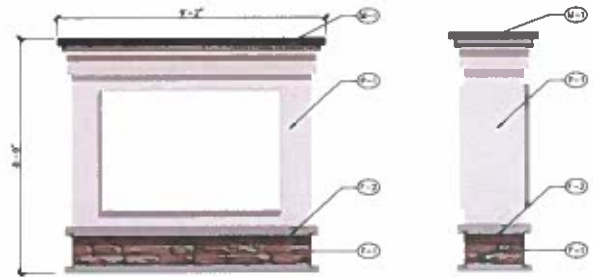
1 SIGN A  
SCALE: 1/16" = 1'-0"



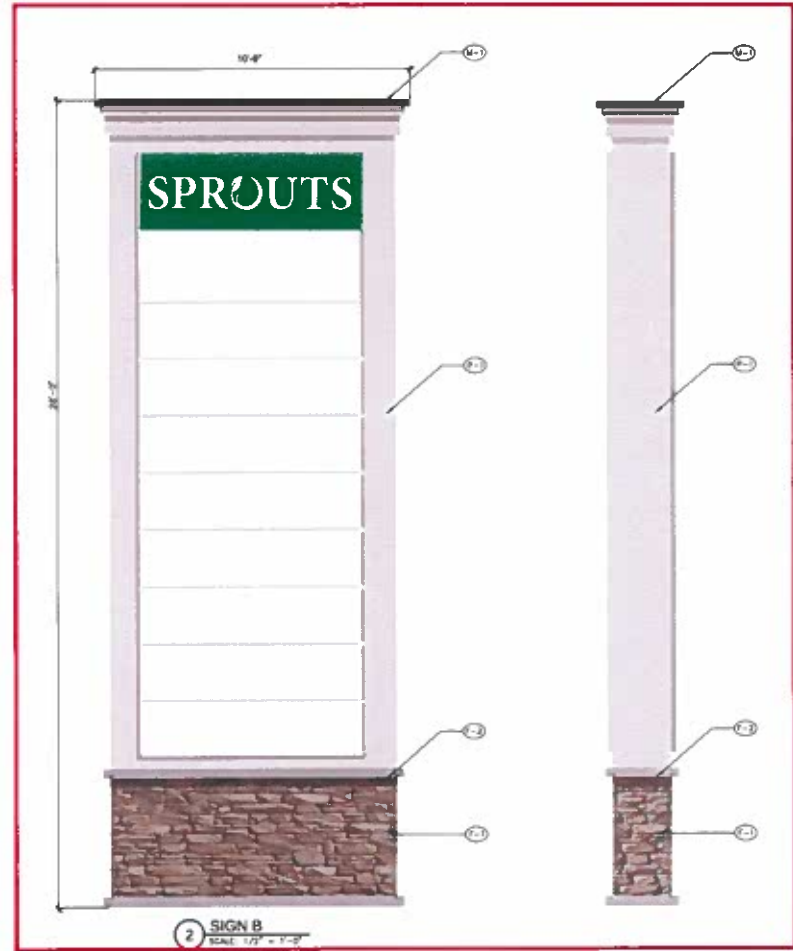
3 SIGN C  
SCALE: 1/2" = 1'-0"



4 SIGN D1  
SCALE: 1/2" = 1'-0"



5 SIGN D2  
SCALE: 1/2" = 1'-0"



2 SIGN B  
SCALE: 1/2" = 1'-0"

(B)

PRELIMINARY  
NOT TO BE USED  
FOR  
REGULATORY  
APPROVAL,  
PERMITTING OR



SHELL BUILDINGS  
TBD HWY 77 & BESSIE COLEMAN  
WAXAHACHIE, TX

Project No. 23234  
Date 12/06/2024  
Drawn By  
Checked By

SHEET  
SG-3  
SIGNAGE  
ELEVATIONS

# Planning & Zoning Department (9)

## Zoning Staff Report

Case: ZDC-54-2025



### MEETING DATE(S)

Planning & Zoning Commission: May 27, 2025

City Council: June 2, 2025

### CAPTION

**Public Hearing** on a request by Alexandra Webber, for a **Specific Use Permit (SUP)** for a **Short-Term Rental** use within a Multi-Family Residential-1 (MF-1) zoning district located at 865 Cantrell St. (Property ID 179113) - Owner: Alexandria Webber & Dustin Webber (ZDC-54-2025)

### RECOMMENDED MOTION

- "I move to deny ZDC-54-2025, a Specific Use Permit (SUP) for Short-Term Rental use."
- "I move to approve ZDC-54-2025, a Specific Use Permit (SUP) for a Short-Term Rental use, subject to the conditions the staff report, authorizing the City Manager and/or Mayor to execute all documents accordingly."

### ACTION SINCE THE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on May 27, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-54-2025, subject to the initial conditions of the staff report. For clarity, staff has recommended an additional condition that the applicant shall remove their current Homestead Exemption at 865 Cantrell Street.

### APPLICANT REQUEST

The Applicant requests a Specific Use Permit for a Short-Term Rental use at 865 Cantrell St.

### CASE INFORMATION

**Applicant:** Alexandria Webber

**Property Owner(s):** Alexandria Webber & Dustin Webber

**Site Acreage:** 0.51 acres

**Current Zoning:** Multi-Family Residential-1 (MF-1)

**Requested Zoning:** MF-1 with a Specific Use Permit (SUP) for a Short-Term Rental

### SUBJECT PROPERTY

**General Location:** 865 Cantrell St

**Parcel ID Number(s):** 179113

**Existing Use:** Single-Family Residential use

**Development History:** The subject property has not been platted

(9)

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	GR	Vacant
East	PD-SF-3	Residential
South	PD-MF-2	Vacant
West	PD-MF-2	Vacant

**Future Land Use Plan:**

Mixed Use Neighborhood

**Comprehensive Plan:**

A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near exclusive uses such as large multiplex apartments or retail centers with large land area being devoted to automobile parking do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

**Thoroughfare Plan:**

The subject property is accessible via Cantrell Street.

**Site Image:**



## **PLANNING ANALYSIS**

(9)

During the City Council meeting held on October 16, 2023, Councilmembers approved an ordinance to allow the use of a short-term rental in all zoning districts with an approved SUP, with the exception of the Central Area (CA) zoning district. All residential-use properties located within the Central Area (CA) zoning district are allowed to operate a short-term rental by right without seeking the approval of a SUP.

The applicant requests a SUP for short-term rental use at 865 Cantrell St because it is located within the MF-1 zoning district. The subject property consists of a primary structure of approximately 2,084 square feet, built in 1953. The portion of the home proposed to be used as an STR has two (2) bedrooms, one (1) bathroom and enough improved surface to accommodate for the maximum parking spaces of two (2) vehicles. The property owner (emergency contact) will be residing in the remaining portion of the home which consists of one bedroom and one bathroom. The area in which the emergency contact will reside is separate from the Short-Term Rental as demonstrated in the applicant's floor plan for the subject property.

The subject property is situated on an approximately 0.51 acres (22,215.6 square feet) tract. The applicant has not been operating a short-term rental. The applicant has not been paying local hotel occupancy taxes, as they have not been operating an STR. The Ellis County Appraisal District (ECAD) does identify the subject property as a Homestead. The applicant submitted the SUP application on June 12, 2024.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered no nuisance-related calls had been made regarding the subject property and its current use in the past 12 months.

The applicant's local emergency contact is Dustin Webber (214) 240-1204, 865 Cantrell Street, Waxahachie, TX. 75165, [Mikeandalexwebber@gmail.com](mailto:Mikeandalexwebber@gmail.com), which is located on the subject property.

## **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 37 notices were mailed to property owners within 500 feet of the subject property as required in Section 3.27 of the City's Zoning Ordinance. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of the publishing of this staff report, a total of zero (0) letters of opposition and zero (0) letters of support were received by staff.

## **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents associated with the request, if considering a recommendation for approval:

### **Conditions:**

1. The applicant shall provide an updated Certificate of Insurance or the Declaration page of the insurance policy to reflect the subject property's address and the minimum coverage amount of \$1,000,000 per occurrence.
2. The short-term rental operator shall complete the STR registration process with the City's vendor, and pay the annual and a renewal fee set by Ordinance No. 3415, or as amended.
3. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
4. The short-term rental operator shall allow a maximum occupancy of six (6) guests per stay.
5. The short-term rental operator shall provide a maximum of two (2) off-street parking spaces.

Conditions (continued):

(9)

6. The short-term rental operator shall adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
7. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
8. The applicant shall remove their current homestead exemption at 865 Cantrell St.

**ATTACHED EXHIBITS**

1. SUP Ordinance
2. Location Map (Exhibit A)
3. Zoning Map (Exhibit B)
4. Floorplan (Exhibit C)
5. Survey (Exhibit D)
6. Host Rules (Exhibit E)

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A MULTI FAMILY 1 (MF-1) ZONING DISTRICT, LOCATED AT 865 CANTRELL ST, BEING PROPERTY ID 179113 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING A TRACT OF LAND OUT OF THE J.C. ARMSTRONG SURVEY, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as MF-1; and

**WHEREAS**, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-54-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission, was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from MF-1 to MF-1 with a SUP in order to permit a Short-Term use on the following property: 865 Cantrell St, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Survey attached as Exhibit D, and the Host Rules attached as Exhibit E.

**SPECIFIC USE PERMIT**

**Purpose and Intent**

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City’s Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

**FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A MULTI FAMILY-1 (MF-1) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-54-2025.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D –Survey, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City’s applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The property owner shall remove their current homestead exemption at 865 Cantrell St.
6. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City’s vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of six (6) guests

(16)

per stay.

7. The short-term rental operator is subject to provide a maximum of two (2) off-street parking spaces.
8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of June, 2025.

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MAYOR

ATTEST:

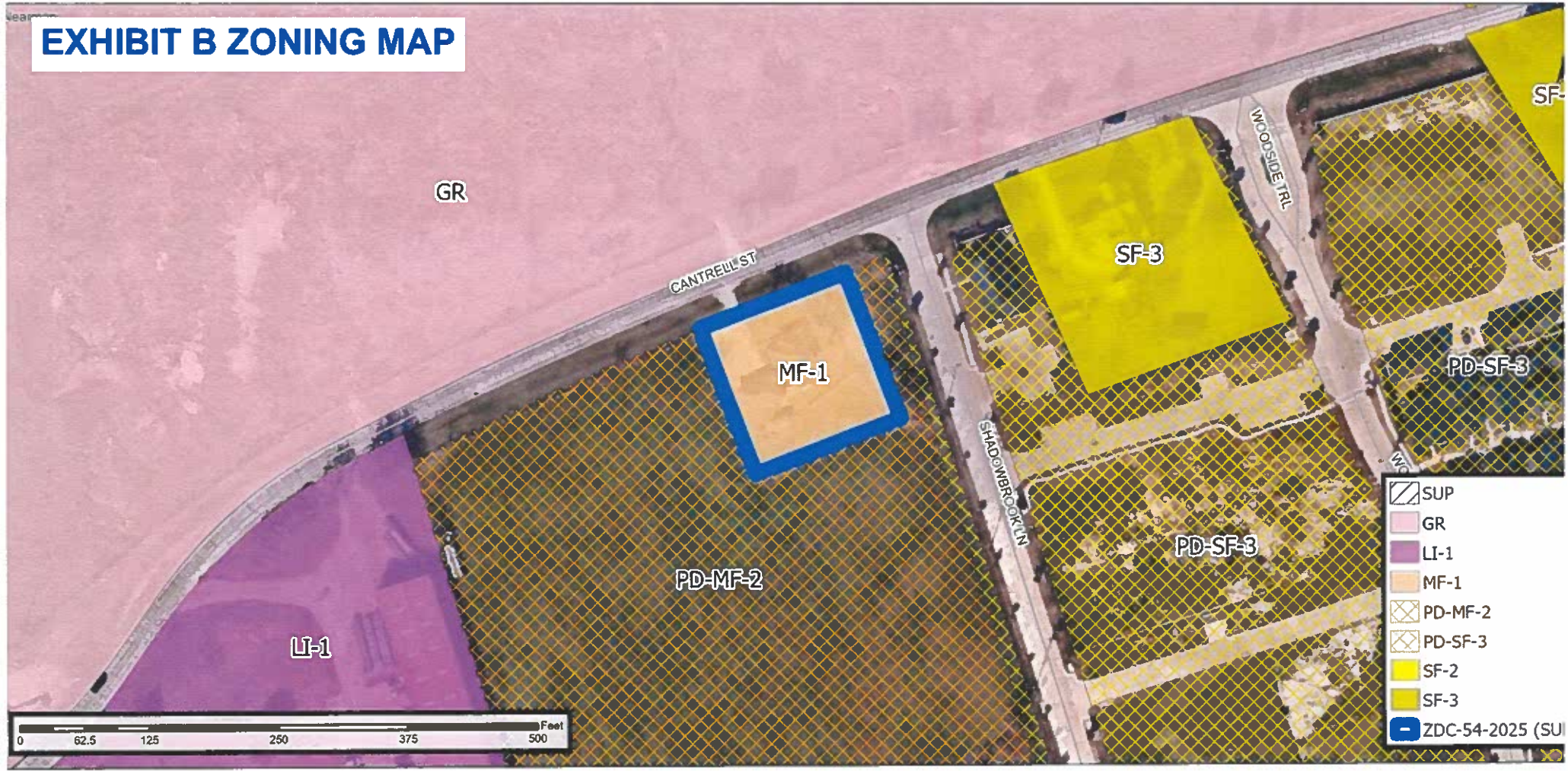
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City Secretary

**EXHIBIT A LOCATION MAP**



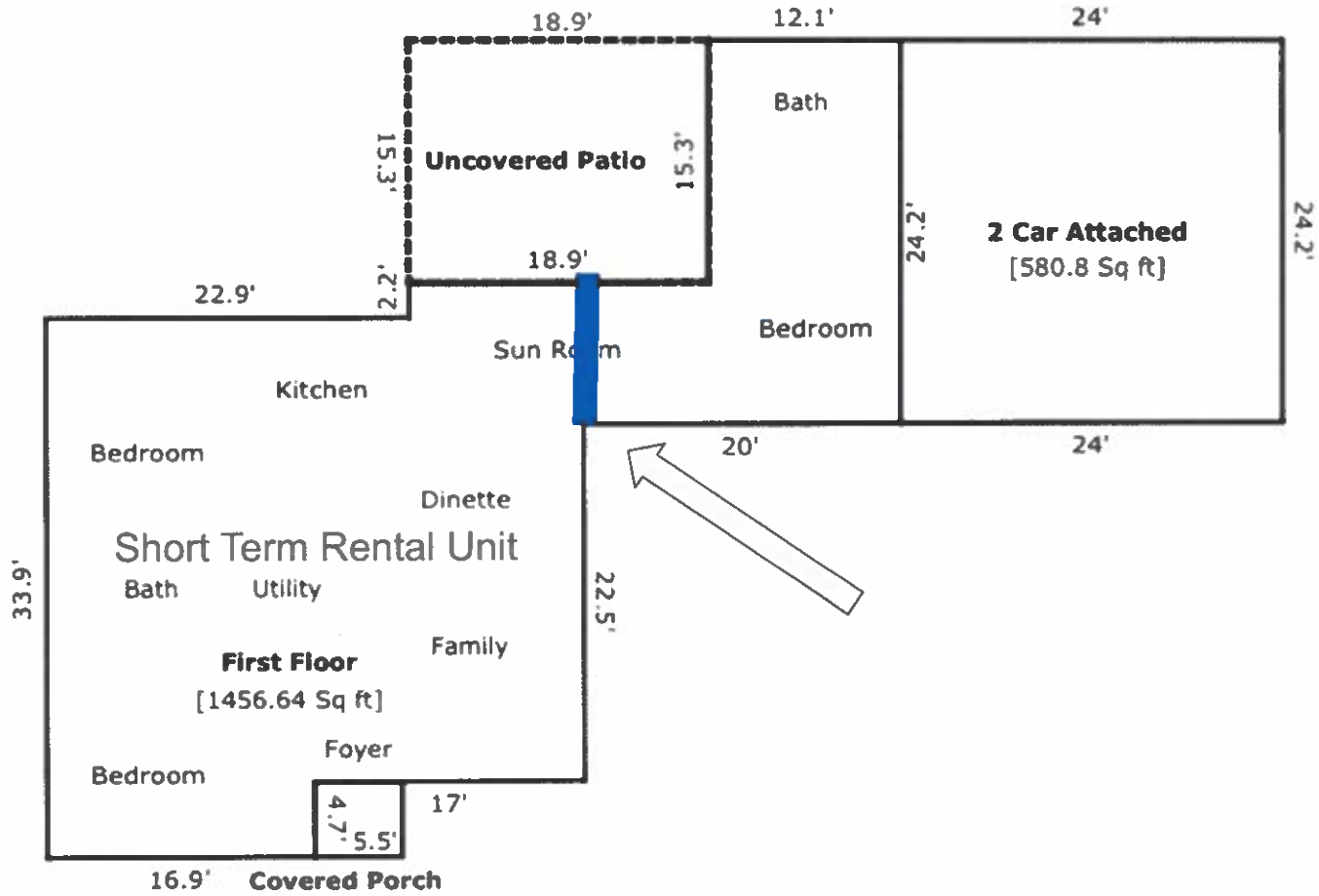
# EXHIBIT B ZONING MAP



	SUP
	GR
	LI-1
	MF-1
	PD-MF-2
	PD-SF-3
	SF-2
	SF-3
	ZDC-54-2025 (SU)

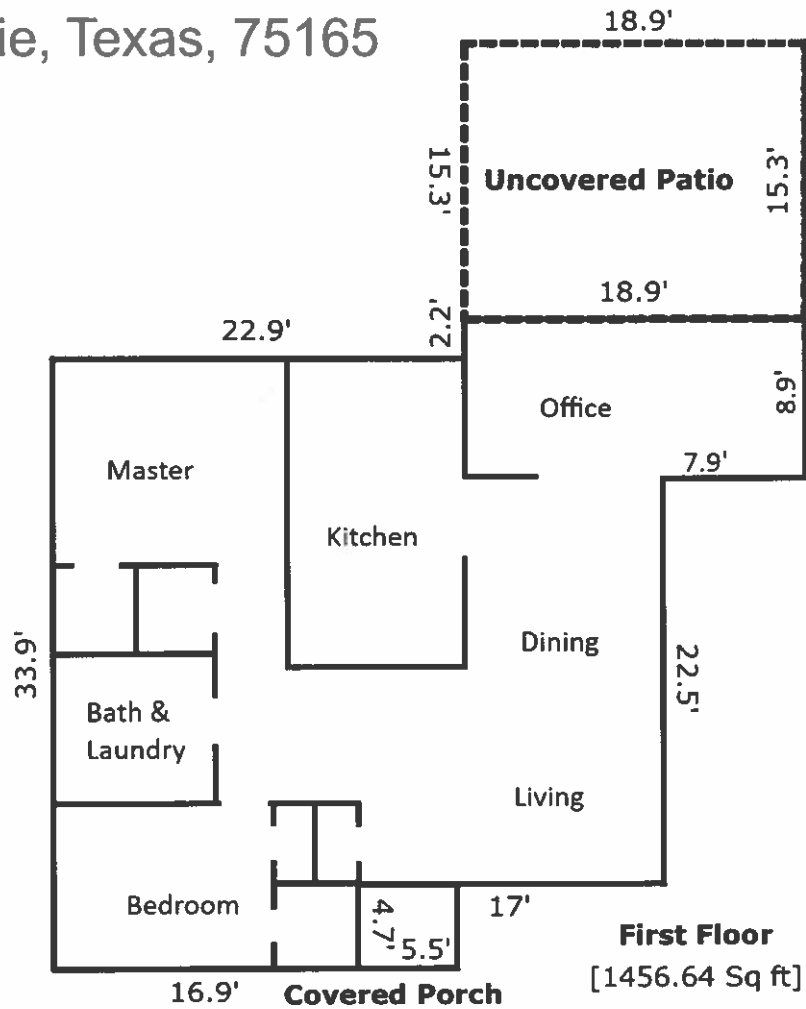
# EXHIBIT C FLOOR PLAN

## Cantrell Full House Floor Plan



(10)

Floor Plan for Short Term Rental  
 Address: 865 Waxahachie, Texas, 75165



(10)

# STADIA LAND SURVEYING INC.

COPYRIGHT DATE  
08 / 08 / 2017

PROPERTY ADDRESS / 888 CANTRELL STREET  
ELLIS COUNTY, TEXAS

### LEGAL DESCRIPTION OF LAND:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING 0.81 ACRES IN THE JAS. C. ARMSTRONG SURVEY, ABSTRACT NO. 8, ELLIS COUNTY, TEXAS, AS DESCRIBED IN DEED EXECUTED BY GLENDA JO JOHNSON TO CHARLES ROTH JOHNSON RECORDED IN COUNTY CLERK FILE NO. 1802857, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS.

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE JAS. C. ARMSTRONG SURVEY, ABSTRACT NO. 8, ELLIS COUNTY, TEXAS, AND IS DESCRIBED BY FIELD NOTES AS FOLLOWS:

BEGINNING AT A 1/2" IRON STAKE FOUND ON THE SOUTH LINE OF THE CANTRELL STREET CALLED WAXWACRE AND 811 AT A POINT 47' FROM THE CENTER OF THE SAME, SAID STAKE BEING 143' W 28' W, AND 208' 12" W 28' N 68' 31" E OF THE CORNER OF THE H.A. PEACOCK 28 ACRES TRACT AND 288' 14" W 14' 08' 31" E OF A SOUTH CORNER OF A 47 ACRES TRACT DESCRIBED IN A DEED FROM LINDA SHAWNS ET AL TO G.L. WALKER ET US ON MARCH 15, 1940, AND OF RECORD IN VOL. 245, PAGE 341, OF THE DEED RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH LINE OF SAID ROAD N 69° E, 130 FEET TO A 1/2" IRON STAKE FOUND FOR CORNER;

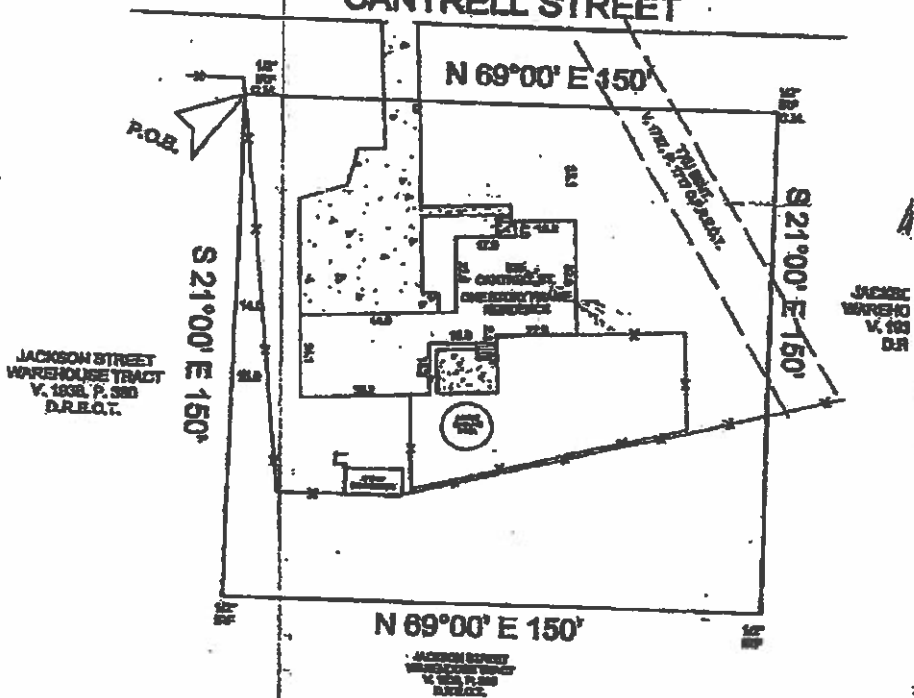
THENCE S 21° E, 150 FEET TO A 1/2" STEEL ROD FOUND FOR CORNER;

THENCE S 69° W, 150 FEET TO A 1/2" STEEL ROD FOUND FOR CORNER;

THENCE N 21° W, 150 FEET TO THE PLACE OF BEGINNING CONTAINING 0.81 OF AN ACRE OF LAND, SURVEYED BY E.A. NEAL, LICENSED SURVEYOR OF THE STATE OF TEXAS, ON APRIL 16, 1954.

*Margaret Walker*  
*Dustin P. Walker*  
7-16-24

## CANTRELL STREET



*Eric Walker 3/12/2024*



THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1989, CHAPTER 81, TEXAS STATUTES ANNOTATED. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK OF ELLIS COUNTY, TEXAS, AND HAS FOUND NO RECORDS THAT WOULD AFFECT THIS SURVEY.

STADIA LAND SURVEYING, INC.  
 815 N. 10th St.  
 Suite 100  
 Fort Worth, TX 76102  
 Phone: (817) 336-1111  
 Fax: (817) 336-1112  
 Website: www.stadia.com

STADIA LAND SURVEYING, INC.  
 815 N. 10th St.  
 Suite 100  
 Fort Worth, TX 76102  
 Phone: (817) 336-1111  
 Fax: (817) 336-1112  
 Website: www.stadia.com



*Eric Walker*

# WELCOME

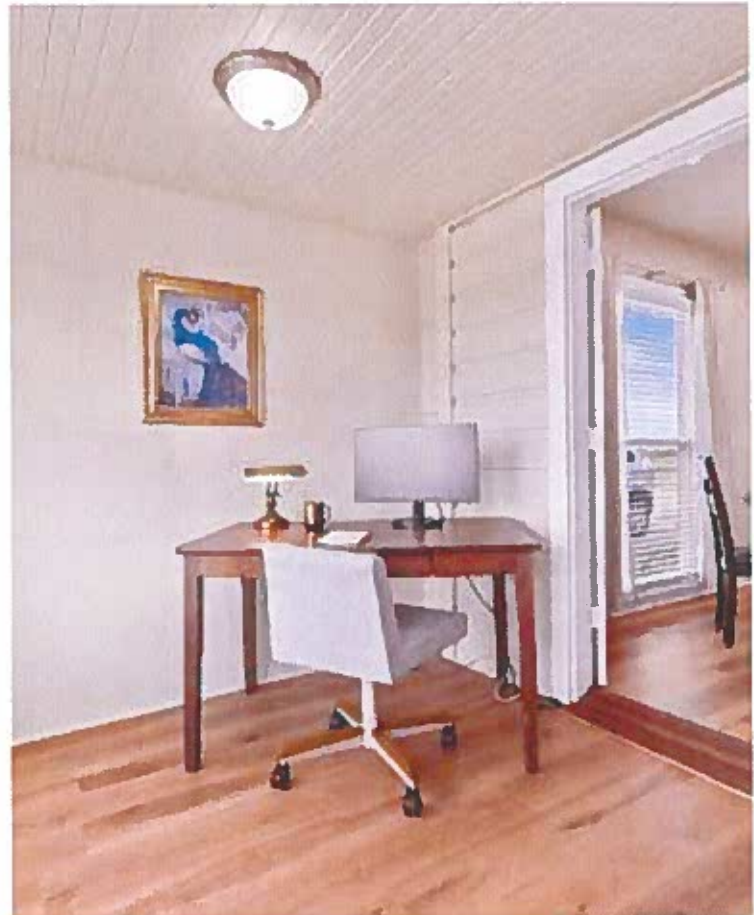


TO YOUR HOME AWAY FROM HOME

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865 CANTRELL STREET, WAXAHACHIE, TEXAS 75165

# Welcome HOME!



Thank you for choosing to stay with us! We are excited to welcome you to the House on Cantrell.

We invite you to browse through our welcome book, where you can find all the information about the house!

If you have any questions or need anything at all during your stay please don't hesitate to contact us by phone or text +972-762-8840. Welcome to Waxahachie!

Enjoy your stay!

# CONTENTS

- 01 WIFI INFORMATION
- 02 CHECK-IN DETAILS
- 03 HOUSE RULES
- 04 HOME GUIDE
- 05 CHECK-OUT DETAILS
- 06 EMERGENCY INFO

(10)

WIFI CODE

# CONNECT TO WIFI



WIFI NAME

*ATTAJykUe6*

PASSWORD

*?t#6#vjfn=me*

Please scan the QR code to access the WiFi



(1b)

# CHECK-IN

---

Check-in is from 3pm | Check out is at 11am

## ACCESS & PARKING

### Access:

Guests are staying in the main house with the Key Pad Lock. You will receive your 4-digit code prior to check-in via text.

### Parking Spots:

Please do not block the white garage door as the resident of the other unit parks their car inside the garage.



**Additional notes:** Check in time is any time after 3pm. Please message or communicate with us if you are going to arrive earlier and we may be able to accommodate you.

02



(10)

# COMPLIMENTARY COFFEE

As a thank you for booking with us, please accept our complimentary gift card to a local coffee shop, located conveniently close to The House on Cantrell.

The gift certificate is valid at:  
501 S Rogers St,  
Waxahachie, TX 75165

We hope you enjoy it as much as we do!



(10)

# HOUSE RULES

---

*These are following house rules you ask that you abide in our Airbnb premises.*



- Guest authorization: Only the number of guests confirmed on the booking are allowed at the house. **Maximum occupancy for this short-term rental is six (6).**
- No smoking: Guests: Please no smoking. This includes the use of tobacco, cannabis, e-cigarettes, etc.
- Security device interference: Please do not tamper with or remove an approved and appropriately disclosed security or monitoring device .
- Cleanliness: Please treat this like your own home! We ask that all dishes be loaded into the dishwasher and trash taken out to the dumpster before leaving.
- Checkout time: Guests should complete checkout by the designated checkout time.
- Firearms: Please no firearms on the property.

**Parking: A maximum of two (2) vehicles are permitted to park in the driveway. Please do not park on the grass. On-street parking is not permitted.**

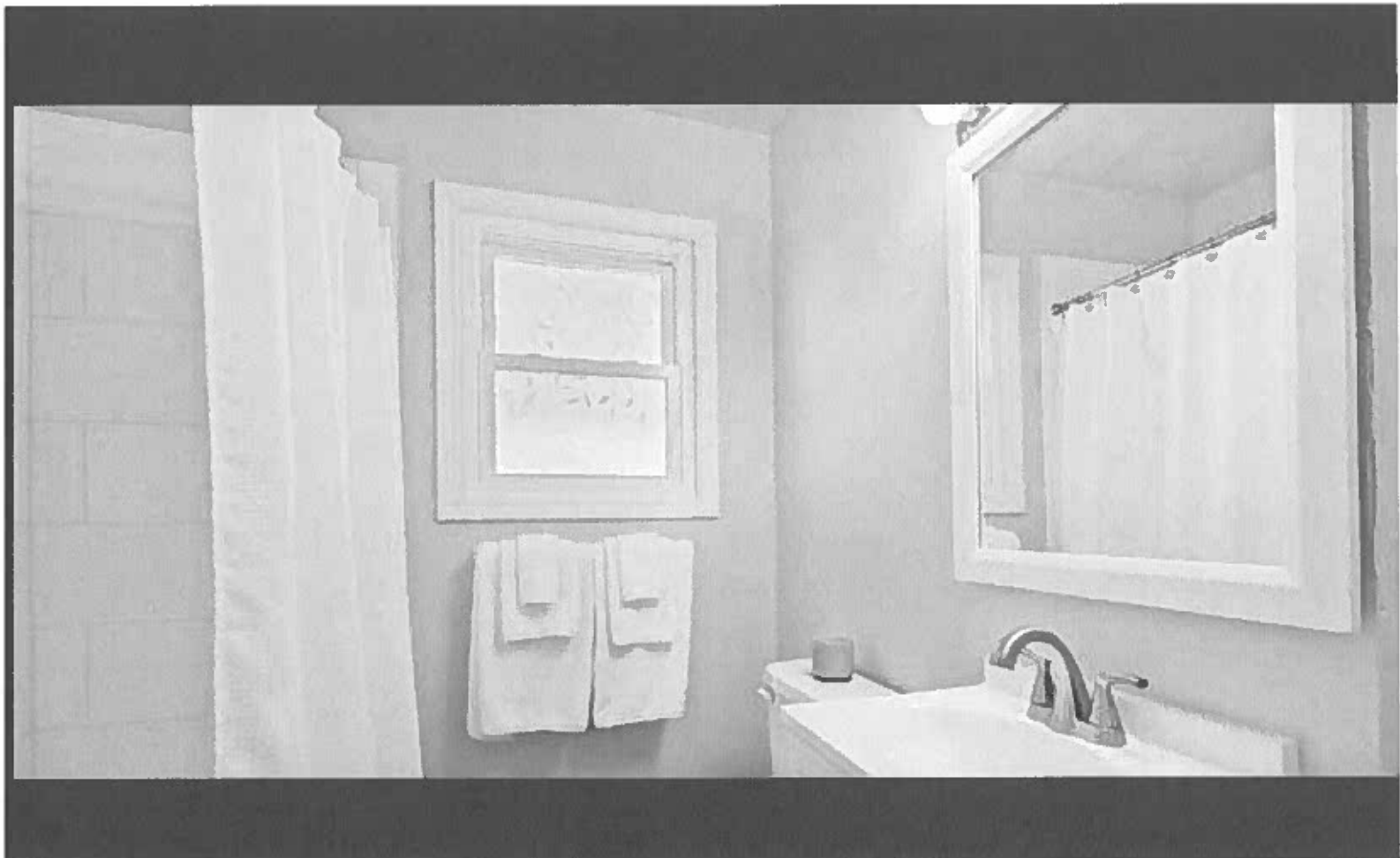


(10)

## Forgot something?

Feel free to ask us for additional  
toiletries or blankets!

We have provided a complimentary basket with  
extra toothbrushes, toothpaste, shampoo &  
conditioner, and more in the bathroom drawer.



# HOME GUIDE

---

## THERMOSTAT

The thermostat is located in the hallway.

## GARBAGE + RECYCLING

The garbage and recycling bins are located next to the white garage door. Please feel free to dispose of your garbage there at your convenience and we will place it on the street for collection.

# 04



(10)

# CHECK-OUT

---

Check out time is at 11AM

We hope you enjoyed your stay with us! If you would like a later check-out time please contact us and we will do our best to accommodate your request.

## LAUNDRY

Please place all towels and bedding in the bathtub and we will ensure they are laundered.

## EXITING THE PROPERTY

Please message me when you depart.

## PERISHABLES AND LEFTOVERS

Anything left in the fridge or counter will be disposed for sanitary reasons.

05

(107)

Visit us again!

---

*We hope you enjoyed your stay!*



(10)

# EMERGENCY

---

*The following are the list of contacts and addresses in case of Emergency. We recommend that you call 911 for immediate assistance.*

## BAYLOR SCOTT & WHITE MEDICAL CENTER - WAXAHACHIE

2400 N Interstate 35E, Waxahachie, TX, 75165, (469) 843-4000

## WAXAHACHIE POLICE DEPARTMENT

630 Farley St, Waxahachie, TX 75165, (469) 309-4400

06



(10)



THANK YOU  
FOR STAYING  
WITH US!

# Planning & Zoning Department (11)

## Zoning Staff Report

Case: ZDC-58-2025



### MEETING DATE(S)

Planning & Zoning Commission: May 27, 2025  
City Council: June 2, 2025

### CAPTION

**Public Hearing** on a request by Mark McReynolds for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 218 University Avenue (Property ID 176327) - Owner: Mark McReynolds (ZDC-58-2025)

### RECOMMENDED MOTION

*"I move to approve ZDC-58-2025, a Specific Use Permit for an Accessory Dwelling Unit, subject to the conditions the staff report."*

### ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting held on May 27, 2025, the Commission voted 6-0 to recommend approval of case number ZDC-58-2025, subject to the conditions of the staff report.

### APPLICANT REQUEST

The applicant requests approval of a Specific Use Permit (SUP) to allow for the construction of a new 1,050 square foot Accessory Dwelling Unit.

### CASE INFORMATION

**Applicant:** Mark McReynolds  
**Property Owner(s):** Mark McReynolds  
**Site Acreage:** 0.344 acres  
**Current Zoning:** Single Family-2 (SF-2)  
**Requested Zoning:** SF-2 with a SUP for an Accessory Dwelling Unit

### SUBJECT PROPERTY

**General Location:** 218 University Avenue  
**Parcel ID Number(s):** 176327  
**Existing Use:** Single Family Residence  
**Development History:** The property is platted as Lot 2, Block 10 of the University Addition.

**Adjoining Zoning & Uses:**

Direction	Zoning	Current Use
North	SF-2	Single Family Home
East	SF-2	Single Family Home
South	SF-2	Single Family Home & Patrick Field
West	SF-2	Single Family Home

**Future Land Use Plan:**

Mixed-Use Neighborhood

**Comprehensive Plan:**

A mixed-use neighborhood harkens back to the pre-suburban development pattern with smaller lots, smaller setbacks, shorter blocks, diverse housing typologies and very importantly, a mix of uses. This mixing of activities and uses allows the area to adapt and change over time to suit the needs of its inhabitants. Though it is not imperative for uses to always be mixed within the same building, it is important to note that large monolithic developments with near-exclusive uses, such as large multiplex apartments or retail centers with the large land areas devoted to automobile parking, do not suit mixed-use neighborhoods. Mixed-use neighborhoods are places where residents can live, work and play and are primarily accessible by foot. Given the various housing typologies encouraged in this placetype, it is essential to make sure residential uses appropriately transition from one another based on the housing typology.

**Thoroughfare Plan:**

The subject property is accessible via University Avenue.

**Site Image:**



**PLANNING ANALYSIS**

The applicant proposes a Specific Use Permit (SUP) to allow for the construction of a new 1,050 square foot Accessory Dwelling Unit. The Waxahachie Zoning Ordinance requires approval of a SUP to allow for an Accessory Dwelling Unit use within a Single Family-2 (SF-2) zoning district. The proposed accessory dwelling unit is located to the rear of the primary home at 218 University Avenue and meets the minimum setback requirements for an accessory structure within the SF-2 zoning district. If approved, the existing driveway is sufficient to meet the parking requirements for the existing home and the proposed accessory dwelling unit.

**Planning Analysis (continued):**

The proposed accessory dwelling unit will include one (1) bedroom, one (1) bathroom, a washer/dryer connection, a full kitchen, a den, and an open living area. A porch will also be included at the front of the property. Access doors will be available from the south and west side of the property. The structure will be accessible from the driveway facing University Ave and the driveway facing W. Ross St. Additionally, the proposed accessory dwelling unit will not have a garage, and will utilize the existing improved surfaces as off-street parking.

In regards to the material and the overall character of the proposed accessory dwelling unit, the existing carriage home will be demolished, and the applicant is planning on utilizing the original siding and shiplap material of the upper floor from the existing carriage house as material for the proposed accessory dwelling unit. The siding that cannot be used from the existing carriage house will be supplemented with similar pattern 118 siding. The overall style of the proposed accessory dwelling unit will match that of the existing primary structure at 218 University Avenue.

The property owner has confirmed that the accessory dwelling unit will only be used as a residence for their parents. The property owner has also confirmed that the accessory dwelling unit will not be leased or sold separately from the primary home, separately metered, used as a short-term rental (STR), or used for commercial purposes.

**PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 19 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received zero (0) letters of opposition and six (6) letters of support for the proposed SUP.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the SUP request, subject to the conditions noted below.

**Conditions:**

1. The accessory dwelling shall be 1,050 square feet in size. An amendment to this SUP shall be required in the event the accessory dwelling is proposed to expand beyond 1,050 square feet in size.
2. The accessory dwelling shall only be occupied by the property owner or non-paying guest of the property owner.
3. The accessory dwelling shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
4. The accessory dwelling shall not be used for commercial purposes.
5. The accessory dwelling shall not be leased or sold separately from the primary residence and shall not be separately metered for electric, water, or wastewater services.
6. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory dwelling.

(11)

**ATTACHED EXHIBITS**

1. Public Notification Responses
2. Operational Plan
3. SUP Ordinance
4. Exhibit A – Location Map
5. Exhibit B – Site Plan
6. Exhibit C – Floor Plan
7. Exhibit D – Elevation/Façade Plan

**APPLICANT REQUIREMENTS**

1. If approved by City Council, the applicant can complete the building permitting process with the Building and Community Services Department.

**STAFF CONTACT INFORMATION**

*Prepared by:*

Caleb Ensley

Planner

[caleb.ensley@waxahachie.com](mailto:caleb.ensley@waxahachie.com)

*Reviewed by:*

Trenton Robertson, AICP

Senior Director of Planning

[Trenton.Robertson@waxahachie.com](mailto:Trenton.Robertson@waxahachie.com)

Case Number: ZDC-58-2025

City Reference: 176211

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 21, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

The carriage house has been there forever. I'm totally OK with it being replaced due to its age.

Phylis Hildreth  
Signature

5/12/25  
Date

Phylis Hildreth  
Printed Name and Title

301 University Ave  
Address



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-58-2025

5G PROPERTY MANAGEMENT LLC  
104 MEADOWWOOD LN  
RED OAK, TX 75154

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 27, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 2, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Mark McReynolds for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 218 University Avenue (Property ID 176327) - Owner: Mark McReynolds & Janet McReynolds (ZDC-58-2025)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-58-2025

City Reference: 176244

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 21, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

*MARK IS DESIGNING OUR NEW HOME, HE WILL IMPROVE THE VALUE OF NEIGHBORHOOD & WAXAHACHIE.*

*Chris Gleason* *Debbie Gleason*

Signature  
*Chris Gleason - owner* *Debbie Gleason*  
Printed Name and Title  
*217 University.*  
*Waxahachie -*

Date *5-14-25*  
*Gleason*  
ADDRESS: *CHRIS and DEBBIE*  
104 Meadowwood Ln.  
Ovilla, TX 75154

**From:** Tim Law <>  
**Sent:** Wednesday, May 14, 2025 7:26 PM  
**To:** Planning  
**Subject:** Re: SUP request ZDC-58-2025

[Some people who received this message don't often get email from tlaw@sbcglobal.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

After speaking with Mr. McReynolds , and obtaining the information about the dwelling, I will have no protest about the permit. I will vote to allow his permit.

Thank you.

Tim Law  
301 E University Ave.

Sent from my iPad

> On May 14, 2025, at 5:01 PM, Tim Law <> wrote:

>

> Hello,

> Regarding Mr.McReynolds SUP request for "Accessory Dwelling Unit". The notification in the mail does not provide any details about his plans. What exactly does he wish to build at 218 University Ave?

>

> Regards.

> Tim



(11)

RECEIVED MAY 19 2025

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-58-2025



ALEXANDER DOUGLAS & VICTORIA  
211 UNIVERSITY AVE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 27, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 2, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Mark McReynolds for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 218 University Avenue (Property ID 176327) - Owner: Mark McReynolds & Janet McReynolds (ZDC-58-2025)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-58-2025

City Reference: 176247

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 21, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Victoria Alexander  
Signature

5/13/2025  
Date

Victoria Alexander  
Printed Name and Title

211 UNIVERSITY AVE  
Address  
Wax, TX 75165



(11)

RECEIVED MAY 19 2025

City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-58-2025

WALKER CARRIE E  
219 E UNIVERSITY AVE  
WAXAHACHIE, TX 75165-2355

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 27, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 2, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

Request by Mark McReynolds for a **Specific Use Permit (SUP)** for an **Accessory Dwelling Unit** use within a Single Family-2 (SF-2) zoning district located at 218 University Avenue (Property ID 176327) - Owner: Mark McReynolds & Janet McReynolds (ZDC-58-2025)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-58-2025

City Reference: 176317

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **May 21, 2025** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Carrie Walker  
Signature

CARRIE Walker  
Printed Name and Title

May 13, 2025  
Date

219 E. University Ave  
Address  
Waxahachie, TX 75165

(11)



City of Waxahachie, Texas  
Notice of Public Hearing  
Case Number: ZDC-58-2025



**TOLFREE THOMAS & JOAN**  
212 UNIVERSITY AVE  
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, May 27, 2025 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, June 2, 2025 at 7:00 p.m. in Meeting Rooms A & B at the Waxahachie Civic Center, 2000 Civic Center Ln, Waxahachie, Texas to consider the following:

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You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) for additional information on this request.

Case Number: ZDC-58-2025

City Reference: 176328

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *May 21, 2025* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to [Planning@Waxahachie.com](mailto:Planning@Waxahachie.com) or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 408 South Rogers Street, Waxahachie, TX 75165.

SUPPORT

OPPOSE

Comments:

Joan Tolfree  
Signature  
Joan Tolfree/owner  
Printed Name and Title

5/27/25  
Date  
212 University Ave  
Address

Rec'd 5/27/25

(11)

## Operation plan for proposed A.D.U. at 218 University Ave

We would like to build an A.D.U. on our property because my parents want to move in with us. Currently on the property is the original 1922 carriage house. It was likely some sort of servant's quarters as the house was built by a physician and his wife.

Unfortunately, the carriage house was built without a foundation, and the frame walls sit directly on the ground. When we purchased the home in July of last year our goal was to restore the carriage house which once had a tiny apartment upstairs with a bathroom, minimal plumbing, and electricity. However, after having multiple contractors provide bids on the restoration, we concluded that the building is too far gone and cannot be saved. In short, it is a safety hazard with a limited life span. As the carriage house was already leaning forward when we purchased the property, I had to have the building temporarily stabilized so it would not literally collapse.

If we are granted the S.U.P. our intent is to use as much of the original siding from the carriage house as possible, as well as what is remaining of the shiplap material in the upper level.

The proposed A.D.U. is relatively small with just under 1,050 square feet of living space and a modest 117 square foot porch which will match the one on the main house. What siding cannot be reused from the carriage house will be supplemented with similar pattern 118 siding. Both the electrical and plumbing services to the A.D.U. will be tied directly into the main house. The A.D.U. will not be used for commercial purposes; will not be leased or sold separately from the primary residence; will not be metered separately. The A.D.U. will only be occupied by family members or non-paying guests. It will not be used as a short-term rental. The A.D.U. will be constructed in compliance with the 2021 International Building Code.

Currently, my parents live in Georgia. Even though they are both relatively healthy and active octogenarians, having them live with us will allow us to manage their care better as they grow old.

Thank you,

Mark & Janet McReynolds  
218 University Ave  
Waxahachie, TX 75165

(12)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT AN ACCESSORY DWELLING UNIT USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED 218 UNIVERSITY AVENUE, BEING PROPERTY ID 176327, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 2, BLOCK 10 IN THE UNIVERSITY ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

**WHEREAS**, the described property is classified in said ordinance and any amendments thereto as SF-2; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-58-2025. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

**WHEREAS**, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from SF-2 to SF-2, with a SUP in order to permit an Accessory Dwelling Unit use on the following property: Lot 2, Block 10 of the University Addition subdivision, which is shown on Exhibit A, in accordance with the Site Plan attached as Exhibit B, the Floor Plan attached as Exhibit C, and the Elevation/Façade Plan attached as Exhibit D.

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Zoning Ordinance.

Specific Use Permit

**FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY DWELLING UNIT USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. The accessory dwelling shall be 1,050 square feet in size. An amendment to this SUP shall be required in the event the accessory dwelling is proposed to expand beyond 1,050 square feet in size.
2. The accessory dwelling shall only be occupied by the property owner or non-paying guest of the property owner.
3. The accessory dwelling shall not be used as a short-term rental without a Specific use Permit that has been approved by City Council.
4. The accessory dwelling shall not be used for commercial purposes.
5. The accessory dwelling shall not be leased or sold separately from the primary residence and shall not be separately metered for electric, water, or wastewater services.
6. The property owner shall obtain all necessary permits from the City of Waxahachie Building and Community Services Department before constructing the accessory dwelling.
7. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan.
8. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
9. Any zoning, land use requirement, or restriction not contained within this Zoning Ordinance as approved by City Council, shall conform to those requirements and/or standards prescribed in Exhibits B – Site Plan, Exhibit C – Floor Plan, and Exhibit D – Elevation/Façade Plan. Where regulations are not specified in Exhibits B, C, D, or this Zoning Ordinance, the regulations of the Single Family-2 (SF-2) Zoning District and the City of Waxahachie Zoning Ordinance shall apply to this development.
10. City Council shall have the right to review the Specific Use Permit at any point, if needed.

(12)

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 2<sup>nd</sup> day of June, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

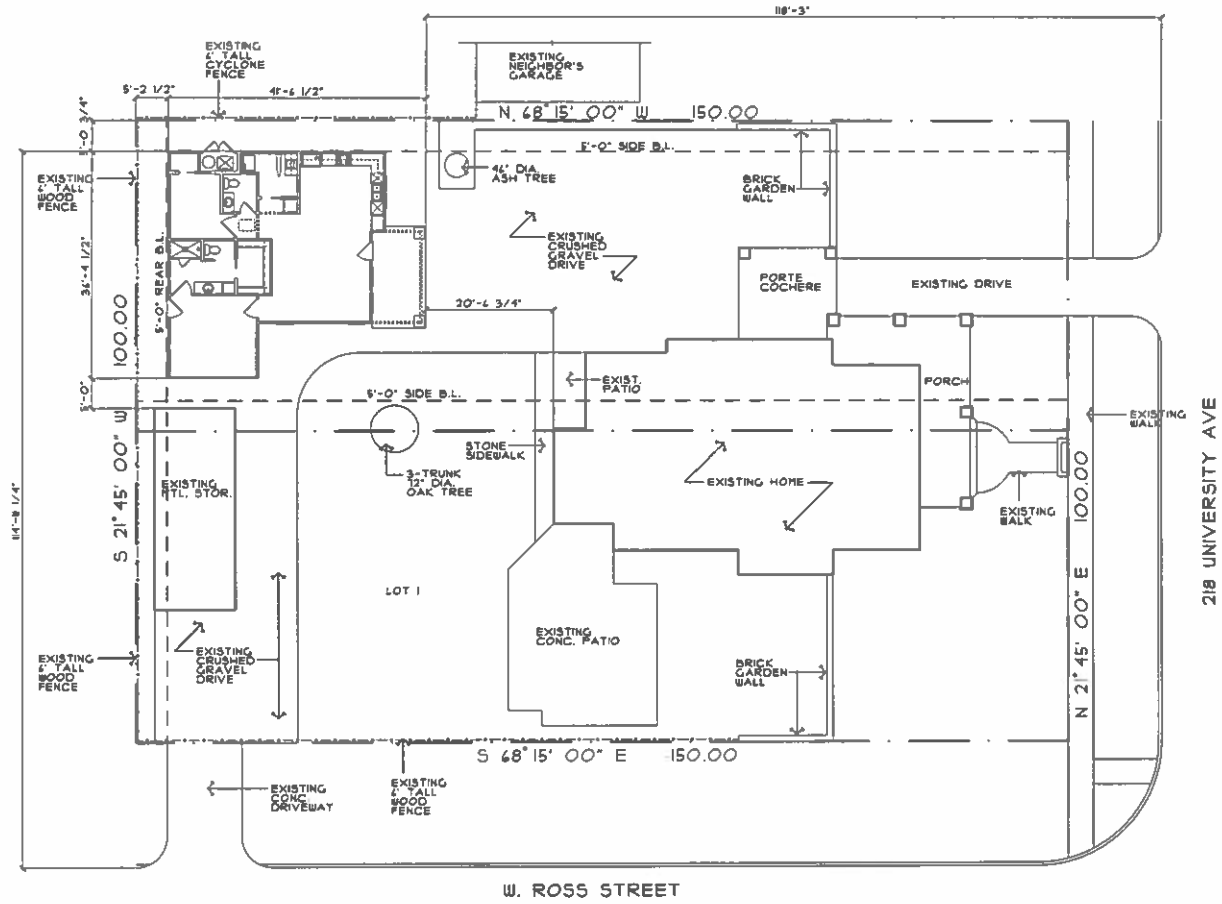
# EXHIBIT A LOCATION MAP



(12)

# EXHIBIT B SITE PLAN

SHEET INDEX	
A1	COVER SHEET/SITE PLAN
A2	PROPOSED A.D.U. PLAN
A3	PROPOSED A.D.U. ELEV'S



**PLOT PLAN**  
SCALE: 1" = 20'-0"

TOTAL LOT (COMBINED LOTS 1 & 2) = 15,000 S.F. **1**  
TOTAL COVERAGE = 4,044 S.F. AT 21%



**MCREYNOLDS DESIGNS**  
NEW HOMES • REMODELS • RENOVATIONS  
214-551-5014 mark@mcreynoldsdesigns.com

Revision:  
THIS SHEET, UNLESS OTHERWISE NOTED, IS THE PROPERTY OF MCREYNOLDS DESIGNS AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF MCREYNOLDS DESIGNS.

COVER SHEET/  
SITE PLAN

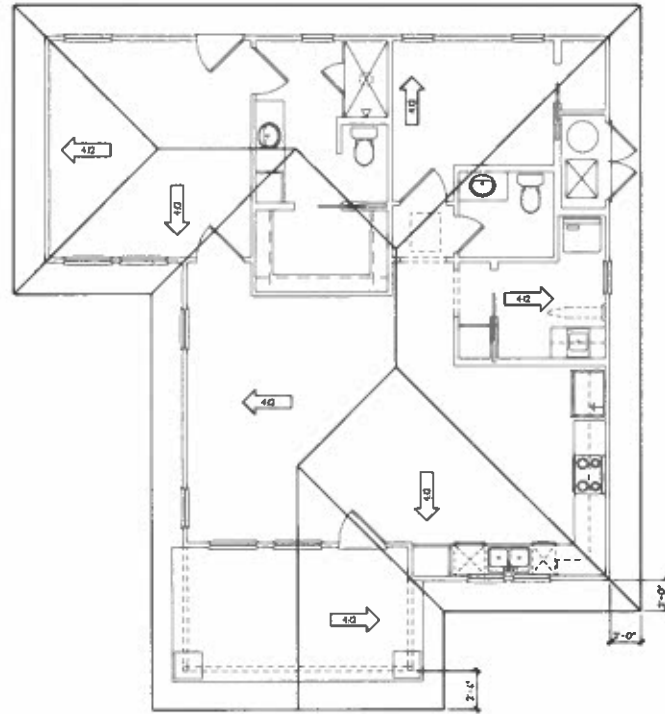
Date: 04-18-20

A New A.D.U. For:  
The McReynolds Residence  
1218 University Ave.  
Lots 1 & 2, Block 10  
University Addition  
Waxahatche, TX

**A1**

(12)

**EXHIBIT C FLOOR PLAN**



**FLOOR PLAN**  
 SCALE: 1/8" = 1'-0" || PAPER: 1/4" = 1'-0" || 34" X 34" PAPER  
 LIVING AREA - 1042 S.F. **1**  
 PORCH AREA - 81 S.F.

**MCREYNOLDS DESIGNS**  
 NEW HOMES • REMODELS • RENOVATIONS  
 214-551-5014 mark@mcreynoldsdesigns.com

Revision: 03-04-25

Not for construction, unless otherwise indicated. All dimensions are in feet and inches. Published on 03/04/25. All rights reserved. © 2025 MCR Reynolds, Inc.

FLOOR PLANS

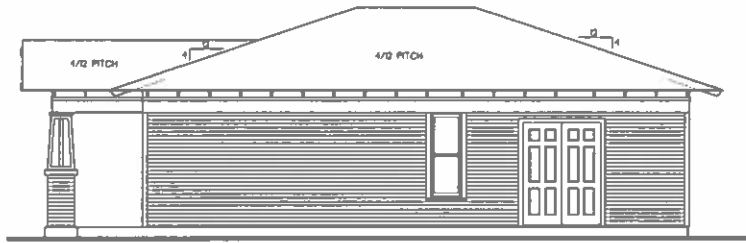
Date: 8-26-24

An A.D.U. For:  
 The Agne Residence  
 1000 Tucker Street  
 McKinney, TX

**A2**

(12)

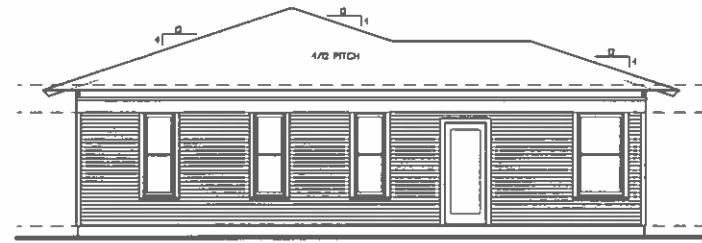
**EXHIBIT D ELEVATION/FACADE  
PLAN**



**SOUTH ELEVATION**

SCALE: 1/8" = 1'-0" (13 X 11 PAPER); 1/4" = 1'-0" (24 X 36 PAPER)

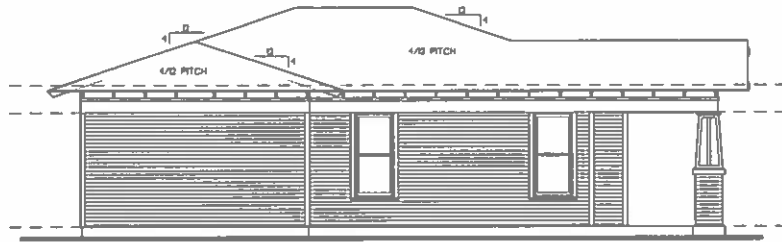
4



**EAST ELEVATION**

SCALE: 1/8" = 1'-0" (13 X 11 PAPER); 1/4" = 1'-0" (24 X 36 PAPER)

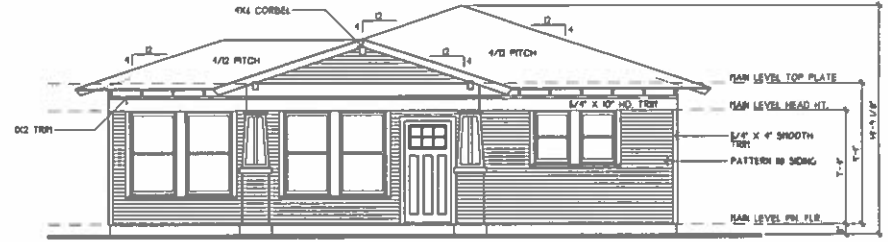
3



**NORTH ELEVATION**

SCALE: 1/8" = 1'-0" (13 X 11 PAPER); 1/4" = 1'-0" (24 X 36 PAPER)

2



**WEST ELEVATION**

SCALE: 1/8" = 1'-0" (13 X 11 PAPER); 1/4" = 1'-0" (24 X 36 PAPER)

1

**McREYNOLDS DESIGNS**

NEW HOMES • REMODELS • RENOVATIONS

214-551-5014 mark@mcreeynoldsdesigns.com

Revision:

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ELEVATIONS

Date 04-8-25

A New A.D.U. For  
The McReynolds Residence  
Location: University Ave.  
Waxahatchee, TX

**A3**

(12)

(13, 14, 15)



## Memorandum

To: Honorable Mayor and City Council

From: Trenton Robertson, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: June 2, 2025

Re: ZDC-91-2024– Planned Development (PD) for Waxahachie 49 Ac.

---

On May 28, 2025, the Applicant requested to continue case no. ZDC-91-2024 from the June 2, 2025, City Council meeting and the August 4, 2025, City Council meeting. The Applicant noted the purpose of the continuance was to allow the developer additional time to analyze the final construction costs of the development.



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager  
Date: June 2, 2025  
Re: Consider Development Agreement for Digital Billboard Conversion

---

**Recommended Motion:** "I move to approve a Development Agreement with Lamar Advertising for a Digital Billboard Conversion at 5801 North I35E."

**Item Description:** Consider approving a development agreement with Lamar advertising that will permit the conversion of an existing billboard at 5801 North I35E to a digital format; subject to the removal of existing billboards at 1405 North I35E and 3101 South I35E.

**Item Summary:** Representatives for Lamar Advertising approached City Staff in December of 2024 with a proposal to convert an existing static billboard on I35E to a digital format. As permitted by Section 24-111(g) of the Waxahachie Zoning Ordinance, Staff requested the removal of two (2) existing billboards along I35E in exchange for the digital conversion. In May of 2025, representatives for Lamar Advertising and City Staff agreed upon the removal of existing billboards at 1405 North I35E and 3101 South I35E. The new digital billboard at 5801 North I35E is proposed to include a masonry wrap of the support pole. No City branding is proposed on the support structure and no City advertising is proposed on the billboard. The digital billboard is obligated to adhere to the requirements of the Waxahachie Lighting and Glare Standards; which includes automatic dimming.

Lamar Advertising has requested 180-days from the approval of this agreement to complete the removal of the existing billboards and conversion of the billboard at 5801 North I35E. This deadline allows for sufficient time to complete the necessary TxDOT & City permit approval processes.

**Fiscal Impact:** There is no fiscal impact to the City.

(16)



(1u)

5801 N Interstate 35E



(14)

1405 N Interstate 35E



FOOD • DRINKS • KARAOKE • SPORTS

**BIG AL'S**  
**DOWN THE HATCH**

200 S ROGERS ST • DOWNTOWN WAXAHACHIE

2010 LAMAR

The billboard is supported by four wooden posts. On the left post, there is a small white sign with the number '2010'. The brand name 'LAMAR' is visible on the top bar of the billboard structure.

PEARMAN  
OIL & L.P.-GAS INC.

(16)

**3101 S Interstate 35E**



## DEVELOPMENT AGREEMENT

**THIS DEVELOPMENT AGREEMENT** (“Agreement”) is entered into by and between the City of Waxahachie, Texas (“City”) and Lamar Advertising Company of Dallas/Fort Worth (“Owner”) (individually, a “Party” and collectively, the “Parties”) to be effective (the “Effective Date”) on the latest date executed by a Party.

**WHEREAS**, the City is a home rule municipal corporation, located in Ellis County, Texas, organized and existing under the laws of the State of Texas; and

**WHEREAS**, Owner is a Texas business entity that currently owns billboards at 1405 N. Interstate Highway 35E, 3101 S. Interstate Highway 35E and 5801 N. Interstate Highway 35E in the City; and

**WHEREAS**, Owner desires to remove the billboards located at 1405 N. Interstate Highway 35E and 3101 S. Interstate Highway 35E, and further, convert the billboard at 5801 N. Interstate Highway 35E to a digital display sign; and

**WHEREAS**, Section 24-111(g) of the City’s Zoning Ordinance provides, in part, that the “city manager is authorized to enter into negotiations with a person or business entity which owns an existing commercial sign, and/or the owner of the property upon which the commercial sign is placed, constructed, erected, or maintained, for the purposes of modifying or making improvements to the existing commercial sign”: and

**WHEREAS**, that section of the Zoning Ordinance also provides that negotiations may include the removal of billboards in exchange for the ability to convert an existing sign to a digital display sign, with mutually agreed terms by the Parties, through the execution of a development agreement approved by City Council; and

**WHEREAS**, the Parties intend and hereby declare that this Agreement is entered into pursuant to the authority contained in Section 24-111 of the City’s Zoning Ordinance.

**NOW, THEREFORE**, in consideration of the foregoing premises, and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Parties to this Agreement agree as follows:

**1. Removal of Existing Billboards.** Owner hereby agrees that it shall remove the billboards located at 1405 N. Interstate Highway 35E and 3101 S. Interstate Highway 35E in the City within one-hundred and eighty (180) days of the execution of this Agreement. Owner further agrees that it shall obtain all necessary permits for the removal of the aforementioned billboards and shall comply with all applicable City ordinances and regulations related to said removal.

**2. Conversion of Existing Billboard to Digital Display Sign.** Owner hereby agrees that it shall convert the existing billboard located at 5801 N. Interstate Highway 35E in the City to a digital display sign within one-hundred and eighty (180) days of the execution of this Agreement. Owner further agrees that it shall obtain all necessary permits for the conversion of the



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shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

9. **Binding Agreement.** A telecopied facsimile of a duly executed counterpart of this Agreement shall be sufficient to evidence the binding agreement of each party to the terms herein.

10. **Authority to Execute.** This Agreement shall become a binding obligation on the signatories upon execution by all signatories hereto. Both the City and Owner warrant and represent that the individuals executing this Agreement on behalf of the City and Owner, respectively, have full authority to execute this Agreement and bind them to the same. This Agreement is and shall be binding upon the Owner and its Assignees, as hereinafter defined. The City Council hereby authorizes the City Manager of the City to execute this Agreement on behalf of the City.

11. **Mediation.** In the event of any disagreement or conflict concerning the interpretation of this Agreement, and such disagreement cannot be resolved by the signatories hereto, the signatories agree to submit such disagreement to nonbinding mediation.

12. **Notification of Sale or Transfer; Assignment of Agreement.** Prior to the completion of the obligations referenced herein, Owner shall notify the City in writing of any sale or transfer of all or any portion of the billboards in question or the land on which the billboards are located, within ten (10) business days of such sale or transfer. Any sale or transfer shall be in writing executed by Owner and the Assignee and shall obligate the Assignee to be bound by this Agreement. A copy of each assignment shall be provided to the City within ten (10) business days after execution. Provided that the successor owner assumes the liabilities, responsibilities, and obligations of the assignor under this Agreement, the assigning party will be released from any rights and obligations under this Agreement, effective upon receipt of the assignment by the City. No assignment by Owner shall release Owner from any liability that resulted from an act or omission by Owner that occurred prior to the effective date of the assignment. Owner shall maintain true and correct copies of all assignments made by Owner to Assignees, including a copy of each executed assignment and the Assignee's Notice information.

13. **Sovereign Immunity.** The Parties agree that the City has not waived its sovereign immunity from suit by entering into and performing its obligations under this Agreement.

14. **Effect of Recitals.** The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the final intent of the Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement and, but for the intent of the Parties reflected by the recitals, would not have entered into this Agreement.

15. **Consideration.** This Agreement is executed by the Parties hereto without coercion or duress and for substantial consideration, the sufficiency of which is forever confessed.

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16. **Counterparts.** This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes. A facsimile signature will also be deemed to constitute an original.

17. **Applicability of Ordinances.** The signatories hereto shall be subject to all applicable ordinances of the City, whether now existing or arising in the future.

18. **Time.** Time is of the essence in the performance by the Parties of their respective obligations under this Agreement.

19. **Third Party Beneficiaries.** Nothing in this Agreement shall be construed to create any right in any third party not a signatory to this Agreement, and the Parties do not intend to create any third party beneficiaries by entering into this Agreement.

20. **Amendment.** This Agreement shall not be modified or amended except in writing signed by the Parties. A copy of each amendment to this Agreement, when fully executed and recorded, shall be provided to each Party, Assignee and successor owner of all or any part of the billboards or the land upon which a billboard is located; however, the failure to provide such copies shall not affect the validity of any amendment.

21. **Miscellaneous Drafting Provisions.** This Agreement shall be deemed drafted equally by all Parties hereto. The language of all parts of this Agreement shall be construed as a whole according to its fair meaning, and any presumption or principle that the language herein is to be construed against any Party shall not apply.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

(16)

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the date referenced herein.

**THE CITY OF WAXAHACHIE, TEXAS**

By: \_\_\_\_\_  
Name: Michael Scott  
Title: City Manager, City of Waxahachie

STATE OF TEXAS        )  
                                  )  
COUNTY OF ELLIS     )

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 2025, by Michael Scott, City Manager of the City of Waxahachie, Texas, on behalf of the City of Waxahachie, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires:

\_\_\_\_\_

(16)

**OWNER:**

**LAMAR ADVERTISING COMPANY OF  
DALLAS/FORT WORTH**

a Texas corporation

By: \_\_\_\_\_

Steven Betzold

Its: Real Estate Manager

**STATE OF TEXAS** )

)

**COUNTY OF TARRANT** )

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_\_\_, 2025, by Steve Betzold in his capacity as Real Estate Manager of Lamar Advertising Company of Dallas/Fort Worth, known to be the person whose name is subscribed to the foregoing instrument, and that he executed the same on behalf of and as the act of Owner.

\_\_\_\_\_  
Notary Public, State of Texas

(17)



## Memorandum

To: Honorable Mayor and City Council  
From: Chad Tustison, Senior Director of Finance  
Thru: Michael Scott, City Manager  
Date: June 2, 2025

Re: Consider and take action on a resolution directing publication of notice of intention to issue certificates of obligation and providing an effective date

---

**Recommended Motion:** "I move to approve a resolution directing publication of notice of intention to issue certificates of obligation; directing the preparation of a preliminary official statement and related materials; and providing an effective date."

**Item Description:** This action to approve the publication of notice of intention to issue certificates of obligation is the first formal step to begin the process of issuing bonds to fund various streets, water, wastewater, parks, public safety, and facility capital projects. Upon approval, notices will be published in the newspaper and staff will continue the process of filing related materials and meeting with rating agencies. In early August, the City Council would consider an ordinance authorizing issuance of the certificates.

**Item Background:** The Capital Improvement Program (CIP) describes the City's large multi-year capital projects which provide new or improved City infrastructure, and comprises of projects for streets, sidewalks and drainage; park improvements; water and wastewater utilities; and municipal facilities. The CIP is funded through multiple funding sources, including proceeds from bond issuances, operating funds, and development impact fees.

On April 15, 2025, at the City Council Worksession, staff presented the CIP – updated annually – along with strategies to fund various capital projects for the upcoming year. As part of this overall strategy, the CIP includes the issuance of certificates of obligation to fund a portion of these projects. The total bond issuance is estimated at \$57.79 million and consists of streets, public safety,

parks, city facilities, and water and wastewater projects. This represents a maximum amount and may be lowered prior to final approval in August. If approved, these projects will be funded through the ad valorem tax rate, and water and wastewater fees.

Over the next two months, staff will continue to prepare the Preliminary Official Statement and other required information, and meet with bond rating agencies. In early August, the City Council will consider an ordinance authorizing the issuance of the bonds. Upon successful pricing and selling of the bonds, the funds would be expected to be delivered and available in late August or early September.

**Fiscal Impact:** The City utilizes certificates of obligation to fund capital projects throughout the City as part of its Capital Improvement Program funding strategy. The debt service required to fund the streets, parks and public safety project costs are accounted for in current budget projections and would not require an increase in the total ad valorem tax rate. The water and wastewater projects would be funded through water and wastewater fees.



(17)

Meeting as given, all as required by Chapter 551, Government Code.

(17)

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

**SIGNED AND SEALED** the 2<sup>nd</sup> day of June, 2025.

---

City Secretary

---

Mayor

(SEAL)

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; DIRECTING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND RELATED MATERIALS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas (the "City") expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described in Exhibit A to this Resolution prior to the issuance of the Certificates of Obligation hereinafter described; and

WHEREAS, the City's City Manager, Director of Finance, Financial Advisor and Bond Counsel are prepared to draft and distribute necessary documents for the sale on a competitive bid basis of the Certificates of Obligation;

WHEREAS, the City Council hereby finds, considers and declares that the reimbursement of the payment by the City of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described Certificates of Obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. That attached hereto and marked Exhibit A is a form of notice (the "Notice"), the form and substance of which are hereby passed and approved.

Section 2. That the City Secretary shall cause the Notice to be published, in substantially the form attached hereto, in the Waxahachie Sun, a newspaper of general circulation in the City of Waxahachie, Texas, for two (2) consecutive weeks, the date of the first publication to be before the forty-fifth (45<sup>th</sup>) day before the date tentatively set for the adoption of the ordinance authorizing the issuance of the Certificates of Obligation as shown in the Notice.

Section 3. That the City Secretary shall cause the Notice to be posted, in substantially the form attached hereto, continuously on the City's internet website for at least forty-five (45) days before the date tentatively set for the adoption of the ordinance authorizing the issuance of the Certificates of Obligation as shown in the Notice.

Section 4. That the facilities and improvements to be financed with proceeds from the proposed Certificates of Obligation are to be used for the purposes described in the attached Notice of Intention. No bond proposition to authorize the issuance of bonds for the same purpose as any of the projects described in Exhibit A to be financed with the proceeds of the proposed Certificates of Obligation was submitted to the voters of the City during the preceding three (3) years and failed to be approved.

(17)

Section 5. That all costs to be reimbursed pursuant to this Resolution will be capital expenditures; the proposed Certificates of Obligation shall be issued within eighteen (18) months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the Certificates of Obligation will not be issued pursuant to this Resolution on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 6. That the City Manager and Director of Finance are hereby directed to cause the preparation of a Preliminary Official Statement for the Certificates of Obligation, together with related materials, and the Director of Finance and the Financial Advisor are authorized to distribute same among entities which would be interested in bidding on the Certificates of Obligation and other interested persons.

Section 7. That the Director of Finance and the Financial Advisor are authorized to apply to rating agencies for ratings on the Certificates of Obligation and to make presentations to them and provide to such entities the information reasonably requested by them.

Section 8. That the Council hereby authorizes its advisors, the City Manager and the Director of Finance of the City, and its members to do all things necessary to prepare for the sale of the Certificates of Obligation.

Section 9. That this Resolution shall be effective immediately upon passage and adoption.

(17)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE  
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Waxahachie, Texas, to issue one or more series of the interest bearing certificates of obligation of the City to be entitled "City of Waxahachie, Texas Combination Tax and Revenue Certificates of Obligation", for the purpose of paying contractual obligations to be incurred by the City, to-wit: (i) the construction, installation and equipment of park and recreational improvements; (ii) the construction, renovation, improvement and equipment of existing municipal buildings; (iii) the construction, renovation, improvement and equipment of buildings, facilities and public safety facilities for the animal services, emergency management, public works, parks and recreation, fire and police departments; (iv) constructing and improving streets, including related sidewalks, cycle paths, signage and signalization, landscaping, streetscaping, drainage, utility line relocations and the acquisition of land and rights-of-way therefor; and (v) the construction of improvements and extensions to the City's water and wastewater systems; and (vi) the payment of fiscal, engineering and legal fees incurred in connection therewith.


The City Council tentatively proposes to authorize the issuance of such Certificates of Obligation, in one or more series, at a meeting to commence at 7:00 p.m. on August 4, 2025, at the Waxahachie Civic Center, 2000 Civic Center Lane, Waxahachie, Texas. The maximum amount of Certificates of Obligation that may be authorized to be sold on said date for such purposes described above is \$57,790,000. The City Council presently proposes to provide for payment of said series (one or more) of Certificates of Obligation from the levy of taxes and from a limited surplus revenue pledge (not to exceed \$1,000) derived from the operation of the City's water and wastewater systems.

In accordance with the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended ("Chapter 271"), the following information has been provided by the City: (i) the principal amount of all outstanding debt obligations of the City is \$250,290,000; (ii) the current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$336,454,819; (iii) the maximum principal amount of the certificates of obligation to be authorized is \$57,790,000; (iv) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$88,914,290; (v) the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (vi) the maximum maturity date of the certificates of obligation shall not exceed forty (40) years from the date thereof.

CITY OF WAXAHACHIE, TEXAS



## Memorandum

To: Honorable Mayor and City Council  
From: Kyle Cooper, Senior Director of Parks and Recreation  
Thru: Michael Scott, City Manager   
Date: June 2, 2025  
Re: Consider Contract for Mustang Creek Park Improvements

---

**Recommended Motion:** "I move to approve a contract with MECA Construction, LLC in the amount of \$745,600.50 for Mustang Creek Park Improvements and authorize the City Manager to execute all necessary documents."

**Item Description:** Consider approving a contract with MECA Construction, LLC in the amount of \$745,600.50 for Mustang Creek Park Improvements.

**Item Summary:** The base bid project scope includes the construction of a looped walking trail around the pond, a three-rail pipe rail fence, sidewalk connections, drainage improvements, and improved parking to enhance the overall experience for park users. Staff issued a Request for Proposals and a total of eight bids were received.

Following a thorough review of the submitted bids and reference checks from previous public projects, it was determined that MECA Construction, LLC was the lowest and best qualified bidder for this project.

The contractor's base bid was \$312,198.50, but the following six alternate bids were considered as well and recommended for inclusion:

- Trail Extension – Bid Alt #1: \$138,703
- Trail Extension – Bid Alt #2: \$239,303
- Three Fishing Pads – Bid Alt #3,5,6: \$43,396
- Pond Aerator – Bid Alt #4: \$12,000

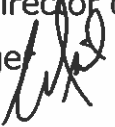
The total project cost, including the selected alternate bid items, is (18)  
\$745,600.50, which is within the approved budget.

**Fiscal Impact:** The Mustang Creek Park Improvement Project is an approved project in the FY24-25 budget and is within the approved project budget amount of \$880,000. Funding will be from the 2023 Park Bonds.

(19)



## Memorandum

To: Honorable Mayor and City Council  
From: Shon Brooks, Executive Director of Development Services  
Thru: Michael Scott, City Manager   
Date: June 2, 2025  
Re: Consider Tax Rate Equivalent Increase for Waxahachie Public Improvement District No. 1

---

**Recommended Motion:** "I move to adopt a resolution determining the costs of Phase Four district improvements for the Waxahachie PID No. 1, approving the Preliminary Service and Assessment Plan, executing other matters related to the subject, and calling a public hearing for June 16, 2025 to consider an ordinance levying the assessments."

**Item Description:** Consider approving a one-time increase in PID Tax Rate Equivalent for Saddlebrook Estates. The developer, 287 Waxahachie, L.P. is seeking to increase the current rate of \$0.22-\$0.29 to \$0.79 per \$100 of assessed value. This increase impacts future home purchases in the development and does not affect the existing homes PID rates.

**Item Summary:** The City of Waxahachie accepted Public Improvement District No. 1 in 2007. This PID was created to offset infrastructure costs and public open space areas. A PID rate adjustment is proposed by the developer due to increased infrastructure costs over the years. To help justify the increased PID rate, the developer is proposing an estimated \$7 million increase to the amenities in existing and future phases at their own cost. The increased amenities are further detailed in the accompanying letter from the developer.

**Fiscal Impact:** The rate increase will impact future home buyers in the Saddlebrook Development. Current homeowners who purchased at the time of the existing PID will not be affected by this increase. The impact will be incurred on any new lot in the development.



May 8, 2025

Mr. Shon Brooks  
Executive Director of Development Services  
City of Waxahachie  
408 S Rogers St.  
Waxahachie, TX 75165

Re: Waxahachie Public Improvement District #1 – PID Assessment Increase

Dear Mr. Brooks,

287 Waxahachie, L.P and/or an affiliate (the “Developer”) is the owner and developer of Saddlebrook Estates located within the City of Waxahachie (the “City”) and within the Waxahachie Public Improvement District No. 1 (the “PID”). The PID was created by the City in 2007. Following the PID’s creation, PID assessments have been levied on the first three phases of Saddlebrook at a certain PID tax rate equivalent (the “PID TRE”), which varied by lot type.

Since the first series of PID bonds were issued for the initial phase of development, development costs for the residential lots have nearly tripled. The table below shows the historical price increases for public infrastructure eligible to be financed through the PID. Please note that the table below does not include the private development costs necessary for each phase of the development.

PID Phase	# of Lots	Total Public Costs	Cost/Lot
1	209	\$ 2,382,600	\$ 11,400
2	121	\$ 1,782,157	\$ 14,729
3	253	\$ 7,455,027	\$ 29,467
4	341	\$ 11,532,432	\$ 33,819

As the development costs have risen, the Developer is requesting an increase to the PID TRE on future lot levies to not exceed **\$0.797** per \$100 of assessed value (subject to state law requirements). For context, the PID TRE in previous phases ranged from \$0.22 to \$0.29 per \$100 of assessed value, primarily driven by rising home values. For clarification, the increased PID levy will only affect **future** lots and the **future** home buyers within Saddlebrook, not any current homeowners.

Although a greater PID TRE is being requested, the Developer proposes, at its sole cost and expense, to construct additional amenities that will serve the Saddlebrook Estates community (the “Additional Amenities”). We believe that these proposed Additional Amenities will encourage future homebuyers to purchase homes in Saddlebrook despite the larger PID TRE. The amenities have been carefully planned in collaboration with the HOA, reflecting homeowner feedback and insights drawn from amenity usage in comparable communities.

The Additional Amenities are included as "Exhibit A" to this letter; however, they are more detailed in that certain Saddlebrook Estates Agreement for the Construction and Reimbursements of Advances to be entered into between the Developer and the City (the "Construction and Reimbursement Agreement"), which a draft of the Construction and Reimbursement Agreement has been provided to the City. The Additional Amenities are proposed to be installed in phases as the Development progresses. Some of the Additional Amenities are proposed to be installed within existing parks, while some are proposed in future parks in future phases. There are three phases to the Additional Amenities, and they are broken out below.

**The Phase 1 Additional Amenities shall include the following:**

- (a) Additional playground
- (b) Enhancements/upgrades to existing playground
- (c) Shade structure covering both playgrounds
- (d) Shade added around existing pool
- (e) Lighted seating area
- (f) Upgraded Landscaping
- (g) New Monumentation within the median of Dartmoor Drive
- (h) New irrigation and landscaping at the entry way of Dartmoor Drive
- (i) Feature landscape at intersection of Pimlico Drive and Highway 287
- (j) Upgraded irrigation and landscaping at the entry way of Pimlico Drive

**The Phase 3/4 Additional Amenities shall include the following:**

- (a) Amenity building with restrooms, fitness room, and meeting rooms
- (b) Parking lot extension
- (c) Pickleball Courts
- (d) Sports Court
- (e) Splash pad
- (f) Exercise stations adjacent to trail
- (g) Fishing Pier (at pond)

**The Phase 7 Additional Amenities shall include the following:**

- (a) Restroom Building
- (b) Swimming Pool
- (c) Shade Structures
- (d) Pickleball Courts
- (e) Sports Court
- (f) Playground with Shade
- (g) Parking Lot
- (h) Trail around pond
- (i) Fire Pit, with seating area
- (j) Landscape and Irrigation

In total, we believe the costs associated with these improvements are over \$7 million. Once the improvements are completed, the Additional Amenities will be owned and maintained by the Saddlebrook Estates Homeowners' Association ("HOA"). All residents will be able to enjoy the Additional Amenities, including residents in previous phases of Saddlebrook that will retain the existing lower assessment on their property. Because of the phased nature of the improvements, we believe

(19)

that the HOA can maintain these improvements without an increase in HOA dues for the existing or future residents.

Again, the higher PID TRE only impacts future residents of Saddlebrook. Current residents of Saddlebrook that already have an assessment levied on their property will not have any change to their current PID levy.

Based on our research and experience in the DFW market, we have found that the higher PID TRE does not adversely affect the marketability or affordability of homes for prospective buyers. Our analysis indicates that the increased PID TRE is consistent with comparable communities that offer similar amenities and lifestyle benefits to their residents.

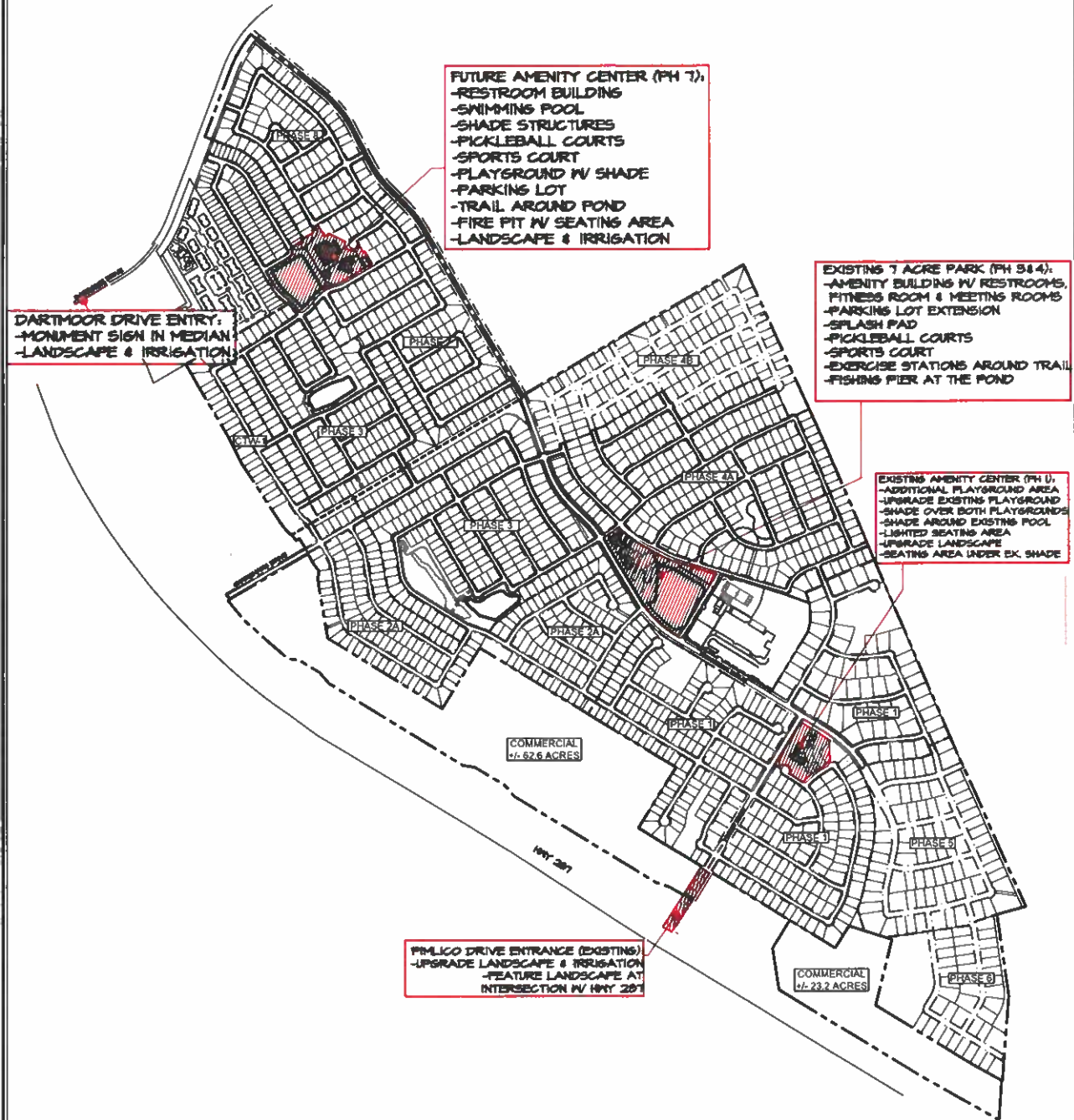
In summary, we believe the proposed Additional Amenities will enhance the overall quality of life in Saddlebrook Estates, benefiting both current and future residents. Existing residents will enjoy upgraded features within the current parks, while future phases will introduce thoughtfully designed new amenities. These enhancements go beyond the current community standards, offering a more enriched and enjoyable living experience for new homeowners.

Sincerely,

Jake Finch  
Scarborough Lane Development  
jfinch@scarboroughlanedevlopment.com  
cell – (214) 802-4660

(19)

**“Exhibit A”  
Depiction of Additional Amenities**



Saddlebrook Estates - Amenity Improvements  
 City of Waxahachie, Ellis County, Texas





PICKLEBALL & BASKETBALL COURTS



LIGHTED SEATING AREA

FITNESS AREAS AROUND PARK



EXISTING SEATING AROUND FORD



AMENITY BUILDING W/ RESTROOMS, EXERCISE ROOM & MEETING ROOMS



SPLASH PAD

Saddlebrook Estates - Amenity Improvements  
 City of Waxahachie, Ellis County, Texas



100 50 0 50 100

1" = 100' - 0"

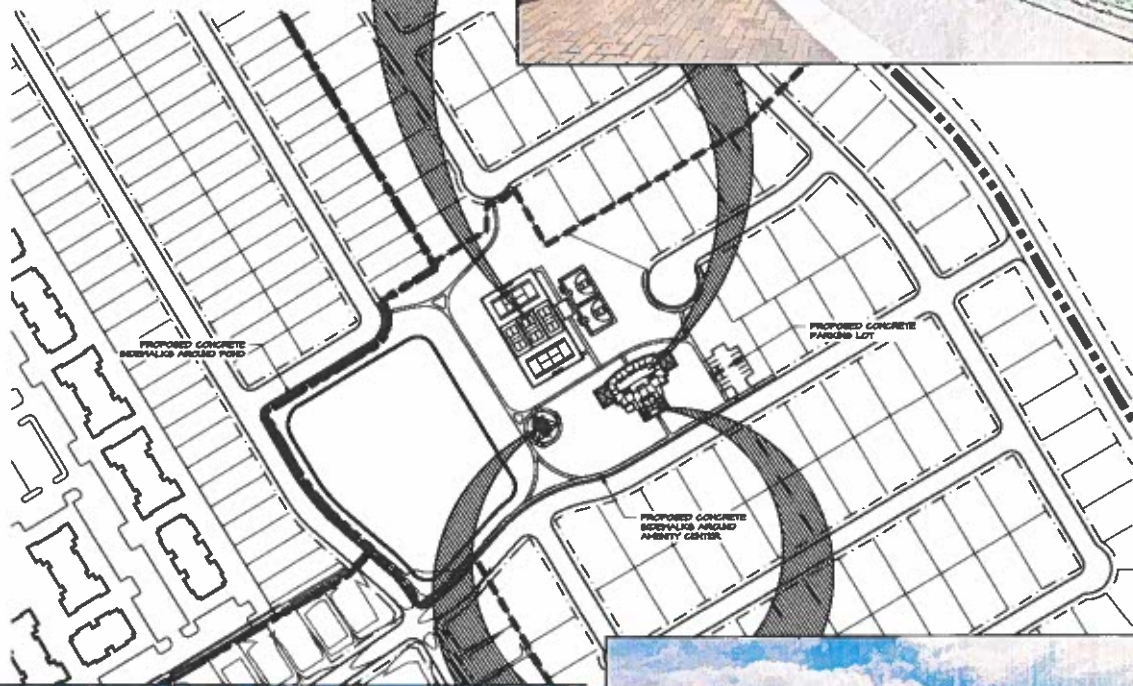
Use in one scale or vertical display. If both one scale or the other is not needed as necessary.

City Seal

PICKLEBALL, TENNIS & BASKETBALL COURTS



SWIMMING POOL WITH SHADE



PROPOSED CONCRETE REVEALED ANGLE POOL

PROPOSED CONCRETE PARKING LOT

PROPOSED CONCRETE SIDEWALKS AROUND AMENITY CENTER



PLAYGROUND WITH SHADE



AMENITY CENTER RESTROOM BUILDING

Saddlebrook Estates - Amenity Improvements  
City of Waxahachie, Ellis County, Texas

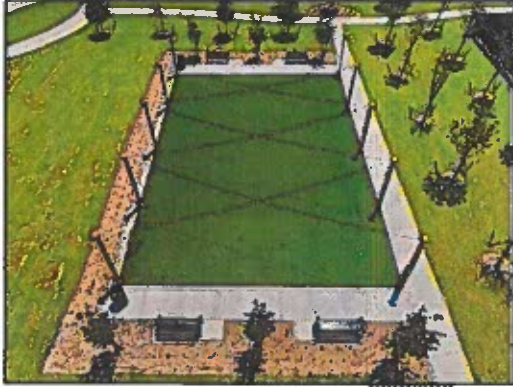


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1" = 100' - 0"

For all other details see attached drawings. If not shown, note on this sheet is not scale or arbitrary.

1/2" = 1" Scale

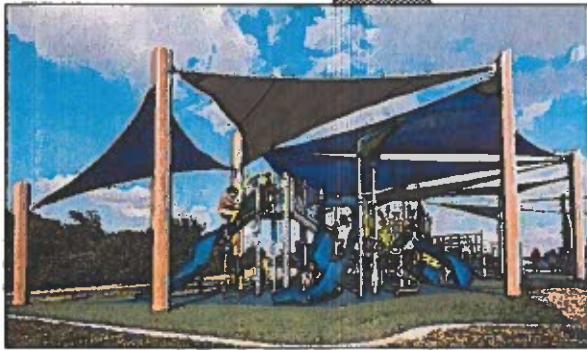
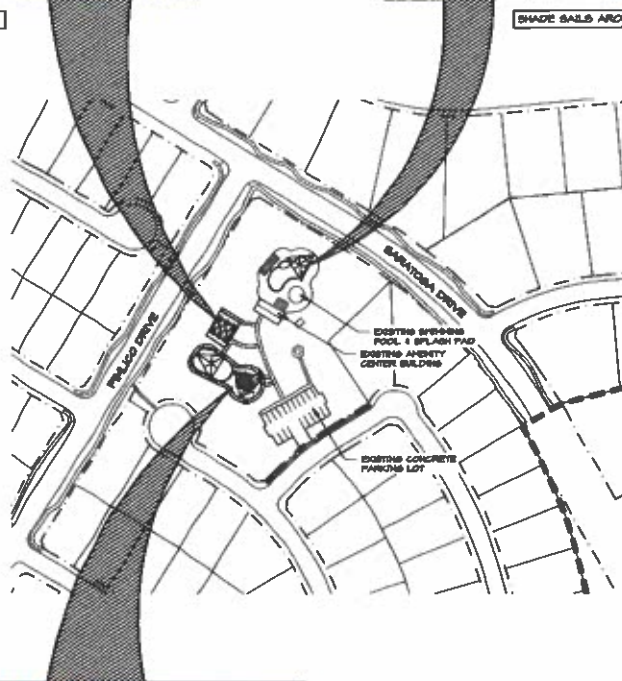
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LIGHTED SEATING AREA

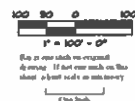


SHADE SAILS AROUND SWIMMING POOL



PLAYGROUND WITH SHADE

Saddlebrook Estates - Amenity Improvements  
City of Waxahachie, Ellis County, Texas



CITY OF WAXAHACHIE, TEXAS

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS DETERMINING THE COSTS OF PHASE FOUR DISTRICT IMPROVEMENTS TO BE FINANCED BY THE WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT NO. 1; APPROVING A PRELIMINARY SERVICE AND ASSESSMENT PLAN, AS UPDATED FOR PHASE #4 ON JUNE 2, 2025, INCLUDING A PROPOSED PHASE #4 ASSESSMENT ROLL; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JUNE 16, 2025 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN PHASE #4 OF THE PUBLIC IMPROVEMENT DISTRICT NO. 1; DIRECTING THE FILING OF THE PROPOSED PHASE #4 ASSESSMENT ROLL WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.**

**RECITALS**

**WHEREAS**, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the “Act”) authorizes the governing body (the “City Council”) of the City of Waxahachie, Texas (the “City”) to create a public improvement district within the City and within the extraterritorial jurisdiction of the City (the “ETJ”); and

**WHEREAS**, on April 16, 2007, the City Council conducted a public hearing to consider a petition received by the City requesting creation of a public improvement district within the ETJ of the City; and

**WHEREAS**, on April 16, 2007, the City Council approved Resolution No. 1087 (the “Authorization Resolution”), authorizing, establishing, and creating the Waxahachie Public Improvement District No. 1 (the “District”); and

**WHEREAS**, the City authorized the creation of the District and the issuance of up to \$34,882,328.00 in bonds for the District to finance certain public improvements authorized by the Act for the benefit of the property within the District (the “District Improvements”); and

**WHEREAS**, the City Council and the City staff have been presented a “Waxahachie Public Improvement District No. 1 Preliminary Service and Assessment Plan as updated for Phase #4 on June 2, 2025” (the “Preliminary SAP”), including the Proposed Phase #4 Assessment Roll attached thereto as Appendix C-4 (the “Proposed Assessment Roll”), a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

**WHEREAS**, the Preliminary SAP sets forth the estimated total costs of certain Phase Four District Improvements (as defined in the Preliminary SAP) to be financed by assessments levied against property within Phase #4 of the District and the Proposed Assessment Roll states the assessments proposed to be levied against each parcel of land in Phase #4 of the District as determined by the method of assessment chosen by the City; and

**WHEREAS**, the Act requires that the Proposed Assessment Roll be filed with the City Secretary of the City (the “City Secretary”) and be subject to public inspection; and

**WHEREAS**, the Act requires that a public hearing (the “Assessment Hearing”) be called to consider proposed assessments and requires the City Council to hear and pass on any objections to the proposed assessments at, or on the adjournment of, the Assessment Hearing; and

**WHEREAS**, the Act requires that notice of the Assessment Hearing be mailed to property owners liable for assessment and published in a newspaper of general circulation in the City and in the part of the City’s ETJ in which the District is located or in which the District Improvements are to be undertaken before the tenth (10th) day before the date of the Assessment Hearing.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS AS FOLLOWS:**

**SECTION 1.** THAT the recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

**SECTION 2.** THAT the City Council does hereby accept the Preliminary SAP for the District, including the Proposed Assessment Roll, a copy of which is attached hereto as **Exhibit A**

and is incorporated herein for all purposes. All capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Preliminary SAP.

**SECTION 3.** THAT the City Council hereby determines that the total estimated costs of the Phase Four District Improvements to be financed by the District are as set forth in Table III-D of the Preliminary SAP.

**SECTION 4.** THAT the City Council's final determination and approval of the costs of the Phase Four District Improvements, or any portion thereof, shall be subject to and contingent upon City Council approval of a final Service and Assessment Plan which will include the final Phase #4 Assessment Roll, after the properly noticed and held Assessment Hearing.

**SECTION 5.** THAT the Proposed Assessment Roll states the assessment proposed to be levied against each parcel of land in Phase #4 of the District as determined by the method of assessment chosen by the City in the Authorization Resolution and as more fully described in the Preliminary SAP.

**SECTION 6.** THAT the City Council expressly defers the levy of assessments against property within future phases of the District for phase-specific improvements that will benefit only the property within each subsequent phase until such time as the costs of such phase-specific improvements can be determined with certainty as referenced in the Preliminary SAP.

**SECTION 7.** THAT the City Council hereby authorizes and directs the filing of the Proposed Assessment Roll with the City Secretary and the same shall be available for public inspection.

**SECTION 8.** THAT the City Council hereby authorizes, and calls, a meeting and a public hearing (the Assessment Hearing as defined above) to be held on *June 16, 2025 at or after 7:00 p.m. at Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas 75165*, at which the City Council shall, among other actions, hear and pass on any objections to the proposed assessments; and, upon the adjournment of the Assessment Hearing, the City Council will consider ordinance levying the assessments as special assessments on property within

Phase #4 of the District that benefit from the Phase Four District Improvements (which ordinance shall specify the method of payment of the assessments).

**SECTION 9.** THAT the City Council hereby authorizes and directs the City Secretary to publish notice of the Assessment Hearing to be held on *June 16, 2025*, in substantially the form attached hereto as **Exhibit B** and incorporated herein for all purposes, in a newspaper of general circulation in the City and in the part of the City's ETJ in which the District is located or in which the Phase Four District Improvements are to be undertaken, on or before June 4, 2025, which is before the tenth (10th) day before the date of the Assessment Hearing, as required by Section 372.016(b) of the Act.

**SECTION 10.** THAT when the Proposed Assessment Roll is filed with the City Secretary, the City Council hereby authorizes and directs the City Secretary to mail to owners of property liable for assessment notice of the Assessment Hearing to be held on June 16, 2025, on or before June 4, 2025, as required by Section 372.016(c) of the Act.

**SECTION 11.** THAT City staff is authorized and directed to take such other actions as are required (including, but not limited to, notice of the public hearing as required by the Texas Open Meetings Act) to place the public hearing on the agenda for the June 16, 2025 meeting of the City Council.

**SECTION 12.** THAT this Resolution shall become effective from and after its date of passage in accordance with law.

*[Remainder of page intentionally left blank; signatures follow]*

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**PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

\_\_\_\_\_  
Billie Wallace, Mayor

\_\_\_\_\_  
Amber Villareal, City Secretary

(19)

**EXHIBIT A**

**PRELIMINARY SERVICE AND ASSESSMENT PLAN**

**EXHIBIT B  
CITY OF WAXAHACHIE, TEXAS  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of Waxahachie, Texas on *June 16, 2025 at or after 7:00 p.m. at Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas 75165*. The public hearing will be held to consider proposed assessments to be levied against the assessable property within Phase #4 of the Waxahachie Public Improvement District No. 1 (the “District”) pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the “Act”).

The general nature of the proposed public improvements (collectively, the “Phase Four District Improvements”) may include: (i) roadway and paving improvements, (ii) water improvements, (iii) sanitary sewer improvements, (iv) storm drainage improvements, (v) right of way purchases, (vi) landscaping, irrigation, and (vii) other soft and miscellaneous costs, and (viii) administrative costs and district formation costs allocable to Phase #4.

The total costs of the Phase Four District Improvements is approximately \$11,532,432.

The District includes approximately 1,965 acres of land generally located within the corporate limits of the City, Ellis County, Texas, and as more particularly described by a metes and bounds description available at the City of Waxahachie City Hall and available for public inspection. The boundaries of Phase #4 include approximately 107.655 acres within the District.

All written or oral objections on the proposed assessment within the District will be considered at the public hearing.

A copy of the proposed assessment roll relating to the Phase Four District Improvements, which proposed assessment roll includes the assessments to be levied against each parcel in Phase #4 of the District for the Phase Four District Improvements, is available for public inspection at the office of the City Secretary at 408 S. Rogers, Waxahachie, Texas 75165.

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# WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT No. 1

CITY OF WAXAHACHIE, TEXAS

## PRELIMINARY SERVICE AND ASSESSMENT PLAN

as updated for Phase #4 on June 2, 2025

**PREPARED BY:**

**MUNICAP, INC.**  
— PUBLIC FINANCE —

# WAXAHACHIE PUBLIC IMPROVEMENT DISTRICT No. 1

## PRELIMINARY SERVICE AND ASSESSMENT PLAN

### TABLE OF CONTENTS

<b>I. PLAN DESCRIPTION AND DEFINED TERMS.....</b>	<b>1</b>
A. INTRODUCTION .....	1
B. DEFINITIONS .....	1
<b>II. PROPERTY INCLUDED IN THE PID.....</b>	<b>8</b>
A. PROPERTY INCLUDED IN THE PID .....	8
<b>III. DESCRIPTION OF THE DISTRICT IMPROVEMENTS.....</b>	<b>10</b>
A. AUTHORIZED IMPROVEMENT OVERVIEW .....	10
<b>IV. SERVICE PLAN .....</b>	<b>18</b>
A. SOURCES AND USES OF FUNDS.....	18
B. PID ASSESSMENT NOTICE.....	22
<b>V. ASSESSMENT PLAN.....</b>	<b>23</b>
A. INTRODUCTION .....	23
B. SPECIAL BENEFIT.....	23
C. ASSESSMENT METHODOLOGY.....	24
<b>VI. DETERMINATION OF ASSESSMENT.....</b>	<b>29</b>
A. AMOUNT OF ASSESSMENTS.....	29
B. REALLOCATION OF ASSESSMENTS .....	29
C. REDUCTION OF ASSESSMENTS.....	30
D. PAYMENT OF ASSESSMENTS .....	30
E. COLLECTION OF ANNUAL INSTALLMENTS .....	32
<b>VII. THE ASSESSMENT ROLL.....</b>	<b>33</b>
<b>VIII. MISCELLANEOUS PROVISIONS .....</b>	<b>34</b>
A. ADMINISTRATIVE REVIEW .....	34
B. TERMINATION OF ASSESSMENTS .....	34
C. AMENDMENTS .....	34
D. INTERPRETATION AND DETERMINATIONS .....	34
E. SEVERABILITY.....	35
<b>APPENDIX A – THE PID MAP .....</b>	<b>36</b>
<b>APPENDIX B - ESTIMATED COSTS OF THE DISTRICT IMPROVEMENTS.....</b>	<b>42</b>
<b>APPENDIX C-1 – PHASE #1 ASSESSMENT ROLL.....</b>	<b>43</b>
<b>APPENDIX C-2 – PHASE #2 ASSESSMENT ROLL.....</b>	<b>48</b>
<b>APPENDIX C-3 – PHASE #3 ASSESSMENT ROLL.....</b>	<b>53</b>
<b>APPENDIX C-4 – PROPOSED PHASE #4 ASSESSMENT ROLL.....</b>	<b>56</b>
<b>APPENDIX D – PID ASSESSMENT NOTICE .....</b>	<b>60</b>

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## ***I. PLAN DESCRIPTION AND DEFINED TERMS***

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### **A. INTRODUCTION**

Chapter 372, Texas Local Government Code, as amended (the "PID Act"), governs the creation of public improvement districts in Texas. On April 16, 2007, pursuant to and in accordance with the petition, notice, and public hearing requirements of the Act and the other applicable laws of the State of Texas, the City Council of the City of Waxahachie, Ellis County, Texas (the "City") approved and adopted Resolution No. 1087 approving and authorizing the creation of Waxahachie Public Improvement District No. 1 (the "PID"). The purpose of the PID is to undertake public improvement projects that will confer a special benefit on property within the boundaries of the PID.

A service and assessment plan for platted lots in the PID (this "Service and Assessment Plan") was approved by the City Council pursuant to Ordinance No. 2413 approved and adopted on June 18, 2007, identifying the public improvements to be provided by the PID, the costs of the public improvements, and the manner of assessing property in the PID for costs of the public improvements. The Service and Assessment Plan is to be reviewed and updated at least annually.

Prior to the levy by the City of any special assessments on property within the boundaries of the PID, the Act requires the preparation of a service plan for the PID covering a period of at least five years and defining the annual indebtedness and the projected costs for the improvement projects (which plan shall be reviewed and updated annually). The required service plan for the PID is contained in Section IV of this Service and Assessment Plan.

The Act requires that an assessment plan be included in the service plan for the PID. As part of the assessment plan, the Act requires that the City Council of the City shall apportion the costs of the improvement projects to be assessed against property in the PID. The apportionment shall be made on the basis of special benefits accruing to the property within the boundaries of the PID because of the improvement projects. The required assessment plan for the PID is contained in Section V of this Service and Assessment Plan.

The Act requires that after the total costs of the improvement projects are determined, the City Council of the City shall prepare a proposed assessment roll that states the Assessment against each parcel of land in the PID, as determined by the method of assessment chosen by the City. The Assessment Rolls for the PID are included as Appendix C attached to this Service and Assessment Plan.

### **B. DEFINITIONS**

Terms used in this Service and Assessment Plan shall have the following meanings:

**"Actual Cost(s)"** means, with respect to a District Improvement, the demonstrated, reasonable, allocable, and allowable costs of constructing such District Improvement, as specified in a payment request in a form that has been reviewed and approved by the City. Actual Cost may include (a)

the costs incurred for the design, planning, financing, administration/management, acquisition, installation, construction and/or implementation of such District Improvement, (b) the costs incurred in preparing the construction plans for such District Improvements, (c) the fees paid for obtaining permits, licenses or other governmental approvals for such District Improvements, (d) a construction management fee of 4.0% of the costs incurred for the construction of such District Improvements if an Owner is serving as the construction manager but not the general contractor, (e) the costs incurred for external professional costs, such as engineering, geotechnical, surveying, land planning, architectural landscapers, advertising, marketing and research studies, appraisals, legal, accounting and similar professional services, taxes (property and franchise) related to the District Improvements (f) all labor, bonds and materials, including equipment and fixtures, by contractors, builders and materialmen in connection with the acquisition, construction or implementation of the District Improvements, (g) all related permitting, zoning and public approval expenses, architectural, engineering, and consulting fees, financing charges, taxes, governmental fees and charges, insurance premiums, and miscellaneous expenses, and all payments for Administrative Expenses.

**“Administrator”** means a person or entity that contracts with, or that is an employee, representative, or agent of, the City that performs the responsibilities provided for in this Service and Assessment Plan, in the Bond Indenture, or in any other agreement approved by the City Council and related to the administration of the PID.

**“Annual Collection Costs”** mean the following actual or anticipated costs related to the annual collection of outstanding Assessments (whether paid in full or in Annual Installments), including, but not limited to, the actual or anticipated costs of:

- (i) preparing this Service and Assessment Plan, each Annual Service Plan Update, and each Assessment Roll;
- (ii) computing, preparing, levying, collecting, and transmitting Assessments;
- (iii) remitting Assessments to the Trustee;
- (iv) the City, the Administrator, and the Trustee (and their respective legal counsel) in the discharge of their duties under this Service and Assessment Plan;
- (v) complying with arbitrage rebate requirements;
- (vi) complying with annual securities disclosure requirements; and
- (vii) the City, the Administrator, and the Trustee in any way related to computing, preparing, levying, collecting, and transmitting the Assessments (including, but not limited to, the administration of the PID, maintaining a record of installments, payments, reallocations, and/or cancellations of Assessments, repayment of Bonds, any associated legal expenses, reasonable costs of other consultants and advisors, and contingencies and reserves for all of the foregoing costs as deemed appropriate by the City Council).

- (viii) fees and expenses related to the Bonds including legal counsel, engineers, accountants, financial advisors, investment bankers, or other consultants and advisors. Administrative collection costs do not include payment of the actual principal of redemption premiums, if any, and interest on the Bonds; and
- (ix) administering the construction of the District Improvements.

**“Annual Installment”** means, with respect to each Parcel, each annual installment payment of the Assessment for the Parcel as shown on the Assessment Roll, which includes, without limitation, debt service and transaction costs related to any Bonds (other than costs payable from Bond proceeds), and Annual Collection Costs.

**“Annual Service Plan Update”** means the annual update to this Service and Assessment Plan as required by the Act.

**“Assessed Property”** means, collectively, all the Parcels in the PID (excluding Non-Benefited Property) described on the Assessment Rolls attached as Appendix C-1, C-2, C-3, and C-4 to this Service and Assessment Plan.

**“Assessment”** means, with respect to each Parcel in the PID, the assessment levied against the Parcel in accordance with the Assessment Ordinance and this Service and Assessment Plan.

**“Assessment Ordinance”** means any Assessment Ordinance approved by the City Council that approves this Service and Assessment Plan, as amended and levies and imposes the Assessments, as shown on the Assessment Rolls, subject to reallocation or reduction, from time to time, as provided by this Service and Assessment Plan and the PID Act.

**“Assessment Revenues”** mean the revenues actually received by the City from Assessments including, but not limited to, revenues from Annual Installments, revenues that result from the payment, in full of any Assessment, and including revenues from prepayments of Assessments as provided by this Service and Assessment Plan.

**“Assessment Roll”** means a list of and description of all Parcels and the Assessment and Annual Installment for each Parcel attached as Appendix C-1, C-2, C-3, and C-4 to this Service and Assessment Plan, and including any updates, modification or amendments thereto prepared from time to time including, but not limited to, updates prepared in connection with any issuance of Bonds or in connection with any Annual Service Plan Update.

**“Bond Indenture”** means any indenture, ordinance, or similar document setting forth the terms and other provisions relating to any series of Bonds, as modified, amended, or supplemented from time to time.

**“Bonds”** mean the Phase One Bonds or any bonds (including refunding bonds) or other debt secured by Assessment Revenues, whether in one or more series, issued by the City with respect to the PID.

“**Certification for Payment**” means the certificate to be provided by the Developer, or his designee, to substantiate the Actual Cost of one or more District Improvements segments or sections.

“**City**” means the City of Waxahachie, Texas.

“**City Council**” means the duly elected governing body of the City.

“**Collection Costs**” mean the sum of Annual Collection Costs and Delinquent Collection Costs.

“**Cost**” mean actual or budgeted costs, as applicable, to acquire, design, construct, install, or improve District Improvements including, but not limited to, all costs paid or incurred in connection with the issuance, from time to time, of multiple series of Bonds, and including all costs otherwise paid or incurred in connection with the transaction that results in the issuance of Bonds (whether such costs are characterized as interest, costs of issuance, reserve fund, or other costs of the transaction).

“**Delinquent Collection Costs**” mean interest, penalties, and expenses incurred or imposed with respect to any delinquent installments of the Assessments in accordance with the Act.

“**Developer**” means either Waxahachie 287, LP or Ellis County CTR Development, Ltd, and their respective successors and assigns.

“**District Improvements**” mean the public improvement projects authorized by the Act that confer a special benefit on the Assessed Property and that are described for each Phase in Section III of this Service and Assessment Plan.

“**Equivalent Units**” mean, for each Parcel in Phase #1, Phase #2, and Phase #3, (i) the number of residential dwelling units built or expected to be built within the Parcel for each “Lot Type” shown below multiplied times (ii) the equivalency factor shown below:

<b>Lot Type</b>	<b>Equivalency Factor</b>
Lot Type 1 (90 FT single-family residential)	1.00 per dwelling
Lot Type 2 (70 FT single-family residential)	0.84 per dwelling unit
Lot Type 3 (60 FT single-family residential)	0.75 per dwelling unit

“**Lot Type 1**” means a single-family lot designated “SF-1” in the Planned Development Ordinance and identified as such in the Assessment Roll.

“**Lot Type 2**” means a single-family lot designated as “SF-2” in the Planned Development Ordinance and identified as such in the Assessment Roll.

“**Lot Type 3**” means a single-family lot designated as “SF-3” in the Planned Development Ordinance and identified as such in the Assessment Roll.

“**Maximum Assessment**” means the following amount per unit for each lot type within Phase #1, Phase #2, and Phase #3:

<b>Lot Type</b>	<b>Maximum Assessment</b>
Lot Type 1 (90 FT single-family residential)	\$7,660 per unit
Lot Type 2 (70 FT single-family residential)	\$6,434 per unit
Lot Type 3 (60 FT single-family residential)	\$5,745 per unit

“**Non-Benefited Property**” means Parcels within the boundaries of the PID that have been determined by the City Council to receive no measurable special benefit from the District Improvements, including, but not limited to, Owner Association Property, Public Property, and right-of-way and easements for use by a public or private utility providers.

“**Owner Association Property**” means property within the boundaries of the PID that is owned by or offered for dedication to, whether in fee simple or through an exclusive use easement, a non-profit property owners’ association established for the benefit of a group of homeowners or property owners within the PID.

“**Parcel**” means a parcel of land within the PID identified (i) by a tax map identification number assigned by the Ellis County Central Appraisal District for real property tax purposes, (ii) by lot and block number in a final subdivision plat recorded in the real property records of Ellis County, (iii) by metes and bounds description, or (iv) by any other means determined by the City.

“**Phase Four**” or “**Phase #4**” means a portion of the PID Property as depicted and described on Appendix A-4 attached to this Service and Assessment Plan identifying the property currently being developed within the boundaries of the PID.

“**Phase #4 Equivalent Units**” mean, for each Parcel in Phase #4, (i) the number of residential dwelling units built or expected to be built within the Parcel for each “Lot Type” shown below multiplied times (ii) the equivalency factor shown below:

<b>Lot Type</b>	<b>Equivalency Factor</b>
Lot Type 2 (70 FT single-family residential)	1.00
Lot Type 3 (60 FT single-family residential)	0.95

“**Phase #4 Maximum Assessment**” means the following amount per unit for each lot type within Phase #4:

<b>Lot Type</b>	<b>Maximum Assessment</b>
Lot Type 2 (70 FT single-family residential)	\$27,599.75 per unit
Lot Type 3 (60 FT single-family residential)	\$26,345.22 per unit

**“Phase #2 Reimbursement Agreement Obligation”** means the reimbursement obligation related to the Actual Costs of the District Improvements related to Phase #2 to be paid from Assessments secured by the Phase #2 Assessed Property for the District Improvements related to Phase #2 under the terms of the Phase #2 reimbursement agreement and/or a series of Future Phase Bonds.

**“Phase #3 Reimbursement Agreement Obligation”** means the reimbursement obligation related to the Actual Costs of the District Improvements related to Phase #3 to be paid from Assessments secured by the Phase #3 Assessed Property for the District Improvements related to Phase #3 under the terms of the Phase #3 reimbursement agreement and/or a series of Future Phase Bonds.

**“Phase #4 Reimbursement Agreement Obligation”** means the reimbursement obligation related to the Actual Costs of the District Improvements related to Phase #4 to be paid from Assessments secured by the Phase #4 Assessed Property for the District Improvements related to Phase #4 under the terms of the Phase #4 reimbursement agreement and/or a series of Future Phase Bonds.

**“Phase One”** or **“Phase #1”** means a portion of the PID Property as depicted and described on Appendix A-1 attached to this Service and Assessment Plan identifying the property currently being developed within the boundaries of the PID.

**“Phase One Bonds”** means the City of Waxahachie Special Assessment Bonds, Series 2011 (Waxahachie Public Improvement District No. 1 Phase One Project) issued in the initial principal amount of \$1,340,000, and any Bonds issued to refund such Bonds.

**“Phase Three”** or **“Phase #3”** means a portion of the PID Property as depicted and described on Appendix A-3 attached to this Service and Assessment Plan identifying the property currently being developed within the boundaries of the PID.

**“Phase Two”** or **“Phase #2”** means a portion of the PID Property as depicted and described on Appendix A-2 attached to this Service and Assessment Plan identifying the property currently being developed within the boundaries of the PID.

**“PID Act”** or **“Act”** means Chapter 372, Texas Local Government Code, as amended.

**“PID Property”** means the property depicted and described on Appendix A attached to this Service and Assessment Plan identifying the total property included within the boundaries of the PID.

**“Planned Development Ordinance”** means Ordinance No. 2302 adopted by the City Council of the City on April 18, 2005, which ordinance establishes the zoning that is applicable to the PID Property.

**“Public Property”** means property within the boundaries of the PID that is owned by or offered for dedication to the federal government, the State of Texas, a county, the City, a school district, a public utility provider, or any other political subdivision or public agency, whether in fee simple or through an easement.

**“Service and Assessment Plan”** means this Service and Assessment Plan prepared for the PID pursuant to the Act, as amended and updated from time to time.

**“Trustee”** means the fiscal agent or trustee as specified in any Bond Indenture, including a substitute fiscal agent or trustee.

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## ***II. PROPERTY INCLUDED IN THE PID***

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### **A. PROPERTY INCLUDED IN THE PID**

The PID Property is depicted and described by metes and bounds on Appendix A attached to this Service and Assessment Plan. The PID Property consists of approximately 1,965 acres of land located within the corporate limits of the City, Ellis County, Texas. The PID Property is zoned as a planned development zoning district in accordance with the Planned Development Ordinance. The total estimated Costs to design, acquire and construct the District Improvements was \$34,882,328.

The property in Phase One consists of approximately 78.6 acres of land and is located within the PID boundaries. The total Actual Cost of the District Improvements financed through the PID for Phase One was \$1,340,000.

The property in Phase Two consists of approximately 33.9 acres of land and is located within the PID boundaries. The total Actual Cost of the District Improvements financed through the PID for Phase Two was \$749,059.

The property in Phase Three consists of approximately 63.3 acres of land and is located within the PID boundaries. The total Actual Cost of the District Improvements financed through the PID for Phase Three was \$1,453,485.

This Service and Assessment Plan is updated for Phase Four of the development, which includes approximately 341 residential dwelling units. The Parcels in Phase Four of the development are shown on the Assessment Roll and the map included as Appendix A-4. The total Actual Cost of the District Improvements to be financed through the PID for Phase Four is \$9,120,464.

The total estimated Costs to design, acquire and construct the District Improvements for future phases to be developed after Phase Four is \$22,219,320 (i.e., \$34,882,328 - \$1,340,000 - \$749,059 - \$1,453,485 - \$9,120,464).

For purposes of allocating the Assessments, the Assessed Property has been classified in one of three lot types. The following table shows the actual or proposed residential lot types: The residential development at build-out in Phase One, Phase Two, Phase Three and the projected residential development in Phase Four of the PID Property are shown in Table II-A below for each of the three Lot Types developed or being developed.

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**Table II-A**

<b>Lot Type</b>	<b>Actual Development Phase 1</b>	<b>Actual Development Phase 2</b>	<b>Actual Development Phase 3</b>	<b>Projected Development Phase 4</b>
Lot Type 1 – 90 FT Single-Family	47 units	17 units	0 units	0 units
Lot Type 2 – 70 FT Single-Family	96 units	31 units	0 units	109 units
Lot Type 3 – 60 FT Single-Family	66 units	73 units	253units	232 units
	<b>209 Units</b>	<b>121 Units</b>	<b>253 Units</b>	<b>341 Units</b>

The estimated number of units at the build-out of the PID is based on the land use approvals for the property, the anticipated subdivision of property in the PID, and the Developer's estimate of the highest and best use of the property within the PID.

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### ***III. DESCRIPTION OF THE DISTRICT IMPROVEMENTS***

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#### **A. DISTRICT IMPROVEMENT OVERVIEW**

Section 372.003 of the PID Act defines the improvements that may be undertaken by a municipality or county through the establishment of a public improvement district, as follows:

##### 372.003. District Improvements

- (a) If the governing body of a municipality or county finds that it promotes the interests of the municipality or county, the governing body may undertake an improvement project that confers a special benefit on a definable part of the municipality or county or the municipality's extraterritorial jurisdiction. A project may be undertaken in the municipality or county or the municipality's extraterritorial jurisdiction.
- (b) A public improvement may include:
  - (i) landscaping;
  - (ii) erection of fountains, distinctive lighting, and signs;
  - (iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way;
  - (iv) construction or improvement of pedestrian malls;
  - (v) acquisition and installation of pieces of art;
  - (vi) acquisition, construction, or improvement of libraries;
  - (vii) acquisition, construction, or improvement of off-street parking facilities;
  - (viii) acquisition, construction, improvement, or rerouting of mass transportation facilities;
  - (ix) acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements;
  - (x) the establishment or improvement of parks;
  - (xi) projects similar to those listed in Subdivisions (i)-(x);
  - (xii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;
  - (xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and

- (xiv) payment of expenses incurred in the establishment, administration, and operation of the district; and
- (xv) the development, rehabilitation, or expansion of affordable housing.

**Phase One District Improvements**

After analyzing the public improvement projects authorized by the Act, the City determined that the District Improvements benefiting the properties in Phase One (the “Phase One District Improvements”) should be undertaken by the City for the benefit of the property within Phase One of PID. A summary of the Actual Costs of the Phase One District Improvements is shown in Table III-A below.

**Table III-A**  
**Phase One District Improvements**

<b>Phase One District Improvement</b>	<b>Total Actual Cost</b>
Phase #1 - Street Grading and Paving	\$328,742
Phase #1 - Onsite Water Distribution System	\$132,078
Phase #1- Onsite Wastewater Management System	\$120,149
Phase #1- Storm Drainage Management System	\$147,931
Phase #1 - Engineering	\$106,916
Phase #1 - Bond Financing Costs	\$504,183
<b>Total Phase #1 Costs of District Improvements</b>	<b>\$1,340,000</b>

**Road Improvements:**

The Phase One District Improvements include street grading and paving improvements, water distribution system improvements, wastewater collection system improvements and storm drainage system improvements.

The Phase One street grading and paving improvements include the construction of the residential streets that provide access to the Phase One lots. The construction consists of the excavation of the streets and rights-of-way, lime stabilized subgrade and reinforced concrete pavement. The streets are curb and gutter construction. The curb and gutter design conveys storm water to the storm drainage system.

The Phase One road improvements have been completed.

**Water Distribution System Improvements:**

The Phase One water distribution system improvements include the construction of PVC water lines, valves, fire hydrants and service lines to the Phase One lots. The water infrastructure constructed is connected to the City water distribution system.

The Phase One water distribution system improvements have been completed.

**Sanitary Sewer Improvements:**

The Phase One wastewater distribution system improvements include the construction of PVC sewer lines, manholes and service lines to the Phase One lots and a sewer trunk line that runs through Phase One. The wastewater infrastructure constructed is connected to the City wastewater collection system.

The Phase One sanitary sewer improvements have been completed.

**Storm Drainage Improvements**

The Phase One storm drainage system improvements include curb inlets and reinforced concrete pipe to convey storm water through the developed area. The storm drainage system discharges into water courses adjacent to the development and includes headwalls, rock rip rap and erosion control items.

The Phase One storm drainage improvements have been completed.

**Phase Two District Improvements**

After analyzing the public improvement projects authorized by the Act, the City determined that the District Improvements benefiting the properties in Phase Two (the “Phase Two District Improvements”) should be undertaken by the City for the benefit of the property within Phase Two of PID. A summary of the Costs of the Phase Two District Improvements is shown in Table III-B below.

**Table III-B**  
**Actual Costs of District Improvements – Phase Two**

<b>District Improvements</b>	<b>Cost</b>
Phase #2 roadway improvements	\$936,493
Phase #2 water distribution improvements	\$275,351
Phase #2 sanitary sewer improvements	\$278,831
Phase #2 storm sewer improvements	\$107,796
Estimated engineering, inspection and contingency	\$183,686
<i>Sub-total cost of improvements</i>	\$1,782,157
Less: other sources of funds	(\$1,033,098)
<b>Total PID-funded District Improvements</b>	<b>\$749,059</b>

**Road Improvements:**

*Residential Streets* - The roadway improvements within Phase Two include construction of approximately 2,489 linear feet of 7” thick, 36-foot wide, concrete pavement with curb and gutter and 8,982 linear feet of 6” thick, 30-foot wide, concrete pavement with curb and gutter. The

concrete is 3,600 pounds per square inch (psi) strength. Unclassified excavation for the project consists of 115,000 cubic yards of cut and fill. 41,171 square yards (sy) of pavement sub-grade are lime stabilized and compacted. Intersections, signage, lighting and re-vegetation of all disturbed areas within the right of way are included. These roadway improvements include streets that provide street access to each lot within Phase Two. All roadway projects were designed and constructed in accordance with City standards and specifications and are owned and operated by the City. These projects provide access to community roadways and state highways.

The Phase Two road improvements have been completed.

### **Water Distribution System Improvements:**

*Water Lines* – the Phase Two waterline improvements consist of constructing approximately 9,211 linear feet of 8” water line, including associated 8” gate valves, and approximately 602 linear feet of 12” water line, including associated 12” gate valves. One-inch diameter water services are provided to each of the 121 lots and an additional two-inch service to the park within Phase Two. All associated waterline testing, trench safety and erosion protection during construction are included. These lines are designed and constructed in accordance with City standards and specifications and are owned and operated by the City. These lines include the necessary appurtenances to be fully operational transmission lines extending water service to the limits of Phase Two and all lots within Phase Two.

The Phase Two water distribution system improvements have been completed.

### **Sanitary Sewer Improvements:**

*Wastewater Lines* - The Phase Two wastewater collection system improvements include construction of 10,299 linear feet of 8” gravity sanitary sewer line that connects to the gravity sewer trunk line flowing to proposed collection point located in Phase 1B. Construction includes connection at multiple points through 51 concrete manholes. Services to individual lots are by 4” gravity sewer services. All lines are designed and constructed in accordance with City standards and specifications and are owned and operated by the City. These lines include the necessary appurtenances to be fully operational extending wastewater service to the limits of Phase Two and each of the 178 lots and park within Phase Two.

The Phase Two sanitary sewer improvements have been completed.

### **Storm Drainage Improvements**

The drainage portion of the Phase Two Improvements consists of underground reinforced concrete storm sewer pipes, inlets and rock riprap protection at outfalls. The main means of conveyance of storm drainage within Phase Two is within underground storm drain pipes. The roadway pavement section incorporates the use of curbs with integrated drainage inlets to control runoff and conveyance of storm water throughout the drainage basins associated with Phase Two. The system includes underground reinforced concrete pipe (RCP) with associated headwalls, safety end treatments, manholes and storm sewer energy dissipaters at the points of discharge. All of the

drainage areas within Phase Two flow to existing facilities constructed with the previous phases of Saddlebrook Estates. This project was constructed to City standards and specifications and is owned and operated by the City.

The Phase Two storm drainage improvements have been completed.

### **Phase Three District Improvements**

After analyzing the public improvement projects authorized by the Act, the City has determined that the District Improvements benefiting the properties in Phase Three (the "Phase Three District Improvements") should be undertaken by the City for the benefit of the property within Phase Three of PID. A summary of the estimated Costs of the Phase Three District Improvements is shown in Table III-C below.

**Table III-C**  
**Actual Costs of District Improvements – Phase Three**

<b>District Improvements</b>	<b>Cost</b>
Phase #3 roadway improvements	\$2,949,600
Phase #3 utility improvements	\$3,730,087
Estimated engineering, inspection and contingency	\$775,340
Estimated bond issuance costs <sup>(a)</sup>	\$0
<i>Sub-total cost of improvements</i>	<i>\$7,455,027</i>
Less: other sources of funds	(\$6,001,542)
<b>Total PID-funded District Improvements</b>	<b>\$1,453,485</b>

(a) If and when Bonds are issued for Phase Three District Improvements, proceeds of those Bonds may be used to fund costs of issuance, capitalized interest, underwriters discount and any debt service reserve fund or other required reserves.

### **Road Improvements:**

*Residential Streets* - The roadway improvements within Phase Three include construction of approximately 42,682 square yards (sy) of 6" thick concrete pavement, approximately 4,210 square yards (sy) of 7" thick concrete pavement, approximately 3,322 square yards (sy) of 8" thick concrete pavement, 53,491 square yards (sy) of pavement sub-grade will be lime stabilized and compacted, 8,510 square feet (sf) of side walk 5 feet wide, and 11,450 linear feet (lf) of sidewalk 6 feet wide. These roadway improvements include streets that will provide street access to each lot within Phase Three. All roadway projects will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City. These projects provide access to community roadways and state highways.

The Phase Three road improvements have been completed.

**Utility Improvements:**

The Phase 3 utility improvements include water distribution system improvements, wastewater collection system improvements and storm sewer collection system improvements.

*Water Lines* – the Phase Three waterline improvements consists of constructing approximately 7,829 linear feet (lf) of 8” water line, including associated 8” gate valves, approximately 10,720 linear feet (lf) of 12” water line, including associated 12” gate valves, and approximately 1,160 linear feet (lf) of 16” water line, including associated 16” gate valves. All associated waterline testing, trench safety and erosion protection during construction are included. Construction includes connection of 38 fire hydrants. These lines were designed and constructed in accordance with City standards and specifications and are owned and operated by the City. These lines include the necessary appurtenances to be fully operational transmission lines extending water service to the limits of Phase Three and all lots within Phase Three.

*Wastewater Lines* - The Phase Three wastewater collection system improvements also include construction of approximately 7,400 linear feet (lf) of 8” sanitary sewer line, approximately 2,572 linear feet (lf) of 10” sanitary sewer line, approximately 979 linear feet (lf) of 12” sanitary sewer line, approximately 1,446 linear feet (lf) of 15” sanitary sewer line, approximately 2,212 linear feet (lf) of 21” sanitary sewer line located in Phase Three. Construction includes connection at multiple points through 46 concrete manholes. All lines were designed and constructed in accordance with City standards and specifications and are owned and operated by the City. These lines include the necessary appurtenances to be fully operational extending wastewater service to the limits of Phase Three and each of the 253 lots and park within Phase Three.

*Storm Drainage Improvements* - The drainage portion of the Phase Three Improvements consists of underground reinforced concrete storm sewer pipes, inlets and rock riprap protection at outfalls. The main means of conveyance of storm drainage within Phase Three is within underground storm drainpipes. The roadway pavement section incorporates the use of curbs with integrated drainage inlets to control runoff and conveyance of storm water throughout the drainage basins associated with Phase Three. The system includes underground reinforced concrete pipe (RCP) with associated headwalls, safety end treatments, manholes and storm sewer energy dissipaters at the points of discharge. All of the drainage areas within Phase Three flow to existing facilities constructed with the previous phases of Saddlebrook Estates. This project was constructed to City standards and specifications and is owned and operated by the City.

Phase Three utility improvements have been completed.

**Phase Four District Improvements**

After analyzing the public improvement projects authorized by the Act, the City determined that the District Improvements benefiting the properties in Phase Four (the “Phase Four District Improvements”) should be undertaken by the City for the benefit of the property within Phase Four of PID. A summary of the estimated Costs of the Phase Four District Improvements is shown in Table III-D on the following page.

**Table III-D**  
**Estimated Costs of District Improvements – Phase Four**

<b>Phase Four District Improvement</b>	<b>Total Actual Cost</b>
Phase #4 - Roadway Improvements	\$5,234,810
Phase #4 - Water Improvements	\$2,081,077
Phase #4 - Sanitary Sewer Improvements	\$1,735,451
Phase #4 - Storm Drainage Improvements	\$1,599,876
Estimated engineering, inspection, and contingency	\$881,219
<i>Sub-total cost of improvements</i>	<i>\$11,532,432</i>
Less: other sources of funds	(\$2,411,968)
<b>Total PID-funded District Improvements</b>	<b>\$9,120,464</b>

(a) If and when Bonds are issued for Phase Four District Improvements, proceeds of those Bonds may be used to fund costs of issuance, capitalized interest, underwriters discount and any debt service reserve fund or other required reserves.

The Phase Four District Improvements include street grading and paving improvements, water distribution system improvements, wastewater collection system improvements and storm drainage system improvements.

**Road Improvements:**

The Phase Four street grading and paving improvements include the construction of the residential streets that provide access to the Phase Four lots. The construction consists of the excavation of the streets and rights-of-way, lime stabilized subgrade and reinforced concrete pavement. The streets are curb and gutter construction. The curb and gutter design conveys storm water to the storm drainage system.

The Phase Four road improvements have been completed.

**Water Distribution System Improvements:**

The Phase Four water distribution system improvements include the construction of PVC water lines, valves, fire hydrants and service lines to the Phase Four lots. The water infrastructure constructed is connected to the City water distribution system.

The Phase Four water distribution system improvements have been completed.

**Sanitary Sewer Improvements:**

The Phase Four wastewater distribution system improvements include the construction of PVC sewer lines, manholes and service lines to the Phase Four lots and a sewer trunk line that runs through Phase Four. The wastewater infrastructure constructed is connected to the City wastewater collection system.

The Phase Four sanitary sewer improvements have been completed.

**Storm Drainage Improvements**

The Phase Four storm drainage system improvements include curb inlets and reinforced concrete pipe to convey storm water through the developed area. The storm drainage system discharges into water courses adjacent to the development and includes headwalls, rock rip rap and erosion control items.

The Phase Four storm drainage improvements have been completed.

Additional details of the Phase Four Improvements are shown in Appendix B attached to this Service and Assessment Plan. The method of cost allocation is explained in Section V.C.

The Costs shown in Table III-D are estimates and may be revised in Annual Service Plan Updates. The detailed Costs of the District Improvements are shown in Appendix B to this Service and Assessment Plan. Savings from one line item may be applied to a cost increase in another line item. These savings may be applied only to increases in Costs of the District Improvements (i.e., the improvements for the benefit of property within the PID).

The Act provides that if the governing body of a municipality determines that it promotes the interests of the municipality, the governing body may undertake public improvement projects authorized by the Act that confer a special benefit on a definable part of the municipality. The City Council has determined that the “District Improvements” described on Appendix B to this Service and Assessment Plan are authorized by the Act, promote the interests of the City, and confer a special benefit on the Assessed Property. The individual line items described on Appendix B may be updated with each update of this Service and Assessment Plan. Individual line items may be adjusted upward or downward, however, the total cost of all line items cannot exceed the total shown on Appendix B.

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## ***IV. SERVICE PLAN***

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### **A. SOURCES AND USES OF FUNDS**

The PID Act requires a service plan cover a period of at least five years. The service plan is required to define the annual projected costs and indebtedness for the improvement projects undertaken within each Phase of the PID. This plan shall be reviewed and updated annually for the purpose of determining the annual budget for the District Improvements and for the issuance of Bonds for Phase Three, Phase Four or any other Bond issues. The annual update to this Service and Assessment Plan is herein referred to as the “Annual Service Plan Update.”

The Actual Costs, including costs related to the issuance of the Phase One Bonds and payment of expenses incurred in the establishment, administration, and operation of Phase One of the PID, was \$1,390,000, of which \$1,340,000 was funded with the PID Assessments as shown on Table IV-A. All of the Costs were expended during the first five years after adoption of the updated Service and Assessment Plan for Phase One.

**Table IV-A**  
**Sources and Uses of Funds**  
**Phase One District Improvements**

<b>Sources of Funds</b>	<b>Total</b>
Bond proceeds	\$1,340,000
Other private funds	\$50,000
<b>Total Sources of Funds</b>	<b>\$1,390,000</b>
<b>Uses of Funds</b>	
Phase One District Improvements	\$835,817
Capitalized Interest Account	\$54,558
Cost of Issuance	\$297,095
Reserve Account	\$131,093
Prepayment Reserve Account	\$1,437
Developer's Reserve Account	\$50,000
Collection Costs Account	\$20,000
<b>Total Uses of Funds</b>	<b>\$1,390,000</b>

The Actual Costs, including estimated costs incurred in the establishment, administration, and operation of Phase Two of the PID, is \$1,782,157, of which \$749,059 is being funded with the PID Assessments as shown on Table IV-B. All of the Costs were expended during the first five years after adoption of the updated Service and Assessment Plan for Phase Two.

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**Table IV-B**  
**Sources and Uses of Funds**  
**Phase Two District Improvements**

<b>Sources of Funds:</b>	<b>Total</b>
PID Assessments	\$749,059
Estimated other source of funds	\$1,033,098
<b>Total sources of funds</b>	<b>\$1,782,157</b>
<b>Uses of Funds:</b>	
Estimated Phase Two District Improvements	\$1,782,157
<b>Total uses of funds</b>	<b>\$1,782,157</b>

The Actual Costs, including estimated costs incurred in the establishment, administration, and operation of Phase Three of the PID, is \$7,455,027, of which \$1,453,485 is being funded with the PID Assessments as shown on Table IV-C. All of the Costs are anticipated to be expended during the first five years after adoption of this Service and Assessment Plan.

**Table IV-C**  
**Sources and Uses of Funds**  
**Phase Three District Improvements**

<b>Sources of Funds:</b>	<b>Total</b>
PID Assessments	\$1,453,485
Estimated other source of funds	\$6,001,542
<b>Total sources of funds</b>	<b>\$7,455,027</b>
<b>Uses of Funds:</b>	
Estimated Phase Three District Improvements	\$7,455,027
<b>Total uses of funds</b>	<b>\$7,455,027</b>

The estimated Costs, including estimated costs incurred in the establishment, administration, and operation of Phase Four of the PID, is \$11,532,432, of which \$9,120,464 is being funded with the PID Assessments as shown on Table IV-D. All of the Costs are anticipated to be expended during the first five years after adoption of this Service and Assessment Plan.

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**Table IV-D**  
**Sources and Uses of Funds**  
**Phase Four District Improvements**

<b>Sources of Funds:</b>	<b>Total</b>
PID Assessments	\$9,120,464
Estimated other source of funds	\$2,411,968
<b>Total sources of funds</b>	<b>\$11,532,432</b>
<b>Uses of Funds:</b>	
Estimated Phase Four District Improvements	\$11,532,432
<b>Total Uses of Funds</b>	<b>\$11,532,432</b>

The annual projected costs and annual projected indebtedness is shown by Table IV-E-1, Table IV-E-2, Table IV-E-3, and Table IV-E-4 on page 20, page 21, and page 22 of this report. Bonds may be issued by the City in the next five years to pay for or reimburse all or a portion of the Phase Three and/or Phase Four District Improvements. The annual projected costs and indebtedness is subject to revision and shall be reviewed and updated at least annually for the purpose of determining the annual budget for Administrative Collection Costs, updating the estimated Costs of Phase Two District Improvements, Phase Three District Improvements, and Phase Four District Improvements, and updating the Phase One, Phase Two, Phase Three, and Phase Four Assessment Rolls.

**Table IV-E-1**  
**Phase #1 Annual Projected Costs and Indebtedness**

<b>Assessment Year Ending 08/15</b>	<b>Annual Projected Costs</b>	<b>Annual Projected Indebtedness</b>	<b>Other Funding Sources</b>	<b>Projected Annual Installments</b>
2010-2024	\$1,340,000	\$1,340,000	\$0	\$1,776,321
2025	\$0	\$0	\$0	\$147,862
2026	\$0	\$0	\$0	\$150,139
2027	\$0	\$0	\$0	\$152,043
2028	\$0	\$0	\$0	\$153,576
2029	\$0	\$0	\$0	\$154,737
2030	\$0	\$0	\$0	\$155,527
2031	\$0	\$0	\$0	\$155,946
<b>Total</b>	<b>\$1,340,000</b>	<b>\$1,340,000</b>	<b>\$0</b>	<b>\$2,846,151</b>

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Table IV-E-2  
Phase #2 Annual Projected Costs and Indebtedness

Assessment Year Ending 08/15	Annual Projected Costs	Annual Projected Indebtedness	Other Funding Sources	Projected Annual Installments
2010-2024	\$1,782,157	\$749,059	\$1,033,098	\$479,384
2025	\$0	\$0	\$0	\$65,860
2026	\$0	\$0	\$0	\$66,559
2027	\$0	\$0	\$0	\$68,203
2028	\$0	\$0	\$0	\$69,732
2029	\$0	\$0	\$0	\$70,148
2030	\$0	\$0	\$0	\$71,507
2031	\$0	\$0	\$0	\$72,753
<b>Total</b>	<b>\$1,782,157</b>	<b>\$749,059</b>	<b>\$1,033,098</b>	<b>\$964,146</b>

Table IV-E-3  
Phase #3 Annual Projected Costs and Indebtedness

Assessment Year Ending 08/15	Annual Projected Costs	Annual Projected Indebtedness	Other Funding Sources	Projected Annual Installments
2021-2024	\$7,455,027	\$1,453,485	\$6,001,542	\$397,117
2025	\$0	\$0	\$0	\$133,041
2026	\$0	\$0	\$0	\$133,389
2027	\$0	\$0	\$0	\$119,291
2028	\$0	\$0	\$0	\$118,341
2029	\$0	\$0	\$0	\$122,399
2030	\$0	\$0	\$0	\$121,235
2031	\$0	\$0	\$0	\$125,080
<b>Total</b>	<b>\$7,179,911</b>	<b>\$1,453,000</b>	<b>\$5,726,911</b>	<b>\$1,269,893</b>

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**Table IV-E-4**  
**Phase #4 Annual Projected Costs and Indebtedness**

<b>Assessment Year Ending 08/31</b>	<b>Annual Projected Costs</b>	<b>Annual Projected Indebtedness</b>	<b>Other Funding Sources</b>	<b>Projected Annual Installments</b>
2025	\$11,532,432	\$9,120,464	\$2,411,968	\$835,123
2026	\$0	\$0	\$0	\$834,483
2027	\$0	\$0	\$0	\$833,414
2028	\$0	\$0	\$0	\$833,916
2029	\$0	\$0	\$0	\$832,839
2030	\$0	\$0	\$0	\$833,259
2031	\$0	\$0	\$0	\$832,027
<b>Total</b>	<b>\$11,532,432</b>	<b>\$9,120,464</b>	<b>\$2,411,968</b>	<b>\$5,835,060</b>

**B. PID ASSESSMENT NOTICE**

The PID Act requires that this Service and Assessment Plan and each Annual Service Plan update include a copy of the notice form required by Section 5.014 of the Texas Property Code (the "PID Assessment Notice"). The PID Assessment Notice is attached hereto as Appendix D and may be updated in an Annual Service Plan Update.

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## ***V. ASSESSMENT PLAN***

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### **A. INTRODUCTION**

The Act requires the governing body of a municipality to apportion the cost of improvement projects to be assessed against property in a public improvement district on the basis of special benefits conferred upon the property because of the projects. The Act provides that the cost of improvement projects may be assessed: (i) equally per front foot or square foot; (ii) according to the value of the property as determined by the governing body, with or without regard to improvements on the property; or (iii) in any other manner that results in imposing equal shares of the cost on property similarly benefited. The Act further provides that the governing body may establish by ordinance or order reasonable classifications and formulas for the apportionment of the cost between the municipality and the area to be assessed and the methods of assessing the special benefits for various classes of improvements. This Section V of this Service and Assessment Plan describes the special benefit received by each Parcel of the Assessed Property as a result of the District Improvements, provides the basis and justification for the determination that this special benefit exceeds the costs of the Assessments, and establishes the methodology by which the City Council allocates the special benefit of the District Improvements to Parcels in a manner that results in equal shares of the Cost of the District Improvements being apportioned to Parcels similarly benefited. The determination by the City Council of the assessment methodology set forth below is the result of the discretionary exercise by the City Council of its legislative authority and governmental powers and is conclusive and binding on the Developer and all future owners and developers of the PID Property.

### **B. SPECIAL BENEFIT**

The Assessed Property will receive a direct and special benefit from the District Improvements, and this benefit will be equal to or greater than the cost of the Assessments. The District Improvements are provided specifically for the benefit of the Assessed Property. The District Improvements (more particularly described in line-item format on Appendix B to this Service and Assessment Plan) include the following categories of public improvement projects authorized by the Act: (i) streets (including paving, landscaping, sidewalks, street lights, and screening walls), recreational facilities, entry features, parks, hike and bike trails, open space improvements, common area improvements, pond improvements, water improvements, wastewater improvements, and storm water improvements; (ii) engineering, contract administration, and contingencies associated with the foregoing; and (iii) various issuance and transaction costs related to the issuance of one or more series of Bonds.

The owners of the Assessed Property have acknowledged that the District Improvements confer a special benefit on the Assessed Property and have consented to the imposition of the Assessments to pay for the District Improvements. The owners are acting in their interest in consenting to this imposition because the special benefit conferred upon the Assessed Property by the District Improvements exceeds the amount of the Assessments.

The owners of the Assessed Property have represented: (i) that, based on their evaluation of the potential development of the Assessed Property, the highest and best use is the use described in this Service and Assessment Plan and otherwise required by the Planned Development Ordinance; and (ii) that it is in the interest of the owners of the Assessed Property to maximize the value of such property. Use of the Assessed Property as described in this Service and Assessment Plan and as required by the Planned Development Ordinance will require that District Improvements be acquired, constructed, installed, and improved. Funding the cost of the District Improvements through the PID is determined to be the most beneficial means of doing so. In summary, the Assessments result in a special benefit to the Assessed Property, and this special benefit exceeds the amount of the Assessments based on the evidence, information, and testimony provided to the City Council.

### **C. ASSESSMENT METHODOLOGY**

1. The Cost of the District Improvements may be assessed by the City Council against the Assessed Property so long as the special benefit conferred upon the Assessed Property by the District Improvements equals or exceeds the Assessments on the Assessed Property. The Cost may be assessed by using any methodology that results in the imposition of equal shares of the Cost on Assessed Property similarly benefited.

2. For purposes of this Service and Assessment Plan, the City Council has determined that the Cost of the District Improvements shall be allocated to the Assessed Property on the basis of the relative value of Parcels after undertaking the District Improvements and that such method of allocation will result in the imposition of equal shares of the Cost on Parcels similarly situated. In determining the relative value of Parcels, the City Council has taken into consideration (i) the type of residential development (i.e., single-family, duplex, or multi-family); (ii) single-family lot size; (iii) current and projected land values; (iv) current and projected home prices; (v) current and projected market demands for single-family residential development within the City and within the region; and (vi) the high-quality, master-planned community development standards created by the Planned Development Ordinance. In determining the relative value of Parcels, the City Council has also taken into consideration independent studies supporting the conclusion that larger residential lots with full municipal services (including police, fire, and other emergency services), with access to concrete streets with curb and gutter storm drainage facilities, and with municipal water and wastewater service will be developed with larger, more expensive homes; and that such larger, more expensive homes, on average, will create more vehicle trips and greater demands for water and wastewater consumption.

3. Having taken into consideration the matters described above, the City Council has determined that allocating the Cost of the District Improvements among Parcels in Phase One, Phase Two, and Phase Three based on value after undertaking the District Improvements is best accomplished (and most easily illustrated) by creating a hierarchy of benefited Parcels based on the "Lot Types" defined in Section I.B of this Service and Assessment Plan. This hierarchy of value (from Lot Type 1 representing the highest value to Lot Type 3 representing the lowest value within Phase One, Phase Two, and Phase Three) is set forth in Tables V-A, V-C, and V-E below. These tables illustrate that the City Council has determined: (i) that a Lot Type 1 dwelling unit receives the greatest benefit from the District Improvements, which benefit is given an "Equivalent

(19)

Unit" value of 1.0 per dwelling unit; (ii) that a Lot Type 2 dwelling unit receives a smaller benefit; namely, 84% of the benefit received by a Type 1 Lot dwelling unit (hence the Equivalent Unit value of 0.84 per dwelling unit); and (iii) that a Lot Type 3 dwelling unit receives an even smaller benefit; namely, 75% of the benefit received by a Type 1 dwelling unit (hence the Equivalent Unit value of 0.75 per dwelling unit).

**Table V-A**  
**Equivalent Unit Factor - Phase One**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Total Number of Dwelling Units</b>	<b>Total Equivalent Units</b>
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	43 dwelling units	43.00
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	88 dwelling units	73.92
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	78 dwelling units	58.50
Total Equivalent Units			175.42
Total Phase One Assessments			\$1,340,000
Original Assessment Per Equivalent Unit			\$7,639
Average Annual Installment Per Equivalent Unit			\$866
Average Home Price Per Equivalent Unit			\$303,000
Average Tax Rate Equivalent per Equivalent Unit			\$0.29

The total Assessments for the Phase One Parcels are allocated among 175.42 Equivalent Units resulting in a cost per Equivalent Unit of \$7,639. The Phase One Assessment per dwelling unit is calculated as the product of (i) \$7,639 multiplied times (ii) the applicable Equivalent Unit value for each Lot Type. Table V-B sets forth the Phase One Assessment per dwelling unit on the following page.

**Table V-B**  
**Phase One Assessment per Lot Type**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Phase One Assessment per Dwelling Unit</b>
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	\$7,639 per dwelling unit
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	\$6,417 per dwelling unit
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	\$5,729 per dwelling unit

Table V-C shows the Equivalent Units for Phase Two on the following page.

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**Table V-C**  
**Equivalent Unit Factor - Phase Two**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Total Number of Dwelling Units</b>	<b>Total Equivalent Units</b>
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	17 dwelling units	17.00
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	31 dwelling units	26.04
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	73 dwelling units	54.75
Total Equivalent Units			97.79
Total Phase Two Assessments			\$749,059
Original Assessment Per Equivalent Unit			\$7,660
Average Annual Installment Per Equivalent Unit			\$787
Average Home Price Per Equivalent Unit			\$295,000
Average Tax Rate Equivalent per Equivalent Unit			\$0.27

The total Assessments for the Phase Two Parcels are allocated among 97.79 Equivalent Units resulting in a cost per Equivalent Unit of \$7,660. The Phase Two Assessment per dwelling unit is calculated as the product of (i) \$7,660 multiplied times (ii) the applicable Equivalent Unit value for each Lot Type. Table V-D below sets forth the Phase Two Assessment per dwelling unit.

**Table V-D**  
**Phase Two Assessment per Lot Type**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Phase One Assessment per Dwelling Unit</b>
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	\$7,660 per dwelling unit
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	\$6,434 per dwelling unit
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	\$5,745 per dwelling unit

Table V-E shows the Equivalent Units for Phase Three below.

**Table V-E**  
**Equivalent Unit Factor - Phase Three**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Total Number of Dwelling Units</b>	<b>Total Equivalent Units</b>
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	253 dwelling units	189.75
Total Equivalent Units			189.75
Total Phase Three Assessments			\$1,453,485
Original Assessment Per Equivalent Unit			\$7,660
Average Annual Installment Per Equivalent Unit			\$659
Average Estimated Home Price Per Equivalent Unit			\$303,000
Average Tax Rate Equivalent per Equivalent Unit			\$0.22

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The total Assessments for the Phase Three Parcels are allocated among 189.75 Equivalent Units resulting in a cost per Equivalent Unit of \$7,660. The Phase Three Assessment per dwelling unit is calculated as the product of (i) \$7,660 multiplied times (ii) the applicable Equivalent Unit value for each Lot Type. Table V-F below sets forth the Phase Three Assessment per dwelling unit.

**Table V-F**  
**Phase Three Assessment per Lot Type**

<b>Lot Type</b>	<b>Equivalent Units</b>	<b>Phase Three Assessment per Dwelling Unit</b>
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	\$5,745 per dwelling unit

4. Having taken into consideration the matters described above, the City Council has determined that allocating the Cost of the District Improvements among Parcels in Phase Four based on value after undertaking the District Improvements is best accomplished (and most easily illustrated) by creating a hierarchy of benefited Parcels based on the “Lot Types” defined in Section I.B of this Service and Assessment Plan. This hierarchy of value (from Lot Type 2 representing the highest value to Lot Type 3 representing the lowest value within Phase #4) is set forth in Tables V-G below. These tables illustrate that the City Council has determined: (i) that a Lot Type 2 dwelling unit receives the greatest benefit from the District Improvements, which benefit is given an “Phase #4 Equivalent Unit” value of 1.0 per dwelling unit; (ii) that a Lot Type 3 dwelling unit receives a smaller benefit; namely, 95% of the benefit received by a Type 1 Lot dwelling unit (hence the Phase #4 Equivalent Unit value of 0.95 per dwelling unit).

Table V-G shows the Equivalent Units for Phase Four below.

**Table V-G**  
**Phase #4 Equivalent Unit Factor - Phase Four**

<b>Lot Type</b>	<b>Phase #4 Equivalent Units</b>	<b>Total Number of Dwelling Units</b>	<b>Total Phase #4 Equivalent Units</b>
Lot Type 2 (70 foot Lots)	1.00 per dwelling unit	109 dwelling units	109.00
Lot Type 3 (60 foot Lots)	0.95 per dwelling unit	232 dwelling units	221.45
Total Phase #4 Equivalent Units			330.45
Total Phase Four Assessments			\$9,120,463.95
Assessment Per Phase #4 Equivalent Unit			\$27,599.75
Average Annual Installment Per Phase #4 Equivalent Unit			\$2,517.81
Average Home Price Per Phase #4 Equivalent Unit			\$330,000.00
Average Tax Rate Equivalent per Phase #4 Equivalent Unit			\$0.76

The total Assessments for the Phase Four parcels are allocated among 330.45 Phase #4 Equivalent Units resulting in a cost per Phase #4 Equivalent Unit of \$27,599.75. The Phase Four Assessment per dwelling unit is calculated as the product of (i) \$27,599.75 multiplied times (ii) the applicable Phase #4 Equivalent Unit value for each Lot Type. Table V-H below sets forth the Phase Four Assessment per dwelling unit.

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**Table V-H**  
**Phase Four Assessment per Lot Type**

<b>Lot Type</b>	<b>Phase #4 Equivalent Units</b>	<b>Phase Four Assessment per Dwelling Unit</b>
Lot Type 2 (70 foot Lots)	1.00 per dwelling unit	\$27,599.75 per dwelling unit
Lot Type 3 (60 foot Lots)	0.95 per dwelling unit	\$26,345.22 per dwelling unit

It has been represented to the City Council by the owners of the Assessed Property that the District Improvements for the Assessed Property will be completed in accordance with the Planned Development Ordinance and the City's Subdivision Ordinance, as amended. When the City has determined that the District Improvements have been completed in accordance with the Planned Development Ordinance and the City's Subdivision Ordinance or when financial security (including, but not limited to, proceeds from the issuance of Bonds) to complete the District Improvements in accordance with the Planned Development Ordinance and Subdivision Ordinance has been provided in a manner approved by the City; then the Assessed Property shall be deemed to have received a special benefit from the District Improvements. When the Assessed Property is deemed to have received a special benefit from District Improvements, the City shall collect Assessments and Annual Installments to pay for such District Improvements and shall issue Bonds for such purpose.

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## **VI. DETERMINATION OF ASSESSMENT**

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### **A. AMOUNT OF ASSESSMENTS**

The total Assessments for all Assessed Property shall not exceed the total Cost of the District Improvements. The Assessment for each Parcel shall be as shown on the Assessment Roll, and no Assessment shall be changed except as authorized by this Service and Assessment Plan or the Act.

### **B. REALLOCATION OF ASSESSMENTS**

#### **1. Subdivision**

Upon the subdivision of any Parcel, the Assessment for the Parcel prior to the subdivision shall be reallocated among the new subdivided Parcels according to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

- A = the Assessment for each new subdivided Parcel
- B = the Assessment for the Parcel prior to subdivision
- C = the estimated Equivalent Units to be built on each new subdivided Parcel
- D = the sum of the estimated Equivalent Units to be built on all of the new subdivided Parcels

The calculation of the estimated number of units to be built on a Parcel shall be performed by the Administrator and confirmed by the City Council based on the information available regarding the use of the Parcel. The estimate as confirmed shall be conclusive. The number of units to be built on a Parcel may be estimated by net land area and reasonable density ratios.

The sum of the Assessments for all newly subdivided Parcels shall equal the Assessment for the Parcel prior to subdivision. The calculation shall be made separately for each newly subdivided Parcel. The reallocation of an Assessment for a Parcel that is a homestead under Texas law may not exceed the Assessment prior to the reallocation and to the extent the reallocation would exceed such amount, it shall be prepaid by such amount by the party requesting the subdivision of the Parcels. Any reallocation pursuant to this section shall be reflected in an Annual Service Plan Update approved by the City Council.

#### **2. Consolidation**

Upon the consolidation of two or more Parcels, the Assessment for the consolidated Parcel shall be the sum of the Assessments for the Parcels prior to consolidation. The reallocation of an Assessment for a Parcel that is a homestead under Texas law may not exceed the Assessment prior to the reallocation and to the extent the reallocation would exceed such amount, it shall be prepaid

by such amount by the party requesting the consolidation of the Parcels. Any reallocation pursuant to this section shall be reflected in an Annual Service Plan Update approved by the City Council.

### **C. REDUCTION OF ASSESSMENTS**

If after all District Improvements have been completed the Actual Cost of the District Improvements is less than the Cost used to calculate the Assessments, then the Assessment for each Parcel shall be reduced by an equal percentage such that the sum of the resulting reduced Assessments for all Parcels equals the actual reduced Cost of the District Improvements (but never less than an amount equal to the principal amount of outstanding Bonds). To the extent permitted by law and as provided by any Bond Indenture, the trustee under the Bond Indenture shall (with the consent of the City Council) refund the amount of such reduction to any owner of a Parcel who has already paid in full the Assessment for such owner's Parcel.

### **D. PAYMENT OF ASSESSMENTS**

#### **1. Payment in Full**

(a) The Assessment for any Parcel may be paid in full at any time. Payment shall include interest through the date of payment to the extent such interest is not included in any Annual Installment paid or to be paid. If payment in full will result in a redemption of Bonds, the payment amount shall be reduced by the amount, if any, of reserve funds applied to the redemption under the Bond Indenture.

(b) If an Annual Installment has been billed prior to payment in full of an Assessment, the Annual Installment shall be due and payable and shall be credited against the payment-in-full amount.

(c) Upon payment in full of an Assessment, the City shall deposit the payment in accordance with the applicable Bond Indenture; whereupon, the Assessment shall be reduced to zero, and the owner's obligation to pay the Assessment and Annual Installments thereof shall automatically terminate.

#### **2. Payment in Annual Installments**

The Act provides that an Assessment for a Parcel may be paid in full at any time. If not paid in full, the Act authorizes the City to collect interest and collection costs on the outstanding Assessment. An Assessment for a Parcel that is not paid in full will be collected in Annual Installments, including interest and Annual Collection Costs, beginning on the date the City determines that a phase of development of the PID Property has received a special benefit from District Improvements completed or to be completed in connection with such phase of development as provided by Section V.C of this Service and Assessment Plan. Each Assessment shall bear interest at one-half of one percent above than the actual interest rate paid on the public debt used to finance the District Improvements. The Assessment Roll sets forth for each year the Annual Installment for each Parcel.

The interest rate on the Phase One Bonds is 7.15 percent per annum. Accordingly, the interest rate of 7.65 percent per annum is used as the interest rate on the Assessments for the Phase One Parcels.

Each Assessment related to the Phase #2 Reimbursement Agreement Obligation on Parcels in Phase #2 shall be paid with interest based on an interest rate of 7.00% per annum for years 1 through 5 and 5.77% per annum following the fifth Annual Installment. Each Assessment on Parcels in Phase #2 shall be paid at a rate not to exceed five hundred basis points above the highest average index rate for tax-exempt bond reported in a daily or weekly bond index approved by the City and reported in the month prior to the establishment of the Assessments and continuing for a period of five years from such date. Such rate shall then adjust and shall not exceed two hundred basis points above the bond index rate described above and shall continue until the Assessments are paid in full. The index approved by the City is the Bond Buyer Index for which the highest average rate during September 2017 was 2.77%. The City has determined that the Assessments on Parcels in Phase #2 shall bear interest at the rate of 7.00% per annum for years 1 through 5 and 5.77% per annum following the fifth Annual Installment, which rate are equal to both the initial maximum allowable rate of interest of 7.00% as well as the maximum allowable rate of interest following the fifth Annual Installment, which would be 5.77%. Furthermore, the principal and interest component of the Annual Installments may not exceed the amounts shown on the Phase #2 Assessment Roll. The Phase #2 Assessment Roll, updated with the actual interest rate on the reimbursement agreement, is shown in Appendix C-2. The first annual installments for Parcels within Phase #2 were due by January 31, 2018.

Each Assessment related to the Phase #3 Reimbursement Agreement Obligation on Parcels in Phase #3 shall be paid with interest based on an interest rate of 7.64% per annum for years 1 through 5 and 4.64% per annum following the fifth Annual Installment. Each Assessment on Parcels in Phase #3 shall be paid at a rate not to exceed five hundred basis points above the highest average index rate for tax-exempt bond reported in a daily or weekly bond index approved by the City and reported in the month prior to the establishment of the Assessments and continuing for a period of five years from such date. Such rate shall then adjust and shall not exceed two hundred basis points above the bond index rate described above and shall continue until the Assessments are paid in full. The index approved by the City is the Bond Buyer Index for which the highest average rate during May 2021 was 2.64%. The City has determined that the Assessments on Parcels in Phase #3 shall bear interest at the rate of 7.64% per annum for years 1 through 5 and 4.66% per annum following the fifth Annual Installment, which rate are equal to both the initial maximum allowable rate of interest of 7.64% as well as the maximum allowable rate of interest following the fifth Annual Installment, which would be 4.64%. Furthermore, the principal and interest component of the Annual Installments may not exceed the amounts shown on the Phase #3 Assessment Roll. The Phase #3 Assessment Roll is shown in Appendix C-3. Calculation of the annual installments shall be as of September 1 of each year. The first annual installments for Parcels within Phase #3 will be due on January 31, 2022 and will become delinquent February 1 following such payment date.

Each Assessment related to the Phase #4 Reimbursement Agreement Obligation on Parcels in Phase #4 shall be paid with interest based on an estimated interest rate of 6.00% per annum for years 1 through 30. Each Assessment on Parcels in Phase #4 shall be paid at a rate not to exceed five hundred basis points above the highest average index rate for tax-exempt bond reported in a

daily or weekly bond index approved by the City and reported in the month prior to the establishment of the Assessments and continuing for a period of five years from such date. Such rate shall then adjust and shall not exceed two hundred basis points above the bond index rate described above and shall continue until the Assessments are paid in full. The index approved by the City is the Bond Buyer Index for which the highest average rate during March 2025 was 4.74%. The City has determined that the Assessments on Parcels in Phase #4 shall bear interest at the estimated rate of 6.00% per annum for years 1 through 30, which rate is within the initial maximum allowable rate of interest of 9.64% as well as the maximum allowable rate of interest following the fifth Annual Installment, which would be 6.74%. Furthermore, the principal and interest component of the Annual Installments may not exceed the amounts shown on the Phase #4 Assessment Roll. The Phase #4 Assessment Roll is shown in Appendix C-4. Calculation of the annual installments shall be as of September 1 of each year. The first annual installments for Parcels within Phase #4 will be due on January 31, 2026 and will become delinquent February 1 following such payment date.

The City reserves and shall have the right and option to issue Bonds to pay or reimburse Costs of the Phase Three and Phase Four District Improvements. In the event of issuance of such Bonds, the Administrator shall recalculate the Annual Installments for Phase Three Assessments and Phase Four Assessments, and if necessary, may adjust, or decrease, the amount of the Annual Installment so that total Annual Installments of Special Assessments will be produced in annual amounts that are required to pay the debt service on such Bonds when due and payable as required by and established in the Bond Indenture authorizing and securing such Bonds.

#### **E. COLLECTION OF ANNUAL INSTALLMENTS**

No less frequently than annually, the Administrator shall prepare, and the City Council shall approve, an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include an updated Assessment Roll and a calculation of the Annual Installment for each Parcel. Annual Collection Costs shall be allocated among Parcels in proportion to the amount of the Annual Installments for the Parcels. Each Annual Installment shall be reduced by any credits applied under the applicable Bond Indenture, such as capitalized interest, interest earnings on any account balances, and any other funds available to the Trustee for such purpose.

The City made the determinations as provided in Section V.C of this Service and Assessment Plan that the Assessed Property in Phase Three received a special benefit from the Phase Three District Improvements completed or to be completed, and collection of Annual Installments for Phase Three shall commence as of September 1, 2021 and will be due by January 31, 2022.

The City has made the determinations as provided in Section V.C of this Service and Assessment Plan that the Assessed Property in Phase Four has received a special benefit from the Phase Four District Improvements completed or to be completed, and collection of Annual Installments for Phase Four shall commence as of September 1, 2025 and will be due by January 31, 2026.

Annual Installments shall be collected by the City in the same manner and at the same time as ad valorem taxes and shall be subject to the same penalties, procedures, and foreclosure sale in case

of delinquencies as are provided for ad valorem taxes of the City. The Assessments shall have lien priority as specified in the Act.

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## ***VII. THE ASSESSMENT ROLL***

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Each Parcel has been evaluated by the City Council (based on the Planned Development Ordinance, developable area, proposed Owner Association Property and Public Property, the District Improvements, best and highest use of land, and other development factors deemed relevant by the City Council) to determine the Lot Type that is anticipated to be developed within such Parcel. The Assessment for each Parcel will not exceed the Maximum Assessment or Phase #4 Maximum Assessment, as applicable, for the Lot Type. All of the Assessments are set forth on the Assessment Roll attached as Appendix C to this Service and Assessment Plan. The Assessment Roll shall be updated upon the issuance of each series Bonds, upon the preparation of each Annual Service Plan Update, and to reflect, for each Parcel, prepayments and reductions authorized by this Service and Assessment Plan.

The Administrator shall prepare, and the City Council shall review and approve, updates (no less frequently than annually) to the Assessment Roll to reflect the following matters, together with any other changes helpful to the Administrator and permitted by the Act: (i) the identification of each Parcel (including, if available, the tax parcel identification number for each Parcel); (ii) the Assessment for each Parcel, including any adjustments authorized by this Service and Assessment Plan or in the Act; (iii) the Annual Installment for the Parcel for the year (if the Assessment is payable in installments); and (iv) payments of the Assessment, if any, as provided by Section VI.C of this Service and Assessment Plan.

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**VIII. MISCELLANEOUS PROVISIONS**

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**A. ADMINISTRATIVE REVIEW**

An owner of a Parcel claiming that an error has been made in calculating the Assessment Roll (including the Annual Installment) shall (prior to pursuing any other remedy) give written notice describing the alleged error to the City within thirty (30) days after the owner receives the purportedly erroneous calculation. If an owner fails to give such notice, such owner shall be deemed to have accepted the calculation of the Assessment Roll (including the Annual Installment) and to have waived any objections to the calculation. The Administrator shall promptly review all notices alleging calculation errors and decide whether an error has been made. Any overpayment of a prior Annual Installment shall be credited against future Annual Installments, and no cash refunds shall be made except for the final year during which the Annual Installment is collected. The decision of the Administrator regarding a calculation error relating to the Assessment Roll may be appealed to the City Council for determination. Any amendments made to the Assessment Roll pursuant to calculation errors shall be made pursuant to the Act.

**B. TERMINATION OF ASSESSMENTS**

Each Assessment shall terminate on the date the Assessment is paid in full, including unpaid Annual Installments, if any, and including Delinquent Collection Costs. After termination of an Assessment, the City shall provide to the owner of the affected Parcel a recordable "Notice of the PID Assessment Termination."

**C. AMENDMENTS**

Supplemental Assessments may be made by the City Council in accordance with the Act to correct omissions or mistakes relating to the total Cost of the District Improvements. The City Council reserves the right to amend this Service and Assessment Plan without notice under the Act and without notice to owners of Parcels: (i) to correct minor mistakes and clerical errors; (ii) to clarify minor ambiguities; and (iii) to provide procedures for the collection and enforcement of Assessments, Collection Costs, and other charges imposed by this Service and Assessment Plan. The City Council further reserves the right to amend this Service and Assessment Plan (after notice and public hearing as required by the Act) to conform this Service and Assessment Plan to the requirements of the Act, including requirements arising from interpretations of the Act by the Attorney General of the State of Texas.

**D. INTERPRETATION AND DETERMINATIONS**

The City Council shall make all interpretations and determinations related to the application of this Service and Assessment Plan, which determinations and interpretations are governmental actions involving legislative discretion. Ministerial and administrative acts may be delegated pursuant to this Service and Assessment Plan and the Bond Indenture.

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**E. SEVERABILITY**

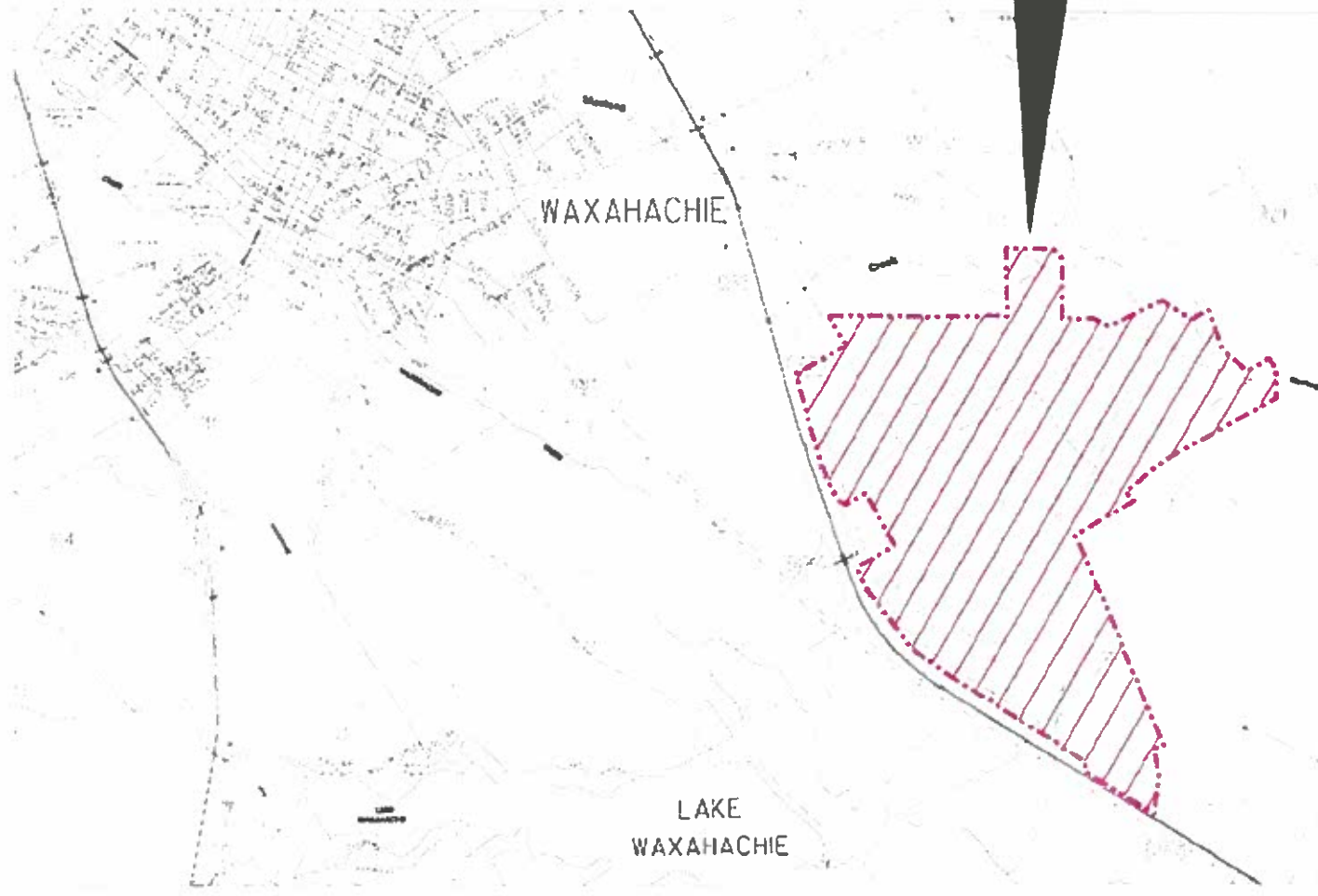
If any provision of this Service and Assessment Plan is held to be unenforceable by final judgment of any court having jurisdiction, such unenforceable provision shall be deleted and severed from this Service and Assessment Plan, and this Service and Assessment Plan, and all remaining provisions, shall remain in full force and effect and be interpreted to give effect to the intent of the parties as evidenced by this Service and Assessment Plan as a whole. To the extent required to give maximum effect to the intent of the parties, the remaining provisions of this Service and Assessment Plan shall be reformed or rewritten. All provisions of this Service and Assessment Plan are deemed to be severable.

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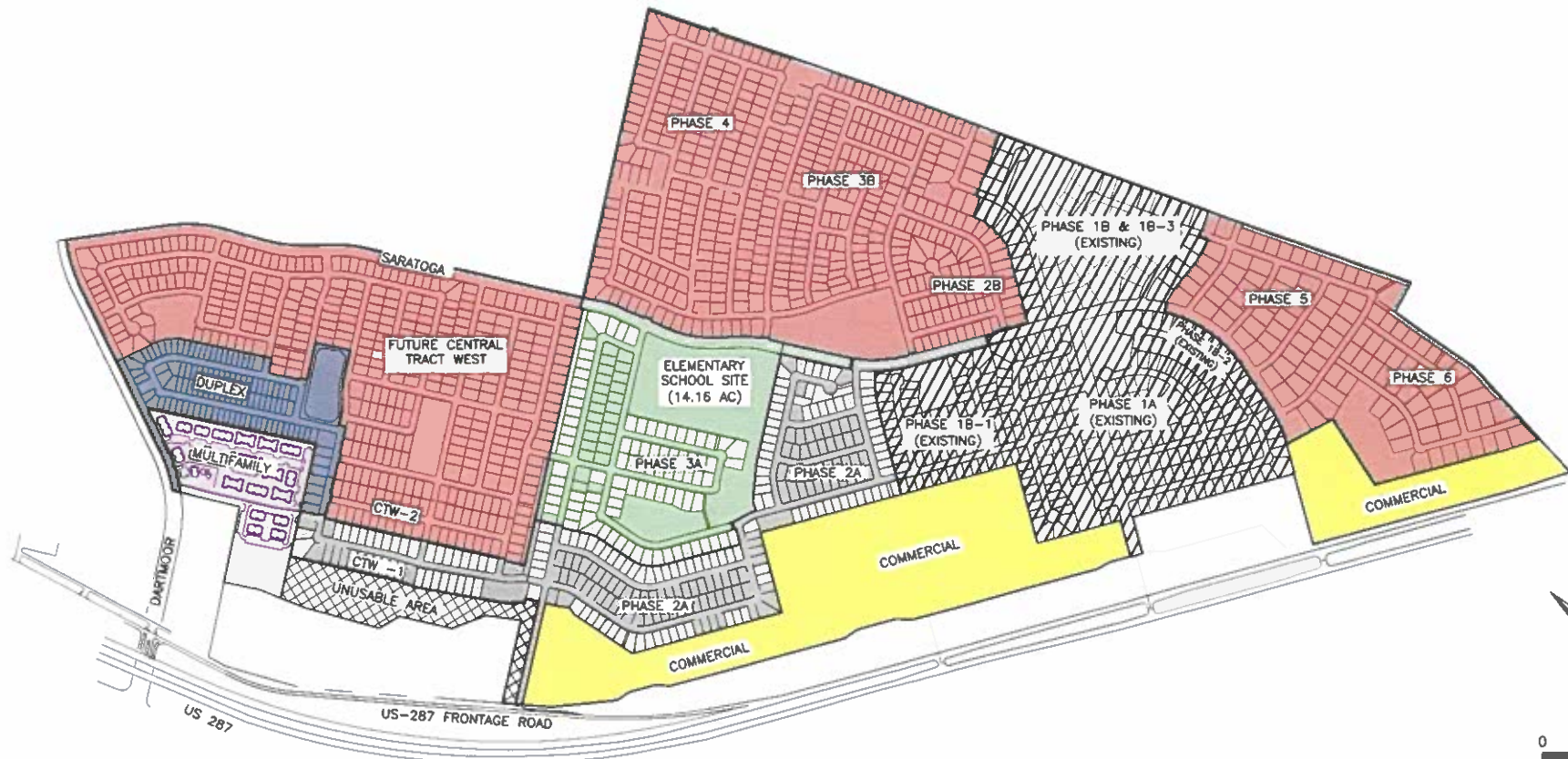
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**APPENDIX A**  
**THE PID MAP**

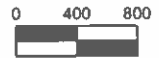
**PROJECT  
LOCATION**



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LEGEND	ZONING CLASSIFICATION				TOTAL LOTS	ACREAGE
	SF 3 6600 SF	SF 2 8000 SF	SF 1 12500 SF	2F 4500 SF		
EXISTING (PHASES 1A, 1B, 1B-1, 2, 3)	140	128	62	-	330	112.57
PHASES 2A & CTW1	254	-	-	-	254	63.31
PHASE 3A OPC	-	117	-	-	117	42.81
DUPLEX OPC	4	4	-	100	108	22.54
REMAINDER LOTS OPC	498	367	110	-	975	239.53
MULTIFAMILY	-	-	-	-	-	18.84
COMMERCIAL	-	-	-	-	-	79.30
UNUSABLE AREA	-	-	-	-	-	12.23
<b>TOTALS</b>	<b>896</b>	<b>616</b>	<b>172</b>	<b>100</b>	<b>1,784</b>	<b>591.13</b>

**OVERALL LOTS EXHIBIT**  
SADDLEBROOK ESTATES

**LJA Engineering, Inc.**  
8060 North Central Expressway  
Suite 440  
Dallas Texas 75206  
Phone 469 621 0710  
FRN - F-1386



(19)

**APPENDIX A-1**  
**THE PID MAP – PHASE ONE**

(19)

Phase One

PHASE	SP-1	SP-2	ACRES	TOTAL
PHASE 2A-1	100	0	25.9	100
PHASE 2A-2	112	0	25.5	112
PHASE CTW-1	12	9	11.7	21
PHASE CTW-2	80	11	22.6	91
TOTAL:	284	42	99.5	390

Phase 1B(1-2)
23
31
32
121

BUILDER DEED EXHIBIT

# SADDLEBROOK - PHASE 2

Waxahachie, Texas

October 2018

1:000 scale - 11/15/2018 10:00 AM - 11/15/2018 10:00 AM  
6/22/2018 10:00 AM - 6/22/2018 10:00 AM  
Phase 2 - 10/15/2018 10:00 AM

JACOBS



NOTES: This plan is a representation only and is intended to show preliminary information. It is not intended to be used for construction or other purposes without the approval of the engineer of record. The engineer of record is not responsible for any errors or omissions in this plan. The engineer of record is not responsible for any errors or omissions in this plan.

(19)

**APPENDIX A-2**  
**THE PID MAP – PHASE TWO**

(19)

Phase Two

PHASE	SF 1	SF 2	ACRES	TOTL
	6500 26	30000 44		
PHASE 2A 1	100	0	25.9	100
PHASE 2A 2	112	0	25.5	112
PHASE 2TW 1	42	0	11.7	42
PHASE 2TW 2	124	9	13.9	124
PHASE 2B	1	60	33	27.6
TOTAL	348	42	99.5	390

Phase 1B: 1'2'3  
 SCL 23  
 TBL 24  
 SCS 22  
 TOMB 121

**BUILDER DEED EXHIBIT**

**SADDLEBROOK - PHASE 2**

Waxahachie, Texas

October 2018

1:scale 1/8"=1'-0" (24x36) (24x36) (1/8"=1'-0" Saddlebrook - Phase 2, 10/18/18)  
 2:scale 1/8"=1'-0" (24x36) (24x36) (1/8"=1'-0" Saddlebrook - Phase 2, 10/18/18)  
 3:scale 1/8"=1'-0" (24x36) (24x36) (1/8"=1'-0" Saddlebrook - Phase 2, 10/18/18)



PHASE 2: This plan is a preliminary plan and is intended to show the general location of the proposed improvements. The plan is not intended to be used for construction purposes. The plan is not intended to be used for construction purposes. The plan is not intended to be used for construction purposes.

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**APPENDIX A-3**  
**THE PID MAP – PHASE THREE**



(19)

**APPENDIX A-4**  
**THE PID MAP – PHASE FOUR**



**Saddlebrook Phase 3A PID:**  
 60's (SF-3) - 232  
 70's (SF-2) - 109

SADDLEBROOK MASTERPLAN												SOUTH TRACT PRELIMINARY LOT COUNT TABLE						CENTRAL TRACT WEST PRELIMINARY LOT COUNT TABLE						
<p>Planning &amp; Landscape Architecture</p> <p>10000 Katy Road, Suite 100 Houston, TX 77054 Tel: 281.463.1111 www.la-planning.com</p>	<p>CITY OF WACO, TEXAS</p>	<p>OWNER: SVP</p> <p>DATE: 8/17/2015</p> <p>PROJECT NUMBER: H18120-0119</p>	PHASE 1		PHASE 2A		PHASE 3		PHASE 4		PHASE 5		PHASE 6		TOTAL SUMMARY		PHASE 1		PHASE 2		PHASE 3		TOTAL SUMMARY	
		<p>RESIDENTIAL TYPE</p> <p>ZONING TYPE</p> <p>60' x 110'</p> <p>70' x 115'</p> <p>80' x 115'</p> <p>SUBTOTALS</p> <p>TOTAL LOTS</p>	<p>PHASE 2A</p> <p>PHASE 1B</p> <p>PHASE 1A</p> <p>PHASE 1C</p> <p>PHASE 1D</p> <p>PHASE 1E</p> <p>PHASE 1F</p>	<p>PHASE 3</p> <p>PHASE 3A</p> <p>PHASE 3B</p> <p>PHASE 3C</p> <p>PHASE 3D</p> <p>PHASE 3E</p> <p>PHASE 3F</p>	<p>PHASE 4</p> <p>PHASE 4A</p> <p>PHASE 4B</p>	<p>PHASE 5</p> <p>PHASE 5A</p> <p>PHASE 5B</p>	<p>PHASE 6</p> <p>PHASE 6A</p> <p>PHASE 6B</p>	<p>430</p> <p>618</p> <p>382</p> <p>1230</p>	<p>PHASE 1</p> <p>PHASE 2</p> <p>PHASE 3</p> <p>PHASE 4</p> <p>PHASE 5</p> <p>PHASE 6</p>	<p>PHASE 1</p> <p>PHASE 2</p> <p>PHASE 3</p> <p>PHASE 4</p> <p>PHASE 5</p> <p>PHASE 6</p>	<p>PHASE 1</p> <p>PHASE 2</p> <p>PHASE 3</p> <p>PHASE 4</p> <p>PHASE 5</p> <p>PHASE 6</p>	<p>41</p> <p>79</p> <p>41</p> <p>161</p>	<p>42</p> <p>42</p> <p>42</p> <p>126</p>	<p>42</p> <p>42</p> <p>42</p> <p>126</p>	<p>441</p>									

(19)

**APPENDIX B**  
**ESTIMATED COSTS OF THE DISTRICT IMPROVEMENTS**

(19)

**Appendix B  
DISTRICT IMPROVEMENTS - PHASE #1**

<b>PUBLIC IMPROVEMENT PROJECTS</b>	<b>Original Budget</b>	<b>Budget Changes</b>	<b>Revised Budget</b>	<b>Phase One Budget</b>	<b>Budget for Other Assessed Property</b>
Thoroughfare Paving	\$0	\$0	\$0	\$0	\$0
Median Landscaping	\$0	\$0	\$0	\$0	\$0
6' Concrete Sidewalk	\$0	\$0	\$0	\$0	\$0
Landscape Buffer	\$0	\$0	\$0	\$0	\$0
Thin Screening Wall	\$0	\$0	\$0	\$0	\$0
Engineering/Survey	\$0	\$0	\$0	\$0	\$0
Contingency	\$0	\$0	\$0	\$0	\$0
Recreational Facilities	\$700,000	(\$700,000)	\$0	\$0	\$0
Main Entry	\$250,000	(\$250,000)	\$0	\$0	\$0
Secondary Entry	\$100,000	(\$100,000)	\$0	\$0	\$0
Public Neighborhood Park	\$100,000	(\$100,000)	\$0	\$0	\$0
Pocket Park	\$100,000	(\$100,000)	\$0	\$0	\$0
Hike and Bike Trail	\$52,500	(\$52,500)	\$0	\$0	\$0
Open Space Improvements	\$75,000	(\$75,000)	\$0	\$0	\$0
Pond Improvements	\$100,000	(\$100,000)	\$0	\$0	\$0
6' Concrete Sidewalks (Collectors)	\$184,800	(\$184,800)	\$0	\$0	\$0
Landscape Buffer (Collectors)	\$211,200	(\$211,200)	\$0	\$0	\$0
Thin Screening Wall (Collectors)	\$277,500	(\$277,500)	\$0	\$0	\$0
Engineering/Survey	\$196,339	\$108,569	\$304,908	\$106,916	\$197,992
Contingency	\$97,362	(\$97,362)	\$0	\$0	\$0
Water	\$32,020	\$344,656	\$376,676	\$132,078	\$244,597
Sewer	\$53,298	\$289,853	\$343,151	\$120,149	\$223,002
Drainage	\$61,380	\$360,690	\$422,070	\$147,931	\$274,139
Roads	\$60,050	\$876,761	\$936,811	\$328,742	\$608,068
Public Right of Way	\$5,115	(\$5,115)	\$0	\$0	\$0
Related Appurtenances	\$1,535	(\$1,535)	\$0	\$0	\$0
Street Lighting	\$3,582	(\$3,582)	\$0	\$0	\$0
Storm Water Control Improvements	\$12,378	(\$12,378)	\$0	\$0	\$0
Common Area Fencing, Landscaping	\$13,197	(\$13,197)	\$0	\$0	\$0
Common Area Improvements	\$5,831	(\$5,831)	\$0	\$0	\$0
Other Park Items	\$2,148	(\$2,148)	\$0	\$0	\$0
Other Recreational Facilities	\$5,729	(\$5,729)	\$0	\$0	\$0
Other Trail Improvements	\$4,194	(\$4,194)	\$0	\$0	\$0
Engineering	\$2,864	(\$2,864)	\$0	\$0	\$0
Contract Administration	\$35,805	(\$35,805)	\$0	\$0	\$0
Master Common Utility Improvements	\$24,654	(\$24,654)	\$0	\$0	\$0
Contingencies	\$34,539	(\$34,539)	\$0	\$0	\$0
<b>SUB-TOTAL</b>	<b>\$2,803,020</b>	<b>(\$419,404)</b>	<b>\$2,383,616</b>	<b>\$835,817</b>	<b>\$1,547,799</b>

(19)

**Appendix B  
DISTRICT IMPROVEMENTS - PHASE #1**

<b>PUBLIC IMPROVEMENT PROJECTS</b>	<b>Original Budget</b>	<b>Budget Changes</b>	<b>Revised Budget</b>	<b>Phase One Budget</b>	<b>Budget for Other Assessed Property</b>
Debt Service Reserve Fund	\$248,552	\$102,521	\$351,073	\$131,093	\$219,980
Capitalized Interest	\$309,362	(\$151,377)	\$157,985	\$54,558	\$103,427
Bond Counsel	\$45,990	\$25,196	\$71,186	\$26,860	\$44,326
Underwriters Counsel	\$35,566	(\$22,315)	\$13,251	\$5,000	\$8,251
Developers Financial Advisor	\$26,675	\$48,672	\$75,347	\$28,430	\$46,917
City Financial Advisor	\$26,675	\$8,918	\$35,593	\$13,430	\$22,163
Underwriters Fee	\$71,132	\$71,240	\$142,372	\$26,800	\$115,572
Interest from Dev. Fund	(\$30,865)	\$30,865	\$0	\$0	\$0
Developers Counsel	\$7,154	\$59,103	\$66,257	\$25,000	\$41,257
Assessment Consultant	\$7,154	\$10,643	\$17,797	\$6,715	\$11,082
Other Administrative Costs	\$8,892	\$225,617	\$234,509	\$186,297	\$48,212
<b>SUB-TOTAL</b>	<b>\$756,287</b>	<b>\$409,083</b>	<b>\$1,165,370</b>	<b>\$504,183</b>	<b>\$661,187</b>
<b>PAR AMOUNT OF BONDS</b>	<b>\$3,559,307</b>	<b>\$0</b>	<b>\$3,559,307</b>	<b>\$1,340,000</b>	<b>\$2,219,307</b>
<b>DEPOSIT TO PROJECT FUND</b>	<b>\$2,803,020</b>	<b>(\$419,404)</b>	<b>\$2,383,616</b>	<b>\$835,817</b>	<b>\$1,547,799</b>

These costs are estimated and the actual costs may be different than estimates. Costs in one line item may be reallocated to another line item to reflect the actual costs incurred.

(19)

Appendix B  
DISTRICT IMPROVEMENTS - PHASE #2

BRIX Data Export  
CADG- SCARBOROUGH  
Job Cost Detail  
10/29/2015 5:23:50 PM

Cost Code	Cost Code Description	Actual	PID Eligible
<b>Direct Costs</b>			
8155	Land-Engineering	2,536.23	
8155	Land-Engineering	104,030.33	
8155	Land-Engineering	5,983.45	
8155	Land-Engineering	2,144.62	
8155	Land-Engineering	5,488.73	
8155	Land-Engineering	21,665.68	
8155	Land-Engineering	14,634.52	
8155	Land-Engineering	6,013.20	
8155	Land-Engineering	2,044.72	
8155	Land-Engineering	3,190.50	
8155	Land-Engineering	4,219.32	
8155	Land-Engineering	4,616.21	
8155	Land-Engineering	7,118.20	
		<b>183,685.71</b>	<b>183,686</b>
8175	Land-Excavation	13,393.20	
8175	Land-Excavation	55,355.00	
8175	Land-Excavation	8,554.50	
8175	Land-Excavation	194,570.00	
8175	Land-Excavation	14,012.75	
8175	Land-Excavation	4,886.40	
8175	Land-Excavation	22,525.00	
8175	Land-Excavation	3,739.00	
8175	Land-Excavation	2,253.00	
8175	Land-Excavation	7,141.75	
8175	Land-Excavation	39,918.50	
8175	Land-Excavation	15,125.00	
8175	Land-Excavation	3,638.80	
		<b>385,112.90</b>	<b>308,090</b>
8190	Land-Paving	67,462.28	
8190	Land-Paving	25,874.64	
8190	Land-Paving	531,423.55	
8190	Land-Paving	3,642.23	
		<b>628,402.70</b>	<b>628,403</b>
8230	Land-Storm Drainage	41,805.84	
8230	Land-Storm Drainage	19,885.60	
8230	Land-Storm Drainage	3,757.05	

(19)

Appendix B

DISTRICT IMPROVEMENTS - PHASE #2

BRIX Data Export  
CADG- SCARBOROUGH  
Job Cost Detail  
10/29/2015 5:23:50 PM

8230	Land-Storm Drainage	17,731.50	
8230	Land-Storm Drainage	15,563.66	
8230	Land-Storm Drainage	9,052.50	
		<b>107,796.15</b>	<b>107,796</b>
8231	Land-Retainage Storm Drainage	-4,180.58	
8231	Land-Retainage Storm Drainage	-1,988.56	
8231	Land-Retainage Storm Drainage	-1,773.15	
8231	Land-Retainage Storm Drainage	-1,556.37	
8231	Land-Retainage Storm Drainage	-905.25	
8231	Land-Retainage Storm Drainage	10,403.91	
		<b>0.00</b>	
8235	Land-Water	151,201.16	
8235	Land-Water	113,489.84	
8235	Land-Water	4,299.70	
8235	Land-Water	3,180.00	
8235	Land-Water	3,180.00	
		<b>275,350.70</b>	<b>275,351</b>
8240	Land-Sanitary	125,872.71	
8240	Land-Sanitary	101,995.17	
8240	Land-Sanitary	49,313.56	
8240	Land-Sanitary	1,649.10	
		<b>278,830.54</b>	<b>278,831</b>
<b>Total</b>		<b>1,859,178.70</b>	<b>1,782,156.12</b>

Phase 3 - Estimated Public Improvement Costs

	Budget Costs	Reclass to Remove Soft Costs	Revised Budget	Contract	Change Orders	Additional Cost	Revised Contract	Over / (Under) Budget	Private Costs	Public Costs	Developer Portion	PID Portion
Excavation	\$ 1,056,015.64	\$ (47,902.59)	\$ 1,008,113.05	\$ 609,277.00	\$ -		\$ 609,277.00	\$ (398,836.05)	\$ 233,735.00	\$ 375,542	38.4%	61.6%
Retaining Walls	\$ 184,200.00		\$ 184,200.00	\$ 336,930.00	\$ 23,648.00		\$ 360,578.00	\$ 176,378.00	\$ 360,578.00	\$ -	100.0%	0.0%
Erosion Control		\$ 99,340.20	\$ 99,340.20	\$ 99,340.20		\$ 50,000.00	\$ 149,340.20	\$ 50,000.00	\$ 149,340.20	\$ -	100.0%	0.0%
Utilities	\$ 3,681,225.93	\$ (113,555.96)	\$ 3,567,669.97	\$ 3,730,086.70	\$ -		\$ 3,730,086.70	\$ 162,416.73	\$ 3,730,086.70	\$ 3,730,087	50.0%	50.0%
Paving	\$ 3,240,669.54	\$ (99,462.51)	\$ 3,141,207.03	\$ 2,563,314.20	\$ 10,743.81		\$ 2,574,058.01	\$ (567,149.02)	\$ 2,574,058.01	\$ 2,574,058	50.0%	50.0%
Soft Costs	\$ 1,432,306.14	\$ (535,144.51)	\$ 897,161.63	\$ 897,161.63			\$ 897,161.63	\$ -	\$ 121,821.63	\$ 775,340	13.6%	86.4%
Inspection Fees		\$ 133,473.56	\$ 133,473.56	\$ 157,603.62			\$ 157,603.62	\$ 24,130.06	\$ 157,603.62	\$ -	100.0%	0.0%
Geotechnical Testing		\$ 100,790.31	\$ 100,790.31	\$ 100,790.31			\$ 100,790.31	\$ -	\$ 100,790.31	\$ -	100.0%	0.0%
Hardscape/Landscape		\$ 187,500.00	\$ 187,500.00	\$ 187,500.00			\$ 187,500.00	\$ -	\$ 187,500.00	\$ -	100.0%	0.0%
Franchise		\$ 274,961.50	\$ 274,961.50	\$ 252,461.50	\$ 22,500.00		\$ 274,961.50	\$ -	\$ 274,961.50	\$ -	100.0%	0.0%
Contingency	\$ 671,582.75		\$ 671,582.75				\$ -	\$ (671,582.75)	\$ -	\$ -		
Interest/Tax Reserve	\$ 650,000.00		\$ 650,000.00	\$ 650,000.00			\$ 650,000.00	\$ -	\$ 650,000.00	\$ -	100.0%	0.0%
Landscape/Park Improvements	\$ 400,000.00		\$ 400,000.00	\$ 400,000.00			\$ 400,000.00	\$ -	\$ 400,000.00	\$ -	100.0%	0.0%
Development Fees	\$ 188,000.00		\$ 188,000.00	\$ 188,000.00			\$ 188,000.00	\$ -	\$ 188,000.00	\$ -	100.0%	0.0%
Rollbacks	\$ 150,000.00		\$ 150,000.00	\$ 150,000.00			\$ 150,000.00	\$ -	\$ 150,000.00	\$ -	100.0%	0.0%
Closing Costs	\$ 246,000.00		\$ 246,000.00	\$ 246,000.00			\$ 246,000.00	\$ -	\$ 246,000.00	\$ -	100.0%	0.0%
	\$ 11,900,000.00	\$ -	\$ 11,900,000.00	\$ 10,568,465.16	\$ 56,891.81	\$ 50,000.00	\$ 10,675,356.97	\$ (1,224,643.03)	\$ 9,524,474.97	\$ 7,455,026.71		

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**APPENDIX C-1**  
**PHASE #1 ASSESSMENT ROLL**

(19)

**Appendix C-1-1**  
**Phase #1 - Assessment Roll**

**Parcel  
Equivalent Units  
Assessment**

**All Parcels  
175.42  
\$1,340,000**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2010	\$0	\$0	\$0	\$0
2011	\$0	\$54,558	\$20,000	\$74,558
2012	\$5,000	\$102,319	\$20,400	\$127,719
2013	\$10,000	\$101,745	\$20,808	\$132,553
2014	\$10,000	\$100,980	\$21,224	\$132,204
2015	\$10,000	\$100,215	\$21,649	\$131,864
2016	\$15,000	\$99,259	\$22,082	\$136,340
2017	\$15,000	\$98,111	\$22,523	\$135,634
2018	\$20,000	\$96,773	\$22,974	\$139,746
2019	\$20,000	\$95,243	\$23,433	\$138,676
2020	\$25,000	\$93,521	\$23,902	\$142,423
2021	\$25,000	\$91,609	\$24,380	\$140,989
2022	\$30,000	\$89,505	\$24,867	\$144,372
2023	\$35,000	\$87,019	\$25,365	\$147,384
2024	\$35,000	\$84,341	\$25,872	\$145,213
2025	\$40,000	\$81,473	\$26,390	\$147,862
2026	\$45,000	\$78,221	\$26,917	\$150,139
2027	\$50,000	\$74,588	\$27,456	\$152,043
2028	\$55,000	\$70,571	\$28,005	\$153,576
2029	\$60,000	\$66,173	\$28,565	\$154,737
2030	\$65,000	\$61,391	\$29,136	\$155,527
2031	\$70,000	\$56,228	\$29,719	\$155,946
2032	\$75,000	\$50,681	\$30,313	\$155,995
2033	\$85,000	\$44,561	\$30,920	\$160,481
2034	\$90,000	\$37,868	\$31,538	\$159,405
2035	\$100,000	\$30,600	\$32,169	\$162,769
2036	\$110,000	\$22,568	\$32,812	\$165,380
2037	\$115,000	\$13,961	\$33,468	\$162,430
2038	\$125,000	\$4,781	\$34,138	\$163,919
<b>Total</b>	<b>\$1,340,000</b>	<b>\$1,988,861</b>	<b>\$741,024</b>	<b>\$4,069,885</b>

1 - The principal and interest amounts represent the debt service requirements using an interest rate of 7.15% and includes an additional 0.50% for prepayment and delinquency reserves.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

**Appendix C-1-2**  
**Phase #1 - Assessment Per Unit**

Lot Type  
 Equivalent Unit Factor  
 Assessment Per Unit

Lot Type 1 (90 Ft)  
 1.00  
 \$7,639

Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>	Total Annual Installment
2010	\$0	\$0	\$0	\$0
2011	\$0	\$311	\$114	\$425
2012	\$29	\$583	\$116	\$728
2013	\$57	\$580	\$119	\$756
2014	\$57	\$576	\$121	\$754
2015	\$57	\$571	\$123	\$752
2016	\$86	\$566	\$126	\$777
2017	\$86	\$559	\$128	\$773
2018	\$114	\$552	\$131	\$797
2019	\$114	\$543	\$134	\$791
2020	\$143	\$533	\$136	\$812
2021	\$143	\$522	\$139	\$804
2022	\$171	\$510	\$142	\$823
2023	\$200	\$496	\$145	\$840
2024	\$200	\$481	\$147	\$828
2025	\$228	\$464	\$150	\$843
2026	\$257	\$446	\$153	\$856
2027	\$285	\$425	\$157	\$867
2028	\$314	\$402	\$160	\$875
2029	\$342	\$377	\$163	\$882
2030	\$371	\$350	\$166	\$887
2031	\$399	\$321	\$169	\$889
2032	\$428	\$289	\$173	\$889
2033	\$485	\$254	\$176	\$915
2034	\$513	\$216	\$180	\$909
2035	\$570	\$174	\$183	\$928
2036	\$627	\$129	\$187	\$943
2037	\$656	\$80	\$191	\$926
2038	\$713	\$27	\$195	\$934
<b>Total</b>	<b>\$7,639</b>	<b>\$11,338</b>	<b>\$4,224</b>	<b>\$23,201</b>

1 - The principal and interest amounts represent the debt service requirements using an interest rate of 7.15% and includes an additional 0.50% for prepayment and delinquency reserves.  
 2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-1-3**  
**Phase #1 - Assessment Per Unit**

Lot Type  
Equivalent Unit Factor  
Assessment Per Unit

Lot Type 2 (70 Ft)  
0.84  
\$6,417

Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>	Total Annual Installment
2010	\$0	\$0	\$0	\$0
2011	\$0	\$261	\$96	\$357
2012	\$24	\$490	\$98	\$612
2013	\$48	\$487	\$100	\$635
2014	\$48	\$484	\$102	\$633
2015	\$48	\$480	\$104	\$631
2016	\$72	\$475	\$106	\$653
2017	\$72	\$470	\$108	\$649
2018	\$96	\$463	\$110	\$669
2019	\$96	\$456	\$112	\$664
2020	\$120	\$448	\$114	\$682
2021	\$120	\$439	\$117	\$675
2022	\$144	\$429	\$119	\$691
2023	\$168	\$417	\$121	\$706
2024	\$168	\$404	\$124	\$695
2025	\$192	\$390	\$126	\$708
2026	\$215	\$375	\$129	\$719
2027	\$239	\$357	\$131	\$728
2028	\$263	\$338	\$134	\$735
2029	\$287	\$317	\$137	\$741
2030	\$311	\$294	\$140	\$745
2031	\$335	\$269	\$142	\$747
2032	\$359	\$243	\$145	\$747
2033	\$407	\$213	\$148	\$768
2034	\$431	\$181	\$151	\$763
2035	\$479	\$147	\$154	\$779
2036	\$527	\$108	\$157	\$792
2037	\$551	\$67	\$160	\$778
2038	\$599	\$23	\$163	\$785
<b>Total</b>	<b>\$6,417</b>	<b>\$9,524</b>	<b>\$3,548</b>	<b>\$19,489</b>

1 - The principal and interest amounts represent the debt service requirements using an interest rate of 7.15% and includes an additional 0.50% for prepayment and delinquency reserves.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-1-4**  
**Phase #1 - Assessment Per Unit**

Lot Type  
Equivalent Unit Factor  
Assessment Per Unit

Lot Type 3 (60 Ft)  
0.75  
\$5,729

Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>	Total Annual Installment
2010	\$0	\$0	\$0	\$0
2011	\$0	\$233	\$86	\$319
2012	\$21	\$437	\$87	\$546
2013	\$43	\$435	\$89	\$567
2014	\$43	\$432	\$91	\$565
2015	\$43	\$428	\$93	\$564
2016	\$64	\$424	\$94	\$583
2017	\$64	\$419	\$96	\$580
2018	\$86	\$414	\$98	\$597
2019	\$86	\$407	\$100	\$593
2020	\$107	\$400	\$102	\$609
2021	\$107	\$392	\$104	\$603
2022	\$128	\$383	\$106	\$617
2023	\$150	\$372	\$108	\$630
2024	\$150	\$361	\$111	\$621
2025	\$171	\$348	\$113	\$632
2026	\$192	\$334	\$115	\$642
2027	\$214	\$319	\$117	\$650
2028	\$235	\$302	\$120	\$657
2029	\$257	\$283	\$122	\$662
2030	\$278	\$262	\$125	\$665
2031	\$299	\$240	\$127	\$667
2032	\$321	\$217	\$130	\$667
2033	\$363	\$191	\$132	\$686
2034	\$385	\$162	\$135	\$682
2035	\$428	\$131	\$138	\$696
2036	\$470	\$96	\$140	\$707
2037	\$492	\$60	\$143	\$694
2038	\$534	\$20	\$146	\$701
<b>Total</b>	<b>\$5,729</b>	<b>\$8,503</b>	<b>\$3,168</b>	<b>\$17,401</b>

1 - The principal and interest amounts represent the debt service requirements using an interest rate of 7.15% and includes an additional 0.50% for prepayment and delinquency reserves.  
2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**APPENDIX C-2**  
**PHASE #2 ASSESSMENT ROLL**

(19)

**Appendix C-2-1**  
**Phase #2 - Assessment Roll**

**Parcel  
Equivalent Units  
Assessment**

**All Parcels  
97.79  
\$749,059**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2018	\$0	\$52,434	\$15,000	\$67,434
2019	\$0	\$52,434	\$15,150	\$67,584
2020	\$3,000	\$52,434	\$15,302	\$70,736
2021	\$4,000	\$52,224	\$15,455	\$71,679
2022	\$5,000	\$51,944	\$15,609	\$72,553
2023	\$6,000	\$42,528	\$15,765	\$64,293
2024	\$7,000	\$42,182	\$15,923	\$65,105
2025	\$8,000	\$41,778	\$16,082	\$65,860
2026	\$9,000	\$41,317	\$16,243	\$66,559
2027	\$11,000	\$40,797	\$16,405	\$68,203
2028	\$13,000	\$40,163	\$16,569	\$69,732
2029	\$14,000	\$39,413	\$16,735	\$70,148
2030	\$16,000	\$38,605	\$16,902	\$71,507
2031	\$18,000	\$37,682	\$17,071	\$72,753
2032	\$20,000	\$36,643	\$17,242	\$73,885
2033	\$22,000	\$35,489	\$17,415	\$74,903
2034	\$25,000	\$34,220	\$17,589	\$76,808
2035	\$27,000	\$32,777	\$17,765	\$77,542
2036	\$30,000	\$31,219	\$17,942	\$79,161
2037	\$33,000	\$29,488	\$18,122	\$80,610
2038	\$36,000	\$27,584	\$18,303	\$81,887
2039	\$40,000	\$25,507	\$18,486	\$83,993
2040	\$44,000	\$23,199	\$18,671	\$85,870
2041	\$47,000	\$20,660	\$18,857	\$86,517
2042	\$52,000	\$17,948	\$19,046	\$88,994
2043	\$56,000	\$14,948	\$19,236	\$90,184
2044	\$62,000	\$11,717	\$19,429	\$93,145
2045	\$67,000	\$8,139	\$19,623	\$94,762
2046	\$74,059	\$4,273	\$19,819	\$98,152
<b>Total</b>	<b>\$749,059</b>	<b>\$979,744</b>	<b>\$501,756</b>	<b>\$2,230,559</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.00% for years 1 through 5 and 5.77% thereafter.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-2-2**  
**Phase #2 - Assessment Per Unit**

**Lot Type**  
**Equivalent Unit Factor**  
**Assessment Per Unit**

**Lot Type 1 (90 Ft)**  
**1.00**  
**\$7,660**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2018	\$0	\$536	\$153	\$690
2019	\$0	\$536	\$155	\$691
2020	\$31	\$536	\$156	\$723
2021	\$41	\$534	\$158	\$733
2022	\$51	\$531	\$160	\$742
2023	\$61	\$528	\$161	\$750
2024	\$72	\$523	\$163	\$758
2025	\$82	\$518	\$164	\$765
2026	\$92	\$513	\$166	\$771
2027	\$112	\$506	\$168	\$786
2028	\$133	\$498	\$169	\$801
2029	\$143	\$489	\$171	\$803
2030	\$164	\$479	\$173	\$815
2031	\$184	\$467	\$175	\$826
2032	\$205	\$455	\$176	\$835
2033	\$225	\$440	\$178	\$843
2034	\$256	\$425	\$180	\$860
2035	\$276	\$407	\$182	\$864
2036	\$307	\$387	\$183	\$878
2037	\$337	\$366	\$185	\$889
2038	\$368	\$342	\$187	\$898
2039	\$409	\$316	\$189	\$915
2040	\$450	\$288	\$191	\$929
2041	\$481	\$256	\$193	\$930
2042	\$532	\$223	\$195	\$949
2043	\$573	\$185	\$197	\$955
2044	\$634	\$145	\$199	\$978
2045	\$685	\$101	\$201	\$987
2046	\$757	\$53	\$203	\$1,013
<b>Total</b>	<b>\$7,660</b>	<b>\$11,585</b>	<b>\$5,131</b>	<b>\$24,375</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.00% for years 1 through 5 and 5.77% thereafter.  
2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-2-3**  
**Phase #2 - Assessment Per Unit**

