

ORDINANCE NO. 20170810-025

**AN ORDINANCE LEVYING ASSESSMENTS FOR CALENDAR YEAR 2018
FOR PROPERTY IN THE WHISPER VALLEY 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 Whisper Valley Public Improvement District (District).
- (B) On August 5, 2010, the City Council passed a resolution, which approved the creation of the District in accordance with its findings.
- (C) On June 15, 2017, the City Council approved a calendar year 2018 assessment rate, proposed year 2018 assessment roll, a service and assessment plan update, and 2017 addendum to service and assessment plan for the District.
- (D) On August 10, 2017, 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 2018.
- (E) At the August 10, 2017 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 assessment is based on two methods of apportionment: (1) an assessable acres ratio method; and (2) within Improvement Area 1, an estimated buildout value method.

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. If property in the District is owned by two or more individuals or entities, each owner is personally liable for the amount of the assessment based on the owner's partial interest in the total property ownership. A property owner 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 January 31, 2018;
- (2) accrues interest, penalties, and attorney's fees in the same manner as a delinquent ad valorem tax after January 31, 2018, 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, 2018. If a property owner defaults on payment of an assessment against the owner's property, the City Manager's designee may file suit on behalf of the City 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 August 21, 2017.

PASSED AND APPROVED

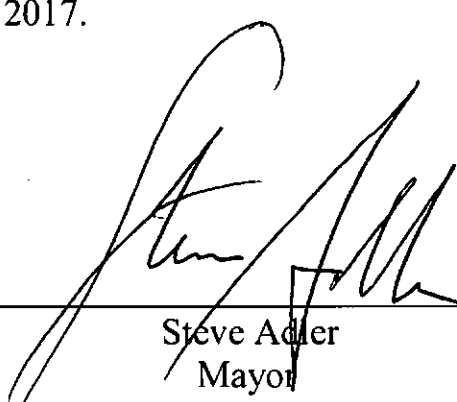
_____, August 10, 2017

APPROVED:



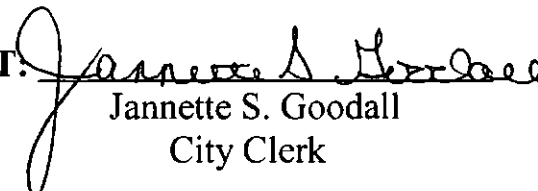
Anne L. Morgan
City Attorney

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Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk

Exhibit A

City of Austin

Whisper Valley Public Improvement District (PID)

2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
201773	N/A	9001 TAYLOR LN	\$ 271,736.29
806424	N/A	N F M RD 973	\$ 395,108.73
806427	N/A	TAYLOR LN	\$ 135,136.25
806428	N/A	N F M RD 973	\$ 84,468.71
806429	N/A	TAYLOR LN	\$ 249,973.33
806430	N/A	TAYLOR LN	\$ 210,508.25
806431	N/A	TAYLOR LN	\$ 166,030.11
806432	N/A	TAYLOR LN	\$ 194,497.85
858461	60	MOONLIT PATH	\$ 1,746.18
858462	60	MOONLIT PATH	\$ 1,746.18
858463	60	MOONLIT PATH	\$ 1,746.18
858464	60	MOONLIT PATH	\$ 1,746.18
858465	60	MOONLIT PATH	\$ 1,746.18
858466	60	MOONLIT PATH	\$ 1,746.18
858467	60	MOONLIT PATH	\$ 1,746.18
858468	60	MOONLIT PATH	\$ 1,746.18
858469	60	MOONLIT PATH	\$ 1,746.18
858470	60	MOONLIT PATH	\$ 1,746.18
858472	60	LIGHTHEARTED DR DR	\$ 1,746.18
858473	60	LIGHTHEARTED DR DR	\$ 1,746.18
858474	60	LIGHTHEARTED DR DR	\$ 1,746.18
858475	60	LIGHTHEARTED DR DR	\$ 1,746.18
858476	60	LIGHTHEARTED DR DR	\$ 1,746.18
858477	60	LIGHTHEARTED DR DR	\$ 1,746.18
858478	60	LIGHTHEARTED DR DR	\$ 1,746.18
858479	60	LIGHTHEARTED DR DR	\$ 1,746.18
858480	60	GLIMMERING RD RD	\$ 1,746.18
858481	60	GLIMMERING RD RD	\$ 1,746.18
858482	60	GLIMMERING RD RD	\$ 1,746.18
858483	60	GLIMMERING RD RD	\$ 1,746.18
858484	60	GLIMMERING RD RD	\$ 1,746.18
858485	60	GLIMMERING RD RD	\$ 1,746.18
858486	60	GLIMMERING RD RD	\$ 1,746.18
858487	60	GLIMMERING RD RD	\$ 1,746.18
858488	60	GLIMMERING RD RD	\$ 1,746.18
858489	60	GLIMMERING RD RD	\$ 1,746.18
858491	60	FETCHING AVE AVE	\$ 1,746.18
858492	60	FETCHING AVE AVE	\$ 1,746.18
858493	60	FETCHING AVE AVE	\$ 1,746.18
858494	60	FETCHING AVE AVE	\$ 1,746.18

Exhibit A

City of Austin Whisper Valley Public Improvement District (PID) 2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858495	60	FETCHING AVE AVE	\$ 1,746.18
858496	60	FETCHING AVE AVE	\$ 1,746.18
858497	60	FETCHING AVE AVE	\$ 1,746.18
858498	60	FETCHING AVE AVE	\$ 1,746.18
858499	60	CHIRPY WAY	\$ 1,746.18
858500	60	CHIRPY WAY	\$ 1,746.18
858501	60	CHIRPY WAY	\$ 1,746.18
858502	60	CHIRPY WAY	\$ 1,746.18
858503	60	CHIRPY WAY	\$ 1,746.18
858504	60	CHIRPY WAY	\$ 1,746.18
858506	60	SUMPTUOUS DR	\$ 1,746.18
858507	60	SUMPTUOUS DR	\$ 1,746.18
858508	60	SUMPTUOUS DR	\$ 1,746.18
858509	50	DALLIANCE LN	\$ 1,489.51
858510	50	DALLIANCE LN	\$ 1,489.51
858511	50	DALLIANCE LN	\$ 1,489.51
858512	50	DALLIANCE LN	\$ 1,489.51
858513	50	DALLIANCE LN	\$ 1,489.51
858514	50	DALLIANCE LN	\$ 1,489.51
858515	50	DALLIANCE LN	\$ 1,489.51
858516	50	DALLIANCE LN	\$ 1,489.51
858517	50	DALLIANCE LN	\$ 1,489.51
858518	50	DALLIANCE LN	\$ 1,489.51
858519	50	DALLIANCE LN	\$ 1,489.51
858520	50	DALLIANCE LN	\$ 1,489.51
858521	50	DALLIANCE LN	\$ 1,489.51
858522	50	DALLIANCE LN	\$ 1,489.51
858523	50	DALLIANCE LN	\$ 1,489.51
858524	50	DALLIANCE LN	\$ 1,489.51
858526	50	ENAMORADO DR DR	\$ 1,489.51
858527	50	ENAMORADO DR DR	\$ 1,489.51
858528	50	ENAMORADO DR DR	\$ 1,489.51
858529	50	ENAMORADO DR DR	\$ 1,489.51
858530	50	ENAMORADO DR DR	\$ 1,489.51
858531	50	ENAMORADO DR DR	\$ 1,489.51
858532	50	ENAMORADO DR DR	\$ 1,489.51
858533	50	ENAMORADO DR DR	\$ 1,489.51
858534	50	ENAMORADO DR DR	\$ 1,489.51
858535	50	ENAMORADO DR DR	\$ 1,489.51
858536	50	16404 ENAMORADO DR	\$ 1,489.51

