

ORDER NO. _____

**AN ORDER OF THE COURT OF WILLIAMSON COUNTY, TEXAS
LEVYING ASSESSMENTS FOR THE COST OF CERTAIN
IMPROVEMENTS TO BE PROVIDED IN THE CLEARWATER RANCH
PUBLIC IMPROVEMENT DISTRICT; FIXING CHARGES AND LIENS
AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE
OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE
ASSESSMENT, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creating of a public improvement district;

WHEREAS, on2008 owners of real property located within the Clearwater Ranch Subdivision Public Improvement District delivered to the County a Petition to create the Clearwater Ranch Public Improvement District (the "PID") that is described in the field notes attached hereto as Exhibit "A"; and

WHEREAS, the County staff and the Court reviewed the Petition and determined that the owners of taxable real property representing more than 50% of the appraised value of the taxable real property liable for assessment under the petition, and owning more than 50% of the area of all taxable real property within the PID executed the petition and that the petition complied with the Act and authorized Williamson County to consider making findings as to the advisability of the creation of the PID:

WHEREAS, after providing notices required by Section 372.009 of the Act, the Court on April 29, 2008 conducted public hearings on the advisability of the improvements, recommended, and approved the PID: and

WHEREAS, the authorization of the PID took effect when notice of the passage of the Resolution No. was published in the, a newspaper of general circulation in Williamson County, on _____; and

WHEREAS, pursuant to the Act, the proposed assessment roll and service plan was filed with the County Clerk, and the statutory notice of public hearing was mailed to the property owners and published on _____ to consider the levy of the proposed assessment on real property within the PID; and

WHEREAS, after notice was provided as required by the Act, the Court of the Williamson County on _____ held a public hearing to consider the levy of the proposed assessments on the property in the PID, heard and passed on any objections to the proposed assessments, and closed the public hearing.

NOW THEREFORE, BE IT ORDAINED BY THE COURT OF WILLIAMSON COUNTY TEXAS, THAT:

Section 1: All matters stated in the preamble of this Order are found to be true and correct and are incorporated into the body of this Order as if copied in their entirety.

Section 2. The Court Council finds that that assessments as set forth in the Service and Assessment should be made and levied against the respective parcels of property within the PID and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of improvements in the PID for which such assessments are levied, and establish substantial justice and equality and uniformity between respective owners to the respective properties and between all parties concerned considering the benefits received and burdens imposed, and further finds that in each case the property assessed is specially benefited by means of the said improvements in the PID, and further finds that the apportionment of the cost of the services is in accordance with the law in force in this County and State and the proceedings of the County heretofore had with reference to the formation of the PID and the imposition of the assessments for said improvements are in all aspects valid and regular.

Section 3. There shall be and is hereby levied and assessed against the parcels of property within the PID, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money set forth in the in Exhibit "B", attached hereto.

Section 4. The sums levied and assessed against the said parcels of property in the PID and the owners thereof, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a first, prior and superior lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners are named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first and paramount lien thereon, superior to all other liens and claims except state, county, school district and city ad valorem taxes.

Section 5. The first annual PID assessments on the property located in the PID shall be due on the date that ownership the lot of land located in the PID transfers from the owner to the homebuyer. The first annual PID assessment shall be due by January 31 of each year, for the prior calendar year and continuing regularly until the obligations for Project Costs, are paid in full. If default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, costs, and attorney's fees, shall be enforced by suit in any court having jurisdiction or by lien foreclosure, or both, in the same manner that an ad valorem tax lien against real property may be enforced by a governing body, pursuant to the Texas Tax Code.

Section 6. This Order shall take effect in accordance with the provisions of the Court of Williamson County.

Section 7. All Orders, parts of Orders, or resolutions in conflict herewith are expressly repealed.

Section 8. The invalidity of any section or provision of this Order shall not invalidate other sections or provisions thereof.

Section 9. The Court hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Order was adopted was posted and that such meeting was open to the public as required by law during all times during which this Order and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ AND APPROVED on the 21st day of April, 2009.

APPROVED:

BY: [Signature]
....., County Judge

ATTEST:

BY: Nancy E. Rister
....., County Clerk

EXHIBIT "A"

(Description of PID Boundaries by Metes and Bounds and Map)

EXHIBIT "B"

**PID ASSESSMENTS FOR CLEARWATER RANCH
PUBLIC IMPROVEMENT DISTRICT**

The proposed method of assessment shall be based upon a fixed amount for each subdivided lot within the Property. The proposed assessments are set forth below:

# of Lots	Reimbursement	Total Assessment Per Lot	Annual Payment Per Lot
447 lots	\$5.5 million	\$12,080	\$600

The total amount of approved reimbursements is \$5,500,000.00. The reimbursements will be used to pay for certain public improvements including but not limited to streets, water, sewer, drainage, and flood control facilities within the District, and shall be payable in whole or in part from assessments on the property levied by the District. The cost of these facilities is not included in the purchase price of your property. An assessment is not an ad valorem tax and all property owners are advised to consult their tax consultants regarding the tax treatment of such assessment. The total assessment may be paid at any time, with accrued interest.