

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

PART 1. The City Council makes the following findings:

- COA Law Department
Responsible Att'y: Maria Sanchez

1 (2) are in proportion to the benefits to the property for the services and
2 improvements in the District; and
3

4 (3) establish substantial justice, equality, and uniformity in the amount
5 assessed against each property owner for the benefits received and
6 burdens imposed.
7

8 (H) In each case, the property assessed is benefited by the services and
9 improvements provided in the District.
10

11 (I) The exclusion of certain property from assessment is reasonable because the
12 excluded property will not receive a benefit from the District that is sufficient
13 to justify an assessment and the exclusions promote efficient management of
14 the District.
15

16 (J) The procedures followed and apportionment of the cost of the services and
17 improvements in the District comply with applicable law and the purpose for
18 which the District was formed.
19

20 (K) The assessments are based on the Travis Central Appraisal District appraised
21 value of property within the District.
22

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

25 (A) property of the City used for public purpose;

26 (B) property owned by the County and property owned by political subdivisions of
27 the State of Texas and used for public purpose; and

28 (C) other property that is excluded by law or by agreement of the City and the
29 petitioners.

30 **PART 3. Assessment and Levy.** The assessments shown on Exhibit A are levied and
31 assessed against the property in the District and against the record owner of the property
32 identified by the Travis Central Appraisal District records.
33

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

7 **PART 5. Interest and Lien.**

8 An assessment shown on Exhibit A:

- 9 (1) accrues interest at the rate of 0% from the effective date of this ordinance
10 until January 31, 2017;
- 11 (2) accrues interest, penalties, and attorney's fees in the same manner as a
12 delinquent ad valorem tax after January 31, 2017, until paid; and
- 13 (3) is a lien on the property shown in Exhibit "A" and the personal liability
14 of the property owner.

15 **PART 6. Due Date and Collection.** An assessment is due and payable in full on or
16 before January 31, 2017. If a property owner defaults on payment of an assessment
17 against the owner's property, the city manager may file suit to collect the assessment and
18 may initiate a lien foreclosure, including interest, penalties, costs and attorney's fees.

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

22 **PART 8. Severability.** The provisions of this ordinance are severable. If any provision
23 of this ordinance or its application to any person or circumstances is held invalid, the
24 invalidity does not affect other provisions or applications of this ordinance.
25

PART 9. This ordinance takes effect on _____, 2016.

PASSED AND APPROVED

_____, 2016 § _____
§ _____
§ _____

Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk