

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2023-30**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS, DESIGNATING THE WINDRIDGE TAX INCREMENT REINVESTMENT ZONE (TIRZ), A PETITION-INITIATED TIRZ TO BE NAMED REINVESTMENT ZONE NUMBER TWO, CITY OF KERRVILLE, TEXAS, PURSUANT TO CHAPTER 311, TEXAS TAX CODE; AND GENERALLY LOCATED NORTH OF OLYMPIC DRIVE AND ON AN APPROXIMATE 100.36 ACRE TRACT OF UNDEVELOPED PROPERTY; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; APPROVING A PRELIMINARY PROJECT AND FINANCE PLAN FOR THE TIRZ; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT ON JANUARY 1, 2024; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kerrville, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code as amended (known as the Tax Increment Financing Act and herein referred to as the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone (referred to herein as “reinvestment zone” or “TIRZ”) if the area satisfies the requirements of the Act; and

WHEREAS, the City has previously created a TIRZ, known as Reinvestment Zone Number One, City of Kerrville, TX (TIRZ #1), that generally includes a portion of the City’s downtown area; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous geographic area that is in the corporate limits of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, in July 2023, Schreiner University (“SU”), as property owner, but on behalf of Lennar Homes of Texas Land and Construction, Ltd. (“Lennar”) a private, for profit company to whom SU is under contract to sell the property, petitioned the City pursuant to the Act (*see Exhibit A*), to establish within the City a TIRZ generally located north of Olympic Drive and on an approximate

100.36 acre tract of undeveloped property adjacent to Peterson Middle School, and within Kerrville, Texas, herein referred to as the "Property"; and

WHEREAS, the name of the TIRZ will be the Reinvestment Zone Number Two, City of Kerrville, TX, (referred to herein as "Windridge TIRZ"); and

WHEREAS, City Council desires to promote the development of the Property, which is more specifically described and depicted in **Exhibit A** of this Ordinance, through the creation of the Windridge TIRZ, as a new reinvestment zone as authorized by and in accordance with the Act; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Project and Finance Plan, Tax Increment Reinvestment Zone #2, City of Kerrville, Texas* attached as **Exhibit B** (hereinafter referred to as the "Preliminary Project and Finance Plan") for the Windridge TIRZ to be located on the Property; and

WHEREAS, notice of the public hearing on the creation of Windridge TIRZ was published in a newspaper having general circulation in the City on September 30, 2023, which date is before the seventh (7th) day before the public hearing, held by the City Council on October 10, 2023; and

WHEREAS, at the public hearing on October 10, 2023, interested persons were allowed to speak for or against the creation of the Windridge TIRZ, its boundaries, and the concept of tax increment financing; the public hearing was held in accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on October 10, 2023, and in favor of the creation of the Windridge TIRZ; and

WHEREAS, after all comments and evidence, both written and oral, were received by City Council, the public hearing was closed on October 10, 2023; and

WHEREAS, the City has taken all actions required to create the Windridge TIRZ including taking all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (Ch. 551, Texas Gov't Code), and all other laws applicable to the creation of the Windridge TIRZ; and

WHEREAS, the Property that comprises the Windridge TIRZ is predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City; and

WHEREAS, SU, who submitted the petition to the governing body of the City of Kerrville, Texas, as authorized by the Act, constitutes at least 50 percent of the appraised value of the Property according to the most recent certified appraisal roll for Kerr County, Texas; and

WHEREAS, the residential neighborhood to be developed on the Property and within the Windridge TIRZ, to be owned and developed by Lennar, will be known as the “Windridge Project” and will be a residential community consisting of approximately 500 to 550 mixed-income, single family homes as well as providing a community trail and open space; and

WHEREAS, City staff has examined the proposal for the Windridge Project as submitted by Lennar for the City’s creation of the Windridge TIRZ and found that there is a demonstrated need for development and revitalization of the project area that would significantly benefit from a dedicated TIRZ, enhance the value of the real property in the zone and be of general benefit to the City; and

WHEREAS, the Preliminary Project and Finance Plan for the proposed Windridge TIRZ is for an approximate 30-year term with the City as a participating taxing entity; and

WHEREAS, the City desires to approve the payment of 60% of available City incremental ad valorem taxes generated from new improvements in the Windridge TIRZ into a Tax Increment Reinvestment Fund; and

WHEREAS, the proposed Windridge TIRZ designation does not financially obligate the City; and

WHEREAS, any future developer recognizes that there is no guarantee that the value of the property in the proposed Windridge TIRZ will increase, that any increases in value are dependent upon many factors which are not within the City’s control, and that there is no guarantee of any tax increment as that term is defined in the Act; and

WHEREAS, the proposed Windridge TIRZ is statutorily eligible to be designated in accordance with the Act and shall take effect on January 1, 2024, and terminate on January 1, 2054; and

WHEREAS, City Council shall appoint the board for the Windridge TIRZ, the names of such members as submitted by Lennar in accordance with state law; and

WHEREAS, following creation, the board shall consider the approval of the Preliminary Project and Finance Plan, the term of the Windridge TIRZ, and to designate the Windridge TIRZ; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS:

SECTION ONE. RECITALS INCORPORATED. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION TWO. FINDINGS. City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on creation of the proposed reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in **Exhibit A** will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners within the TIRZ; and
- (c) That the proposed reinvestment zone, as defined in **Exhibit A**, meets the criteria for the creation of the TIRZ set forth in the Act in that:
 - 1. It is a geographic area located wholly within the City limits of the City; and
 - 2. City Council further finds and declares that the proposed reinvestment zone meets the criteria and requirements of Section 311.005 of the Act, which includes that property within the TIRZ is predominantly open and undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, and substantially impairs or arrests the sound growth of the City; and
 - 3. is in an area described in a petition requesting that the area be designated as a reinvestment zone, if the petition is submitted to the governing body of the municipality or county by the owners of property constituting at least 50 percent of the appraised value of the property in

the area according to the most recent certified appraisal roll for the county in which the area is located.

- (d) The total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, if any, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property within the City and in the industrial districts created by the City, if any; and
- (e) The improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed TIRZ and will be of general benefit to the City; and
- (f) The development or redevelopment of the property within the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION THREE. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, City Council hereby designates the area described and depicted in **Exhibit A** as a tax increment reinvestment zone. The name assigned to the TIRZ for identification is “Reinvestment Zone Number Two, City of Kerrville, Texas” hereinafter referred to as the “Windridge TIRZ” or the “Zone”.

SECTION FOUR. REIMBURSEMENT OF EXPENSES. The Public Infrastructure Improvements and related capital costs for the Windridge Project is privately funded and eligible expenses will be reimbursed by the TIRZ.

SECTION FIVE. FUNDING. Funding for projects through the Windridge TIRZ will be subject to future City Council approval for the duration of this designation. The future taxes collected on the captured taxable value of parcels within the newly designated Windridge TIRZ will be deposited in TIRZ #2 Fund a newly created fund (*see* Section Nine below) to be used for eligible expenses within the Windridge TIRZ boundary.

SECTION SIX. APPROVAL OF ALLOCATIONS. Financial allocations contemplated by this Ordinance are subject to approval pursuant to an agreement entered into by the City Council.

SECTION SEVEN. BOARD OF DIRECTORS. A board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members. Lennar may select each of the Board members and following submission of their

names to City Council, Council shall appoint Lennar's selections to the Board. Each Board member shall be eligible to serve under the Act. The number of directors on the Board shall not exceed seven (7). The Board shall make recommendations to City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board, pursuant to Section 311.010 of the Act, is not authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain; or (iv) give final approval to the Preliminary Project and Finance Plan.

SECTION EIGHT. DURATION OF THE ZONE. The Zone, per Section Fifteen below, shall take effect on January 1, 2024; and termination of the Zone shall occur upon any of the following: (i) on January 1, 2054; or (ii) at an earlier time designated by subsequent ordinance, which may be pursuant to an agreement between Lennar and the City.

SECTION NINE. TAX INCREMENT BASE AND TAX INCREMENT. A tax increment fund for the Zone (the "TIF Fund") is hereby established. The TIF Fund may be divided into additional accounts and sub-accounts authorized by resolution or ordinance of City Council. The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Act, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Act, plus (ii) sixty percent (60%) of the City's available portion of the tax increment, out of the approved Maintenance and Operations portion of the City's ad valorem tax, as defined by section 311.012(a) of the Act, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment. The TIF Fund shall be maintained in an account at the depository bank of the City and shall be secured in the manner prescribed by law for Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the Preliminary Project and Finance Plan and achieve their purpose pursuant to Section 311.010(b) of the Act.

SECTION TEN. TAX INCREMENT FUND FOR TIRZ NUMBER TWO.

There is hereby created and established a "TIRZ #2 Fund" (as also defined above) for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the TIRZ #2 Fund pursuant to the Act, are to be deposited. The TIRZ #2 Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues to be dedicated to and used in the Zone shall be deposited into such fund or subaccount from which money will be disbursed to pay project costs, plus interest, for the Zone.

SECTION ELEVEN. FINANCIAL IMPACT OF TIRZ NUMBER TWO.

This action designates a TIRZ, but does not, in any way, financially obligate the City. The assumptions of the anticipated costs and revenues are outlined in the Preliminary Project and Finance Plan, as referenced in Section Twelve. The City will be financially obliged upon the approval by City Council of Final Project and Finance Plans and upon execution of related Development Agreements, Interlocal Agreements, or other legal documents.

SECTION TWELVE. APPROVAL OF PRELIMINARY PROJECT AND FINANCE PLAN FOR TIRZ NUMBER TWO. In accordance with the Act, City staff has prepared, and City Council hereby finds that the plan is economically feasible, and approves, the Preliminary Project and Finance Plan, which is attached as **Exhibit B**.

SECTION THIRTEEN. SEVERABILITY CLAUSE. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION FOURTEEN. OPEN MEETINGS. It is hereby found, determined, and declared that sufficient written notice of the date, hour, place, and subject of the meetings of City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that the meetings were open to the public as required by law at all times during which this Ordinance

and the subject matter hereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION FIFTEEN. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2024.

PASSED AND APPROVED ON FIRST READING, this 10 day of October, 2023.

14 PASSED AND APPROVED ON SECOND AND FINAL READING, this day of November, 2023.



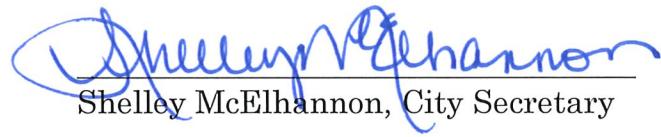
Judy Eychner, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:



Shelley McElhannon, City Secretary

EXHIBIT A
PETITION AND PROPERTY DESCRIPTION

EXHIBIT A

PETITION FOR A TAX INCREMENT REINVESTMENT ZONE

TO THE CITY OF KERRVILLE

PURSUANT TO SECTION 311.005(a)(4) OF THE TEXAS TAX CODE

The undersigned, being the owner (hereinafter, the "Owner") in fee simple of approximately 100.36 acres of property described in **Exhibit "A"** by metes and bounds and further illustrated by a survey map, attached hereto and incorporated herein for all purposes (hereinafter, the "Property"), does, by the signature below, hereby petition ("Petition") the City of Kerrville ("City"), Texas, for the creation of a tax increment reinvestment zone ("TIRZ"), the inclusion of the Property in such TIRZ, as well as the creation of a tax increment fund, all of which shall be in accordance with the provisions of Chapter 311 of the Texas Tax Code and all other applicable regulations.

Specifically, the Owner, constituting at least 50% of the appraised value of the Property, according to the most recent certified appraisal roll for Kerr County ("County"), in which the Property is located, requests the creation of the TIRZ, pursuant to Section 311.005(a)(4) of the Texas Tax Code, whereby the City has the authority to create a petition-initiated TIRZ in order to promote the development or redevelopment of the area if the City determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The Property also meets the statutory pre-requisites for the creation of the TIRZ as it: (1) is a contiguous geographic area; (2) is located in the corporate limits of the City at the time of TIRZ creation; and (3) is considered "unproductive, underdeveloped, or blighted" in accordance with Section 311.005 of the Texas Tax Code and the Texas Constitution, Art. VIII, Section 1-g(b). Furthermore, the total appraised value of taxable real property in the proposed TIRZ does not exceed 50% of the total appraised value in the City and in industrial districts created by the City (as applicable). In addition to the creation of the TIRZ, the Owner requests that the City establish a tax increment fund for the deposit of the Property tax increment, which revenue will help facilitate development of the Property that would not otherwise occur in the reasonably foreseeable future.

Currently, the Property is mostly undeveloped, and as mentioned above, the creation of the TIRZ will help facilitate the development of the Property for a proposed single-family residential subdivision. The development of the Property will also encourage economic growth in the City by providing housing opportunities, expanding the tax base, promoting development, and stimulating business and commercial activity. With the TIRZ creation and the tax increment revenue, the proposed development of the Property will be economically feasible and practical, and moreover, will significantly enhance the value of all the taxable real property in the TIRZ and will be of general benefit to the Property in the TIRZ and to the City. Therefore, a public purpose is served

by the City's creation of the TIRZ, the City's inclusion of the Property in the TIRZ, as well as the City's creation of the tax increment fund.

Wherefore, this Petition satisfies all requirements for the creation of a TIRZ and the Property is eligible for such creation and inclusion by the City, the Owner hereby respectfully requests, pursuant to Section 311.005(a)(4) of the Texas Tax Code, that the City create a TIRZ, provides for the inclusion of the Property in such TIRZ, and creates a tax increment fund, all as further described herein.

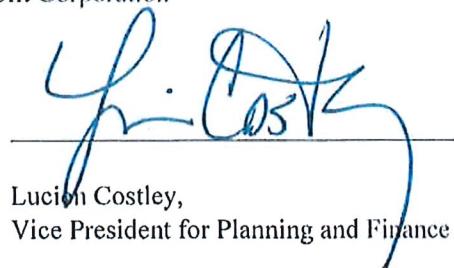
Respectfully submitted, this 11th day of August, 2023.

-Signature(s) on Following Page(s)-

OWNER:

SCHREINER UNIVERSITY,
a Texas Nonprofit Corporation

By:



A handwritten signature in blue ink, appearing to read "Lucien Costley". The signature is fluid and cursive, with a prominent "L" at the beginning and a "C" in the middle.

Lucien Costley,
Vice President for Planning and Finance

EXHIBIT
A



has joined Colliers Engineering & Design
TRPC FIRM #0513 / TDPLS FIRM #101223-00

**ZONING DESCRIPTION FOR
A 100.36 ACRE TRACT**

A **100.36** acre tract of land situated in the Samuel Wallace Survey Number 114, Abstract No. 348, and Samuel Wallace Survey Number 113, Abstract No. 347, Kerr County, Texas, and being a portion of that called 184.304 acre tract of land described as TRACT 1 and as conveyed to Schreiner University and recorded July 12, 2004 in Volume 1369, Page 551, in the Official Public Records of Kerr County, Texas (O.P.R.), and also being a portion of that called 711 acre tract of land as conveyed to Schreiner Institute and recorded November 16, 1943 in Volume 71, Page 573 in the Deed Records of Kerr County, Texas (D.R.) said 100.36 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found $\frac{1}{2}$ " iron rod in the northerly right-of-way line of Olympic Drive (80' wide right-of-way) as dedicated in Volume 1077, Page 339 in the O.P.R.), for a southeasterly corner of that called 8.89 acre tract conveyed to S. Hendricks and Sharon McClure Revocable Living Trust and recorded in Document Number 17-02066, and for the most southwesterly corner of the tract described herein;

THENCE: N $37^{\circ}48'51''$ W, along and with the northeasterly line of said 8.89 acre tract and the southwesterly line of said TRACT 1, a distance of **945.92 feet** to a found $\frac{1}{2}$ " iron rod for the southeasterly corner of College Cove Addition Subdivision as recorded in Volume 2, Page 93, Plat Records of Kerr County, Texas (P.R.), for the most northerly corner of said 8.89 acre tract;

THENCE: along and with the northeasterly line of said College Cove Addition and the southwesterly line of said TRACT 1, the following two (2) courses:

1. N $53^{\circ}36'09''$ E, a distance of **19.48 feet** to a calculated point
2. N $44^{\circ}40'14''$ W, a distance of **90.44 feet** to a calculated point for the most westerly corner of the tract herein described,

THENCE: over and across said TRACT 1 and said 711 acre tract, the following twenty (20) courses:

1. N $42^{\circ}11'36''$ E, a distance of **302.23 feet** to a calculated point;
2. the arc of said non-tangent curve to the right a distance of **577.47 feet**, having a radius of **560.00 feet**, a delta angle of $062^{\circ}25'38''$, and a chord which bears N $19^{\circ}24'26''$ E, a distance of **549.32 feet** to a to a calculated point;
3. N $50^{\circ}37'15''$ E, a distance of **393.59 feet** to a calculated point;
4. N $39^{\circ}22'45''$ W, a distance of **270.00 feet** to a calculated point;
5. N $50^{\circ}37'15''$ E, a distance of **394.41 feet** to a calculated point;
6. N $39^{\circ}22'45''$ W, a distance of **736.25 feet** to a calculated point;
7. N $27^{\circ}41'31''$ E, a distance of **587.96 feet** to a calculated point;
8. N $17^{\circ}57'41''$ E, a distance of **60.00 feet** to a calculated point;
9. S $71^{\circ}21'16''$ E, a distance of **10.27 feet** to a calculated point;

10. the arc of said non-tangent curve to the **right** a distance of **25.39** feet, having a radius of **20.33** feet, a delta angle of **071°33'45"**, and a chord which bears **N 72°51'52" E**, a distance of **23.77** feet to a calculated point;
11. **N 37°55'52" E**, a distance of **23.00** feet to a calculated point;
12. **S 50°32'11" E**, a distance of **60.00** feet to a calculated point;
13. the arc of said non-tangent curve to the **right** a distance of **46.21** feet, having a radius of **370.00** feet, a delta angle of **007°09'19"**, and a chord which bears **N 43°02'28" E**, a distance of **46.18** feet to a calculated point;
14. **N 50°46'02" E**, a distance of **260.73** feet to a calculated point;
15. **S 39°22'45" E**, a distance of **763.40** feet to a calculated point;
16. **S 89°37'54" E**, a distance of **196.74** feet to a calculated point;
17. **S 89°37'54" E**, a distance of **545.55** feet to a calculated point for the most easterly corner of the tract herein described;
18. **S 01°41'23" W**, a distance of **30.15** feet to a calculated point;
19. **S 00°39'13" W**, a distance of **948.93** feet to a calculated point;
20. **S 89°30'49" E**, a distance of **363.36** feet to a calculated point in the northwesterly right-of-way of State Highway Loop 534;

THENCE: S 00°00'02" E along and with the northwesterly right-of-way of State Highway Loop 534, a distance of **60.00** feet to a calculated point;

THENCE: over and across said 711 acre tract, the following three (3) courses:

1. **N 89°30'49" W**, a distance of **363.62** feet to a calculated point;
2. **S 00°30'18" W**, a distance of **457.56** feet to a calculated point;
3. **S 89°29'42" E**, a distance of **348.83** feet to a calculated point in the northwesterly right-of-way of State Highway Loop 534;

THENCE: along and with the northwesterly right-of-way of State Highway Loop 534, the following (2) courses:

1. **S 12°03'55" W**, a distance of **374.60** feet to a found TXDOT Type I monument;
2. **S 10°16'05" E**, a distance of **102.58** feet to a found iron rod for a northeasterly corner of that called 35.05 acre tract of land as conveyed to Kerrville Independent School District and recorded January 25, 2019 in Document No. 19-00623 in the O.P.R.;

THENCE: along and with the northerly lines of said 35.05 acre tract, the following three (3) courses:

1. **N 62°48'40" W**, a distance of **881.63** feet to a found **½"** iron rod;
2. **S 48°36'49" W**, a distance of **855.68** feet to a found **½"** iron rod;
3. **S 03°36'49" W**, a distance of **697.79** feet to a TXDOT Type II monument found in the northerly right-of-way of Olympic Drive and for the beginning of a non-tangent curve;

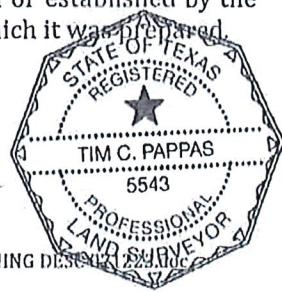
THENCE: along and with the northerly right-of-way of Olympic Drive, with the arc of said non-tangent curve to the **left** a distance of **425.20** feet, having a radius of **640.00** feet, a delta angle of **038°03'58"**, and a chord which bears **S 64°09'25" W**, a distance of **417.43** feet to the **POINT OF BEGINNING** and containing **100.36** acres more or less, and being described in accordance with a

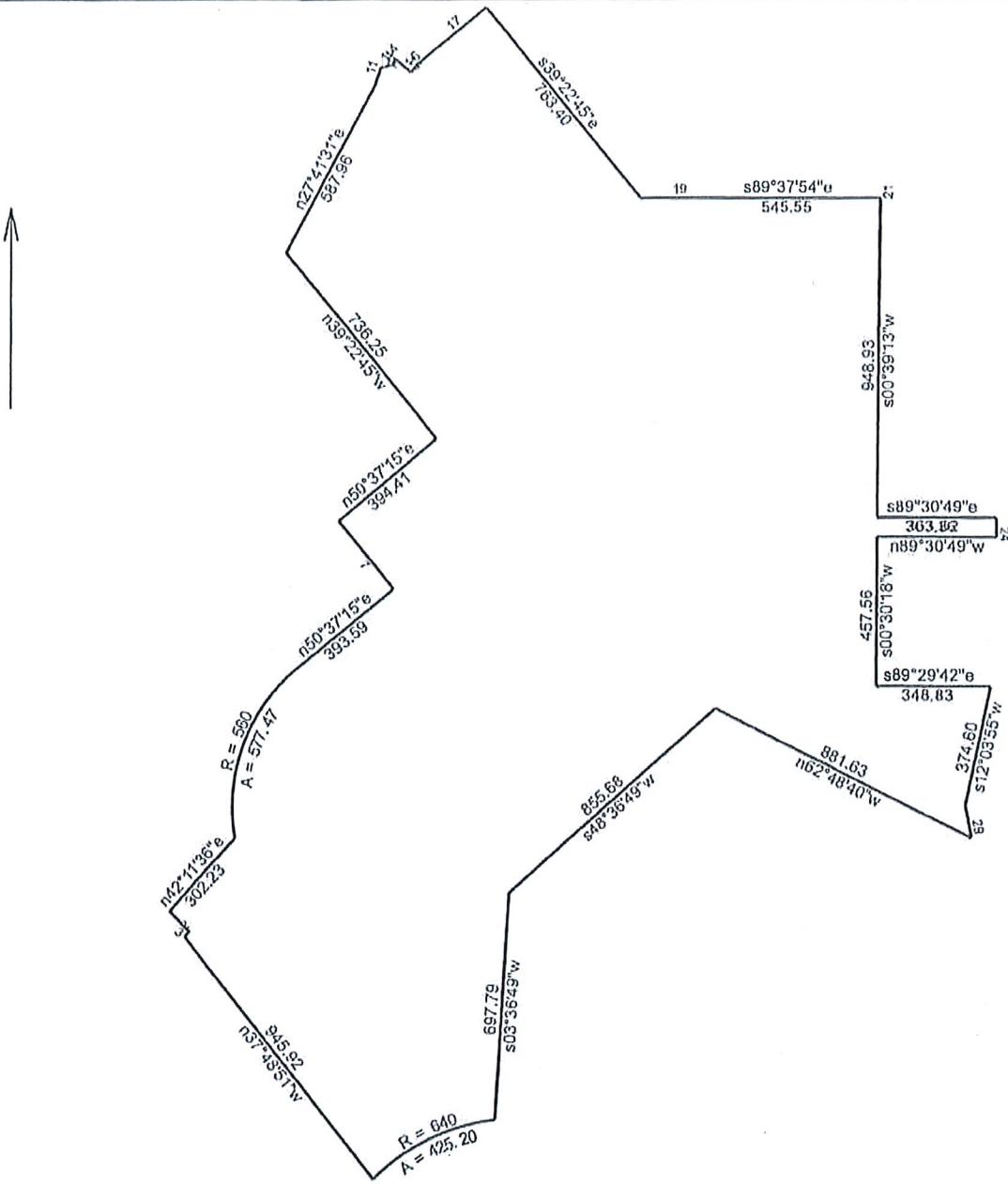
survey prepared by CED Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

NOTE: This document was prepared under 22 TAC §663.21, and reflects the results of an on the ground survey performed by CED Engineers and Surveying, but is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Job No.: 20-118
Prepared by: KFW Surveying
Date: July 31, 2023
File: S:\Draw 2020\20-118 Kerrville Veterans Highway\DOCS\20-118 100.36 AC ZONING DESIGN.dwg

1 AUG
2023
JW





8/1/2023

Scale: 1 inch = 515 feet

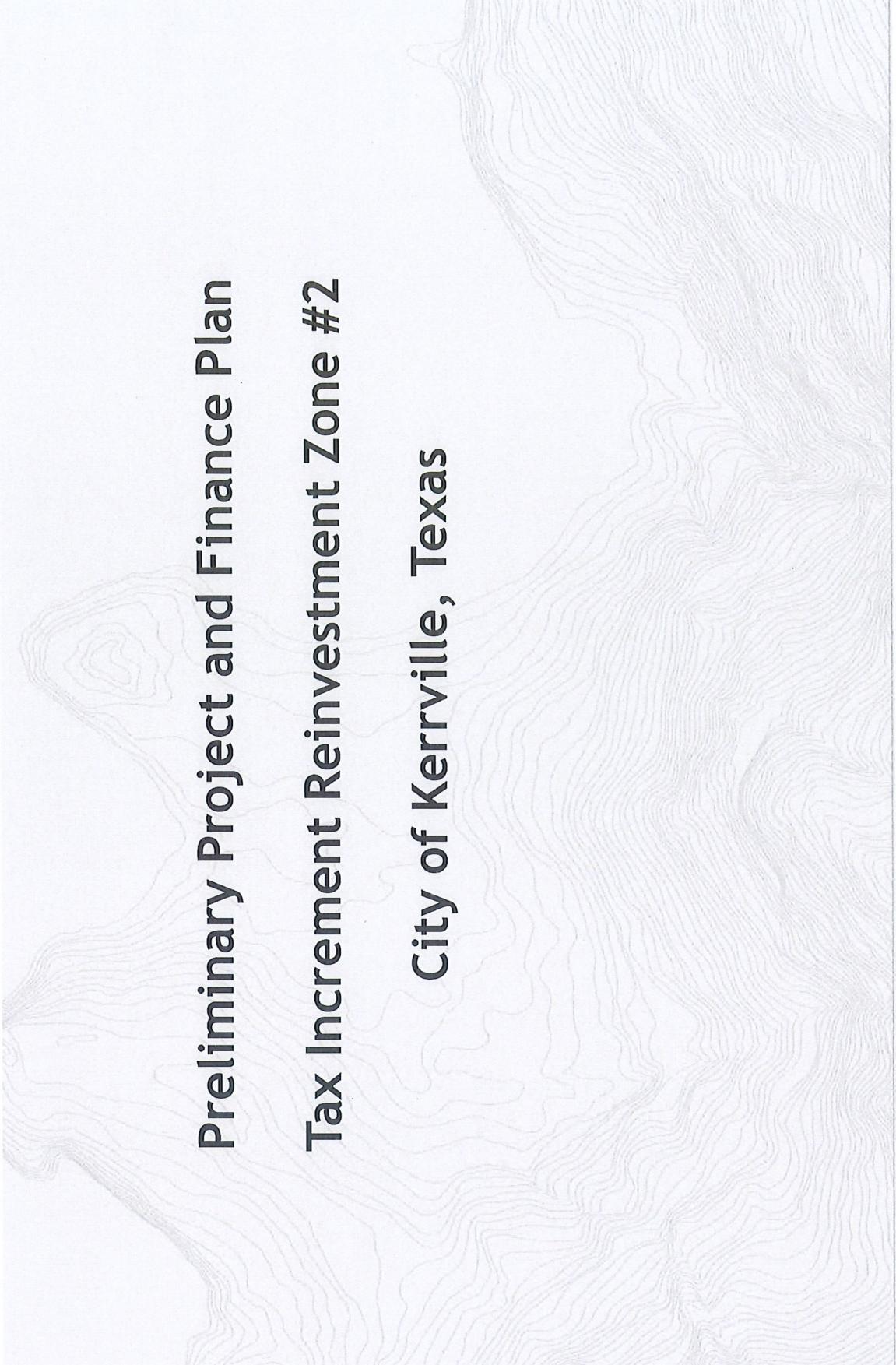
File: 100,3158 AC.ndp

Job 20-118

Tract 1: 100.3158 Acres. Closure: s40-0544w 0.03 ft. (1/446603). Perimeter=12219 ft.

01 n37.4851w 945.92 ✓	20 s89.3754e 545.55 ✓
02 n53.3609e 19.48 ✓	21 s01.4123w 30.15 ✓
03 n44.4014w 90.44 ✓	22 s00.3913w 948.93 ✓
04 n42.1136e 302.23 ✓	23 s89.3049e 363.36 ✓
05 Rt, r=560.00, arc=577.47, chord=n19.2426e 549.32 ✓	24 s00.0002e 60.00 ✓
06 n50.3715e 393.59 ✓	25 n89.3049w 363.62 ✓
07 n39.2245w 270.00 ✓	26 s00.3018w 457.56 ✓
08 n50.3715e 394.41 ✓	27 s89.2942e 348.83 ✓
09 n39.2245w 736.25 ✓	28 s12.0355w 374.60 ✓
10 n27.4131e 587.96 ✓	29 s10.1605e 102.58 ✓
11 n17.5741e 60.00 ✓	30 n62.4840w 881.63 ✓
12 s71.2116e 10.27 ✓	31 s48.3649w 855.68 ✓
13 Rt, r=20.33, arc=25.39, chord=n72.5152e 23.77 ✓	32 s03.3649w 697.79 ✓
14 n37.5552e 23.00 ✓	33 Lt, r=640.00, arc=425.20, chord=s64.0925w 417.42 ✓
15 s50.3211e 60.00 ✓	
16 Rt, r=370.00, arc=46.21, chord=n43.0228e 46.18 ✓	
17 n50.4602e 260.73 ✓	
18 s39.2245e 763.40 ✓	
19 s89.3754e 196.74 ✓	

