



**NOTICE OF  
REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065  
TUESDAY, APRIL 16, 2019, 6:30 PM**

**AGENDA**

**Call to Order**

**Roll Call**

**Pledge of Allegiance to the U.S. And Texas Flags**

**Invocation**

**Presentation of Awards**

1. 2018 Business of the Year
2. 2018 Scholars of the Year
3. 2018 Sportsman of the Year
4. 2018 Sportswoman of the Year
5. Susan Irwin
6. Andrew Bingham
7. David Pellecchia

**Proclamations**

- [8.](#) May 2019 as Motorcycle Safety and Awareness
- [9.](#) "Mayor for a Day," Evan Jones

**Items of Community Interest**

Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following: expressions of thanks, congratulations, or condolence; an honorary or salutary recognition of an individual; a reminder about an upcoming event organized or sponsored by the

governing body; and announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

### **Public Comment**

This item allows the public an opportunity to address the Town Council. To comply with the provisions of the Open Meetings Act, the Town Council cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the Town Council. Comments will be limited to three minutes.

### **Consent Agenda**

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Town Council.

- [10.](#) March 2019 Council Meeting Minutes
- [11.](#) March 2019 Financial Statements
- [12.](#) Resolution designating AMC Classic Hickory Creek 16 as the 2018 Business of the Year.
- [13.](#) Resolution designating Mark Tucker as the 2018 Citizen of the Year.
- [14.](#) Resolution designating Amanda Lawrence and Gratzelly Marquez as the 2018 Scholars of the Year.
- [15.](#) Resolution designating Hayden Brockenbush as the 2018 Sportsman of the Year.
- [16.](#) Resolution designating Mercedes Zaragoza as the 2018 Sportswoman of the Year.
- [17.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, supporting the U.S. Census Bureau 2020.

### **Regular Agenda**

- [18.](#) Consider and act on a request from the City of Lake Dallas regarding the de-annexation of three properties legally described as A0284A Cobb, TR 63(PT), 0.3241 Acres; TR 63 (ROW), 0.2159 Acres; and TR 64,0.2066.
- [19.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, to accept a petition for voluntary annexation of a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.
- [20.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, setting a date, time and place for public hearings of the voluntary annexation of a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to

Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.

- [21.](#) Consider and act on a resolution accepting a petition and setting a public hearing for the creation of the Hickory Farms Public Improvement District within the extraterritorial jurisdiction of the Town of Hickory Creek, Texas; and authorizing the issuance of notice by the town secretary of Hickory Creek, Texas regarding the public hearing.
- [22.](#) Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Integra Realty Resources.
- [23.](#) Consider and act on allocating additional funds, location and design for gateway monument signage.
- [24.](#) Consider and act on an ordinance providing for the annexation into the Town of Hickory Creek, Texas of territory more specifically described herein and comprising approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT), Denton County, Texas, for all municipal purposes.
- [25.](#) Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a development agreement by and between the Town of Hickory Creek, Texas and KSW Holding Hickory Creek, LP.
- [26.](#) Consider and act on a resolution hereby authorizing the Town Administrator of the Town of Hickory Creek, Texas to obtain and secure electric rates and execute necessary documents.
- [27.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 1: General Provisions, Article 1.07 Boards and Commissions.
- [28.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 14: Zoning; Article XXXII, Board of Adjustment; Article XXXIII, Penalty for Violations; Article XXXIV Amendments; Article XXXV, Validity; Article XXXVI Effective Date and Emergency Declared.
29. Discussion regarding Parks, Recreation and Open Space Master Plan.
30. Discussion regarding current road and sidewalk projects.

### **Executive Session**

The Town Council will convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation; Section 551.072 to deliberate the purchase, exchange, lease or value of real property; Section 551.074 Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; and Section 551.087, Deliberation regarding Economic Development Negotiations, to discuss or

deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the government body seeks to have locate, stay or expand in or near the territory of the government body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

31. Town Attorney
32. Discussion regarding potential economic development agreement related to property located at 1851 Turbeville Road.
33. Discussion regarding certain real property legally described as A1163A J.W. Simmons, TR 37, 19.795 Acres located (South of Swisher Road, East of Ronald Reagan Avenue, North of Turbeville Road and West of Point Vista Road.)
34. Discussion regarding the purchase of tracts of land totaling approximately 7.6 acres.

### **Adjournment**

35. Discussion and possible action regarding matters discussed in executive session.

### **Reconvene into Open Session**

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Kristi Rogers, Town Secretary, for the Town of Hickory Creek certify that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on April 12, 2019 at 9:00 a.m.

A handwritten signature in cursive script, appearing to read "Kristi Rogers", written over a horizontal line.

Kristi Rogers, Town Secretary  
Town of Hickory Creek

**Item Attachment Documents:**

8. May 2019 as Motorcycle Safety and Awareness

# Proclamation

by the

**Mayor of the Town of Hickory Creek, Texas**

***WHEREAS**, today's society is finding more citizens involved in motorcycling on the roads of our country; and*

***WHEREAS**, motorcyclists are roughly unprotected and therefore more prone to injury or death in a crash than other vehicle drivers; and*

***WHEREAS**, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and, most of all, fatalities, through a comprehensive approach to motorcycle safety; and*

***WHEREAS**, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and it is the responsibility of riders and motorists alike to obey all traffic laws and safety rules; and*

***WHEREAS**, urging all citizens of our community to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to give each other the mutual respect they deserve;*

***NOW, THEREFORE**, I, Lynn C. Clark., Mayor of the Town of Hickory Creek, do hereby proclaim May 2019 as Motorcycle Safety and Awareness Month in the Town of Hickory Creek. Further, I urge all residents to do their part to increase safety and awareness in our community.*

***IN WITNESS WHEREOF**, I have set my hand and caused the official seal of the Town of Hickory Creek, Texas to be affixed this the 16th day of April, 2019.*

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*Lynn C. Clark, Mayor*

*ATTEST:*

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*Kristi K. Rogers, Town Secretary*

**Item Attachment Documents:**

9. "Mayor for a Day," Evan Jones

# Proclamation

by the

## Mayor of the Town of Hickory Creek, Texas

**WHEREAS**, *The Town of Hickory Creek is served by and is proud to support the Lake Dallas Independent School District and recognizes that current LDISD students are the future leaders of our town, county, state and nation; and*

**WHEREAS**, *Lake Dallas ISD has provided all students in “The Leader In Me” program for 5th graders with a high-quality education and leadership experiences; and*

**WHEREAS**, *Lake Dallas ISD provides an excellent support system to all our students, with expectations for their future involvement in the community and businesses in Hickory Creek; and*

**WHEREAS**, *“The Leader In Me” from Franklin Covey “teaches 21st century leadership and life skills to students and creates a culture of student empowerment based on the idea that every child can be a leader”; and*

**WHEREAS**, *Evan Jones has shown all of the qualities of a Highly Effective young leader; and*

**WHEREAS**, *The Hickory Creek Town Council has set aside a day to recognize a young leader as an honorary “Mayor for a Day,”*

**NOW, THEREFORE**, *I, Lynn C. Clark., Mayor of the Town of Hickory Creek, Texas, on behalf of the Hickory Creek Town Council, do hereby congratulate and recognize Evan Jones as Hickory Creek “Mayor for a Day”*

**IN WITNESS WHEREOF**, *I have hereunto set my hand and caused the official seal of the Town of Hickory Creek, Texas to be affixed this the 16th day of April, 2019.*

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*Lynn C. Clark, Mayor*

**ATTEST:**

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*Kristi K. Rogers, Town Secretary*



**Item Attachment Documents:**

10. March 2019 Council Meeting Minutes

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, MARCH 12, 2019**

**MINUTES**

**Call to Order**

Mayor Pro Tem Kenney called the meeting to order at 6:30 p.m.

**Roll Call**

The following members were present:

Councilmember Tracee Elrod  
Councilmember Richard DuPree  
Councilmember Chris Gordon  
Mayor Pro Tem Paul Kenney  
Councilmember Ian Theodore

The following member was absent:

Mayor Lynn Clark

Also in attendance:

John M. Smith, Jr., Town Administrator  
Kristi K. Rogers, Town Secretary  
Carey Dunn, Chief of Police  
Lance Vanzant, Town Attorney

**Pledge of Allegiance to the U.S. And Texas Flags**

Mayor Pro Tem Kenney led the Pledge of Allegiance to the U.S. And Texas Flags.

**Invocation**

Councilmember Theodore gave the invocation.

**Items of Community Interest**

The Great American Cleanup will be held on Saturday, March 23, 2019. Volunteers will meet in the Walmart parking lot and then proceed to the parks.

Lake Cities Serve will be held on May 18, 2019. Volunteers are needed to serve the elderly, disabled and widowed that need assistance with painting, lawn care, home maintenance and minor repairs.

**Public Comment**

There were no speakers for public comment.

## **Town Council Meeting Minutes**

**March 12, 2019**

**Page 2**

### **Public Hearing**

1. Public Hearing: To hear public opinion regarding the voluntary annexation of approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT) Denton County Texas.

Mayor Pro Tem Kenney called the public hearing to order at 6:34 p.m. With no one wishing to speak, the public hearing was closed at 6:34 pm.

### **Consent Agenda**

2. February 2019 Council Meeting Minutes
3. February 2019 Financial Statements
4. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for Hickory Creek Police Department software program by and between the Town of Hickory Creek and West Publishing Corporation.

Motion made by Councilmember Gordon to approve consent agenda items 2, 3, and 4 as presented, Seconded by Councilmember Theodore.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

### **Regular Agenda**

5. Consider and act on a final replat of Lot 1-R, Block 1 of Double G Plaza: being a replat of the remnant of Lot 1, Block 1 of Double G Plaza: being 1.937 acres in the H. Swisher Survey A-1220 in the extraterritorial jurisdiction of the Town of Hickory Creek, Denton County, TX.

Motion made by Councilmember DuPree to approve a replat of Lot 1-R, Block 1 of Double G Plaza as presented, Seconded by Councilmember Gordon.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

6. Consider and act on a replat of Lot 3, Block A, of Berlin Addition, Cabinet S, Page 331, Plat records, Denton County Texas: being 1.05 acres in the H.H. Swisher Survey, Abstract Number 1220, Town of Hickory Creek, Denton County, Texas. The property is located at 3950 FM 2181.

Motion made by Councilmember DuPree to approve a replat of Lot 3, Block A, of the Berlin Addition as presented, Seconded by Councilmember Elrod.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

## **Town Council Meeting Minutes**

**March 12, 2019**

**Page 3**

7. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute license and use agreement by and between the Town of Hickory Creek and Mark Ragunton.

Jerry Zhang, producer of the narrative short film, provided an overview of the project to the town council and answered questions.

Motion made by Councilmember Gordon to approve a resolution authorizing the Mayor of the Town of Hickory Creek to execute a license and use agreement by and between the Town of Hickory Creek and Mark Ragunton, requiring EMS personnel on site during filming and including the Town of Hickory Creek in the credits, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

8. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for collection of soft recyclables by and between the Town of Hickory Creek and Great Lakes Recycling, DBA Simple Recycling.

No action taken.

### **Executive Session**

The Town Council convened into executive session at 6:51 p.m. pursuant to Texas Government Code Section 551.071, Consultation with Attorney on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, or on matters pertaining to pending or contemplated litigation.

9. Discussion regarding the purchase of an approximately 7.6 acre tracts of land.
10. Discussion regarding land use restrictions and development related issues for property legally described as A1220A H.H. Swisher, Tracts 50 and 50A (1) (PT).

### **Reconvene into Open Session**

The Town Council reconvened into open session at 8:03 p.m.

11. Discussion and possible action regarding matters discussed in executive session.

Motion made by Councilmember Theodore to authorize the town administrator to negotiate the purchase of land as discussed in executive session, Seconded by Councilmember Gordon

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

**Town Council Meeting Minutes**

**March 12, 2019**

**Page 4**

**Adjournment**

Motion made by Councilmember Elrod to adjournment the meeting, Seconded by Councilmember Theodore.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney, Councilmember Theodore. Motion passed unanimously.

The meeting did then stand adjourned at 8:04 p.m.

Approved:

Attest:

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Paul Kenney, Mayor Pro Tem  
Town of Hickory Creek

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Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

**SPECIAL MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
TUESDAY, MARCH 26, 2019**

**MINUTES**

Mayor Clark made an announcement the meeting would not be called to order until a quorum was present.

**Call to Order**

Mayor Clark called the meeting to order at 7:46 p.m.

**Roll Call**

The following members were present:

Mayor Lynn Clark  
Councilmember Tracee Elrod  
Councilmember Richard DuPree  
Councilmember Chris Gordon  
Mayor Pro Tem Paul Kenney

The following member was absent:

Councilmember Ian Theodore

Also in attendance:

John M. Smith, Jr., Town Administrator  
Kristi K. Rogers, Town Secretary  
Lance Vanzant, Town Attorney

**Pledge of Allegiance to the U.S. And Texas Flags**

Mayor Clark led the Pledge of Allegiance to the U.S. and Texas Flags.

**Invocation**

Mayor Pro Tem Kenney gave the invocation.

**Items of Community Interest**

The Arbor Day Foundation named Town of Hickory Creek a Tree City for the 11<sup>th</sup> year in honor of its commitment to effective urban forest management.

**Public Comment**

There were no speakers for public comment.

**Public Hearing**

1. Public Hearing: To hear public opinion regarding the voluntary annexation of approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT) Denton County Texas.

## **Town Council Meeting Minutes**

**March 26, 2019**

**Page 2**

Mayor Clark called the public hearing to order at 7:48 p.m. With no one wishing to speak, the public hearing was closed at 7:49 p.m.

2. Public Hearing: To hear public opinion regarding a request from Miklos Cinclair, PLLC on behalf of McCrorey Land and Cattle, LLC to change the zoning designation from PB-1 Professional Building District to SF-3 Residential District on two (2) tracts of land legally described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas. The properties are located in the 1000 Block of Hickory Creek Road.

Mayor Clark called the public hearing to order at 7:50 p.m.

Duane Brignac, 1800 Valley View Lane, Farmers Branch, Texas, with Miklos Cinclair PLLC, stated he was here on behalf on McCrorey Land and Cattle to request a zoning change on approximately 0.75 acres of land from PB-1 to SF-3. The property is located south of Hickory Creek Road and west of Interstate 35. The surrounding uses of the property include SF-3 west of the property, SF-2 east of the property and PD which is residential to the North. PB-1 does not allow for single family use however when the property was rezoned there was an existing home on the property. The home was destroyed by an accidental fire and due to safety concerns was torn down. The zoning request is being made for several reasons. The current zoning does not allow for residential use. It would allow for a house to be built on the property as it was before. The use is compatible with the surrounding properties in all directions. The size of the property restricts the use of the property other than single family. Adjoining neighbors spoke in favor of the rezoning at the Planning and Zoning meeting on March 6, 2019.

With no one else wishing to speak, the public hearing was closed at 7:55 p.m.

### **Consent Agenda**

3. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an interlocal cooperation agreement for Shared Governance Communications and Dispatch Services System between the Town of Hickory Creek Police Department and Denton County.
4. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a contract for Increased Law Enforcement for Lewisville Lake lying within Hickory Creek, Texas between the Town of Hickory Creek and U.S. Army Corp of Engineers, Fort Worth District.

Motion made by Councilmember Gordon to approve consent agenda items 3 and 4,  
Seconded by Councilmember Elrod.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon,  
Mayor Pro Tem Kenney. Motion passed unanimously.

## **Town Council Meeting Minutes**

**March 26, 2019**

**Page 3**

### **Regular Agenda**

5. Consider and act on an ordinance to change the zoning on two tracts of land described as A1598A S.A. Jones, Tract 18A, .25 acres, and A1598A S.A. Jones, Tract 19, .513 acres, Town of Hickory Creek, Denton County, Texas from its current zoning designation of PB-1 Professional Building District to SF-3 Residential District

Motion made by Councilmember Gordon to approve Ordinance 2019-03-811 as presented, Seconded by Councilmember Elrod.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney. Motion passed unanimously.

6. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a development agreement by and between the Town of Hickory Creek, Texas and KSW Holding Hickory Creek, LP.

No action taken.

7. Consider and act on an ordinance providing for the annexation into the Town of Hickory Creek, Texas of territory more specifically described herein and comprising approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT), Denton County, Texas, for all municipal purposes.

No action taken.

8. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for collection of soft recyclables by and between the Town of Hickory Creek and Great Lakes Recycling, DBA Simple Recycling.

Motion made by Councilmember Elrod to approve a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for collection of soft recyclables by and between the Town of Hickory Creek and Great Lakes Recycling, DBA Simple Recycling, Seconded by Councilmember DuPree.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney. Motion passed unanimously.

9. Consider and act on bids submitted for the 2019 Sidewalks Project.

Motion made by Councilmember Elrod to accept the bid from GRod Construction in the amount of \$321,954.00 for the 2019 Sidewalks Project, Seconded by Councilmember DuPree.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney. Motion passed unanimously.

10. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending Ordinance 2018-09-801; the 2018-2019 budget as adopted.



## **Town Council Meeting Minutes**

**March 26, 2019**

**Page 4**

Motion made by Mayor Pro Tem Kenney to approve an ordinance amending Ordinance 2018-09-801 as presented, Seconded by Councilmember Gordon.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney. Motion passed unanimously.

11. Consider and act on allocating additional funds, location and design for gateway monument signage.

No action taken.

12. Discussion regarding current road and sidewalk projects.

John Smith, town administrator, provided an overview to council regarding current road and sidewalk projects.

### **Adjournment**

Motion made by Councilmember Gordon to adjourn the meeting, Seconded by Mayor Pro Tem Kenney.

Voting Yea: Councilmember Elrod, Councilmember DuPree, Councilmember Gordon, Mayor Pro Tem Kenney. Motion passed unanimously.

The meeting did then stand adjourned at 8:20 p.m.

Approved:

Attest:

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Lynn C. Clark, Mayor  
Town of Hickory Creek

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Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

**Item Attachment Documents:**

11. March 2019 Financial Statements

Town of Hickory Creek  
**Balance Sheet**  
As of March 31, 2019

	<u>Mar 31, 19</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
BOA - Animal Shelter Fund	18,835.33
BOA - Drug Forfeiture	1,948.91
BOA - Drug Seizure	2,849.25
BOA - General Fund	29,190.77
BOA - Parks and Recreation	128,103.23
BOA - Payroll	260.00
BOA - Police State Training	5,178.35
Logic Animal Shelter Facility	9,343.91
Logic Harbor Ln-Sycamore Bend	3,257.93
Logic Investment Fund	4,667,623.00
Logic Street & Road Improvement	557,173.06
Logic Turbeville Road	209,608.60
<b>Total Checking/Savings</b>	<u>5,633,372.34</u>
<b>Accounts Receivable</b>	
Municipal Court Payments	8,155.90
<b>Total Accounts Receivable</b>	<u>8,155.90</u>
<b>Total Current Assets</b>	<u>5,641,528.24</u>
<b>TOTAL ASSETS</b>	<u><u>5,641,528.24</u></u>
<b>LIABILITIES &amp; EQUITY</b>	0.00

Town of Hickory Creek  
**Profit & Loss**  
March 2019

	Mar 19
Ordinary Income/Expense	
Income	
Ad Valorem Tax Revenue	
4002 M&O	9,291.05
4004 M&O Penalties & Interest	905.28
4006 Delinquent M&O	5,577.96
4008 I&S Debt Service	6,778.57
4010 I&S Penalties & Interest	379.00
4012 Delinquent I&S	4,720.16
Total Ad Valorem Tax Revenue	27,652.02
Building Department Revenue	
4102 Building Permits	13,759.31
4106 Contractor Registration	225.00
4124 Sign Permits	1,160.00
4132 Alarm Permit Fees	100.00
Total Building Department Revenue	15,244.31
Interest Revenue	
4302 Animal Shelter Interest	21.54
4308 Drug Forfeiture Interest	0.08
4310 Drug Seizure Interest	0.07
4314 Logic Investment Interest	10,141.02
4320 Logic Street/Road Improv.	1,228.35
4322 Logic Turbeville Road	462.10
4326 PD State Training Interest	0.22
4328 Logic Harbor/Sycamore Bend	7.16
Total Interest Revenue	11,860.54
Miscellaneous Revenue	
4502 Animal Adoption & Impound	825.00
4508 Annual Park Passes	2,403.50
4510 Arrowhead Park Fees	2,064.00
4520 Drug Seizure	2,849.00
4530 Other Receivables	88.60
4536 Point Vista Park Fees	157.00
4550 Sycamore Bend Fees	1,265.00
Total Miscellaneous Revenue	9,652.10
Municipal Court Revenue	
4602 Building Security Fee	892.50
4604 Citations	48,405.96
4606 Court Technology Fee	1,190.00
4612 State Court Costs	21,262.01
Total Municipal Court Revenue	71,750.47
Sales Tax Revenue	
4702 Sales Tax General Fund	80,048.20
4706 Sales Tax 4B Corporation	26,682.74

Town of Hickory Creek  
**Profit & Loss**  
March 2019

	Mar 19
Total Sales Tax Revenue	106,730.94
Total Income	242,890.38
Gross Profit	242,890.38
Expense	
Capital Outlay	
5010 Street Maintenance	1,112.90
5012 Streets & Road Improvement	8,288.53
5028 Turbeville/Point Vista	78,911.00
Total Capital Outlay	88,312.43
Debt Service	
5106 2012 Refunding Bond Series	10,028.19
5108 2012 Tax Note Series	943.89
Total Debt Service	10,972.08
General Government	
5206 Computer Hardware/Software	303.50
5208 Copier Rental	263.05
5210 Dues & Memberships	96.90
5212 EDC Tax Payment	35,481.52
5216 Volunteer/Staff Events	50.89
5222 Office Supplies & Equip.	119.83
5224 Postage	21.42
5226 Community Cause	235.92
5228 Town Council/Board Expense	120.00
5230 Training & Education	180.00
Total General Government	36,873.03
Municipal Court	
5304 Building Security	369.86
5312 Court Technology	50.00
5318 Merchant Fees/Credit Cards	-66.15
5322 Office Supplies/Equipment	83.78
5332 Warrants Collected	-3,889.45
Total Municipal Court	-3,451.96
Parks and Recreation	
5408 Tanglewood Park	44.47
5412 KHCB	218.93
5414 Tree City USA	1,739.70
Total Parks and Recreation	2,003.10
Parks Corps of Engineer	
5432 Arrowhead	569.22
5434 Harbor Grove	177.52
5436 Point Vista	430.50
5438 Sycamore Bend	1,546.04

Town of Hickory Creek  
**Profit & Loss**  
March 2019

	<u>Mar 19</u>
Total Parks Corps of Engineer	2,723.28
Personnel	
5502 Administration Wages	21,747.14
5504 Municipal Court Wages	9,753.32
5506 Police Wages	47,908.40
5507 Police Overtime Wages	1,384.46
5508 Public Works Wages	13,702.36
5509 Public Works Overtime Wage	44.77
5510 Health Insurance	17,211.85
5514 Payroll Expense	3,595.03
5518 Retirement (TMRS)	22,559.65
Total Personnel	137,906.98
Police Department	
5602 Auto Gas & Oil	1,611.34
5606 Auto Maintenance & Repair	1,345.83
5612 Computer Hardware/Software	1,035.25
5614 Crime Lab Analysis	-2,905.00
5630 Personnel Equipment	759.60
5636 Uniforms	2,085.18
5640 Training & Education	1,924.60
5648 K9 Unit	-103.97
Total Police Department	5,752.83
Public Works Department	
5710 Auto Gas & Oil	1,454.36
5714 Auto Maintenance/Repair	7,385.25
5716 Beautification	8.75
5724 Equipment Maintenance	220.00
5728 Equipment Supplies	837.42
5734 Radios	383.93
5742 Uniforms	485.00
Total Public Works Department	10,774.71
Services	
5802 Appraisal District	2,926.00
5804 Attorney Fees	3,458.55
5806 Audit	13,500.00
5812 Document Management	73.19
5814 Engineering	12,247.71
5818 Inspections	5,356.00
5820 Fire Service	153,408.25
5822 Legal Notices/Advertising	256.30
5824 Library Services	75.75
5826 Municipal Judge	960.00
5828 Printing	16.98
Total Services	192,278.73
Utilities & Maintenance	
5902 Bldg Maintenance/Supplies	2,317.44

Town of Hickory Creek  
**Profit & Loss**  
March 2019

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	Mar 19
5904 Electric	2,444.16
5906 Gas	358.66
5908 Street Lighting	2,893.39
5910 Telephone	-408.38
5912 Water	991.95
	<hr/>
Total Utilities & Maintenance	8,597.22
	<hr/>
Total Expense	492,742.43
	<hr/>
Net Ordinary Income	-249,852.05
	<hr/>
Net Income	<b>-249,852.05</b>
	<hr/> <hr/>

Town of Hickory Creek  
**Budget vs. Actual Year to Date 50%**  
 October 2018 through March 2019

	Oct '18 - Mar 19	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Ad Valorem Tax Revenue</b>			
4002 M&O	1,128,362.88	1,152,558.00	97.9%
4004 M&O Penalties & Interest	1,983.22	5,000.00	39.7%
4006 Delinquent M&O	7,049.57	3,500.00	201.4%
4008 I&S Debt Service	792,675.55	809,318.00	97.9%
4010 I&S Penalties & Interest	757.78	3,000.00	25.3%
4012 Delinquent I&S	5,944.60	2,500.00	237.8%
<b>Total Ad Valorem Tax Revenue</b>	<b>1,936,773.60</b>	<b>1,975,876.00</b>	<b>98.0%</b>
<b>Building Department Revenue</b>			
4102 Building Permits	142,694.16	225,000.00	63.4%
4104 Certificate of Occupancy	1,575.00	2,000.00	78.8%
4106 Contractor Registration	2,025.00	4,000.00	50.6%
4108 Preliminary/Final Plat	520.00	520.00	100.0%
4110 Prelim/Final Site Plan	0.00	0.00	0.0%
4112 Health Inspections	8,740.00	8,740.00	100.0%
4122 Septic Permits	0.00	850.00	0.0%
4124 Sign Permits	1,855.00	2,400.00	77.3%
4126 Special Use Permit	0.00	200.00	0.0%
4128 Variance Fee	250.00	500.00	50.0%
4130 Vendor Fee	75.00	200.00	37.5%
4132 Alarm Permit Fees	450.00	800.00	56.3%
<b>Total Building Department Revenue</b>	<b>158,184.16</b>	<b>245,210.00</b>	<b>64.5%</b>
<b>Franchise Fee Revenue</b>			
4202 Atmos Energy	0.00	30,000.00	0.0%
4204 Charter Communications	21,324.36	42,500.00	50.2%
4206 CenturyLink	1,359.84	2,500.00	54.4%
4208 CoServ	2,547.49	4,200.00	60.7%
4210 Oncor Electric	144,269.02	144,269.00	100.0%
4212 Waste Management	11,459.86	40,000.00	28.6%
<b>Total Franchise Fee Revenue</b>	<b>180,960.57</b>	<b>263,469.00</b>	<b>68.7%</b>
<b>Interest Revenue</b>			
4302 Animal Shelter Interest	121.34	100.00	121.3%
4308 Drug Forfeiture Interest	0.68	1.00	68.0%
4310 Drug Seizure Interest	0.07	0.00	100.0%
4314 Logic Investment Interest	49,162.71	48,000.00	102.4%
4320 Logic Street/Road Improv.	7,282.16	8,700.00	83.7%
4322 Logic Turbeville Road	2,597.00	3,500.00	74.2%
4326 PD State Training Interest	1.29	2.00	64.5%
4328 Logic Harbor/Sycamore Bend	40.34	35.00	115.3%
<b>Total Interest Revenue</b>	<b>59,205.59</b>	<b>60,338.00</b>	<b>98.1%</b>
<b>Interlocal Revenue</b>			
4402 Corp Contract Current Year	0.00	34,000.00	0.0%
<b>Total Interlocal Revenue</b>	<b>0.00</b>	<b>34,000.00</b>	<b>0.0%</b>
<b>Miscellaneous Revenue</b>			
4502 Animal Adoption & Impound	6,005.00	6,500.00	92.4%
4506 Animal Shelter Donations	309.00	1,000.00	30.9%
4508 Annual Park Passes	11,052.66	20,000.00	55.3%
4510 Arrowhead Park Fees	7,946.00	18,000.00	44.1%
4512 Beer & Wine Permit	0.00	60.00	0.0%
4516 Corp Parks Prior Year Rev	0.00	0.00	0.0%



7:48 AM

04/11/19

Accrual Basis

Town of Hickory Creek  
**Budget vs. Actual Year to Date 50%**  
 October 2018 through March 2019

	Oct '18 - Mar 19	Budget	% of Budget
4518 Drug Forfeiture	0.00	0.00	0.0%
4520 Drug Seizure	2,849.00	2,849.00	100.0%
4522 EDCPayment/Ronald Reagan	0.00	45,778.00	0.0%
4524 Fund Balance Reserve	0.00	697,844.32	0.0%
4526 Mineral Rights	0.00	300.00	0.0%
4528 NSF Fees	0.00	50.00	0.0%
4530 Other Receivables	40,410.79	48,000.00	84.2%
4534 PD State Training	1,252.68	1,252.68	100.0%
4536 Point Vista Park Fees	446.00	5,000.00	8.9%
4546 Street Bond Proceeds	0.00	452,713.00	0.0%
4550 Sycamore Bend Fees	5,455.75	15,000.00	36.4%
4554 Building Security Fund Res	0.00	23,400.00	0.0%
4556 Court Tech Fund Reserve	0.00	3,525.00	0.0%
4558 Harbor Lane/Sycamore Bend	0.00	0.00	0.0%
<b>Total Miscellaneous Revenue</b>	<b>75,726.88</b>	<b>1,341,272.00</b>	<b>5.6%</b>
<b>Municipal Court Revenue</b>			
4602 Building Security Fee	4,184.63	8,400.00	49.8%
4604 Citations	223,703.13	525,000.00	42.6%
4606 Court Technology Fee	5,504.51	11,025.00	49.9%
4612 State Court Costs	102,027.09	199,500.00	51.1%
4614 Child Safety Fee	375.00	1,000.00	37.5%
<b>Total Municipal Court Revenue</b>	<b>335,794.36</b>	<b>744,925.00</b>	<b>45.1%</b>
<b>Sales Tax Revenue</b>			
4702 Sales Tax General Fund	543,351.99	1,143,750.00	47.5%
4706 Sales Tax 4B Corporation	191,693.03	381,250.00	50.3%
4708 Sales Tax Mixed Beverage	0.00	0.00	0.0%
<b>Total Sales Tax Revenue</b>	<b>735,045.02</b>	<b>1,525,000.00</b>	<b>48.2%</b>
<b>Total Income</b>	<b>3,481,690.18</b>	<b>6,190,090.00</b>	<b>56.2%</b>
<b>Gross Profit</b>	<b>3,481,690.18</b>	<b>6,190,090.00</b>	<b>56.2%</b>
<b>Expense</b>			
<b>Capital Outlay</b>			
5010 Street Maintenance	7,468.14	50,000.00	14.9%
5012 Streets & Road Improvement	461,001.37	452,713.00	101.8%
5022 Parks and Rec Improvements	8,500.00	125,000.00	6.8%
5024 Public Safety Improvements	151,736.64	400,000.00	37.9%
5026 Fleet Purchase/Replacement	102,672.84	105,000.00	97.8%
5028 Turbeville/Point Vista	22,213.42	200,000.00	11.1%
<b>Total Capital Outlay</b>	<b>753,592.41</b>	<b>1,332,713.00</b>	<b>56.5%</b>
<b>Debt Service</b>			
5106 2012 Refunding Bond Series	10,028.19	150,086.00	6.7%
5108 2012 Tax Note Series	943.89	116,910.00	0.8%
5110 2015 Refunding Bond Series	59,650.00	314,300.00	19.0%
5112 2015 C.O. Series	61,900.00	273,800.00	22.6%
<b>Total Debt Service</b>	<b>132,522.08</b>	<b>855,096.00</b>	<b>15.5%</b>
<b>General Government</b>			
5202 Bank Service Charges	12.00	50.00	24.0%
5204 Books & Subscriptions	0.00	400.00	0.0%
5206 Computer Hardware/Software	9,348.10	15,500.00	60.3%
5208 Copier Rental	2,194.93	3,900.00	56.3%
5210 Dues & Memberships	666.90	2,500.00	26.7%

Town of Hickory Creek  
**Budget vs. Actual Year to Date 50%**  
October 2018 through March 2019

	Oct '18 - Mar 19	Budget	% of Budget
5212 EDC Tax Payment	230,712.70	381,250.00	60.5%
5214 Election Expenses	0.00	0.00	0.0%
5216 Volunteer/Staff Events	4,335.24	8,000.00	54.2%
5218 General Communications	6,980.04	22,000.00	31.7%
5222 Office Supplies & Equip.	1,495.81	2,000.00	74.8%
5224 Postage	2,048.11	4,500.00	45.5%
5226 Community Cause	2,271.15	4,000.00	56.8%
5228 Town Council/Board Expense	3,800.23	6,000.00	63.3%
5230 Training & Education	399.50	2,000.00	20.0%
5232 Travel Expense	428.35	1,500.00	28.6%
5234 Staff Uniforms	0.00	1,000.00	0.0%
<b>Total General Government</b>	<b>264,693.06</b>	<b>454,600.00</b>	<b>58.2%</b>
<b>Municipal Court</b>			
5302 Books & Subscriptions	0.00	75.00	0.0%
5304 Building Security	1,061.14	31,800.00	3.3%
5312 Court Technology	1,590.29	14,550.00	10.9%
5314 Dues & Memberships	75.00	200.00	37.5%
5318 Merchant Fees/Credit Cards	46.09	500.00	9.2%
5322 Office Supplies/Equipment	1,281.78	1,800.00	71.2%
5324 State Court Costs	118,577.94	199,500.00	59.4%
5326 Training & Education	200.00	500.00	40.0%
5328 Travel Expense	37.12	500.00	7.4%
5332 Warrants Collected	-4,459.64	0.00	100.0%
<b>Total Municipal Court</b>	<b>118,409.72</b>	<b>249,425.00</b>	<b>47.5%</b>
<b>Parks and Recreation</b>			
5402 Events	969.46	2,500.00	38.8%
5408 Tanglewood Park	1,211.81	2,500.00	48.5%
5412 KHCB	218.93	1,000.00	21.9%
5414 Tree City USA	4,441.75	11,500.00	38.6%
5416 Town Hall Park	0.00	500.00	0.0%
<b>Total Parks and Recreation</b>	<b>6,841.95</b>	<b>18,000.00</b>	<b>38.0%</b>
<b>Parks Corps of Engineer</b>			
5432 Arrowhead	7,616.55	8,500.00	89.6%
5434 Harbor Grove	2,008.23	4,000.00	50.2%
5436 Point Vista	2,025.02	4,500.00	45.0%
5438 Sycamore Bend	12,934.69	35,000.00	37.0%
<b>Total Parks Corps of Engineer</b>	<b>24,584.49</b>	<b>52,000.00</b>	<b>47.3%</b>
<b>Personnel</b>			
5502 Administration Wages	141,567.98	281,875.00	50.2%
5504 Municipal Court Wages	59,548.91	114,565.00	52.0%
5506 Police Wages	298,808.81	674,215.00	44.3%
5507 Police Overtime Wages	5,182.07	8,000.00	64.8%
5508 Public Works Wages	90,007.88	174,985.00	51.4%
5509 Public Works Overtime Wage	703.55	1,600.00	44.0%
5510 Health Insurance	72,113.29	170,000.00	42.4%
5512 Longevity	10,688.00	10,688.00	100.0%
5514 Payroll Expense	11,272.36	18,000.00	62.6%
5516 Employment Exams	1,005.00	2,000.00	50.3%
5518 Retirement (TMRS)	82,716.94	138,100.00	59.9%
5520 Unemployment (TWC)	293.93	2,000.00	14.7%
5522 Workman's Compensation	25,353.58	25,354.00	100.0%
<b>Total Personnel</b>	<b>799,262.30</b>	<b>1,621,382.00</b>	<b>49.3%</b>

7:48 AM

04/11/19

Accrual Basis

Town of Hickory Creek  
**Budget vs. Actual Year to Date 50%**  
 October 2018 through March 2019

	Oct '18 - Mar 19	Budget	% of Budget
<b>Police Department</b>			
5602 Auto Gas & Oil	11,484.14	25,000.00	45.9%
5606 Auto Maintenance & Repair	18,301.58	25,000.00	73.2%
5610 Books & Subscriptions	81.26	500.00	16.3%
5612 Computer Hardware/Software	18,612.64	38,000.00	49.0%
5614 Crime Lab Analysis	-1,191.81	2,000.00	-59.6%
5616 Drug Forfeiture	0.00	0.00	0.0%
5618 Dues & Memberships	233.82	400.00	58.5%
5626 Office Supplies/Equipment	534.50	1,500.00	35.6%
5630 Personnel Equipment	2,405.36	7,000.00	34.4%
5634 Travel Expense	688.49	2,500.00	27.5%
5636 Uniforms	3,578.50	6,000.00	59.6%
5640 Training & Education	5,131.10	10,000.00	51.3%
5644 Citizens on Patrol	0.00	200.00	0.0%
5646 Community Outreach	315.01	750.00	42.0%
5648 K9 Unit	1,286.54	3,000.00	42.9%
<b>Total Police Department</b>	<b>61,461.13</b>	<b>121,850.00</b>	<b>50.4%</b>
<b>Public Works Department</b>			
5702 Animal Control Donation	0.00	1,000.00	0.0%
5704 Animal Control Equipment	589.83	600.00	98.3%
5706 Animal Control Supplies	334.64	1,000.00	33.5%
5708 Animal Control Vet Fees	3,041.58	5,000.00	60.8%
5710 Auto Gas & Oil	7,529.84	12,500.00	60.2%
5714 Auto Maintenance/Repair	15,070.18	15,000.00	100.5%
5716 Beautification	4,591.00	110,000.00	4.2%
5718 Computer Hardware/Software	595.00	750.00	79.3%
5720 Dues & Memberships	110.00	350.00	31.4%
5722 Equipment	89,630.83	93,700.00	95.7%
5724 Equipment Maintenance	6,506.15	9,000.00	72.3%
5726 Equipment Rental	234.38	500.00	46.9%
5728 Equipment Supplies	3,221.15	6,500.00	49.6%
5732 Office Supplies/Equipment	294.51	800.00	36.8%
5734 Radios	2,293.75	3,200.00	71.7%
5738 Training	189.00	800.00	23.6%
5740 Travel Expense	225.10	1,000.00	22.5%
5742 Uniforms	1,259.80	2,000.00	63.0%
5748 Landscaping Services	35,198.87	110,000.00	32.0%
<b>Total Public Works Department</b>	<b>170,915.61</b>	<b>373,700.00</b>	<b>45.7%</b>
<b>Services</b>			
5802 Appraisal District	5,852.00	11,700.00	50.0%
5804 Attorney Fees	28,888.93	60,000.00	48.1%
5806 Audit	13,500.00	13,500.00	100.0%
5808 Codification	375.00	4,000.00	9.4%
5812 Document Management	686.51	1,200.00	57.2%
5814 Engineering	35,887.62	52,500.00	68.4%
5816 General Insurance	33,732.58	33,733.00	100.0%
5818 Inspections	25,891.00	40,500.00	63.9%
5820 Fire Service	460,224.75	615,000.00	74.8%
5822 Legal Notices/Advertising	561.70	2,000.00	28.1%
5824 Library Services	722.25	1,000.00	72.2%
5826 Municipal Judge	5,760.00	11,520.00	50.0%
5828 Printing	874.82	1,800.00	48.6%
5830 Tax Collection	2,273.00	3,500.00	64.9%
5832 Computer Technical Support	34,351.79	34,500.00	99.6%
5838 DCCAC	0.00	1,750.00	0.0%
5840 Denton County Dispatch	0.00	29,301.00	0.0%

Town of Hickory Creek  
**Budget vs. Actual Year to Date 50%**  
October 2018 through March 2019

	Oct '18 - Mar 19	Budget	% of Budget
5844 Helping Hands	91.15	300.00	30.4%
5848 DCFOF	0.00	500.00	0.0%
<b>Total Services</b>	<b>649,673.10</b>	<b>918,304.00</b>	<b>70.7%</b>
<b>Special Events</b>			
6004 Fourth of July Celebration	0.00	5,000.00	0.0%
6008 Tree Lighting	5,219.38	5,220.00	100.0%
<b>Total Special Events</b>	<b>5,219.38</b>	<b>10,220.00</b>	<b>51.1%</b>
<b>Utilities &amp; Maintenance</b>			
5902 Bldg Maintenance/Supplies	47,504.76	85,000.00	55.9%
5904 Electric	13,675.69	28,000.00	48.8%
5906 Gas	1,222.01	2,000.00	61.1%
5908 Street Lighting	17,143.25	30,000.00	57.1%
5910 Telephone	16,917.10	22,800.00	74.2%
5912 Water	6,595.34	15,000.00	44.0%
<b>Total Utilities &amp; Maintenance</b>	<b>103,058.15</b>	<b>182,800.00</b>	<b>56.4%</b>
<b>Total Expense</b>	<b>3,090,233.38</b>	<b>6,190,090.00</b>	<b>49.9%</b>
<b>Net Ordinary Income</b>	<b>391,456.80</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Income</b>	<b>391,456.80</b>	<b>0.00</b>	<b>100.0%</b>

7:47 AM  
04/11/19  
Accrual Basis

**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
March 2019

Type	Date	Num	Name	Amount
<b>Ordinary Income/Expense</b>				
<b>Expense</b>				
<b>Capital Outlay</b>				
<b>5012 Streets &amp; Road Improvement</b>				
Bill	03/22/2019	Invoi...	Halff Associates, Inc.	8,288.53
Total 5012 Streets & Road Improvement				8,288.53
<b>5028 Turbeville/Point Vista</b>				
Bill	03/11/2019	Invoi...	CMJ Engineering, Inc.	1,729.00
Bill	03/15/2019	Invoi...	Halff Associates, Inc.	3,153.00
Check	03/11/2019	3764	GRod Construction, LLC.	73,169.00
Total 5028 Turbeville/Point Vista				78,051.00
Total Capital Outlay				86,339.53
<b>Debt Service</b>				
<b>5106 2012 Refunding Bond Series</b>				
Check	03/06/2019	3761	BBVA Compass Bank	10,028.19
Total 5106 2012 Refunding Bond Series				10,028.19
Total Debt Service				10,028.19
<b>General Government</b>				
<b>5212 EDC Tax Payment</b>				
Check	03/15/2019	3766	Hard Sun V	8,798.78
Check	03/11/2019	3763	Hickory Creek Economic Development	26,682.74
Total 5212 EDC Tax Payment				35,481.52
Total General Government				35,481.52
<b>Municipal Court</b>				
<b>5332 Warrants Collected</b>				
Deposit	03/01/2019		Deposit	-1,595.70
Deposit	03/19/2019		Deposit	-1,546.77
Deposit	03/12/2019		Deposit	-1,218.03
Deposit	03/26/2019		Deposit	-1,105.00
Bill	03/07/2019	Invoi...	McCreary, Veselka, Bragg and Allen, P.C.	1,274.97
Bill	03/07/2019	Invoi...	McCreary, Veselka, Bragg and Allen, P.C.	3,223.40
Total 5332 Warrants Collected				-967.13
Total Municipal Court				-967.13
<b>Parks and Recreation</b>				
<b>5414 Tree City USA</b>				
Check	03/20/2019	Debit	HARTWELL'S NUR 03/20 #000170938	1,739.70
Total 5414 Tree City USA				1,739.70
Total Parks and Recreation				1,739.70
<b>Police Department</b>				
<b>5602 Auto Gas &amp; Oil</b>				

7:47 AM  
04/11/19  
Accrual Basis

Town of Hickory Creek  
Expenditures over \$1,000.00  
March 2019

Type	Date	Num	Name	Amount
Check	03/27/2019	Debit	WEX INC DESFLEET DEBI	1,611.34
	Total 5602 Auto Gas & Oil			1,611.34
	<b>5614 Crime Lab Analysis</b>			
Deposit	03/15/2019	Deposit		-2,905.00
	Total 5614 Crime Lab Analysis			-2,905.00
	<b>5636 Uniforms</b>			
Bill	03/22/2019	Invoi...	Galls	1,459.99
	Total 5636 Uniforms			1,459.99
	Total Police Department			166.33
	<b>Public Works Department</b>			
	<b>5714 Auto Maintenance/Repair</b>			
Bill	03/27/2019	R.O....	Christian Brothers Automotive	3,276.60
Bill	03/07/2019	R.O....	Christian Brothers Automotive	4,071.65
	Total 5714 Auto Maintenance/Repair			7,348.25
	Total Public Works Department			7,348.25
	<b>Services</b>			
	<b>5802 Appraisal District</b>			
Bill	03/07/2019	Invoi...	DCAD	2,926.00
	Total 5802 Appraisal District			2,926.00
	<b>5804 Attorney Fees</b>			
Bill	03/07/2019	Act: ...	Hayes, Berry, White & Vanzant	2,695.90
	Total 5804 Attorney Fees			2,695.90
	<b>5806 Audit</b>			
Check	03/12/2019	3765	Hankins, Eastup, Deaton, Tonn & Seay	13,500.00
	Total 5806 Audit			13,500.00
	<b>5814 Engineering</b>			
Bill	03/11/2019	Invoi...	Halff Associates, Inc.	1,162.73
Bill	03/22/2019	Invoi...	Halff Associates, Inc.	1,482.26
Bill	03/22/2019	Invoi...	Halff Associates, Inc.	3,031.23
Bill	03/11/2019	Invoi...	Halff Associates, Inc.	3,105.89
	Total 5814 Engineering			8,782.11
	<b>5818 Inspections</b>			
Bill	03/07/2019	Invoi...	Vaughn Inspections Plus, LLC	2,598.00
Bill	03/05/2019	Invoi...	Vaughn Inspections Plus, LLC	2,758.00
	Total 5818 Inspections			5,356.00
	<b>5820 Fire Service</b>			
Check	03/06/2019	3759	City of Corinth	153,408.25

7:47 AM

04/11/19

Accrual Basis

# Town of Hickory Creek

## Expenditures over \$1,000.00

March 2019

Type	Date	Num	Name	Amount
			Total 5820 Fire Service	153,408.25
			Total Services	186,668.26
			<b>Utilities &amp; Maintenance</b>	
			<b>5904 Electric</b>	
Check	03/22/2019	Debit	HUDSON ENERGY SE DESDEBITDEBIT	2,444.16
			Total 5904 Electric	2,444.16
			<b>5908 Street Lighting</b>	
Check	03/22/2019	Debit	HUDSON ENERGY SE DESDEBITDEBIT	2,753.62
			Total 5908 Street Lighting	2,753.62
			<b>5910 Telephone</b>	
Deposit	03/11/2019		CHECKCARD 0309 MICROSOFT*OFFICE	-2,842.84
Bill	03/01/2019	Acc...	CenturyLink	1,408.56
			Total 5910 Telephone	-1,434.28
			Total Utilities & Maintenance	3,763.50
			Total Expense	330,568.15
			Net Ordinary Income	-330,568.15
			<b>Net Income</b>	<b>-330,568.15</b>



TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

## MONTHLY STATEMENT OF ACCOUNT

ACCOUNT: 1668276007

ACCOUNT NAME: ANIMAL SHELTER FACILITY

STATEMENT PERIOD: 03/01/2019 - 03/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 2.6015%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 39 DAYS AND THE NET ASSET VALUE FOR 3/29/19 WAS 1.000010.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			9,323.33
03/29/2019	MONTHLY POSTING	9999888	20.58	9,343.91
	ENDING BALANCE			9,343.91

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	9,323.33
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	20.58
ENDING BALANCE	9,343.91
AVERAGE BALANCE	9,323.33

### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
ANIMAL SHELTER FACILITY	0.00	0.00	59.64







TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

## MONTHLY STATEMENT OF ACCOUNT

ACCOUNT: 1668276009

ACCOUNT NAME: HARBOR LANE - SYCAMORE BEND

STATEMENT PERIOD: 03/01/2019 - 03/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 2.6015%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 39 DAYS AND THE NET ASSET VALUE FOR 3/29/19 WAS 1.000010.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			3,250.77
03/29/2019	MONTHLY POSTING	9999888	7.16	3,257.93
	ENDING BALANCE			3,257.93

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	3,250.77
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	7.16
ENDING BALANCE	3,257.93
AVERAGE BALANCE	3,250.77

### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
HARBOR LANE - SYCAMORE BEND	0.00	0.00	20.75





TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

## MONTHLY STATEMENT OF ACCOUNT

ACCOUNT: 1668276001

ACCOUNT NAME: INVESTMENT FUND

STATEMENT PERIOD: 03/01/2019 - 03/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 2.6015%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 39 DAYS AND THE NET ASSET VALUE FOR 3/29/19 WAS 1.000010.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			4,357,481.98
03/08/2019	ACH DEPOSIT	6103076	300,000.00	4,657,481.98
03/29/2019	MONTHLY POSTING	9999888	10,141.02	4,667,623.00
	ENDING BALANCE			4,667,623.00

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	4,357,481.98
TOTAL DEPOSITS	300,000.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	10,141.02
ENDING BALANCE	4,667,623.00
AVERAGE BALANCE	4,589,740.04

### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
INVESTMENT FUND	900,000.00	221,550.00	27,964.97





TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

## MONTHLY STATEMENT OF ACCOUNT

ACCOUNT: 1668276005

ACCOUNT NAME: RESIDENTIAL STREET & RD IMPROV

STATEMENT PERIOD: 03/01/2019 - 03/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 2.6015%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 39 DAYS AND THE NET ASSET VALUE FOR 3/29/19 WAS 1.000010.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			555,944.71
03/29/2019	MONTHLY POSTING	9999888	1,228.35	557,173.06
	ENDING BALANCE			557,173.06

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	555,944.71
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	1,228.35
ENDING BALANCE	557,173.06
AVERAGE BALANCE	555,944.71

### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
RESIDENTIAL STREET & RD IMPROV	0.00	0.00	3,558.79





TOWN OF HICKORY CREEK  
ATTN KRISTI K ROGERS  
1075 RONALD REAGAN AVE  
HICKORY CREEK TX 75065-7633

## MONTHLY STATEMENT OF ACCOUNT

ACCOUNT: 1668276002

ACCOUNT NAME: TURBEVILLE RD IMPROVEMENT FUND

STATEMENT PERIOD: 03/01/2019 - 03/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 2.6015%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 39 DAYS AND THE NET ASSET VALUE FOR 3/29/19 WAS 1.000010.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			209,146.50
03/29/2019	MONTHLY POSTING	9999888	462.10	209,608.60
	ENDING BALANCE			209,608.60

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	209,146.50
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	462.10
ENDING BALANCE	209,608.60
AVERAGE BALANCE	209,146.50

### ACTIVITY SUMMARY (YEAR-TO-DATE)

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
TURBEVILLE RD IMPROVEMENT FUND	0.00	0.00	1,338.80



**Item Attachment Documents:**

12. Resolution designating AMC Classic Hickory Creek 16 as the 2018 Business of the Year.



**TOWN OF HICKORY CREEK  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION DESIGNATING THE BUSINESS OF THE YEAR AWARD**

**WHEREAS**, existing businesses contribute significantly to the local quality of life through corporate and employee community service; and

**WHEREAS**, existing businesses support community charitable, social, civic, and cultural organization with no recognition expected; and

**WHEREAS**, existing businesses provide the foundation for a strong, diversified economic base;

**WHEREAS**, the efforts and contributions of these professionals to the town's progress are significant;

**WHEREAS**, since 1963, the Town of Hickory Creek has flourished due to the dedicated efforts of its many businesses, loyal citizens and their families, who have unselfishly given their personal time and other material goods in order that Hickory Creek becomes a better place to live;

**WHEREAS**, Whataburger has supported activities in our community; and because of their continued contributions to our community, the town council would like to designate a business to receive the distinguished honor of being formally recognized as **BUSINESS OF THE YEAR FOR 2018**.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HICKORY CREEK THAT THE BUSINESS OF THE YEAR AWARD BE GIVEN TO AMC CLASSIC HICKORY CREEK 16.**

**PASSED AND APPROVED** by the Hickory Creek Town Council this 16th day of April, 2019.

**APPROVED:**

\_\_\_\_\_  
Lynn C. Clark., Mayor

**ATTEST:**

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary

**Item Attachment Documents:**

13. Resolution designating Mark Tucker as the 2018 Citizen of the Year.

**TOWN OF HICKORY CREEK**  
**RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION DESIGNATING THE CITIZEN OF THE YEAR AWARD**

**WHEREAS**, the Town of Hickory Creek was duly incorporated in 1963; and was organized by a group of volunteer citizens;

**WHEREAS**, since 1963, the Town of Hickory Creek has flourished due to the dedicated efforts of its many loyal citizens and families, who have unselfishly given their personal time and other material goods in order that Hickory Creek becomes a better place to live;

**WHEREAS**, because of the continued dedication and efforts of our citizens to improve the Town of Hickory Creek, the town council would like to designate a citizen to receive the distinguished honor of being formally recognized as **CITIZEN OF THE YEAR FOR 2018**.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HICKORY CREEK THAT THE CITIZEN OF THE YEAR AWARD BE GIVEN TO MARK TUCKER.**

**PASSED AND APPROVED** by the Hickory Creek Town Council this 16th day of April, 2019.

**APPROVED:**

\_\_\_\_\_  
Lynn C. Clark., Mayor

**ATTEST:**

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary



**Item Attachment Documents:**

14. Resolution designating Amanda Lawrence and Gratzelly Marquez as the 2018 Scholars of the Year.

**TOWN OF HICKORY CREEK  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION DESIGNATING THE SCHOLARS OF THE YEAR AWARD**

**WHEREAS**, the Town of Hickory Creek recognizes the contribution of our youth to our community and the important role they serve in our society; and

**WHEREAS**, education is a never ending process, and those individuals who are the most content are those who continue to develop their intellectual capacities, grow with the time in which they live, and work to achieve their highest potential; and

**WHEREAS**, the accomplishments and achievements of our youth deserve recognition and praise; and

**WHEREAS**, these students distinguish themselves not only as outstanding students and leaders but as an outstanding example to the youth of our community; and

**WHEREAS**, because of the continued dedication and efforts of our citizens and their families, the town council does hereby desire to formally recognize two high school students who have shown excellence in areas of academics and leadership to receive the distinguished honor of being formally recognized as **SCHOLARS OF THE YEAR FOR 2018**.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HICKORY CREEK THAT THE SCHOLARS OF THE YEAR AWARD BE GIVEN TO AMANDA LAWRENCE AND GRATZELLY MARQUEZ.**

**PASSED AND APPROVED** by the Hickory Creek Town Council this 16th day of April, 2019.

**APPROVED:**

\_\_\_\_\_  
Lynn C. Clark, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary

**Item Attachment Documents:**

15. Resolution designating Hayden Brockenbush as the 2018 Sportsman of the Year.

**TOWN OF HICKORY CREEK  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION DESIGNATING THE SPORTSMAN OF THE YEAR AWARD**

**WHEREAS**, we realize that participation in organized athletics helps build character and teaches a wholesome sense of good sportsmanship among our youth; and

**WHEREAS**, to really excel in any one sport, a young person must demonstrate, in addition to a great deal of natural ability, an outstanding spirit of dedication, enthusiasm, hard work; and

**WHEREAS**, the Town of Hickory Creek urges our community to reward kids who believe in themselves, each other and the future;

**WHEREAS**, because of the continued dedication and efforts of our citizens and their families, the town council does hereby desire to formally recognize a high school student who has shown exceptional sportsmanship during the year to receive the distinguished honor of being formally recognized as **SPORTSMAN OF THE YEAR FOR 2018**.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HICKORY CREEK THAT THE SPORTSMAN OF THE YEAR AWARD BE GIVEN TO HAYDEN BROCKENBUSH.**

**PASSED AND APPROVED** by the Hickory Creek Town Council this 16th day of April, 2019.

**APPROVED:**

\_\_\_\_\_  
Lynn C. Clark, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary

**Item Attachment Documents:**

16. Resolution designating Mercedes Zaragoza as the 2018 Sportswoman of the Year.

**TOWN OF HICKORY CREEK  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION DESIGNATING THE SPORTSWOMAN OF THE YEAR AWARD**

**WHEREAS**, we realize that participation in organized athletics helps build character and teaches a wholesome sense of good sportsmanship among our youth; and

**WHEREAS**, to really excel in any one sport, a young person must demonstrate, in addition to a great deal of natural ability, an outstanding spirit of dedication, enthusiasm, hard work; and

**WHEREAS**, the Town of Hickory Creek urges our community to reward kids who believe in themselves, each other and the future;

**WHEREAS**, because of the continued dedication and efforts of our citizens and their families, the town council does hereby desire to formally recognize a high school athlete who has shown exceptional sportsmanship during the year to receive the distinguished honor of being formally recognized as **SPORTSWOMAN OF THE YEAR FOR 2018**.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF HICKORY CREEK THAT THE SPORTSWOMAN OF THE YEAR AWARD BE GIVEN TO MERCEDES ZARAGOZA.**

**PASSED AND APPROVED** by the Hickory Creek Town Council this 16th day of April, 2019.

**APPROVED:**

\_\_\_\_\_  
Lynn C. Clark, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary

**Item Attachment Documents:**

17. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, supporting the U.S. Census Bureau 2020.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
HICKORY CREEK, TEXAS, SUPPORTING THE U.S. CENSUS BUREAU  
2020.**

**WHEREAS**, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

**WHEREAS**, the Town of Hickory Creek is committed to ensuring every resident is counted; and

**WHEREAS**, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

**WHEREAS**, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for the accurate and fair redistricting of state legislative seats, county and town councils and voting districts; and

**WHEREAS**, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** The Town Council supports the goals and ideals for the 2020 Census and will disseminate 2020 Census information.

**Section 2:** Encourage all Town residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.

**Section 3:** Encourage Census advocates to speak to Town and Community Organizations.

**Section 4:** Support census takers as they help our Town complete an accurate count.

**Section 5:** Strive to achieve a complete and accurate count of all persons within our borders.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16th day of April, 2019.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas



ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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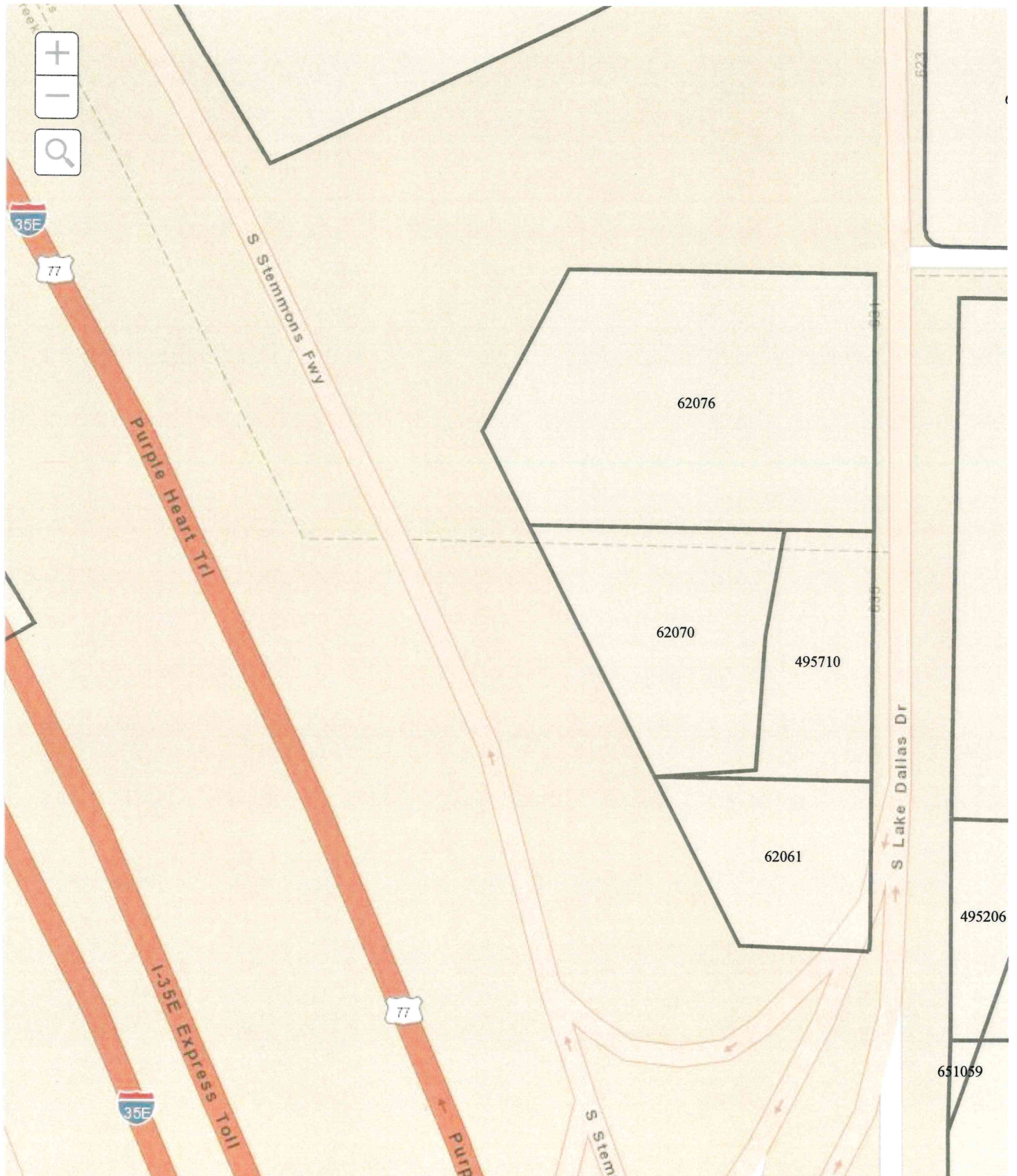
Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

18. Consider and act on a request from the City of Lake Dallas regarding the de-annexation of three properties legally described as A0284A Cobb, TR 63(PT), 0.3241 Acres; TR 63 (ROW), 0.2159 Acres; and TR 64,0.2066.

# Denton CAD Webmap

Main DCAD Site



**Item Attachment Documents:**

19. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, to accept a petition for voluntary annexation of a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.

**TOWN OF HICKORY CREEK, TEXAS**  
**RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO ACCEPT A PETITION FOR VOLUNTARY ANNEXATION OF A 24.277 ACRE TRACT OF LAND SITUATED IN THE H.H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A GIFT DEED TO RONALD EDWIN BROWN, SHERRY HEADRICK, RUDY BROWN AND TEDDY BROWN, RECORDED IN VOLUME 4508, PAGE 703 OF THE REAL PROPERTY RECORDS OF DENTON, COUNTY TEXAS, AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas;

**WHEREAS**, the Town Council has been presented with a Voluntary Annexation Petition (hereinafter “Petition”), a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference, having been executed by a majority of the inhabitants and qualified voters of the territory described in the Petition requesting that the Town extend its present municipal limits so as to include said territory; and

**WHEREAS**, upon full review and consideration of the Petition, and all matters attendant and related thereto, the Town Council is of the opinion that the Petition should be approved, and that the Mayor shall be authorized to execute any necessary documents on behalf of the Town of Hickory Creek to effectuate said Petition.

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute it on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town of Hickory Creek, Texas:

Section 1: That the Mayor of the Town of Hickory Creek, Texas, hereby approves the Annexation Petition on behalf of the Town of Hickory Creek, Texas.

Section 2: That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute any and all documents necessary to enact the Petition on behalf of the Town of Hickory Creek, Texas.

Section 3: This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16th day of April 2019.

---

Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**EXHIBIT A**  
**Voluntary Annexation Petition**

**VOLUNTARY PETITION FOR ANNEXATION  
TO THE TOWN OF HICKORY CREEK, TEXAS**

STATE OF TEXAS           §  
  §  
COUNTY OF DENTON    §

This Voluntary Petition for the Annexation of an area within the extraterritorial jurisdiction of the Town of Hickory Creek, Texas (the “Town”), is submitted by MM Hickory Creek 24, LLC (the “Landowner”).

**SECTION 1.** The undersigned Landowner owns approximately 24.277 acres of real property, (the “Property”) located wholly within the extraterritorial jurisdiction (the “ETJ”) of the Town and not within the ETJ or corporate limit of any other town or city, which property is described by metes and bounds on **Exhibit A** and depicted on **Exhibit B**, each attached hereto and made a part hereof for all purposes.

**SECTION 2.** The Town is a general-law municipality of the State of Texas, located in Denton County.

**SECTION 3.** The Landowner hereby petitions the Town Council of the Town to annex the Property into the corporate limits of the Town pursuant to Section 43.0671 of the Texas Local Government Code, as amended.

**SECTION 4.** Pursuant to Section 43.0671 of the Texas Local Government Code, as amended, the Town may annex an area if each owner of land in the area requests the annexation.

[Signature Page of Landowner to Follow]



RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of April, 2019.

**LANDOWNER:**

**MM Hickory Creek 24, LLC,**  
a Texas limited liability company

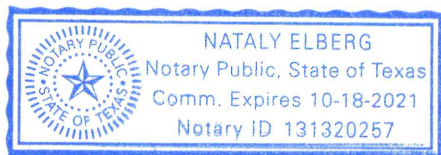
By: MMM Ventures, LLC,  
a Texas limited liability company  
Its Manager

By: 2M Ventures, LLC,  
a Delaware limited liability company  
Its Manager

By: [Signature]  
Name: Mehrdad Moayed  
Its: Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 9 day of April, 2019 by Mehrdad Moayed, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of MM Hickory Creek 24, LLC, a Texas limited liability company on behalf of said company.



[Signature]  
Notary Public, State of Texas

## **EXHIBIT A**

### **Metes and Bounds**

#### **24.277 ACRE TRACT**

BEING a 24.277 acre tract of land situated in the H.H. SWISHER SURVEY, ABSTRACT NO. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows;

BEGINNING at a brass monument found for the Northwest corner of the Enclave of Hickory Creek, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Document No. 2013- 198, of the Plat Records of Denton County, Texas, also being in the south line of said Brown tract, also being the northeast corner of a called 3.2515 acre tract of land described to the Town of Hickory Creek, Texas in Special Warranty Deed recorded in Instrument Number 2011-119348, Official Records of Denton County, Texas, (ORDCT);

Thence South 89°48'16" West along the common line of said Brown tract and said 3.2515 acre tract, a distance of feet to a brass monument found for the southwest corner of said Brown tract, also being an angle point in said 3.2515 acre tract and being in the east line of a called 37.4620 acre tract of land described to Alan Harvey Goldfield and Shirley Mae Goldfield in Special Warranty Deed recorded in Instrument Number 2013-58239, (ORDCT);

Thence North 01°14'49" West, with the common line of said Brown tract and said 37.4620 acre tract, passing at a distance of 29.88 feet, a 1/2-inch iron rod found for an angle point in said 3.2515 acre tract, continuing for a total distance of 433.98 feet to a brass disk found for an angle point;

Thence North 00°23'16" West, continuing with the common line of said Brown tract and said 37.4620 acre tract, a distance of 368.26 feet to a 5/8-inch iron rod found for the northwest corner of said Brown tract;

THENCE North 89°41'22" East, with the north line of said Brown tract, passing at a distance of 1296.28 feet a 1/2" iron rod found in the west right of way line of Ronald Reagan Avenue (a variable width Public Right-of-Way at this point), continuing in all a total of 1308.08 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the northeast corner of said 24.277 acre tract;

THENCE South 01°57'32" East, a distance of 802.22 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the southeast corner of said 24.277 acre tract, also being in the north line of said Enclave of Hickory Creek, also being in the north line of a 30 foot right-of-way dedicated by said Enclave of Hickory Creek plat;

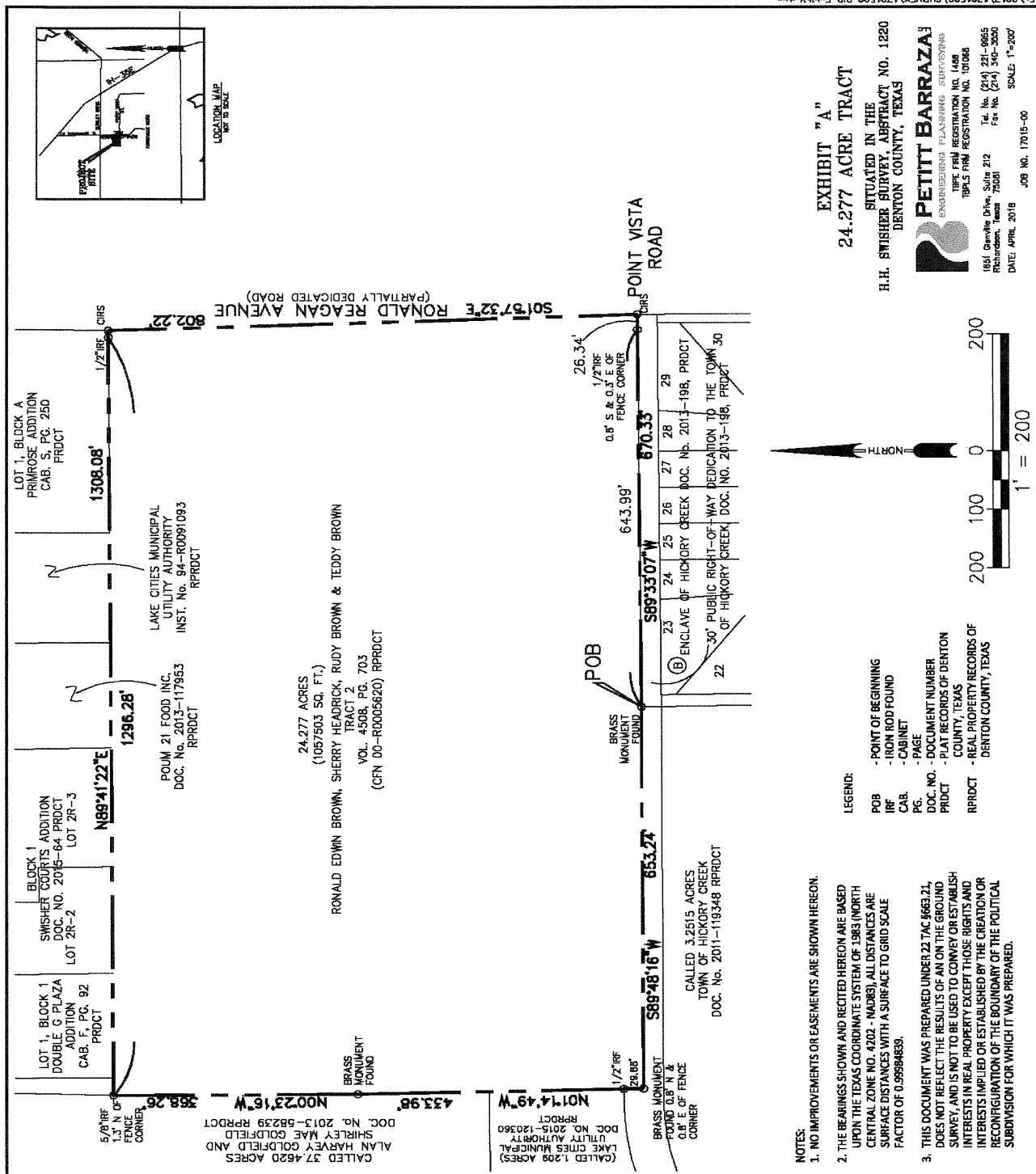
THENCE South 89°33'07" West, with the common line of said Brown tract and said Enclave of

Hickory Creek, passing at a distance of 26.34 feet a 1/2-inch iron rod found, continuing in all a total distance of 670.33 feet to the POINT OF BEGINNING, and containing 24.277 acres of land, more or less.

NOTES:

1. THE BEARINGS SHOWN AND RECITED HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE NO. 4202 - NAD83), ALL DISTANCES ARE SURFACE DISTANCES WITH A SURFACE TO GRID SCALE FACTOR OF 0.99984839.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND 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.

### Property Depiction



**Item Attachment Documents:**

20. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, setting a date, time and place for public hearings of the voluntary annexation of a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.

**TOWN OF HICKORY CREEK, TEXAS**  
**RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARINGS OF THE VOLUNTARY ANNEXATION OF A 24.277 ACRE TRACT OF LAND SITUATED IN THE H.H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A GIFT DEED TO RONALD EDWIN BROWN, SHERRY HEADRICK, RUDY BROWN AND TEDDY BROWN, RECORDED IN VOLUME 4508, PAGE 703 OF THE REAL PROPERTY RECORDS OF DENTON, COUNTY TEXAS, BY THE TOWN OF HICKORY CREEK, TEXAS AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SAID PUBLIC HEARINGS AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** On the 21st day of May, 2019, at 6:30 p.m., in the Town Council Chamber of the Town Hall of the Town of Hickory Creek, Texas, the Town Council will hold a public hearing giving all interested persons the right to appear and be heard on the voluntary annexation by the Town of Hickory Creek, Texas of property legally described as a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.

**Section 2:** On the 18th day of June, 2019, at 6:30 p.m., in the Town Council Chamber of the Town Hall of the Town of Hickory Creek, Texas, the Town Council will hold a public hearing giving all interested persons the right to appear and be heard on the voluntary annexation by the Town of Hickory Creek, Texas of property legally described as a 24.277 acre tract of land situated in the H.H. Swisher Survey, Abstract No. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas.

**Section 3:** The Mayor of the Town of Hickory Creek, Texas, is hereby authorized and directed to cause notice of such public hearings to be published once in a newspaper having general circulation in the Town and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

**Section 4:** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16<sup>th</sup> day of April, 2019.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

21. Consider and act on a resolution accepting a petition and setting a public hearing for the creation of the Hickory Farms Public Improvement District within the extraterritorial jurisdiction of the Town of Hickory Creek, Texas; and authorizing the issuance of notice by the town secretary of Hickory Creek, Texas regarding the public hearing.



## **CERTIFICATE FOR RESOLUTION**

THE STATE OF TEXAS  
DENTON COUNTY  
TOWN OF HICKORY CREEK

We, the undersigned officers of the Town of Hickory Creek (the "Town"), hereby certify as follows:

1. The Council convened in a regular meeting on April 16, 2019, at the regular designated meeting place, and the roll was called of the duly constituted officers and members of said Council, to wit:

Lynn Clark	Mayor
Paul Kenney	Place 4, Mayor Pro Tem
Tracee Elrod	Place 1
Richard DuPree	Place 2
Chris Gordon	Place 3
Ian Theodore	Place 5

and all of said persons were present except \_\_\_\_\_ thus constituting a quorum. Whereupon, among other business the following was transacted at said meeting: a written

RESOLUTION ACCEPTING A PETITION AND SETTING A PUBLIC  
HEARING FOR THE CREATION OF THE HICKORY FARMS PUBLIC  
IMPROVEMENT DISTRICT WITHIN THE EXTRATERRITORIAL  
JURISDICTION OF THE TOWN OF HICKORY CREEK, TEXAS; AND  
AUTHORIZING THE ISSUANCE OF NOTICE BY THE TOWN SECRETARY  
REGARDING THE PUBLIC HEARING

was duly introduced for the consideration of said Council. It was then duly moved and seconded that said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried, with all members of said Council shown present above voting "Aye," except as noted below:

NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_

2. A true, full, and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in said Council's minutes of said meeting; the above and foregoing paragraph is a true, full, and correct excerpt from said Council's minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said Council as indicated therein; that each of the officers and members of said Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given all as required by the Texas Government Code, Chapter 551.

3. The Town Council has approved and hereby approves the Resolution; and the Mayor and Town Secretary hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED ON APRIL 16, 2019.

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Town Secretary

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Mayor

(TOWN SEAL)

TOWN OF HICKORY CREEK  
RESOLUTION NO. 2019- 04-\_\_\_\_\_

RESOLUTION ACCEPTING A PETITION AND SETTING A PUBLIC HEARING  
FOR THE CREATION OF THE HICKORY FARMS PUBLIC IMPROVEMENT  
DISTRICT WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN  
OF HICKORY CREEK, TEXAS; AND AUTHORIZING THE ISSUANCE OF  
NOTICE BY THE TOWN SECRETARY REGARDING THE PUBLIC HEARING

WHEREAS, the Town of Hickory Creek, Texas (the "Town"), is authorized under Chapter 372 of the Texas Local Government Code (the "Act"), to create a public improvement district within its corporate limits and its extraterritorial jurisdiction ("ETJ"); and

WHEREAS, on April 4, 2019, the owner of (1) taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located and (2) record owner of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal (the "Petitioner"), submitted and filed with the Town Secretary (the "Town Secretary") a petition ("Petition"), attached as Exhibit A, requesting the establishment of a proposed public improvement district for property within the ETJ of the Town to be known as the "Hickory Farms Public Improvement District" ("District"); and

WHEREAS, the Town Council of the Town (the "Town Council") will hold a public hearing in accordance with Section 372.009 of the Act regarding the establishment of the proposed District in the ETJ of the Town in accordance with the Petition; and

WHEREAS, in order to hold a public hearing for the creation of a public improvement district, notice must be given in a newspaper of general circulation in the municipality before the 15<sup>th</sup> day before the date of the hearing, and written notice must be mailed to the current address of each owner, as reflected on the tax rolls, of property that would be subject to assessment under the proposed public improvement district; and

WHEREAS, both newspaper notice and mailed notice must contain the information required for notice as provided for in Section 372.009 of the Act; and

WHEREAS, the Town Council has determined to hold a public hearing on *May 21, 2019* on the creation of the proposed District; and

WHEREAS, the Town Council finds that the passage of this Resolution is in the best interest of the citizens of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:

**Section 1:** All of the above recitals are hereby found to be true and correct factual determinations of the Town and are hereby approved and incorporated by reference as though fully set forth herein.

**Section 2:** Town Staff reviewed the Petition and determined that the same complied with the requirements of the Act and the Town Council hereby accepts the Petition.

**Section 3:** A public hearing is hereby called for *May 21, 2019, at 6:30 p.m. at Hickory Creek Council Chambers, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065*, for the purpose of hearing public testimony with respect to the creation of the proposed District, at which time and place the Town Council will hear testimony regarding the creation of the proposed District and consider the adoption of a resolution authorizing the creation of the District.

**Section 4:** The Public Hearing may be continued from time to time as needed. All residents and property owners within the proposed District, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the creation of the District.

**Section 5:** Attached hereto as **Exhibit A** is the Petition for the Creation of the District within the ETJ of the Town.

**Section 6:** Attached here to as **Exhibit B** is a form of the Notice of Public Hearing (the "Notice") the form and substance of which is hereby approved.

**Section 7:** Attached here to as **Exhibit C** is a legal description and depiction of the approximately 24.3 acres of property to be included in the proposed District.

**Section 8:** The Town Secretary and the Town's bond counsel are hereby authorized and directed to cause said Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the Town and a newspaper of general circulation in the ETJ of the Town, and to notify any affected landowners within the boundaries of the proposed public improvement district as required by law. The Town Secretary shall provide notice before the 15<sup>th</sup> day before the *May 21, 2019* hearing.

**Section 9:** If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the Town Council hereby determines that it would have adopted this Resolution without the invalid provision.

**Section 10:** This Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

**EXHIBIT A**

**Petition for the Creation of a Public Improvement District**

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT  
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF HICKORY  
CREEK, TEXAS FOR THE  
HICKORY FARMS PUBLIC IMPROVEMENT DISTRICT**

This petition ("Petition") is submitted and filed with the Town Secretary of the Town of Hickory Creek, Texas ("Town"), by MM Hickory Creek 24, LLC, a Texas limited liability company, the owner of approximately 24 acres of the real property (the "Petitioner") located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the Town create a public improvement district (the "District"), to include property located within the extraterritorial jurisdiction of the Town (the "Property"), more particularly described by a metes and bounds description in **Exhibit A** and depicted in **Exhibit B**. In support of this Petition, the Petitioner would present the following:

**Section 1. General Nature of the Authorized Improvements.** The general nature of the proposed public improvements (collectively, the "Authorized Improvements") 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 and maintenance 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; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the Town and confer a special benefit upon the Property.

**Section 2. Estimated Cost of the Authorized Improvements.** The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, is \$5,000,000.00. The Town will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the Town or assessments of property owners.

**Section 3. Boundaries of the Proposed District.** The District is proposed to include the Property.



**Section 4. Proposed Method of Assessment.** The Town shall levy assessments on each parcel within the 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 interest and principal), and certain assessments may be paid in annual installments (including interest and principal). 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 by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

**Section 5. Proposed Apportionment of Costs between the District and the Town.** The Town will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. No municipal property in the public improvement district shall be assessed. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

**Section 6. Management of the District.** The Petitioner proposes that the District be managed by the Town, with the assistance of a consultant, who shall, from time to time, advise the Town regarding certain operations of the District.

**Section 7. The Petitioner Requests Establishment of the District.** The persons signing this Petition request the establishment of the District, is duly authorized, and has the corporate authority to execute and deliver the Petition.

**Section 8. Advisory Board.** The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

**Section 9. Landowner(s).** This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the Town Secretary of the Town, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the Town Council of the Town as herein provided. The undersigned request that the Town Council of the Town call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on this the 4<sup>th</sup> day of April, 2019.

MM Hickory Creek 24, LLC,  
a Texas limited liability company

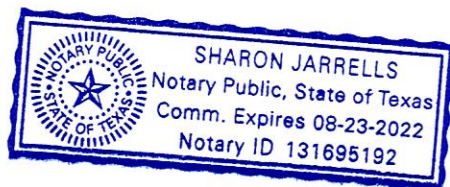
By: MMM Ventures, LLC,  
a Texas limited liability company  
Its Manager

By: 2M Ventures, LLC,  
a Delaware limited liability company  
Its Manager

By: [Signature]  
Name: Mehrdad Moayed  
Its: Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 3<sup>rd</sup> day of April, 2019 by Mehrdad Moayed, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of MM Hickory Creek 24, LLC, a Texas limited liability company on behalf of said company.



[Signature] / Sharon Jarrells  
Notary Public, State of Texas



## EXHIBIT A

### Metes and Bounds Description

#### 24.277 ACRE TRACT

BEING a 24.277 acre tract of land situated in the H.H. SWISHER SURVEY, ABSTRACT NO. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows;

BEGINNING at a brass monument found for the Northwest corner of the Enclave of Hickory Creek, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Document No. 2013- 198, of the Plat Records of Denton County, Texas, also being in the south line of said Brown tract, also being the northeast corner of a called 3.2515 acre tract of land described to the Town of Hickory Creek, Texas in Special Warranty Deed recorded in Instrument Number 2011-119348, Official Records of Denton County, Texas, (ORDCT);

Thence South 89°48'16" West along the common line of said Brown tract and said 3.2515 acre tract, a distance of 653.24 feet to a brass monument found for the southwest corner of said Brown tract, also being an angle point in said 3.2515 acre tract and being in the east line of a called 37.4620 acre tract of land described to Alan Harvey Goldfield and Shirley Mae Goldfield in Special Warranty Deed recorded in Instrument Number 2013-58239, (ORDCT);

Thence North 01°14'49" West, with the common line of said Brown tract and said 37.4620 acre tract, passing at a distance of 29.88 feet, a 1/2-inch iron rod found for an angle point in said 3.2515 acre tract, continuing for a total distance of 433.98 feet to a brass disk found for an angle point;

Thence North 00°23'16" West, continuing with the common line of said Brown tract and said 37.4620 acre tract, a distance of 368.26 feet to a 5/8-inch iron rod found for the northwest corner of said Brown tract;

THENCE North 89°41'22" East, with the north line of said Brown tract, passing at a distance of 1296.28 feet a 1/2" iron rod found in the west right of way line of Ronald Reagan Avenue (a variable width Public Right-of-Way at this point), continuing in all a total of 1308.08 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the northeast corner of said 24.277 acre tract;

THENCE South 01°57'32" East, a distance of 802.22 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the southeast corner of said 24.277 acre tract, also being in the north line of said Enclave of Hickory Creek, also being in the north line of a 30 foot right-of-way dedicated by said Enclave of Hickory Creek plat;

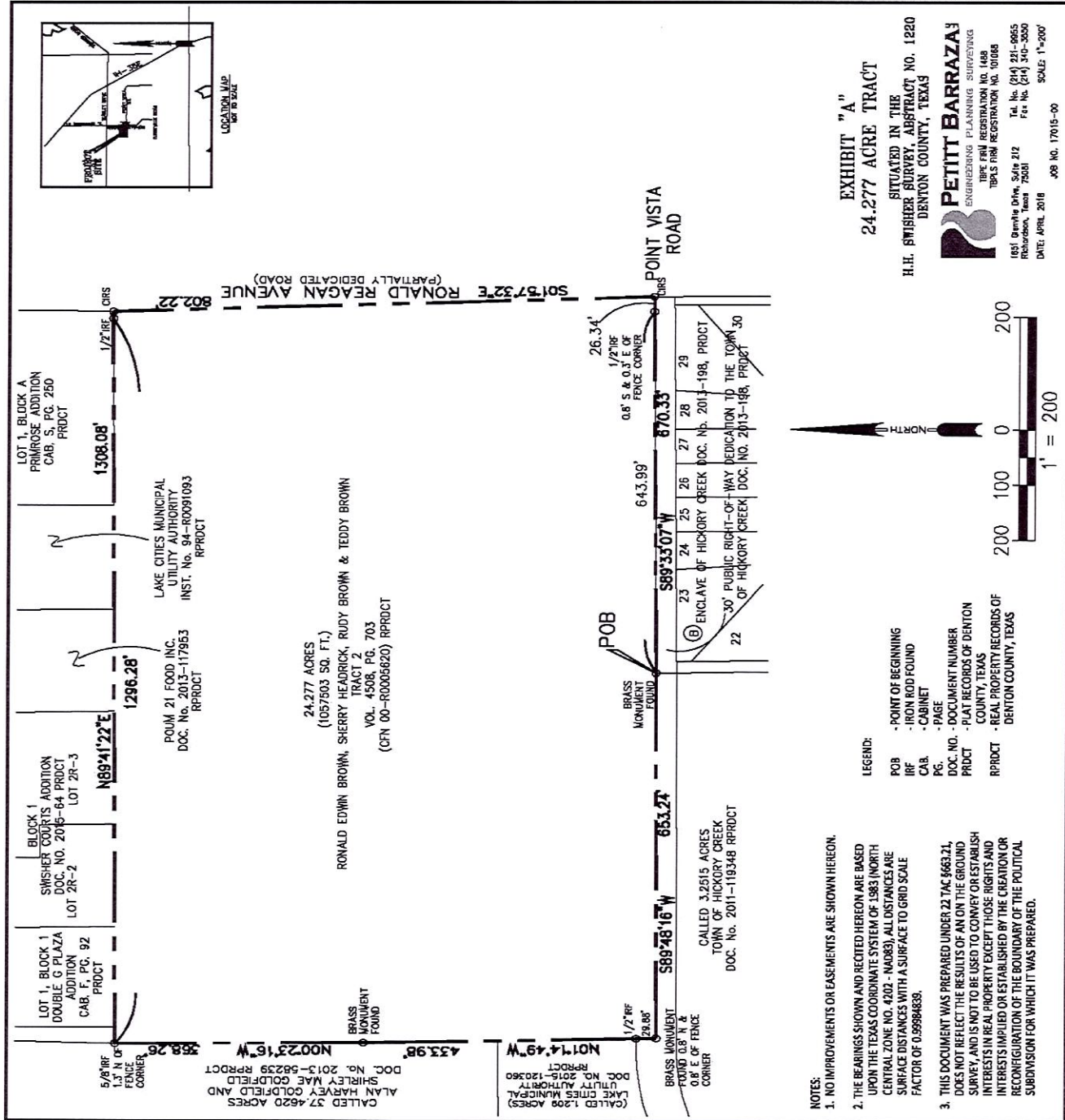
THENCE South 89°33'07" West, with the common line of said Brown tract and said Enclave of Hickory Creek, passing at a distance of 26.34 feet a 1/2-inch iron rod found, continuing in all a total distance of 670.33 feet to the POINT OF BEGINNING, and containing 24.277 acres of land, more or less.

#### NOTES:

1. THE BEARINGS SHOWN AND RECITED HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE NO. 4202 - NAD83), ALL DISTANCES ARE SURFACE DISTANCES WITH A SURFACE TO GRID SCALE FACTOR OF 0.99984839.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND 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.

# EXHIBIT B

## Property Depiction



## EXHIBIT B

### TOWN OF HICKORY CREEK, TEXAS NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended (the “Act”), notice is hereby given that the Town Council of the Town of Hickory Creek, Texas (“Town”), will hold a public hearing to accept public comments and discuss the petition (the “Petition”), filed by MM Hickory Creek 24, LLC (the “Petitioner”), requesting that the Town create the Hickory Farms Public Improvement District (the “District”) to include property owned by the Petitioner.

**Time and Place of the Hearing.** The public hearing will start at 6:30 p.m. May 21, 2019 at Hickory Creek Council Chambers, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065.

**General Nature of the Proposed Authorized Improvements.** The general nature of the proposed public improvements (collectively, the "Authorized Improvements") 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 and maintenance 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; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vii) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vii) above as well as the costs of issuance, reserve funds, or credit enhancement of any bonds issued for the purposes described above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the Town and confer a special benefit upon the Property.

**Estimated Cost of the Authorized Improvements.** The estimated cost to design, acquire and construct the Authorized Improvements together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District will not to exceed \$5,000,000.00.

**Proposed District Boundaries.** The District is proposed to include approximately 24.3 acres of land generally located south of Swisher Road/Teasly Drive, west of Ronald Reagan Avenue, and east of Parkridge Drive, located within the extraterritorial jurisdiction of the Town and as more particularly described by a metes and bounds description that follows this notice.

**Proposed Method of Assessment.** The Town shall levy assessments on each parcel within the 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 interest and principal), and certain assessments may be paid in annual installments (including interest and principal). 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 by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

**Proposed Apportionment of Cost between the District and the Town.** The Town will not be obligated to provide any funds to finance the Authorized Improvements, except for assessments levied on real property within the District and possible tax reinvestment zone revenue, if created. No municipal property in the District shall

be assessed. All of the costs of the Authorized Improvements will be paid from assessments and from other sources of funds, if any, available to the Petitioner.

During the public hearing, any interested person may speak for or against the establishment of the District and the advisability of the improvements to be made for the benefit of the property within the District.

## **EXHIBIT C**

### **Metes and Bounds**

#### **24.277 ACRE TRACT**

BEING a 24.277 acre tract of land situated in the H.H. SWISHER SURVEY, ABSTRACT NO. 1220, Denton County, Texas and being part of that certain tract of land described in a Gift Deed to Ronald Edwin Brown, Sherry Headrick, Rudy Brown, and Teddy Brown, recorded in Volume 4508, Page 703 of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows;

BEGINNING at a brass monument found for the Northwest corner of the Enclave of Hickory Creek, an addition to the Town of Hickory Creek, Denton County, Texas according to the plat thereof recorded in Document No. 2013-198, of the Plat Records of Denton County, Texas, also being in the south line of said Brown tract, also being the northeast corner of a called 3.2515 acre tract of land described to the Town of Hickory Creek, Texas in Special Warranty Deed recorded in Instrument Number 2011-119348, Official Records of Denton County, Texas, (ORDCT);

Thence South 89°48'16" West along the common line of said Brown tract and said 3.2515 acre tract, a distance of 653.24 feet to a brass monument found for the southwest corner of said Brown tract, also being an angle point in said 3.2515 acre tract and being in the east line of a called 37.4620 acre tract of land described to Alan Harvey Goldfield and Shirley Mae Goldfield in Special Warranty Deed recorded in Instrument Number 2013-58239, (ORDCT);

Thence North 01°14'49" West, with the common line of said Brown tract and said 37.4620 acre tract, passing at a distance of 29.88 feet, a 1/2-inch iron rod found for an angle point in said 3.2515 acre tract, continuing for a total distance of 433.98 feet to a brass disk found for an angle point;

Thence North 00°23'16" West, continuing with the common line of said Brown tract and said 37.4620 acre tract, a distance of 368.26 feet to a 5/8-inch iron rod found for the northwest corner of said Brown tract;

THENCE North 89°41'22" East, with the north line of said Brown tract, passing at a distance of 1296.28 feet a 1/2" iron rod found in the west right of way line of Ronald Reagan Avenue (a variable width Public Right-of-Way at this point), continuing in all a total of 1308.08 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the northeast corner of said 24.277 acre tract;

THENCE South 01°57'32" East, a distance of 802.22 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" set for the southeast corner of said 24.277 acre tract, also being in the north line of said Enclave of Hickory Creek, also being in the north line of a 30 foot right-of-way dedicated by said Enclave of Hickory Creek plat;

THENCE South 89°33'07" West, with the common line of said Brown tract and said Enclave of Hickory Creek, passing at a distance of 26.34 feet a 1/2-inch iron rod found, continuing in all a total distance of 670.33 feet to the POINT OF BEGINNING, and containing 24.277 acres of land, more or less.

#### **NOTES:**

1. THE BEARINGS SHOWN AND RECITED HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE NO. 4202 - NAD83), ALL DISTANCES ARE SURFACE DISTANCES WITH A SURFACE TO GRID SCALE FACTOR OF 0.99984839.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND 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.

**Item Attachment Documents:**

22. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement by and between the Town of Hickory Creek, Texas and Integra Realty Resources.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE AN AGREEMENT BY AND BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND INTEGRA REALTY RESOURCES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has been presented with a proposed Agreement by and between the Town of Hickory Creek, Texas and Integra Realty Resources (hereinafter the "Agreement") for valuation and consulting services, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute them on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute on behalf of the Town of Hickory Creek, Texas, the Agreement attached hereto as Exhibit A.

**Section 2:** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas



ATTEST:

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

---

Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas





April 10, 2019

Mr. John Smith  
Town Administrator  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

Mr. R.R. "Tripp" Davenport, III  
Director  
FMSbonds, Inc.  
100 Crescent Court, Suite 700  
Dallas, Texas 75201

SUBJECT: Proposal/Authorization for Valuation and Consulting Services of a residential zoned planned development known as "Hickory Farms Public Improvement District".

Dear Mr. Smith:

Upon your acceptance of this letter agreement, Integra Realty Resources – DFW ("IRR – DFW"), will prepare an appraisal of the Subject Property.

The purpose of the appraisal is to provide an opinion of the "As Complete" market value of the fee simple interest in the Subject Property outlined herein "As If Improved As Proposed with Limited Specific Offsite General Infrastructure". We will assume that the Town of Hickory Creek will approve or has approved the proposed development in 2019 and that all development entitlements are in place for the "Project" to proceed. Further, our valuation will also be based upon, and assume that, that only limited specific offsite general infrastructure indicated in the Plan of Finance is cash funded and held with the Trustee, in whole or in part, with special assessments levied on property within the Hickory Farms Public Improvement District ("PID"), relating to the "Project" will be completed by the end of 2019."

It is our understanding that the Appraisal Report will be included in the Preliminary and Final Official Statements for the sale of one or more series of Public Improvement District (PID) bonds for the Project, and we will provide our written consent to the inclusion of the Appraisal Report in the Preliminary and Final Official Statements. The appraisal will be prepared in conformance with and subject to, the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute and the *Uniform Standards of Professional Appraisal Practice* (USPAP) developed by the Appraisal Standards Board of the Appraisal Foundation. The Ethics Rule of USPAP requires us to disclose to you any prior services we have performed regarding the Subject Property within a three-year period immediately preceding the acceptance of this assignment, either as an appraiser or in any other capacity. We represent that we have not performed any services that require disclosure under this rule.

In accordance- with our correspondence, the scope of this assignment will require IRR – DFW to consider all relevant and applicable approaches to value as determined during the course of our research, Subject Property analysis, and preparation of the report.

Federal banking regulations require banks and other lending institutions to engage appraisers where FIRREA compliant appraisals must be used in connection with mortgage loans or other transactions involving federally regulated lending institutions. Given that requirement, this appraisal may not be accepted by a federally regulated financial institution.

The appraisal will be communicated in an Appraisal Report-Standard Format Report. All work will be performed under the direct supervision of the undersigned, together with other staff members. The appraisal and this letter agreement will be subject to our standard assumptions and limiting conditions, a copy of which is attached as Attachment I.

**IRR – DFW is an independently owned and operated company. The parties hereto agree that Integra Realty Resources, Inc. ("Integra") shall not be liable for any claim arising out of or relating to any appraisal report or any information or opinions contained therein as such appraisal report is the sole and exclusive responsibility of IRR – DFW. In addition, it is expressly agreed that in any action which may be brought against IRR – DFW and/or any of its officers, owners, managers, directors, agents, subcontractors or employees (the "Integra Parties"), arising out of, relating to, or in any way pertaining to this engagement letter, the appraisal reports or any related work product, the Integra Parties shall not be responsible or liable for any incidental or consequential damages or losses, unless the appraisal was fraudulent or prepared with intentional misconduct. It is further expressly agreed that the collective liability of the Integra Parties in any such action shall not exceed the fees paid for the preparation of the assignment (unless the appraisal was fraudulent or prepared with intentional misconduct). It is expressly agreed that the fees charged herein are in reliance upon the foregoing limitations of liability.**

The total fee for this assignment will be \$10,000 which will be paid for by the Developer, but which payment may be reimbursed to the developer as a qualified creation and issuance cost of the "Public Improvement District". Please note that the full fee must be received in our office before the commencement of this appraisal. The delivery date will be within 30 days from your signed acceptance of this letter agreement, receipt of the fee and receipt of requested documents from the developer, but subject to extension based upon late delivery of the requested data and scheduled access for inspection. **We will require the full fee of \$10,000 prior to the commencement of this appraisal assignment.** If the assignment is cancelled by either party prior to completion, you agree to pay us for all our expenses and our time to date based upon the percentage of work completed.

Two hard copies of the appraisal report will be provided upon request. Additionally, we confirm our permission to use the final appraisal report in the offer and sale of public securities secured by the special assessments levied on property within the PID for the "Project"; and, we confirm that we will execute, subject to our approval of the same, a certificate related to the use of the appraisal for such purpose. The 30-day delivery date is contingent upon the absence of events

Mr. Smith  
"Hickory Farms Public Improvement District (the "PID")  
April 10, 2019  
Page 3

outside our control, timely access for inspection of the Subject Property, as well as our receipt of all requested information necessary to complete the assignment.

Please be advised that we are not experts in the areas of building inspection (including mold), environmental hazards, ADA compliance or wetlands. Therefore, unless we have been provided with appropriate third party expert reports, the appraisals will assume that there are no environmental, wetlands, or ADA compliance problems. The agreed upon fees for our services assume the absence of such issues inasmuch as additional research and analysis may be required. If an expert is required, you are responsible for their selection, payment and actions.

In the event that we receive a subpoena or are called to testify in any litigation, arbitration or administrative hearing of any nature whatsoever or as a result of this engagement or the related report, to which we are not a party, you agree to pay our then current hourly rates for such preparation and presentation of testimony. You agree that: (i) the data collected by us in this assignment will remain our property; and (ii) with respect to any data provided by you, IRR – DFW and its partner companies may utilize, sell and include such data (either in the aggregate or individually), in the Integra database and for use in derivative products. You agree that all data already in the public domain may be utilized on an unrestricted basis. Finally, you agree that we may use commercially available, as well as proprietary software programs, to perform your assignment (web based and others).

If you are in agreement with the terms set forth in this letter and wish us to proceed with the engagement, please sign below and return one copy to us. Thank you for this opportunity to be of service and we look forward to working with you.

Sincerely,

**INTEGRA REALTY RESOURCES – DFW, LLC**



Ernest E. Gatewood, III  
Senior Director

Attachments

**AGREED & ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**BY: TOWN OF HICKORY CREEK**

**FMSbonds, Inc.**

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

\_\_\_\_\_  
**AUTHORIZED SIGNATURE**

\_\_\_\_\_  
**NAME (PRINT)**

\_\_\_\_\_  
**NAME (PRINT)**

**ATTACHMENT I**

**STANDARD ASSUMPTIONS & LIMITING CONDITIONS**

The appraisal report and any work product related to the engagement will be limited by the following standard assumptions:

1. The title is marketable and free and clear of all liens, encumbrances, encroachments, easements and restrictions. The Subject Property is under responsible ownership and competent management and is available for its highest and best use.
2. There are no existing judgments or pending or threatened litigation that could affect the value of the Subject Property.
3. There are no hidden or undisclosed conditions of the land or of the improvements that would render the Subject Property more or less valuable. Furthermore, there is no asbestos in the Subject Property.
4. The revenue stamps placed on any deed referenced herein to indicate the sale price are in correct relation to the actual dollar amount of the transaction.
5. The Subject Property is in compliance with all applicable building, environmental, zoning, and other federal, state and local laws, regulations and codes.
6. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

The appraisal report and any work product related to the engagement will be subject to the following limiting conditions, except as otherwise noted in the report:

1. An appraisal is inherently subjective and represents our opinion as to the value of the Subject Property appraised.
2. The conclusions stated in our appraisal apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events.
3. No changes in any federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.
4. No environmental impact studies were either requested or made in conjunction with this appraisal, and we reserve the right to revise or rescind any of the value opinions based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the appraisal assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.
5. Unless otherwise agreed to in writing, we are not required to give testimony, respond to any subpoena or attend any court, governmental or other hearing with reference to the Subject Property without compensation relative to such additional employment.
6. We have made no survey of the Subject Property and assume no responsibility in connection with such matters. Any sketch or survey of the Subject Property included in this report is for illustrative purposes only and should not be considered to be scaled accurately for size. The appraisal covers

the Subject Property as described in this report, and the areas and dimensions set forth are assumed to be correct.

7. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the Subject Property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in our appraisal.
8. We accept no responsibility for considerations requiring expertise in other fields. Such considerations include, but are not limited to, legal descriptions and other legal matters such as legal title, geologic considerations, such as soils and seismic stability, and civil, mechanical, electrical, structural and other engineering and environmental matters. Such considerations may also include determinations of compliance with zoning and other federal, state, and local laws, regulations and codes.
9. The distribution of the total valuation in the report between land and improvements applies only under the reported highest and best use of the Subject Property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. The appraisal report shall be considered only in its entirety. No part of the appraisal report shall be utilized separately or out of context.
10. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the persons signing the report.
11. Information, estimates and opinions contained in the report and obtained from third-party sources are assumed to be reliable and have not been independently verified.
12. Any income and expense estimates contained in the appraisal report are used only for the purpose of estimating value and do not constitute predictions of future operating results.
13. If the Subject Property is subject to one or more leases, any estimate of residual value contained in the appraisal may be particularly affected by significant changes in the condition of the economy, of the real estate industry, or of the Subject Property at the time these leases expire or otherwise terminate.
14. Unless otherwise stated in the report, no consideration has been given to personal property located on the Subject Property or to the cost of moving or relocating such personal property; only the real property has been considered.
15. The current purchasing power of the dollar is the basis for the value stated in the appraisal; we have assumed that no extreme fluctuations in economic cycles will occur.
16. The values found herein are subject to these and to any other assumptions or conditions set forth in the body of this report but which may have been omitted from this list of Assumptions and Limiting Conditions.
17. The analyses contained in the report necessarily incorporate numerous estimates and assumptions regarding property performance, general and local business and economic conditions, the absence

of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from our estimates, and the variations may be material.

18. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the Subject Property to determine whether the physical aspects of the improvements meet the ADA accessibility guidelines. We claim no expertise in ADA issues, and render no opinion regarding compliance of the Subject Property with ADA regulations. Inasmuch as compliance matches each owner's financial ability with the cost to cure the non-conforming physical characteristics of a property, a specific study of both the owner's financial ability and the cost to cure any deficiencies would be needed for the Department of Justice to determine compliance.
19. The appraisal report is prepared for the exclusive benefit of you, your subsidiaries and/or affiliates. It may not be used or relied upon by any other party. All parties who use or rely upon any information in the report without our written consent do so at their own risk.
20. No studies have been provided to us indicating the presence or absence of hazardous materials on the Subject Property or in the improvements, and our valuation is predicated upon the assumption that the Subject Property is free and clear of any environment hazards including, without limitation, hazardous wastes, toxic substances and mold. No representations or warranties are made regarding the environmental condition of the Subject Property. IRR – DFW and/or any of its officers, owners, managers, directors, agents, subcontractors or employees (the "Integra Parties") shall not be responsible for any such environmental conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because we are not experts in the field of environmental conditions, the appraisal report cannot be considered as an environmental assessment of the Subject Property.
21. The persons signing the report may have reviewed available flood maps and may have noted in the appraisal report whether the Subject Property is located in an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the Subject Property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal.
22. We are not a building or environmental inspector. The Integra Parties do not guarantee that the Subject Property is free of defects or environmental problems. Mold may be present in the Subject Property and a professional inspection is recommended.
23. The appraisal report and value conclusions for an appraisal assumes the satisfactory completion of construction, repairs or alterations in a workmanlike manner.
24. **IRR – DFW is an independently owned and operated company. The parties hereto agree that Integra Realty Resources, Inc. ("Integra") shall not be liable for any claim arising out of or relating to any appraisal report or any information or opinions contained therein as such appraisal report is the sole and exclusive responsibility of IRR – DFW. In addition, it is expressly agreed that in any action which may be brought against IRR – DFW and/or any of its officers, owners, managers, directors, agents, subcontractors or employees (the "Integra Parties"), arising out of, relating to, or in any way pertaining to this engagement letter, the appraisal reports or any related work**

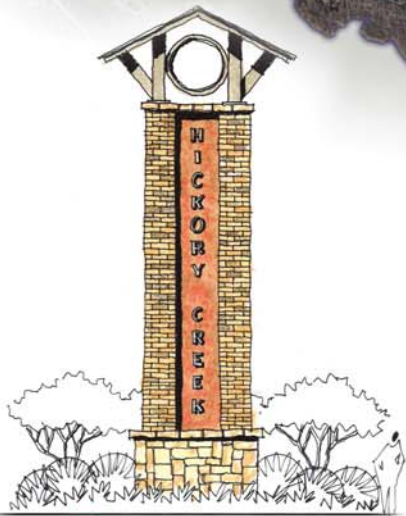
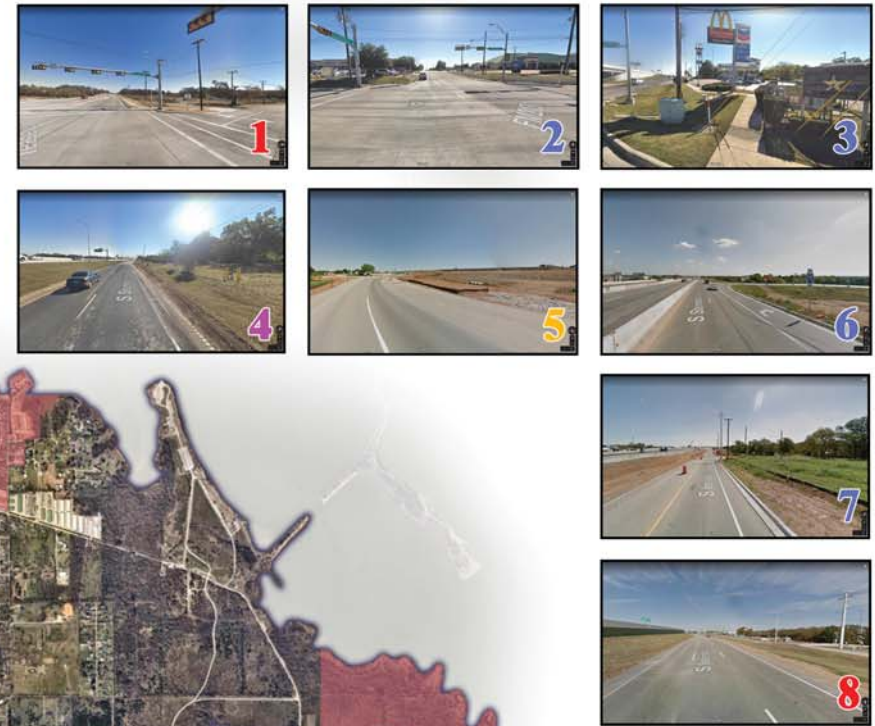
**product, the Integra Parties shall not be responsible or liable for any incidental or consequential damages or losses, unless the appraisal was fraudulent or prepared with intentional misconduct. It is further expressly agreed that the collective liability of the Integra Parties in any such action shall not exceed the fees paid for the preparation of the assignment (unless the appraisal was fraudulent or prepared with intentional misconduct). It is expressly agreed that the fees charged herein are in reliance upon the foregoing limitations of liability.**

25. IRR – DFW is an independently owned and operated company, which has prepared the appraisal for the specific intended use stated elsewhere in the report. The use of the appraisal report by anyone other than the Client is prohibited except as otherwise provided. Accordingly, the appraisal report is addressed to and shall be solely for the Client's use and benefit unless we provide our prior written consent. We expressly reserve the unrestricted right to withhold our consent to your disclosure of the appraisal report or any other work product related to the engagement (or any part thereof including, without limitation, conclusions of value and our identity), to any third parties. Stated again for clarification, unless our prior written consent is obtained, no third party may rely on the appraisal report (even if their reliance was foreseeable).
26. The conclusions of this report are estimates based on known current trends and reasonably foreseeable future occurrences. These estimates are based partly on property information, data obtained in public records, interviews, existing trends, buyer-seller decision criteria in the current market, and research conducted by third parties, and such data are not always completely reliable. The Integra Parties>>>> are not responsible for these and other future occurrences that could not have reasonably been foreseen on the effective date of this assignment. Furthermore, it is inevitable that some assumptions will not materialize and that unanticipated events may occur that will likely affect actual performance. While we are of the opinion that our findings are reasonable based on current market conditions, we do not represent that these estimates will actually be achieved, as they are subject to considerable risk and uncertainty. Moreover, we assume competent and effective management and marketing for the duration of the projected holding period of the Subject Property.
27. All prospective value opinions presented in this report are estimates and forecasts which are prospective in nature and are subject to considerable risk and uncertainty. In addition to the contingencies noted in the preceding paragraph, several events may occur that could substantially alter the outcome of our estimates such as, but not limited to changes in the economy, interest rates, capitalization rates, behavior of consumers, investors and lenders, fire and other physical destruction, changes in title or conveyances of easements and deed restrictions, etc. It is assumed that conditions reasonably foreseeable at the present time are consistent or similar with the future.
28. As will be determined during the course of the assignment, additional extraordinary or hypothetical conditions may be required in order to complete the assignment. The appraisal shall also be subject to those assumptions.

**Item Attachment Documents:**

23. Consider and act on allocating additional funds, location and design for gateway monument signage.

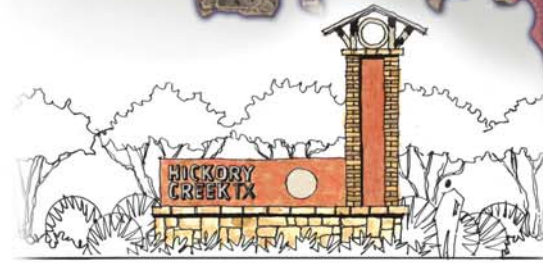




**PRIMARY MONUMENT**



**SECONDARY MONUMENT**



**TERTIARY MONUMENT**



**BLADE MONUMENT**

## HICKORY CREEK, TX - MONUMENTATION



These drawings and the information contained herein are for general presentation purposes only, and are not intended nor shall be used for design or as construction plans. The Owner reserves the right to modify or change all designs without notice to the public.

MARCH 2019

**Item Attachment Documents:**

24. Consider and act on an ordinance providing for the annexation into the Town of Hickory Creek, Texas of territory more specifically described herein and comprising approximately 38.8629 acres of land situated in the H.H. Swisher Survey, Abstract 1120, TR 50 and TR 50A(1)(PT), Denton County, Texas, for all municipal purposes.

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2019-04-\_\_**

**AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE A CERTAIN 38.8629 ACRE TRACT HEREINAFTER DESCRIBED WITHIN SAID TOWN LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE TOWN; ADOPTING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Chapter 43 of the Texas Local Government Code of the Town of Hickory Creek, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state.

**WHEREAS**, the procedures prescribed by the Texas Local Government Code and the laws of this state have been duly followed with respect to the following described territory more particularly described in Exhibit "A" which is attached hereto and incorporated herein.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:**

1. That the heretofore described property is hereby annexed to the Town of Hickory Creek, Denton County, Texas, and that the boundary limits of the Town of Hickory Creek be and the same are hereby extended to include the above described territory within the Town limits of the Town of Hickory Creek, and the same shall hereafter be included within the territorial limits of said Town, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the Town of Hickory Creek and they shall be bound by the acts, ordinances, resolutions, and regulations of said Town.
2. A service plan for the area is hereby adopted and attached as Exhibit "B."
3. The Town Secretary is hereby directed to file with the County Clerk of Denton County, Texas, a certified copy of this ordinance.
4. This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek,  
Texas, this 16th day of April, 2019.

---

Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

---

Kristi K. Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

---

Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Exhibit A**  
**Legal Description**

**TRACT 1**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE H. H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS, AND BEING A PORTION OF A 39.2300 ACRE PROPERTY DESCRIBED IN DEED TO T CHATEAU EVENT CENTER, LLC AS RECORDED INSTRUMENT NO. 2012-44732 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND BEING MORE DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 5/8<sup>11</sup> IRON ROD SET FOR CORNER IN THE EAST LINE SAID 39.2300 ACRE TRACT, COMMON WITH THE WEST LINE OF A 19.2345 ACRE TRACT, DESCRIBED IN DEED TO 1745 TURBEVILLE RENTAL PROPERTY, LLC, AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERKS FILE NO. 2015-48856 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND LOCATED IN THE NORTH RIGHT-OF-WAY LINE OF TURBEVILLE ROAD, FOR THE NORTHEAST CORNER OF A 0.3671 ACRE TRACT OF LAND DESCRIBED IN RIGHT-OF-WAY WARRANTY DEED TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, AS RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF A RIGHT-OF-WAY PARCEL DESCRIBED IN DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013- 19372 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS;

THENCE FOLLOWING ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID TURBEVILLE ROAD AS DESCRIBED IN SAID RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AS RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (5);

1. SOUTH 89° 41' 16" WEST FOR A DISTANCE OF 250.02 FEET TO A 5/8" IRON ROD SET FOR CORNER;

2. SOUTH 01° 45' 46" EAST FOR A DISTANCE OF 9.91 FEET TO A 1 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;

3. SOUTH 89° 40' 06" WEST FOR A DISTANCE OF 406.04 FEET TO A 5/8" IRON ROD SET FOR CORNER;

4. NORTH 89° 43' 11" WEST FOR A DISTANCE OF 226.42 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER;

5. NORTH 89° 07' 34" WEST FOR A DISTANCE OF 456.60 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "HALFF" FOUND FOR CORNER, SAID CORNER BEING THE NORTHWEST CONER OF AFORESAID 0.3671 ACRE TRACT OF LAND DESCRIBED IN RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND BEING IN THE WEST LINE OF THE AFORESAID 39.2300 ACRE TRACT;

THENCE NORTH 00° 02' 13" EAST AND DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID TURBEVILLE ROAD AS DESCRIBED IN SAID RIGHT-OF-WAY WARRANTY DEED TO TOWN OF HICKORY CREEK, TEXAS AND RECORDED IN INSTRUMENT NO. 2013-88998 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS AND FOLLOWING ALONG WEST LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT COMMON WITH THE EAST LINE OF STEEPLECHASE NORTH ADDITION - PHASE 1, AN ADDITION TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT NO. 2013-91 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, FOR A DISTANCE OF 1403.03 FEET TO A 5/8" IRON ROD SET FOR CORNER IN THE SOUTH LINE OF 3.2515 ACRE TRACT OF LAND DESCRIBED IN DEED TO ALAN HARVEY GOLDFIELD AS RECORDED IN DOCUMENT NO. 2013-57560 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 36° 41' 33" WITH A RADIUS OF 400.00 FEET AND A CHORD BEARING SOUTH 71° 50' 27" EAST AT A DISTANCE OF 251.81 FEET;

THENCE FOLLOWING ALONG THE NORTH LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE SOUTH LINE OF SAID 3.2515 ACRE ALAN HARVEY GOLDFIELD TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (6) THROUGH (11);

6. SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 256.16 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET THROUGH A CENTRAL ANGLE OF 36° 41' 11" AND A CHORD BEARING SOUTH 71° 50' 16" EAST AT A CHORD DISTANCE OF 289.53 FEET;

7. SOUTHEASTERLY AND FOLLOWING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 294.54 FEET TO A 5/8" IRON ROD SET FOR CORNER;

8. NORTH 89° 49' 08" EAST FOR A DISTANCE OF 524.98 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 460.00 FEET THROUGH A CENTRAL ANGLE OF 16° 52' 25" AND CHORD DIRECTION OF NORTH 81° 22' 55" EAST AT A CHORD LENGTH OF 134.98 FEET;

9. SOUTHEASTERLY AND FOLLOWING ALONG SAID CURVE TO THE LEFT FOR AN ARC DISTANCE OF 135.47 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET THROUGH A CENTRAL ANGLE OF 16° 52' 25" AND CHORD BEARING NORTH 81° 22' 55" EAST AT A CHORD LENGTH OF 117.37 FEET;

10. NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT FOR AN ARC DISTANCE OF 117.80 FEET TO A 1/2" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER ;

11. NORTH 89° 47' 02" EAST FOR A DISTANCE OF 29.66 FEET TO A 5/8" IRON ROD SET FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE NORTHWEST CORNER OF THE AFOREMENTIONED 19.2345 ACRE TRACT OF LAND DESCRIBED IN DEED TO 1745 TURBEVILLE RENTAL PROPERTY, LLC AS RECORDED IN DOCUMENT NUMBER 2015-48856 OF THE OFFICIAL RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 00° 52' 15" EAST AND DEPARTING THE SOUTH LINE OF AFORESAID 3.2515 ACRE ALAN HARVEY GOLDFIELD TRACT AND ALONG THE EAST LINE OF AFORESAID 39.2300 ACRE T. CHATEAU EVENT CENTER, LLC TRACT AND THE WEST LINE OF SAID 19.2345 ACRE 1745 TURBEVILLE RENTAL PROPERTY, LLC TRACT FOR A DISTANCE OF 1262.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 38.8755 ACRES OF LAND, MORE OR LESS.

## TRACT 2

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE H.H. SWISHER SURVEY, ABSTRACT NO. 1220, DENTON COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO CTMGT MONTALCINO, LLC, AS RECORDED IN DOCUMENT NO. 2011-121574 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD SET FOR THE NORTHWEST CORNER OF A RIGHT-OF-WAY DEDICATED FOR TURBEVILLE ROAD (A VARIABLE WIDTH RIGHT-OF-WAY) AS RECORDED IN DOCUMENT NO. 2013-19372 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING IN THE COMMON WEST LINE OF SAID CTMGT MONTALCINO TRACT AND THE EAST LINE OF A TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEED TO T CHATEAU EVENT CENTER, LLC, AS RECORDED IN DOCUMENT NO. 2012-44732 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS;

THENCE NORTH 00° 52' 15" WEST AND FOLLOWING ALONG SAID COMMON LINE FOR A DISTANCE OF 820.00 FEET TO A POINT FOR CORNER, SAID CORNER BEING THE POINT OF BEGINNING;

THENCE NORTH 00° 52' 15" EAST AND CONTINUING WITH SAID COMMON LINE FOR A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 89° 07' 45" EAST AND DEPARTING THE SAID COMMON LINE, OVER AND ACROSS SAID CTMGT MONTALCINO TRACT FOR A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

THENCE SOUTH 00° 52' 15" EAST AND CONTINUING OVER AND ACROSS SAID CTMGT MONTALCINO TRACT FOR A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

THENCE SOUTH 89° 07' 45" WEST AND CONTINUING OVER AND ACROSS SAID CTMGT MONTALCINO TRACT FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 100 SQUARE FEET OF LAND, MORE OR LESS.

**Item Attachment Documents:**

25. Consider and act on a resolution authorizing the Mayor of the Town of Hickory Creek, Texas to execute a development agreement by and between the Town of Hickory Creek, Texas and KSW Holding Hickory Creek, LP.



**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE MAYOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO EXECUTE A DEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND KSW HOLDING HICKORY CREEK, LP. AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council has been presented with a proposed Agreement by and between the Town of Hickory Creek, Texas and KSW Holding Hickory Creek, LP (hereinafter the "Agreement") for economic and land development, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, upon full review and consideration of the Agreement, and all matters attendant and related thereto, the Town Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute them on behalf of the Town of Hickory Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** That the Mayor of the Town of Hickory Creek, Texas, is hereby authorized to execute on behalf of the Town of Hickory Creek, Texas, the Agreement attached hereto as Exhibit A.

**Section 2:** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

---

Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

26. Consider and act on a resolution hereby authorizing the Town Administrator of the Town of Hickory Creek, Texas to obtain and secure electric rates and execute necessary documents.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2019-0416-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
HICKORY CREEK, TEXAS, HEREBY AUTHORIZING THE TOWN  
ADMINISTRATOR OF THE TOWN OF HICKORY CREEK, TEXAS, TO  
OBTAIN AND SECURE ELECTRIC RATES AND EXECUTE  
NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek (the “Town”), Texas is a Type A General Law Municipality located in Denton County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to enabling legislation of the State of Texas; and

**WHEREAS**, the Town Council desires to authorize the Town Administrator to negotiate a contract for electric utility services for the Town.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Hickory Creek, Texas:

**Section 1:** That the Town Administrator of the Town of Hickory Creek, Texas, is hereby authorized to negotiate on behalf of the Town of Hickory Creek, Texas, a contract for electric utility services and to execute any necessary documents.

**Section 2:** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 16<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

\_\_\_\_\_  
Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

27. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 1: General Provisions, Article 1.07 Boards and Commissions.

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF HICKORY CREEK, TEXAS  
AMENDING THE TOWN'S CODE OF ORDINANCES, CHAPTER  
1: GENERAL PROVISIONS, ARTICLE 1.07, BOARDS AND  
COMMISSIONS; PROVIDING FOR INCORPORATION OF  
PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR  
AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING  
A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR  
SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR  
ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN  
EFFECTIVE DATE.**

WHEREAS, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, the Town has determined an appropriate organization, method of appointment, and rules for conducting meetings and the business of certain boards and commissions; and

WHEREAS, the Town deems it necessary to amend the code of ordinances of the Town of Hickory Creek to reflect these determinations.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:

**SECTION 1  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2  
FINDINGS**

After due deliberations the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas, and of the public health, safety and welfare.

**SECTION 3  
AMENDMENTS**

3.01 That the Town of Hickory Creek Code of Ordinances, Chapter 1: General Provisions, Article 1.07, Boards and Commissions shall be amended to read as follows:

### **“Sec.1.07.001 Authority to Establish**

The town council shall create, abolish, establish or appoint, as may be required by the laws of the State of Texas, or deemed desirable by the town council, advisory boards, commissions and committees it deems necessary to carry out the functions and obligations of the town and to prescribe the purpose, functions, and tenure of each board, commission and committee in accordance with all applicable laws.

### **Sec. 1.07.002 Organization of Boards and Commissions**

(1) Unless otherwise established in this Article, the town council shall appoint seven (7) members to each board for a term of two (2) years. Members shall serve without compensation and shall be subject to removal for any cause deemed sufficient by majority vote of the town council and as required by law. Appointees shall be qualified electors of the town at the time of appointment. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. If any member fails to attend three (3) or more consecutive meetings, or any three (3) regular meetings in a twelve-month period, the place held by that member may be declared vacant by the town council.

(2) Members shall be identified by place numbers. The odd-numbered places shall expire on June 1st of odd-numbered years; the even-numbered places shall expire on June 1st of even-numbered years. Members may be appointed to succeed themselves, but no member shall be appointed for a term in excess of two (2) years. Newly appointed members shall be installed at the first regular board meeting after their appointment. All members shall have voting privileges.

(3) Regular monthly meeting dates and times shall be established by resolution of the town council. If no items have been submitted for the agenda in a timely manner, the board's secretary shall notify the chairman and no meeting shall be required for that month.

(4) An organizational meeting shall be held in June of each year. A chairman and vice-chairman shall be elected from among members before proceeding to any other matters of business.

(5) Unless otherwise required, a majority of members shall constitute a quorum and the affirmative vote of the majority of those attending a meeting shall be necessary to pass any motion.

(6) If any member has a conflict of interest regarding any item on the agenda they shall refrain from voting on the item for which a conflict exists.

### **Division 2. Parks and Recreation Board**

#### **Sec. 1.07.021 Creation, Powers and Duties**

The parks and recreation board has been created to act in an advisory capacity to the town council in matters pertaining to parks and recreation. Duties of the board shall include making recommendations on park development, acquainting itself with, inspecting, and reporting on the complete municipal park and recreation system, fulfilling the town's Tree City USA and Keep Texas Beautiful (KTB)/Keep Hickory Creek Beautiful affiliation requirements through events, training and support opportunities provided or approved by KTB and Tree City USA and performing such other duties as the town council may assign.

## **Division 3. Board of Adjustments**

### **Sec. 1.07.041 Creation**

A board of adjustment has been created in accordance with the provisions of the Texas Local Government Code § 211, as amended, and having the powers and duties as provided in such statutes. Duties of the board and conduct of meetings are established in Chapter 14, Article XXXII of this Code.

## **Division 4. Planning and Zoning Commission**

### **Sec. 1.07.031 Creation**

The planning and zoning commission has been created in accordance with Texas Local Government Code § Chapter 211, as amended, to act as an advisory board to the town council on matters relating to zoning and planning. Duties of the commission and conduct of meetings are established in Chapter 14, Article XXXIII of this Code.”

3.02 That the Town of Hickory Creek Code of Ordinances, Chapter 1: General Provisions, Article 1.10, Parks and Recreation, Division 2: Parks and Recreations Board is hereby removed in its entirety.

3.03 That the Town of Hickory Creek Code of Ordinances, Chapter 1: General Provisions, Article 1.10 Parks and Recreation, Division 3: Keep Hickory Creek Beautiful Committee is hereby removed in its entirety.

3.04 All other articles, chapters, sections, paragraphs, subsections, sentences, phrases, definitions and words are not amended but are hereby ratified and affirmed.

## **SECTION 4 CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the

provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

## **SECTION 5 SAVINGS**

All rights and remedies of the Town of Hickory Creek, Texas are expressly saved as to any and all violations of the provisions of the Town’s Code of Ordinances or of any other ordinance affecting boards and commissions, which have been secured at the time of the effective date of this



Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

## **SECTION 6 SEVERABILITY**

The provisions of this Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the Town shall promptly promulgate new revised provisions in compliance with the authority's decision or enactment.

## **SECTION 7 ENGROSSMENT AND ENROLLMENT**

The Town Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the Town Council and by filing this Ordinance in the Ordinance records of the Town.

## **SECTION 8 EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of passage in accordance with law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas,  
this the 16th day of April, 2019.

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Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

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Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

28. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 14: Zoning; Article XXXII, Board of Adjustment; Article XXXIII, Penalty for Violations; Article XXXIV Amendments; Article XXXV, Validity; Article XXXVI Effective Date and Emergency Declared.

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2019-04-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF HICKORY CREEK, TEXAS  
AMENDING THE TOWN'S CODE OF ORDINANCES, CHAPTER  
14: ZONING; ARTICLE XXXII, BOARD OF ADJUSTMENT;  
ARTICLE XXXIII, PENALTY FOR VIOLATIONS; ARTICLE  
XXXIV AMENDMENTS; ARTICLE XXXV, VALIDITY; ARTICLE  
XXXVI EFFECTIVE DATE AND EMERGENCY DECLARED;  
PROVIDING FOR INCORPORATION OF PREMISES;  
PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS  
TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE  
REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING  
FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND  
ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Hickory Creek is a Type A General Law Municipality located in Denton County, Texas created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, the Town has determined an appropriate organization, method of appointment, and rules for conducting meetings and the business of certain boards and commissions; and

WHEREAS, the Town deems it necessary to amend the code of ordinances of the Town of Hickory Creek to reflect these determinations, specifically with respect to the planning and zoning commission and board of adjustment.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS:

**SECTION 1  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2  
FINDINGS**

After due deliberations the Town Council has concluded that the adoption of this Ordinance is in the best interest of the Town of Hickory Creek, Texas, and of the public health, safety and welfare.

**SECTION 3  
AMENDMENTS**

3.01 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXII, Board of Adjustment shall be amended to read as follows:

## **“ARTICLE XXXII BOARD OF ADJUSTMENT**

### **SECTION 1 ORGANIZATION**

(1) The board shall consist of five (5) regular members and two (2) alternates with corresponding place numbers who shall be appointed, and terms shall run, as provided in 1.07.002. Board members may be subject to removal for any cause deemed sufficient by the town council on a written charge after a public hearing.

(2) All appeals must be heard by a minimum of four (4) members of the board. Alternates shall serve in the place of any absent regular member. If a quorum has not been achieved at a regular meeting, a special meeting, subject to the same notification requirements as a regular meeting, may be called.

### **SECTION 2 JURISDICTION**

The board of adjustment shall have the followings powers and it shall be its duty:

(1) To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the building official in the enforcement of the town's Zoning Ordinance. In exercising its authority, the board may reverse or affirm, in whole or in part, or modify the building official's order, requirement, decision or determination from which the appeal is taken.

(2) To permit such modification of the town's Zoning Ordinance for the height, yard, area, setback and coverage as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape or slope that it cannot be appropriately developed without such modification. The board shall have no authority to grant variances to the use provisions of said ordinance.

(3) The jurisdiction of the board is limited to appeals and hardship cases that arise from time to time. Financial hardship shall not be considered grounds for the issuance of a variance.

(4) Variances from parking and sign regulations must be approved by the town council and shall not be heard by the board. Existing nonconforming uses and structures shall be strictly governed by the provisions of Article XXIII of this exhibit and the town council.

### **SECTION 3 APPEALS PROCESS**

(1) Appeals to the board of adjustment can be taken by any person aggrieved, or by an officer, department or board of the municipality affected by the decision of the town building official. A written application for appeal shall be submitted together with required fees, accompanied by an accurate legal description, maps, site plans, drawings, and other data or information relevant to the appeal within fifteen (15) days after the decision has been rendered by the building official, by filing with the official from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds thereof. The papers constituting the record upon which the action appealed from was taken shall forthwith be transmitted to board.

(2) An appeal shall stay all proceedings of the action appealed from unless the official from whom the appeal is taken, after notice of the appeal has been filed, certifies in writing to the board that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, other than by a restraining order which may be granted by the board of adjustment or by a court of record on application, after notice to the official, if due cause shown.

(3) The board of adjustment shall set the appeal hearing on the next available meeting date, give the public notice thereof by posting such notice in the mail addressed to all owners of real property located within two hundred (200) feet of the property on which the appeal is made and to any other persons deemed to be affected thereby, and by publication of the hearing notice in a newspaper of general circulation in the Town of Hickory Creek, Texas. Both the written and published notice shall be given at least ten (10) days prior to the date for the hearing. Upon the hearing, any party may appear in person or by attorney or agent.

(4) When the board has denied an appeal, no new applications of similar nature shall be accepted or scheduled by the board for twelve (12) months after the date of denial. Applications withdrawn at or before the board meeting or that have expired after approval by the board may be resubmitted at any time for hearing before the board upon submission of written application and required fees.

#### **SECTION 4 VARIANCES**

(1) Variance criteria. To approve an application for a variance, the board of adjustment shall make an affirmative finding that all of the following criteria are met.

(a) Special circumstances, including, but limited to, its size, shape or topography, exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district and are not merely financial or serve as a convenience to the applicant. These special circumstances are not the result of the actions of the applicant.

(b) Literal interpretation and enforcement of the terms and provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other land in the same zoning district and would cause an unnecessary and undue hardship.

(c) Granting the variance is the minimum action that will make possible the use of the land or structure which is not contrary to the public interest and would carry out the spirit of this article and substantial justice.

(d) Granting the variance will not adversely affect adjacent land in a material way.

(e) Granting the variance will be generally consistent with the purposes and intent of this article.

(2) In exercising its authority, the board of adjustment shall not grant a variance that would create any one (1) of the following effects:

(a) The variance would be a material detriment to the public welfare or create injury to the use, enjoyment or value of property in the vicinity.

(b) The variance would allow a use not allowed in the district in which the parcel is located or would not only affect a specific parcel but would be of such general nature as to constitute, in effect, a change in zoning of the parcel or a larger area or would merit an amendment to zoning ordinance.

(c) The variance will relieve the applicant of conditions or circumstances that are self-imposed or grounded solely upon the opportunity to make the property more profitable or to reduce expense to the owner.

(d) The variance will modify any condition imposed by the town council as part of a conditional use or special use review.

(3) Conditions. The board of adjustment may impose such conditions on a variance as are necessary to accomplish the purposes of the zoning ordinance, to prevent or minimize adverse impacts upon the public and neighborhoods, and to ensure compatibility of the site with its surroundings. These conditions may include, but are not limited to, limitations on size, bulk and location; standards for landscaping, buffering and screening, lighting and adequate ingress and egress; other on-site improvements; and limitations on the duration or hours of operation of an allowed use.

(4) Effect of variance.

(a) Issuance of a variance shall authorize only the particular variation which is approved by the board. A variance shall run with the land.

(b) Unless otherwise specified in the variance, an application to commence construction of the improvements that were the subject of the variance request must be applied for and approved within six (6) months of the date of the approval of the variance, otherwise the variance shall automatically become null and void. Permitted time frames do not change with successive owners. Upon written request, only one (1) sixty (60) day extension of the six-month period may be granted by the building official if it is determined that conditions of the site and the immediately surrounding area are substantially unchanged.

## **SECTION 5 ACTIONS OF THE BOARD**

(1) In exercising its powers, and in conforming with the provisions of Chapter 211 of the Texas Local Government Code, as amended, the board may revise or reform, wholly or partly, or may modify the order, requirements, decisions, or determination appealed from and make such order, requirement, decision, or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken, including the power to impose reasonable conditions to be complied with by the applicant.

(2) The concurring vote of four (4) members of the board shall be necessary to revise any order, requirement, decision, or determination of the building official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to affect any variance in said ordinance.

(3) Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment or any taxpayer or any officer, department or board of the municipality may present to a court of record a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality as specified in 211.011 of the Texas Local Government Code. Such petition shall be presented to the court within ten (10) days after the date of the decision and not thereafter.”

3.02 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXIII, Penalty for Violations shall be renamed and amended to read as follows:

## **“ARTICLE XXXIII PLANNING AND ZONING**

### **SECTION 1 POWERS AND DUTIES**

The planning and zoning commission’s powers and duties shall include, but not be limited to:

(1) Provide recommendations to the town council on the approval or disapproval of plats, replats, vacations of plans and subdivision proposals within the town limits and its extraterritorial jurisdiction as set out in Chapter 212 of the Texas Local Government Code or any successor statute passed or enacted for the same or similar purpose.

(2) Recommend to the town council for its adoption a comprehensive plan for the orderly growth and development of the town and its environs, and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the town.

(3) Recommend a zoning plan to best carry out the goals of the comprehensive plan; hold public hearings and make recommendations to the town council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in chapter 211 of the Texas Local Government Code, as amended.

(4) Make recommendations for the issuance of Special Use and Conditional Use Permits.

(5) Initiate, in the name of the town, for consideration at public hearings proposals:

(a) For the opening, vacating or closing of public rights-of-way, parks or other public places;

(b) For the original zoning of annexed areas; and

(c) For the change of zoning district boundaries on an areawide basis. No fee shall be required for the filing of any such proposal in the name of the town.

(6) Keep itself informed with reference to the progress of town planning in other cities and counties throughout the state and other states and recommend improvements in the adopted plans of the town.

(7) Make any additional recommendations necessary for the orderly growth of the town.



## **SECTION 2 MEETINGS**

(1) A joint and simultaneous session of the planning and zoning commission and the town council, including public hearings, may be held. Notice of joint public hearings shall be published in a newspaper of general circulation and written notice mailed to any affected property owners before the fifteenth (15th) day prior to the date of the meeting.

(2) At the call of the town and subject to all applicable notice requirements, a special call meeting may be scheduled to conduct necessary business.

3.03 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXIV, Amendments, Section 2(3) shall be amended to read as follows:

“(3) The Planning and Zoning Commission, unless an emergency exists, shall hold a public hearing on any application for any amendment or change prior to making its recommendation and report to the Town Council. Written notice of all public hearings before the Planning and Zoning Commission on proposed amendment or change shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. If the proposed change affects residential or multi-family zoning, notice shall also be sent to each school district in which the property is located. Such notice shall be given not less than ten (10) days before the date set for hearing by posting such notice, properly addressed and postage paid, to each taxpayer as the ownership appears on the last approved Town tax roll or County tax roll for the area affected.”

3.04 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXIV, Amendments, Section 2(6) shall be amended to read as follows:

“(6) The applicant shall have at least one sign erected on the property to be rezoned. Such sign shall have a total area of at least four (4) square feet. Signs shall be located within ten (10) feet of the property line fronting on the nearest public street with the lettering clearly visible from public view. Such sign shall be erected on or before the first date of the first notice to property owners and shall be removed immediately after final action by the Town Council or when the applicant withdraws the request, whichever comes first. The sign shall contain a notice of the present zoning classification, the requested zoning, and the telephone number of the Town. The erection or continued maintenance of signs shall not be deemed a condition precedent to the granting of any zoning change or holding of any public hearing.”

3.05 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXV, Validity shall be renamed and amended to read as follows:

### **“ARTICLE XXXV PENALTY FOR VIOLATIONS**

**SECTION 1:** Any person violating any of the provisions of this ordinance shall, upon conviction, be fined any sum not exceeding two thousand dollars (\$2,000.00) and each day and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner in any district where such property owner may be affected or invaded by a violation of the terms of this ordinance, to bring suit in such court or courts having jurisdiction thereof, and obtain such remedies as may be available at law and equity in the protection of the rights of such property owner.”

3.06 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; Article XXXVI, Effective Date and Emergency shall be renamed and amended to read as follows:

**“ARTICLE XXXVI VALIDITY**

**SECTION 1:** If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.”

3.07 That the Town of Hickory Creek Code of Ordinances, Chapter 14: Zoning; shall be amended to create a new Article XXXVII which shall read as follows:

**“ARTICLE XXXVII EFFECTIVE DATE AND EMERGENCY DECLARED**

**SECTION 1:** The fact that the Town of Hickory Creek, Texas, is in immediate need of the relief afforded by the provisions of this ordinance creates an emergency demanding that any and all rules requiring ordinances to be passed at more than one separate meeting be suspended and that this ordinance take effect immediately upon its passage and publication, and it is so ordained.”

3.08 All other articles, chapters, sections, paragraphs, subsections, sentences, phrases, definitions and words are not amended but are hereby ratified and affirmed.

**SECTION 4  
CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

**SECTION 5  
SAVINGS**

All rights and remedies of the Town of Hickory Creek, Texas are expressly saved as to any and all violations of the provisions of the Town’s Code of Ordinances or of any other ordinance affecting zoning, which have been secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

**SECTION 6  
SEVERABILITY**

The provisions of this Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the Town shall promptly promulgate new revised provisions in compliance with the authority's decision or enactment.

**SECTION 7  
ENGROSSMENT AND ENROLLMENT**

The Town Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the Town Council and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 8  
EFFECTIVE DATE**

This Ordinance shall become effective from and after its date of passage in accordance with law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas,  
this the 16th day of April, 2019.

---

Lynn C. Clark, Mayor  
Town of Hickory Creek, Texas

ATTEST:

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

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Lance Vanzant, Town Attorney  
Town of Hickory Creek, Texas