

ORDINANCE NO. 20161201-050

**AN ORDINANCE LEVYING ASSESSMENTS FOR CALENDAR YEAR 2017
FOR PROPERTY IN THE ESTANCIA HILL COUNTRY PUBLIC
IMPROVEMENT DISTRICT.**

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

PART 1. The City Council makes the following findings:

- (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 creation of the District in accordance with its findings.
- (C) On September 14, 2016, the City Council approved an ordinance adopting the District's 2017 budget.
- (D) On November 3, 2016, the City Council approved a calendar year 2017 assessment, proposed year 2017 assessment roll, and a service plan for the District.
- (E) On December 1, 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 2017.
- (F) At the December 1, 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.
- (G) 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.
- (H) In each case, the property assessed is benefited by the services and improvements provided in the District.
- (I) 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.
- (J) 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.
- (K) 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) property of the City used for 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.

An assessment shown on Exhibit A:

- (1) accrues interest at the rate of 0% from the effective date of this ordinance until January 31, 2017;
- (2) accrues interest, penalties, and attorney's fees in the same manner as a delinquent ad valorem tax after January 31, 2017, 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 January 31, 2017. 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.

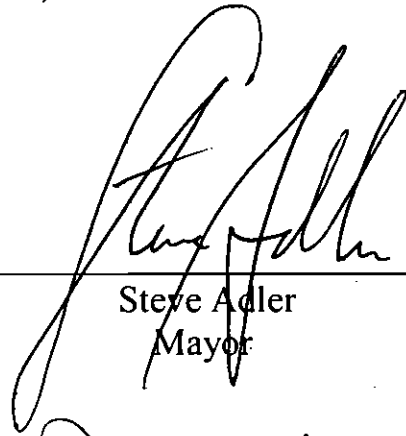
PART 8. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

PART 9. This ordinance takes effect on December 12, 2016.


PASSED AND APPROVED

December 1, 2016

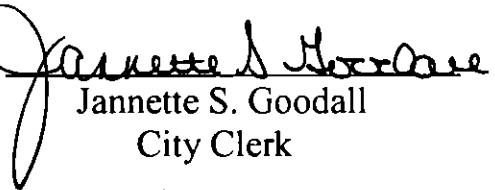
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Steve Adler
Mayor

APPROVED: 

Anne L. Morgan
City Attorney

ATTEST: 

Jannette S. Goodall
City Clerk

EXHIBIT A

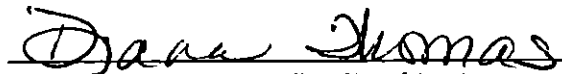
City of Austin
Estancia Hill Country Public Improvement District (PID)
2017 Certified Assessment Roll

| Property ID | Estanda PID Parcel Number | Travis Central Appraisal District Parcel Number | Owner Name | Lot Size | Total Assessment for 2017 |
|-------------|---------------------------------|---|--|----------|---------------------------------|
| 23 Parcels | 1 - 8 | 23 Parcels | SLF III - ONION CREEK LP | | \$ 969,409.55 |
| 868485 | 9 | 04-4818-0602-0000 | ESTANCIA VILLAS LLC | | \$ 196,586.03 |
| 851696 | 11/12 | 04-4915-0902-0000 | PENA DAVID & PHUONG | 60' | \$ 1,748.00 |
| 851697 | 11/12 | 04-4915-0903-0000 | SISLER JAMES B & JOYCE A | 60' | \$ 1,748.00 |
| 851698 | 11/12 | 04-4915-0904-0000 | DAVILA JUAN ANGEL & | 60' | \$ 1,748.00 |
| 851699 | 11/12 | 04-4915-0905-0000 | ORTA MATTHEW LEE & ADRIANA WOLLEBEN | 60' | \$ 1,748.00 |
| 851700 | 11/12 | 04-4915-0906-0000 | GAREDIA MANISH & | 60' | \$ 1,748.00 |
| 851709 | 11/12 | 04-4915-0915-0000 | LEAL MARTIN G & PATRICIA | 60' | \$ 1,748.00 |
| 851710 | 11/12 | 04-4915-0916-0000 | GREGG CLONDA KAY & | 60' | \$ 1,748.00 |
| 851711 | 11/12 | 04-4915-0917-0000 | SADJADI EDWARD | 60' | \$ 1,748.00 |
| 851712 | 11/12 | 04-4915-0918-0000 | BOYD JOHN WARREN | 60' | \$ 1,748.00 |
| 851713 | 11/12 | 04-4915-0919-0000 | GORDON BRANDON J & TARA L | 60' | \$ 1,748.00 |
| 851714 | 11/12 | 04-4915-0920-0000 | FIELDER NICOLE LYN | 50' | \$ 1,290.83 |
| 851715 | 11/12 | 04-4915-0921-0000 | FEY MELISSA ANN | 50' | \$ 1,290.83 |
| 851716 | 11/12 | 04-4915-0922-0000 | CONFIDENTIAL OWNER | 50' | \$ 1,290.83 |
| 851717 | 11/12 | 04-4915-0923-0000 | GUZMAN MARY | 50' | \$ 1,290.83 |
| 851718 | 11/12 | 04-4915-0924-0000 | WALKER ANTHONY G D & ANDREA | 50' | \$ 1,290.83 |
| 851719 | 11/12 | 04-4915-0925-0000 | DOBBINS TIMOTHY D | 60' | \$ 1,748.00 |
| 851720 | 11/12 | 04-4915-0926-0000 | MORALES-GONZALEZ NORA VILMA | 60' | \$ 1,748.00 |
| 851721 | 11/12 | 04-4915-0927-0000 | BURGE ROBIN ELANE | 60' | \$ 1,748.00 |
| 851722 | 11/12 | 04-4915-0928-0000 | MUNIZ IVAN E | 60' | \$ 1,748.00 |
| 851723 | 11/12 | 04-4915-0929-0000 | GARZA PAULINO JR & TOMASA TREVINO | 60' | \$ 1,748.00 |
| 851724 | 11/12 | 04-4915-0930-0000 | TAYLOR SABIN M & SETORIA R | 60' | \$ 1,748.00 |
| 851725 | 11/12 | 04-4915-0931-0000 | SCHOMBERG DARRYL | 60' | \$ 1,748.00 |
| 851726 | 11/12 | 04-4915-0932-0000 | MENDOZA ANTONIO MIGUEL | 50' | \$ 1,290.83 |
| 851727 | 11/12 | 04-4915-0933-0000 | MILLER STEPHEN BRUCE & KAREN LILLY INGRAFFIA | 50' | \$ 1,290.83 |
| 851728 | 11/12 | 04-4915-0934-0000 | SESSIONS BOBBIE | 50' | \$ 1,290.83 |
| 851729 | 11/12 | 04-4915-0935-0000 | TREVINO ROEL JAIME | 50' | \$ 1,290.83 |
| 851730 | 11/12 | 04-4915-0936-0000 | NGUYEN CHRISTOPHER V & ANH N | 50' | \$ 1,290.83 |
| 851731 | 11/12 | 04-4915-0937-0000 | REESE CHAUCENCY | 50' | \$ 1,290.83 |
| 851732 | 11/12 | 04-4915-0938-0000 | NOAK ROGER & | 50' | \$ 1,290.83 |
| 851733 | 11/12 | 04-4915-0939-0000 | BJORNAAS KRISTI & DAVIN | 50' | \$ 1,290.83 |
| 851734 | 11/12 | 04-4915-0940-0000 | VAZQUEZ JOSE CLEMENTE | 50' | \$ 1,290.83 |
| 851735 | 11/12 | 04-4915-0941-0000 | RIZO MARIA & RAYMOND | 50' | \$ 1,290.83 |
| 851736 | 11/12 | 04-4915-0942-0000 | ALSINA CARLOS R & CATIA G | 50' | \$ 1,290.83 |
| 851737 | 11/12 | 04-4915-0943-0000 | LYNCH ROBERT WAYNE & | 50' | \$ 1,290.83 |
| 851738 | 11/12 | 04-4915-0944-0000 | LIZARDI SUSANA CATHERINE | 50' | \$ 1,290.83 |
| 851739 | 11/12 | 04-4915-0945-0000 | FLORES SYLVIA | 50' | \$ 1,290.83 |
| 851741 | 11/12 | 04-4915-0947-0000 | DE LA FUENTE ROGELIO JR | 50' | \$ 1,290.83 |
| 851742 | 11/12 | 04-4915-0948-0000 | MORRIS BRUCE THEODORE & MARY LYNN | 50' | \$ 1,290.83 |
| 851743 | 11/12 | 04-4915-0949-0000 | LITTLE LINDA SUE | 50' | \$ 1,290.83 |
| 851744 | 11/12 | 04-4915-0950-0000 | PARKER DAVID CARLYLE | 50' | \$ 1,290.83 |
| 851745 | 11/12 | 04-4915-0951-0000 | CUNNINGHAM JOHN JR & SHIREEN N | 50' | \$ 1,290.83 |
| 851746 | 11/12 | 04-4915-0952-0000 | RENDON LYDIA G. | 50' | \$ 1,290.83 |

| Property ID | Estancia PID Parcel Number | Travis Central Appraisal District Parcel Number | Owner Name | Lot Size | Total Assessment for 2017 |
|-------------|----------------------------|---|-------------------------------------|----------|---------------------------|
| 851747 | 11/12 | 04-4915-0953-0000 | REYNA CHARLES RENEE | 50' | \$ 1,290.83 |
| 851748 | 11/12 | 04-4915-0954-0000 | MARTINEZ MARGARITO JR & | 50' | \$ 1,290.83 |
| 851749 | 11/12 | 04-4915-0955-0000 | ROCHA WILFRED ANTONIO & | 50' | \$ 1,290.83 |
| 851750 | 11/12 | 04-4915-0956-0000 | RODRIGUEZ JAVIER | 50' | \$ 1,290.83 |
| 851751 | 11/12 | 04-4915-0957-0000 | CHAWLA GIRISH MUNISH | 50' | \$ 1,290.83 |
| 851752 | 11/12 | 04-4915-0958-0000 | YANES JAYSON EUGENE & | 50' | \$ 1,290.83 |
| 851753 | 11/12 | 04-4915-0959-0000 | SMITH HERMAN DANIEL & | 50' | \$ 1,290.83 |
| 851754 | 11/12 | 04-4915-0960-0000 | GOEBLER KYLE | 50' | \$ 1,290.83 |
| 851755 | 11/12 | 04-4915-0961-0000 | PENSCO TRUST COMPANY CUSTODIAN | 50' | \$ 1,290.83 |
| 851756 | 11/12 | 04-4915-0962-0000 | SANDERS MICHAEL ERIC | 50' | \$ 1,290.83 |
| 851757 | 11/12 | 04-4915-0963-0000 | SARKER JONATHAN & AMBER LYNN-KLEIN | 50' | \$ 1,290.83 |
| 851758 | 11/12 | 04-4915-0964-0000 | SMITH LARRY CALVIN | 50' | \$ 1,290.83 |
| 851759 | 11/12 | 04-4915-0965-0000 | MARROQUIN SYLVIA & GUY | 50' | \$ 1,290.83 |
| 851760 | 11/12 | 04-4915-0966-0000 | NEWHOUSE-BAILEY MICHAEL & | 50' | \$ 1,290.83 |
| 851761 | 11/12 | 04-4915-0967-0000 | CHOWDHURY SARAH H & ANDREW J WIDMER | 50' | \$ 1,290.83 |
| 851762 | 11/12 | 04-4915-0968-0000 | LOPEZ JOE M JR & | 50' | \$ 1,290.83 |
| 851763 | 11/12 | 04-4915-0969-0000 | CASTANEDA RIGO & | 50' | \$ 1,290.83 |
| 851764 | 11/12 | 04-4915-0970-0000 | CAIN DELMAR LEE JR & CHERYL DIANE | 50' | \$ 1,290.83 |
| 851765 | 11/12 | 04-4915-0971-0000 | TREVINO ROBYN & JOE JR | 50' | \$ 1,290.83 |
| 851766 | 11/12 | 04-4915-0972-0000 | CLARK GARY L & SANDRA | 50' | \$ 1,290.83 |
| 851767 | 11/12 | 04-4915-0973-0000 | GORDON JOHN E | 50' | \$ 1,290.83 |
| 851768 | 11/12 | 04-4915-0974-0000 | ROBINSON ROBERT WOOD | 50' | \$ 1,290.83 |
| 851769 | 11/12 | 04-4915-0975-0000 | CONFIDENTIAL OWNER | 50' | \$ 1,290.83 |
| 851770 | 11/12 | 04-4915-0976-0000 | BURGMAN KEITH & MICHAELA | 50' | \$ 1,290.83 |
| 96 Lots | 11/12 | 96 Lots | LENNAR HOMES OF TEXAS LAND | | \$ 486,292.95 |

Total \$ 1,745,255.20

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 August 11, 2016 based upon data furnished to the City of Austin by Travis Central Appraisal District and by Lennar Corporation. Lennar provided lot size data.



Diana Thomas, CPA, Controller, City of Austin