Exhibit A

City of Austin Whisper Valley Public Improvement District (PID) 2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858537	50	16400 ENAMORADO DR	\$ 1,489.51
858538	50	16308 ENAMORADO DR DR	\$ 1,489.51
858539	50	1604 ENAMORADO DR	\$ 1,489.51
858540	50	ENAMORADO DR DR	\$ 1,489.51
858541	50	BECOMING ST ST	\$ 1,489.51
858542	50	BECOMING ST ST	\$ 1,489.51
858543	50	BECOMING ST ST	\$ 1,489.51
858544	50	BECOMING ST ST	\$ 1,489.51
858545	50	BECOMING ST ST	\$ 1,489.51
858546	50	BECOMING ST ST	\$ 1,489.51
858547	50	BECOMING ST ST	\$ 1,489.51
858548	50	BECOMING ST ST	\$ 1,489.51
858549	50	BECOMING ST ST	\$ 1,489.51
858550	50	BECOMING ST ST	\$ 1,489.51
858551	50	FETCHING AVE AVE	\$ 1,489.51
858552	50	FETCHING AVE AVE	\$ 1,489.51
858553	50	FETCHING AVE AVE	\$ 1,489.51
858554	50	FETCHING AVE AVE	\$ 1,489.51
858555	50	FETCHING AVE AVE	\$ 1,489.51
858556	50	FETCHING AVE AVE	\$ 1,489.51
858557	50	FETCHING AVE AVE	\$ 1,489.51
858559	25	WHISPER WILLOW BLVD	\$ 909.23
858560	25	WHISPER WILLOW BLVD	\$ 909.23
858561	25	WHISPER WILLOW BLVD	\$ 909.23
858562	25	WHISPER WILLOW BLVD	\$ 909.23
858563	25	WHISPER WILLOW BLVD	\$ 909.23
858564	25	WHISPER WILLOW BLVD	\$ 909.23
858565	25	WHISPER WILLOW BLVD	\$ 909.23
858566	25	WHISPER WILLOW BLVD	\$ 909.23
858567	25	WHISPER WILLOW BLVD	\$ 909.23
858569	25	WHISPER WILLOW BLVD	\$ 909.23
858570	25	WHISPER WILLOW BLVD	\$ 909.23
858571	25	WHISPER WILLOW BLVD	\$ 909.23
858572	25	WHISPER WILLOW BLVD	\$ 909.23
858573	25	WHISPER WILLOW BLVD	\$ 909.23
858574	25	WHISPER WILLOW BLVD	\$ 909.23
858575	25	WHISPER WILLOW BLVD	\$ 909.23
858576	25	WHISPER WILLOW BLVD	\$ 909.23
858577	25	WHISPER WILLOW BLVD	\$ 909.23
858578	25	9516 WHISPER WILLOW BLVD	\$ 909.23

Exhibit A

City of Austin

Whisper Valley Public Improvement District (PID) 2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858579	25	9514 WHISPER WILLOW BLVD	\$ 909.23
858580	25	9512 WHISPER WILLOW BLVD	\$ 909.23
858581	25	9510 WHISPER WILLOW BLVD	\$ 909.23
858582	25	9508 WHISPER WILLOW BLVD	\$ 909.23
858583	25	9506 WHISPER WILLOW BLVD	\$ 909.23
858584	25	9504 WHISPER WILLOW BLVD	\$ 909.23
858585	25	9502 WHISPER WILLOW BLVD	\$ 909.23
858586	25	9500 WHISPER WILLOW BLVD	\$ 909.23
858589	60	SUMMERY ST ST	\$ 1,746.18
858590	60	SUMMERY ST ST	\$ 1,746.18
858591	60	SUMMERY ST ST	\$ 1,746.18
858592	60	SUMMERY ST ST	\$ 1,746.18
858593	60	SUMMERY ST ST	\$ 1,746.18
858594	60	SUMMERY ST ST	\$ 1,746.18
858595	60	SUMMERY ST ST	\$ 1,746.18
858596	60	SUMMERY ST ST	\$ 1,746.18
858597	60	SUMMERY ST ST	\$ 1,746.18
858598	60	SUMMERY ST ST	\$ 1,746.18
858600	60	MOONLIT PATH	\$ 1,746.18
858601	60	MOONLIT PATH	\$ 1,746.18
858602	60	MOONLIT PATH	\$ 1,746.18
858603	60	MOONLIT PATH	\$ 1,746.18
858604	60	MOONLIT PATH	\$ 1,746.18
858606	60	16520 MOONLIT PATH	\$ 1,746.18
858607	60	MOONLIT PATH	\$ 1,746.18
858608	60	MOONLIT PATH	\$ 1,746.18
858609	60	MOONLIT PATH	\$ 1,746.18
858610	60	16504 MOONLIT PATH	\$ 1,746.18
858611	60	MOONLIT PATH	\$ 1,746.18
858613	60	GLIMMERING RD	\$ 1,746.18
858614	60	GLIMMERING RD	\$ 1,746.18
858615	60	GLIMMERING RD	\$ 1,746.18
858616	60	GLIMMERING RD	\$ 1,746.18
858617	60	GLIMMERING RD	\$ 1,746.18
858618	60	GLIMMERING RD	\$ 1,746.18
858619	60	GLIMMERING RD	\$ 1,746.18
858620	60	GLIMMERING RD	\$ 1,746.18
858621	60	GLIMMERING RD	\$ 1,746.18
858622	60	GLIMMERING RD	\$ 1,746.18
858624	60	SUMMERY ST	\$ 1,746.18

Exhibit A

City of Austin
Whisper Valley Public Improvement District (PID)
2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858625	60	SUMMERY ST	\$ 1,746.18
858626	60	SUMMERY ST	\$ 1,746.18
858627	60	SUMMERY ST	\$ 1,746.18
858628	60	SUMMERY ST	\$ 1,746.18
858629	60	SUMMERY ST	\$ 1,746.18
858630	60	SUMMERY ST	\$ 1,746.18
858631	60	SUMMERY ST	\$ 1,746.18
858632	60	SUMMERY ST	\$ 1,746.18
858633	60	SUMMERY ST	\$ 1,746.18
858634	50	SUMPTUOUS DR	\$ 1,489.51
858635	50	SUMPTUOUS DR	\$ 1,489.51
858636	50	SUMPTUOUS DR	\$ 1,489.51
858637	50	SUMPTUOUS DR	\$ 1,489.51
858640	35	16505 SUMPTUOUS DR	\$ 1,203.06
858641	35	16507 SUMPTUOUS DR	\$ 1,203.06
858643	35	16511 SUMPTUOUS DR	\$ 1,203.06
858644	35	16513 SUMPTUOUS DR	\$ 1,203.06
858646	60	SUMPTUOUS DR	\$ 1,746.18
858647	60	SUMPTUOUS DR	\$ 1,746.18
858648	60	SUMPTUOUS DR	\$ 1,746.18
858649	60	SUMPTUOUS DR	\$ 1,746.18
858650	60	SUMPTUOUS DR	\$ 1,746.18
858651	60	SUMPTUOUS DR	\$ 1,746.18
858652	60	FETCHING AVE	\$ 1,746.18
858653	60	FETCHING AVE	\$ 1,746.18
858654	60	FETCHING AVE	\$ 1,746.18
858655	60	FETCHING AVE	\$ 1,746.18
858656	60	FETCHING AVE	\$ 1,746.18
858657	60	FETCHING AVE	\$ 1,746.18
858658	35	16510 FETCHING AVE	\$ 1,203.06
858659	35	16508 FETCHING AVE	\$ 1,203.06
858660	35	FETCHING AVE	\$ 1,203.06
858661	35	16504 FETCHING AVE	\$ 1,203.06
858662	35	16420 FETCHING AVE	\$ 1,203.06
858663	35	16418 FETCHING AVE	\$ 1,203.06
858664	35	16416 FETCHING AVE	\$ 1,203.06
858665	35	16414 FETCHING AVE	\$ 1,203.06
858666	50	FETCHING AVE	\$ 1,489.51
858667	50	FETCHING AVE	\$ 1,489.51
858668	50	FETCHING AVE	\$ 1,489.51

Exhibit A

**City of Austin
Whisper Valley Public Improvement District (PID)
2018 Certified Assessment Roll and Rate**

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858669	50	FETCHING AVE	\$ 1,489.51
858670	50	BECOMING ST	\$ 1,489.51
858671	50	BECOMING ST	\$ 1,489.51
858672	50	BECOMING ST	\$ 1,489.51
858673	50	BECOMING ST	\$ 1,489.51
858674	50	BECOMING ST	\$ 1,489.51
858675	50	BECOMING ST	\$ 1,489.51
858676	50	BECOMING ST	\$ 1,489.51
858677	50	BECOMING ST	\$ 1,489.51
858678	50	COMELY BND	\$ 1,489.51
858679	50	COMELY BND	\$ 1,489.51
858680	50	COMELY BND	\$ 1,489.51
858681	50	COMELY BND	\$ 1,489.51
858682	50	COMELY BND	\$ 1,489.51
858683	50	COMELY BND	\$ 1,489.51
858684	50	COMELY BND	\$ 1,489.51
858685	50	COMELY BND	\$ 1,489.51
858686	50	COMELY BND	\$ 1,489.51
858687	50	COMELY BND	\$ 1,489.51
858688	50	COMELY BND	\$ 1,489.51
858689	50	COMELY BND	\$ 1,489.51
858690	50	COMELY BND	\$ 1,489.51
858691	50	COMELY BND	\$ 1,489.51
858692	50	COMELY BND	\$ 1,489.51
858693	50	COMELY BND	\$ 1,489.51
858694	50	COMELY BND	\$ 1,489.51
858695	50	COMELY BND	\$ 1,489.51
858696	50	COMELY BND	\$ 1,489.51
858697	50	COMELY BND	\$ 1,489.51
858698	50	COMELY BND	\$ 1,489.51
858699	50	COMELY BND	\$ 1,489.51
858700	50	DALLIANCE LN	\$ 1,489.51
858701	50	DALLIANCE LN	\$ 1,489.51
858702	50	DALLIANCE LN	\$ 1,489.51
858703	50	DALLIANCE LN	\$ 1,489.51
858704	50	DALLIANCE LN	\$ 1,489.51
858705	50	DALLIANCE LN	\$ 1,489.51
858706	50	DALLIANCE LN	\$ 1,489.51
858707	50	DALLIANCE LN	\$ 1,489.51
858708	50	DALLIANCE LN	\$ 1,489.51

Exhibit A

City of Austin
Whisper Valley Public Improvement District (PID)
2018 Certified Assessment Roll and Rate

TCAD Property ID	Whisper Valley Lot Size	Property Address	Total Assessment for 2018
858709	50	DALLIANCE LN	\$ 1,489.51
858710	50	DALLIANCE LN	\$ 1,489.51
858711	50	DALLIANCE LN	\$ 1,489.51
858712	50	DALLIANCE LN	\$ 1,489.51
858713	50	DALLIANCE LN	\$ 1,489.51
858720	N/A	BRAKER LN	\$ 45,359.10
			<u>\$ 2,111,882</u>

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 Whisper Valley Public and Improvement District as of May 8, 2017 based upon data furnished to the City of Austin by the Travis County Central Appraisal District and by Club Deal 120, the developer. Club Deal 120 provided lot subdivision and lot size data.



Diana Thomas, CPA, Controller, City of Austin