



**NOTICE OF  
REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065  
MONDAY, JANUARY 27, 2020, 6:00 PM**

**AGENDA**

**Call to Order**

**Roll Call**

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

**Invocation**

**Presentation of Awards**

1. Kevin Ricer

**Proclamations**

2. Town of Hickory Creek, Texas a Purple Heart Town

**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. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, the Town, or employee of the Town that are prohibited by law.

**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.

- [3.](#) November 2019 Council Meeting Minutes
- [4.](#) November 2019 Financial Statements
- [5.](#) December 2019 Financial Statements
- [6.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas ordering an election to be held on May 2, 2020 for the purpose of electing a Mayor and Town Council Members to Place 2 and Place 4.
- [7.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 12: Traffic and Vehicles: Article 12:06 Motorized Carts.
- [8.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 3: Building Regulations, Article 3.11: Solar Panel Standards.
- [9.](#) Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 3: Building Regulations, Article 3.07: Floods and Drainage.
- [10.](#) Consider and act on a resolution of the Town Council of Hickory Creek, Texas, hereby amending the Master Application and Fee Schedule.
- [11.](#) Consider and act on a resolution of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 199 Country Lane, Hickory Creek, Texas.
- [12.](#) Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute a Memorandum of Understanding by and between the Town of Hickory Creek, Texas and McCreary, Veselka, Bragg and Allen, P.C.
- [13.](#) Consider and act on Change Order No. 2 for the 2019 Sidewalk Improvements project.

#### **Regular Agenda**

- [14.](#) Presentation of the 2018-2019 Fiscal Year Audit from Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay.
- [15.](#) Presentation regarding the United States Census 2020 from Tenishea Turner.
- [16.](#) Presentation from Dunaway Associates regarding a Comprehensive Plan Update.
- [17.](#) Presentation regarding the Lake Cities Fire Department from Chief Michael Ross.
- [18.](#) Consider and act on a resolution of the Town of Hickory Creek, Texas approving the Hickory Creek Public Improvement District No. 2 2020 Amended Service And Assessment Plan, including proposed reallocation of the assessment roll; directing the filing of the proposed reallocation of the assessment roll with the town secretary; calling a public hearing to consider an ordinance reallocating assessments on the public improvement district.

19. Consider and act on a replat of lots 1R and 2R, Block A Steeplechase South Addition, an 8.05 acre tract being all of Lot 1, Block A of Steeplechase South Addition situated in the M.E.P. & P.R.R. Company Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas.
20. Reconvene a public hearing continued from November 25, 2019 on a request from CTMGT Turbeville LLC. to modify the zoning designation of PD – Planned Development on a 6.72 acre portion of an 8.0454 acre tract of land legally described as Steeplechase South Addition, Block A, Lot 1, and consider and act on an ordinance adopting the same. The property is located in the 1900 Block of Turbeville Road.
21. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute a Memorandum of Understanding by and between the Town of Hickory Creek, Texas and the Cross Timers Equestrian Trail Association and the U.S. Army Corps of Engineers, Fort Worth District.
22. Discussion regarding the 2019 Hickory Creek Business of the Year.
23. Discussion regarding the 2019 Hickory Creek Citizen of the Year.
24. Discussion regarding town council goals for 2019-2020 to include infrastructure projects, broadband solutions, Sycamore Bend Road, community events and employee recognition.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council will convene into executive session to discuss the following matters.

### **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.

25. Fire Services

### **Section 551.072**

Deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

26. Sycamore Bend DCAD Property ID 62195;62311;62329 and 155074.
27. Parkridge at F.M. 2181 DCAD Property ID 731514

### **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.

28. Project Eagle

### **Reconvene into Open Session**

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

### **Adjournment**

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 January 24, 2020 at 8:00 a.m.

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

Kristi Rogers, Town Secretary  
Town of Hickory Creek



**Item Attachment Documents:**

2. Town of Hickory Creek, Texas a Purple Heart Town

# Proclamation

by the

## Mayor of the Town of Hickory Creek, Texas

- WHEREAS,** the residents of the Town of Hickory Creek, Texas have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and
- WHEREAS,** the Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by George Washington in 1782; and
- WHEREAS,** the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and
- WHEREAS,** the contributions and sacrifices of the men and women from the Town of Hickory Creek, Texas, who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and
- WHEREAS,** many men and women in uniform have given their lives while serving in the Armed Forces; and
- WHEREAS,** January 27, 2020 has officially been designated as the day in the Town of Hickory Creek, Texas to remember and recognize veterans who are recipients of the Purple Heart Medal.
- NOW, THEREFORE,** I, Lynn C. Clark, Mayor of the Town of Hickory Creek, Texas, do hereby proclaim the Town of Hickory Creek, Texas, a **Purple Heart Town**, for honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

**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 27th day of January, 2020.

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Lynn C. Clark, Mayor

ATTEST:

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Kristi K. Rogers, Town Secretary

**Item Attachment Documents:**

3. November 2019 Council Meeting Minutes

**REGULAR MEETING OF THE TOWN COUNCIL  
HICKORY CREEK TOWN HALL  
1075 RONALD REAGAN, HICKORY CREEK, TEXAS  
MONDAY, NOVEMBER 25, 2019**

**MINUTES**

**Call to Order**

Mayor Clark called the meeting to order at 6:00 p.m.

**Roll Call**

The following members were present:

Mayor Lynn Clark

Councilmember Richard DuPree

Councilmember Chris Gordon

Mayor Pro Tem Paul Kenney

Councilmember Ian Theodore

The following member was absent:

Councilmember Tracee Elrod

Also in attendance:

John M. Smith, Jr., Town Administrator

Kristi K. Rogers, Town Secretary

Carey Dunn, Chief of Police

Trey Sargent, 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**

Councilmember Theodore gave the invocation.

**Presentation of Awards**

1. 2019 Arbor Day Poster Contest Winners

Mayor Clark and John Grosskopf, Parks and Recreation Board Chariman, recognized the 2019 Arbor Day Poster Contest Winners.

2. Paul Huggins

Mayor Clark presented a plaque of appreciation to Paul Huggins for completion of his Eagle Scout project in Arrowhead Park.

3. Lisa Rowell

Mayor Clark presented Lisa Rowell a plaque of appreciation for her years of service on the Parks and Recreation Board.

## **Town of Hickory Creek**

**November 25, 2019**

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### **Items of Community Interest**

The annual tree lighting will be held Friday, December 6, 2019 from 6:00 p.m. until 8:00 p.m. at town hall.

Officer Jim Zehetner was honored as November 2019 First Responder of the Month at the Lake Cities Chamber of Commerce Luncheon.

### **Public Comment**

There were no speakers for public comment.

### **Consent Agenda**

4. October 2019 Council Meeting Minutes
5. October 2019 Financial Statements
6. 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.
7. Consider and act on a resolution 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 CenturyLink for fiber internet services.
8. Consider and act on a resolution 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 Hickory Creek Crossing Limited Partnership for temporary access to certain property to make road alterations, repairs, maintenance, and modifications.
9. Consider and act on a resolution 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 Municipal Code Corporation for website redesign, hosting and support services.
10. Consider and act on a resolution hereby authorizing the Mayor of the Town of Hickory Creek, Texas to execute an agreement for USPS postage meter and postal services by and between the Town of Hickory Creek, Texas and Neopost.

Motion made by Mayor Pro Tem Kenney to approve consent agenda items 4 through 10, Seconded by Councilmember Theodore.

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

### **Regular Agenda**

11. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, casting its votes for one or more candidates for appointment to the Denton Central Appraisal District Board of Directors and providing an effective date.

Motion made by Councilmember Gordon to approve a resolution casting five votes for Kelly Sayre for appointment to the Denton Central Appraisal District Board of Directors , Seconded by Councilmember DuPree.

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

12. Interviews for various boards and commissions.

The town council interviewed Nick Wohr for various boards and commissions.

13. Consider and act on appointments to various boards and commissions.

Motion made by Councilmember Theodore to reappoint Nancy Koket to Place 1, Tracee Elrod to Place 3, Sugene May to Place 5, Bruce Enriquez to Place 7 on the Economic Development Corporation and to appoint Nick Wohr to Place 1 on the Parks and Recreation Board, Seconded by Councilmember Gordon.

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

14. Conduct a public hearing to hear public opinion on a request from Leon Capital Group on behalf of the Holker Irrevocable 2007 Trust to change the zoning designation of SF-3 Single Family to PD - Planned Development on a 30.4661-acre tract of land legally described as A0819A J. Maloney, Tract 2, and consider and act on an ordinance adopting the same. The property is located in the 1200 block Sycamore Bend Road, south of Maynard Road.

Rich Darragh, representing Leon Capital Group, provided an overview regarding the zoning request and answered questions from the town council.

Mayor Clark called the public hearing to order at 6:43 p.m. With no one wishing to speak, Mayor Clark closed the public hearing at 6:43 p.m.

Motion made by Councilmember Theodore to approve an ordinance designating the zoning as PD Planned Development on a 30.4661-acre tract of land legally described as A0819A J. Maloney, Tract 2, Seconded by Councilmember Gordon.

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

15. Consider and act on a replat of lots 1R and 2R, Block A Steeplechase South Addition, an 8.05 acre tract being all of Lot 1, Block A of Steeplechase South Addition situated in the M.E.P. & P.R.R. Company Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas.

Motion made by Councilmember Gordon to consider Item 15 at a future town council meeting, Seconded by Mayor Pro Tem Kenney.

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

**Town of Hickory Creek**

**November 25, 2019**

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16. Conduct a public hearing to hear public opinion on a request from CTMGT Turbeville LLC. to modify the zoning designation of PD – Planned Development on a 6.72 acre portion of an 8.0454 acre tract of land legally described as Steeplechase South Addition, Block A, Lot 1, and consider and act on an ordinance adopting the same. The property is located in the 1900 Block of Turbeville Road.

Mayor Clark called the public hearing to order at 6:47 p.m.

Motion made by Councilmember Gordon to continue the public hearing at a future town council meeting, Seconded by Councilmember DuPree.

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

17. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 3: Building Regulations, by creating Article 3.11: Solar Panel Standards.

No action taken.

18. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 12: Traffic and Vehicles: Creating Article 12:06 Motorized Carts.

Motion made by Councilmember Gordon to approve an ordinance amending the Town's Code of Ordinances, Chapter 12: Traffic and Vehicles: Creating Article 12:06 Motorized Carts, Seconded by Councilmember Theodore.

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

19. Consider and act on a resolution 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 Hickory Creek Residences, LLC. concerning the annexation and development of property currently located in the Town's extra-territorial jurisdiction.

The town council discussed criteria for entering into an agreement with Hickory Creek Residences, LLC. including height restrictions, masonry restrictions, dedication of open space, \$10,000 for tree mitigation and construction of a 8' hike and bike trail with signage and lighting.

Motion made by Councilmember Gordon to authorize the town administrator to negotiate the agreement concerning the annexation and development of property currently located in the Town's extra-territorial jurisdiction as discussed by the Mayor and Town Council tonight.

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

20. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas, approving a Type B economic development project and performance agreement by and between the Hickory Creek Economic Development Corporation, and Lyons American Securities, Inc., a Texas corporation, to provide a financial incentive for the construction of a roadway, authorized pursuant to Sections 501.103 the Texas Local Government Code.

Motion made by Councilmember Theodore to approve agenda item 20, Seconded by Councilmember DuPree.

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

21. Consider and act on a resolution of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 1851 Turbeville Road, Hickory Creek, Texas.

Motion made by Councilmember Theodore to approve agenda item 21 contingent on approval from L.C.U.M.A., Seconded by Mayor Pro Tem Kenney.

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

22. Discussion regarding town council goals for 2019-2020 to include infrastructure projects, broadband solutions, Sycamore Bend Road, community events and employee recognition.

The Town Council discussed goals for 2019-2020 including infrastructure projects, broadband solutions, Sycamore Bend Road, community events and employee recognition.

### **Executive Session**

In accordance with Texas Local Government Code, Chapter 551, the Town Council convened into executive session at 8:05 p.m. to discuss the following matters.

### **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.

23. Receive advice and provide Town Attorney direction concerning enforcement of property condition standards at 1 Kelton Avenue.

### **Reconvene into Open Session**

The Town Council reconvened into open session at 8:32 p.m.

Motion made by Mayor Pro Tem Kenney to authorize the town attorney to pursue Chapter 54 as discussed in executive session, Seconded by Councilmember Theodore.

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



**Adjournment**

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

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

The meeting did then stand adjourned at 8:33 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:**

4. November 2019 Financial Statements

3:18 PM

01/21/20

Accrual Basis

Town of Hickory Creek

Balance Sheet

As of November 30, 2019

	Nov 30, 19
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
BOA - Animal Shelter Fund	19,081.91
BOA - Drug Forfeiture	1,949.55
BOA - Drug Seizure	1,352.86
BOA - General Fund	389,911.15
BOA - Parks and Recreation	199,725.85
BOA - Payroll	250.00
BOA - Police State Training	5,180.07
Logic Animal Shelter Facility	9,489.74
Logic Harbor Ln-Sycamore Bend	3,308.74
Logic Hickory Creek PID No. 1	-25,013.82
Logic Investment Fund	3,422,012.95
Logic Street & Road Improvement	162,461.05
Logic Turbeville Road	212,880.59
<b>Total Checking/Savings</b>	<b>4,402,590.64</b>
<b>Accounts Receivable</b>	
Municipal Court Payments	-1,732.50
<b>Total Accounts Receivable</b>	<b>-1,732.50</b>
<b>Total Current Assets</b>	<b>4,400,858.14</b>
<b>TOTAL ASSETS</b>	<b>4,400,858.14</b>
<b>LIABILITIES &amp; EQUITY</b>	<b>0.00</b>

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

	Nov 19
Ordinary Income/Expense	
Income	
Ad Valorem Tax Revenue	
4002 M&O	59,741.35
4004 M&O Penalties & Interest	26.68
4006 Delinquent M&O	4,332.62
4008 I&S Debt Service	35,768.05
4012 Delinquent I&S	297.51
Total Ad Valorem Tax Revenue	100,166.21
Building Department Revenue	
4102 Building Permits	84,545.88
4104 Certificate of Occupancy	100.00
4106 Contractor Registration	525.00
4112 Health Inspections	2,760.00
4124 Sign Permits	230.00
Total Building Department Revenue	88,160.88
Franchise Fee Revenue	
4204 Charter Communications	9,695.31
4206 CenturyLink	544.27
4210 Oncor Electric	137,415.87
4212 Republic Services	3,811.05
Total Franchise Fee Revenue	151,466.50
Interest Revenue	
4302 Animal Shelter Interest	15.27
4308 Drug Forfeiture Interest	0.08
4310 Drug Seizure Interest	0.06
4314 Logic Investment Interest	5,175.54
4320 Logic Street/Road Improv.	245.71
4322 Logic Turbeville Road	321.99
4326 PD State Training Interest	0.21
4328 Logic Harbor/Sycamore Bend	5.00
Total Interest Revenue	5,763.86
Miscellaneous Revenue	
4502 Animal Adoption & Impound	375.00
4506 Animal Shelter Donations	20.00
4508 Annual Park Passes	130.00
4510 Arrowhead Park Fees	782.00
4528 NSF Fees	-299.10
4530 Other Receivables	1,644.71
4536 Point Vista Park Fees	82.00
4550 Sycamore Bend Fees	1,024.00
Total Miscellaneous Revenue	3,758.61
Municipal Court Revenue	
4602 Building Security Fund	831.87
4604 Citations	40,354.65

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

	Nov 19
4606 Court Technology Fund	969.21
4612 State Court Costs	21,660.14
4614 Child Safety Fee	200.00
Total Municipal Court Revenue	64,015.87
Sales Tax Revenue	
4702 Sales Tax General Fund	147,363.19
4706 Sales Tax 4B Corporation	49,121.06
Total Sales Tax Revenue	196,484.25
Total Income	609,816.18
Gross Profit	609,816.18
Expense	
Capital Outlay	
5010 Street Maintenance	539.96
5012 Streets & Road Improvement	97,860.39
5022 Parks and Rec Improvements	2,725.00
Total Capital Outlay	101,125.35
General Government	
5202 Bank Service Charges	12.00
5204 Books & Subscriptions	106.25
5206 Computer Hardware/Software	5,282.21
5208 Copier Rental	506.17
5210 Dues & Memberships	386.91
5212 EDC Tax Payment	80,998.89
5216 Volunteer/Staff Events	1,661.08
5222 Office Supplies & Equip.	479.75
5224 Postage	352.25
5226 Community Cause	248.24
5228 Town Council/Board Expense	1,086.27
Total General Government	91,120.02
Municipal Court	
5302 Books & Subscriptions	73.75
5312 Court Technology	2,500.00
5318 Merchant Fees/Credit Cards	184.91
5322 Office Supplies/Equipment	226.99
5332 Warrants Collected	465.36
Total Municipal Court	3,451.01
Parks and Recreation	
5402 Events	34.55
5408 Tanglewood Park	32.16
Total Parks and Recreation	66.71
Parks Corps of Engineer	
5432 Arrowhead	247.65
5436 Point Vista	257.62

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

	Nov 19
5438 Sycamore Bend	232.92
Total Parks Corps of Engineer	738.19
Personnel	
5502 Administration Wages	23,249.67
5504 Municipal Court Wages	8,288.23
5506 Police Wages	52,735.04
5507 Police Overtime Wages	1,777.43
5508 Public Works Wages	14,618.66
5509 Public Works Overtime Wage	37.61
5510 Health Insurance	16,463.10
5512 Longevity	10,681.00
5514 Payroll Expense	1,669.59
5520 Unemployment (TWC)	31.53
5522 Workman's Compensation	24,583.30
Total Personnel	154,135.16
Police Department	
5602 Auto Gas & Oil	2,379.68
5606 Auto Maintenance & Repair	7,863.21
5610 Books & Subscriptions	143.65
5612 Computer Hardware/Software	639.57
5614 Crime Lab Analysis	55.35
5626 Office Supplies/Equipment	58.27
5630 Personnel Equipment	6,714.43
5636 Uniforms	571.09
5640 Training & Education	545.00
5646 Community Outreach	141.58
5648 K9 Unit	58.88
Total Police Department	19,170.71
Public Works Department	
5706 Animal Control Supplies	40.52
5708 Animal Control Vet Fees	1,734.57
5710 Auto Gas & Oil	1,258.48
5714 Auto Maintenance/Repair	1,197.18
5724 Equipment Maintenance	326.92
5728 Equipment Supplies	371.10
5734 Radios	368.04
5742 Uniforms	384.97
5748 Landscaping Services	5,834.87
Total Public Works Department	11,516.65
Services	
5804 Attorney Fees	3,167.50
5812 Document Management	79.62
5814 Engineering	1,612.23
5816 General Insurance	34,680.24
5824 Library Services	25.75
5826 Municipal Judge	2,100.00

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

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	Nov 19
Total Services	41,665.34
Special Events	
6008 Tree Lighting	1,450.10
Total Special Events	1,450.10
Utilities & Maintenance	
5902 Bldg Maintenance/Supplies	2,634.83
5908 Street Lighting	227.82
5910 Telephone	803.13
5912 Water	665.05
Total Utilities & Maintenance	4,330.83
Total Expense	428,770.07
Net Ordinary Income	181,046.11
Net Income	<b>181,046.11</b>

Town of Hickory Creek  
**Budget vs. Actual Year to Date 16.66%**  
 October through November 2019

	Oct - Nov 19	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
Ad Valorem Tax Revenue			
4002 M&O	64,688.90	1,217,088.00	5.3%
4004 M&O Penalties & Interest	76.89	5,000.00	1.5%
4006 Delinquent M&O	4,463.06	3,500.00	127.5%
4008 I&S Debt Service	39,051.95	807,829.00	4.8%
4010 I&S Penalties & Interest	6.12	3,000.00	0.2%
4012 Delinquent I&S	433.10	2,500.00	17.3%
<b>Total Ad Valorem Tax Revenue</b>	<b>108,720.02</b>	<b>2,038,917.00</b>	<b>5.3%</b>
Building Department Revenue			
4102 Building Permits	107,905.68	275,000.00	39.2%
4104 Certificate of Occupancy	100.00	2,000.00	5.0%
4106 Contractor Registration	1,050.00	5,000.00	21.0%
4108 Preliminary/Final Plat	1,362.25	0.00	100.0%
4110 Prelim/Final Site Plan	0.00	0.00	0.0%
4112 Health Inspections	7,820.00	10,000.00	78.2%
4122 Septic Permits	0.00	0.00	0.0%
4124 Sign Permits	245.00	3,000.00	8.2%
4126 Special Use Permit	0.00	200.00	0.0%
4128 Variance Fee	0.00	500.00	0.0%
4130 Vendor Fee	0.00	75.00	0.0%
4132 Alarm Permit Fees	250.00	800.00	31.3%
<b>Total Building Department Revenue</b>	<b>118,732.93</b>	<b>296,575.00</b>	<b>40.0%</b>
Franchise Fee Revenue			
4202 Atmos Energy	0.00	42,000.00	0.0%
4204 Charter Communications	9,695.31	42,500.00	22.8%
4206 CenturyLink	544.27	2,000.00	27.2%
4208 CoServ	1,497.95	4,200.00	35.7%
4210 Oncor Electric	137,415.87	148,000.00	92.8%
4212 Republic Services	7,468.72	44,000.00	17.0%
<b>Total Franchise Fee Revenue</b>	<b>156,622.12</b>	<b>282,700.00</b>	<b>55.4%</b>
Interest Revenue			
4302 Animal Shelter Interest	32.78	0.00	100.0%
4308 Drug Forfeiture Interest	0.16	0.00	100.0%
4310 Drug Seizure Interest	0.12	0.00	100.0%
4314 Logic Investment Interest	11,515.78	35,000.00	32.9%
4320 Logic Street/Road Improv.	528.74	5,000.00	10.6%
4322 Logic Turbeville Road	692.85	0.00	100.0%
4326 PD State Training Interest	0.43	0.00	100.0%
4328 Logic Harbor/Sycamore Bend	10.75	0.00	100.0%
<b>Total Interest Revenue</b>	<b>12,781.61</b>	<b>40,000.00</b>	<b>32.0%</b>
Interlocal Revenue			
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>
Miscellaneous Revenue			
4502 Animal Adoption & Impound	1,810.00	9,500.00	19.1%
4506 Animal Shelter Donations	334.00	1,000.00	33.4%
4508 Annual Park Passes	456.20	20,000.00	2.3%
4510 Arrowhead Park Fees	3,549.00	18,000.00	19.7%
4512 Beer & Wine Permit	0.00	150.00	0.0%
4516 Corp Parks Fund Reserve	0.00	184,000.00	0.0%



Town of Hickory Creek  
**Budget vs. Actual Year to Date 16.66%**  
 October through November 2019

	Oct - Nov 19	Budget	% of Budget
4518 Drug Forfeiture	0.00	0.00	0.0%
4520 Drug Seizure	0.00	0.00	0.0%
4522 EDCPayment/Ronald Reagan	0.00	45,778.00	0.0%
4524 Fund Balance Reserve	0.00	487,548.00	0.0%
4526 Mineral Rights	0.00	0.00	0.0%
4528 NSF Fees	-299.10	25.00	-1,196.4%
4530 Other Receivables	2,159.56	12,100.00	17.8%
4534 PD State Training	0.00	0.00	0.0%
4536 Point Vista Park Fees	872.00	5,000.00	17.4%
4546 Street Bond Proceeds	0.00	0.00	0.0%
4550 Sycamore Bend Fees	3,107.00	15,000.00	20.7%
4554 Building Security Fund Res	0.00	30,000.00	0.0%
4556 Court Tech Fund Reserve	0.00	0.00	0.0%
4558 Harbor Lane/Sycamore Bend	0.00	0.00	0.0%
<b>Total Miscellaneous Revenue</b>	<b>11,988.66</b>	<b>828,101.00</b>	<b>1.4%</b>
<b>Municipal Court Revenue</b>			
4602 Building Security Fund	1,706.32	10,800.00	15.8%
4604 Citations	75,606.11	675,000.00	11.2%
4606 Court Technology Fund	2,135.15	14,150.00	15.1%
4612 State Court Costs	43,883.95	242,150.00	18.1%
4614 Child Safety Fee	275.00	1,000.00	27.5%
<b>Total Municipal Court Revenue</b>	<b>123,606.53</b>	<b>943,100.00</b>	<b>13.1%</b>
<b>Sales Tax Revenue</b>			
4702 Sales Tax General Fund	242,996.68	1,237,500.00	19.6%
4706 Sales Tax 4B Corporation	80,998.89	412,500.00	19.6%
4708 Sales Tax Mixed Beverage	592.20	500.00	118.4%
<b>Total Sales Tax Revenue</b>	<b>324,587.77</b>	<b>1,650,500.00</b>	<b>19.7%</b>
<b>Total Income</b>	<b>857,039.64</b>	<b>6,113,893.00</b>	<b>14.0%</b>
<b>Gross Profit</b>	<b>857,039.64</b>	<b>6,113,893.00</b>	<b>14.0%</b>
<b>Expense</b>			
<b>Capital Outlay</b>			
5010 Street Maintenance	2,027.58	50,000.00	4.1%
5012 Streets & Road Improvement	189,902.17	220,000.00	86.3%
5022 Parks and Rec Improvements	13,832.50	125,000.00	11.1%
5024 Public Safety Improvements	0.00	200,000.00	0.0%
5026 Fleet Purchase/Replacement	0.00	5,000.00	0.0%
5028 Turbeville/Point Vista	0.00	0.00	0.0%
<b>Total Capital Outlay</b>	<b>205,762.25</b>	<b>600,000.00</b>	<b>34.3%</b>
<b>Debt Service</b>			
5106 2012 Refunding Bond Series	0.00	267,408.00	0.0%
5110 2015 Refunding Bond Series	0.00	310,400.00	0.0%
5112 2015 C.O. Series	0.00	275,800.00	0.0%
<b>Total Debt Service</b>	<b>0.00</b>	<b>853,608.00</b>	<b>0.0%</b>
<b>General Government</b>			
5202 Bank Service Charges	12.00	50.00	24.0%
5204 Books & Subscriptions	106.25	400.00	26.6%
5206 Computer Hardware/Software	5,617.01	15,000.00	37.4%
5208 Copier Rental	782.38	3,500.00	22.4%
5210 Dues & Memberships	386.91	2,500.00	15.5%
5212 EDC Tax Payment	80,998.89	412,500.00	19.6%

Town of Hickory Creek  
**Budget vs. Actual Year to Date 16.66%**  
 October through November 2019

	Oct - Nov 19	Budget	% of Budget
5214 Election Expenses	0.00	10,000.00	0.0%
5216 Volunteer/Staff Events	3,239.81	8,000.00	40.5%
5218 General Communications	0.00	22,000.00	0.0%
5222 Office Supplies & Equip.	543.23	2,500.00	21.7%
5224 Postage	923.14	4,000.00	23.1%
5226 Community Cause	270.96	6,200.00	4.4%
5228 Town Council/Board Expense	2,613.27	5,500.00	47.5%
5230 Training & Education	0.00	2,500.00	0.0%
5232 Travel Expense	680.06	2,000.00	34.0%
5234 Staff Uniforms	0.00	1,000.00	0.0%
<b>Total General Government</b>	<b>96,173.91</b>	<b>497,650.00</b>	<b>19.3%</b>
<b>Municipal Court</b>			
5302 Books & Subscriptions	73.75	75.00	98.3%
5304 Building Security	0.00	40,800.00	0.0%
5312 Court Technology	3,254.00	14,150.00	23.0%
5314 Dues & Memberships	0.00	200.00	0.0%
5318 Merchant Fees/Credit Cards	-556.09	0.00	100.0%
5322 Office Supplies/Equipment	212.41	1,800.00	11.8%
5324 State Court Costs	78,030.14	242,150.00	32.2%
5326 Training & Education	0.00	500.00	0.0%
5328 Travel Expense	0.00	500.00	0.0%
5332 Warrants Collected	-1,643.56	0.00	100.0%
<b>Total Municipal Court</b>	<b>79,370.65</b>	<b>300,175.00</b>	<b>26.4%</b>
<b>Parks and Recreation</b>			
5402 Events	79.42	5,000.00	1.6%
5408 Tanglewood Park	76.12	2,500.00	3.0%
5412 KHCB	0.00	1,000.00	0.0%
5414 Tree City USA	1,019.80	1,500.00	68.0%
5416 Town Hall Park	0.00	500.00	0.0%
<b>Total Parks and Recreation</b>	<b>1,175.34</b>	<b>10,500.00</b>	<b>11.2%</b>
<b>Parks Corps of Engineer</b>			
5432 Arrowhead	1,571.74	60,000.00	2.6%
5434 Harbor Grove	26.96	69,000.00	0.0%
5436 Point Vista	1,443.87	11,000.00	13.1%
5438 Sycamore Bend	1,528.35	102,000.00	1.5%
<b>Total Parks Corps of Engineer</b>	<b>4,570.92</b>	<b>242,000.00</b>	<b>1.9%</b>
<b>Personnel</b>			
5502 Administration Wages	57,313.39	299,100.00	19.2%
5504 Municipal Court Wages	20,783.25	116,800.00	17.8%
5506 Police Wages	132,241.13	759,650.00	17.4%
5507 Police Overtime Wages	3,114.73	8,000.00	38.9%
5508 Public Works Wages	36,156.07	195,950.00	18.5%
5509 Public Works Overtime Wage	164.18	1,600.00	10.3%
5510 Health Insurance	33,994.21	206,700.00	16.4%
5512 Longevity	10,681.00	10,681.00	100.0%
5514 Payroll Expense	3,893.25	18,000.00	21.6%
5516 Employment Exams	0.00	2,500.00	0.0%
5518 Retirement (TMRS)	17,890.64	168,000.00	10.6%
5520 Unemployment (TWC)	31.53	2,000.00	1.6%
5522 Workman's Compensation	24,583.30	26,650.00	92.2%
<b>Total Personnel</b>	<b>340,846.68</b>	<b>1,815,631.00</b>	<b>18.8%</b>
<b>Police Department</b>			

**Budget vs. Actual Year to Date 16.66%**

October through November 2019

	Oct - Nov 19	Budget	% of Budget
5602 Auto Gas & Oil	4,569.65	28,500.00	16.0%
5606 Auto Maintenance & Repair	9,778.60	15,000.00	65.2%
5610 Books & Subscriptions	473.65	500.00	94.7%
5612 Computer Hardware/Software	26,570.93	67,600.00	39.3%
5614 Crime Lab Analysis	55.35	2,000.00	2.8%
5616 Drug Forfeiture	159.40	0.00	100.0%
5618 Dues & Memberships	0.00	400.00	0.0%
5626 Office Supplies/Equipment	356.61	1,500.00	23.8%
5630 Personnel Equipment	24,875.57	41,500.00	59.9%
5634 Travel Expense	1,114.93	2,500.00	44.6%
5636 Uniforms	863.51	12,000.00	7.2%
5640 Training & Education	1,690.00	15,000.00	11.3%
5644 Citizens on Patrol	0.00	1,000.00	0.0%
5646 Community Outreach	623.29	750.00	83.1%
5648 K9 Unit	58.88	3,500.00	1.7%
<b>Total Police Department</b>	<b>71,190.37</b>	<b>191,750.00</b>	<b>37.1%</b>
<b>Public Works Department</b>			
5702 Animal Control Donation	0.00	1,000.00	0.0%
5704 Animal Control Equipment	0.00	600.00	0.0%
5706 Animal Control Supplies	69.72	1,500.00	4.6%
5708 Animal Control Vet Fees	1,734.57	7,500.00	23.1%
5710 Auto Gas & Oil	2,835.92	12,500.00	22.7%
5714 Auto Maintenance/Repair	2,107.19	10,000.00	21.1%
5716 Beautification	163.60	95,000.00	0.2%
5718 Computer Hardware/Software	250.00	750.00	33.3%
5720 Dues & Memberships	0.00	350.00	0.0%
5722 Equipment	39,465.00	45,000.00	87.7%
5724 Equipment Maintenance	326.92	8,000.00	4.1%
5726 Equipment Rental	0.00	500.00	0.0%
5728 Equipment Supplies	371.10	6,500.00	5.7%
5732 Office Supplies/Equipment	0.00	800.00	0.0%
5734 Radios	743.29	3,200.00	23.2%
5738 Training	0.00	800.00	0.0%
5740 Travel Expense	536.62	1,000.00	53.7%
5742 Uniforms	725.26	2,600.00	27.9%
5748 Landscaping Services	6,024.87	150,000.00	4.0%
<b>Total Public Works Department</b>	<b>55,354.06</b>	<b>347,600.00</b>	<b>15.9%</b>
<b>Services</b>			
5802 Appraisal District	0.00	11,500.00	0.0%
5804 Attorney Fees	3,167.50	72,000.00	4.4%
5806 Audit	0.00	13,500.00	0.0%
5808 Codification	0.00	2,000.00	0.0%
5812 Document Management	79.62	1,200.00	6.6%
5814 Engineering	3,639.60	135,000.00	2.7%
5816 General Insurance	34,680.24	35,400.00	98.0%
5818 Inspections	0.00	42,000.00	0.0%
5820 Fire Service	153,408.25	615,000.00	24.9%
5822 Legal Notices/Advertising	0.00	2,500.00	0.0%
5824 Library Services	100.75	1,000.00	10.1%
5826 Municipal Judge	3,060.00	12,700.00	24.1%
5828 Printing	30.48	1,800.00	1.7%
5830 Tax Collection	0.00	3,500.00	0.0%
5832 Computer Technical Support	36,700.00	36,700.00	100.0%
5838 DCCAC	-4,389.07	2,792.00	-157.2%
5840 Denton County Dispatch	0.00	29,387.00	0.0%
5844 Helping Hands	0.00	300.00	0.0%

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01/21/20

Accrual Basis

Town of Hickory Creek

**Budget vs. Actual Year to Date 16.66%**

October through November 2019

	Oct - Nov 19	Budget	% of Budget
5846 Span Transit Services	0.00	0.00	0.0%
5848 DCFOF	0.00	200.00	0.0%
<b>Total Services</b>	<b>230,477.37</b>	<b>1,018,479.00</b>	<b>22.6%</b>
<b>Special Events</b>			
6004 Fourth of July Celebration	0.00	7,000.00	0.0%
6008 Tree Lighting	1,450.10	6,000.00	24.2%
<b>Total Special Events</b>	<b>1,450.10</b>	<b>13,000.00</b>	<b>11.2%</b>
<b>Utilities &amp; Maintenance</b>			
5902 Bldg Maintenance/Supplies	6,493.76	130,000.00	5.0%
5904 Electric	2,576.56	25,000.00	10.3%
5906 Gas	62.16	2,000.00	3.1%
5908 Street Lighting	3,156.62	30,000.00	10.5%
5910 Telephone	3,042.09	24,000.00	12.7%
5912 Water	1,594.57	12,500.00	12.8%
<b>Total Utilities &amp; Maintenance</b>	<b>16,925.76</b>	<b>223,500.00</b>	<b>7.6%</b>
<b>Total Expense</b>	<b>1,103,297.41</b>	<b>6,113,893.00</b>	<b>18.0%</b>
<b>Net Ordinary Income</b>	<b>-246,257.77</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Income</b>	<b>-246,257.77</b>	<b>0.00</b>	<b>100.0%</b>

**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
November 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	11/25/2019	Invoi...	Halff Associates, Inc.	3,503.42
Check	11/14/2019	3917	GRod Construction, LLC.	93,829.60
Total 5012 Streets & Road Improvement				97,333.02
<b>5022 Parks and Rec Improvements</b>				
Bill	11/25/2019	Invoi...	Dunaway	2,725.00
Total 5022 Parks and Rec Improvements				2,725.00
Total Capital Outlay				100,058.02
<b>General Government</b>				
<b>5206 Computer Hardware/Software</b>				
Bill	11/07/2019	Invoi...	Fund Accounting Solution Technologies	5,230.50
Total 5206 Computer Hardware/Software				5,230.50
<b>5212 EDC Tax Payment</b>				
Check	11/01/2019	3911	Hickory Creek Economic Development	31,877.83
Check	11/12/2019	3916	Hickory Creek Economic Development	49,121.06
Total 5212 EDC Tax Payment				80,998.89
<b>5216 Volunteer/Staff Events</b>				
Check	11/26/2019	Debit	CHECKCARD 1125 COSTCO WHSE #068	1,279.84
Total 5216 Volunteer/Staff Events				1,279.84
Total General Government				87,509.23
<b>Municipal Court</b>				
<b>5312 Court Technology</b>				
Bill	11/15/2019	Invoi...	MiTech Services	2,500.00
Total 5312 Court Technology				2,500.00
<b>5332 Warrants Collected</b>				
Bill	11/07/2019	Invoi...	McCreary, Veselka, Bragg and Allen, P.C.	2,145.42
Total 5332 Warrants Collected				2,145.42
Total Municipal Court				4,645.42
<b>Police Department</b>				
<b>5602 Auto Gas &amp; Oil</b>				
Check	11/27/2019	Debit	WEX INC DESFLEET DEBI	2,379.68
Total 5602 Auto Gas & Oil				2,379.68
<b>5606 Auto Maintenance &amp; Repair</b>				
Bill	11/25/2019	R.O....	Christian Brothers Automotive	1,323.18
Bill	11/25/2019	R.O....	Christian Brothers Automotive	2,570.60

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01/21/20  
Accrual Basis

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

Type	Date	Num	Name	Amount
			Total 5606 Auto Maintenance & Repair	3,893.78
			<b>5630 Personnel Equipment</b>	
Bill	11/25/2019	Invoi...	GT Distributors	6,680.48
			Total 5630 Personnel Equipment	6,680.48
			Total Police Department	12,953.94
			<b>Public Works Department</b>	
			<b>5710 Auto Gas &amp; Oil</b>	
Check	11/27/2019	Debit	WEX INC DESFLEET DEBI	1,258.48
			Total 5710 Auto Gas & Oil	1,258.48
			<b>5748 Landscaping Services</b>	
Bill	11/07/2019	Invoi...	D & D Commercial Landscape Management	5,834.87
			Total 5748 Landscaping Services	5,834.87
			Total Public Works Department	7,093.35
			<b>Services</b>	
			<b>5804 Attorney Fees</b>	
Bill	11/13/2019	Acct...	Hayes, Berry, White & Vanzant	1,008.75
Bill	11/13/2019	Acct...	Hayes, Berry, White & Vanzant	2,158.75
			Total 5804 Attorney Fees	3,167.50
			<b>5814 Engineering</b>	
Bill	11/25/2019	Invoi...	Halff Associates, Inc.	1,438.07
			Total 5814 Engineering	1,438.07
			<b>5816 General Insurance</b>	
Check	11/15/2019	3919	TML Risk Pool	34,680.24
			Total 5816 General Insurance	34,680.24
			<b>5826 Municipal Judge</b>	
Check	11/29/2019		Alfons Kyle Knapp	1,020.00
			Total 5826 Municipal Judge	1,020.00
			Total Services	40,305.81
			<b>Special Events</b>	
			<b>6008 Tree Lighting</b>	
Check	11/05/2019	Debit	CHECKCARD 1104 CHRISTMASDESIGNE	1,450.10
			Total 6008 Tree Lighting	1,450.10
			Total Special Events	1,450.10
			Total Expense	254,015.87
			Net Ordinary Income	-254,015.87

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01/21/20

Accrual Basis

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

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Type	Date	Num	Name	Amount
Net Income				<u>-254,015.87</u>



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: 11/01/2019 - 11/30/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8429%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 45 DAYS AND THE NET ASSET VALUE FOR 11/29/19 WAS 1.000101.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			9,475.41
11/29/2019	MONTHLY POSTING	9999888	14.33	9,489.74
	ENDING BALANCE			9,489.74

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	9,475.41
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	14.33
ENDING BALANCE	9,489.74
AVERAGE BALANCE	9,475.41

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
ANIMAL SHELTER FACILITY	0.00	0.00	205.47







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:** 11/01/2019 - 11/30/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8429%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 45 DAYS AND THE NET ASSET VALUE FOR 11/29/19 WAS 1.000101.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			3,303.74
11/29/2019	MONTHLY POSTING	9999888	5.00	3,308.74
	ENDING BALANCE			3,308.74

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	3,303.74
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	5.00
ENDING BALANCE	3,308.74
AVERAGE BALANCE	3,303.74

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
HARBOR LANE - SYCAMORE BEND	0.00	0.00	71.56





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: 11/01/2019 - 11/30/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8429%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 45 DAYS AND THE NET ASSET VALUE FOR 11/29/19 WAS 1.000101.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			3,416,837.41
11/29/2019	MONTHLY POSTING	9999888	5,175.54	3,422,012.95
	ENDING BALANCE			3,422,012.95

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	3,416,837.41
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	5,175.54
ENDING BALANCE	3,422,012.95
AVERAGE BALANCE	3,416,837.41

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
INVESTMENT FUND	1,950,736.41	2,577,220.53	87,289.04





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:** 11/01/2019 - 11/30/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8429%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 45 DAYS AND THE NET ASSET VALUE FOR 11/29/19 WAS 1.000101.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			162,215.34
11/29/2019	MONTHLY POSTING	9999888	245.71	162,461.05
	ENDING BALANCE			162,461.05

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	162,215.34
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	245.71
ENDING BALANCE	162,461.05
AVERAGE BALANCE	162,215.34

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
RESIDENTIAL STREET & RD IMPROV	0.00	400,000.00	8,846.78







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: 11/01/2019 - 11/30/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8429%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 45 DAYS AND THE NET ASSET VALUE FOR 11/29/19 WAS 1.000101.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			212,558.60
11/29/2019	MONTHLY POSTING	9999888	321.99	212,880.59
	ENDING BALANCE			212,880.59

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	212,558.60
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	321.99
ENDING BALANCE	212,880.59
AVERAGE BALANCE	212,558.60

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
TURBEVILLE RD IMPROVEMENT FUND	0.00	0.00	4,610.79



**Item Attachment Documents:**

5. December 2019 Financial Statements

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

	<u>Dec 31, 19</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
BOA - Animal Shelter Fund	19,082.88
BOA - Drug Forfeiture	1,949.63
BOA - Drug Seizure	1,352.92
BOA - General Fund	175,163.60
BOA - Parks and Recreation	201,618.79
BOA - Payroll	166.63
BOA - Police State Training	5,180.29
Logic Animal Shelter Facility	9,504.39
Logic Harbor Ln-Sycamore Bend	3,313.85
Logic Investment Fund	4,533,761.06
Logic Street & Road Improvement	162,711.81
Logic Turbeville Road	213,209.15
<b>Total Checking/Savings</b>	<u>5,327,015.00</u>
<b>Accounts Receivable</b>	
Municipal Court Payments	7,817.70
<b>Total Accounts Receivable</b>	<u>7,817.70</u>
<b>Total Current Assets</b>	<u>5,334,832.70</u>
<b>TOTAL ASSETS</b>	<u><u>5,334,832.70</u></u>
<b>LIABILITIES &amp; EQUITY</b>	0.00

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

	<u>Dec 19</u>
Ordinary Income/Expense	
Income	
Ad Valorem Tax Revenue	
4002 M&O	672,033.80
4004 M&O Penalties & Interest	30.70
4006 Delinquent M&O	6,214.22
4008 I&S Debt Service	440,773.36
4012 Delinquent I&S	654.64
	<hr/>
Total Ad Valorem Tax Revenue	1,119,706.72
Building Department Revenue	
4102 Building Permits	64,583.75
4106 Contractor Registration	600.00
4112 Health Inspections	920.00
4124 Sign Permits	10.00
4132 Alarm Permit Fees	50.00
	<hr/>
Total Building Department Revenue	66,163.75
Franchise Fee Revenue	
4212 Republic Services	3,478.91
	<hr/>
Total Franchise Fee Revenue	3,478.91
Interest Revenue	
4302 Animal Shelter Interest	15.62
4308 Drug Forfeiture Interest	0.08
4310 Drug Seizure Interest	0.06
4314 Logic Investment Interest	5,748.11
4320 Logic Street/Road Improv.	255.87
4322 Logic Turbeville Road	328.56
4326 PD State Training Interest	0.22
	<hr/>
Total Interest Revenue	6,348.52
Miscellaneous Revenue	
4502 Animal Adoption & Impound	2,710.00
4506 Animal Shelter Donations	25.00
4508 Annual Park Passes	699.30
4510 Arrowhead Park Fees	758.00
4528 NSF Fees	299.10
4530 Other Receivables	-1,157.31
4536 Point Vista Park Fees	142.00
4550 Sycamore Bend Fees	576.00
	<hr/>
Total Miscellaneous Revenue	4,052.09
Municipal Court Revenue	
4602 Building Security Fund	1,085.92
4604 Citations	48,273.77
4606 Court Technology Fund	1,587.86
4612 State Court Costs	29,663.93
4614 Child Safety Fee	178.07
	<hr/>

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

	<u>Dec 19</u>
Total Municipal Court Revenue	80,789.55
Sales Tax Revenue	
4702 Sales Tax General Fund	100,072.26
4706 Sales Tax 4B Corporation	33,357.42
Total Sales Tax Revenue	133,429.68
Total Income	1,413,969.22
Gross Profit	1,413,969.22
Expense	
Capital Outlay	
5012 Streets & Road Improvement	48,045.22
5026 Fleet Purchase/Replacement	3,913.50
Total Capital Outlay	51,958.72
General Government	
5202 Bank Service Charges	24.00
5206 Computer Hardware/Software	3,484.80
5208 Copier Rental	280.54
5212 EDC Tax Payment	33,357.42
5216 Volunteer/Staff Events	164.79
5222 Office Supplies & Equip.	123.28
5226 Community Cause	253.96
5228 Town Council/Board Expense	175.94
5234 Staff Uniforms	1,278.12
Total General Government	39,142.85
Municipal Court	
5312 Court Technology	32.46
5314 Dues & Memberships	55.00
5318 Merchant Fees/Credit Cards	-255.57
5322 Office Supplies/Equipment	11.88
5332 Warrants Collected	-529.53
Total Municipal Court	-685.76
Parks and Recreation	
5408 Tanglewood Park	56.42
Total Parks and Recreation	56.42
Parks Corps of Engineer	
5432 Arrowhead	179.16
5434 Harbor Grove	53.62
5436 Point Vista	55.72
5438 Sycamore Bend	208.38
Total Parks Corps of Engineer	496.88
Personnel	
5502 Administration Wages	23,292.92
5504 Municipal Court Wages	8,717.57



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

	<u>Dec 19</u>
5506 Police Wages	53,299.88
5507 Police Overtime Wages	1,039.90
5508 Public Works Wages	14,390.81
5509 Public Works Overtime Wage	536.75
5510 Health Insurance	17,527.56
5514 Payroll Expense	1,531.57
5516 Employment Exams	501.50
5518 Retirement (TMRS)	25,524.33
Total Personnel	146,362.79
Police Department	
5602 Auto Gas & Oil	2,024.31
5606 Auto Maintenance & Repair	822.03
5612 Computer Hardware/Software	639.57
5614 Crime Lab Analysis	745.00
5616 Drug Forfeiture	1,371.50
5618 Dues & Memberships	30.00
5626 Office Supplies/Equipment	345.16
5630 Personnel Equipment	1,911.14
5636 Uniforms	65.78
5646 Community Outreach	97.20
5648 K9 Unit	58.88
Total Police Department	8,110.57
Public Works Department	
5706 Animal Control Supplies	308.97
5710 Auto Gas & Oil	812.05
5714 Auto Maintenance/Repair	199.52
5722 Equipment	1,322.00
5724 Equipment Maintenance	136.80
5726 Equipment Rental	3,551.44
5728 Equipment Supplies	923.47
5732 Office Supplies/Equipment	11.98
5734 Radios	368.04
5742 Uniforms	94.44
Total Public Works Department	7,728.71
Services	
5802 Appraisal District	3,091.60
5804 Attorney Fees	3,636.25
5812 Document Management	323.55
5814 Engineering	4,876.61
5818 Inspections	19,641.00
5820 Fire Service	153,408.25
5822 Legal Notices/Advertising	48.90
5826 Municipal Judge	1,020.00
5830 Tax Collection	2,471.00
Total Services	188,517.16
Special Events	

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

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	<b>Dec 19</b>
6008 Tree Lighting	3,451.33
<b>Total Special Events</b>	<b>3,451.33</b>
<b>Utilities &amp; Maintenance</b>	
5902 Bldg Maintenance/Supplies	4,006.07
5904 Electric	4,217.82
5906 Gas	167.58
5908 Street Lighting	5,976.27
5910 Telephone	4,478.72
5912 Water	647.08
<b>Total Utilities &amp; Maintenance</b>	<b>19,493.54</b>
<b>Total Expense</b>	<b>464,633.21</b>
<b>Net Ordinary Income</b>	<b>949,336.01</b>
<b>Net Income</b>	<b>949,336.01</b>

Town of Hickory Creek  
**Budget vs. Actual Year to Date 24.99%**  
 October through December 2019

	Oct - Dec 19	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>Ad Valorem Tax Revenue</b>			
4002 M&O	736,722.70	1,217,088.00	60.5%
4004 M&O Penalties & Interest	107.59	5,000.00	2.2%
4006 Delinquent M&O	10,677.28	3,500.00	305.1%
4008 I&S Debt Service	479,825.31	807,829.00	59.4%
4010 I&S Penalties & Interest	6.12	3,000.00	0.2%
4012 Delinquent I&S	1,087.74	2,500.00	43.5%
<b>Total Ad Valorem Tax Revenue</b>	<b>1,228,426.74</b>	<b>2,038,917.00</b>	<b>60.2%</b>
<b>Building Department Revenue</b>			
4102 Building Permits	172,489.43	275,000.00	62.7%
4104 Certificate of Occupancy	100.00	2,000.00	5.0%
4106 Contractor Registration	1,650.00	5,000.00	33.0%
4108 Preliminary/Final Plat	1,362.25	0.00	100.0%
4110 Prelim/Final Site Plan	0.00	0.00	0.0%
4112 Health Inspections	8,740.00	10,000.00	87.4%
4122 Septic Permits	0.00	0.00	0.0%
4124 Sign Permits	255.00	3,000.00	8.5%
4126 Special Use Permit	0.00	200.00	0.0%
4128 Variance Fee	0.00	500.00	0.0%
4130 Vendor Fee	0.00	75.00	0.0%
4132 Alarm Permit Fees	300.00	800.00	37.5%
<b>Total Building Department Revenue</b>	<b>184,896.68</b>	<b>296,575.00</b>	<b>62.3%</b>
<b>Franchise Fee Revenue</b>			
4202 Atmos Energy	0.00	42,000.00	0.0%
4204 Charter Communications	9,695.31	42,500.00	22.8%
4206 CenturyLink	544.27	2,000.00	27.2%
4208 CoServ	1,497.95	4,200.00	35.7%
4210 Oncor Electric	137,415.87	148,000.00	92.8%
4212 Republic Services	10,947.63	44,000.00	24.9%
<b>Total Franchise Fee Revenue</b>	<b>160,101.03</b>	<b>282,700.00</b>	<b>56.6%</b>
<b>Interest Revenue</b>			
4302 Animal Shelter Interest	48.40	0.00	100.0%
4308 Drug Forfeiture Interest	0.24	0.00	100.0%
4310 Drug Seizure Interest	0.18	0.00	100.0%
4314 Logic Investment Interest	17,263.89	35,000.00	49.3%
4320 Logic Street/Road Improv.	784.61	5,000.00	15.7%
4322 Logic Turbeville Road	1,021.41	0.00	100.0%
4326 PD State Training Interest	0.65	0.00	100.0%
4328 Logic Harbor/Sycamore Bend	10.75	0.00	100.0%
<b>Total Interest Revenue</b>	<b>19,130.13</b>	<b>40,000.00</b>	<b>47.8%</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	4,520.00	9,500.00	47.6%
4506 Animal Shelter Donations	359.00	1,000.00	35.9%
4508 Annual Park Passes	1,155.50	20,000.00	5.8%
4510 Arrowhead Park Fees	4,307.00	18,000.00	23.9%
4512 Beer & Wine Permit	0.00	150.00	0.0%
4516 Corp Parks Fund Reserve	0.00	184,000.00	0.0%

Town of Hickory Creek  
**Budget vs. Actual Year to Date 24.99%**  
 October through December 2019

	Oct - Dec 19	Budget	% of Budget
4518 Drug Forfeiture	0.00	0.00	0.0%
4520 Drug Seizure	0.00	0.00	0.0%
4522 EDCPayment/Ronald Reagan	0.00	45,778.00	0.0%
4524 Fund Balance Reserve	0.00	487,548.00	0.0%
4526 Mineral Rights	0.00	0.00	0.0%
4528 NSF Fees	0.00	25.00	0.0%
4530 Other Receivables	1,002.25	12,100.00	8.3%
4534 PD State Training	0.00	0.00	0.0%
4536 Point Vista Park Fees	1,014.00	5,000.00	20.3%
4546 Street Bond Proceeds	0.00	0.00	0.0%
4550 Sycamore Bend Fees	3,683.00	15,000.00	24.6%
4554 Building Security Fund Res	0.00	30,000.00	0.0%
4556 Court Tech Fund Reserve	0.00	0.00	0.0%
4558 Harbor Lane/Sycamore Bend	0.00	0.00	0.0%
<b>Total Miscellaneous Revenue</b>	<b>16,040.75</b>	<b>828,101.00</b>	<b>1.9%</b>
<b>Municipal Court Revenue</b>			
4602 Building Security Fund	2,792.24	10,800.00	25.9%
4604 Citations	123,879.88	675,000.00	18.4%
4606 Court Technology Fund	3,723.01	14,150.00	26.3%
4612 State Court Costs	73,547.88	242,150.00	30.4%
4614 Child Safety Fee	453.07	1,000.00	45.3%
<b>Total Municipal Court Revenue</b>	<b>204,396.08</b>	<b>943,100.00</b>	<b>21.7%</b>
<b>Sales Tax Revenue</b>			
4702 Sales Tax General Fund	343,068.94	1,237,500.00	27.7%
4706 Sales Tax 4B Corporation	114,356.31	412,500.00	27.7%
4708 Sales Tax Mixed Beverage	592.20	500.00	118.4%
<b>Total Sales Tax Revenue</b>	<b>458,017.45</b>	<b>1,650,500.00</b>	<b>27.8%</b>
<b>Total Income</b>	<b>2,271,008.86</b>	<b>6,113,893.00</b>	<b>37.1%</b>
<b>Gross Profit</b>	<b>2,271,008.86</b>	<b>6,113,893.00</b>	<b>37.1%</b>
<b>Expense</b>			
<b>Capital Outlay</b>			
5010 Street Maintenance	2,027.58	50,000.00	4.1%
5012 Streets & Road Improvement	237,947.39	220,000.00	108.2%
5022 Parks and Rec Improvements	13,832.50	125,000.00	11.1%
5024 Public Safety Improvements	0.00	200,000.00	0.0%
5026 Fleet Purchase/Replacement	3,913.50	5,000.00	78.3%
5028 Turbeville/Point Vista	0.00	0.00	0.0%
<b>Total Capital Outlay</b>	<b>257,720.97</b>	<b>600,000.00</b>	<b>43.0%</b>
<b>Debt Service</b>			
5106 2012 Refunding Bond Series	0.00	267,408.00	0.0%
5110 2015 Refunding Bond Series	0.00	310,400.00	0.0%
5112 2015 C.O. Series	0.00	275,800.00	0.0%
<b>Total Debt Service</b>	<b>0.00</b>	<b>853,608.00</b>	<b>0.0%</b>
<b>General Government</b>			
5202 Bank Service Charges	36.00	50.00	72.0%
5204 Books & Subscriptions	106.25	400.00	26.6%
5206 Computer Hardware/Software	9,101.81	15,000.00	60.7%
5208 Copier Rental	1,062.92	3,500.00	30.4%
5210 Dues & Memberships	386.91	2,500.00	15.5%
5212 EDC Tax Payment	114,356.31	412,500.00	27.7%

Town of Hickory Creek  
**Budget vs. Actual Year to Date 24.99%**  
 October through December 2019

	Oct - Dec 19	Budget	% of Budget
5214 Election Expenses	0.00	10,000.00	0.0%
5216 Volunteer/Staff Events	3,404.60	8,000.00	42.6%
5218 General Communications	0.00	22,000.00	0.0%
5222 Office Supplies & Equip.	666.51	2,500.00	26.7%
5224 Postage	923.14	4,000.00	23.1%
5226 Community Cause	524.92	6,200.00	8.5%
5228 Town Council/Board Expense	2,789.21	5,500.00	50.7%
5230 Training & Education	0.00	2,500.00	0.0%
5232 Travel Expense	680.06	2,000.00	34.0%
5234 Staff Uniforms	1,278.12	1,000.00	127.8%
<b>Total General Government</b>	<b>135,316.76</b>	<b>497,650.00</b>	<b>27.2%</b>
<b>Municipal Court</b>			
5302 Books & Subscriptions	73.75	75.00	98.3%
5304 Building Security	0.00	40,800.00	0.0%
5312 Court Technology	3,286.46	14,150.00	23.2%
5314 Dues & Memberships	55.00	200.00	27.5%
5318 Merchant Fees/Credit Cards	-811.66	0.00	100.0%
5322 Office Supplies/Equipment	224.29	1,800.00	12.5%
5324 State Court Costs	78,030.14	242,150.00	32.2%
5326 Training & Education	0.00	500.00	0.0%
5328 Travel Expense	0.00	500.00	0.0%
5332 Warrants Collected	-2,173.09	0.00	100.0%
<b>Total Municipal Court</b>	<b>78,684.89</b>	<b>300,175.00</b>	<b>26.2%</b>
<b>Parks and Recreation</b>			
5402 Events	79.42	5,000.00	1.6%
5408 Tanglewood Park	132.54	2,500.00	5.3%
5412 KHCB	0.00	1,000.00	0.0%
5414 Tree City USA	1,019.80	1,500.00	68.0%
5416 Town Hall Park	0.00	500.00	0.0%
<b>Total Parks and Recreation</b>	<b>1,231.76</b>	<b>10,500.00</b>	<b>11.7%</b>
<b>Parks Corps of Engineer</b>			
5432 Arrowhead	1,750.90	60,000.00	2.9%
5434 Harbor Grove	80.58	69,000.00	0.1%
5436 Point Vista	1,499.59	11,000.00	13.6%
5438 Sycamore Bend	1,736.73	102,000.00	1.7%
<b>Total Parks Corps of Engineer</b>	<b>5,067.80</b>	<b>242,000.00</b>	<b>2.1%</b>
<b>Personnel</b>			
5502 Administration Wages	80,606.31	299,100.00	26.9%
5504 Municipal Court Wages	29,500.82	116,800.00	25.3%
5506 Police Wages	185,541.01	759,650.00	24.4%
5507 Police Overtime Wages	4,154.63	8,000.00	51.9%
5508 Public Works Wages	50,546.88	195,950.00	25.8%
5509 Public Works Overtime Wage	700.93	1,600.00	43.8%
5510 Health Insurance	51,521.77	206,700.00	24.9%
5512 Longevity	10,681.00	10,681.00	100.0%
5514 Payroll Expense	5,424.82	18,000.00	30.1%
5516 Employment Exams	501.50	2,500.00	20.1%
5518 Retirement (TMRS)	43,414.97	168,000.00	25.8%
5520 Unemployment (TWC)	31.53	2,000.00	1.6%
5522 Workman's Compensation	24,583.30	26,650.00	92.2%
<b>Total Personnel</b>	<b>487,209.47</b>	<b>1,815,631.00</b>	<b>26.8%</b>
<b>Police Department</b>			

3:35 PM

01/21/20

Accrual Basis

Town of Hickory Creek

**Budget vs. Actual Year to Date 24.99%**

October through December 2019

	Oct - Dec 19	Budget	% of Budget
5602 Auto Gas & Oil	6,593.96	28,500.00	23.1%
5606 Auto Maintenance & Repair	10,600.63	15,000.00	70.7%
5610 Books & Subscriptions	473.65	500.00	94.7%
5612 Computer Hardware/Software	27,210.50	67,600.00	40.3%
5614 Crime Lab Analysis	800.35	2,000.00	40.0%
5616 Drug Forfeiture	1,530.90	0.00	100.0%
5618 Dues & Memberships	30.00	400.00	7.5%
5626 Office Supplies/Equipment	701.77	1,500.00	46.8%
5630 Personnel Equipment	26,786.71	41,500.00	64.5%
5634 Travel Expense	1,114.93	2,500.00	44.6%
5636 Uniforms	929.29	12,000.00	7.7%
5640 Training & Education	1,690.00	15,000.00	11.3%
5644 Citizens on Patrol	0.00	1,000.00	0.0%
5646 Community Outreach	720.49	750.00	96.1%
5648 K9 Unit	117.76	3,500.00	3.4%
<b>Total Police Department</b>	<b>79,300.94</b>	<b>191,750.00</b>	<b>41.4%</b>
<b>Public Works Department</b>			
5702 Animal Control Donation	0.00	1,000.00	0.0%
5704 Animal Control Equipment	0.00	600.00	0.0%
5706 Animal Control Supplies	378.69	1,500.00	25.2%
5708 Animal Control Vet Fees	1,734.57	7,500.00	23.1%
5710 Auto Gas & Oil	3,647.97	12,500.00	29.2%
5714 Auto Maintenance/Repair	2,306.71	10,000.00	23.1%
5716 Beautification	163.60	95,000.00	0.2%
5718 Computer Hardware/Software	250.00	750.00	33.3%
5720 Dues & Memberships	0.00	350.00	0.0%
5722 Equipment	40,787.00	45,000.00	90.6%
5724 Equipment Maintenance	463.72	8,000.00	5.8%
5726 Equipment Rental	3,551.44	500.00	710.3%
5728 Equipment Supplies	1,294.57	6,500.00	19.9%
5732 Office Supplies/Equipment	11.98	800.00	1.5%
5734 Radios	1,111.33	3,200.00	34.7%
5738 Training	0.00	800.00	0.0%
5740 Travel Expense	536.62	1,000.00	53.7%
5742 Uniforms	819.70	2,600.00	31.5%
5748 Landscaping Services	6,024.87	150,000.00	4.0%
<b>Total Public Works Department</b>	<b>63,082.77</b>	<b>347,600.00</b>	<b>18.1%</b>
<b>Services</b>			
5802 Appraisal District	3,091.60	11,500.00	26.9%
5804 Attorney Fees	6,803.75	72,000.00	9.4%
5806 Audit	0.00	13,500.00	0.0%
5808 Codification	0.00	2,000.00	0.0%
5812 Document Management	403.17	1,200.00	33.6%
5814 Engineering	8,516.21	135,000.00	6.3%
5816 General Insurance	34,680.24	35,400.00	98.0%
5818 Inspections	19,641.00	42,000.00	46.8%
5820 Fire Service	306,816.50	615,000.00	49.9%
5822 Legal Notices/Advertising	48.90	2,500.00	2.0%
5824 Library Services	100.75	1,000.00	10.1%
5826 Municipal Judge	4,080.00	12,700.00	32.1%
5828 Printing	30.48	1,800.00	1.7%
5830 Tax Collection	2,471.00	3,500.00	70.6%
5832 Computer Technical Support	36,700.00	36,700.00	100.0%
5838 DCCAC	-4,389.07	2,792.00	-157.2%
5840 Denton County Dispatch	0.00	29,387.00	0.0%
5844 Helping Hands	0.00	300.00	0.0%

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01/21/20

Accrual Basis

Town of Hickory Creek

**Budget vs. Actual Year to Date 24.99%**

October through December 2019

	Oct - Dec 19	Budget	% of Budget
5846 Span Transit Services	0.00	0.00	0.0%
5848 DCFOF	0.00	200.00	0.0%
<b>Total Services</b>	<b>418,994.53</b>	<b>1,018,479.00</b>	<b>41.1%</b>
<b>Special Events</b>			
6004 Fourth of July Celebration	0.00	7,000.00	0.0%
6008 Tree Lighting	4,901.43	6,000.00	81.7%
<b>Total Special Events</b>	<b>4,901.43</b>	<b>13,000.00</b>	<b>37.7%</b>
<b>Utilities &amp; Maintenance</b>			
5902 Bldg Maintenance/Supplies	10,499.83	130,000.00	8.1%
5904 Electric	6,794.38	25,000.00	27.2%
5906 Gas	229.74	2,000.00	11.5%
5908 Street Lighting	9,132.89	30,000.00	30.4%
5910 Telephone	7,520.81	24,000.00	31.3%
5912 Water	2,241.65	12,500.00	17.9%
<b>Total Utilities &amp; Maintenance</b>	<b>36,419.30</b>	<b>223,500.00</b>	<b>16.3%</b>
<b>Total Expense</b>	<b>1,567,930.62</b>	<b>6,113,893.00</b>	<b>25.6%</b>
<b>Net Ordinary Income</b>	<b>703,078.24</b>	<b>0.00</b>	<b>100.0%</b>
<b>Net Income</b>	<b>703,078.24</b>	<b>0.00</b>	<b>100.0%</b>

**Town of Hickory Creek**  
**Expenditures over \$1,000.00**  
December 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	12/16/2019	Inv# ...	CMJ Engineering, Inc.	1,503.00
Bill	12/16/2019	Invoi...	Halff Associates, Inc.	1,590.54
Check	12/11/2019	3934	GRod Construction, LLC.	70,644.85
Total 5012 Streets & Road Improvement				73,738.39
<b>5026 Fleet Purchase/Replacement</b>				
Bill	12/04/2019	Invoi...	Main Street Signs & Graphics	2,890.00
Total 5026 Fleet Purchase/Replacement				2,890.00
Total Capital Outlay				76,628.39
<b>General Government</b>				
<b>5206 Computer Hardware/Software</b>				
Bill	12/12/2019	Invoi...	Municipal Code Corporation	3,400.00
Total 5206 Computer Hardware/Software				3,400.00
<b>5212 EDC Tax Payment</b>				
Check	12/12/2019	3936	Hickory Creek Economic Development	33,357.42
Total 5212 EDC Tax Payment				33,357.42
<b>5234 Staff Uniforms</b>				
Bill	12/26/2019	Invoi...	Richey Company	1,325.73
Total 5234 Staff Uniforms				1,325.73
Total General Government				38,083.15
<b>Municipal Court</b>				
<b>5332 Warrants Collected</b>				
Bill	12/12/2019	Invoi...	McCreary, Veselka, Bragg and Allen, P.C.	1,939.73
Total 5332 Warrants Collected				1,939.73
Total Municipal Court				1,939.73
<b>Police Department</b>				
<b>5602 Auto Gas &amp; Oil</b>				
Check	12/27/2019	Debit	WEX INC DESFLEET DEBI	2,024.31
Total 5602 Auto Gas & Oil				2,024.31
<b>5616 Drug Forfeiture</b>				
Bill	12/04/2019	Invoi...	Paragon Southwest Medical Waste LLC	1,371.50
Total 5616 Drug Forfeiture				1,371.50
Total Police Department				3,395.81
<b>Public Works Department</b>				
<b>5722 Equipment</b>				



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01/21/20  
Accrual Basis

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

Type	Date	Num	Name	Amount
Bill	12/09/2019	Invoi...	ASCO Equipment	1,322.00
Total 5722 Equipment				1,322.00
<b>5726 Equipment Rental</b>				
Bill	12/18/2019	Cont...	Texas First Rentals LLC	1,713.28
Bill	12/17/2019	Cont...	Texas First Rentals LLC	1,838.16
Total 5726 Equipment Rental				3,551.44
Total Public Works Department				4,873.44
<b>Services</b>				
<b>5802 Appraisal District</b>				
Bill	12/04/2019	Invoi...	DCAD	3,091.60
Total 5802 Appraisal District				3,091.60
<b>5804 Attorney Fees</b>				
Bill	12/12/2019	Acc...	Hayes, Berry, White & Vanzant	2,621.25
Total 5804 Attorney Fees				2,621.25
<b>5814 Engineering</b>				
Bill	12/16/2019	Invoi...	Halff Associates, Inc.	1,241.51
Bill	12/16/2019	Invoi...	Halff Associates, Inc.	1,490.70
Bill	12/16/2019	Invoi...	Halff Associates, Inc.	2,144.40
Total 5814 Engineering				4,876.61
<b>5818 Inspections</b>				
Bill	12/04/2019	Invoi...	Vaughn Inspections Plus, LLC	7,833.00
Bill	12/04/2019	Invoi...	Vaughn Inspections Plus, LLC	11,808.00
Total 5818 Inspections				19,641.00
<b>5820 Fire Service</b>				
Check	12/09/2019	3931	City of Corinth	153,408.25
Total 5820 Fire Service				153,408.25
<b>5826 Municipal Judge</b>				
Check	12/31/2019	Debit	Alfons Kyle Knapp	1,020.00
Total 5826 Municipal Judge				1,020.00
Total Services				184,658.71
<b>Utilities &amp; Maintenance</b>				
<b>5902 Bldg Maintenance/Supplies</b>				
Bill	12/30/2019	Invoi...	Denton Electric, Inc.	1,540.00
Total 5902 Bldg Maintenance/Supplies				1,540.00
<b>5904 Electric</b>				
Check	12/12/2019	Debit	HUDSON ENERGY SE DESDEBITDEBIT	4,217.82
Total 5904 Electric				4,217.82

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01/21/20  
Accrual Basis

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

Type	Date	Num	Name	Amount
<b>5908 Street Lighting</b>				
Check	12/12/2019	Debit	HUDSON ENERGY SE DESDEBITDEBIT	5,817.16
Total 5908 Street Lighting				5,817.16
<b>5910 Telephone</b>				
Bill	12/05/2019	Acc...	CenturyLink	1,436.23
Bill	12/30/2019	Acc...	CenturyLink	1,436.23
Bill	12/17/2019	Invoi...	CenturyLink Business Services	1,606.26
Total 5910 Telephone				4,478.72
Total Utilities & Maintenance				16,053.70
Total Expense				325,632.93
Net Ordinary Income				-325,632.93
<b>Net Income</b>				<b>-325,632.93</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: 12/01/2019 - 12/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8173%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 43 DAYS AND THE NET ASSET VALUE FOR 12/31/19 WAS 1.000066.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			9,489.74
12/31/2019	MONTHLY POSTING	9999888	14.65	9,504.39
	ENDING BALANCE			9,504.39

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	9,489.74
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	14.65
ENDING BALANCE	9,504.39
AVERAGE BALANCE	9,489.74

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
ANIMAL SHELTER FACILITY	0.00	0.00	220.12





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: 12/01/2019 - 12/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8173%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 43 DAYS AND THE NET ASSET VALUE FOR 12/31/19 WAS 1.000066.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			3,308.74
12/31/2019	MONTHLY POSTING	9999888	5.11	3,313.85
	ENDING BALANCE			3,313.85

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	3,308.74
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	5.11
ENDING BALANCE	3,313.85
AVERAGE BALANCE	3,308.74

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
HARBOR LANE - SYCAMORE BEND	0.00	0.00	76.67





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: 12/01/2019 - 12/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8173%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 43 DAYS AND THE NET ASSET VALUE FOR 12/31/19 WAS 1.000066.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			3,422,012.95
12/03/2019	TRANSFER TO 1668276008	6112076	25,013.82 -	3,396,999.13
12/04/2019	ACH DEPOSIT	6112074	25,013.82	3,422,012.95
12/20/2019	ACH DEPOSIT	6112680	750,000.00	4,172,012.95
12/31/2019	ACH DEPOSIT	6112963	356,000.00	4,528,012.95
12/31/2019	MONTHLY POSTING	9999888	5,748.11	4,533,761.06
	ENDING BALANCE			4,533,761.06

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	3,422,012.95
TOTAL DEPOSITS	1,131,013.82
TOTAL WITHDRAWALS	25,013.82
TOTAL INTEREST	5,748.11
ENDING BALANCE	4,533,761.06
AVERAGE BALANCE	3,723,012.50

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
INVESTMENT FUND	3,081,750.23	2,602,234.35	93,037.15







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: 12/01/2019 - 12/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8173%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 43 DAYS AND THE NET ASSET VALUE FOR 12/31/19 WAS 1.000066.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			162,461.05
12/31/2019	MONTHLY POSTING	9999888	250.76	162,711.81
	ENDING BALANCE			162,711.81

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	162,461.05
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	250.76
ENDING BALANCE	162,711.81
AVERAGE BALANCE	162,461.05

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
RESIDENTIAL STREET & RD IMPROV	0.00	400,000.00	9,097.54





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: 12/01/2019 - 12/31/2019

LOGIC MONTHLY SUMMARY: THE AVERAGE MONTHLY RATE WAS 1.8173%. THE AVERAGE WEIGHTED AVERAGE MATURITY WAS 43 DAYS AND THE NET ASSET VALUE FOR 12/31/19 WAS 1.000066.

### MONTHLY ACTIVITY DETAIL

TRANSACTION DATE	DESCRIPTION	CONFIRMATION NUMBER	TRANSACTION AMOUNT	BALANCE
	BEGINNING BALANCE			212,880.59
12/31/2019	MONTHLY POSTING	9999888	328.56	213,209.15
	ENDING BALANCE			213,209.15

### MONTHLY ACCOUNT SUMMARY

BEGINNING BALANCE	212,880.59
TOTAL DEPOSITS	0.00
TOTAL WITHDRAWALS	0.00
TOTAL INTEREST	328.56
ENDING BALANCE	213,209.15
AVERAGE BALANCE	212,880.59

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

ACCOUNT NAME	DEPOSITS	WITHDRAWALS	INTEREST
TURBEVILLE RD IMPROVEMENT FUND	0.00	0.00	4,939.35



**Item Attachment Documents:**

6. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas ordering an election to be held on May 2, 2020 for the purpose of electing a Mayor and Town Council Members to Place 2 and Place 4.



**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2020-01-\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF HICKORY CREEK, TEXAS, ORDERING AN ELECTION TO BE HELD ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING A MAYOR AND TOWN COUNCIL MEMBERS TO PLACE 2 AND PLACE 4; AUTHORIZING A JOINT ELECTION WITH OTHER DENTON COUNTY POLITICAL SUBDIVISIONS; PROVIDING FOR A FILING PERIOD; PROVIDING FOR PRECINCTS; PROVIDING FOR APPOINTMENT OF AN EARLY VOTING CLERK; PROVIDING FOR EARLY VOTING LOCATIONS; PROVIDING FOR AN ELECTION DAY POLLING PLACE; PROVIDING FOR CANCELLATION OF ELECTION; PROVIDING FOR THE PUBLICATION AND POSTING OF NOTICE OF THIS ELECTION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Hickory Creek, 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 the enabling legislation of the State of Texas; and

**WHEREAS**, the general election for the Town of Hickory Creek, as set forth by the Texas Election Code, is required to be held on May 2, 2020 for the purpose of electing a Mayor and Town Council Members to Place 2 and Place 4; each term being for a period of (2) two years.

**WHEREAS**, in accordance with Section 271.002 of the Texas Election Code, the Town election will be conducted with other political subdivisions of Denton County Texas.

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

**SECTION 1  
ELECTION ORDERED**

An election is hereby ordered to be held on Saturday, May 2, 2020 for the purpose of electing a Mayor and Town Council Members to Place 2 and Place 4; each term being for a period of (2) years.

**SECTION 2  
FILING PERIOD**

The filing period for an application on the ballot is January 15, 2020 - February 14, 2020.

**SECTION 3  
PRECINCTS**

The election precinct for said election shall be the regular precinct of Denton County (Precinct 3001) to the extent that they are within the corporate limits of the Town of Hickory Creek.

**SECTION 4**  
**EARLY VOTING CLERK**

In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk of the purposes of conducting said election:

Frank Phillips, Early Voting Clerk  
Denton County Elections  
P.O. Box 1720  
Denton, Texas 76202  
Elections@dentoncounty.com

**SECTION 5**  
**EARLY VOTING LOCATIONS**

Early voting by personal appearance of Hickory Creek residents shall be conducted beginning April 20, 2020 and continue through April 28, 2020. The main early voting location shall be located at: Denton County Elections, 701 Kimberly Drive, Denton, Texas 76208. Additional early voting locations shall be determined per the Joint Election Agreement and Contract for Election Services with the Denton County Elections Administrator.

**SECTION 6**  
**ELECTION DAY POLLING PLACE**

The polling place for all of Precinct 3001 within the corporate limits of the Town of Hickory Creek will be located at: Town of Hickory Creek Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065.

**SECTION 7**  
**CANCELLATION OF ELECTION**

If only one person who has qualified to appear on the ballot for each office, and no write-in candidates have submitted their names to be placed on the list for write-in candidates, the Town Council may declare the candidates elected to office and cancel the election called herein.

**SECTION 8**  
**NOTICE AND PUBLICATION**

Notice of the Election shall be given by posting a notice of election in both English and Spanish at Town of Hickory Creek located at 1075 Ronald Reagan Avenue, Hickory Creek Texas, on the bulletin board not later than twenty-one days prior to the date upon which the election is to be held, and by publication of said notice at least once in the official newspaper of the Town, being a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the elections. Upon publication of the election notice, the Town Secretary shall secure a publisher's affidavit.

**SECTION 9**  
**NECESSARY ACTIONS**

The Mayor, Town Council, and Town Staff, in consultation with the Town Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the Election, whether or not expressly authorized herein.

**SECTION 10**  
**EFFECTIVE DATE**

This Ordinance shall become effective immediately upon its passage and approval.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 27<sup>th</sup> day of January, 2020.

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

ATTEST:

\_\_\_\_\_  
Kristi K. Rogers, Town Secretary  
Town of Hickory Creek

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek

**Item Attachment Documents:**

7. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 12: Traffic and Vehicles: Article 12:06 Motorized Carts.

**TOWN OF HICKORY CREEK  
ORDINANCE 2020-01-\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, AMENDING THE TOWN'S CODE OF ORDINANCES, CHAPTER 12: TRAFFIC AND VEHICLES: ARTICLE 12.06 MOTORIZED CARTS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; 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; and

**WHEREAS**, the Town Council finds it to be necessary for the protection of public safety to prohibit the operation of motorized carts on public streets within the Town in the absence of regulations that promote the safe use and operation of such vehicles upon public streets; and

**WHEREAS**, the Town Council finds it to be in the public interest to amend the Town of Hickory Creek Code of Ordinances to provide to the regulation of the operation of motorized carts on public streets within the Town.

**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 interests of the Town of Hickory Creek, Texas, and of the public health, safety and welfare.

**SECTION 3  
AMENDMENT**

3.01 That the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 12 Traffic and Vehicles: Article 12.6 Motorized Carts is hereby amended to read:

**“MOTORIZED CARTS**

## **Section 1: Applicability/exemptions.**

### **(a) Applicability**

(1) Motorized carts. Except as expressly provided herein, the provisions of this article shall apply to all motorized carts operated within the corporate limits of the Town of Hickory Creek.

(2) ATV and similar vehicles. Nothing in this article permits the operation of those motorized conveyances commonly referred to as ATVs, four-wheelers, mules, gators, go-carts, and any similar gas-powered conveyance on a public roadway within the Town, except when utilized by authorized Town personnel for Town business.

(b) Exemptions. The following use or operation of a motorized cart shall be exempt from the regulations of this article:

(1) Official Town business. A motorized cart is used or operated by personnel for the Town on official police business or official business of the Town on property owned by or leased to the Town;

(2) Parade, festival, or special event. The operation of a motorized cart when the cart is used in connection with a parade, festival, or other Town authorized or sponsored special occasion, the written consent of the sponsor is obtained, and the cart is only used as part of such parade, festival or special event. Further, a motorized cart used in connection with such parade, festival, or special event shall comply with all requirements outlined in the Town issued special event permit for the parade, festival, or other special events.

## **Section 2: Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings provided below, except where the context clearly indicates a different meaning.

Driver. A person driving and having physical control over a vehicle, including but not limited to a motorized cart.

Driver's license. An authorization issued by a state for the operation of a motor vehicle, including but not limited to a temporary license, provisional license, instructional permit, and an occupational license.

Low-speed vehicle (LSV). A motor vehicle that is four (4) wheeled and has an attainable top speed of more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour on a paved level surface, which is manufactured or retrofitted in compliance with those federal motor vehicle safety standards for low-speed vehicles, and has a weight of less than 3,000 pounds.

Motorized cart or cart. Those electric or gasoline-powered motor vehicles, commonly referred to as golf carts, but which must have a minimum of four (4) wheels, which have an attainable top

speed of less than twenty (20) miles per hour on a paved level surface. Expressly excluded from this definition are those motorized conveyances commonly referred to as low-speed vehicles (LSV's), neighborhood electric vehicles (NEV's), all-terrain vehicles (ATV's), four-wheelers, mules, gators, and go-carts.

Owner. A person who holds title to or who leases a motorized cart for their personal use or the use of a third party, whether for private or for commercial retail purposes.

Parking area. Those areas accessible to the public by vehicular motor traffic and which are designated for temporary parking of motor vehicles, usually in place referred to as parking lots.

Person. An individual, corporation, partnership, joint venture, or any other business entity.

Sidewalk. The portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

Slow-moving-vehicle-emblem. A triangular emblem that conforms to standards and specifications and displayed per chapter 547 of the Texas Transportation Code, as amended.

Street(s). The public roadways of the Town and the private roadways for which the Texas Transportation Code has been applied by council action regardless of its designation as a road, alley, avenue, highway, route, boulevard, etc. that:

- (1) Has a posted speed limit of thirty-five (35) miles per hour or less;
- (2) Provides for no more than two (2) lanes of vehicular traffic per direction; and
- (3) Is not designated as part of either the state or federal highway system.

Traffic way. Any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The traffic way includes all property, both improved and unimproved, between the property lines of a roadway system.

### **Section 3: Operational Regulations.**

(a) Operation of cart/compliance with traffic laws. A driver may operate a motorized cart on streets within the Town limits. Except as provided herein, while operating a motorized cart upon street(s) of the Town, a driver shall comply with all laws applicable to carts and other motor vehicles as outlined in this article, the Texas Transportation Code, as amended, and other state laws. A driver shall be subject to citation for all violations of this article, the Texas Transportation Code, and other applicable state law.

(b) Driver's license required. A driver of a motorized cart shall be at least sixteen (16) years of age, hold a valid Texas driver's license, and shall abide by all state and local traffic regulations applicable to vehicular traffic when operating a motorized cart upon the streets and parking areas of the Town.

(c) Sidewalk or pedestrian way. A driver shall not operate a motorized cart on any sidewalk, pedestrian walkway, jogging path, park trail, or any location normally used for pedestrian traffic,

unless such operation is by police or other authorized Town personnel acting in an official capacity and performing an official duty, or specifically authorized by another section in this code.

(d) Crossing intersections. A driver shall not operate a motorized cart upon any portion of a street or traffic way having a posted speed greater than thirty-five (35) miles per hour; provided however, that a person may cross an intersection, including a road or street that has a posted speed limit of more than thirty-five (35) miles per hour as authorized by the Texas Transportation Code, as amended. A driver of a motorized cart may cross a multi-lane or a federal, county, or state route only at an intersection controlled by a traffic-control device which stops traffic from all directions.

(e) Lane usage. A motorized cart is entitled to full use of a lane on the streets and parking areas of the Town, and no motor vehicle shall be driven in such a manner as to deprive any motorized cart of the full use of a lane. A driver shall not operate a motorized cart between 1) another moving motorized cart or moving vehicle operated on a street in the rightmost lane and 2) a parked motorized cart or vehicle. The driver of a cart shall move the cart to the right of the public street and yield the right-of-way to faster-moving vehicles.

(f) Passing. A driver of a motorized cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken. While being overtaken and passed, the driver of a motorized cart shall yield to the right side of the lane and allow the passing vehicle the right-of-way.

(g) Maximum number of occupants. The number of occupants in a motorized cart shall be limited to the number of persons for whom seating capacity is provided on the vehicle. The operator and all occupants shall be seated upon the seat of the cart, and no part of the body of the operator or occupant shall extend outside the perimeter of the cart while the cart is being operated except while signaling turns or stops. A driver shall not permit any occupant of a cart to ride in the lap of any occupant or stand on the rear of the cart while the cart is in motion.

(h) Parking. A driver of a motorized cart may park a cart only in the same manner and at the same places designated for the parking of motor vehicles or motorized carts. The stopping, standing, or parking of motorized carts in an area where parking is not allowed or in any place or manner that impedes the flow of traffic, pedestrian walkways, or a passageway is prohibited. A driver shall not park a motorized cart within a space designated for disabled persons unless a current disabled parking placard is displayed on the cart and the person to whom the placard was issued is operating or being transported in the motorized cart. Notwithstanding the foregoing, a property owner may designate an area specifically for parking of motorized carts, provided that the area is marked with appropriate signage and that the parking of a cart in that area does not obstruct a fire lane, ingress or egress to a building, and does not interfere with the flow of vehicular traffic in a parking area.

(i) Towing prohibited. Except as expressly allowed in this article, motorized carts shall not be used to tow another cart, trailer, vehicle of any kind, or a person, including without limitation a person on roller skates, skateboard, bicycle, or other wheeled devices.

(j) Hours. Motorized carts may be operated in the Town on a Street only between the hours of 6:00 AM and 11:00 PM.

#### **Section 4: Equipment.**



(a) General. It shall be unlawful for a person to operate a motorized cart on the streets of the Town or anywhere authorized by this code if the motorized cart does not meet all minimum equipment standards, if required liability insurance for the cart is not maintained, without first obtaining a registration permit from the Town and affixing the decal to the cart, or if a person fails to comply with any other requirement of this article.

(b) The owner of a cart being operated on a public street must:

- (1) obtain a registration permit from the Town;
- (2) affix a registration decal to the cart;
- (3) maintain current financial responsibility for the cart as required by Section 601.051 Texas Transportation Code; and
- (4) ensure the cart has all required equipment in good operational condition.

(c) Required equipment.

(1) Motorized cart operation. Except as expressly exempted from this article, each motorized cart operating upon a street(s) within the Town shall be required to meet the minimum equipment standards specified in this article:

- (A) Operational headlamps (2 required);
- (B) Operational tail lamps (2 required);
- (C) Side reflectors (2 front: amber in color and 2 rear: red in color);
- (D) Stop lamps (2 required);
- (E) Operational parking brake;
- (F) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror (capable of a clear, unobstructed view of at least two hundred (200) feet to the rear);
- (G) Slow-moving-vehicle-emblem on the rear;
- (H) Seat belts in numbers equal to the number of passengers for which the vehicle is rated by the vehicle's manufacturer; and
- (I) Turn signals visible from both the front and rear of the vehicle.

All required equipment for a motorized cart shall meet state and federal motor vehicle safety standards.

(d) Exhaust system for gasoline-powered motorized carts. In addition to the above-listed equipment, every motorized cart powered by gasoline shall at all times be equipped with an exhaust system in good working order, in constant operation and meeting the following specifications:

- (1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.
- (2) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems.

## **Section 5: Registration Required**

- (a) No person shall operate, cause to be operated or allow the operation of a cart on any public streets, parking areas, and traffic ways unless a valid registration permit has been issued for the cart or otherwise allowed by law.
- (b) Application for a permit authorizing the operation of a cart shall be made in writing and filed with the Town Administrator or his/her designee by a person who owns, leases, or otherwise uses a cart. Said application shall set forth the following:
  - (1) The name, address, telephone number, and state driver's license number of the applicant;
  - (2) The street address where the cart is kept, including specific suite or apartment number, if applicable;
  - (3) The year, make, model, color, VIN, or serial number of the cart.
- (c) The Town Administrator or his/her designee may issue a registration permit for the use of a cart on Town streets when (1) an applicant submits the completed written application, (2) the police department approves the cart after conducting an inspection of the cart to verify compliance with the requirements of this article, and (3) the Town Administrator or his/her designee concludes that use of the cart will not interfere with public safety and will provide the operator and potential passengers with a safe and convenient means of travel for a specified purpose.
- (d) If a registration permit application is approved by the Town Administrator or his/her designee, the permit fee identified on the master fee schedule must be submitted prior to the registration decal being issued.
- (e) The registration permit decal shall be affixed on the left side of the cart; it may not be damaged, altered, obstructed, or otherwise made illegible and may only be placed upon the cart for which it was issued.
- (f) A permit issued to a cart shall become invalid if the cart is altered in a manner that fails to comply with any requirement of this Ordinance.
- (g) Lost or stolen Permit/Decals are the responsibility of the Owner. If no record can be found of a previous application or the receipt of a Permit/Decal, the Town may direct the applicant to reapply, and also resubmit any and all fees necessary before a replacement Permit/Decal is issued.
- (h) A permit may be revoked at any time by the Town, or its designee(s), if there is any evidence that the permit holder cannot safely operate a cart on any authorized public streets, parking areas and traffic ways of the Town in compliance with this Ordinance.

- (i) Failure to comply with any of the requirements or regulations described herein constitutes evidence that the permit holder cannot safely operate a motorized cart on the street within the Town of Hickory Creek.
- (j) A permit issued under this section shall expire on December 31 of the calendar year following its issuance.

### **Section 6: Liability**

Nothing in this Article shall be construed as an assumption of liability by the Town of Hickory Creek for any injuries (including death) to persons, pets or property which may result from the operation of a cart by an authorized driver; and

### **Section 7: Public Safety Personnel**

Public Safety Personnel may operate a cart on any public street, parking area and traffic way without any further restrictions when the cart is used in the performance of his/her duties or on official business of the Town or on Town-owned property and Town leased property , including but not limited to, a parade, a festival or other special events.

### **Section 8: Criminal Offense**

Any person, firm, entity or corporation who violates any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day 's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Town of Hickory Creek from filing suit to enjoin the violation. Hickory Creek retains all legal rights and remedies available to it pursuant to local, state, and federal law.

### **Section 9: Reciprocity**

A resident of the Town of Shady Shores, the City of Lake Dallas, or the City of Corinth who has received from the person's city of residence a permit to operate a cart on a public street within the city in which the person resides may operate a cart on the public streets within the City in accordance with the provisions of this Article without having first obtained a Town of Hickory Creek permit if:

- (a) The city issuing the permit has adopted an ordinance regulating the equipping of a cart being operated on a public street, and
- (b) The municipality where the person resides has adopted an ordinance exempting a resident of the Town of Hickory Creek who has received a permit pursuant to this Article from any requirement to obtain a permit to operate a cart on the public streets within such other municipality to the same extent as provided in this Section."

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

**SECTION 4**  
**CUMULATIVE REPEALER CLAUSE**

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 CLAUSE**

All rights and remedies of the Town of Hickory Creek, Texas are expressly saved as to any all violations of the provisions the Town's Code of Ordinances or of any other ordinance affecting subdivision regulations, which have 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 27th day January, 2020.

---

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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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

8. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Code of Ordinances of the Town of Hickory Creek, Texas, Chapter 3: Building Regulations, Article 3.11: Solar Panel Standards.

**TOWN OF HICKORY CREEK, TEXAS**  
**ORDINANCE NO. 2020-01-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS AMENDING THE CODE OF ORDINANCES OF THE TOWN OF HICKORY CREEK, TEXAS, CHAPTER 3: BUILDING REGULATIONS, ARTICLE 3.11: SOLAR PANEL STANDARDS; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR FINDINGS; PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the Town of Hickory Creek, Texas is a general law municipality empowered under the Texas Local Government Code, Section 51.012, to adopt an ordinance necessary for the government, interest, welfare, or good order of the Town; and

**WHEREAS**, the Town Council does hereby find and determine that the adoption of this Ordinance is in the best interest of the Town and is necessary for the government, interest, welfare, and good order of the Town as well as the public health, safety, morals and general welfare of the Town.

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

**SECTION 1**  
**INCORPORATION CLAUSE**

That all of the above premises are true and correct and are hereby incorporated in the body of this Ordinance as if fully set forth herein.

**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 Code of Ordinances, Town of Hickory Creek, Texas, Chapter 3: Building Regulations, Article 3.11: Solar Panel Standards, Section 3.11.003(1) Definitions, is hereby amended to read as follows:

"(1) Definitions

- a. *Solar Panel System*: means a device or several devices that exceed four square feet of photovoltaic area and converts light into electricity, the materials and work necessary to install the same, and the materials and work necessary to deliver or store produced electricity."

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

### **SECTION 4**

#### **CUMULATIVE REPEALER CLAUSE**

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**

#### **SEVERABILITY CLAUSE**

If any section, article, paragraph, sentence, clause, phrase or work in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

### **SECTION 6**

#### **SAVINGS CLAUSE**

All rights and remedies of the Town of Hickory Creek, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinances of the Town affecting building, mechanical, plumbing, electrical and housing codes, which have 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 courts.



**SECTION 7**  
**PUBLICATION CLAUSE**

The Town Secretary of the Town of Hickory Creek is hereby directed to publish, the Caption, Penalty Clause and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**SECTION 8**  
**ENGROSSMENT AND ENROLLMENT CLAUSE**

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

**SECTION 9**  
**EFFECTIVE DATE CLAUSE**

That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from the date of passage and publication in the official newspaper.

**IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas, this the 27<sup>th</sup> day of January, 2020.

---

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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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas



**Item Attachment Documents:**

9. Consider and act on an ordinance of the Town Council of Hickory Creek, Texas, amending the Town's Code of Ordinances, Chapter 3: Building Regulations, Article 3.07: Floods and Drainage.

**TOWN OF HICKORY CREEK  
ORDINANCE NO. 2020-01-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF HICKORY CREEK, TEXAS  
AMENDING THE TOWN'S CODE OF ORDINANCES, CHAPTER 3:  
BUILDING REGULATIONS; ARTICLE 3.07 FLOODS AND DRAINAGE;  
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 A PENALTY; PROVIDING FOR A PUBLICATION  
CLAUSE; 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; and

**WHEREAS**, the Town has enacted certain rules and regulations pertaining to building and specifically to construction activity in flood zones;

**WHEREAS**, the code enforcement officer has determined that such regulations need to be revised and updated in order to protect public health, safety and welfare based in part upon the issuance of a new Flood Insurance Rate Map; and

**WHEREAS**, the Town deems it necessary to adopt such rules for the safeguarding of public health, safety and welfare.

**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 Chapter 3: Building Regulations; Article 3.07, Floods and Drainage; Section 3.07.037: Basis for establishing areas of special flood hazard is hereby amended to read as follows:

“The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, “The Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for Denton County, Texas and Incorporated Areas” effectively dated June 19, 2020; and any revisions thereto are hereby adopted by reference and declared to be a part of this division.”

3.02 All other articles, chapters, sections, paragraphs, sentences, phrases and words of Chapter 3: Building Regulations, Article 3.07, Floods and Drainage 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 floods and drainage, 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** **PENALTY**

7.01 It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision of this Ordinance shall be fined, upon conviction, an amount not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs and continues.

7.02 If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

## **SECTION 8** **PUBLICATION**

The Town Secretary of the Town of Hickory Creek is directed to publish in the official newspaper of the Town, the caption, penalty clause, and effective date of this Ordinance as required by law and the Town Charter.

## **SECTION 9** **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 10** **EFFECTIVE DATE**

This Ordinance shall become effective from June 19, 2020 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 27<sup>th</sup> day of January, 2020.

---

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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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

10. Consider and act on a resolution of the Town Council of Hickory Creek, Texas, hereby amending the Master Application and Fee Schedule.



**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2020-0127-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HICKORY CREEK, TEXAS, HEREBY AMENDING THE MASTER APPLICATION AND FEE SCHEDULE; 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 amend the Master Application and Fee Schedule to add the issuance fee for motorized cart permits.

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

Section 1: The Town Council finds that a \$25.00 fee for the issuance of a motorized cart permit is reasonable and is hereby adopted.

Section 2: The City Secretary is directed to add the fee authorized by Section 1 to the Master Application and Fee Schedule.

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 \_\_\_\_\_ day of January, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**Item Attachment Documents:**

11. Consider and act on a resolution of the Town of Hickory Creek, Texas authorizing the issuance of a water well drilling permit for 199 Country Lane, Hickory Creek, Texas.

**TOWN OF HICKORY CREEK  
RESOLUTION NO. 2020-0127-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
HICKORY CREEK, TEXAS, AUTHORIZING THE ISSUANCE OF A  
WATER WELL DRILLING PERMIT FOR 199 COUNTRY LANE,  
HICKORY CREEK, 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**, Scott Figart. has submitted a request for a permit to drill a water well at 199 Country Lane, legally described as Lowery Cobb Survey, Abstract No. 284, Town of Hickory Creek, Denton County, Texas, for the purpose of installing a water well that will provide water to the residents of the property.

**WHEREAS**, the Town Council has determined water service can be provided for the location and purpose.

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

**SECTION 1**

The foregoing recitals stated in the preamble are found to be true and correct and are deemed incorporated into the body of this resolution as if copied herein in their entirety.

**SECTION 2**

The request submitted by Scott Figart for a water well permit at the location of 199 Country Lane, Hickory Creek, Texas, is hereby granted.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek, Texas this 27<sup>th</sup> day of January, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

# Scott & Linda Figart

199 Country Lane  
Hickory Creek, Texas 75065  
(214) 232-1100

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January 15, 2020

Honorable Mayor Lynn Clark and Town Council  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

RE: Application for Water Well  
Notarized 1-15-20

Well Drilling Contractor will be either:

Action Water Wells  
Rick Young – 817-430-0021  
License # \_\_\_\_\_

or

Affordable Well Drilling  
James Dake – 817-220-5545  
License # 56060

We are requesting application for drilling a new private water well within the city limits of Hickory Creek, TX at 199 Country Lane.

**Reason for Application:** Our existing well (drilled 1982, c. 850') has diminished in water production over time and does not replenish itself to supply daily household needs.

New Application Purpose: New Domestic Water

Site Plan: Attached (Prox Scale 1" = 100')

## State Licensed Water Well Driller:

Type:	Drilled/Bored
Depth:	900-950 ft
Casing:	Steel
Diameter:	4-1/2" casing
Cement:	100+ft of casing
Method:	pressure cementing
Pump:	5 hp – 17 gpm
Pump Pipe:	1-1/4" Galv Steel Pipe
Tanks:	Bladder-Tank
Surface Piping:	PVC Pipe

## Distances:

Septic Tank –	650 ft
1982 Well Head -	100 ft
Natural Gas Line -	160 ft
Telephone Lines -	200 ft
LCMUA Well -	beyond 1320 ft
Sewage Plant -	beyond 500 ft
Barn	100 ft
Pond	400 ft
Lake	750+ ft
I-35E R.O.W. -	500 ft

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We are simultaneously submitting application with **spacing requirement exception** (30' rather than 50' from property line) to North Texas Groundwater Conservation District. Additionally, attached are notarized NTGCD waivers from affected adjacent neighbors, Myers and Londa Raymer. The Figart's and Raymer's are in agreement to drill a well at 30 feet from mutual property line.

Note: NTGCD considers this a NEW Well. Because our 1982 well was not registered before Dec 31, 2018, our NTGCD application is not considered a replacement well.

Thanks in advance to the Town of Hickory Creek for reviewing and processing our application for a new water well for approval. We are very proud to be residents of Hickory Creek.

Respectfully,



Scott Figart  
Resident of Hickory Creek

attachments: Cover Letter  
Notarized Hickory Creek Application (4 hardcopies)  
\$300 Check #17738  
Site Plan  
Notarized NTGCD Waiver of Minimum Spacing Requirements

SUBJECT: DICKER R.  
SINKING TOWER ADDITION  
CARL D. RO. 184 - R.R., D.C.T.

N 00°00'00" E - 639.39'

1982 WELL

130 ft

100 ft

30 ft

PROPOSED WELL

650 ft

Scott & Linda  
Figart

N 87°45'37" W - 318.63'

SEPTIC

UNITED STATES OF AMERICA  
DEPT. OF AGRICULTURE  
NATIONAL FOREST SERVICE

S 27°55'20" E - 130.00'

N 24°30'00" E - 130.00'

0.672 ACRES

TX Dot I-35E R.O.W.

S 82°02'11" W - 130.00'

JAMES H. HORN AND WIFE  
JAMES C. HORN  
C.F. HORN & SONS  
R.O.E.D.

JAMES H. HORN AND WIFE  
JAMES C. HORN  
C.F. HORN & SONS  
R.O.E.D.

N 63°32'28" W - 124.15'

Δ = 07°55'50" N - 1373.40'  
L = 223.09' CH = 503°55'50"E  
CH = 223.07'

PROX SCALE 1" = 100'

INTERSTATE HIGHWAY NUMBER 35-E



**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

P.O. Box 508, Gainesville, TX 76241  
5100 Airport Drive, Denison, TX 75020  
Office: 1 (855) 426-4433 | Fax: (903) 523-7687  
ntgcd@northtexasgcd.org | www.northtexasgcd.org

**Adjacent Landowner/Well Owner**

**Waiver of Minimum Spacing Requirement**

The Undersigned does hereby certify and agree as follows (PLEASE READ CAREFULLY)

1. I am aware that SCOTT + LINDA FIGART ("Applicant") proposes to  
(Name of Applicant)  
drill a water well at 199 COUNTRY LANE HICKORY CREEK, TX  
(Address of Applicant's Proposed Well Location) 75065
2. I am the owner of (select as applicable):
  - ☒ The adjacent property located at (list address of property):  
119 COUNTRY LANE HICKORY CREEK, TX
  - ☐ An existing water well within the North Texas Groundwater Conservation District that is within the minimum spacing distance set forth in District rules.
3. I am aware that the Applicant has applied or intends to apply to the North Texas Groundwater Conservation District for an exception to the minimum spacing requirements that directly impact me as marked above in No. 2 of this Waiver. I acknowledge and agree that Applicant's well location may impact my rights as a property owner/existing well owner, as applicable, in relation to the North Texas Groundwater Conservation District Rules.
4. I hereby request that the North Texas Groundwater Conservation District WAIVE the minimum spacing requirements for Applicant's proposed water well location and hereby APPROVE the proposed location of Applicant's proposed well.

Executed this 15<sup>th</sup> day of January, 2020

SC 88  
(Signature of Adjacent Land/Well Owner)

1/15/20  
(Date)

MYERS RAYMER  
(Printed Name of Adjacent Land Owner)

Myers C. Raymer  
Linda B Raymer  
Linda B Raymer

1-15-20



**ACKNOWLEDGMENT**

THE STATE OF TEXAS §

COUNTY OF Denton §

I certify that I know or have satisfactory evidence that Myers Raymer is the person who appeared before me, that said person signed this instrument, and on oath stated that said person was authorized to execute the instrument as a free and voluntary act of said person for the use and purpose mentioned in the instrument.



[Signature] July 7, 2021  
Notary Public, State of Texas

**ACKNOWLEDGMENT**

THE STATE OF TEXAS §

COUNTY OF Denton §

I certify that I know or have satisfactory evidence that Londa Raymer is the person who appeared before me, that said person signed this instrument, and on oath stated that said person was authorized to execute the instrument as a free and voluntary act of said person for the use and purpose mentioned in the instrument.



[Signature] July 7, 2021  
Notary Public, State of Texas



January 22, 2020  
AVO 37638.200

Ms. Chris Chaudoir  
Town of Hickory Creek  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

**RE: Figart Water Well Permit  
2<sup>st</sup> Review**

Dear Ms. Chaudoir:

The Town of Hickory Creek received the permit for a new water well on a residential property located at 199 Country Lane on January 22, 2020. The property owner/permit applicant is Scott Figart.

**Halff reviewed the permit application for conformance with Town ordinances. The permit application appears to be complete and complies with the requirements set out in Section 13.04 of the Town of Hickory Creek Code of Ordinances.**

**Please continue to note the following:**

1. The property owner and well driller will be responsible for following all the rules and requirements set forth in Sec. 13.04 of the Hickory Creek Code of Ordinances, as well as applicable rules and regulations of the Lake Cities Municipal Water District (LCMUA) and the Texas Commission on Environmental Quality (TCEQ).

Sincerely,

**HALFF ASSOCIATES, INC.**

A handwritten signature in blue ink that reads "Lee Williams".

Lee Williams, PE  
Project Manager

C: Kristi Rogers – Town Secretary  
John Smith – Town Administrator  
Jeffrey McSpedden – Public Works Director



January 22, 2020

via email [chris.chaudior@hickorycreek-tx.gov](mailto:chris.chaudior@hickorycreek-tx.gov)

Town of Hickory Creek

Attn: Chris Chaudior, Community Development/Code Enforcement

1075 Ronald Reagan Ave

Hickory Creek, Texas 75225

RE: Water Well Application at 199 Country Lane, Hickory Creek, Texas

Ms. Chaudior:

Lake Cities Municipal Utility Authority (LCMUA) formally recognizes and supports the application for the installation of a water well at 199 Country Lane, Hickory Creek, Texas with the Town of Hickory Creek (the Town). Upon approval by the Town, LCMUA would like a copy of any issued permits for this water well for our files.

All construction will need to be made in accordance with LCMUA's Development Standards to include inspection coordination during the construction process and submission of the log report from drilling.

The Applicant should also provide information to the North Texas Groundwater Conservation District (the District) prior to construction per Senate Bill 2497 of the 81<sup>st</sup> Texas Legislature Session in 2009. The District's website address is [www.northtexasgcd.org](http://www.northtexasgcd.org).

Should you need any further information, please contact us at 940.497.2999.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Fairfield", is written over a light blue, textured background.

Mike Fairfield

General Manager

501 N Shady Shores Dr  
Lake Dallas, TX 75065  
Phone: **940.497.2999**  
Fax: **940.497.2926**

**Item Attachment Documents:**

12. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute a Memorandum of Understanding by and between the Town of Hickory Creek, Texas and McCreary, Veselka, Bragg and Allen, P.C.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2020-0127-\_\_**

**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 MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND MCCREARY, VASELKA, BRAGG AND ALLEN, P.C.; 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 Memorandum of Understanding by and between the Town of Hickory Creek, Texas and McCreary, Vaselka, Bragg and Allen, P.C. (hereinafter the "Agreement") for collection of fines and fees in connection with the Texas Scofflaw Program, 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 27<sup>th</sup> day of January, 2020.

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

ATTEST:

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

APPROVED AS TO FORM:

---

Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE TOWN OF HICKORY CREEK, TEXAS  
AND  
McCREARY, VESELKA, BRAGG AND ALLEN, P.C.**

**I. PARTIES**

THIS MEMORANDUM OF UNDERSTANDING is made and entered into by and between the **TOWN OF HICKORY CREEK, TEXAS** acting herein by and through its governing body, hereinafter styled, “**TOWN**” and **McCREARY, VESELKA, BRAGG AND ALLEN, P.C.**, hereinafter styled “**MVBA**”.

**II. PURPOSE**

To clearly identify the roles and responsibilities of each party required for MVBA to assist with the Town’s participation in the Scofflaw Program or Vehicle Registration Denial Program, as outlined in the Texas Transportation Code Sec. 702.003 (commonly known as the Scofflaw Program).

**III. SCOPE OF WORK**

The Town has contracted with MVBA for the collection of delinquent municipal court fines and fees. To further enhance their efforts, MVBA will assist the Town with the implementation of the Scofflaw Program. This program allows a Town to submit data to the Technology Support Branch (TSB) of the Texas Department of Motor Vehicles (DMV) relating to defendants who have outstanding warrants after failing to appear or failing to pay a fine on a traffic citation. Once the Scofflaw code is placed on the defendant’s vehicle registration by the DMV a renewal of registration will not be permitted until the case is resolved.

**IT IS UNDERSTOOD AND AGREED THAT:**

**THE TOWN AGREES TO** enter into the necessary contract with the DMV. The town will timely provide delinquent cases to MVBA on which warrants have been issued and provide the necessary updates to MVBA to allow for the removal of the appropriate registration codes.

**MVBA AGREES TO** conduct the Scofflaw program on behalf of the Town as part of the delinquent collection process. MVBA will provide the funds necessary to post the required bond with DMV and pay all costs associated with the file submissions required for inquiry, flagging and clearances. MVBA will timely submit the appropriate files to DMV to match the defendant and the appropriate vehicle, to code the appropriate registration record and to clear the appropriate records. MVBA will provide the Town with the information concerning the successful submissions to DMV. This information will be available on the Court’s Web Access or in a list submitted to the Town.

#### **IV. TERM OF MEMORANDUM OF UNDERSTANDING**

The term of this agreement begins on the date of execution by both parties below and will remain in force for the duration of the Contract for the Collection of Delinquent Municipal Court Fines and Fees executed the 16<sup>th</sup> day of November, 2004.

#### **V. SIGNATURES**

The Town has authorized by order heretofore passed and duly recorded in its minutes the chief executive officer to execute this Memorandum of Understanding.

This Memorandum of Understanding may be executed in any number of counterparts, and each counterpart shall be deemed an original for all purposes. Signed facsimiles shall be binding and enforceable.

WITNESS the signatures of all parties hereto this, the \_\_\_\_ day of \_\_\_\_\_, A.D. 2020

#### **TOWN OF HICKORY CREEK, TEXAS**

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

#### **McCREARY, VESELKA, BRAGG & ALLEN, P.C.**

\_\_\_\_\_  
Harvey M. Allen  
Attorney at Law



**Item Attachment Documents:**

13. Consider and act on Change Order No. 2 for the 2019 Sidewalk Improvements project.

Change Order #2  
Date: 12/18/2019

Owner  
Town of Hickory Creek  
1075 Ronald Reagan Ave.  
Hickory Creek, TX 75065

General Contractor  
GRod Construction, LLC  
889 E. Rock Island Avenue  
Boyd, TX 76023

2019 Sidewalks Improvements  
Job: 190313A

Owner Code	Description	Contract Quantities	Unit	Unit Price	Contract Amount
<b>Change Order #2</b>					
01	4x2 RCB	16.000	LF	750.00	\$ 12,000.00
02	Concrete Headwall	1.000	EA	15,500.00	\$ 15,500.00
<del>03</del>	<del>5' Concrete Sidewalk</del>	<del>110.000</del>	<del>SY</del>	<del>49.00</del>	<del>\$ 5,390.00</del>
04	Pedestrian Rail (Type F)	34.000	LF	89.00	\$ 3,026.00
05	5" Concrete Rip Rap	100.000	SY	55.00	\$ 5,500.00
06	Embankment	100.000	CY	65.00	\$ 6,500.00
07	Chip Existing Headwall Flowline For New RCB	1.000	LS	1,500.00	\$ 1,500.00
08	Concrete Collar @ RCB Connection	1.000	LS	975.00	\$ 975.00
09	RCP Culvert @ Sidewalk	8.000	LF	115.00	\$ 920.00
<b>CHANGE ORDER #2 SUBTOTAL</b>					<del>\$ 51,311.00</del>

\$ 45,921.00

**Item Attachment Documents:**

14. Presentation of the 2018-2019 Fiscal Year Audit from Carl Deaton of Hankins, Eastup, Deaton, Tonn & Seay.

**TOWN OF HICKORY CREEK**

FINANCIAL STATEMENTS  
AND  
ACCOUNTANTS' OPINION

SEPTEMBER 30, 2019

# TOWN OF HICKORY CREEK

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Members:  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC  
ACCOUNTANTS  
TEXAS SOCIETY OF CERTIFIED  
PUBLIC ACCOUNTANTS

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**HANKINS, EASTUP, DEATON,  
TONN & SEAY**  
A PROFESSIONAL CORPORATION  

---

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CERTIFIED PUBLIC ACCOUNTANTS

902 NORTH LOCUST  
P.O. BOX 977  
DENTON, TX 76202-0977  
  
TEL. (940) 387-8563  
FAX (940) 383-4746

**INDEPENDENT AUDITORS' REPORT**

Honorable Mayor and Town Council  
Town of Hickory Creek, Texas

We have audited the accompanying financial statements of the governmental activities, the discretely presented component units and each major fund of the Town of Hickory Creek, Texas ("Town"), as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

**Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America. This includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

**Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standard* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

**Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the discretely presented component units and each major fund of the Town of Hickory Creek, Texas as of September 30, 2019, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## **Emphasis of Matter**

As discussed in Notes 11 and 16 to the financial statements, in the current fiscal year, the Town adopted new accounting guidance prescribed by GASB Statement No. 75 for its other post-employment benefit (OPEB) plan – a defined benefit group-term life insurance plan known as the Supplemental Death Benefits Fund (SDBF). Because GASB Statement No. 75 implements new measurement criteria and reporting provisions, significant information has been added to the Government-Wide Statements. The Statement of Net Position discloses the Town's Net OPEB Liability and deferred resource outflows and deferred resource inflows related to the Town's OPEB plan. The Statement of Activities discloses the adjustment to the Town's Beginning Net Position. Our opinion is not modified with respect to the matter.

## **Other Matters**

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the *management's discussion and analysis* on pages 5 through 12 and the Texas Municipal Retirement system schedules on pages 50 through 54 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### *Other Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Hickory Creek, Texas's basic financial statements. The combining and individual fund statements and schedules listed in the table of contents are presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund statements and schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

## **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated January 15, 2020 on our consideration of the Town of Hickory Creek, Texas's internal control over financial reporting and on our test of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Hickory Creek, Texas's internal control over financial reporting and compliance.



Hankins, Eastup, Deaton, Tonn & Seay, PC  
Denton, Texas

January 15, 2020

## **MANAGEMENT'S DISCUSSION & ANALYSIS**



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## TOWN OF HICKORY CREEK

### MANAGEMENT'S DISCUSSION AND ANALYSIS SEPTEMBER 30, 2019

---

As management of the Town of Hickory Creek, we offer readers of the Town of Hickory Creek's financial statements this narrative overview and analysis of the financial activities of the Town of Hickory Creek for the year ended September 30, 2019. We encourage readers to consider the information presented here in conjunction with the Town's basic financial statements.

#### **Financial Highlights**

- The assets and deferred outflows of resources of the Town of Hickory Creek exceeded its liabilities and deferred inflows at September 30, 2019 by \$14,485,676. Of this amount, \$2,616,936 may be used to meet the government's ongoing obligations to citizens and creditors.
- The Town's total net position increased by \$2,467,256 during the fiscal year from the results of current year operations. However, total net position decreased by \$32,338 from the results of the implementation of GASB 75 related to net OPEB liability during the year.
- As of September 30, 2019, the Town of Hickory Creek's governmental funds reported combined ending fund balances of \$4,970,069, a decrease of \$91,612 in comparison with the beginning of the period. Approximately 61 percent of this total amount, \$3,037,645, is available for spending at the government's discretion (*unassigned fund balance*).
- At the end of the current period, unassigned fund balance for the general fund of \$3,037,645 was 75.42 percent of total general fund expenditures.

#### **Overview of the Financial Statements**

The management discussion and analysis are intended to serve as an introduction to the Town of Hickory Creek's basic financial statements. The Town of Hickory Creek's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Also included as a discretely presented component unit are the Hickory Creek Economic Development Corporation, which was formed on July 1, 2003 as the result of a successful 4B sales tax election, the Hickory Creek Public Improvement District No. 1, which was created on March 31, 2012 to finance certain public improvements within the District, the Hickory Creek Public Improvement District No. 2, which was created on September 18, 2012, to finance certain public improvements within the District, and the Hickory Creek Public Improvement District No. 3, which was created May 21, 2019, to finance certain public improvements within the District.

**Government-wide Financial Statements.** The government-wide financial statements are designed to provide readers with a broad overview of the Town of Hickory Creek's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the Town of Hickory Creek's assets, deferred outflows of resources, deferred inflows of resources and liabilities, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town of Hickory Creek is improving or deteriorating.

The statement of activities presents information showing how the Town's net position changed during the most recent period. All of the current period's revenues and expenses are taken into account regardless of when cash is received or paid. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave). Both the statement of net position and the statement of activities are prepared utilizing the accrual basis of accounting as opposed to the modified accrual basis used in prior reporting models.

## TOWN OF HICKORY CREEK

### MANAGEMENT'S DISCUSSION AND ANALYSIS SEPTEMBER 30, 2019

---

In the Statement of Net Position and the Statement of Activities, the Town is divided between two kinds of activities:

- **Governmental activities.** All of the Town's basic services are reported here, including the police, fire, library, community development, public works, park services, municipal court, and general administration. Property taxes, sales taxes, and franchise fees finance most of these activities.
- **Business-type activities.** The Town may charge a fee to customers to help it cover all or most of the cost of certain services it provides. The Town had no business-type activities during the current period.

**Fund Financial Statements.** A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Fund financial statements provide detailed information about the most significant funds, not the Town as a whole. Some funds are required to be established by state law or bond covenants. However, the Town Council may establish other funds to help it control and manage money for particular purposes or to show that it is meeting legal responsibilities for using certain taxes, grants and other money. All of the funds of the Town of Hickory Creek are considered governmental funds.

**Governmental Funds.** All of the Town's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at period-end that are available for spending. These funds are reported using an accounting method identified as the modified accrual basis of accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the Town's general operations and the basic services it provides. Governmental fund information helps the reader determine whether there are more or fewer financial resources that can be spent in the near future to finance the Town's programs. By comparing information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements, readers may better understand the long-term impact of the government's near-term financing decisions. The relationship or differences between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds are detailed in a reconciliation following the fund financial statements.

The Town of Hickory Creek maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund and capital projects fund, each of which are considered to be major funds.

**Fiduciary Funds.** Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statement because the resources of those funds are not available to support the Town of Hickory Creek's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds. The Town of Hickory Creek does not currently have any fiduciary funds.

**Notes to the Financial Statements.** The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and funds financial statements.

**Other Information.** In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information highlighting budgetary information for the general fund.

**TOWN OF HICKORY CREEK**

**MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2019**

---

**Government-wide Financial Analysis**

The Town's combined net position was \$14,485,676 as of September 30, 2019. The Town first implemented GASB Statement No. 34, *Basic Financial Statement – and Management's Discussion and Analysis – for State and Local Governments*, in fiscal year 2004. The following analysis presents both current and prior year data and discusses significant changes in the accounts. This analysis focuses on the net position (Table 1) and general revenues (Table 2) and changes in net position (Table 3) of the Town's governmental activities.

The largest portion of the Town's net position reflects its investment in capital assets (e.g., land, buildings, machinery, equipment, and infrastructure), less any related debt used to acquire those assets that is still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Town's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

Table 1  
Net Position

---

	Governmental Activities	
	2018	2019
Current and other assets	\$ 5,789,670	\$ 5,348,658
Capital assets	15,612,291	17,503,873
Total assets	21,401,961	22,852,531
Deferred outflows of resources	341,307	520,087
Long-term liabilities outstanding	8,711,746	8,388,726
Other liabilities	704,737	333,854
Total liabilities	9,416,483	8,722,580
Deferred inflows of resources	276,027	164,362
Net Position:		
Net investment in capital assets	7,348,448	9,953,024
Restricted for:		
Debt Service	103,901	114,423
Street improvements/maintenance	1,812,283	1,514,986
Court security and technology	94,557	90,299
Parks	126,945	196,008
Unrestricted	2,564,624	2,616,936
Total net position	<u>\$ 12,050,758</u>	<u>\$ 14,485,676</u>

---

**TOWN OF HICKORY CREEK**

**MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2019**

The following table provides a summary of the Town's operations for the years ended September 30, 2018 and 2019.

Table 2  
Changes in Net Position

	Governmental Activities	
	2018	2019
Revenues:		
Program Revenues:		
Charges for services	\$ 1,453,784	\$ 1,294,545
Operating grants and contributions	53,540	49,267
Capital grants and contributions	-	2,108,475
General Revenues:		
Property taxes	1,719,744	2,005,794
Sales taxes	1,098,479	1,232,469
Other taxes	265,398	275,392
Investment earnings	98,263	116,735
Miscellaneous	6,859	6,501
	<u>4,696,067</u>	<u>7,089,178</u>
Expenses:		
Administration	932,983	811,726
Police	1,047,082	1,113,897
Fire	613,633	613,633
Municipal court	460,660	445,291
Public works	1,164,290	1,451,978
Debt service - interest and fees	248,310	236,965
	<u>4,466,958</u>	<u>4,673,490</u>
Special items	36,608	13,543
Transfers in	-	38,025
Change in net position	265,717	2,467,256
Prior period adjustment	-	(32,338)
Net position - October 1 (beginning)	<u>11,785,041</u>	<u>12,050,758</u>
Net position - September 30 (ending)	<u>\$ 12,050,758</u>	<u>\$ 14,485,676</u>

## TOWN OF HICKORY CREEK

### MANAGEMENT'S DISCUSSION AND ANALYSIS SEPTEMBER 30, 2019

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#### **Financial Analysis of the Government's Funds**

**Governmental Funds.** The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unreserved fund balance may serve as a useful measure of government's net resources available for spending at the end of the period.

As of the end of the current period, the Town's governmental funds reported combined ending fund balances of \$4,970,069, a decrease of \$91,612 in comparison with the beginning of the period. Approximately 61.04 percent of this total amount (\$3,037,645) constitutes unassigned and assigned fund balance, which is available for spending at the Town's discretion. The remainder of fund balance is not available for new spending because it has already been committed or assigned 1) to pay for capital improvements (\$1,511,285), 2) to pay for court security and technology costs (\$90,299), 3) to pay for debt retirement (\$114,423), 4) to liquidate prepaid items (\$20,409), and 5) to pay for park maintenance (\$196,008).

The general fund is the chief operating fund of the Town. At the end of the current period, unassigned fund balance of the general fund totaled \$3,037,645, while total fund balance was \$4,760,026. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents 75.42 percent of total general fund expenditures, while total fund balance represents 118.19 percent of that same amount.

The fund balance of the Town's general fund increased by \$105,769 during the current year compared to a \$56,954 increase in the prior year. Key factors in this increase are as follows:

- Revenues increased \$260,964 or 6.83% from the previous year, primarily due to increases in property tax and sales tax revenues.
- Expenditures increased \$227,079 or 5.98% from the previous year, primarily due to increased capital outlay expenditures.

The fund balance of the Town's debt service fund increased \$10,522 compared to a \$12,928 decrease in the prior year. An increase in property tax revenue accounted for the change.

The fund balance of the capital projects decreased \$207,903 during the current year due to significant street and road expenditures.

#### **General Fund Budgetary Highlights**

During the current year, the Town Council of the Town of Hickory Creek amended the budget for the General Fund on one occasion. The majority of the appropriation related to actions taken to fund unbudgeted items during the period.

The Town administration reviewed each supplemental appropriation throughout the year and determined that increased revenues or beginning fund balance provided sufficient reserves to recommend the increase.

The original budget reflected that the activity for the year would cause a \$547,507 decrease in available fund balance. The available fund balance for the general fund actually increased in the amount of \$105,769, due primarily to increases in building permits, sales tax and interest earnings, and lower than anticipated capital outlay expenditures.

**TOWN OF HICKORY CREEK**

MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2019

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**Capital Asset and Debt Administration**

**Capital Assets.** The Town's investment in capital assets for its governmental activities as of September 30, 2019, amount to \$17,503,873 (net of accumulated depreciation). This amount represents a net increase of \$1,819,582, or 11.65 percent, above the beginning of the year. The investment in capital assets includes land, buildings, equipment, vehicles, roads and construction in progress.

Major capital asset additions during the current year included the following:

<u>Description</u>	<u>Amount</u>
Work on various street improvements	\$ 2,328,419
2 vehicles	89,520
Case backhoe	88,639
Harbor Grove fire protection system	172,354
Total	<u><u>\$ 2,678,932</u></u>

Table 4  
Capital Assets at Year-end  
(Net of Depreciation)

---

	<u>Governmental Activities</u>
Land	\$ 757,710
Buildings	2,891,112
Equipment and Vehicles	473,082
Street and Road Infrastructure	13,072,125
Construction in Progress	309,844
Totals	<u><u>\$ 17,503,873</u></u>

Additional information on the Town's capital assets can be found in Note 6 of this report.

**Long-term Debt.** At the end of the current period, the Town had general obligation bonds outstanding of \$3,990,000, certificates of obligation outstanding of \$3,225,000, and accrued compensated absences of \$84,671, for a total of \$7,299,671.

The Town's total debt decreased by \$628,614 during the current year. No new debt was incurred during the year. Information on the Town's long-term debt can be found in Note 7 of this report.

## **TOWN OF HICKORY CREEK**

### **MANAGEMENT'S DISCUSSION AND ANALYSIS SEPTEMBER 30, 2019**

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#### **Economic Factors and Next Year's Budgets and Rates**

The Town of Hickory Creek continues to expand growth with residential and commercial development. With this growth, the town council approved a tax rate of 0.330402 per \$100 of assessed value. The overall ad valorem values continue to rise offsetting a potential increase in the tax rate. Two major land annexations occurred expanding the town's corporate limits providing future growth. The Olana, formally known as Champ d'Or, is a luxury wedding and event venue. The property owned by the Lennon family, has the potential for residential and/or commercial development.

Residential development continues to rise with the addition of Hickory Creek Farms and Sycamore Cove. Hickory Creek Farms will have approximately 130 lots and Sycamore Cove will consist of 93 lots. Commercial growth has blossomed in the town with the addition of casual dining restaurants. Elm Fork Tap House opened in 2019. Construction began on Angelina's Mexican Restaurant and Don Camillo Italian Cuisine which are scheduled to open in 2020. The restaurants fill the void citizens experienced with the closure of Chili's and Texas Land and Cattle due to the expansion of Interstate 35.

The Master Parks Plan is well underway and will guide us on decision making and future allocation of funds in our parks. Final plans will be submitted to town in February 2020.

The expansion of Point Vista & Turbeville was completed in 2019 and has brought about growth in the area. Sidewalks will continue to be important in 2020. Phase 2 was completed in 2019 with the exception of a crossing along Turbeville Road which should be constructed in February.

The Town of Hickory Creek has seen a substantial amount of growth. The staff continues to do a great job, along with the Mayor and Town Council, striving for what is in the best interest of the town and citizens.

#### **Requests for Information**

This financial report is designed to provide a general overview of the Town's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Town of Hickory Creek, P.O. Box 1717, Lake Dallas, Texas 75065.



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## **BASIC FINANCIAL STATEMENTS**

# TOWN OF HICKORY CREEK

## STATEMENT OF NET POSITION SEPTEMBER 30, 2019

	Primary Government	Component Units	
	Governmental Activities	Economic Development Corporation	Public Improvement District No. 1
<b>ASSETS</b>			
Cash and Investments	\$ 4,603,362	\$ 1,492,471	\$ 291,226
Receivables (net of allowance for uncollectibles):			
Taxes – Ad Valorem	75,915	-	-
Taxes – Sales	323,996	-	-
Other	69,871	-	-
Due from Denton County	336,687		
Due from City of Lake Dallas	-	-	-
Internal Balances	(81,582)	81,582	-
Prepaid Costs	20,409	-	-
Capital Assets:			
Land	757,710	1,479,983	-
Buildings, net	2,891,112	-	-
Equipment and Vehicles, net	473,082	-	-
Street, Road, Park Infrastructure, net	13,072,125	36,875	3,727,933
Construction in Progress	309,844	-	-
Total Assets	<u>22,852,531</u>	<u>3,090,911</u>	<u>4,019,159</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>			
Deferred Outflow Related to TRMS	390,546	-	-
Deferred Outflow Related to OPEB	857	-	-
Deferred Charge on Bond Refunding	128,684	-	-
Total Deferred Outflows of Resources	<u>520,087</u>	<u>-</u>	<u>-</u>
<b>LIABILITIES</b>			
Accounts Payable	177,327	-	-
Accrued Wages	47,317	-	-
Accrued Interest	31,180	-	12,340
Developer Escrow	-	-	-
Due to State Agencies	78,030	-	-
Unearned Assessments	-	-	24,848
Long-term Liabilities:			
Due within one year	639,563	-	85,545
Due in more than one year	7,219,661	-	3,904,710
Net Pension Liability	496,387	-	-
Net OPEB Liability	33,115	-	-
Total Liabilities	<u>8,722,580</u>	<u>-</u>	<u>4,027,443</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred Inflow Related to TMRS	164,215	-	-
Deferred Inflow Related to OPEB	147	-	-
Total Deferred Inflows of Resources	<u>164,362</u>	<u>-</u>	<u>-</u>
<b>NET POSITION</b>			
Net Investment in Capital Assets	9,953,024	1,516,858	(262,322)
Restricted for:			
Debt Retirement	114,423	-	252,109
Economic Development	-	1,574,053	-
Street Improvements/Maintenance	1,514,986	-	-
Court Security/Technology	90,299	-	-
Parks	196,008	-	-
Unrestricted Net Position	2,616,936	-	1,929
Total Net Position	<u>\$ 14,485,676</u>	<u>\$ 3,090,911</u>	<u>\$ (8,284)</u>

The accompanying Notes are an integral part of this statement.

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Public Improvement District No. 2	Public Improvement District No. 3
\$ 389,532	\$ 3,755,119
-	-
-	-
-	-
-	-
-	-
-	-
-	-
-	-
3,777,201	-
-	434,547
<u>4,166,733</u>	<u>4,189,666</u>
-	-
-	-
-	-
<u>-</u>	<u>-</u>
<u>-</u>	<u>-</u>
-	-
-	-
19,045	15,561
24,474	25,000
-	-
-	-
65,000	-
4,130,000	4,185,000
-	-
-	-
<u>4,238,519</u>	<u>4,225,561</u>
-	-
-	-
<u>-</u>	<u>-</u>
<u>-</u>	<u>-</u>
(417,799)	(305,145)
330,892	274,087
-	-
-	-
-	-
-	-
15,121	(4,837)
<u>\$ (71,786)</u>	<u>\$ (35,895)</u>

# TOWN OF HICKORY CREEK

## STATEMENT OF ACTIVITIES FOR THE YEAR ENDED SEPTEMBER 30, 2019

Functions/Programs	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
GOVERNMENTAL ACTIVITIES:				
General Government	\$ 811,726	\$ 7,579	\$ 3,000	\$ -
Police	1,113,897	325,931	-	-
Fire	613,633	-	-	-
Municipal Court	445,291	445,291	-	-
Public Works	1,451,978	515,744	489	2,108,475
Debt Service – Interest and Fees	236,965	-	45,778	-
Total Governmental Activities	4,673,490	1,294,545	49,267	2,108,475
TOTAL PRIMARY GOVERNMENT	\$ 4,673,490	\$ 1,294,545	\$ 49,267	\$ 2,108,475
COMPONENT UNITS:				
Economic Development Corporation	\$ 240,143	\$ -	\$ -	\$ -
Public Improvement District No. 1	298,589	-	-	-
Public Improvement District No. 2	390,048	-	-	-
Public Improvement District No. 3	387,202	-	-	-
TOTAL COMPONENT UNITS	\$ 1,315,982	\$ -	\$ -	\$ -

### **GENERAL REVENUES:**

#### Taxes:

Property taxes – maintenance and operation

Property taxes – debt service

Sales taxes

Franchise taxes

Mixed beverage taxes

Special Assessments

Developer Contribution

Investment Earnings

Lease Income

Miscellaneous

Special item-gain (loss) on disposition of capital asset

Transfers in (out)

Total General Revenues and Special Items

Change in Net Position

NET POSITION, October 1 (beginning)

Prior period adjustment - required by GASB 75

NET POSITION, September 30 (ending)

The accompanying Notes are an integral part of this statement.

Governmental Activities	Component Units			
	Economic Development Corp	Public Improvement District No. 1	Public Improvement District No. 2	Public Improvement District No. 3
\$ (801,147)	\$ -	\$ -	\$ -	\$ -
(787,966)	-	-	-	-
(613,633)	-	-	-	-
-	-	-	-	-
1,172,730	-	-	-	-
(191,187)	-	-	-	-
(1,221,203)	-	-	-	-
(1,221,203)	-	-	-	-
-	(240,143)	-	-	-
-	-	(298,589)	-	-
-	-	-	(390,048)	-
-	-	-	-	(387,202)
-	(240,143)	(298,589)	(390,048)	(387,202)
1,176,028	-	-	-	-
829,766	-	-	-	-
1,232,469	410,819	-	-	-
275,001	-	-	-	-
391	-	-	-	-
-	-	254,108	333,622	-
-	-	-	-	339,438
116,735	39,260	9,542	10,993	12,483
-	9,000	-	-	-
6,501	32	-	-	-
13,543	(5,550)	-	-	-
38,025	-	2,161	(39,450)	(736)
3,688,459	453,561	265,811	305,165	351,185
2,467,256	213,418	(32,778)	(84,883)	(36,017)
12,050,758	2,877,493	24,494	13,097	122
(32,338)	-	-	-	-
\$ 14,485,676	\$ 3,090,911	\$ (8,284)	\$ (71,786)	\$ (35,895)

**TOWN OF HICKORY CREEK**

**BALANCE SHEET-GOVERNMENTAL FUNDS  
SEPTEMBER 30, 2019**

	<u>General Fund</u>	<u>Debt Service Fund</u>
<b>ASSETS</b>		
Cash and Investments	\$ 4,441,430	\$ -
Receivables (net of allowances for uncollectibles):		
Taxes –Ad Valorem	42,466	33,449
Taxes - Sales	323,996	-
Other	15,223	-
Due from Denton County	-	-
Due from Other Funds	362,465	114,423
Prepaid Costs	20,409	-
Total Assets	<u>\$ 5,205,989</u>	<u>\$ 147,872</u>
<b>LIABILITIES AND FUND EQUITY</b>		
Liabilities:		
Current Liabilities:		
Accounts Payable	\$ 86,687	\$ -
Accrued Wages	47,317	-
Due to State Agencies	78,030	-
Due to EDC	81,582	-
Due to Other Funds	109,281	-
Total Liabilities	<u>402,897</u>	<u>-</u>
Deferred Inflows of Resources:		
Unavailable Revenue-Property Taxes	42,466	33,449
Total Deferred Inflows of Resources	<u>42,466</u>	<u>33,449</u>
Fund Equity:		
Nonspendable Fund Balance:		
Prepaid Costs	20,409	-
Restricted Fund Balance:		
Court Security and Technology	90,299	-
Street Improvements/Maintenance	1,416,265	-
Retirement of Long-term Debt	-	114,423
Parks	196,008	-
Unassigned Fund Balance	3,037,645	-
Total Fund Equity	<u>4,760,626</u>	<u>114,423</u>
Total Liabilities, Deferred Inflows and Fund Equity	<u>\$ 5,205,989</u>	<u>\$ 147,872</u>

The accompanying Notes are an integral part of this statement.

Capital Project Funds	Total Governmental Funds
\$ 161,932	\$ 4,603,362
-	75,915
-	323,996
54,648	69,871
336,687	336,687
-	476,888
-	20,409
<u>\$ 553,267</u>	<u>\$ 5,907,128</u>
\$ 90,640	\$ 177,327
-	47,317
-	78,030
-	81,582
367,607	476,888
<u>458,247</u>	<u>861,144</u>
-	75,915
-	75,915
-	20,409
-	90,299
95,020	1,511,285
-	114,423
-	196,008
-	3,037,645
<u>95,020</u>	<u>4,970,069</u>
<u>\$ 553,267</u>	<u>\$ 5,907,128</u>



**TOWN OF HICKORY CREEK**

RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE  
STATEMENT OF NET POSITION  
SEPTEMBER 30, 2019

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<b>Total Fund Balances – Governmental Funds</b>	\$ 4,970,069
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund financial statements.	23,547,142
Accumulated depreciation is not reported in the fund financial statements.	(6,043,269)
Tax notes, general obligation bonds, certificates of obligation, capital leases and compensated absences are not reported in the fund financial statements.	(7,299,671)
Property tax revenue reported as unavailable revenues in the fund financial statements was recognized as revenue in the government-wide financial statements.	75,915
Bond premiums are not recognized in the fund financial statements.	(559,553)
Deferred charge on bond refunding is not recognized in the fund financial statements.	128,684
Interest is accrued on outstanding debt in the government-wide financial statements, whereas in the fund financial statements interest expenditures are reported when due.	(31,180)
Included in the items related to debt is the recognition of the Town's net TMRS pension liability required by GASB 68 in the amount of \$496,387, a Deferred Resource Inflow related to TMRS in the amount of \$164,215 and a Deferred Resource Outflow related to TMRS in the amount of \$390,546. This amounted to a decrease in Net Position in the amount of \$270,056.	(270,056)
Included in the items related to debt is the recognition of the Town's net TMRS OPEB liability required by GASB 75 in the amount of \$33,115, a Deferred Resource Inflow related to OPEB in the amount of \$857 and a Deferred Resource Outflow related to OPEB in the amount of \$147. This amounted to a decrease in Net Position in the amount of \$32,405.	<u>(32,405)</u>
<b>Net Position of Governmental Activities</b>	<b><u>\$ 14,485,676</u></b>

The accompanying Notes are an integral part of this statement.

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE  
GOVERNMENTAL FUNDS  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

	GENERAL FUND	DEBT SERVICE FUND	CAPITAL PROJECTS FUND	TOTAL GOVERNMENTAL FUNDS
<b>Revenues:</b>				
Taxes - Ad Valorem	\$1,164,628	\$ 821,097	\$ -	\$ 1,985,725
- Franchise	275,001	-	-	275,001
- Sales	1,232,469	-	-	1,232,469
- Mixed Beverage	391	-	-	391
Court Citations	706,284	-	-	706,284
Corp of Engineers	33,006	-	-	33,006
Building Permits	310,674	-	-	310,674
Interest Income	104,693	-	12,042	116,735
Other Permits and Fees	127,652	-	-	127,652
Parks and Recreation	109,372	-	-	109,372
Denton County Funding	-	-	2,108,475	2,108,475
Insurance Proceeds	7,557	-	-	7,557
Donations from EDC	-	45,778	-	45,778
Public Donations	3,489	-	-	3,489
Other	6,501	-	-	6,501
Total Revenues	4,081,717	866,875	2,120,517	7,069,109
<b>Expenditures:</b>				
Current:				
General Governments	767,033	-	-	767,033
Police	1,038,978	-	-	1,038,978
Fire	613,633	-	-	613,633
Municipal Court	432,803	-	-	432,803
Public Works	763,347	-	-	763,347
Debt Service:				
Principal	-	590,000	-	590,000
Interest and Fees	-	266,353	-	266,353
Capital Outlay	411,722	-	2,328,420	2,740,142
Total Expenditures	4,027,516	856,353	2,328,420	7,212,289
Excess (Deficit) of Revenues over Expenditures	54,201	10,522	(207,903)	(143,180)
Other Financing Resources (Uses):				
Sale of personal property	13,543	-	-	13,543
Transfers in	38,025	-	-	38,025
Total Other Financing Resources (Uses)	51,568	-	-	51,568
Net Change in Fund Balance	105,769	10,522	(207,903)	(91,612)
Fund Balance - October 1 (beginning)	4,654,857	103,901	302,923	5,061,681
Fund Balance - September 30 (ending)	\$4,760,626	\$ 114,423	\$ 95,020	\$ 4,970,069

The accompanying Notes are an integral part of this statement.

**TOWN OF HICKORY CREEK**

**RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES,  
EXPENDITURES, AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED SEPTEMBER 30, 2019**

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<b>Total Net Change in Fund Balances – Governmental Funds</b>	<b>\$ (91,612)</b>
---	--------------------

Current year capital asset additions are expenditures in the fund financial statements, but they are shown as increases in capital assets in the government-wide financial statements. The net effect of reclassifying the current year capital asset additions is to increase net position.	2,740,142
--	-----------

Depreciation is not recognized as an expense in governmental funds since it does not require the use of current financial resources. The net effect of the current year's depreciation is to decrease net position in the government-wide financial statements.	(848,560)
---	-----------

Revenues from property taxes are shown as unavailable in the fund financial statements until they are considered available to finance current expenditures, but such revenues are recognized when assessed, net of an allowance for uncollectable amounts, in the government-wide financial statements.	20,069
---	--------

Current year compensated absences earned but not used is not recorded in the fund financial statements, but is shown as an increase in long-term debt in the government-wide financial statements.	(949)
--	-------

Current year principal payments on tax notes, capital leases and general obligation bonds are expenditures in the fund financial statements, but are shown as reductions in long-term debt in the government-wide financial statements.	590,000
---	---------

Current year amortization of the premium on bond issuance is not recorded in the fund financial statements, but is shown as a reduction in long-term debt in the government-wide financial statements.	39,563
--	--------

Current year amortization of the deferred loss on bond refunding is not recorded in the fund financial statements, but is shown as a reduction of net position in the government-wide financial statements.	(11,589)
---	----------

Interest is accrued on outstanding debt in the government-wide financial statements, whereas in the fund financial statements interest expenditures are reported when due.	1,414
--	-------

The implementation of GASB 68 required that certain expenditures be de-expended and recorded as deferred resource outflows. The contributions made after the measurement date of 12/31/18 caused the change in ending net position to increase in the amount of \$111,863. Contributions made before the measurement date but during the 2019 FY were also de-expended and recorded as a reduction in the net position liability for the Town. This also caused an increase in the change in net position in the amount of \$38,525. These contributions were replaced with the Town's pension expense for the year of \$121,543, which caused a decrease in the change in net position. The impact of all of these is to increase the change in net position by \$28,845.	28,845
--	--------

The implementation of GASB 75 required that certain expenditures be de-expended and recorded as deferred resource outflows. The contributions made after the measurement date of 12/31/18 caused net position to increase in the amount of \$780. Contributions made before the measurement date but during the 2019 FY were also de-expended and recorded as a reduction in the net position liability for the Town. This also caused an increase in the in the amount of \$369. These contributions were replaced with the Town's OPEB expense for the year of \$1,216, which caused a decrease in the change in net position. The impact of all of these is to decrease net position by \$67.	(67)
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<b>Change in Net Position of Governmental Activities</b>	<b><u>\$2,467,256</u></b>
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The accompanying Notes are an integral part of this statement.

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

BUDGET AND ACTUAL - GENERAL FUND

FOR THE YEAR ENDED SEPTEMBER 30, 2019

	Budgeted Amounts		Actual	Variance
	Original	Final	Amounts (GAAP BASIS)	With Final Budget
Revenues:				
Taxes - Ad Valorem	\$ 1,161,058	\$ 1,161,058	\$ 1,164,628	\$ 3,570
- Franchise	254,700	263,649	275,001	11,352
- Sales	1,143,750	1,143,750	1,232,469	88,719
- Mixed Beverage	-	-	391	391
Court Citations	862,500	724,500	706,284	(18,216)
Corp of Engineers	34,000	34,000	33,006	(994)
Building Permits	200,000	225,000	310,674	85,674
Interest Income	23,700	51,638	104,693	53,055
Other Permits and Fees	47,765	47,365	127,652	80,287
Parks and Recreation	58,000	58,000	109,372	51,372
Insurance Proceeds	-	-	7,557	7,557
Public Donations	1,000	1,000	3,489	2,489
Other	7,400	52,102	6,501	(45,601)
Total Revenues	<u>3,793,873</u>	<u>3,762,062</u>	<u>4,081,717</u>	<u>319,655</u>
Expenditures:				
Current:				
General Government	779,003	765,247	767,033	(1,786)
Police	1,047,763	1,029,262	1,038,978	(9,716)
Fire	615,000	615,000	613,633	1,367
Municipal Court	417,894	410,515	432,803	(22,288)
Public Works	770,920	757,307	763,347	(6,040)
Capital Outlay	710,700	723,700	411,722	311,978
Total Expenditures	<u>4,341,280</u>	<u>4,301,031</u>	<u>4,027,516</u>	<u>273,515</u>
Excess of Revenue over Expenditures	<u>(547,407)</u>	<u>(538,969)</u>	<u>54,201</u>	<u>593,170</u>
Other Financing Sources (Uses):				
Sale of Personal Property	-	-	13,543	13,543
Transfers In	-	-	38,025	38,025
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>51,568</u>	<u>51,568</u>
Net Change in Fund Balance	(547,407)	(538,969)	105,769	644,738
Fund Balance – October 1 (beginning)	<u>4,654,857</u>	<u>4,654,857</u>	<u>4,654,857</u>	<u>-</u>
Fund Balance – September 30 (ending)	<u>\$ 4,107,450</u>	<u>\$ 4,115,888</u>	<u>\$ 4,760,626</u>	<u>\$ 644,738</u>

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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#### **1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements of the Town of Hickory Creek (the "Town") are presented in accordance with generally accepted accounting principles applicable to state and local governmental units as set forth by the Governmental Accounting Standards Board ("GASB").

In fiscal year 2004, the Town implemented GASB Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for the State and Local Governments*, GASB Statement No. 37, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments: Omnibus* which provides additional guidance for the implementation of GASB Statement 34, GASB Statement No. 38, *Certain Financial Statement Disclosures*, which changes note disclosures requirements for governmental entities, and GASB Interpretation No. 6, *Recognition and Measurement of Certain Liabilities and Expenditures in Governmental Fund Financial Statements*, which clarifies the application of standards for modified accrual recognition of certain liabilities and expenditures in areas where difference have arisen, or potentially could arise, in interpretation and practice of GASB Statement No. 34.

GASB Statements No. 34 established a new financial reporting model for state and local governments that included the addition of management's discussion and analysis, government-wide financial statements, required supplementary information and the elimination of the use of account groups to the already required fund financial statements and notes. GASB Statement No. 37 provides additional guidance in reporting infrastructure, program revenues and major criteria.

The GASB determined that fund accounting has and will continue to be essential in helping governments to achieve fiscal accountability and should, therefore, be retained. The GASB also determined that the government-wide financial statements are needed to allow users of financial reports to assess a government's operational accountability. The new GASB model integrates fund-based financial reporting and government-wide financial reporting as complementary components of a single comprehensive financial reporting model.

The following is a summary of the more significant accounting policies.

#### **A. Reporting Entity**

The Town of Hickory Creek (Town) is a municipal corporation governed by an elected mayor and five-member council. The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. The criteria for including organizations as component units within the Town's reporting entity, as set forth in Section 2100 GASB's Codification of Governmental Accounting and Financial Reporting Standards, include whether:

- the organization is legally separate (can sue and be sued in their own name)
- the Town holds the corporate powers of the organization
- the Town appoints a voting majority of the organization's board
- the Town is able to impose its will on the organization
- the organization has the potential to impose a financial benefit/burden on the Town
- there is fiscal dependency by the organization on the Town

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

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Blended component units, although legally separate entities, are, in substance, part of the government's operations. Each discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the Town.

The Town had three discretely presented component units at September 30, 2019, the Hickory Creek Economic Development Corporation, which was created in fiscal year 2003 as the result of a successful 4B sales tax election, the Hickory Creek Public Improvement District No. 1, which was created on March 31, 2012 to finance certain public improvements benefiting property owners within the public improvement district, the Hickory Creek Public Improvement District No. 2, which was created on September 18, 2012 to finance certain public improvements benefiting property owners within the public improvement district, and the Hickory Creek Public Improvement District No. 3, which was created on May 21, 2019 to finance certain public improvements benefiting property owners within the public improvement district.

#### **B. Government-wide and Fund Financial Statements**

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the Town and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. The Town had no business-type activities during the period.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for government funds, proprietary funds, and fiduciary funds, even though the latter are excluded for the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements. The Town had no proprietary funds or fiduciary funds during the period.

#### **C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are proprietary fund and fiduciary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about Fiduciary Net Position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's Fiduciary Net Position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments are treated as being equal to the employer's yearly contributions for retirees. There are no investments as this is a pay-as-you-go plan.

Property taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual. All other revenue items are considered to be measurable and available only when cash is received by the Town.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first when appropriate, then unrestricted resources as they are needed.

The Town reports the following major governmental funds:

General Fund – The General fund is the general operating fund of the Town. It is used to account for all financial resources except those required to be accounted for in another fund.

Debt Service Fund – This fund is established to account for payment of principal and interest on long-term general obligation debt and other long-term debts for which a tax has been dedicated. This is a budgeted fund. Any unused sinking fund balances are transferred to the General Fund after all of the related debt obligations have been met.

Capital Projects Fund – The Capital Projects Funds accounts for proceeds from the sale of Certificates of Obligation and Tax Notes to be used for authorized acquisition, construction, or renovation projects. Upon completion of a project, any unused debt proceeds, if any, are used to retire related debt principal.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

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Program revenues include: 1) charges to customers or applicants for goods, services, or privileges provided; 2) operating grants and contributions; and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

#### **D. Cash and Investments**

The Town's cash and investments are considered to be cash on hand, demand deposits and short-term investments in State investment pools.

#### **E. Receivable and Payables**

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the period are referred to as "due to/from other funds" or "advances to/from other funds." Property tax receivables are shown net of an allowance for uncollectibles, if applicable.

#### **F. Property Taxes**

Ad valorem taxes are levied from valuations assessed as of January 1 and recognized as revenue on the date of levy, on October 1. Property tax receivables are recognized when the Town has an enforceable claim against the property owner. In the governmental funds, property tax revenue is recognized in the fiscal period for which the taxes are levied, provided that they become available. Available means collected within the current period, or expected to be collected soon enough thereafter, to be used to pay current liabilities. The Town's availability period is sixty days. Taxes collected prior to the levy date to which they apply are recorded as deferred revenues and recognized as revenue of the period to which they apply.

Current taxes are due on October 1 and become delinquent if unpaid on February 1. Taxes unpaid as of February 1 are subject to penalty and interest as the Town Council provides by ordinance. On January 1 of each year, a tax lien attaches to property to secure all taxes, penalties and interest ultimately imposed.

For fiscal year 2019, the assessed values were established at 100% of estimated market value. The assessed value for the roll of January 1, 2018, upon which the fiscal year 2019 levy was based, was \$561,813,918. The tax rate to finance general governmental services and road maintenance for the year ended September 30, 2019, was \$.347535 per \$100.

#### **G. Prepaid Items**

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid in the government-wide and fund financial statements. These items consist primarily of prepaid insurance.



## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

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#### **H. Capital Assets**

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), are reported in the governmental activities column in the government-wide financial statements. The Town defines capital assets as assets with an initial individual cost of more than \$500 and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the time received. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Net interest incurred during the construction phase of capital assets of governmental activities is not included as part of the capitalized value of the assets constructed.

Depreciation expense is calculated on the straight-line method. Depreciation methods are designed to amortize the cost of the assets over their estimated useful lives. Estimated useful lives of major categories of property are as follows:

<u>Category</u>	<u>Estimated Life</u>
Street and Road Infrastructure	15 years
Buildings	40 years
Leasehold improvements	40 years
Machinery and equipment	7-10 years
Vehicles	7 years

#### **I. Compensated Absences**

It is the Town's policy to permit employees to accumulate certain earned but unused vacation and sick pay benefits. There is no liability for unpaid accumulated sick leave since the Town does not have a policy to pay any amounts when employees separate from service with the Town. All vacation pay is accrued when incurred in the government-wide financial statements.

#### **J. Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### **K. Net Position**

Net position represents the difference between assets, deferred outflows, deferred inflows and liabilities. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the Town or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

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#### **L. Budgets and Budgetary Accounting**

Prior to September 1, the Town administration submits to the Town Council a proposed budget for the ensuing fiscal year. At the meeting of the Town Council at which the budget is submitted, the Town Council fixes the time and place of the public hearing on the budget and causes to be published a notice of the budget hearing. After the budget hearing the budget may be adopted by a favorable vote of the majority vote of the Council. Upon adoption the budget is filed with the Town Secretary and the County Clerk of Denton County.

The Town administration is authorized to transfer budgeted amounts between departments with any fund; however, any revisions that alter the total expenditures of any fund must be approved by the Town Council. Expenditures should not exceed appropriations at the department level, the classification level as reported in the combined financial statements. Unused appropriations lapse at the end of each fiscal year.

The budgets for the general fund and debt service fund are adopted on a basis consistent with generally accepted accounting principles (GAAP). The budgets were amended at times during the year by the Town Council. Such amendments are reflected in the official minutes of the Council.

#### **2. DEPOSITS AND INVESTMENTS**

The Town's funds are required to be deposited and invested under the terms of a depository agreement. The depository bank deposits for safekeeping and trust with the Town's agent bank approved pledged securities in an amount sufficient to protect Town funds on a day-to-day basis during the period of the agreement. The pledge of approved securities is waived only to the extent of the depository bank's dollar amount of Federal Deposit Insurance Corporation ("FDIC") insurance.

##### **1. Cash Deposits:**

At September 30, 2019, the carrying amount of the Town's deposits in checking accounts and interest-bearing savings accounts was \$555,988 and the bank balance was \$594,348. The Town's cash deposits at September 30, 2019 were entirely covered by FDIC insurance or by pledged collateral held by the Town's agent bank in the Town's name.

##### **2. Investments:**

The Public Funds Investment Act (Government Code Chapter 2256) contains specific provisions in the areas of investment practices, management reports and establishment of appropriate policies. Among other things, it requires the Town to adopt, implement, and publicize an investment policy. That policy must address the following areas: (1) safety of principal and liquidity, (2) portfolio diversification, (3) allowable investments, (4) acceptable risk levels, (5) expected rates of return, (6) maximum allowable stated maturity of portfolio investments, (7) maximum average dollar-weighted maturity allowed based on the stated maturity date for the portfolio, (8) investment staff quality and capabilities, (9) and bid solicitation preferences for certificates of deposit. Statutes authorize the Town to invest in (1) obligations of the U.S. Treasury, certain U.S. agencies, and the State of Texas, (2) certificates of deposit, (3) certain municipal securities, (4) money market savings accounts, (5) repurchase agreements, (6) bankers acceptance, (7) Mutual Funds, (8) Investment pools, (9) guaranteed investment contracts, (10) and common trust funds. The Act also requires the Town to have independent auditors perform test procedures related to investment practices as provided by the Act. The Town is in substantial compliance with the requirements of the Act and with local policies.

**TOWN OF HICKORY CREEK**

NOTES TO THE BASIC FINANCIAL STATEMENTS  
SEPTEMBER 30, 2019

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In compliance with the Public Funds Investment Act, the Town has adopted a deposit and investment policy. That policy addresses the following risks:

- a. Custodial Credit Risk – Deposits: In the case of deposits, this is the risk that, in the event of a bank failure, the Town's deposits may not be returned to it. As of September 30, 2019, the Town's cash balances totaled \$594,348. This entire amount was either collateralized with securities held by the Town's financial institution's agent in the Town's name or covered by FDIC insurance. Thus, the Town's deposits are not exposed to custodial credit risk.
- b. Custodial Credit Risk – Investments: For an investment, this is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. At September 30, 2019, the Town held all of its investments in the LOGIC public funds investment pool. Investments in external investment pools are considered unclassified as to custodial credit risk because they are not evidenced by securities that exist in physical or book entry form.
- c. Credit Risk: This is the risk that an issuer or other counterparty to an investment will be unable to fulfill its obligation. The rating of securities by nationally recognized rating agencies is designed to give an indication of credit risk. The credit quality rating for LOGIC at year-end was AAA (Standard & Poor's).
- d. Interest Rate Risk: This is the risk that changes in interest rates will adversely affect the fair value of an investment. The Town manages its exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than one year from the time of purchase. The weighted average maturity for the LOGIC investment pool is less than 60 days.
- e. Foreign Currency Risk: This is the risk that exchange rates will adversely affect the fair value of an investment. At September 30, 2019, the Town was not exposed to foreign currency risk.
- f. Concentration of Credit Risk: This is the risk of loss attributed to the magnitude of the Town's investment in a single issuer (i.e., lack of diversification). Concentration risk is defined as positions of 5 percent or more in the securities of a single issuer. Investment pools are excluded from the 5 percent disclosure requirement.

The Town's investment at September 30, 2019 is shown below:

<u>Name</u>	<u>Carrying Amount</u>	<u>Market Value</u>
LOGIC Investment Pool	<u>\$ 4,047,374</u>	<u>\$ 4,047,374</u>
Total	<u>\$ 4,047,374</u>	<u>\$ 4,047,374</u>

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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#### **Fair Value Measurements**

The Town categorizes its fair value measurements with the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. Investments that are measured at fair value using the net asset value per share (or its equivalent) as a practical expedient are not classified in the fair value hierarchy below.

In instances where inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based in the lowest level input that is significantly to the valuation. The Town's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset or liability.

The Town's investments in the LOGIC investment pools (statewide 2a7-like external investment pools) are not required to be measured at fair value but are measured at amortized cost.

#### **3. FUND BALANCE**

The Town has implemented GASB Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions." This Statement provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balances more transparent.

Fund Balance Classification: The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

- Nonspendable: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact. The Town has classified prepaid items as being nonspendable as these items are not expected to be converted to cash.
- Restricted: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. Court security and technology fees and park fees are being restricted because their use is restricted pursuant to the regulations that allow the collection of those fees. Debt service resources are to be used for future servicing of the Town's bonded debt and are restricted through debt covenants. Capital projects fund resources are to be used for future construction and renovation projects and are restricted through bond orders and constitutional law.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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- Committed: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Town Council. The Council establishes (and modifies or rescinds) fund balance commitments by passage of a resolution. This can also be done through adoption and amendment of the budget. These amounts cannot be used for any other purpose unless the Council removes or changes the specified use by taking the same type of action that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements. The Town has no committed fund balance as of September 30, 2019.
- Assigned: This classification includes amounts that are constrained by the Town's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Council or through the Council delegating this responsibility to other individuals in the Town. Under the Town's policy, only the Council may assign amounts for specific purposes. This classification also includes the remaining positive fund balance for all governmental funds except for the General Fund. The Town has no assigned fund balance as of September 30, 2019.
- Unassigned: This classification includes all amounts not included in other spendable classifications, including the residual fund balance for the General Fund.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the Town considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the Town considers amounts to have been spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the Council has provided otherwise in its commitment or assignment actions.

The fund balance policy of the Town expresses an intent to maintain a level of assigned and unassigned fund balance in the general fund equal to 25 percent of the fund's operating expenditures.

Beginning fund balances for the Town's governmental funds have been restated to reflect the above classifications. The details of the fund balances are included in the Governmental Funds Balance Sheet (pages 18 and 19) and are described below:

#### **General Fund**

The General Fund has unassigned fund balance of \$3,037,645 at September 30, 2019. Prepaid expenditures (prepaid items) of \$20,409 are considered nonspendable fund balance. Court security and technology fees of \$90,299 and park fees of \$196,008 are shown as restricted for those purposes. Street improvement/maintenance funds of \$1,416,265 are shown as restricted because the source of such funds are sales taxes, special assessments and developer contributions earmarked for street maintenance.

#### **Other Major Funds**

The Debt Service Fund has restricted funds of \$114,423 at September 30, 2019 consisting primarily of property tax collections that are restricted for debt service payments on bonded debt. The Capital Projects Fund has restricted funds of \$95,020 consisting primarily of unspent bond funds.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

#### 4. RECEIVABLES

Government-wide receivables as of September 30, 2019, including the applicable allowances for uncollectible accounts, are as follows:

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Capital Projects Fund</u>	<u>Total</u>
Receivables:				
Property Taxes	\$ 42,466	\$ 33,449	\$ -	\$ 75,915
Sales Taxes	323,996	-	-	323,996
Other	<u>15,223</u>	<u>-</u>	<u>54,648</u>	<u>69,871</u>
Gross Receivables	381,685	33,449	54,648	469,782
Less: Uncollectible allowance	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Total Receivables	<u>\$381,685</u>	<u>\$ 33,449</u>	<u>\$54,648</u>	<u>\$469,782</u>

Governmental funds report unavailable revenue in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. At the end of the current fiscal year, the unavailable revenue reported in the governmental funds relates to delinquent property taxes.

#### 5. INTERFUND RECEIVABLES AND PAYABLES

Interfund receivables and payables at September 30, 2019 consist of the following:

	<u>Due From</u>	<u>Due To</u>
General Fund:		
Capital Projects Fund	\$ 362,465	\$ -
Debt Service Fund	-	109,282
Debt Service Fund:		
General Fund	109,282	-
Capital Projects Fund	5,141	-
Capital Projects Fund:		
General Fund	-	362,465
Debt Service Fund	-	<u>5,141</u>
Total	<u>\$ 476,888</u>	<u>\$ 476,888</u>

Internal balances between the primary government and component units at September 30, 2019 consist of the following:

	<u>Due From</u>	<u>Due To</u>
General Fund:		
Economic Development Corporation	\$ -	\$ 81,582
Economic Development Corporation:		
General Fund	<u>81,582</u>	<u>-</u>
Total	<u>\$ 81,582</u>	<u>\$ 81,582</u>

**TOWN OF HICKORY CREEK**

NOTES TO THE BASIC FINANCIAL STATEMENTS  
SEPTEMBER 30, 2019

These balances resulted from the time lag between the date that payments between the two entities are made.

The following is a summary of transfers:

	<u>Transfer In:</u>	
	Economic Development Corporation	Total
Transfer Out: General Fund	<u>\$ 423,520</u>	<u>\$ 423,520</u>

Transfers from the general fund to the Economic Development Corporation represent remittance of sales taxes deposited initially in the general fund bank account.

**6. CAPITAL ASSETS**

Capital asset activity of the Town for the year ended September 30, 2019 was as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 757,710	\$ -	\$ -	\$ 757,710
Construction in Progress	<u>508,116</u>	<u>2,328,420</u>	<u>(2,526,692)</u>	<u>309,844</u>
Total capital assets, not being depreciated	<u>1,265,826</u>	<u>2,328,420</u>	<u>(2,526,692)</u>	<u>1,067,554</u>
Capital assets, being depreciated:				
Buildings and Improvements	4,135,165	-	-	4,135,165
Street, Road, Park Infrastructure	14,049,462	2,699,046	-	16,748,508
Furniture, Equipment and Vehicles	<u>1,430,498</u>	<u>239,368</u>	<u>(73,951)</u>	<u>1,595,915</u>
Total Capital assets, being depreciated	<u>19,615,125</u>	<u>2,938,414</u>	<u>(73,951)</u>	<u>22,479,588</u>
Less accumulated depreciation for:				
Buildings and Improvements	(1,133,204)	(110,849)	-	(1,244,053)
Street, Road, Park Infrastructure	(3,083,549)	(592,834)	-	(3,676,383)
Furniture, Equipment and Vehicles	<u>(1,051,907)</u>	<u>(144,877)</u>	<u>73,951</u>	<u>(1,122,833)</u>
Total accumulated depreciation	<u>(5,268,660)</u>	<u>(848,560)</u>	<u>73,951</u>	<u>(6,043,269)</u>
Total capital assets, being depreciated, net	<u>14,346,465</u>	<u>2,089,854</u>	<u>-</u>	<u>16,436,319</u>
Governmental activities capital assets, net	<u>\$ 15,612,291</u>	<u>\$ 4,418,274</u>	<u>\$ (2,526,692)</u>	<u>\$ 17,503,873</u>

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:	
General government	\$ 44,693
Police	102,748
Municipal court	12,488
Public works	<u>688,631</u>
Total depreciation expense -- Governmental activities	<u>\$ 848,560</u>

**TOWN OF HICKORY CREEK**

NOTES TO THE BASIC FINANCIAL STATEMENTS  
SEPTEMBER 30, 2019

Capital asset activity of the Hickory Creek Economic Development Corporation for the year ended September 30, 2019 was as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Land	\$ 1,745,760	\$ 235,864	\$ (501,641)	\$ 1,479,983
Street and Road Infrastructure	<u>150,854</u>	<u>-</u>	<u>-</u>	<u>150,854</u>
Totals at historic cost	<u>1,896,614</u>	<u>235,864</u>	<u>(501,641)</u>	<u>1,630,837</u>
Less accumulated depreciation for:				
Street and Road Infrastructure	<u>(103,922)</u>	<u>(10,057)</u>	<u>-</u>	<u>(113,979)</u>
Total accumulated depreciation	<u>(103,922)</u>	<u>(10,057)</u>	<u>-</u>	<u>(113,979)</u>
Capital Assets, net	<u>\$ 1,792,692</u>	<u>\$ 225,807</u>	<u>\$ (501,641)</u>	<u>\$ 1,516,858</u>

Capital asset activity of the Hickory Creek Public Improvement District No. 1 for the year ended September 30, 2019 is as follows:

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending Balance</u>
Street and Road Infrastructure	\$ 3,994,215	\$ -	\$ -	\$ 3,994,215
Totals at historic cost	<u>3,994,215</u>	<u>-</u>	<u>-</u>	<u>3,994,215</u>
Less accumulated depreciation for:				
Street and Road Infrastructure	<u>(133,141)</u>	<u>(133,141)</u>	<u>-</u>	<u>(266,282)</u>
Total accumulated depreciation	<u>(133,141)</u>	<u>(133,141)</u>	<u>-</u>	<u>(266,282)</u>
Capital Assets, net	<u>\$ 3,861,074</u>	<u>\$ (133,141)</u>	<u>\$ -</u>	<u>\$ 3,727,933</u>

Capital asset activity of the Hickory Creek Public Improvement District No. 2 for the year ended September 30, 2019 is as follows:

	<u>Beginning Balance</u>	<u>Increase</u>	<u>Decrease</u>	<u>Ending Balance</u>
Street and Road Infrastructure	\$3,907,449	\$ -	\$ -	\$ 3,907,449
Totals at historic cost	<u>3,907,449</u>	<u>-</u>	<u>-</u>	<u>3,907,449</u>
Less accumulated depreciation for:				
Street and Road Infrastructure	<u>-</u>	<u>(130,248)</u>	<u>-</u>	<u>(130,248)</u>
Total accumulated depreciation	<u>-</u>	<u>(130,248)</u>	<u>-</u>	<u>(130,248)</u>
Capital Assets, net	<u>\$3,907,449</u>	<u>\$ (130,248)</u>	<u>\$ -</u>	<u>\$ 3,777,201</u>



**TOWN OF HICKORY CREEK**

NOTES TO THE BASIC FINANCIAL STATEMENTS  
SEPTEMBER 30, 2019

Capital asset activity of the Hickory Creek Public Improvement District No. 3 for the year ended September 30, 2019 is as follows:

	<u>Beginning Balance</u>	<u>Increase</u>	<u>Decrease</u>	<u>Ending Balance</u>
Street and Road Infrastructure (in progress)	\$ -	\$ 434,547	\$ -	\$ 434,547
Totals at historic cost	-	434,547	-	434,547
Less accumulated depreciation for:				
Street and Road Infrastructure	-	-	-	-
Total accumulated depreciation	-	-	-	-
Capital Assets, net	\$ -	\$ 434,547	\$ -	\$ 434,547

**7. LONG TERM DEBT**

Long term debt of the Town at September 30, 2019 consists of two general obligation bond series, one certificates of obligation series, and accrued compensated absences. All long-term debt represents transactions in the Town's governmental activities.

The following is a summary of the changes in the Town's Long-term Debt for the year ended September 30, 2019:

<u>Description</u>	<u>Interest Rate Payable</u>	<u>Amounts Outstanding 10/01/18</u>	<u>Additions</u>	<u>Refunded/ Retired</u>	<u>Amounts Outstanding 9/30/19</u>	<u>Due Within One Year</u>
Tax Notes:						
Series 2012	1.66%	\$ 115,000	\$ -	\$ 115,000	\$ -	\$ -
General Obligation Bonds:						
Series 2012 Refunding	2.06%	975,000	-	130,000	845,000	250,000
Series 2015 Refunding	2.0 - 4.0 %	<u>3,340,000</u>	-	<u>195,000</u>	<u>3,145,000</u>	<u>195,000</u>
		<u>4,315,000</u>	-	<u>325,000</u>	<u>3,990,000</u>	<u>445,000</u>
Certificates of Obligation:						
Series 2015	2.0 - 4.0%	<u>3,375,000</u>	-	<u>150,000</u>	<u>3,225,000</u>	<u>155,000</u>
Premiums on Bond Issuance		599,116	-	39,563	559,553	39,563
Compensated Absences		<u>83,722</u>	<u>949</u>	-	<u>84,671</u>	-
Total Long-Term Debt		<u>\$8,487,838</u>	<u>\$ 949</u>	<u>\$ 629,563</u>	<u>\$7,859,224</u>	<u>\$ 639,563</u>

Long-term debt of the Hickory Creek Public Improvement District No. 1 consists of \$4,140,000 special assessment revenue bonds that were issued in September, 2017 to finance public improvements benefiting property owners within the public improvement district. The Town is not obligated in any manner for the debt service payments on the special assessment debt. A summary of the change in the long-term debt for the year ended September 30, 2019 is as follows:

# TOWN OF HICKORY CREEK

## NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

<u>Description</u>	<u>Interest Rate Payable</u>	<u>Amounts Outstanding 10/01/18</u>	<u>Additions</u>	<u>Refunded/ Retired</u>	<u>Amounts Outstanding 9/30/19</u>	<u>Due Within One Year</u>
Special Assessment Revenue Bonds: Series 2017	3.0 – 4.0%	\$4,060,000	\$ -	\$ 85,000	\$3,975,000	\$ 85,000
Premiums on Bond Issuance		<u>15,800</u>	<u>-</u>	<u>545</u>	<u>15,255</u>	<u>545</u>
Total Long-Term Debt		<u>\$4,075,800</u>	<u>\$ -</u>	<u>\$ 85,545</u>	<u>\$3,990,255</u>	<u>\$ 85,545</u>

Long-term debt of the Hickory Creek Public Improvement District No. 2 consists of \$4,220,000 special assessment revenue bonds that were issued in July, 2018 to finance public improvements benefiting property owners within the public improvement district. The Town is not obligated in any manner for the debt service payments on the special assessment debt. A summary of the change in the long-term debt for the year ended September 30, 2019 is as follows:

<u>Description</u>	<u>Interest Rate Payable</u>	<u>Amounts Outstanding 10/01/18</u>	<u>Additions</u>	<u>Refunded/ Retired</u>	<u>Amounts Outstanding 9/30/19</u>	<u>Due Within One Year</u>
Special Assessment Revenue Bonds: Series 2018	5.125-5.65%	\$4,220,000	\$ -	\$ 25,000	\$4,195,000	\$ 65,000
Total Long-Term Debt		<u>\$4,220,000</u>	<u>\$ -</u>	<u>\$ 25,000</u>	<u>\$4,195,000</u>	<u>\$ 65,000</u>

Long-term debt of the Hickory Creek Public Improvement District No. 3 consists of \$4,185,000 special assessment revenue bonds that were issued in July, 2019 to finance public improvements benefiting property owners within the public improvement district. The Town is not obligated in any manner for the debt service payments on the special assessment debt. A summary of the change in the long-term debt for the year ended September 30, 2019 is as follows:

<u>Description</u>	<u>Interest Rate Payable</u>	<u>Amounts Outstanding 10/01/18</u>	<u>Additions</u>	<u>Refunded/ Retired</u>	<u>Amounts Outstanding 9/30/19</u>	<u>Due Within One Year</u>
Special Assessment Revenue Bonds: Series 2019	5.125-5.65%	\$ -	\$4,185,000	\$ -	\$4,185,000	\$ -
Total Long-Term Debt		<u>\$ -</u>	<u>\$4,185,000</u>	<u>\$ -</u>	<u>\$4,185,000</u>	<u>\$ -</u>

### 8. DEBT SERVICE REQUIREMENTS TO MATURITY

Presented below is a summary of general obligation bond requirements to maturity:

<u>Year Ended September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
2020	\$ 445,000	\$132,808	\$ 577,808
2021	460,000	121,808	581,808
2022	465,000	110,404	575,404
2023	290,000	98,898	388,898
2024	225,000	90,950	315,950
2025-2029	1,235,000	325,800	1,560,800
2030-2032	<u>870,000</u>	<u>70,400</u>	<u>940,400</u>
	<u>\$3,990,000</u>	<u>\$951,068</u>	<u>\$4,941,068</u>

**TOWN OF HICKORY CREEK**

NOTES TO THE BASIC FINANCIAL STATEMENTS  
SEPTEMBER 30, 2019

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Presented below is a summary of certificates of obligation requirements to maturity:

<u>Year Ended</u> <u>September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u> <u>Requirements</u>
2020	\$ 155,000	\$ 120,800	\$ 275,800
2021	160,000	116,150	276,150
2022	165,000	111,350	276,350
2023	170,000	106,400	276,400
2024	170,000	101,300	271,300
2025-2029	965,000	406,800	1,371,800
2030-2034	1,175,000	198,000	1,373,000
2035	<u>265,000</u>	<u>10,600</u>	<u>275,600</u>
	<u>\$3,225,000</u>	<u>\$1,171,400</u>	<u>\$4,396,400</u>

Presented below is a summary of the Hickory Creek Public Improvement District No. 1 special assessment revenue bonds to maturity:

<u>Year Ended</u> <u>September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u> <u>Requirements</u>
2020	\$ 85,000	\$ 150,550	\$ 235,550
2021	90,000	148,000	238,000
2022	90,000	145,300	235,300
2023	95,000	142,600	237,600
2024	95,000	139,750	234,750
2025-2029	530,000	648,525	1,178,525
2030-2034	635,000	542,463	1,177,463
2035-2039	770,000	410,668	1,180,668
2040-2044	930,000	245,600	1,175,600
2045-2047	<u>655,000</u>	<u>53,000</u>	<u>708,000</u>
	<u>\$3,975,000</u>	<u>\$2,626,456</u>	<u>\$6,601,456</u>

Presented below is a summary of the Hickory Creek Public Improvement District No. 2 special assessment revenue bonds to maturity:

<u>Year Ended</u> <u>September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u> <u>Requirements</u>
2020	\$ 65,000	\$ 232,344	\$ 297,344
2021	65,000	229,013	294,013
2022	70,000	225,681	295,681
2023	75,000	222,094	297,094
2024	80,000	218,250	298,250
2025-2029	475,000	1,024,625	1,499,625
2030-2034	635,000	878,625	1,513,625
2035-2039	830,000	679,500	1,509,500
2040-2044	1,090,000	418,781	1,508,781
2045-2047	<u>810,000</u>	<u>92,813</u>	<u>902,813</u>
	<u>\$4,195,000</u>	<u>\$4,221,726</u>	<u>\$8,416,726</u>

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

Presented below is a summary of the Hickory Creek Public Improvement District No. 3 special assessment revenue bonds to maturity:

<u>Year Ended September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total Requirements</u>
2020	\$ -	\$ 189,850	\$ 189,850
2021	-	189,850	189,850
2022	80,000	189,850	269,850
2023	85,000	186,650	271,650
2024	90,000	183,250	273,250
2025-2029	490,000	860,450	1,350,450
2030-2034	600,000	748,500	1,348,500
2035-2039	740,000	601,575	1,341,575
2040-2044	930,000	414,675	1,344,675
2045-2049	1,170,000	171,950	1,341,950
	<u>\$4,185,000</u>	<u>\$3,736,600</u>	<u>\$7,921,600</u>

#### **9. DEFEASED BONDS OUTSTANDING**

In prior years, the Town issued refunding bonds to defease outstanding bonds for the purpose of consolidation and to achieve debt service savings. The Town has placed the proceeds from the refunding issues in irrevocable escrow accounts with a trust agent to ensure payment of debt service on the refunded bonds.

Accordingly, the trust account assets and liabilities for the defeased bonds are not included in the Town's financial statements. Although defeased, the refunded debt from those earlier issues will not be actually retired until the call dates have come due or until maturity if they are not callable issues. At September 30, 2019, \$390,000 of bonds outstanding are considered defeased.

#### **10. DEFINED BENEFIT PENSION PLANS**

##### **Plan Description**

The Town of Hickory Creek participates as one of 887 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the Texas Municipal Retirement System (TMRS). TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the System with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the Internal Revenue Code. TMRS issues a publicly available comprehensive annual financial report (CAFR) that can be obtained at [www.tmrs.com](http://www.tmrs.com).

All eligible employees of the Town are required to participate in TMRS.

##### **Benefits Provided**

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the town, within the options available in the state statutes governing TMRS.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the town-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefit as a Partial Lump Sum Distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75% of the member's deposits and interest.

The plan provisions are adopted by the governing body of the Town, within the options available in the state statutes governing TMRS. Plan provisions for the Town were as follows:

	Plan Year 2018	Plan Year 2019
Employee deposit rate	7.0%	7.0%
Employer deposit rate	12.01%	12.61%
Matching ratio (Town to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service retirement eligibility (expressed as age/years of service)	60/5,0/20	60/5,0/20
Updated Service Credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity Increase (to retirees)	70% of CPI Repeating	70% of CPI Repeating

#### ***Employees covered by benefit terms.***

At the December 31, 2018 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	11
Inactive employees entitled to buy not yet receiving benefits	15
Active employees	<u>19</u>
	45

#### **Contributions**

The contribution rates for employees in TMRS are either 5%, 6%, or 7% of employee gross earnings, and the town matching percentages are either 100%, 150%, or 200%, both as adopted by the governing body of the town. Under the state law governing TMRS, the contribution rate for each town is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the Town of Hickory Creek were required to contribute 7% of their annual gross earnings during the fiscal year. The contribution rates for the Town of Hickory Creek were 12.01% and 12.61% in calendar years 2018 and 2019, respectively. The Town's contributions to TMRS for the year ended September 30, 2019 were \$150,388, and were equal to the required contributions.

#### **Net Pension Liability**

The Town's Net Pension Liability (NPL) was measured as of December 31, 2018, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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#### *Actuarial assumptions:*

The Total Pension Liability in the December 31, 2018 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.50% per year
Overall payroll growth	3.0% per year
Investment Rate of Return	6.75%, net of pension plan investment expense, including inflation

Salary increases were based on service-related table. Mortality rates for active members, retirees, and beneficiaries were based on the gender-distinct RP2000 Combined Healthy Mortality Table with Blue Collar Adjustment, with male rates multiplied by 109% and female rates multiplied by 103%. For towns with fewer than twenty employees, more conservative methods and assumptions are used. First, lower termination rates are used, with maximum multipliers of 75% for employers with less than 6 members, 85% for employers with 6 to 10 members, and 100% for employers with 11 to 15 members. There is also a load on the life expectancy for employers with less than 15 active members. The life expectancy is loaded by decreasing the mortality rates by 1% for every active member less than 15. For underfunded plans, the maximum amortization period for amortizing gains and losses is decreased from current levels by 1 year for each active member less than the 20 member threshold. Once the plan is overfunded, the amortization period reverts back to the standard amortization period. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements. For disabled annuitants, the gender-distinct RP2000 Combined Healthy Mortality Tables with Blue Collar Adjustment are used with male rates multiplied by 109% and female rates multiplied by 103% with a 3-year set-forward for both males and females. In addition, a 3% minimum mortality rate is applied to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by scale BB to account for future mortality improvements subject to the 3% floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four year period from December 31, 2010 through December 31, 2014. They were adopted in 2015 and first used in the December 31, 2015 actuarial valuation. The post-retirement mortality assumption for healthy annuitants and Annuity Purchase Rate (APRs) are based on the Mortality Experience Investigation Study covering 2009 through 2011 and dated December 31, 2013. In conjunction with these changes first used in the December 31, 2013 valuation, the System adopted the Entry Age Normal actuarial cost method and a one-time change to the amortization policy. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, GRS focused on the area between (1) arithmetic mean (aggressive) without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive). The target allocation and best estimates of arithmetic real rates of return for each major asset class in fiscal year 2019 are summarized in the following table:

# TOWN OF HICKORY CREEK

## NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

Asset Class	Target Allocation	Long-Term Expected Portfolio Real Rate of Return*
Domestic Equity	17.5%	4.30%
International Equity	17.5%	6.10%
Core Fixed Income	10.0%	1.00%
Non-Core Fixed Income	20.0%	3.39%
Real Return	10.0%	3.78%
Real Estate	10.0%	4.44%
Absolute Return	10.0%	3.56%
Private Equity	5.0%	7.75%
Total	100.0%	

### *Discount Rate*

The discount rate used to measure the Total Pension Liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

### Changes in the Net Pension Liability

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a) - (b)
Balance at 12/31/2017	\$3,090,965	\$2,867,057	\$ 223,908
Changes for the year:			
Service Cost	198,358	-	198,358
Interest	212,443	-	212,443
Change in benefit terms	-	-	-
Difference between expected and actual experience	(1,302)	-	(1,302)
Changes of assumptions	-	-	-
Contributions -- employer	-	140,364	(140,364)
Contributions -- employee	-	84,497	(84,497)
Net investment income	-	(86,094)	86,094
Benefit payments, including refunds of employee contributions	(85,694)	(85,694)	-
Administrative expense	-	(1,660)	1,660
Other changes	-	(87)	87
Net changes	\$323,805	\$51,326	\$272,479
Balance at 12/31/2018	\$3,414,770	\$2,918,383	\$496,387

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

Sensitivity of the net pension liability to changes in the discount rate.

The following presents the net pension liability of the Town, calculated using the discount rate of 6.75%, as well as what the Town's net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75%) or 1-percentage-point higher (7.75%) than the current rate:

	1% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1% Increase in Discount Rate (7.75%)
Town's net pension liability (asset)	\$1,176,971	\$496,387	\$(69,893)

#### *Pension Plan Fiduciary Net Position*

Detailed information about the pension plan's Fiduciary Net Position is available in a separately-issued TMRS financial report. That report may be obtained on the Internet at [www.tmr.com](http://www.tmr.com).

#### Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2019, the Town recognized pension expense of \$121,543.

At September 30, 2019, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 27,483	\$ 61,711
Changes in actuarial assumptions	169	-
Difference between projected and actual investment earnings	251,031	102,504
Contributions subsequent to the measurement date	111,863	-
Total	\$ 390,546	\$ 164,215

\$111,863 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability for the year ending September 30, 2020. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended September 30:	
2020	\$ 16,326
2021	\$ 27,683
2022	\$ 14,836
2023	\$ 55,675
2024	\$ (52)
Thereafter	\$ -



## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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#### 11. OTHER POST EMPLOYMENT BENEFITS

##### Plan Description

The Town also participates in a defined benefit group-term life insurance plan known as the Supplemental Death Benefits Fund (SDBF). This is a voluntary program in which participating member cities may elect, by ordinance, to provide group-term life insurance coverage (Supplemental Death Benefits) for their active members, including or not including retirees.

##### Benefits Provided

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings for the 12-month period preceding the month of death). The death benefit for retirees is considered an other postemployment benefit (OPEB) and is a fixed amount of \$7,500. As the SDBF covers both active and retiree employees, with no segregation of assets, the SDBF is considered to be an unfunded OPEB plan. Texas Local Government Code Section 177.001 assigns the authority to establish and amend benefit provisions to the Town Council. At the December 31, 2018 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	5
Inactive employees entitled to but not yet receiving benefits	3
Active employees	<u>19</u>
Total	27

##### Contributions

The Town contributes to the SDBF program at a contractually required rate. An annual actuarial valuation is performed, and the contractual rate is equal to the cost of providing one-year term life insurance. The premium rate is expressed as a percentage of the covered payroll of members employed by the participating employer. There is a one-year delay between the actuarial valuation that serves as the basis for the employer contribution rate and the calendar year when the rate goes into effect.

The SDBF program is voluntary and employers can cease participation by adopting an ordinance before November 1 of any year to be effective the following January 1. Therefore, the funding policy of the program is to ensure that adequate resources are available to meet all insurance benefit payments for the upcoming year. It is not the intent of the funding policy to pre-fund retiree term life insurance during employees' entire careers. The Town's contribution, which equaled the required contribution, was as follows for the year ended September 30:

	<u>2019</u>
Employer rate	0.09%
Employer contributions	\$ 1,040

##### Actuarial Assumptions

The total OPEB liability in the December 31, 2018 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5%
Salary increases	3.50% to 10.5%, including inflation
Discount rate	3.71%

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

Mortality rates for service retirees were based on the RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB.

Mortality rates for disabled retirees were based on the RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% with a three-year set-forward for both males and females. The rates are projected on a fully generational basis with scale BB to account for future mortality improvements subject to the 3% floor.

Actuarial assumptions used in the December 31, 2018 valuation were based on the results of actuarial experience studies. The experience study in TMRS was for the period December 31, 2010 through December 31, 2014.

The SDBF program is treated as an unfunded OPEB plan because the SDBF trust covers both actives and retirees and the assets are not segregated for these groups. A discount rate of 3.71% was based on the 20-Year Municipal GO AA Index as of December 31, 2018.

#### **OPEB Liability, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB**

At September 30, 2019, the Town reported a total OPEB liability of \$33,115 measured at December 31, 2018. For the year ended September 30, 2019, the Town recognized OPEB expense of \$1,216.

There were no changes of assumptions or other inputs that affected measurement of the total OPEB liability during the measurement period.

There were no changes of benefit terms that affected measurement of the total OPEB liability during the measurement period.

Changes in the total OPEB liability for the measurement year ended December 31, 2018 are as follows:

	<u>Total OPEB Liability</u>
Changes in Total OPEB Liability	
Balance at December 31, 2017	\$33,118
Changes for the year:	
Service cost	1,849
Interest on total OPEB liability	1,125
Changes of benefit terms	-
Effect of economic/demographic experience	88
Effect of assumption changes or inputs	(2,949)
Benefit payments*	<u>(116)</u>
Balance as of December 31, 2018	<u>\$33,115</u>

\*Due to the SDBF being considered an unfunded OPEB plan under GASB 75, benefit payments are treated as being equal to the employer's yearly contributions for retirees.

## **TOWN OF HICKORY CREEK**

### **NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019**

#### **Discount Rate Sensitivity Analysis**

The following presents the total OPEB liability of the Town, calculated using the discount rate of 3.71%, as well as what the Town's total OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower (2.71%) or 1 percentage point higher (4.71%) than the current rate.

	1% Decrease in Discount Rate (2.71%)	Discount Rate (3.71%)	1% Increase in Discount Rate (4.71%)
Total OPEB liability	\$41,191	\$33,115	\$26,928

At December 31, 2018, the Town reported its deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ 77	\$ -
Changes in actuarial assumptions	-	147
Difference between projected and actual investment earnings	-	-
Contributions subsequent to the measurement date	780	-
Total	\$ 857	\$ 147

Deferred outflows of resources related to OPEB resulting from contribution subsequent to the measurement date will be recognized as a reduction of the total OPEB liability for the year ended September 30, 2020 in the amount of \$780. The other net amounts of the employer's balances of deferred outflows and inflows of resources related to OPEB, excluding contributions made subsequent to the measurement date, will be recognized in OPEB expense as follows:

Year ended September 30:	
2020	\$ 45
2021	45
2022	45
2023	45
2024	45
Thereafter	(295)

## **12. LITIGATION AND CONTINGENCIES**

The Town participates in some state and Federal grant programs which are governed by various rules and regulations of the grantor agencies. Costs charged to the respective grant programs are subject to audit and adjustment by the grantor agencies; therefore, to the extent that the Town has not complied with the rules and regulations governing the grants, if any, refunds of any money received may be required and the collectability of any related receivable at September 30, 2019 may be impaired. In the opinion of the Town, there are no significant contingent liabilities relating to compliance with the rules and regulations governing the respective grants; therefore, no provision has been recorded in the accompanying financial statements for such contingencies.

## TOWN OF HICKORY CREEK

### NOTES TO THE BASIC FINANCIAL STATEMENTS SEPTEMBER 30, 2019

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#### 13. RISK MANAGEMENT

Liability and property insurance coverage is provided by TML Intergovernmental Risk Pool. The Town retains, as a risk only, the deductible amounts for each declaration of coverage. There were no reductions in coverage in the past fiscal year and there were no settlements exceeding insurance coverage in each of the past three fiscal years.

The Town is a member of the Texas Municipal League Intergovernmental Risk Pool. Insurance coverage of the Town is divided into the following types: property, crime, general liability, public official's liability, auto liability, auto physical damage, auto catastrophic, inland marine (mobile equipment), law enforcement liability, and boiler and machinery.

#### 14. COMMITMENT

The donation from the Hickory Creek Economic Development Corporation to the Debt Service Fund of \$45,778 represents a commitment by the EDC toward the debt service payments on the Series 2004 Certificates of Obligation, based on the use of a portion of the proceeds for the construction of Ronald Reagan Avenue.

#### 15. SUBSEQUENT EVENTS

Management has reviewed events subsequent to September 30, 2019 through January 15, 2020, which is the date the financial statements were available to be issued. No subsequent events were identified that were required to be disclosed in the financial statements.

#### 16. PRIOR PERIOD ADJUSTMENT

In fiscal year 2019, the Town implemented GASB Statement No. 75, *Accounting and Financial Reporting for Post-Employment Benefits Other Than Pensions (OPEB)*. As a result, the beginning net position of the Town's governmental activities has been restated on the Statement of Activities to reflect the net OPEB liability and deferred outflows of resources relating to TMRS contributions made after the prior measurement date of the plan. The following illustrates the effect of the prior period adjustment:

<b>Beginning Net Position – As Originally Presented</b>	\$12,050,758
Restatement due to:	
Net OPEB liability (measurement date as of December 31, 2017)	(33,118)
Deferred Outflows:	
Town contributions made to TMRS during the fiscal year	780
<b>Beginning Net Position – As Restated</b>	<u>\$12,018,420</u>

## **REQUIRED SUPPLEMENTARY INFORMATION**

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**TOWN OF HICKORY CREEK**

**SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS  
TEXAS MUNICIPAL RETIREMENT SYSTEM  
YEAR ENDED SEPTEMBER 30, 2019**

	<b><u>2018</u></b>	<b><u>2017</u></b>	<b><u>2016</u></b>	<b><u>2015</u></b>	<b><u>2014</u></b>
<b>Total Pension Liability</b>					
Service Cost	\$ 198,358	\$ 182,790	\$ 177,160	\$ 165,653	\$ 174,809
Interest (on the Total Pension Liability)	212,443	193,825	168,939	160,830	165,468
Changes of benefit terms	-	-	-	-	-
Difference between expected and actual experience	(1,302)	(36,475)	68,097	(69,632)	(311,100)
Change of assumptions	-	-	-	1,125	-
Benefit payments, including refunds of employee contributions	<u>(85,694)</u>	<u>(58,520)</u>	<u>(38,143)</u>	<u>(78,847)</u>	<u>(102,884)</u>
<b>Net Change in Total Pension Liability</b>	323,805	281,620	376,053	179,129	(73,707)
<b>Total Pension Liability – Beginning</b>	<u>3,090,965</u>	<u>2,809,345</u>	<u>2,433,292</u>	<u>2,254,163</u>	<u>2,327,870</u>
<b>Total Pension Liability – Ending (a)</b>	<u><u>\$ 3,414,770</u></u>	<u><u>\$ 3,090,965</u></u>	<u><u>\$ 2,809,345</u></u>	<u><u>\$ 2,433,292</u></u>	<u><u>\$ 2,254,163</u></u>
<b>Plan Fiduciary Net Position</b>					
Contributions – Employer	\$ 140,364	\$ 124,509	\$ 112,899	\$ 116,879	\$ 107,208
Contributions – Employee	84,497	75,891	73,250	72,248	73,630
Net Investment Income (Loss)	(86,094)	332,276	142,458	2,945	103,811
Benefit payments, including refunds of employee contributions	(85,694)	(58,520)	(38,143)	(78,847)	(102,884)
Administrative Expense	(1,660)	(1,720)	(1,607)	(1,793)	(1,083)
Other	<u>(87)</u>	<u>(87)</u>	<u>(87)</u>	<u>(89)</u>	<u>(89)</u>
<b>Net Change in Plan Fiduciary Net Position</b>	51,326	472,349	288,770	111,343	180,593
<b>Plan Fiduciary Net Position – Beginning</b>	<u>2,867,057</u>	<u>2,394,708</u>	<u>2,105,938</u>	<u>1,994,595</u>	<u>1,814,002</u>
<b>Plan Fiduciary Net Position – Ending (b)</b>	<u><u>\$ 2,918,383</u></u>	<u><u>\$ 2,867,057</u></u>	<u><u>\$ 2,394,708</u></u>	<u><u>\$ 2,105,938</u></u>	<u><u>\$ 1,994,595</u></u>
<b>Net Pension Liability – Ending (a) – (b)</b>	<u><u>\$ 496,387</u></u>	<u><u>\$ 223,908</u></u>	<u><u>\$ 414,637</u></u>	<u><u>\$ 327,354</u></u>	<u><u>\$ 259,568</u></u>
<b>Plan Fiduciary Net Position as a Percentage of Total Pension Liability</b>	85.46%	92.76%	85.24%	86.55%	88.48%
<b>Covered Employee Payroll</b>	\$ 1,155,932	\$ 1,084,165	\$ 1,046,424	\$ 1,032,109	\$ 1,055,218
<b>Net Pension Liability as a Percentage of Covered Employee Payroll</b>	42.94%	20.65%	39.62%	31.75%	24.60%

Note: The information from this schedule corresponds with the period covered as of the Plan's measurement dates of December 31. Plan information was unavailable prior to 2014. Ten years will ultimately be displayed.

**TOWN OF HICKORY CREEK**

SCHEDULE OF EMPLOYER CONTRIBUTIONS  
TEXAS MUNICIPAL RETIREMENT SYSTEM  
FOR FISCAL YEAR 2019

	2019	2018	2017	2016	2015
Contractually Required Contribution	\$ 150,388	\$ 136,996	\$ 121,089	\$ 114,731	\$ 114,451
Contribution in Relation to the Contractually Required Contribution	(150,388)	(136,996)	(121,089)	(114,731)	(114,451)
Contribution Deficiency (Excess)	\$ -	\$ -	\$ -	\$ -	\$ -
City's Covered-Employee Payroll	\$ 1,240,701	\$ 1,151,205	\$ 1,060,603	\$ 1,036,338	\$ 1,023,296
Contributions as a Percentage of Covered-Employee Payroll	12.12%	11.90%	11.42%	11.07%	11.18%

Note: The information from this schedule corresponds with the Town's fiscal years ended September 30. Plan information was unavailable prior to 2014. Ten years will ultimately be displayed.



**TOWN OF HICKORY CREEK**

SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS  
TEXAS MUNICIPAL RETIREMENT SYSTEM  
SEPTEMBER 30, 2019

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	<u>2019</u>
Total OPEB Liability	
Service cost	\$ 1,849
Interest on total OPEB liability	1,125
Changes of benefit terms	-
Differences between expected and actual experience	88
Change of assumptions	(2,949)
Benefit payments/refunds of contributions	<u>(116)</u>
Net change in total OPEB liability	(3)
 Total OPEB liability, beginning	 <u>33,118</u>
 Total OPEB liability, ending	 <u><u>\$ 33,115</u></u>
 Covered employee payroll	 \$1,155,932
 Net OPEB liability as a percentage of covered payroll	 2.86%

Note: The information from this schedule corresponds with the period covered as of the Plan's measurement dates of December 31. Plan information was unavailable prior to 2018. Ten years will ultimately be displayed.

No assets are accumulated in a trust as defined by GASB 75. Benefits are on a pay as you go basis.

## **TOWN OF HICKORY CREEK**

### **NOTES TO REQUIRED SUPPLEMENTARY INFORMATION FOR THE YEAR ENDED SEPTEMBER 30, 2019**

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#### **Note A – Net Pension Liability – Texas Municipal Retirement System**

##### **Valuation Date:**

Notes Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.

##### **Methods and Assumptions Used to Determine Contribution Rates:**

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	27 years
Asset Valuation Method	10 Year smoothed market; 15% soft corridor
Inflation	2.5%
Salary Increases	3.50% to 10.5%, including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the Town's plan of benefits. Last updated for the 2015 valuation pursuant to an experience study of the period 2010-2014
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB

##### **Changes of Benefit Terms**

There were no benefit changes during the year.

##### **Changes in the Size or Composition of the Population Covered by the Benefit Terms**

There were no changes in the size or composition of the population covered by the benefit terms during the measurement period.

##### **Changes of Assumptions**

There were no changes of assumptions or other inputs that affected measurement of the total pension liability during the measurement period.

