

DOWN AUSTIN TOWN ALLIANCE



DOWNTOWN AUSTIN ALLIANCE

1-Year Service Plan and Budget

May 1, 2024 – April 30, 2025

INTRODUCTION

In 1993, the downtown property owners petitioned the City of Austin to create a Public Improvement District (PID) to address the unique needs of downtown Austin. The primary funding for the Downtown Austin Alliance (Downtown Alliance) comes from a special assessment on privately-owned, large downtown properties (over \$500,000) within the PID. Homestead properties are exempt. The PID was renewed in 1997, 2002, 2007 and 2012. In 2022, PID property owners successfully petitioned to authorize the District for another 10-year term. This service plan will coincide with a five-year management contract with the City of Austin, the maximum duration permitted by the City PID Policy.

The Downtown Austin Alliance's mission is to create, preserve and enhance the vibe, vitality and value of downtown Austin for everyone. As the Downtown Alliance continues to lead downtown Austin, the proven economic heart of our region, we work in close collaboration with many other partners to advance our collective vision for the future of downtown. No collaboration is more important than the one with the City of Austin. Key stakeholders include:

- property owners
- residents
- business owners
- workforce
- community organizations
- government officials and staff
- educational institutions
- visitors

The Downtown Alliance is engaged in a variety of projects, initiatives and efforts that increase the appeal of downtown Austin to residents, employees and visitors. We advance downtown's vision through education, community engagement, advocacy and planning, as well as the provision of direct services supporting improved safety, cleanliness and hospitality within downtown, and the maintenance and programming of public spaces.

THE DOWNTOWN AUSTIN VISION

In the fall of 2017, more than 3,000 Austin-area residents helped shape an ambitious vision for the future of downtown Austin. Led by the Downtown Austin Alliance and guided by a steering committee with diverse community perspectives, the process included extensive public engagement. An experienced group of Austin-based consultants were enlisted to help conduct workshops, interviews, events, focus groups and a community-wide survey—all with the goal of gaining insight into residents' values and aspirations for their downtown.

The resulting Downtown Austin Vision is a forward-looking framework that outlines the community's collective vision of downtown Austin's future and identifies long-term strategic priorities for making that vision a reality. It is envisioned that the full intent of the Downtown Austin Vision would be realized by 2039 (Austin's 200th anniversary), with notable progress visible by 2030.

From the Downtown Austin Vision (2018)

VISION STATEMENT

The Downtown You Will Always Love

PRIORITY AREAS

- 1. Thriving Center**
Downtown is the thriving center of business and community life, creating economic prosperity for the entire region.
- 2. Welcoming Places**
Downtown is beloved for diverse and engaging parks, places and experiences that attract and welcome everyone.
- 3. Growing Neighborhoods**
Downtown is a growing and ever-evolving tapestry of complete, vibrant and walkable neighborhoods and districts that express Austin's authentic character – history, art, music, nature and culture.
- 4. Leading Mobility**
Downtown is the leader and champion of innovative urban transportation alternatives.

The Downtown Austin Vision includes a vision statement for downtown, core values to guide the work, and goals and strategies within four priority areas for achieving the vision. It also introduces several transformative initiatives that will help advance multiple dimensions of the vision. Some of the key elements of the vision are included below.

THE DOWNTOWN ALLIANCE'S STRATEGIC PLAN

In the Spring of 2023, the Downtown Austin Alliance Board adopted a five-year strategic plan to guide the organization's work. Our board, staff, and consultant team worked hard to carefully align our 2023-2028 Strategic Plan with the Downtown Austin Vision and reaffirm our dedication to "The Downtown You Will Always Love".

As we move forward, we are actively identifying areas within the Vision where we can make a significant impact and effectively serve our community. Our commitment to the strategic plan remains unwavering, and we are eager to embark on initiatives that will bring about meaningful change and enhance downtown Austin.

To ensure accountability and transparency, the Downtown Alliance sets annual milestones that align with the priorities outlined in the strategic plan. By doing so, we can effectively track our progress and report on our accomplishments to the community. This approach allows us to remain focused, adaptive, and responsive to the evolving needs of downtown Austin.

As we enter the second year of our strategic plan, we look forward to the continued collaboration and engagement of all stakeholders. Together, we will work tirelessly to bring our vision to life and create a thriving downtown Austin that benefits residents, businesses, and visitors alike.

DOWNTOWN ALLIANCE MISSION

To create, preserve and enhance the vibe, vitality and value of downtown Austin for everyone.

DOWNTOWN ALLIANCE CORE VALUES

LEAD WITH RELENTLESS VISION

EARN TRUST

INSPIRE PASSION

FOSTER COLLABORATION

MINDFULLY IMPACT

CULTIVATE INCLUSIVITY

DOWNTOWN ALLIANCE SERVICE PLAN

Public Space Experience: Cleanliness, Safety & Hospitality

Goal: Downtown is clean, safe, and welcoming for everyone.

- a) **Safety:** Crime is reduced, specifically violent crime is the lowest this century.
- b) **Vibrancy & Diversity:** More people and more diverse populations use downtown.
- c) **Welcoming:** A majority of the community perceives downtown as clean, safe and welcoming.
- d) **Cleanliness:** Downtown sidewalks and public areas are free of litter, debris and vandalism at all times.

Representative Programs and Projects:

- Downtown Ambassador Program: clean, safe, and hospitality services within the Public Improvement District (PID) including:
 - Pressure washing
 - Graffiti removal
 - Safety and hospitality escorts
 - Trash removal
- Waterloo Greenway Ambassadors – safety and cleaning services
- APD overtime patrols for downtown
- Maintenance of sidewalk planters on Congress Avenue and Red River Cultural District
- Brush Square security
- Downtown art protection and maintenance
- Bird control service in the Public Improvement District
- Old Bakery Parklet Mural project
- Public restroom maintenance
- Safety Alert System

Budgeted Major Expenses:

Downtown Ambassadors - safety and cleaning services	\$4,490,000.00
Waterloo Greenway Ambassadors - safety and cleaning services	560,000.00
APD Overtime Officers	690,000.00
Brush Square Security	60,000.00

Public Space Experience: Homelessness

Goal: The number of people living unsheltered downtown is decreased by 75% and everyone experiencing homelessness has increased access to facilities and services.

Representative Programs and Projects:

- Homeless family reunification program
- Community First Village financial support

- Republic Square security

Budgeted Major Expenses:

Homeless alternative response and family reunification	\$120,000.00
Republic Square Security	90,000.00
Personnel and Other Expenses	456,502.00

Built Environment

Goal: Downtown grows with a delightful and eclectic mix of modern investment and beautiful public spaces, while preserving historic character and funky weirdness.

- Development Policy:** Policies and codes are adopted to further strategic priorities, goals, and objectives.
- Diverse Residential:** Downtown's residential population grows with more thoughtfully planned, attainable, and diverse housing types and prices.
- Neighborhoods & Districts:** Neighborhood and district plans are advanced, managed and funded.
- Tree Canopy:** Increase the downtown tree canopy by 10%.
- Preservation:** There is a meaningful increase in protected live music venues and historic assets in downtown.

Representative Programs and Projects:

- Policy Research
- Engagement of downtown stakeholders and property owners in the design of streets and stations for Project Connect
- Stakeholder informed action plan for the Historic East 6th Street Entertainment District
- Participation of downtown stakeholders in city code and policy updates related to downtown
- Participation in Congress Avenue streetscape schematic design
- Development of tools and educational programs to support the preservation of downtown historic properties
- Educational partnerships to increase awareness and stewardship of downtown's urban tree canopy

Budgeted Major Expenses:

Policy Research	\$23,000.00
Community Engagement and Education Events	10,000.00

Mobility

Goal: Downtown is easier and more enjoyable to access and move within, has enhanced pedestrian and transportation facilities, and improved connections to neighboring communities.

- a) **Multi-modal Access:** Improve capacity to access downtown businesses, residences, parks, and cultural spaces by all forms of mobility.
- b) **Parking:** Maximize the availability, usability, and use of parking downtown.
- c) **Access During Construction:** Ensure that a comprehensive mitigation plan is developed, implemented, and communicated to minimize the impacts of construction on downtown businesses, residences, parks, and cultural spaces.
- d) **Circulation:** More people move around downtown and adjacent districts without using single-occupancy vehicles.

Representative Programs and Projects:

- Participation and engagement of downtown stakeholders in I-35 Capital Express Central and Project Connect, including NEPA/environmental review processes
- Research and implementation of best practices for downtowns during the construction of major projects such as I-35 and Project Connect
- Implementation of parking programs to support maximizing the use and availability of parking and addressing affordability issues for service employees and cultural venues
- Ongoing improvements and promotion of affordable parking program and other options to support the mobility needs of downtown businesses

Budgeted Major Expenses:

Advocacy	\$45,000.00
Community Engagement and Education Events	12,500.00
Project Connect Public Engagement	3,000.00

Research

Goal: Annual advocacy and research agendas aligned with strategic priorities, goals and objectives are developed, communicated, and executed.

Representative Programs and Projects:

- Annual research and advocacy agendas
- Regular research reports and data development including the State of Downtown and downtown development maps

Budgeted Major Expenses:

Economic Research Tools and Other Software	\$95,000.00
Cultural Asset Mapping	40,000.00
Report Development and Design	57,000.00

Active Urbanism

Goal: Downtown ignites, attracts and cultivates authentic arts, culture, music, nature and sense of place.

- a) **Public Space:** Public spaces are thoughtfully designed and actively and effectively programmed.
- b) **Streets & Storefronts:** 90% of ground level storefronts are active to promote an 18-hour downtown.
- c) **Arts, Music & Cultural Venues:** There is a variety of affordable venues and creative spaces downtown.
- d) **Parks & Green Spaces:** All downtown park spaces are actively and effectively programmed and managed.
- e) **Artists & Creatives:** Artists and creatives thrive downtown.

Representative Programs and Projects:

- Equipment for Events and Activations
- Downtown Austin Storefront Activation (DASA) to support artists and property owners by activating vacant storefronts
- Urban Art Experiences
- Musicians Activating Spaces (MAS) program to support musicians in downtown
- Ongoing stewardship of Republic Square including the following:
 - Regular operations and maintenance
 - Physical improvements/repairs
 - Horticulture
 - Community programming and events including the art in the park program
 - Downtown storefront activation program
- Holiday Stroll event and Holiday Tree installation
- Writing on the Walls mural program
- Engagement of downtown stakeholders and property owners in concepts for Our Future 35: Cap & Stitch

Budgeted Major Expenses:

Holiday Stroll and Holiday Tree	\$276,000.00
Public Restroom	207,000.00
Republic Square Programming and Activation	97,400.00

Promotion & Communication

Goal: Brand, visibility, and impact are elevated through deliberate and targeted communication to stakeholders, members, and the public.

Representative Programs and Projects:

- Marketing campaign implementation to support downtown arts, culture, and businesses
- PID Member and stakeholder communications and outreach
- Educational events

Budgeted Major Expenses:

Public Relations Contract	\$165,000.00
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Small Educational Events	149,000.00
Future of Downtown Event	137,000.00

Downtown Alliance Service Verifications

The Downtown Austin Alliance has not received any notifications regarding changes of ownership or transfers of property located within the boundaries of the Downtown PID. The Downtown Austin Alliance sent annual notices to all property owners within the PID based on the information provided to us by the Travis County Appraisal District. See Exhibit D.

Based upon publicly available information, the Downtown Austin Alliance does not believe there is any overlap between the services provided under this Agreement and the services offered by the SoCo or E 6th PIDs.

Addenda:

- Exhibit A – Service Plan Budget by Program Area
- Exhibit B – Downtown Austin Vision Executive Summary
- Exhibit C – Downtown Austin Alliance Strategic Plan 2023-2028
- Exhibit D – Property Code, Title 2, Chapter 5, Subchapter A, Sec. 5.014. Notice of Obligations Related to Public Improvement District

Exhibit A

DOWNTOWN AUSTIN ALLIANCE
DOWNTOWN AUSTIN PID SERVICE PLAN BUDGET
MAY 1, 2024 - APRIL 30, 2025



REVENUES:	FY 2024-2025	Percentage Allocation
PID Assessments - 85% of Preliminary Total (15% Retainage)	\$ 13,328,897	83.9%
Interest and Late Payment Penalties	\$ 126,879	0.8%
Prior Year Revenue Collections	\$ 2,225,565	14.0%
City of Austin Contribution-in-Lieu of Assessment	\$ 360,000	2.3%
City & County Administrative Fees	\$ (146,761)	-0.9%
TOTAL REVENUES	\$15,894,580	100%
EXPENSES BY PROGRAM:	FY 5/1/24- 4/30/25	Percentage Allocation
Public Space Experience: Cleanliness, Safety & Hospitality	\$ 6,872,359	43.24%
Public Space Experience: Homelessness	\$ 666,502	4.19%
Built Environment	\$ 703,705	4.43%
Mobility	\$ 558,422	3.51%
Research	\$ 526,824	3.31%
Active Urbanism	\$ 2,629,118	16.54%
Promotion & Communication	\$ 1,636,731	10.30%
Administration	\$ 2,300,919	14.48%
TOTAL EXPENDITURES	\$15,894,580	100%



EXECUTIVE SUMMARY

The Downtown Austin Vision is the north star to guide the future of downtown toward the community's values and aspirations for a thriving, welcoming, vibrant and connected downtown.

In the fall of 2017, more than 3,000 Austin-area residents helped shape an ambitious vision for the future of downtown Austin. This extensive public engagement process was led by the Downtown Austin Alliance in partnership with an experienced group of Austin-based engagement consultants, with the goal of gaining insight into residents' values and aspirations for their downtown.

The visioning process was robust and inclusive, reaching a diverse population from all over Austin through workshops, events, interviews, focus groups and an online survey. The process elicited candid concerns and generated thousands of thoughts and ideas.

Participants were passionate about sharing their ideas, recognizing that downtown Austin is at a crossroads. The majority of residents who participated in the visioning process said they love downtown and value the role it plays for our city. However, the process also revealed that downtown has a lot of room for improvement.

Austin is one of the fastest-growing cities and most desirable places to live in the U.S. Downtown plays a critical role as the region's economic, governmental and cultural center. The area's growth represents opportunities

for innovation, collaboration, recreation, arts and culture—opportunities that can benefit the entire region. At the same time, growth has amplified affordability and mobility challenges.

Much has already been accomplished to serve our growing population, transforming parts of downtown Austin into model places. Within the last few years, significant investments have been made downtown in new buildings, parks and green spaces, a new central library, a flood diversion tunnel, roadways and transit planning, and a state-of-the-art teaching hospital.

Downtown must build on these efforts, anticipate trends and continue to evolve into a more thriving, welcoming, vibrant and connected place that improves the way we live. The Downtown Austin Vision is a guide for evolving in a way that supports our community's values and aspirations. It is a catalyst for the Downtown Austin Alliance, along with other Austin leaders and citizens, to leverage downtown's prosperity and enhance its value for the entire community.

THE DOWNTOWN YOU WILL ALWAYS LOVE



More than 3,000 Austinites helped shape this vision for downtown Austin, identifying four priorities that work together to create and sustain *the downtown you will always love*. By the year 2039 — Austin's 200th birthday— downtown will be a place with vibrant neighborhoods and places that welcome everyone. It will be a place that is convenient to get to and enjoyable to get around. Because of this, downtown will thrive and prosper. And when downtown prospers, so does the entire region.





PRIORITIES

THRIVING CENTER

Downtown is the thriving center of business and community life, creating economic prosperity for the entire region.

1. Maintain and promote downtown as the region's primary business and cultural center.
2. Continue to attract and grow new businesses, residents and visitors to foster downtown's economy.
3. Foster a range of attainable creative office and start-up spaces.
4. Preserve and grow existing retail businesses, historic and cultural assets. Attract new ones.
5. Position downtown for a successful retail future.
6. Invest in and grow the local workforce downtown.

WELCOMING PLACES

Downtown is beloved for diverse and engaging parks, places and experiences that attract and welcome everyone.

1. Deliver a consistently clean and safe downtown experience.
2. Broadly address the needs of people experiencing homelessness, and the associated impacts.
3. Transform public spaces into an integrated, walkable, vibrant experience of arts, greenspace, music, culture and creativity- for everyone.
4. Create new parks, places and connections where possible.
5. Maximize the green infrastructure benefits of the public realm.
6. Tell the varied stories of Austin and its people in downtown's public places.
7. Leverage the waterfront as an integral part of the downtown experience.

GROWING NEIGHBORHOODS

Downtown is a growing and ever-evolving tapestry of complete, vibrant and walkable neighborhoods and districts that express Austin's authentic character.

1. Grow downtown's unique and vibrant mixed-use neighborhoods and districts. Preserve and leverage what is authentically Austin as we grow—history, nature, music, art, and culture.
2. Foster the growth of a more diverse downtown residential population.
3. Make downtown a family-friendly place to live and visit.
4. Create extremely vibrant and walkable streets.
5. Plan collaboratively for downtown's evolving edges, connections and urban density.

LEADING MOBILITY

Downtown is the leader and champion of innovative urban transportation alternatives.

1. Create compact centers and corridors in Austin's central core.
2. Provide a variety of options for people to get to and from downtown, including a robust transit network in central Austin.
3. Provide a variety of options for people to get around downtown.
4. Position downtown as the leader and hub of smart mobility technology.
5. Improve the experience and availability of parking in downtown while planning smartly for the future.
6. Maximize effective transportation options for downtown commuters, visitors and residents.

TRANSFORMATIVE INITIATIVES

Transformative initiatives are cross-cutting, each helping to advance significantly two or more of the Downtown Austin Vision's priorities.

The Downtown Austin Vision is accompanied by a set of transformative initiatives that are intended to create positive, lasting change for downtown over the next few decades. Like the vision, these initiatives should be achievable by 2039 (Austin's 200th anniversary), with sustained progress visible by 2030. This is a working list of initiatives and will likely evolve over time to adapt to downtown's dynamic conditions and opportunities.

1. **ADVANCE AUSTIN'S INNOVATION DISTRICT, STARTING WITH A VISION FOR THE "PLACE"**
2. **DEVELOP AND IMPLEMENT A STRATEGY TO PRESERVE AND ENHANCE DOWNTOWN'S CULTURAL AND HISTORICAL ASSETS**
3. **COMPLETE AND PROMOTE THE URBAN GREENBELT, A NETWORK OF PARKS AND PLACES THAT ENCIRCLE DOWNTOWN**
4. **DEVELOP AND IMPLEMENT A COMPREHENSIVE VISION AND STRATEGIC PLAN TO ADDRESS HOMELESSNESS**
5. **RECONNECT AUSTIN (LOWER AND CAP I-35 AND RECONNECT THE STREET GRID)**
6. **CREATE PLACES OUT OF SPACES: CONGRESS AVENUE AND EAST SIXTH STREET**
7. **CHAMPION A CENTRAL CITY TRANSIT NETWORK**

MOVING FROM VISION TO ACTION

The Downtown Austin Vision provides a framework for thinking about the evolution of downtown over the next few decades. The vision is intended to facilitate a shared understanding and direction for downtown. It is also intended to be flexible. The vision will be revised as needed to endure and keep pace with the dynamic downtown environment.

This vision is ambitious, and no one entity can bring it to fruition on its own. It will take the dedicated collaboration and commitment of many entities across the public, private and nonprofit sectors. The Downtown Austin Alliance will develop a comprehensive work plan for implementing the vision over time; identify specific elements of the vision that it will step up to lead, advocate for, or partner with others to achieve; track, monitor and communicate progress; and celebrate success.





INTRODUCTION

The work of the Downtown Austin Alliance is guided by a strategic plan that prioritizes downtown's most critical and impactful needs over the next five years. We're responding to the forecasted demands of our growing city center while working towards our community's vision for downtown.

We confronted several complex issues throughout the strategic planning process. Ongoing challenges faced by cities across the country - like affordability and public safety - raise questions that require thoughtful consideration as we work through them with our own community. Our 2023-2028 strategic plan focuses on the experience and vibe of downtown to keep downtown a place for everyone.

Our strategic plan begins with the public space experience by ensuring a clean, safe and welcoming downtown. Building on this foundation, we'll elevate local talent to ignite downtown with arts, culture, music and more. At the same time, we will work to improve mobility and make it easier and more enjoyable to access and move around downtown. We will ensure downtown continues to grow its built environment in balance with beautiful public spaces, authentic places and historic character. Lastly, to keep downtown a place everyone can enjoy, we will take an active role in addressing affordability challenges downtown.

The result is a bold strategic plan that will guide our organization and its leadership to create, preserve and enhance the vibe, vitality and value of downtown for everyone. We will achieve our objectives with increased involvement from the Austin community in building a downtown by and for everyone.

PROCESS



3 BOARD OPEN HOUSES **75** INTERVIEWS **7** LEADERSHIP TEAM MEETINGS **4** WORK GROUPS

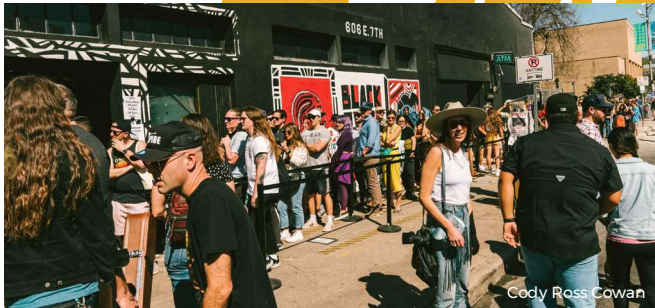
Cover Photo: Bells & Whistles

Vision: The downtown you will always love.

Mission: To create, preserve and enhance the vibe, vitality and value of downtown Austin for everyone.

Our Core Values:

- Lead with Relentless Vision
- Earn Trust
- Inspire Passion
- Foster Collaboration
- Mindfully Impact
- Cultivate Inclusivity



STRATEGIC PRIORITIES

PUBLIC SPACE EXPERIENCE

GOAL

Downtown is clean, safe and welcoming for everyone.



OBJECTIVES:

- The number of people living unsheltered downtown is decreased by 75% and everyone experiencing **homelessness** has increased access to facilities and services.
- **Public safety** is increased, crime is reduced, specifically violent crime is the lowest this century.
- More people and more diverse populations use downtown, increasing **vibrancy & diversity**.
- A majority of the community perceives downtown as clean, safe and **welcoming**.
- Downtown sidewalks and public areas are **clean**; free of litter, debris & vandalism at all times.



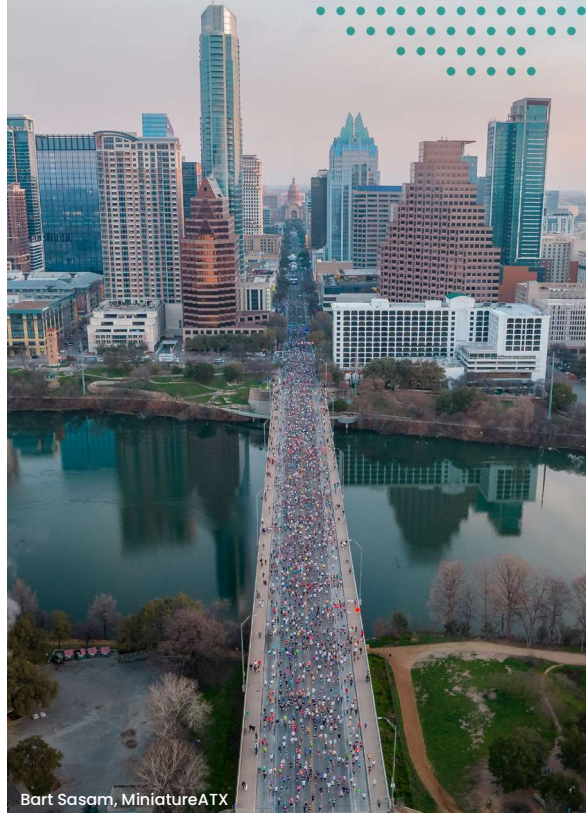
ACTIVE URBANISM

GOAL

Downtown ignites, attracts and cultivates authentic arts, culture, music, nature and sense of place.

OBJECTIVES:

- **Public spaces** are thoughtfully designed and actively and effectively programmed.
- 90% of ground-level **streets & storefronts** are active to promote an 18-hour downtown.
- There are a variety of affordable **arts, music & cultural venues** and creative spaces downtown.
- **Parks & green spaces** are actively and effectively programmed and managed.
- **Artists & creatives** thrive downtown.

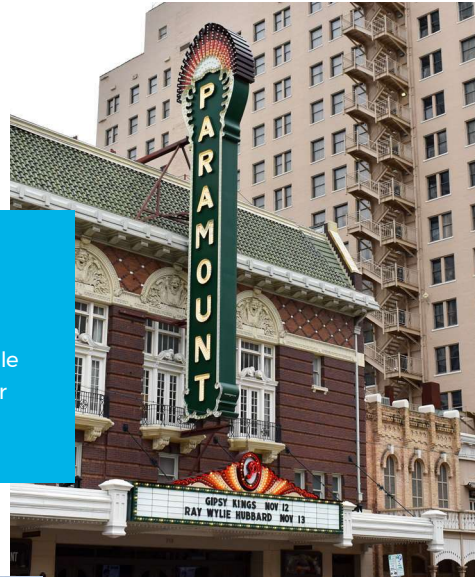


Bart Sasam, MiniatureATX

BUILT ENVIRONMENT

GOAL

Downtown grows with a delightful and eclectic mix of modern investment and beautiful public spaces, while preserving historic character and funky weirdness.



OBJECTIVES:

- **Policies and codes** are adopted to further strategic priorities, goals, and objectives.
- Downtown's **residential population** grows with more thoughtfully planned, attainable, and **diverse** housing types and prices.
- **Neighborhood & district** plans are advanced, managed and funded.
- **Tree canopy** is increased by 10%.
- There is a meaningful increase in **preservation** of protected live music venues and historic assets in downtown.



MOBILITY

GOAL

Downtown is easier and more enjoyable to access and move within, has enhanced pedestrian and transportation facilities, and improved connections to neighboring communities.

OBJECTIVES:

- Improve **multi-modal access** to downtown businesses, residences, parks, and cultural spaces by all forms of mobility.
- Maximize the availability, usability, and use of **parking** downtown.
- Ensure a comprehensive **mitigation plan** is developed, implemented, and communicated to minimize impacts of construction on downtown businesses, residences, parks, and cultural spaces.
- More people **circulate** around downtown and adjacent districts without using single-occupancy vehicles.



LEADERSHIP & INFLUENCE

GOAL

The Downtown Austin Alliance is entrusted with the responsibility to effectively lead, influence and visibly steward a downtown for all.



Movability

OBJECTIVES:

- Annual **advocacy & research** agendas aligned with strategic priorities, goals and objectives are developed, communicated, and executed.
- Downtown Austin Alliance plays an active role in addressing challenges of **accessibility and affordability**.
- Strategic relationships are developed and expanded to **engage** and cultivate champions for downtown's improvement.
- Brand, visibility, and impact are elevated through deliberate and targeted **communication** to stakeholders, members, and the public.
- Phased transformation of the **governance** of the organization is achieved by 2026.



VISIT [DOWNTOWNAUSTIN.COM](https://downtownaustin.com) OR
SCAN THIS QR CODE TO LEARN MORE

Exhibit D – Property Code, Title 2, Chapter 5, Subchapter A, Sec. 5.014.
Notice of Obligations Related to Public Improvement District

Sellers of real property within the PID must comply with Section 5.014 of Texas State Code as outlined on the pages of this exhibit.

