

ORDINANCE NO. 20160128-090

**AN ORDINANCE LEVYING ASSESSMENTS FOR CALENDAR YEAR 2016
FOR PROPERTY IN THE ESTANCIA HILIL COUNTRY PUBLIC
IMPROVEMENT DISTRICT.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Findings: The Council finds that:

- (A) Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code (Act) authorized the creation of the Estancia Hill Country Public Improvement District (District).
- (B) On June 6, 2013, the City Council passed a resolution, which approved the reauthorization of the District in accordance with its findings.
- (C) On November 19, 2015, the City Council approved a calendar year 2016 assessment rate, proposed year 2016 assessment roll, and a service plan and budget for the district.
- (D) On January 28, 2016, the City Council held a public hearing, properly noticed under the Act, to consider the levy of the proposed assessments on property within the District for calendar year 2016.
- (E) At the January 28, 2016 public hearing, the City Council heard each objection to a proposed assessment, found in each case that the assessments levied against each parcel are reasonable and consistent with the special benefits conferred by the District, and passed on each objection before it closed the public hearing.
- (F) The assessments set out in Exhibit A, attached to and incorporated in this ordinance:
 - (1) should be made and levied against the property and property owners within the District;
 - (2) are in proportion to the benefits to the property for the services and improvements in the District; and
 - (3) establish substantial justice, equality, and uniformity in the amount assessed against each property owner for the benefits received and burdens imposed.

- (G) In each case, the property assessed is benefited by the services and improvements provided in the District.
- (H) The exclusion of certain property from assessment is reasonable because the excluded property will not receive a benefit from the District that is sufficient to justify an assessment and the exclusions promote efficient management of the District.
- (I) The procedures followed and apportionment of the cost of the services and improvements in the District comply with applicable law and the purpose for which the District was formed.
- (J) The assessments are based on the Travis Central Appraisal District appraised value of property within the District.

PART 2. Exemptions and Exclusions. The Council exempts the following from payment of the assessment and excludes from the roll:

- (A) City property used for a public purpose;
- (B) property owned by the County, and property owned by political subdivisions of the State of Texas and used for public purpose; and
- (C) other property that is excluded by law or by agreement of the City and the petitioners.

PART 3. Assessment and Levy. The assessments shown on Exhibit A are levied and assessed against the property in the District and against the record owner of the property identified by the Travis Central Appraisal District records.

PART 4. Liability of Multiple Owners. Each owner of property in the District owned by two or more individuals or entities is personally liable for the amount of the assessment equal to the share of the total assessment against the property based on the owner's partial interest in the total property ownership. A property owner's interest in property may be released from an assessment lien if the owner pays the owner's proportionate share of an assessment.

PART 5. Interest and Lien.

- (A) An assessment shown on Exhibit A:
 - (1) accrues interest at the rate of 0% from the effective date of this ordinance until March 1, 2016;

- (2) accrues interest, penalties, and attorney's fees in the same manner as a delinquent ad valorem tax after March 1, 2016, until paid; and
- (3) is a lien on the property shown in Exhibit "A" and the personal liability of the property owner.

PART 6. Due Date and Collection. An assessment is due and payable in full on or before March 1, 2016. If a property owner defaults on payment of an assessment against the owner's property, the city manager may file suit to collect the assessment and may initiate a lien foreclosure, including interest, penalties, costs and attorney's fees.

PART 7. Statutory Authority. The assessments levied by this ordinance are made under the authority of Chapter 372 (*Public Improvement District Assessment Act*) of the Texas Local Government Code.

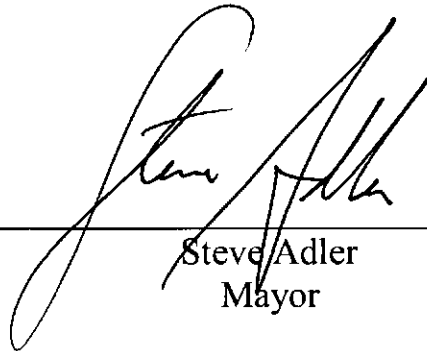
PART 8. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to a person or circumstance is held to be invalid, the invalidity does not affect other provisions or applications of this ordinance.

PART 9. This ordinance takes effect on February 8, 2016.

PASSED AND APPROVED


_____, January 28, 2016

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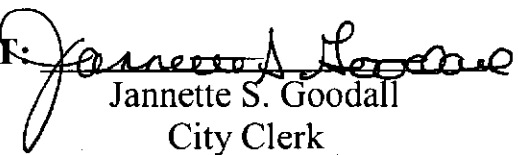
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

"EXHIBIT A"

City of Austin Estancia Hill Country Public Improvement District (PID) 2016 Certified Assessment Roll

Property ID	Estancia PID Parcel Number	Travis Central Appraisal District Parcel Number	Owner Name	Total Assessment for 2016
	1		SLF III - ONION CREEK LP	
	2		SLF III - ONION CREEK LP	\$ 150,895.00
	3		SLF III - ONION CREEK LP	\$ 197,403.00
	4		SLF III - ONION CREEK LP	\$ 94,761.00
	5		SLF III - ONION CREEK LP	\$ 93,605.00
	6		SLF III - ONION CREEK LP	\$ 88,983.00
	7		SLF III - ONION CREEK LP	\$ 84,360.00
	8		SLF III - ONION CREEK LP	\$ 100,539.00
	9		SLF III - ONION CREEK LP	\$ 136,363.00
	10		SLF III - ONION CREEK LP	\$ 143,056.00
851696	11/12	04-4915-0902-0000	Pena, David & Phong Hue	\$ 90,138.00
851697	11/12	04-4915-0903-0000	SISLER JAMES B & JOYCE A	\$ 1,769.15
851698	11/12	04-4915-0904-0000	DAVILA JUAN ANGEL & SANDRA CHRISTINA DAVILA	\$ 1,769.15
851699	11/12	04-4915-0905-0000	ORTA MATTHEW LEE & ADRIANA WOLLEBEN	\$ 1,769.15
851700	11/12	04-4915-0906-0000	GAREDA MANISH & MANJOT BOPARAI-GAREDA	\$ 1,769.15
851701	11/12	04-4915-0907-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851702	11/12	04-4915-0908-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851703	11/12	04-4915-0909-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851704	11/12	04-4915-0910-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851705	11/12	04-4915-0911-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851706	11/12	04-4915-0912-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851707	11/12	04-4915-0913-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851708	11/12	04-4915-0914-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,769.15
851709	11/12	04-4915-0915-0000	LEAL MARTIN G & PATRICIA	\$ 1,769.15
851710	11/12	04-4915-0916-0000	Gregg, Clonda Kay	\$ 1,769.15
851711	11/12	04-4915-0917-0000	SADJADI EDWARD	\$ 1,769.15
851712	11/12	04-4915-0918-0000	BOYD JOHN WARREN	\$ 1,769.15
851713	11/12	04-4915-0919-0000	Gordon, Brandon & Tara	\$ 1,769.15
851714	11/12	04-4915-0920-0000	FIELDER NICOLE LYN	\$ 1,769.15
851715	11/12	04-4915-0921-0000	Fey, Melissa	\$ 1,306.45
851716	11/12	04-4915-0922-0000	CONFIDENTIAL OWNER	\$ 1,306.45
851717	11/12	04-4915-0923-0000	GUZMAN MARY	\$ 1,306.45
851718	11/12	04-4915-0924-0000	WALKER ANTHONY G D & ANDREA	\$ 1,306.45
851719	11/12	04-4915-0925-0000	DOBBINS TIMOTHY D	\$ 1,306.45
851720	11/12	04-4915-0926-0000	MORALES-GONZALEZ NORA VILMA	\$ 1,769.15
851721	11/12	04-4915-0927-0000	Burge, Kevin M & Robin E	\$ 1,769.15
851722	11/12	04-4915-0928-0000	Muniz, Ivan	\$ 1,769.15
851723	11/12	04-4915-0929-0000	Garza, Paulino & Tomasa T	\$ 1,769.15
851724	11/12	04-4915-0930-0000	TAYLOR SABIN M & SETORIA R	\$ 1,769.15
851725	11/12	04-4915-0931-0000	SCHOMBERG DARRYL	\$ 1,769.15
851726	11/12	04-4915-0932-0000	MENDOZA ANTONIO MIGUEL	\$ 1,306.45
851727	11/12	04-4915-0933-0000	Miller, Stephen Bruce & I	\$ 1,306.45
851728	11/12	04-4915-0934-0000	SESSIONS BOBBIE	\$ 1,306.45
851729	11/12	04-4915-0935-0000	TREVINO ROEL JAIME	\$ 1,306.45
851730	11/12	04-4915-0936-0000	NGUYEN CHRISTOPHER V & ANH N	\$ 1,306.45
851731	11/12	04-4915-0937-0000	REESE CHAUCENCY	\$ 1,306.45