EXHIBIT B
PRELIMINARY PROJECT PLAN AND FINANCE PLAN



Preliminary Project and Finance Plan

Tax Increment Reinvestment Zone #2

City of Kerrville, Texas

KERRVILLE

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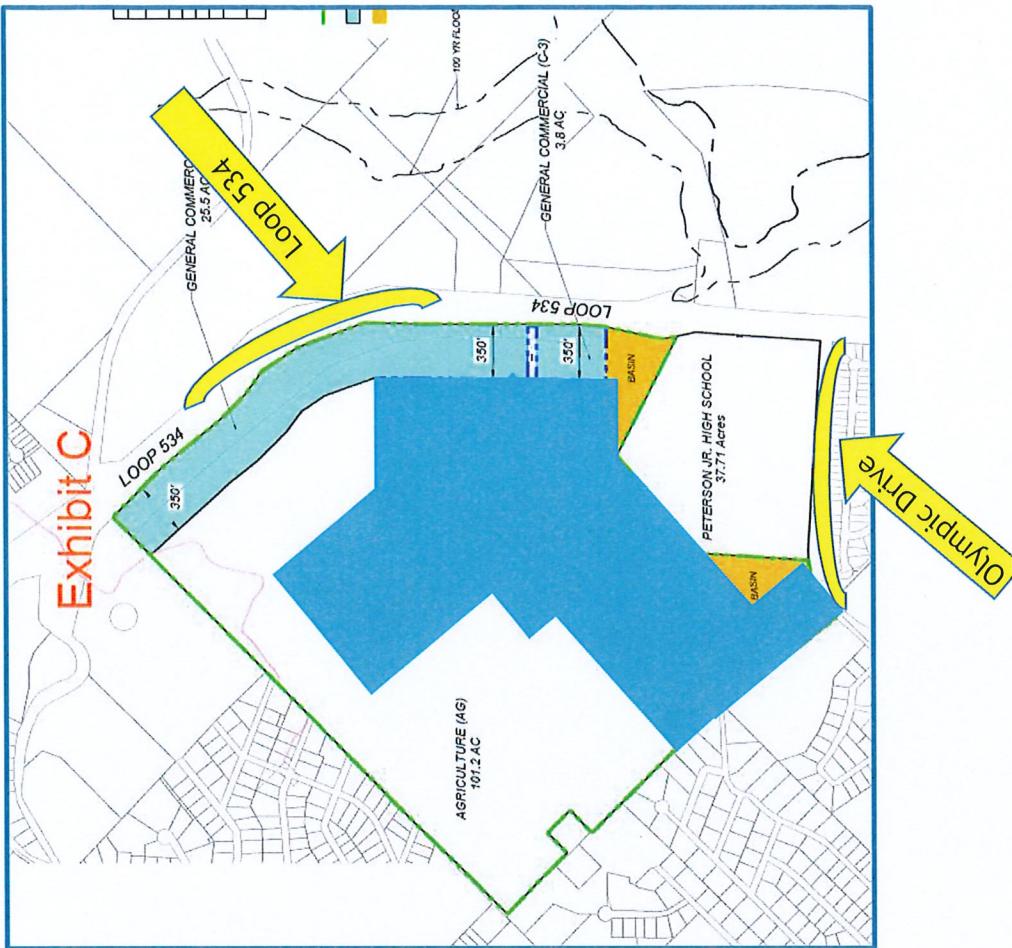
INTRODUCTION

Tax Increment Reinvestment Zone #2, City of Kerrville

The goal of Tax Increment Reinvestment Zone #2 (TIRZ #2) is to partially reimburse a housing developer, Lennar Homes, for public infrastructure costs related to a new housing development on approximately 100 acres. Acreage is located between Olympic Drive and Loop 534 behind the current Peterson Middle School. Development will be heavily focused on the construction of affordable housing, as outlined within development agreement, which is a top priority of the Kerrville 2050 Comprehensive Plan. Workforce housing shortages are causing labor deficits to business in the City, especially in area schools, hospitals, and public safety departments, such as police & fire, and other area businesses.

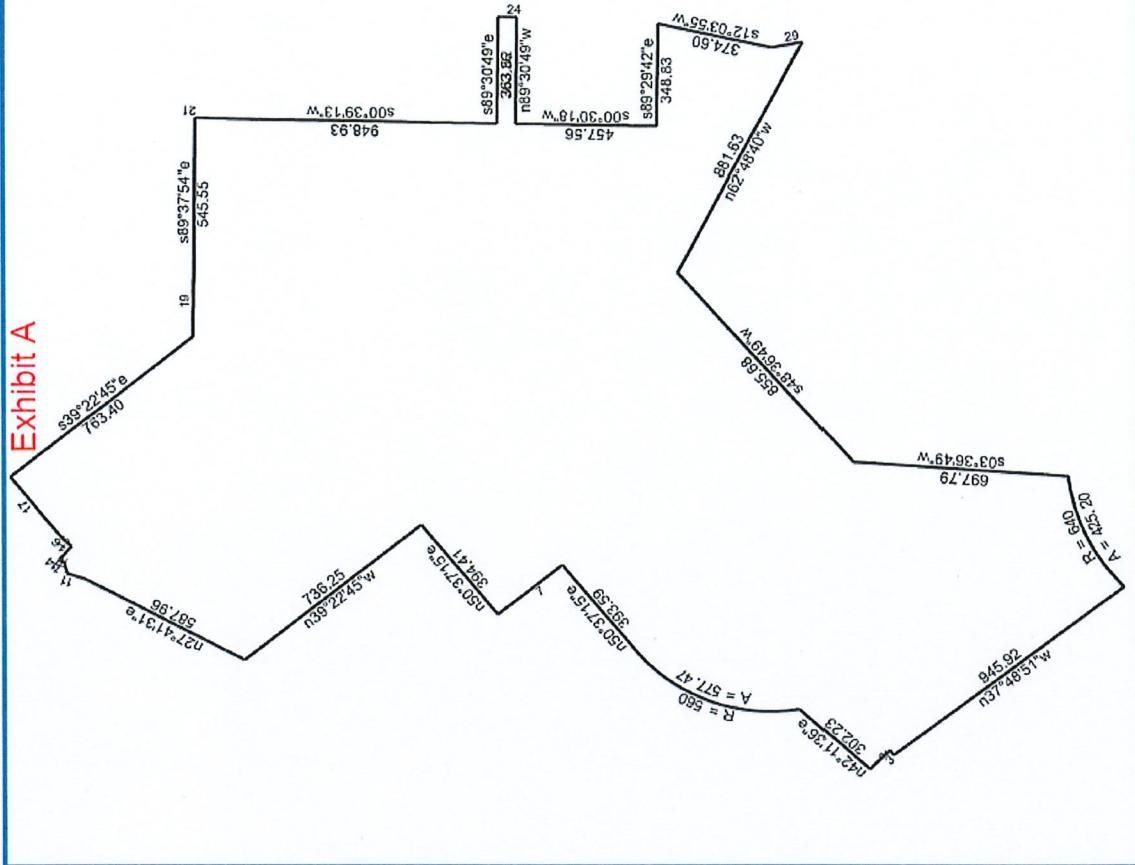
Without implementation of the TIRZ, the specified property would not be developed in this manner in the timeframe that would make near term impact on the housing shortage.