Sec. 5.014. NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT. (a) A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code, or Chapter 382, Local Government Code, shall first give to the purchaser of the property the written notice prescribed by Subsection (a-1) or (a-2), as applicable.

(a-a1) Except for the notice prescribed by Subsection (a-2), the notice required by Subsection (a) shall be executed by the seller and must, except as provided by Subsection (b), read as follows:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO (insert name of municipality or county levying assessment), TEXAS

CONCERNING THE FOLLOWING PROPERTY

(insert property address)

As the purchaser of the real property described above, you are obligated to pay assessments to (insert name of municipality or county, as applicable), Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within (insert name of public improvement district) (the "District") created under (insert Subchapter A, Chapter 372, Local Government Code, or Chapter 382, Local Government Code, as applicable).

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 (insert name of municipality or county, as applicable). The exact amount of each annual installment will be approved each year by (insert name of city council or county commissioners court, as applicable) in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from (insert name of municipality or county, as applicable).

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.

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: _____

Signature of Purchaser

(a-2) For a district described by Section 372.0035, Local Government Code, the notice required by Subsection (a) shall be executed by the seller and must, except as provided by Subsection (b), read as follows:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO (insert name
of municipality levying assessment), TEXAS

CONCERNING THE FOLLOWING HOTEL PROPERTY

(insert property address)

As the purchaser of the real property described above, you are obligated to pay assessments to (insert name of municipality), Texas, for the costs of a portion of a public improvement or services project (the "Authorized Services") undertaken for the benefit of the property within (insert name of public improvement district) (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED SERVICES, WHICH MUST BE PAID IN FULL WITH EVERY PAYMENT BY THE HOTEL OF LOCAL HOTEL OCCUPANCY TAX REMITTANCES TO THE MUNICIPALITY. YOUR FAILURE TO PAY THE ASSESSMENT MAY RESULT IN PENALTIES AND INTEREST BEING ADDED TO WHAT YOU OWE, AND MAY INCLUDE THE PURSUIT OF ANY OTHER REMEDY THAT IS AUTHORIZED UNDER SECTION 372.0035(d), LOCAL GOVERNMENT CODE.

Information about the calculation of the assessment may be obtained from (insert name of the municipality). The exact assessment rate will be approved each year by (insert name of city council) in the annual service plan update for the district. More information about the assessments, including the assessment rate and due dates, may be obtained from (insert name of municipality).

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: _____

Signature of Purchaser

(b) The seller or the municipality or county that created the public improvement district may provide additional information regarding the district in the notice prescribed by Subsection (a-1) or (a-2), including whether an assessment has been levied, the amount of the assessment, and the payment schedule for assessments.

(c) This section does not apply to a transfer:

- (1) under a court order or foreclosure sale;
- (2) by a trustee in bankruptcy;
- (3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;

(4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;

(5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;

(6) from one co-owner to another co-owner of an undivided interest in the real property;

(7) to a spouse or a person in the lineal line of consanguinity of the seller;

(8) to or from a governmental entity; or

(9) of only a mineral interest, leasehold interest, or security interest.

(d) For the purposes of this section, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring notice.

Added by Acts 2005, 79th Leg., Ch. 1085 (H.B. 1919), Sec. 1, eff. January 1, 2006.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 20.002, eff. September 1, 2009.

Acts 2021, 87th Leg., R.S., Ch. 253 (H.B. 1543), Sec. 3, eff. September 1, 2021.

Sec. 5.0141. NOTICE REQUIRED BEFORE CONTRACT EXECUTION. (a) The notice required by Section 5.014 shall be given to the prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract.

(b) In the event a contract of purchase and sale is entered into without the seller providing the notice, the purchaser is entitled to terminate the contract.

(c) If, however, the seller furnishes the notice at or before closing the purchase and sale contract and the purchaser elects to close even though the notice was not timely furnished before execution of the contract, it shall be conclusively presumed that the purchaser has waived all rights to terminate the contract under Subsection (b) or recover damages or other remedies or rights under Section 5.0145.

(d) Notwithstanding any provision of this section, Section 5.014, 5.0142, 5.0143, 5.0144, or 5.0145, all sellers, title companies, real