

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.

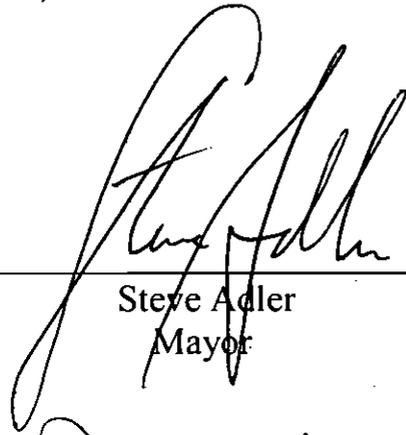
PART 8. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

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

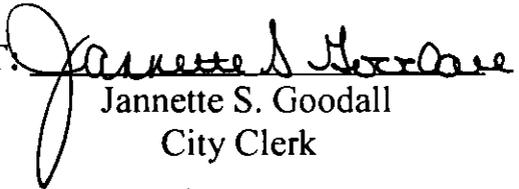
ATTEST: 
Jannette S. Goodall
City Clerk

EXHIBIT A

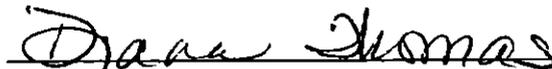
City of Austin
 Estancia Hill Country Public Improvement District (PID)
 2017 Certified Assessment Roll

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	GAREDA 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