This TIRZ assumes a base year of tax year 2023, with the base year value being that of the undeveloped property and a 60% participation from the City of Kerrville, with no participation from other taxing entities.



BOUNDARIES

Exhibit A

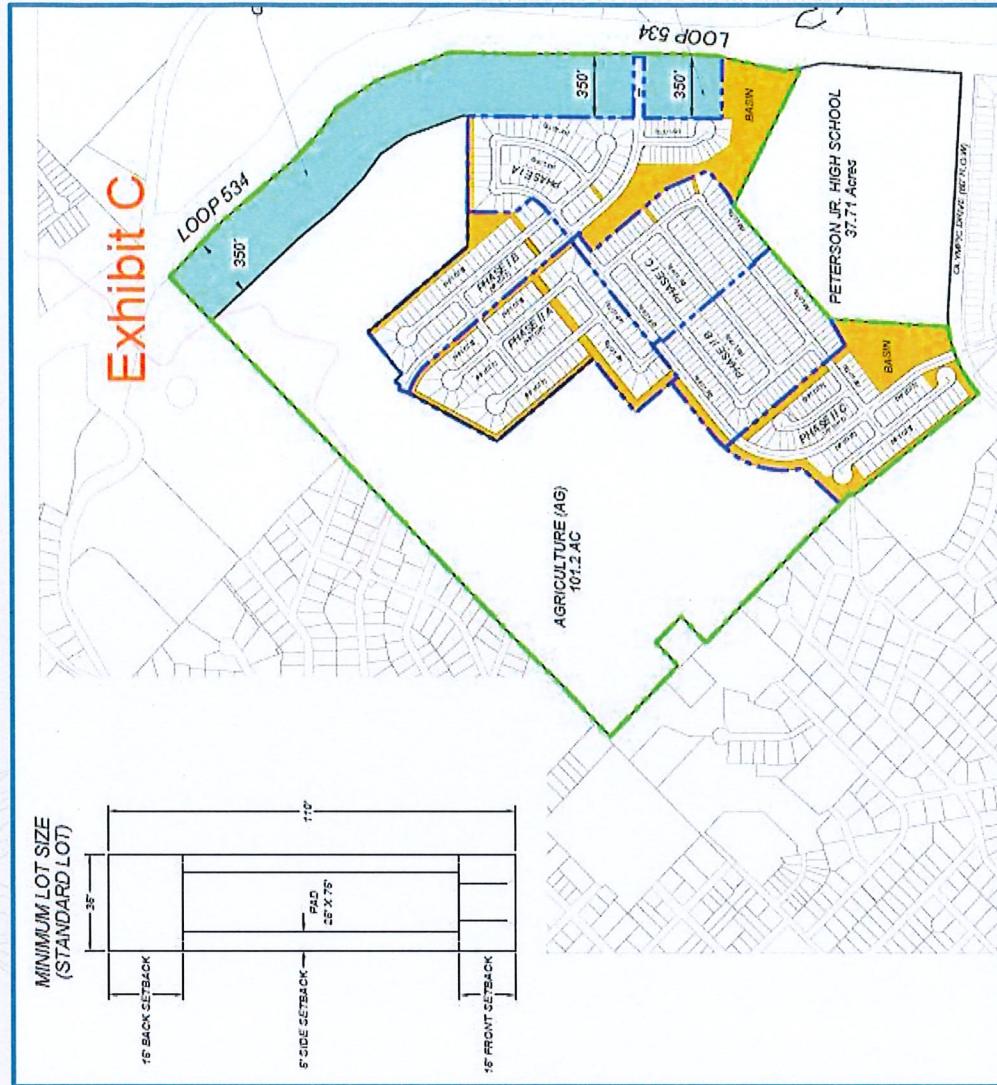


Tract 1: 100.3158 Acres, Closure: \$40,0544W 0.03 ft, (14466003), Perimeter=12219.11

20 389.3754e 545.55 ✓
 21 501.41123w 30.15 ✓
 22 303.3131w 948.33 ✓
 23 385.3049e 363.36 ✓
 24 300.00228 60.00 ✓
 25 388.3049e 353.62 ✓
 26 300.30138w 457.56 ✓
 27 398.2942g 348.83 ✓
 28 12.0355W 374.60 ✓
 29 31.1605g 322.58 ✓
 30 316.4840w 881.63 ✓
 31 306.3649w 697.58 ✓
 32 503.3649w 697.79 ✓
 33 34.3640w 452.20 ✓
 chord=641.0925w 417.42 ✓
 1 01.37.4651w 945.92 ✓
 2 02.53.3309w 19.48 ✓
 3 03.3140w 90.44 ✓
 4 04.21.1393w 302.23 ✓
 5 05.16.00. arc=577.47, chord=19.24268 549.32 ✓
 6 06.31.59.393.59 ✓
 7 07.69.2246w 270.00 ✓
 8 08.160.37159.394.41 ✓
 9 09.69.162.736.25 ✓
 10 10.67.47.4131g 587.36 ✓
 11 11.17.5741g 60.00 ✓
 12 12.871.21.10.27 ✓
 13 13. R1 = 0.033, R2 = 25.39, chord=72.5152e 23.77 ✓
 14 14.55.552e 23.00 ✓

PROPOSED DEVELOPMENT

- TIRZ #2 will promote the creation of attainable housing in alignment with the Kerrville 2050 Comprehensive Plan
- Lennar Homes is committed to the construction of approximately 490 single family residences
 - Minimum lot size 35'
 - Homes not to exceed pricing limits set by HUD and TDHCA
 - Current limit in Kerr County \$275,000