**Lot Type**  
**Equivalent Unit Factor**  
**Assessment Per Unit**

**Lot Type 2 (70 Ft)**  
**0.84**  
**\$6,434**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2018	\$0	\$450	\$129	\$579
2019	\$0	\$450	\$130	\$581
2020	\$26	\$450	\$131	\$608
2021	\$34	\$449	\$133	\$616
2022	\$43	\$446	\$134	\$623
2023	\$52	\$443	\$135	\$630
2024	\$60	\$440	\$137	\$636
2025	\$69	\$435	\$138	\$642
2026	\$77	\$431	\$140	\$647
2027	\$94	\$425	\$141	\$661
2028	\$112	\$419	\$142	\$673
2029	\$120	\$411	\$144	\$675
2030	\$137	\$402	\$145	\$685
2031	\$155	\$393	\$147	\$694
2032	\$172	\$382	\$148	\$702
2033	\$189	\$370	\$150	\$708
2034	\$215	\$357	\$151	\$722
2035	\$232	\$342	\$153	\$726
2036	\$258	\$325	\$154	\$737
2037	\$283	\$307	\$156	\$746
2038	\$309	\$287	\$157	\$754
2039	\$344	\$266	\$159	\$768
2040	\$378	\$242	\$160	\$780
2041	\$404	\$215	\$162	\$781
2042	\$447	\$187	\$164	\$797
2043	\$481	\$156	\$165	\$802
2044	\$533	\$122	\$167	\$822
2045	\$576	\$85	\$169	\$829
2046	\$636	\$45	\$170	\$851
<b>Total</b>	<b>\$6,434</b>	<b>\$9,731</b>	<b>\$4,310</b>	<b>\$20,475</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.00% for years 1 through 5 and 5.77% thereafter.  
2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-2-4**  
**Phase #2 - Assessment Per Unit**

Lot Type  
Equivalent Unit Factor  
Assessment Per Unit

Lot Type 3 (60 Ft)  
0.75  
\$5,745

Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>	Total Annual Installment
2018	\$0	\$402	\$115	\$517
2019	\$0	\$402	\$116	\$518
2020	\$23	\$402	\$117	\$543
2021	\$31	\$401	\$119	\$550
2022	\$38	\$398	\$120	\$556
2023	\$46	\$396	\$121	\$563
2024	\$54	\$392	\$122	\$568
2025	\$61	\$389	\$123	\$573
2026	\$69	\$384	\$125	\$578
2027	\$84	\$380	\$126	\$590
2028	\$100	\$374	\$127	\$600
2029	\$107	\$367	\$128	\$602
2030	\$123	\$359	\$130	\$612
2031	\$138	\$351	\$131	\$620
2032	\$153	\$341	\$132	\$627
2033	\$169	\$330	\$134	\$632
2034	\$192	\$318	\$135	\$645
2035	\$207	\$305	\$136	\$648
2036	\$230	\$290	\$138	\$658
2037	\$253	\$274	\$139	\$666
2038	\$276	\$257	\$140	\$673
2039	\$307	\$237	\$142	\$686
2040	\$337	\$216	\$143	\$697
2041	\$360	\$192	\$145	\$697
2042	\$399	\$167	\$146	\$712
2043	\$429	\$139	\$148	\$716
2044	\$476	\$109	\$149	\$734
2045	\$514	\$76	\$150	\$740
2046	\$568	\$40	\$152	\$760
<b>Total</b>	<b>\$5,745</b>	<b>\$8,688</b>	<b>\$3,848</b>	<b>\$18,282</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.00% for years 1 through 5 and 5.77% thereafter.  
2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**APPENDIX C-3**  
**PHASE #3 ASSESSMENT ROLL**

(19)

**Appendix C-3-1**  
**Phase #3 - Assessment Roll**

**Parcel  
Equivalent Units  
Assessment**

**All Parcels  
189.75  
\$1,453,485**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2022	\$1,000	\$111,046	\$20,000	\$132,046
2023	\$1,000	\$110,970	\$20,400	\$132,370
2024	\$1,000	\$110,893	\$20,808	\$132,701
2025	\$1,000	\$110,817	\$21,224	\$133,041
2026	\$1,000	\$110,741	\$21,649	\$133,389
2027	\$30,000	\$67,210	\$22,082	\$119,291
2028	\$30,000	\$65,818	\$22,523	\$118,341
2029	\$35,000	\$64,426	\$22,974	\$122,399
2030	\$35,000	\$62,802	\$23,433	\$121,235
2031	\$40,000	\$61,178	\$23,902	\$125,080
2032	\$40,000	\$59,322	\$24,380	\$123,702
2033	\$40,000	\$57,466	\$24,867	\$122,333
2034	\$45,000	\$55,610	\$25,365	\$125,975
2035	\$45,000	\$53,522	\$25,872	\$124,394
2036	\$50,000	\$51,434	\$26,390	\$127,823
2037	\$50,000	\$49,114	\$26,390	\$125,503
2038	\$50,000	\$46,794	\$26,390	\$123,183
2039	\$55,000	\$44,474	\$26,390	\$125,863
2040	\$60,000	\$41,922	\$26,390	\$128,311
2041	\$60,000	\$39,138	\$26,390	\$125,527
2042	\$65,000	\$36,354	\$26,390	\$127,743
2043	\$65,000	\$33,338	\$26,390	\$124,727
2044	\$70,000	\$30,322	\$26,390	\$126,711
2045	\$75,000	\$27,074	\$26,390	\$128,463
2046	\$75,000	\$23,594	\$26,390	\$124,983
2047	\$80,000	\$20,114	\$26,390	\$126,503
2048	\$85,000	\$16,402	\$26,390	\$127,791
2049	\$85,000	\$12,458	\$26,390	\$123,847
2050	\$90,000	\$8,514	\$26,390	\$124,903
2051	\$93,485	\$4,338	\$26,390	\$124,212
<b>Total</b>	<b>\$1,453,485</b>	<b>\$1,587,198</b>	<b>\$741,712</b>	<b>\$3,782,395</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.64% for years 1 through 5 and 4.64% thereafter.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-3-2**  
**Phase #3 - Assessment Per Unit**

**Lot Type**  
**Equivalent Unit Factor**  
**Assessment Per Unit**

**Lot Type 3 (60 Ft)**  
**0.75**  
**\$5,745**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
2022	\$4	\$439	\$79	\$522
2023	\$4	\$439	\$81	\$523
2024	\$4	\$438	\$82	\$525
2025	\$4	\$438	\$84	\$526
2026	\$4	\$438	\$86	\$527
2027	\$119	\$266	\$87	\$472
2028	\$119	\$260	\$89	\$468
2029	\$138	\$255	\$91	\$484
2030	\$138	\$248	\$93	\$479
2031	\$158	\$242	\$94	\$494
2032	\$158	\$234	\$96	\$489
2033	\$158	\$227	\$98	\$484
2034	\$178	\$220	\$100	\$498
2035	\$178	\$212	\$102	\$492
2036	\$198	\$203	\$104	\$505
2037	\$198	\$194	\$104	\$496
2038	\$198	\$185	\$104	\$487
2039	\$217	\$176	\$104	\$497
2040	\$237	\$166	\$104	\$507
2041	\$237	\$155	\$104	\$496
2042	\$257	\$144	\$104	\$505
2043	\$257	\$132	\$104	\$493
2044	\$277	\$120	\$104	\$501
2045	\$296	\$107	\$104	\$508
2046	\$296	\$93	\$104	\$494
2047	\$316	\$80	\$104	\$500
2048	\$336	\$65	\$104	\$505
2049	\$336	\$49	\$104	\$490
2050	\$356	\$34	\$104	\$494
2051	\$370	\$17	\$104	\$491
<b>Total</b>	<b>\$5,745</b>	<b>\$6,274</b>	<b>\$2,932</b>	<b>\$14,950</b>

1 - The principal and interest amounts represent the debt service requirements using an interest of 7.64% for years 1 through 5 and 4.64% thereafter.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**APPENDIX C-4**  
**PROPOSED PHASE #4 ASSESSMENT ROLL**

(19)

**Appendix C-4-1**  
**Proposed Phase #4 - Assessment Roll**

**Parcel**  
**Phase 4 Equivalent Units**  
**Assessment**

**All Parcels**  
**330.45**  
**\$9,568,705**

<b>Year</b>	<b>Principal<sup>1</sup></b>	<b>Interest<sup>1</sup></b>	<b>Annual Collection Costs<sup>2</sup></b>	<b>Total Annual Installment</b>
9/1/2025	\$102,000	\$683,123	\$50,000	\$835,123
9/1/2026	\$108,000	\$675,483	\$51,000	\$834,483
9/1/2027	\$114,000	\$667,394	\$52,020	\$833,414
9/1/2028	\$122,000	\$658,855	\$53,060	\$833,916
9/1/2029	\$129,000	\$649,717	\$54,122	\$832,839
9/1/2030	\$138,000	\$640,055	\$55,204	\$833,259
9/1/2031	\$146,000	\$629,719	\$56,308	\$832,027
9/1/2032	\$156,000	\$618,784	\$57,434	\$832,218
9/1/2033	\$166,000	\$607,099	\$58,583	\$831,682
9/1/2034	\$177,000	\$594,666	\$59,755	\$831,420
9/1/2035	\$189,000	\$581,409	\$60,950	\$831,358
9/1/2036	\$202,000	\$567,252	\$62,169	\$831,421
9/1/2037	\$216,000	\$552,123	\$63,412	\$831,535
9/1/2038	\$231,000	\$535,944	\$64,680	\$831,625
9/1/2039	\$247,000	\$518,642	\$65,974	\$831,616
9/1/2040	\$264,000	\$500,142	\$67,293	\$831,435
9/1/2041	\$282,000	\$480,368	\$68,639	\$831,008
9/1/2042	\$302,000	\$459,247	\$70,012	\$831,259
9/1/2043	\$323,000	\$436,627	\$71,412	\$831,039
9/1/2044	\$346,000	\$412,434	\$72,841	\$831,275
9/1/2045	\$370,000	\$386,519	\$74,297	\$830,816
9/1/2046	\$397,000	\$358,806	\$75,783	\$831,589
9/1/2047	\$425,000	\$329,070	\$77,299	\$831,369
9/1/2048	\$456,000	\$297,238	\$78,845	\$832,083
9/1/2049	\$488,000	\$263,084	\$80,422	\$831,505
9/1/2050	\$524,000	\$226,532	\$82,030	\$832,563
9/1/2051	\$561,000	\$187,285	\$83,671	\$831,956
9/1/2052	\$602,000	\$145,266	\$85,344	\$832,610
9/1/2053	\$646,000	\$100,176	\$87,051	\$833,227
9/1/2054	\$691,464	\$51,791	\$88,792	\$832,047
<b>Total</b>	<b>\$9,120,464</b>	<b>\$13,814,850</b>	<b>\$2,028,404</b>	<b>\$24,963,717</b>

1 - The principal and interest amounts represent the debt service requirements using an estimated interest rate of 7.49% for years 1 through 30.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**Appendix C-4-2**  
**Phase #4 - Assessment Per Unit**

Parcel Phase 4 Equivalent Units Assessment	Lot Type 2 (70 FT single-family residential)			
	1.00 \$27,600			
Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>	Total Annual Installment
9/1/2025	\$309	\$2,067	\$151	\$2,527
9/1/2026	\$327	\$2,044	\$154	\$2,525
9/1/2027	\$345	\$2,020	\$157	\$2,522
9/1/2028	\$369	\$1,994	\$161	\$2,524
9/1/2029	\$390	\$1,966	\$164	\$2,520
9/1/2030	\$418	\$1,937	\$167	\$2,522
9/1/2031	\$442	\$1,906	\$170	\$2,518
9/1/2032	\$472	\$1,873	\$174	\$2,518
9/1/2033	\$502	\$1,837	\$177	\$2,517
9/1/2034	\$536	\$1,800	\$181	\$2,516
9/1/2035	\$572	\$1,759	\$184	\$2,516
9/1/2036	\$611	\$1,717	\$188	\$2,516
9/1/2037	\$654	\$1,671	\$192	\$2,516
9/1/2038	\$699	\$1,622	\$196	\$2,517
9/1/2039	\$747	\$1,569	\$200	\$2,517
9/1/2040	\$799	\$1,513	\$204	\$2,516
9/1/2041	\$853	\$1,454	\$208	\$2,515
9/1/2042	\$914	\$1,390	\$212	\$2,516
9/1/2043	\$977	\$1,321	\$216	\$2,515
9/1/2044	\$1,047	\$1,248	\$220	\$2,516
9/1/2045	\$1,120	\$1,170	\$225	\$2,514
9/1/2046	\$1,201	\$1,086	\$229	\$2,517
9/1/2047	\$1,286	\$996	\$234	\$2,516
9/1/2048	\$1,380	\$899	\$239	\$2,518
9/1/2049	\$1,477	\$796	\$243	\$2,516
9/1/2050	\$1,586	\$686	\$248	\$2,519
9/1/2051	\$1,698	\$567	\$253	\$2,518
9/1/2052	\$1,822	\$440	\$258	\$2,520
9/1/2053	\$1,955	\$303	\$263	\$2,521
9/1/2054	\$2,092	\$157	\$269	\$2,518
<b>Total</b>	<b>\$27,600</b>	<b>\$41,806</b>	<b>\$6,138</b>	<b>\$75,544</b>

1 - The principal and interest amounts represent the debt service requirements using an estimated interest rate of 7.49% for years 1 through 30.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

**Appendix C-4-2**  
**Phase #4 - Assessment Per Unit**

Parcel Phase 4 Equivalent Units Assessment	Lot Type 3 (60 FT single-family residential) 0.95 \$26,345			
	Year	Principal <sup>1</sup>	Interest <sup>1</sup>	Annual Collection Costs <sup>2</sup>
9/1/2025	\$295	\$1,973	\$144	\$2,412
9/1/2026	\$312	\$1,951	\$147	\$2,410
9/1/2027	\$329	\$1,928	\$150	\$2,407
9/1/2028	\$352	\$1,903	\$153	\$2,409
9/1/2029	\$373	\$1,877	\$156	\$2,406
9/1/2030	\$399	\$1,849	\$159	\$2,407
9/1/2031	\$422	\$1,819	\$163	\$2,403
9/1/2032	\$451	\$1,787	\$166	\$2,404
9/1/2033	\$480	\$1,754	\$169	\$2,402
9/1/2034	\$511	\$1,718	\$173	\$2,402
9/1/2035	\$546	\$1,679	\$176	\$2,401
9/1/2036	\$583	\$1,639	\$180	\$2,402
9/1/2037	\$624	\$1,595	\$183	\$2,402
9/1/2038	\$667	\$1,548	\$187	\$2,402
9/1/2039	\$713	\$1,498	\$191	\$2,402
9/1/2040	\$763	\$1,445	\$194	\$2,402
9/1/2041	\$815	\$1,388	\$198	\$2,400
9/1/2042	\$872	\$1,327	\$202	\$2,401
9/1/2043	\$933	\$1,261	\$206	\$2,401
9/1/2044	\$999	\$1,191	\$210	\$2,401
9/1/2045	\$1,069	\$1,116	\$215	\$2,400
9/1/2046	\$1,147	\$1,036	\$219	\$2,402
9/1/2047	\$1,228	\$951	\$223	\$2,401
9/1/2048	\$1,317	\$859	\$228	\$2,404
9/1/2049	\$1,410	\$760	\$232	\$2,402
9/1/2050	\$1,514	\$654	\$237	\$2,405
9/1/2051	\$1,620	\$541	\$242	\$2,403
9/1/2052	\$1,739	\$420	\$247	\$2,405
9/1/2053	\$1,866	\$289	\$251	\$2,407
9/1/2054	\$1,997	\$150	\$256	\$2,403
<b>Total</b>	<b>\$26,345</b>	<b>\$39,905</b>	<b>\$5,859</b>	<b>\$72,110</b>

1 - The principal and interest amounts represent the debt service requirements using an estimated interest rate of 7.49% for years 1 through 30.

2- Administrative Expenses are estimated and will be updated each year in the Annual Service Plan Updates.

(19)

**APPENDIX D**  
**PID ASSESSMENT NOTICE**

(19)

AFTER RECORDING RETURN TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ ]<sup>1</sup>

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO CITY  
OF WAXAHACHIE, TEXAS  
CONCERNING THE FOLLOWING PROPERTY

\_\_\_\_\_  
STREET ADDRESS

LOT TYPE \_\_\_\_\_ PRINCIPAL ASSESSMENT: \$ \_\_\_\_\_

As the purchaser of the real property described above, you are obligated to pay assessments to the City of Waxahachie Texas (the "City"), for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Waxahachie Public Improvement District No. 1* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City. The exact amount of each annual installment will be approved each year by the City Council in the annual service plan update for the District. More information about the assessments, including the amounts and due dates, may be obtained from the City.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

\_\_\_\_\_

<sup>1</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Ellis County.

(19)

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF  
PURCHASER

\_\_\_\_\_  
SIGNATURE OF  
PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

---

<sup>2</sup> To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

(19)

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF  
PURCHASER

\_\_\_\_\_  
SIGNATURE OF  
PURCHASER

STATE OF TEXAS                    §  
  §  
COUNTY OF ELLIS               §

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Ellis County.

(19)

The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS

§

COUNTY OF ELLIS

§

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas] <sup>4</sup>

<sup>4</sup>To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Ellis County.

(20)



## Memorandum

To: Honorable Mayor and City Council  
From: Dustin Deel, Senior Director of Administrative Services  
Thru: Michael Scott, City Manager  
Date: June 2<sup>nd</sup>, 2025  
Re: Discussion on Proposed Project at Mid-Way Regional Airport

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**Motion:** N/A – This is a discussion item only.

**Item Description:** Discussion regarding a proposed hangar development at Mid-Way Regional Airport to determine if City Council has an interest in pursuing the project.

**Item Summary:** The City of Midlothian received a proposal from a private developer interested in building a new hangar facility at Mid-Way Regional Airport with an associated 50-year ground lease. Since the project would have to be approved by both the City of Waxahachie and the City of Midlothian, Midlothian staff forwarded the project details to Waxahachie staff to gauge interest in the project. Staff does not want to expend an extensive amount of resources and funds for further due diligence, negotiating/drafting of a ground lease, and legal review if City Council does not appear to have adequate interest in the project. The Midlothian City Council will discuss the item at their June 10, 2025 City Council Meeting.

The proposed project site is a grass infill parcel located north of Airport Drive, near its intersection with Rex Odom Drive. The concept includes construction of a 300-foot by 60-foot row of integrated, box-style hangars with single-sided access and 18-foot clear door heights. Depending on final configuration, the

(20)

design may consist of five 60'x60' units, four 80'x60' units, or three 100'x60' units. The hangars would be leased by the developer to end users or FBO providers, with no plans for resale.

The proposed facility could accommodate up to nine small jet aircraft or twenty-eight smaller piston aircraft. Preliminary renderings and engineering drawings have been submitted and appear to reflect a modern design consistent with the Airport's development standards. The proposer has stated that the hangars will meet all applicable building codes and airport policies. Formal code compliance will be confirmed during the plan review and permitting process. No ramp or apron improvements are proposed; the ground lease would apply only to the building footprint. The developer anticipates beginning construction promptly, with completion expected within approximately 12 months.

**Fiscal Impact:** At this preliminary stage, there is no financial obligation to the City or Airport. If the project moves forward, the Airport will incur legal expenses to negotiate/draft the ground lease. If the project is completed, the Airport would benefit from the minimal revenue generated from the long-term ground lease and any other ancillary revenues that may occur from increased airplane and aviation activities that may result from the additional hangar space. All construction and ongoing maintenance costs would be the responsibility of the lessee.

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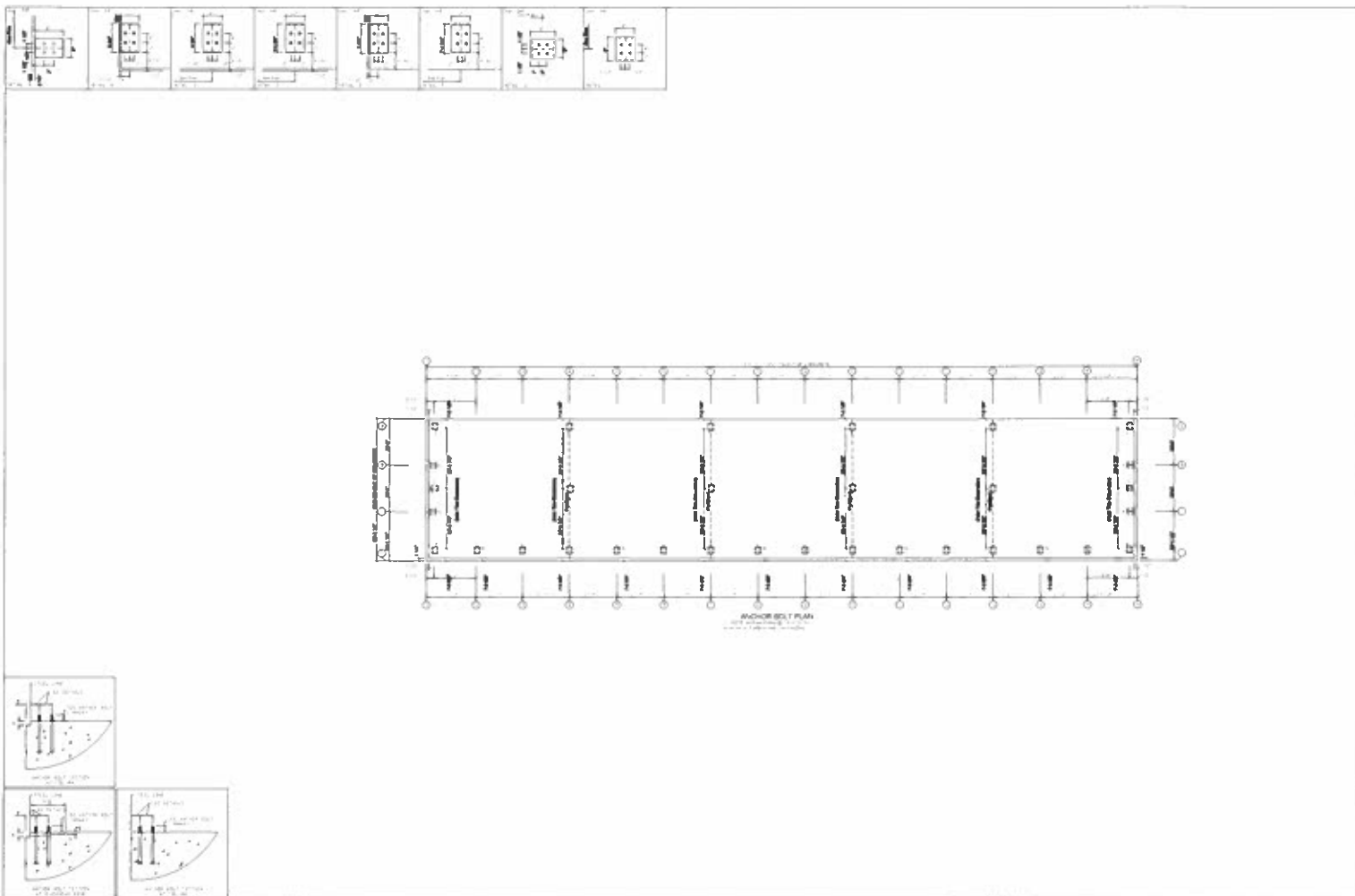
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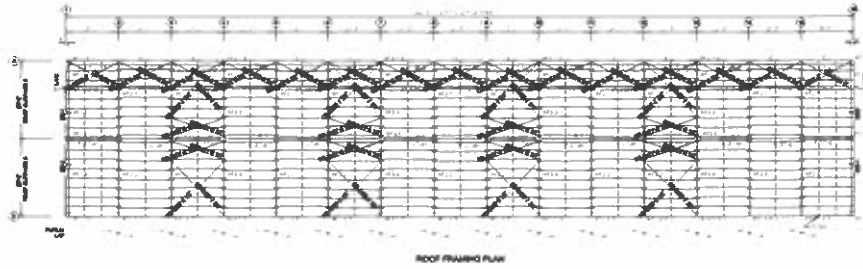






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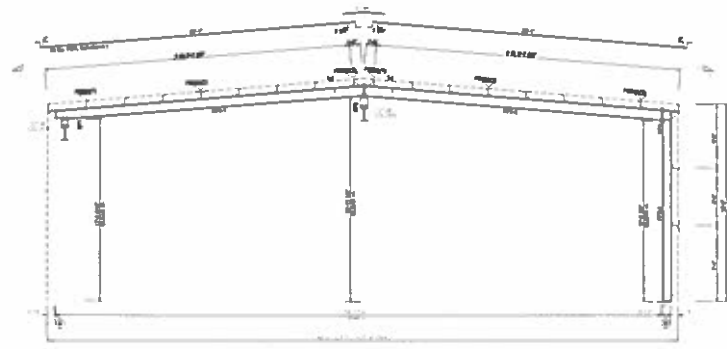


ROOF FRAMING PLAN

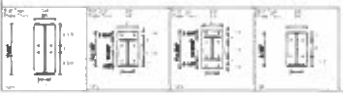
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NO.	REV.	DATE	BY	CHKD.	DESCRIPTION
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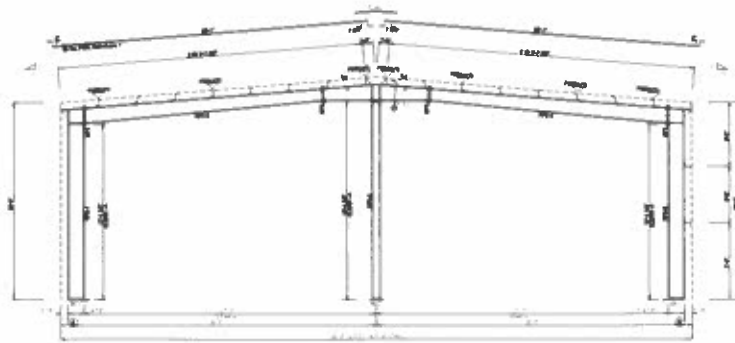


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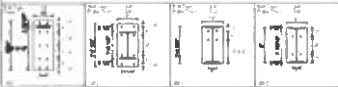


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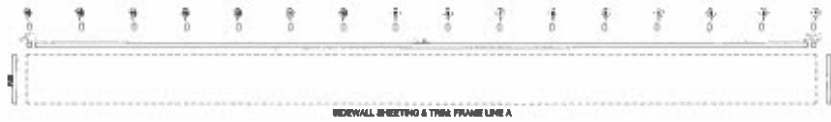
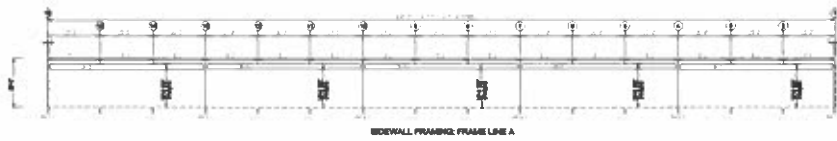
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RIGID FRAME ELEVATION FRAME LINE 4 7 10 13

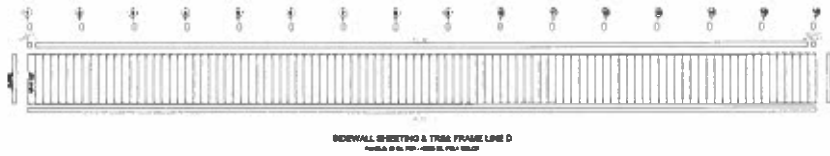
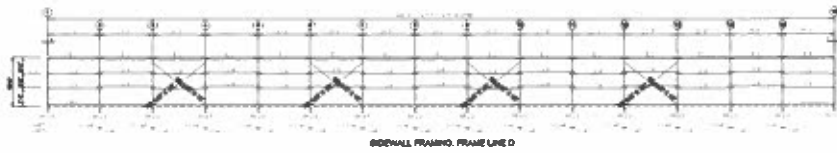


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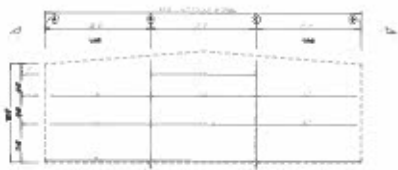


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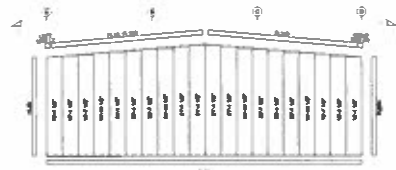
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NO.	DESCRIPTION	DATE
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2	ISSUED FOR CONSTRUCTION	11/15/11
3	ISSUED FOR AS-BUILT	12/15/11



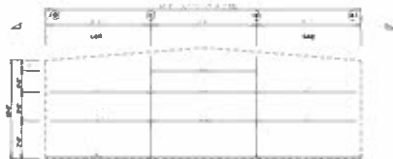
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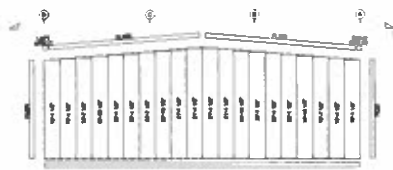
ENDWALL SHEATHING & TRIM: FRAME LINE 1

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SHOWALL FRAMED FRAME LINE 10



SHOWALL TRUSSING & TRUSS FRAME LINE 16  
PROVIDE 2" DIA. VENT. PIPES TO PREVENT CONDENSATION