Property ID	Estancia PID Parcel Number	Travis Central Appraisal District Parcel Number	Owner Name	Total Assessment for 2016
851732	11/12	04-4915-0938-0000	NOAK ROGER & JULIANN SCHULZ NOAK	\$ 1,306.45
851733	11/12	04-4915-0939-0000	BJORNAAS KRISTI & DAVIN	\$ 1,306.45
851734	11/12	04-4915-0940-0000	VASQUEZ JOSE CLEMENTE	\$ 1,306.45
851735	11/12	04-4915-0941-0000	RIZO MARIA & RAYMOND	\$ 1,306.45
851736	11/12	04-4915-0942-0000	ALSINA CARLOS R & CATIA G	\$ 1,306.45
851737	11/12	04-4915-0943-0000	Lynch, Robert Wayne & Mar	\$ 1,306.45
851738	11/12	04-4915-0944-0000	LIZARDI SUSANA CATHERINE	\$ 1,306.45
851739	11/12	04-4915-0945-0000	Flores, Sylvia	\$ 1,306.45
851740	11/12	04-4915-0946-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,306.45
851741	11/12	04-4915-0947-0000	De La Fuente, Rogelio	\$ 1,306.45
851742	11/12	04-4915-0948-0000	Morris, Bruce Theodore &	\$ 1,306.45
851743	11/12	04-4915-0949-0000	LITTLE LINDA SUE	\$ 1,306.45
851744	11/12	04-4915-0950-0000	Parker, David	\$ 1,306.45
851745	11/12	04-4915-0951-0000	CUNNINGHAM JOHN JR & SHIREEN N	\$ 1,306.45
851746	11/12	04-4915-0952-0000	RENDON LYDIA G	\$ 1,306.45
851747	11/12	04-4915-0953-0000	Reyna, Charles Renee	\$ 1,306.45
851748	11/12	04-4915-0954-0000	Martinez Jr, Margarito &	\$ 1,306.45
851749	11/12	04-4915-0955-0000	Rocha, Wilfredo Antonio &	\$ 1,306.45
851750	11/12	04-4915-0956-0000	Rodriguez, Javier	\$ 1,306.45
851751	11/12	04-4915-0957-0000	Chawla, Girish & Seema Gi	\$ 1,306.45
851752	11/12	04-4915-0958-0000	Yanes, Jayson & Victoria	\$ 1,306.45
851753	11/12	04-4915-0959-0000	Smith, Daniel & Fatima	\$ 1,306.45
851754	11/12	04-4915-0960-0000	GOEBLER KYLE	\$ 1,306.45
851755	11/12	04-4915-0961-0000	PENSCO TRUST COMPANY CUSTODIAN	\$ 1,306.45
851756	11/12	04-4915-0962-0000	SANDERS MICHAEL ERIC	\$ 1,306.45
851757	11/12	04-4915-0963-0000	SARKER JONATHAN & AMBER LYNN-KLEIN	\$ 1,306.45
851758	11/12	04-4915-0964-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 1,306.45
851759	11/12	04-4915-0965-0000	Marroquin, Guy & Sylvia V	\$ 1,306.45
851760	11/12	04-4915-0966-0000	Newhouse-Bailey, Michael	\$ 1,306.45
851761	11/12	04-4915-0967-0000	Widmer, Andrew & Chowdhur	\$ 1,306.45
851762	11/12	04-4915-0968-0000	LOPEZ JOE M JR & ANNETTE RODRIGUEZ	\$ 1,306.45
851763	11/12	04-4915-0969-0000	CASTANEDA RIGO & SAVANNAH SORIANO	\$ 1,306.45
851764	11/12	04-4915-0970-0000	Cain Jr, Delmar L & Cai	\$ 1,306.45
851765	11/12	04-4915-0971-0000	TREVINO ROBYN & JOE JR	\$ 1,306.45
851766	11/12	04-4915-0972-0000	Clark, Gary & Sandra	\$ 1,306.45
851767	11/12	04-4915-0973-0000	GORDON JOHN E	\$ 1,306.45
851768	11/12	04-4915-0974-0000	ROBINSON ROBERT WOOD	\$ 1,306.45
851769	11/12	04-4915-0975-0000	Vickers, Gregory Paul & V	\$ 1,306.45
851770	11/12	04-4915-0976-0000	BURGMAN KEITH & MICHAELA	\$ 1,306.45
851771	11/12	04-4915-0977-0000		\$ 1,306.45
837554	11/12	04-4715-0201-0000	LENNAR HOMES OF TEXAS LAND & CONSTRUCTION LTD	\$ 476,715.75
Total				\$ 1,766,370.00

I, Diana Thomas, CPA and Controller for the City of Austin, affirm and attest that this is a true and correct account of all assessments for the Estancia Hill Country Public Improvement District as of December 7, 2015 based upon data furnished to the City of Austin by Travis Central Appraisal District and by the Travis County Clerk's Office.


Diana Thomas, CPA, Controller, City of Austin