

RESOLUTION NO. 1082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, CALLING A PUBLIC HEARING ON THE ADVISABILITY OF THE IMPROVEMENTS AND CREATION OF KYLE PUBLIC IMPROVEMENT DISTRICT NO. 1 WITHIN THE CITY OF KYLE PURSUANT TO CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZING THE MAILING AND PUBLICATION OF NOTICE OF THE PUBLIC HEARING.

WHEREAS, on October 17, 2017, the City Council of the City (the "City Council") of Kyle, Texas (the "City") accepted a petition (the "Petition") for the creation of a public improvement district to be named Kyle Public Improvement District No. 1 (the "PID") under Chapter 372 of the Texas Local Government Code (the "Act"), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Hays County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the boundaries of the proposed PID are described in the attachments to the Petition and shown on the map attached hereto as Exhibit A, said area for the PID being within the corporate limits of the City; and

WHEREAS, the City Council desires to schedule a public hearing to consider the advisability of the improvements and creation of the PID;

WHEREAS, the purpose of the PID is to fund improvement projects authorized by the Act that are necessary for development of property in the proposed district, which public improvements will include (i) acquisition, construction and improvement of wastewater or drainage facilities and improvements; (ii) acquiring, constructing, improving, widening, narrowing, closing or rerouting streets, roadways or their rights-of-way, including revegetation and enhancements; (iii) acquisition, construction, and improvement of mass transportation improvements, including silent railway crossings; (iv) acquisition, construction, and improvement of park improvements, including parking areas; (v) acquisition, construction, and improvement of entryway improvements and related landscape enhancements; (vi) acquisition, by purchase or otherwise, of real property or contract rights in connection with each authorized improvement; and (vii) payment of expenses incurred in the establishment, administration and operation of the District and the costs of issuance, reserve funds or credit enhancement of any bonds issued by or on behalf of the District, if necessary.

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

SECTION 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

The public hearing is hereby scheduled at 9:00 [a.m./p.m.], on November 4, 2017, at Kyle City Hall - Council Chambers, to receive public comment on the advisability of the improvements and creation of the PID in the area described in the Petition and as shown on the map in Exhibit A, pursuant to the Act.

SECTION 3

Notice of said hearing, in the substantially final form presented herewith in Exhibit B with such changes as may be approved by the City Attorney, shall be published in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act.

SECTION 4

Written notice, in the substantially final form presented herewith with such changes as may be approved by the City Attorney, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the proposed PID, before the 15th day prior to the date set for the hearing.

SECTION 5

This Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 17th day of October, 2017.

CITY OF KYLE, TEXAS

By: _____
R. Todd Webster, Mayor

ATTEST:

Jennifer A. Vetrano, City Secretary

APPROVED AS TO FORM:

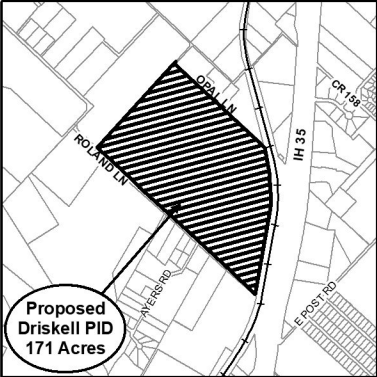
APPROVED AS TO CONTENT:

Frank Garza, City Attorney

J. Scott Sellers, City Manager

EXHIBIT A
MAP

[See attached]



ROLAND LN

OPAL LN

IH 35

CR 158

AYERS RD

E POST RD

**Proposed
Driskell PID
171 Acres**

EXHIBIT B
NOTICE OF PUBLIC HEARING

CITY OF KYLE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of the City of Kyle, Texas on the ___ day of _____, 20__ at ___ a.m./p.m. at _____. The public hearing will be held to consider proposed assessments to be levied against the assessable property in Kyle Public Improvement District (the "PID"), pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended.

General Nature of the Authorized Improvements: The general nature of the proposed improvements to be provided by the District, in phases, is the (i) acquisition, construction and improvement of water, wastewater or drainage facilities and improvements; (ii) acquiring, constructing, improving, widening, narrowing, closing or rerouting streets, roadways or their rights-of-way, including revegetation and enhancements; (iii) acquisition, construction, and improvement of mass transportation improvements, including silent railway crossings; (iv) acquisition, construction, and improvement of park improvements, including parking areas; (v) acquisition, construction, and improvement of entryway improvements and related landscape enhancements; (vi) acquisition, by purchase or otherwise, of real property or contract rights in connection with each authorized improvement; and (vii) payment of expenses incurred in the establishment, administration and operation of the District and the costs of issuance, reserve funds or credit enhancement of any bonds issued by or on behalf of the District, if necessary.

The estimated cost to design, acquire and construct the Authorized Improvements for the PID is \$5,000,000.

The boundary of the PID is located in the corporate limits of the City and is described generally in Exhibit A below.

All written or oral objections will be considered at the public hearing.

A copy of the proposed Assessment Roll, which includes the assessments to be levied for Pubic Improvements against each parcel in the PID, is available for public inspection at the offices of the City Secretary, City of Kyle, _____.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this ___ day of _____, 20__.

/s/ City Secretary.

Exhibit A



INTERMANDECO GP, LLC
Z. HINTON SURVEY NO. 12 AND JAMES W. WILLIAMS SURVEY NO. 11
171.154 AC. (7,455,474 SQ. FT.)

DESCRIPTION OF 171.154 ACRES (7,455,474 SQ. FT.) OF LAND SITUATED IN HAYS COUNTY, TEXAS, OUT OF THE Z. HINTON SURVEY NO. 12, ABS. 220 AND THE JAMES W. WILLIAMS SURVEY NO. 11, ABS. 473, BEING ALL OF THAT CERTAIN 99.99 ACRE TRACT OF LAND, SAVE AND EXCEPT 10 ACRES, DESCRIBED IN A DEED OF RECORD TO WYATT A. DRISKELL, ET UX, IN VOLUME 749, PAGE 306, RECORDED SEPTEMBER 6, 1988 IN THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, ALL OF THAT CERTAIN 10.0 ACRE TRACT OF LAND DESCRIBED IN A DEED OF RECORD TO WYATT A. DRISKELL, ET UX, IN VOLUME 372, PAGE 204, RECORDED MARCH 12, 1982 IN THE DEED RECORDS OF HAYS COUNTY, TEXAS AND ALL OF THAT CERTAIN 71.24 ACRE TRACT OF LAND DESCRIBED IN A DEED OF RECORD TO WYATT A. DRISKELL IN VOLUME 665, PAGE 409, RECORDED APRIL 8, 1987 IN THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS; SAID 171.154 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the northeasterly margin of Roland Lane (County Road 137) (R.O.W varies) at the most southerly corner of that certain 49.62 acre tract of land described in a deed of record to Ky-Tex Properties, Ltd., in Volume 285, Page 458, recorded June 23, 1976 in the Deed Records of Hays County, Texas, for the most westerly corner of said 99.99 Acre Tract and the herein described tract;

THENCE with the southeasterly line of said 49.62 Acre Tract, same being the northwesterly line of said 99.99 Acre Tract, the following two (2) courses:

1. N43°08'11"E, a distance of 462.20 feet to a cotton spindle set;
2. N42°43'17"E, a distance of 651.47 feet to a 60d nail with Protech Shiner found in fence post at the most northerly corner of said 99.99 Acre Tract, same being the most westerly corner of said 71.24 Acre Tract;

THENCE N43°15'30"E, continuing with the southeasterly line of said 49.62 Acre Tract, same being the northwesterly line of said 71.24 Acre Tract, a distance of 1070.30 feet to a 60d nail with Protech Shiner found in fence post in the southwesterly margin of Opal Lane (County Road 138) (R.O.W varies), for the most northerly corner of said 71.24 Acre Tract and the herein described tract;

THENCE with the southwesterly Margin of said Opal Lane, same being the northeasterly line of said 71.24 Acre Tract, the following four (4) courses:

1. S46°17'13"E, a distance of 2175.36 feet to a 1/2" iron rod found;
2. N43°47'56"E, a distance of 5.78 feet to an iron rod with G&R cap set;
3. S44°18'04"E, a distance of 30.81 feet to an iron rod with G&R cap set;
4. S45°19'04"E, a distance of 178.61 feet to a 1/2" iron rod found in the curving northwesterly line of I.G. & N. Railroad, of a curve to the right, for the most easterly corner of said 71.24 Acre Tract and the herein described tract;

1805 Ouida Dr., Austin, Texas 78728 • Firm # 10032000
Phone (512)267-7430 • Fax (512)836-8385

Exhibit A



THENCE with the northwesterly line of I.G. & N. Railroad, same being in part the southeasterly line of said 71.24 Acre Tract and in part the southeasterly line of said 99.99 Acre Tract, the following two (2) courses:

1. Along said curve to the right, having a radius of 2840.80 feet, an arc length of 1413.57 feet and a chord which bears S03°11'20"E, a distance of 1399.04 feet to an iron rod with G&R cap set at the end of said curve;
2. S11°20'06"W, a distance of 1431.04 feet to a railroad tie post found in the northeasterly margin of said Roland Lane, for the most southerly corner of said 99.99 Acre Tract and the herein described tract;

THENCE with the northeasterly margin of said Roland Lane, same being the southwesterly line of said 99.99 Acre Tract, the following three (3) courses:

1. N46°43'35"W, a distance of 1462.10 feet to an iron rod with G&R cap set;
2. N46°31'58"W, a distance of 1481.80 feet to a cotton spindle set;
3. N46°27'09"W, a distance of 1204.37 feet to the **POINT OF BEGINNING**, containing an area of 171.154 Acres (7,455,474 Sq. Ft.) of land, more or less.

Phillip L. McLaughlin 08-30-16
Registered Professional Land Surveyor
State of Texas No. 5300

Bearings are based on the Texas Coordinate System, NAD 83, South Central Zone.
G&R Surveying Project No. 15324 Attachments: Survey Plat 15324_GR-Title Survey.dwg