PRELIMINARY FINANCING PLAN - ESTIMATED REVENUE DISTRIBUTION

Fiscal Year	DEVELOPER 60% CITY 40%		Total
	City 40%	Developer 60%	
2025	-	-	-
2026	32,143	48,215	80,359
2027	64,608	96,913	161,521
2028	97,398	146,097	243,495
2029	130,515	195,773	326,288
2030	163,964	245,946	409,910
2031	197,747	296,621	494,368
2032	231,868	347,802	579,670
2033	254,723	382,084	636,807
2034	257,270	385,905	643,175
2035	259,843	389,764	649,607
2036	262,441	393,662	656,103
2037	265,066	397,598	662,664
2038	267,716	401,574	669,290
2039	270,393	405,590	675,983
2040	273,097	409,646	682,743
2041	275,828	413,742	689,571
2042	278,587	417,880	696,466
2043	281,372	422,059	703,431
2044	284,186	426,279	710,465
2045	287,028	430,542	717,570
2046	289,898	434,847	724,746
2047	292,797	439,196	731,993
2048	295,725	443,588	739,313
2049	298,682	448,024	746,706
2050	301,669	452,504	754,173
2051	304,686	457,029	761,715
2052	307,733	461,599	769,332
2053	310,810	466,215	777,025
2054	313,918	470,877	784,796
Total	\$7,151,714	\$ 10,727,571	\$ 17,879,286

This TIRZ base year will be tax year 2023, with the base year value being that of the undeveloped property and a 60% participation from the City of Kerrville, with no participation from other taxing entities. The TIRZ has term of 30 years or a maximum rebate to the developer of \$27,803,576, in accordance with the development agreement.

Infrastructure construction is expected to begin in fiscal year 2024 with construction of homes expected to begin in fiscal year 2025 or 2026. First housing units are expected to be on the tax roll in tax year 2025 (fiscal year 2026) with full build being completed by fiscal year 2033. The rebate of increment to the developer will begin only after housing development is captured on the tax roll.

PRELIMINARY FINANCING PLAN

Estimated Public Infrastructure Development Cost

Windridge Opinion of Probable Cost (Phase 1A, 1B, 1C, 2A, 2B, & 2C)					
Phase 1A OPC (Unit 1A)		Phase 1B OPC (Unit 1B)		Phase 1C OPC (Unit 1C)	
Lots:	81	Lots:	50	Lots:	103
Unit 1A Acreage	23.47	Unit 1B Acreage	10.94	Unit 1C Acreage	13.13
Improvements & Costs	Total Cost	Improvements & Costs	Total Cost	Improvements & Costs	Total Cost
Cleaning & Grading	\$564,186.32	Cleaning & Grading	\$326,444.75	Cleaning & Grading	\$661,740.36
Street & Drainage	\$1,467,755.47	Street & Drainage	\$1,023,448.33	Street & Drainage	\$1,154,512.14
Water	\$281,361.66	Water	\$183,703.84	Water	\$139,155.83
Sewer	\$378,930.18	Sewer	\$201,263.27	Sewer	\$420,347.54
SWPPP	\$25,000.00	SWPPP	\$19,700.00	SWPPP	\$20,500.00
Platting Costs	\$4,486.00	Platting Costs	\$3,350.00	Platting Costs	\$5,140.00
Other Construction Costs	\$655,750.00	Other Construction Costs	\$425,500.00	Other Construction Costs	\$864,750.00
Total Improvements & Costs	\$3,417,267.63	Total Improvements & Costs	\$2,392,310.19	Total Improvements & Costs	\$3,446,245.87
3% Mobilization	\$102,512.03	3% Mobilization	\$65,979.31	3% Mobilization	\$103,387.38
1% Testing	\$34,170.68	1% Testing	\$21,993.10	1% Testing	\$34,462.46
1% Geotech	\$34,170.68	1% Geotech	\$21,993.10	1% Geotech	\$34,462.46
10% Contingency	\$341,706.76	10% Contingency	\$229,931.02	10% Contingency	\$344,624.59
10% Eng. Cost	\$341,706.76	10% Eng. Cost	\$219,931.02	10% Eng. Cost	\$344,624.59
Total OPC for Unit 1A	\$4,271,334.54	Total OPC for Unit 1B	\$2,748,137.74	Total OPC for Unit 1C	\$4,307,807.34
Phase 2A OPC (Unit 2A)		Phase 2B OPC (Unit 2B)		Phase 2C OPC (Unit 2C)	
Lots:	98	Lots:	113	Lots:	66
Unit 2A Acreage	19.13	Unit 2B Acreage	14.79	Unit 2C Acreage	13.87
Improvements & Costs	Total Cost	Improvements & Costs	Total Cost	Improvements & Costs	Total Cost
Cleaning & Grading	\$651,778.34	Cleaning & Grading	\$727,303.68	Cleaning & Grading	\$458,862.20
Street & Drainage	\$2,092,55.41	Street & Drainage	\$1,084,641.94	Street & Drainage	\$2,279,015.64
Water	\$335,425.10	Water	\$294,278.61	Water	\$218,366.92
Sewer	\$433,586.51	Sewer	\$444,675.74	Sewer	\$294,440.67
SWPPP	\$38,350.00	SWPPP	\$23,350.00	SWPPP	\$33,350.00
Platting Costs	\$4,990.00	Platting Costs	\$3,440.00	Platting Costs	\$4,030.00
Other Construction Costs	\$837,000.00	Other Construction Costs	\$940,750.00	Other Construction Costs	\$570,000.00
Total Improvements & Costs	\$4,413,745.36	Total Improvements & Costs	\$3,326,639.97	Total Improvements & Costs	\$3,860,265.43
3% Mobilization	\$132,412.36	3% Mobilization	\$105,619.20	3% Mobilization	\$115,807.96
1% Testing	\$44,137.45	1% Testing	\$35,205.40	1% Testing	\$38,026.65
1% Geotech	\$44,137.45	1% Geotech	\$35,205.40	1% Geotech	\$38,026.65
10% Contingency	\$441,374.54	10% Contingency	\$352,064.00	10% Contingency	\$386,026.54
10% Eng. Cost	\$441,374.54	10% Eng. Cost	\$352,064.00	10% Eng. Cost	\$386,026.54
Total OPC for Unit 2A	\$5,517,181.70	Total OPC for Unit 2B	\$4,400,799.40	Total OPC for Unit 2C	\$4,825,331.79