

## **RESOLUTION NO.**

**WHEREAS,** Pearson Place at Avery Ranch, Ltd., a Texas Limited Partnership (Pearson Place) petitioned the City of Austin for its consent to the creation of a road district; and

**WHEREAS,** the name of proposed district is Pearson Place Road District (District); and

**WHEREAS,** the District will be created and organized under the terms and provisions of Article III, Section 52 of the Constitution of Texas and Chapter 257 of the Texas Transportation Code and Subchapter B of Chapter 1471 Of the Texas Government Code; and

**WHEREAS,** the District will contain a total of approximately 195.563 acres of land, as shown on Exhibit “A,” situated in Williamson County, Texas, within the extraterritorial jurisdiction (ETJ) of the City of Austin, Texas; and

**WHEREAS,** under the Interlocal Agreement between the City of Austin and Williamson County made pursuant to Chapter 242 of the Texas Local Government Code, the City has exclusive jurisdiction to regulate all subdivision plats in the extraterritorial jurisdiction in Williamson County; and

**WHEREAS,** the District shall acquire certain road facilities inside and outside the boundaries of the District for the benefit of the residents of the District to serve the land in the District; and

**WHEREAS**, the City, in accordance with Section 42.042 of the Texas Local Government Code and Section 54.016(e) of the Texas Water Code may require as conditions to its consent to the creation of the District that road facilities constructed for or acquired by the District are constructed in accordance with plans and specifications which have been approved by the City, that the City shall have the right to inspect all facilities constructed for or acquired by the District, and the City may place restrictions and conditions on the sale of the District's bonds and notes; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN:**

Council gives its consent to the creation of the District in the ETJ subject to the following conditions:

1. All roads constructed for or acquired by the District must be constructed in accordance with plans and specifications which have been approved by the City;
2. The City shall have the right to inspect all facilities constructed for or acquired by the District;
3. The value to debt ratio with respect to the assessable property in the District will be 10:1 or greater; and

4. The initial projected District ad valorem tax rate will not exceed \$0.30/\$100 unless otherwise agreed upon by the City and the District.

**ADOPTED:** \_\_\_\_\_, 2009    **ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk