

RESOLUTION NO. ¹²16-2025

**A RESOLUTION ACCEPTING A PETITION FOR AND CALLING
A PUBLIC HEARING ON THE ADVISABILITY OF THE PUBLIC
IMPROVEMENTS AND CREATION OF WHISKEY SPRINGS
PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF
KERRVILLE, TEXAS, PURSUANT TO CHAPTER 372, TEXAS
LOCAL GOVERNMENT CODE; AUTHORIZING THE MAILING
AND PUBLICATION OF NOTICE OF THE PUBLIC HEARING
RELATED THERETO; AND RESOLVING OTHER MATTERS IN
CONNECTION THEREWITH**

WHEREAS, the City Council of the City (the "City Council") of Kerrville, Texas (the "City") has received a petition (the "Petition") requesting creation of a public improvement district to be named Whiskey Springs Public Improvement District (the "District") under Chapter 372 of the Texas Local Government Code (the "Act"), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Kerr County) in the proposed District and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed District; and

WHEREAS, the Petition, a copy of which is attached hereto as **Exhibit A**, has been examined, verified, previously accepted and found to meet the requirements of Section 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed District are described in the attachment to the Petition, said area for the District being within the corporate limits of the City; and

WHEREAS, the City Council acknowledges the acceptance of the Petition and desires to schedule a public hearing to consider the advisability of the improvements and creation of the District; and

WHEREAS, the general nature of the proposed public improvements to be provided by the District that are necessary for the development of the Property within the District and which shall promote the interests of the City and confer a special benefit upon the Property, may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping,

including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities and facilities related thereto; (v) acquisition of real property, interests in real property, or contract rights in connection with the Authorized Improvements (as defined below); (vi) payment of costs, including, without limitation, design, engineering, permitting, legal, required payment, performance and maintenance bonds, bidding, support, construction, construction management, administrative and inspection costs, associated with developing and financing the public improvements listed in (i) through (v) above; (vii) projects similar to those listed in subsections (i) - (v) above or authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (viii) any additional improvement projects authorized in the Act; (ix) payment of costs associated with special supplemental services for improvement and promotion of the District as approved by the City including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and (x) payment of costs associated with developing and financing the public improvements listed in (i) - (ix) above, as well as the interest, costs of issuance, reserve funds, or credit enhancement of bonds issued for the purposes described in (i) through (ix) above, and costs of establishing, administering and operating the District (collectively, the "Authorized Improvements");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The public hearing is hereby scheduled at or after 6 p.m., on June 10, 2025, at Kerrville City Hall, 701 Main Street, Kerrville, Texas 78028 to receive public comment on the advisability of the improvements, nature of the improvements, estimated costs of the improvements, boundaries of the District, the method of assessment, and the apportionment of costs and creation of the District in the area described in the Petition attached as **Exhibit A**, pursuant to the Act.

SECTION TWO. Notice of said hearing, substantially in the form herewith in **Exhibit B**, shall be published in a newspaper of general circulation in the City before the 15th day prior to the date of the hearing as required by the Act.

SECTION THREE. Written notice, in the substantially in the form herewith in **Exhibit B**, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the proposed District before the 15th day prior to the date set for the hearing.

SECTION FOUR. The recitals contained in the preamble hereof are found to be true and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgement and findings of the City Council.

SECTION FIVE. It is officially found, determined, and declared that the meetings at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution was given, all as required by Chapter 551, Texas Government Code, as amended.

SECTION SIX. This Resolution shall be in force and effect from and after its final passage.

PASSED AND APPROVED on this 13 day of MAY, 2025, A.D.

Joe Herring Jr.
Joe Herring, Jr., Mayor

APPROVED AS TO FORM:

Michael C. Hayes
Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon
Shelley McElhannon, City Secretary

EXHIBIT A

PETITION
(see attached Petition)

STATE OF TEXAS §
§ PETITION TO ESTABLISH WHISKEY SPRINGS
COUNTY OF KERR § PUBLIC IMPROVEMENT DISTRICT

TO THE HONORABLE GOVERNING BODY OF THE CITY OF KERRVILLE:

COMES NOW Whissprings Development, LLC, a Texas limited liability company (the "Petitioner"), hereby requests and petitions the City of Kerrville (the "City") to establish Whiskey Springs Public Improvement District (the "District") under and pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), on the hereinafter described property situated within the corporate limits of the City, and in support thereof would respectfully show the following:

I.

The general nature of the proposed public improvements to be provided by the District that are necessary for the development of the Property within the District and which shall promote the interests of the City and confer a special benefit upon the Property, may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities and facilities related thereto; (v) acquisition of real property, interests in real property, or contract rights in connection with the Authorized Improvements (as defined below); (vi) payment of costs, including, without limitation, design, engineering, permitting, legal, required payment, performance and maintenance bonds, bidding, support, construction, construction management, administrative and inspection costs, associated with developing and financing the public improvements listed in (i) through (v) above; (vii) projects similar to those listed in subsections (i) - (v) above or authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (viii) any additional improvement projects authorized in the Act; (ix) payment of costs associated with special supplemental services for improvement and promotion of the District as approved by the City including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and (x) payment of costs associated with developing and financing the public improvements listed in (i) - (ix) above, as well as the interest, costs of issuance, reserve funds, or credit enhancement of bonds issued for the purposes described in (i) through (ix) above, and costs of establishing, administering and operating the District (collectively, the "Authorized Improvements").

II.

The estimated costs of constructing and acquiring all of the currently proposed Authorized Improvements, together with bond issuance costs, legal and financial fees, letter of credit fees and

expenses, bond credit enhancement expenses, capitalization of bond interest, the creation of a bond reserve fund, expenses incurred in the establishment, administration and operation of the District and acquisition, by purchase or otherwise, of real property or contract rights in connection with each authorized improvement, is presently estimated to be a total of approximately \$200,000,000, based on the estimated current and future costs of the Authorized Improvements to serve the area within the District, as authorized by law. The total costs of the Authorized Improvements shall be paid from any revenues or assessments lawfully available to the City, anticipating that the costs of acquisition of the Authorized Improvements will be paid pursuant to a contractual reimbursement obligation or the issuance of bonds secured by and payable from a special assessment levied on all property within the District's boundaries for the Authorized Improvements.

III.

The boundaries of the proposed District are fully described in Exhibit "A," attached hereto and made a part hereof for all purposes.

IV.

The proposed method of assessment is to impose a special assessment to be paid in installments on all useable property within the District, net of any public right-of-way, according to the value of the property, without regard to the value of improvements on the property, or in any other manner that results in imposing equal shares of the cost on property similarly benefitted. A report will be prepared showing the special benefits accruing to property within the District and how the costs of the Authorized Improvements are assessed to property on the basis of special benefit received by the property from the Authorized Improvements.

V.

All costs incurred by the District shall be paid by the District, and there shall be no apportionment of costs between the District and the City as a whole. The City will not be obligated to provide any funds to finance the proposed improvements except from assessments generated by property within the District.

VI.

Management and administration of the District shall be by the City. The City may contract from time to time with a private company for District administrative services.

VII.

The individual executing this Petition is duly authorized to execute this Petition, and the Petitioner requests the establishment of the District.

VIII.

An Advisory Board may be established to develop and recommend an improvement plan

to the City Council of the City of Kerrville (the “Council”). The Petitioner requests that if the Council establishes an Advisory Board, that such Advisory Board should include representatives of the Petitioner or its designees.

IX.

This Petition has been executed for and on behalf of (i) the owners of more than 50% of the taxable real property described in said Exhibit A, representing all of the appraised value of taxable real property liable for assessment under this Petition as shown by the current roll of the Kerr Central Appraisal District, and (ii) the record owners of more than 50% of the real property liable for assessment under this Petition, and shall be filed with the Secretary of the City. The Petitioner owns 100% of the property to be located in the District and liable for assessment.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that the Council:

(1) duly consider this Petition and adopt a Resolution finding (i) that this Petition complies with all legal requirements; (ii) that the proposed Authorized Improvements are necessary, advisable and will provide a public use and benefit to the City; and (iii) that the estimated costs of the improvements, the method of assessment and the apportionment of costs between the District and the City are reasonable and acceptable;

(2) call a public hearing, give notice thereof as required by law and hold such hearing on the advisability of the Authorized Improvements specified in this Petition; and

(3) grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner shall show itself to be entitled.

[Signature pages follows]

EXECUTED on this April 25, 2025.

PETITIONER:

WHISSPRINGS DEVELOPMENT, LLC,
a Texas limited liability company

By: 

Name: Jim Boyden

Title: Managing Member

EXHIBIT A
BOUNDARY DESCRIPTION OF THE DISTRICT

FIELD NOTE DESCRIPTION OF A 787.63 ACRE TRACT OR PARCEL OF LAND SITUATED IN KERR COUNTY, TEXAS; BEING WITHIN THE B. S. & F. SURVEY NUMBER 1, ABSTRACT NUMBER 77; THE G.C. & S.F. RR Co. SURVEY NUMBER 1672, ABSTRACT 1591; THE G.C. & S.F. RR Co. SURVEY NUMBER 1671, ABSTRACT NUMBER 1006; THE S.F.I.W. Co. SURVEY NUMBER 2, ABSTRACT 1093; AND THE HENRY KUCKUCK SURVEY NUMBER 686, ABSTRACT NUMBER 223, KERR COUNTY, TEXAS; BEING A PART OF THE 798.67 ACRES CONVEYED FROM WHISKEY SPRINGS RESORT, LTD. TO FRISKY RE II LP. BY A SPECIAL WARRANTY DEED EXECUTED THE 11TH DAY OF OCTOBER 2005, RECORDED IN VOLUME 1474, PAGE 683, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

(NOTE: The following courses are based on an RTK/GNSS survey conducted on the ground, N.A.D.83 datum, Texas State Plane Coordinates, South Central Zone reduced to horizontal ground distances expressed in U.S. Survey feet. Where record or deed courses differ from the surveyed values, the record value is shown in parenthesis)

BEGINNING at a 6 inch diameter cedar fence corner post in the west line of Lot 1 Whiskey Ridge Ranches recorded in Volume 6, Page 169 Plat Records of Kerr County, Texas marking the southeast corner of a 3.83 acre tract recorded in Volume 1206, Page 551 Official Public Records of Kerr County, Texas and the northernmost corner of the herein described tract;

THENCE, along or near a fence with the west line of said Lot 1, **S23°04'40"E** for a distance of **2466.93 feet** (**S23°07'29"E**, 2466.70') to a 3 inch diameter metal fence angle post and **S12°13'47"E** for a distance of **30.43 feet** (**S13°05'01"E**, 30.18') to a found 1/2 inch diameter iron rod in the center line of Whiskey Ridge Trail road easement marking the southwest corner of Lot 1 and a reentrant corner of the herein described tract;

THENCE, with the center line of said Whiskey Ridge Trail road easement the following sixteen (16) calls:

N70°14'32"E for a distance of **182.69 feet** (**N70°11'17"E**, 182.35') to a found Survey Nail;
N34°00'01"E for a distance of **460.36 feet** (**N33°56'38"E**, 460.38') to a found Survey Nail;
N53°19'09"E for a distance of **137.49 feet** (**N53°15'14"E**, 137.56') to a found Survey Nail;
N75°21'02"E for a distance of **277.58 feet** (**N75°18'33"E**, 277.52') to a found Survey Nail;
N65°44'21"E for a distance of **320.69 feet** (**N65°43'25"E**, 320.78') to a found 1/2 inch diameter iron rod with red plastic cap marking the southeast corner of said Lot 1 and the southwest corner of Lot 2 Whiskey Ridge Ranches;
N53°58'17"E for a distance of **328.46 feet** (**N53°53'45"E**, 328.46') to a found Survey Nail;
N64°55'34"E for a distance of **189.38 feet** (**N64°52'52"E**, 189.38') to a found Survey Nail;
S83°50'29"E passing the southeast corner of said Lot 2 and the southwest corner of Lot 3 Whiskey Ridge Ranches, for a distance of **312.05 feet** (**S83°53'05"E**, 312.08') to a found Survey Nail;
N75°07'42"E for a distance of **727.30 feet** (**N75°04'53"E**, 727.30') to a found Survey Nail;



N56°41'11"E passing the southeast corner of said Lot 3 and the southwest corner of Lot 4 Whiskey Ridge Ranches for a distance of **325.30 feet** (N56°38'18"E, 325.32') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410";

N76°26'15"E passing the southeast corner of said Lot 4 and the southwest corner of Lot 5 Whiskey Ridge Ranches for a distance of **506.70 feet** (N76°23'25"E, 506.71') to a found Survey Nail;

N87°23'28"E for a distance of **252.07 feet** (N87°20'42"E, 252.05') to a found 1/2 inch diameter iron rod with cap stamped "Voelkel";

N49°55'27"E for a distance of **123.01 feet** (N49°54'26"E, 123.10') to a found 1/2 inch diameter iron rod with a red plastic cap;

N60°57'06"E for a distance of **149.37 feet** (N60°53'01"E, 149.29') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410";

N77°41'24"E for a distance of **326.08 feet** (N77°38'22"E, 326.01') to a found Survey Nail;

S79°25'25"E passing the southeast corner of said Lot 5 and the southwest corner of Lot 6 Whiskey Ridge Ranches for a distance of **413.54 feet** (S79°28'27"E, 413.59') to a found Survey Nail;

N82°17'16"E for a distance of **276.38 feet** (N82°14'14"E, 276.38') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410";

S87°24'16"E for a distance of **364.66 feet** (S87°27'18"E, 364.60") to a set 5/8 inch iron rod with plastic cap stamped "WES 10194410" in the south line of said Lot 6 marking the northwest corner of a 820.33 acre tract recorded in Volume 730, Page 343 Official Public Records of Kerr County, Texas and the northeast corner of the herein described tract;

THENCE, with the west line of said 820.33 acre tract the following seven (7) calls:

S05°31'31"E for a distance of **311.60 feet** (S05°34'28"E, 311.63') to a found 1/2 inch diameter iron rod with cap stamped "Voelkel";

S05°28'06"E for a distance of **820.66 feet** (S05°34'41"E, 819.35') to a found 1/2 inch diameter iron rod with cap stamped "Voelkel";

S31°55'14"W for a distance of **478.42 feet** (S31°52'17"W, 480.00') to a found 1/2 inch diameter iron rod;

S18°57'07"W for a distance of **1114.24 feet** (S18°51'06"W, 1113.71') to a found 1/2 inch diameter iron rod;

S42°29'25"E for a distance of **677.63 feet** (S42°31'52"E, 677.74') to a found 1/2 inch diameter iron rod;

S27°50'43"E for a distance of **830.69 feet** (S27°53'40"E, 830.79') to a found 1/2 inch diameter iron rod;

S08°48'30"E for a distance of **701.49 feet** (S08°51'09"E, 701.66') to a found TxDOT concrete highway monument in the north right-of-way line of Interstate Highway 10 marking the southwest corner of said 820.33 acre tract and the southeast corner of the herein described tract;

THENCE, along or near a game proof fence with the north right-of-way line of Interstate Highway 10 the following sixteen (16) calls each to a found TxDOT concrete highway monument;

N86°59'26"W for a distance of **610.74 feet** (N87°02'28"W, 610.78');
N72°12'44"W for a distance of **483.96 feet** (N72°14'57"W, 484.14');
N67°34'05"W for a distance of **648.89 feet** (N67°36'52"W, 648.89');
N68°16'30"W for a distance of **343.52 feet** (N68°20'03"W, 343.53');
N74°29'27"W for a distance of **516.40 feet** (N74°31'48"W, 516.47');
N80°34'19"W for a distance of **674.42 feet** (N80°37'30"W, 674.63');
S89°11'57"W for a distance of **372.46 feet** (S89°09'21"W, 373.24');
S83°11'27"W for a distance of **489.57 feet** (S83°08'39"W, 489.53');
N89°48'28"W for a distance of **667.52 feet** (N89°51'02"W, 667.42');
N89°07'23"W for a distance of **1361.05 feet** (N89°10'27"W, 1361.08');
S89°57'03"W for a distance of **1100.13 feet** (S89°54'04"W, 1100.14');
N81°25'07"W for a distance of **498.83 feet** (N81°27'22"W, 498.91');
N80°37'18"W for a distance of **793.38 feet** (N80°40'12"W, 793.57');
N77°06'45"W for a distance of **519.96 feet** (N77°09'49"W, 519.64');
S87°24'28"W for a distance of **631.68 feet** (S87°21'26"W, 631.63');
N88°21'18"W for a distance of **1983.59 feet** (N88°24'12"W) to a found 1/2 inch diameter iron rod with cap stamped "Urban" marking the southeast corner of a 10.979 acre tract recorded in File Number 24-03939 Official Public Records of Kerr County, Texas and the southwest corner of the herein described tract;

THENCE, with the southeast line of said 10.979 acre tract, **N37°18'31"E** for a distance of **831.99 feet** [N37°18'42"E, 831.78'] to a found 1/2 inch diameter iron rod with cap stamped "Urban" marking the northeast corner of the 10.979 acre tract and a reentrant corner of the herein described tract;

THENCE, with the northeast line of said 10.979 acre tract, **N52°41'29"W** for a distance of **364.04 feet** [N52°41'18"W, 364.04'] to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410" and **S37°30'25"W** for a distance of **28.32 feet** [S37°18'42"W, 28.21'] to a found 1/2 inch diameter iron rod with cap stamped "Urban" marking a reentrant corner of the 10.979 acre tract;

THENCE, continuing with the northeast line of said 10.979 acre tract, **N52°39'52"W** for a distance of **203.77 feet** [N52°40'53"W, 204.20'] to a found 1/2 inch diameter iron rod with cap stamped "Urban" marking the beginning of a non-tangential curve in the southeast right-of-way line of State Highway 16, the north corner of the 10.979 acre tract the west corner of the herein described tract;

THENCE, with the southeast right-of-way line of State Highway 16 the following nine (9) calls, each to a found TxDOT concrete highway monument marked with a brass disk:



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PHONE: 830.217.7100
WWW.WELLBORNENGINEERING.COM

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KERRVILLE, TX 78028

Along said curve to the right having a central angle of 7°38'55" and a radius of 3759.72 feet (3759.72') for an **arc length of 501.90 feet** and a long chord bears N44°05'30"E for a distance of 501.53 feet to a found TxDOT concrete highway monument with a brass disk marking the point of a non-tangential line;

N63°42'57"E for a distance of **201.87 feet** (N63°38'21"E, 201.65');

N52°19'51"E for a distance of **193.81 feet** (N52°21'33"E, 194.32');

N45°28'50"E for a distance of **301.60 feet** (N45°22'14"E, 301.44');

N55°06'10"E for a distance of **899.43 feet** (N55°04'56"E, 899.38');

N66°21'34"E for a distance of **102.47 feet** (N66°22'22"E, 102.36');

N55°08'24"E for a distance of **399.67 feet** (N55°04'29"E, 399.89');

N43°49'30"E for a distance of **102.10 feet** (N43°52'07"E, 101.99');

N55°14'08"E for a distance of **104.69 feet** (N55°11'07"E, 104.65') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410" in the westerly line of an 11 acre tract recorded in Volume 63, Page 59 Official Public Records of Kerr County, Texas;

THENCE, along or near a game proof fence with the common line of said 11 acre tract the following ten (10) calls:

S30°53'51"E for a distance of **45.17 feet** (S30°56'52"E, 44.91') to a 6 inch diameter cedar fence corner post;

N85°41'38"E for a distance of **122.87 feet** (85°27'15"E, 123.00') to a 4 inch diameter cedar fence angle post;

S89°53'48"E for a distance of **589.52 feet** (S89°55'28"E, 589.13') to a 6 inch diameter cedar fence angle post;

N81°36'17"E for a distance of **12.53 feet** (N80°53'30"E, 12.70') to a 4 inch diameter cedar fence angle post;

N65°38'52"E for a distance of **347.19 feet** (N65°48'11"E, 347.61') to a 6 inch diameter cedar angle post;

N32°12'09"E for a distance of **311.90 feet** (N32°02'29"E, 311.80') to a 6 inch diameter cedar angle post;

N19°42'22"E for a distance of **189.09 feet** (N19°39'09"E, 189.36') to a 6 inch diameter metal angle post;

N06°22'00"W for a distance of **67.82 feet** (N06°25'05"W, 67.82') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410";

N02°02'03"W for a distance of **149.62 feet** (N02°04'35"W, 149.48') to a 4 inch diameter metal fence angle post;

N28°08'10"E for a distance of **130.19 feet** (N28°01'59"E, 130.29') to a found 1/2 inch diameter iron rod in the southeast right-of-way line of State Highway 16 marking the northeast corner of said 11 acre tract;



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THENCE, with the southeast right-of-way line of State Highway 16, **N55°36'58"E** for a distance of **207.26 feet** (**N55°33'54"E**, 207.26') to a set 5/8 inch diameter iron rod with plastic cap stamped "WES 10194410" and **N54°31'31"E** for a distance of **257.17 feet** (**N54°31'45"E**, 257.15') to a 4 inch diameter metal fence corner post marking the west corner of a 1.551 acre tract recorded in File Number 21-05526 Official Public Records of Kerr County, Texas;

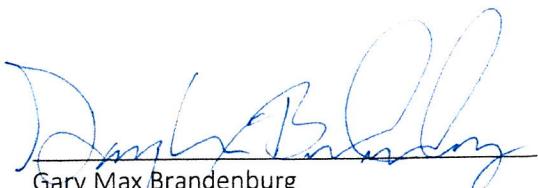
THENCE, with the southwest line of said 1.551 acre tract, **S36°22'02"E** for a distance of **258.86 feet** (**S36°23'56"E**, 258.62') to a found 1/2 inch diameter iron rod with cap stamped "Voelkel" marking the southwest corner of the 1.551 acre tract;

THENCE, with the southeast line of said 1.551 acre tract, **N61°46'40"E** for a distance of **76.86 feet** (**N61°43'29"E**, 76.85') to a found 1 inch diameter iron pipe marking the southeast corner of the 1.551 acre tract and the southwest corner of a 2.0 acre tract conveyed to Bernice S. Klein by Probate;

THENCE, with the southeast line of said 2.0 acre tract, **N61°57'33"E** for a distance of **168.60 feet** (**N61°54'26"E**, 168.59') to a found 1 inch diameter iron pipe marking the southeast corner of the 2.0 acre tract and the southwest corner of said 3.83 acre tract;

THENCE, with the southeast line of said 3.83 acre tract, **N61°45'04"E** for a distance of **418.76 feet** (**N61°46'48"E**, 418.75') to the **Point of Beginning** containing 787.63 acres of land within these metes and bounds; a companion document to a plat of this survey dated October 31, 2024.

Based upon a survey conducted on the ground
Under my direction and supervision between August through October, 2024



Dated: 10/31/2024

Gary Max Brandenburg
Registered Professional Land Surveyor
State of Texas
Registration No. 5164



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+
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631 WATER STREET
KERRVILLE, TX 78028

EXHIBIT B

NOTICE OF PUBLIC HEARING

EXHIBIT B

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF KERRVILLE TO CONSIDER THE ADVISABILITY OF THE IMPROVEMENTS AND CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTIES LOCATED WITHIN THE BOUNDARIES OF THE CITY

NOTICE IS HEREBY GIVEN THAT the City Council of the City of Kerrville, Texas (the "City"), pursuant to Chapter 372.009 of the Texas Local Government Code, as amended, (the "Act"), will hold a public hearing at or after 6 p.m., on June 10, 2025, at Kerrville City Hall, 701 Main Street, Kerrville, Texas 78028 for the purpose of considering the establishment of a public improvement district to be located within the corporate limits of the City.

In accordance with the Act, the City Secretary has received a petition (the "Petition") from certain property owners within the City (the "Petitioner") that request the establishment of the Whiskey Springs Public Improvement District.

The Petition and the legal description of the properties to be included in the public improvement district are on file and open for public inspection in the office of the City Secretary at the address stated above. The public hearing is being held with respect to the advisability of creating Whiskey Springs Public Improvement District and the respective improvements to be made therein.

The general nature of the proposed public improvements to be provided by the District that are necessary for the development of the Property within the District and which shall promote the interests of the City and confer a special benefit upon the Property, may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities and facilities related thereto; (v) acquisition of real property, interests in real property, or contract rights in connection with the Authorized Improvements (as defined below); (vi) payment of costs, including, without limitation, design, engineering, permitting, legal, required payment, performance and maintenance bonds, bidding, support,

construction, construction management, administrative and inspection costs, associated with developing and financing the public improvements listed in (i) through (v) above; (vii) projects similar to those listed in subsections (i) - (v) above or authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (viii) any additional improvement projects authorized in the Act; (ix) payment of costs associated with special supplemental services for improvement and promotion of the District as approved by the City including services related to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and (x) payment of costs associated with developing and financing the public improvements listed in (i) - (ix) above, as well as the interest, costs of issuance, reserve funds, or credit enhancement of bonds issued for the purposes described in (i) through (ix) above, and costs of establishing, administering and operating the District (collectively, the "Authorized Improvements").

The current estimated cost to fund the Authorized Improvements is \$200,000,000.

The boundaries of the proposed Whiskey Springs Public Improvement District are approximately 787.63 acres all of which are located in the corporate limits of the City, located north of IH-10 at the interchange of State Highway 16 (Fredericksburg Rd.) and IH-10. A full description of the boundaries of the proposed Whiskey Springs Public Improvement District is available at Kerrville City Hall, 701 Main Street, Kerrville, Texas 78028

The City shall levy assessments on each lot within the public improvement district in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed in part by the assessment, and must continue for a period necessary to retire the indebtedness on those Authorized Improvements (including interest).

All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the public improvement district and/or from other sources of funds of the developer.

All interested persons are invited to attend such public hearings to express their views with respect to the establishment of Whiskey Springs Public Improvement District and the respective Authorized Improvements to be made therein.

Any interested persons unable to attend the hearing may submit their views in writing to the City Secretary prior to the date scheduled for the hearing.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

THE CITY OF KERRVILLE, TEXAS