**TOWN OF HICKORY CREEK**

**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION  
FOR THE YEAR ENDED SEPTEMBER 30, 2019**

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**Note B – Total OPEB Liability – Texas Municipal Retirement System**

**Valuation Date:**

Notes	Actuarially determined contribution rates are calculated as of December 31 and become effective in January 13 months later.
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**Methods and Assumptions Used to Determine Contribution Rates:**

Actuarial Cost Method	Entry Age Normal
Inflation	2.5%
Salary Increases	3.50% to 10.5%, including inflation
Retirement Age	Experience-based table of rates that are specific to the Town's plan of benefits. Last updated for the 2015 valuation pursuant to an experience study of the period 2010-2014
Mortality	RP2000 Combined Mortality Table with Blue Collar Adjustment with male rates multiplied by 109% and female rates multiplied by 103% and projected on a fully generational basis with scale BB

**COMBINING & INDIVIDUAL FUND  
STATEMENTS & SCHEDULE**

# TOWN OF HICKORY CREEK

## STATEMENT OF GENERAL FUND EXPENDITURES BUDGET (GAAP BASIS) AND ACTUAL FOR THE YEAR ENDED SEPTEMBER 30, 2019 PLUS COMPARATIVE AMOUNTS FOR THE YEAR ENDED SEPTEMBER 30, 2018

	2019		Variance Favorable (Unfavorable)	2018 Actual
	Budget	Actual		
Expenditures:				
General Government:				
Salaries and Wages	\$ 284,547	\$ 287,410	\$ (2,863)	\$ 263,006
Insurance, Taxes and Retirement	79,447	88,133	(8,686)	89,797
Dues and Memberships	2,500	1,850	650	1,991
Training and Education	2,000	1,783	217	2,084
Office Supplies and Postage	6,500	7,681	(1,181)	5,786
Printing	1,800	5,779	(3,979)	962
Copier Rental	3,900	4,381	(481)	4,964
Computer Support and Maintenance	50,000	48,484	1,516	46,371
Advertising/Legal Notices	2,000	4,206	(2,206)	2,118
Public Relations	26,000	17,538	8,462	20,096
Election Costs	-	-	-	7,757
Telephone	22,800	29,218	(6,418)	23,033
Utilities	45,000	44,888	112	42,196
Legal Fees	60,000	51,174	8,826	64,046
Audit Fees	13,500	13,500	-	13,500
General Insurance	33,733	33,733	-	28,974
Building Maintenance and Supplies	85,000	86,029	(1,029)	232,550
Library Services	1,000	1,506	(506)	700
Travel	1,000	561	439	1,122
Tax Collection/Appraisal Costs	15,200	13,572	1,628	12,968
Ordinance Codification	4,000	1,867	2,133	2,915
Town Council Costs	6,000	4,125	1,875	3,024
Volunteer/Staff Events	8,000	7,126	874	7,274
Special Events	10,220	10,219	1	9,001
Other Expenditures	1,100	2,270	(1,170)	3,380
Total General Government Expenditures	<u>765,247</u>	<u>767,033</u>	<u>(1,786)</u>	<u>889,615</u>
Police Department:				
Salaries and Wages	684,887	654,108	30,779	620,453
Insurance, Taxes and Retirement	193,224	203,268	(10,044)	211,839
Office Supplies and Postage	1,500	1,910	(410)	1,997
Dues and Memberships	400	234	166	295
Personnel Equipment	7,000	10,138	(3,138)	10,256
Crime Lab Analysis	2,000	(136)	2,136	1,653
Auto Expense - Gas	25,000	28,046	(3,046)	28,740
Auto Expense - Repairs	25,000	36,987	(11,987)	51,247
Uniforms	6,000	12,796	(6,796)	9,812
Books and Subscriptions	500	477	23	661
Computer Support and Maintenance	38,000	44,422	(6,422)	33,471
Citizens on Patrol	200	864	(664)	-
Community Outreach	750	702	48	97
Denton County Dispatch	29,301	29,301	-	27,950
Drug Forfeiture/Seizure	-	-	-	1,817
K-9 Unit	3,000	3,885	(885)	15,687
Training and Travel	12,500	11,976	524	8,834
Total Police Department Expenditures	<u>1,029,262</u>	<u>1,038,978</u>	<u>(9,716)</u>	<u>1,024,809</u>

# TOWN OF HICKORY CREEK

## STATEMENT OF GENERAL FUND EXPENDITURES BUDGET (GAAP BASIS) AND ACTUAL (CONTINUED) FOR THE YEAR ENDED SEPTEMBER 30, 2019 PLUS COMPARATIVE AMOUNTS FOR THE YEAR ENDED SEPTEMBER 30, 2018

	2019		Variance Favorable (Unfavorable)	2018 Actual
	Budget	Actual		
Expenditures:				
Fire Department:				
Contract Services	\$615,000	\$613,633	\$ 1,367	\$613,633
Total Fire Department Expenditures	615,000	613,633	1,367	613,633
Municipal Court:				
Salaries and Wages	117,237	136,259	(19,022)	103,289
Insurance, Taxes and Retirement	32,733	41,783	(9,050)	35,266
Office Supplies and Postage	1,800	1,877	(77)	2,086
Dues and Memberships	200	75	125	300
Travel	600	112	488	197
Training and Education	500	500	-	400
Municipal Judge	11,520	11,520	-	10,760
State Court Costs	199,500	228,051	(28,551)	286,123
Warrant Service Fees	-	3,504	(3,504)	-
Building Security/Court Technology Costs	46,350	8,972	37,378	10,860
Books and Subscriptions	75	150	(75)	99
Total Municipal Court	410,515	432,803	(22,288)	449,380
Public Works:				
Salaries and Wages	179,257	182,419	(3,162)	178,640
Insurance, Taxes and Retirement	50,050	55,938	(5,888)	60,992
Dues and Memberships	350	337	13	271
Office Supplies and Postage	800	415	385	495
Computer Support and Maintenance	750	629	121	-
Animal Control	7,600	9,611	(2,011)	11,640
Auto Expense - Gas	12,500	15,295	(2,795)	12,849
Auto Expense - Repairs	15,000	21,662	(6,662)	25,060
Supplies	6,500	7,123	(623)	10,396
Equipment Repairs and Maintenance	9,500	13,106	(3,606)	15,075
Uniforms	2,000	3,253	(1,253)	4,050
Training	800	339	461	250
Travel	1,000	225	775	664
Street Lighting	35,000	33,764	1,236	33,316
Street Repairs and Maintenance	50,000	114,021	(64,021)	22,557
Engineering	52,500	56,917	(4,417)	53,753
Inspection Fees	40,500	52,760	(12,260)	47,448
Landscaping Services	110,000	84,071	25,929	88,378
Parks and Recreation	70,000	88,272	(18,272)	47,209
Beautification	110,000	18,541	91,459	37,736
Radios	3,200	4,649	(1,449)	3,464
Total Public Works	757,307	763,347	(6,040)	654,243

**TOWN OF HICKORY CREEK**

STATEMENT OF GENERAL FUND EXPENDITURES  
BUDGET (GAAP BASIS) AND ACTUAL (CONTINUED)  
FOR THE YEAR ENDED SEPTEMBER 30, 2019  
PLUS COMPARATIVE AMOUNTS FOR THE YEAR ENDED SEPTEMBER 30, 2018

	2019		Variance Favorable (Unfavorable)	2018 Actual
	Budget	Actual		
Expenditures:				
Capital Outlay:				
Buildings	\$ -	\$ -	\$ -	\$ 33,750
Equipment and Vehicles	598,700	411,722	186,978	125,213
Parks	125,000	-	125,000	-
Total Capital Outlay	<u>723,700</u>	<u>411,722</u>	<u>311,978</u>	<u>158,963</u>
Debt Service:				
Principal Retirement	-	-	-	9,473
Interest	-	-	-	291
Total Debt Service	<u>-</u>	<u>-</u>	<u>-</u>	<u>9,764</u>
Total Expenditures	<u>\$4,301,031</u>	<u>\$4,027,516</u>	<u>\$ 273,515</u>	<u>\$3,800,407</u>

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE  
BUDGET AND ACTUAL - DEBT SERVICE FUND  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

	<u>Budgeted Amounts</u>		<u>Actual Amounts (GAAP BASIS)</u>	<u>Variance With Final Budget</u>
	<u>Original</u>	<u>Final</u>		
Revenues:				
Taxes - Ad Valorem	\$ 814,818	\$ 814,818	\$ 821,097	\$ 6,279
Donations from EDC	45,778	45,778	45,778	-
Total Revenues	<u>860,596</u>	<u>860,596</u>	<u>866,875</u>	<u>6,279</u>
Expenditures:				
Principal	590,000	590,000	590,000	-
Interest	265,096	265,096	266,353	(1,257)
Total Expenditures	<u>855,096</u>	<u>855,096</u>	<u>856,353</u>	<u>(1,257)</u>
Excess of Revenue over Expenditures	<u>5,500</u>	<u>5,500</u>	<u>10,522</u>	<u>5,022</u>
Net Change in Fund Balance	5,500	5,500	10,522	5,022
Fund Balance — October 1 (beginning)	<u>103,901</u>	<u>103,901</u>	<u>103,901</u>	<u>-</u>
Fund Balance — September 30 (ending)	<u>\$ 109,401</u>	<u>\$ 109,401</u>	<u>\$ 114,423</u>	<u>\$ 5,022</u>



**TOWN OF HICKORY CREEK**

SCHEDULE OF DELINQUENT TAXES RECEIVABLE  
SEPTEMBER 30, 2019

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<u>Tax Year</u>	<u>Tax Rates</u>		<u>Assessed Valuation</u>	<u>Balance September 30, 2018</u>
	<u>Maintenance</u>	<u>Debt Service</u>		
1997	\$ .32363	\$ .09001	\$ 82,797,602	\$ 2
1998	.33374	.08303	90,399,261	3
1999	.34055	.07316	98,120,181	3
2000	.30236	.06763	122,433,850	2
2001	.29716	.05261	156,884,810	3
2002	.29934	.00	197,999,265	2
2003	.31939	.00	218,034,378	2
2004	.34020	.00	241,570,253	361
2005	.34020	.00	259,282,187	432
2006	.34020	.00	287,603,175	423
2007	.27824	.16738	318,990,395	571
2008	.27442	.17120	319,262,600	627
2009	.249409	.174878	317,875,400	1,120
2010	.245426	.178861	308,348,595	3,361
2011	.242609	.181678	307,337,200	3,346
2012	.244716	.179571	309,243,743	5,683
2013	.235848	.181034	317,095,245	6,504
2014	.238121	.163246	352,265,383	6,423
2015	.194116	.207251	385,206,806	8,149
2016	.197559	.189760	426,423,955	9,170
2017	.197067	.169866	464,507,144	9,659
2018	.204169	.143366	561,813,918	-
Total				<u>\$ 55,846</u>

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<u>Current Year Levy</u>	<u>Collections</u>	<u>Supplements/ Adjustments</u>	<u>Balance September 30, 2019</u>
	\$ -	\$ (2)	\$ -
	-	-	3
	-	-	3
	-	-	2
	-	-	3
	-	-	2
	-	-	2
	-	-	361
	-	-	432
	-	-	423
	-	-	567
	-	-	627
	-	-	1,120
	-	-	3,361
	22	-	3,324
	1,578	-	4,105
	1,727	4,479	9,256
	6,638	9,213	8,998
	7,858	10,035	10,326
	8,078	9,081	10,173
	5,997	7,135	10,797
<u>\$ 1,952,500</u>	<u>1,940,470</u>	<u>-</u>	<u>12,030</u>
<u>\$ 1,952,500</u>	<u>\$1,972,368</u>	<u>\$ 39,937</u>	75,915
Less allowance for uncollectible accounts			<u>-</u>
			<u>\$ 75,915</u>

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE  
ECONOMIC DEVELOPMENT CORPORATION  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

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Revenues:

Taxes – Sales	\$ 410,818
Interest Income	39,260
Lease Income	9,000
Gas Royalties	32
Total Revenues	<u>459,110</u>

Expenditures:

Administration:

Incentives	128,683
Legal and Professional	13,100
Marketing	31,004
Administrative Fees	7,202
Contribution to Town for Debt Service	45,778
Mowing	2,070
Training and Travel	(139)
Dues and Subscriptions	150
Property Taxes	2,237
Capital Outlay - Land	<u>235,864</u>

Total Expenditures	<u>465,949</u>
--------------------	----------------

Excess (Deficit) of Revenues over Expenditures	<u>(6,839)</u>
--	----------------

Other Financing Sources (Uses):

Sale of Land	496,091
Total Other Financing Sources (Uses)	<u>496,091</u>

Change in Fund Balance	489,252
------------------------	---------

Fund Balance – October 1 (beginning)	<u>1,084,801</u>
--------------------------------------	------------------

Fund Balance – September 30 (ending)	<u><u>\$ 1,574,053</u></u>
--------------------------------------	----------------------------

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE  
PUBLIC IMPROVEMENT DISTRICT NO. 1  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

---

Revenues:

Special Assessment Fees	\$ 254,109
Interest Income	9,542
Total Revenues	<u>263,651</u>

Expenditures:

Current:	
Administrator Costs	9,602
Audit Fee	1,000
Debt Service:	
Principal	85,000
Interest and Fees	155,600
Total Expenditures	<u>251,202</u>

Excess of Revenues over Expenditures	<u>12,449</u>
--------------------------------------	---------------

Other Financing Sources (Uses):

Transfers In	39,450
Transfers Out	<u>(37,289)</u>
Total Other Financing Sources (Uses)	<u>2,161</u>

Change in Fund Balance	14,610
------------------------	--------

Fund Balance – October 1 (beginning)	<u>289,537</u>
--------------------------------------	----------------

Fund Balance – September 30 (ending)	<u><u>\$ 304,147</u></u>
--------------------------------------	--------------------------

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE  
PUBLIC IMPROVEMENT DISTRICT NO. 2  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

---

Revenues:

Special Assessment Fees	\$ 333,622
Interest Income	10,992
Total Revenues	<u>344,614</u>

Expenditures:

Current:

Administrator Costs	25,528
Audit Fee	1,000

Debt Service:

Principal	25,000
Interest and Fees	266,073
Total Expenditures	<u>317,601</u>

Excess of Revenues over Expenditures	<u>27,013</u>
--------------------------------------	---------------

Other Financing Sources (Uses):

Transfers Out	<u>(39,450)</u>
Total Other Financing Sources (Uses)	<u>(39,450)</u>

Change in Fund Balance	(12,437)
------------------------	----------

Fund Balance – October 1 (beginning)	<u>427,494</u>
--------------------------------------	----------------

Fund Balance – September 30 (ending)	<u><u>\$ 415,057</u></u>
--------------------------------------	--------------------------

**TOWN OF HICKORY CREEK**

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE  
PUBLIC IMPROVEMENT DISTRICT NO. 3  
FOR THE YEAR ENDED SEPTEMBER 30, 2019

---

Revenues:

Developer Contribution	\$ 339,438
Interest Income	12,483
Total Revenues	<u>351,921</u>

Expenditures:

Current:	
Administrator Costs	25,642
Debt Service:	
Interest	26,895
Bond Issuance Costs	319,103
Capital Outlay	434,547
Total Expenditures	<u>806,187</u>

Excess (Deficit) of Revenues over Expenditures	<u>(454,266)</u>
--	------------------

Other Financing Sources (Uses):

Capital-related Debt Issued	4,185,000
Transfers Out	(736)
Total Other Financing Sources (Uses)	<u>4,184,264</u>

Change in Fund Balance	3,729,998
------------------------	-----------

Fund Balance – October 1 (beginning)	<u>122</u>
--------------------------------------	------------

Fund Balance – September 30 (ending)	<u><u>\$3,730,120</u></u>
--------------------------------------	---------------------------

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Members:  
AMERICAN INSTITUTE OF  
CERTIFIED PUBLIC  
ACCOUNTANTS  
TEXAS SOCIETY OF CERTIFIED  
PUBLIC ACCOUNTANTS

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**HANKINS, EASTUP, DEATON,  
TONN & SEAY**  
A PROFESSIONAL CORPORATION  

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CERTIFIED PUBLIC ACCOUNTANTS

902 NORTH LOCUST  
P.O. BOX 977  
DENTON, TX 76202-0977  
TEL. (940) 387-8563  
FAX (940) 383-4746

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Honorable Mayor and Town Council  
Town of Hickory Creek, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the discretely presented component unit and each major fund of the Town of Hickory Creek, Texas, as of and for the year ended September 30, 2019, and the related notes to the financial statements, which collectively comprise The Town of Hickory Creek, Texas's basic financial statements, and have issued our report dated January 15, 2020.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Town's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Town's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

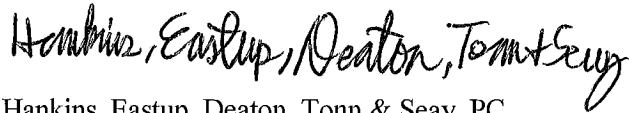


### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Town's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town's internal control or on compliance. This report is an integral part of the audit performed in accordance with *Government Auditing Standards* in considering the Town's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Hankins, Eastup, Deaton, Tonn & Seay". The signature is written in a cursive, flowing style.

Hankins, Eastup, Deaton, Tonn & Seay, PC  
Denton, Texas

January 15, 2020

**Item Attachment Documents:**

15. Presentation regarding the United States Census 2020 from Tenishea Turner.



## **2020 Census: What You Should Know and Do Now**

**Tenishea Turner, Partnership Specialist**

**Tenishea.turner@2020census.gov**

**972-946-3793**

**Dallas Regional Census Center/Field Division/Denver Region**



U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
***census.gov***

# Why We Do a Census?



## It's in the constitution.

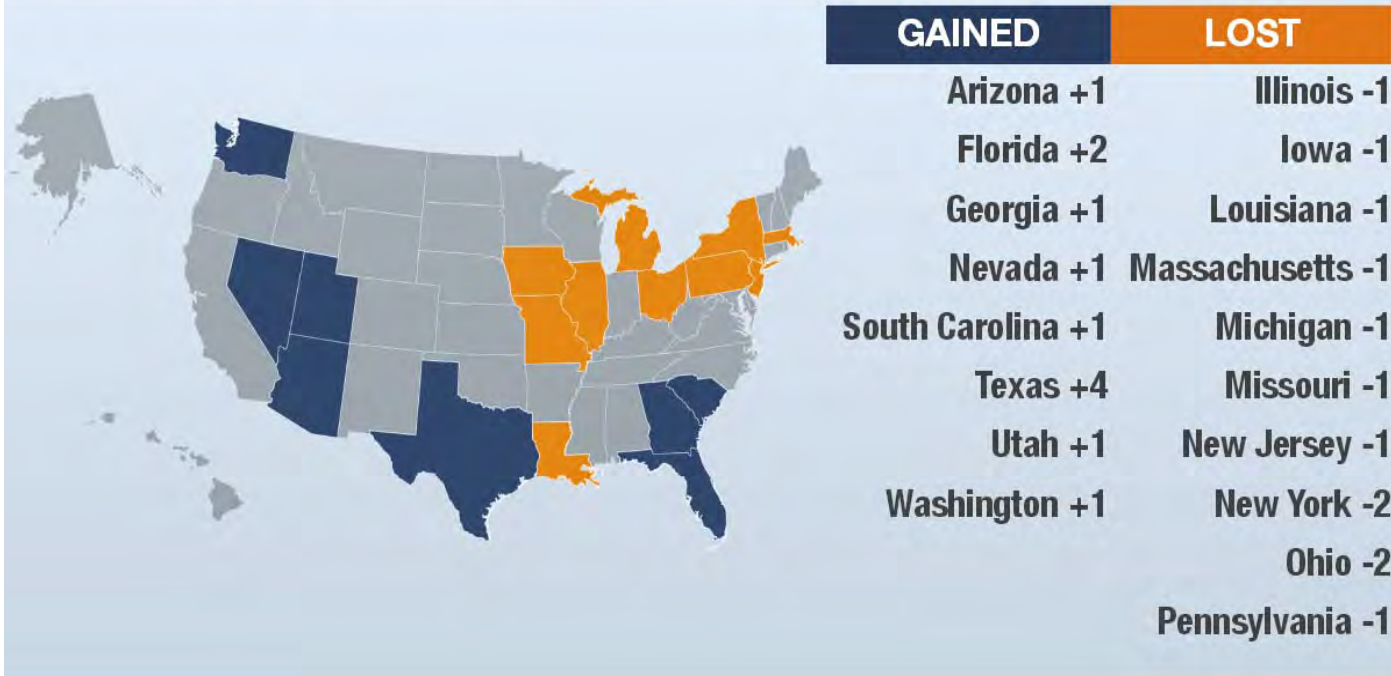
The U.S. Constitution mandates that everyone in the country be counted every 10 years. The first census was in 1790.

### Article 1, Section 2 of the US Constitution

*The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.*

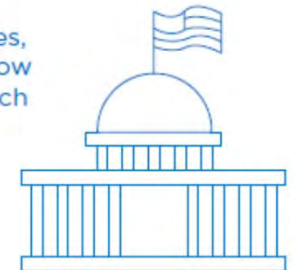
# APPORTIONMENT

2010  
OFFICIAL RESULTS



## It's about fair representation.

Every 10 years, the results of the census are used to reapportion the House of Representatives, determining how many seats each state gets.



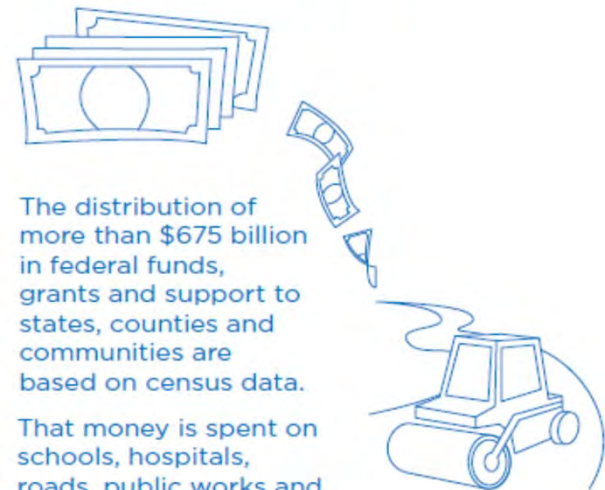
U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
[census.gov](http://census.gov)

[https://www.census.gov/library/video/census\\_apportionment\\_machine.html](https://www.census.gov/library/video/census_apportionment_machine.html)

# Distribution of Resources

- ✓ Distribution of more than \$675 billion annually in federal funds
- ✓ Redistricting of state legislative districts
- ✓ Forecasting of future transportation needs
- ✓ Determining areas eligible for housing assistance and rehabilitation loans
- ✓ Designing facilities for people with disabilities, the elderly and children

**It's about  
\$675 billion.**



The distribution of more than \$675 billion in federal funds, grants and support to states, counties and communities are based on census data.

That money is spent on schools, hospitals, roads, public works and other vital programs.

# Counting for Dollars 2020

## The Role of the Decennial Census in the Geographic Distribution of Federal Funds

REPORT

# TEXAS

In FY2016, Texas received

**\$59,409,844,723**

through 55 federal spending programs  
guided by data derived from the 2010 Census.



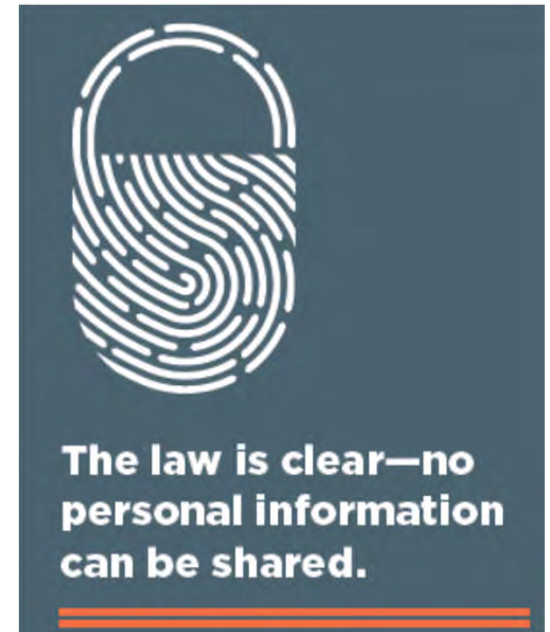
## Counting For Dollars in Texas

- Texas received over **\$59 billion** in 2016 based on Decennial Census data.
- **Counting for Dollars link:**
- <https://gwipp.gwu.edu/counting-dollars-role-decennial-census-geographic-distribution-federal-funds>



# The Census is Confidential and Required by Law

- ✓ The Census Bureau is required to keep information confidential. All responses provided on the 2020 Census questionnaire or to a Census Bureau employee are confidential and protected under Title 13 of the U.S. Code
- ✓ We will never share a respondents personal information with other government agencies.
- ✓ Census results reported in statistical format only
- ✓ Records are confidential for 72 years by law (Title 44, U.S. Code).
- ✓ All Census Bureau employees swear a lifetime oath to protect respondent information.
- ✓ Penalty for wrongful disclosure is up to 5 years imprisonment and/or a fine of \$250,000 or both.





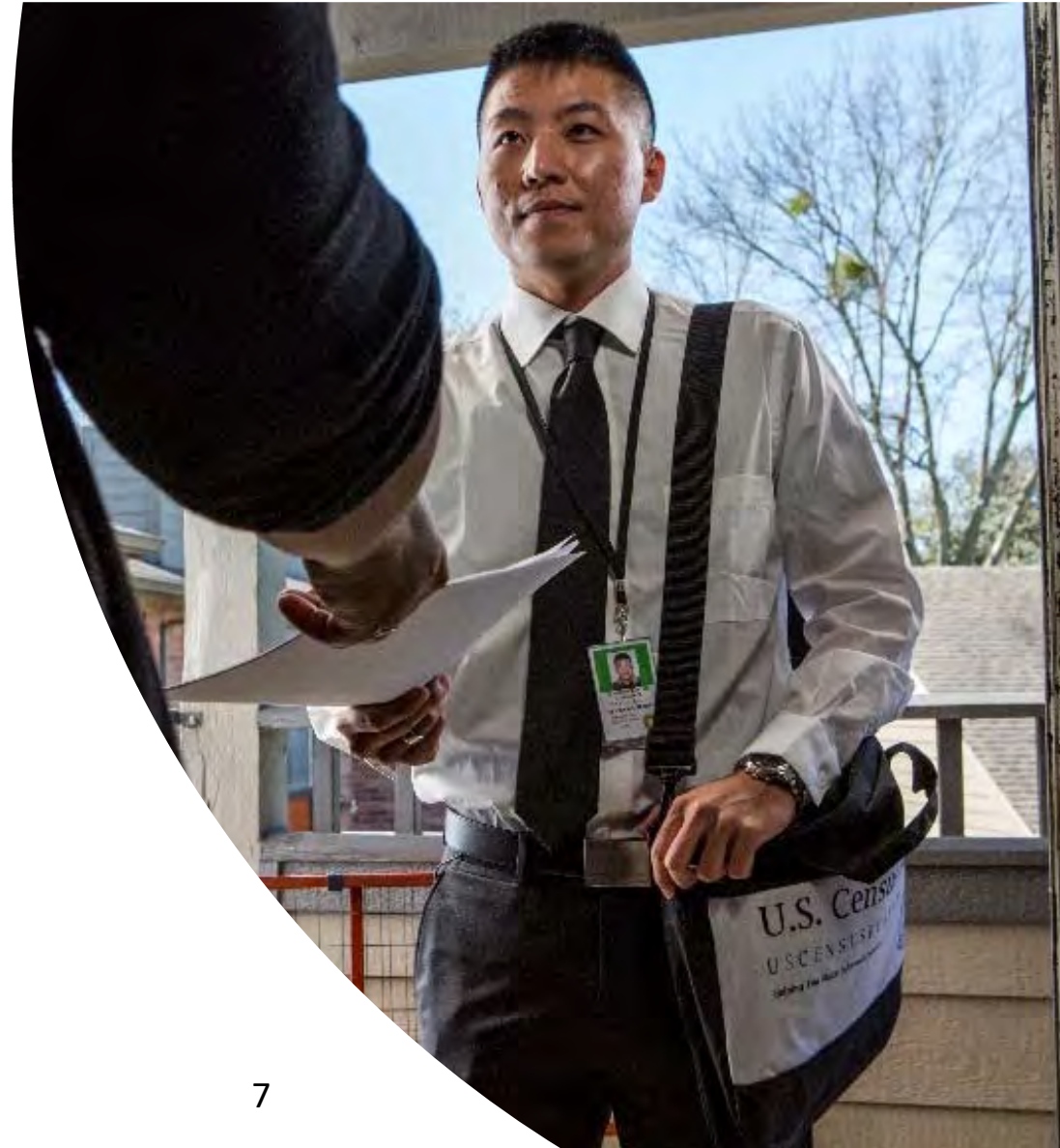
# New Ability to Self Respond

*Starting March 23, 2020*

- Internet
- Phone
- Paper Form
- *In-person interview*



U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
[census.gov](https://www.census.gov)





# Short Questionnaire

Name

Age and Date of Birth

Sex

Race and Origin

Own or Rent Home

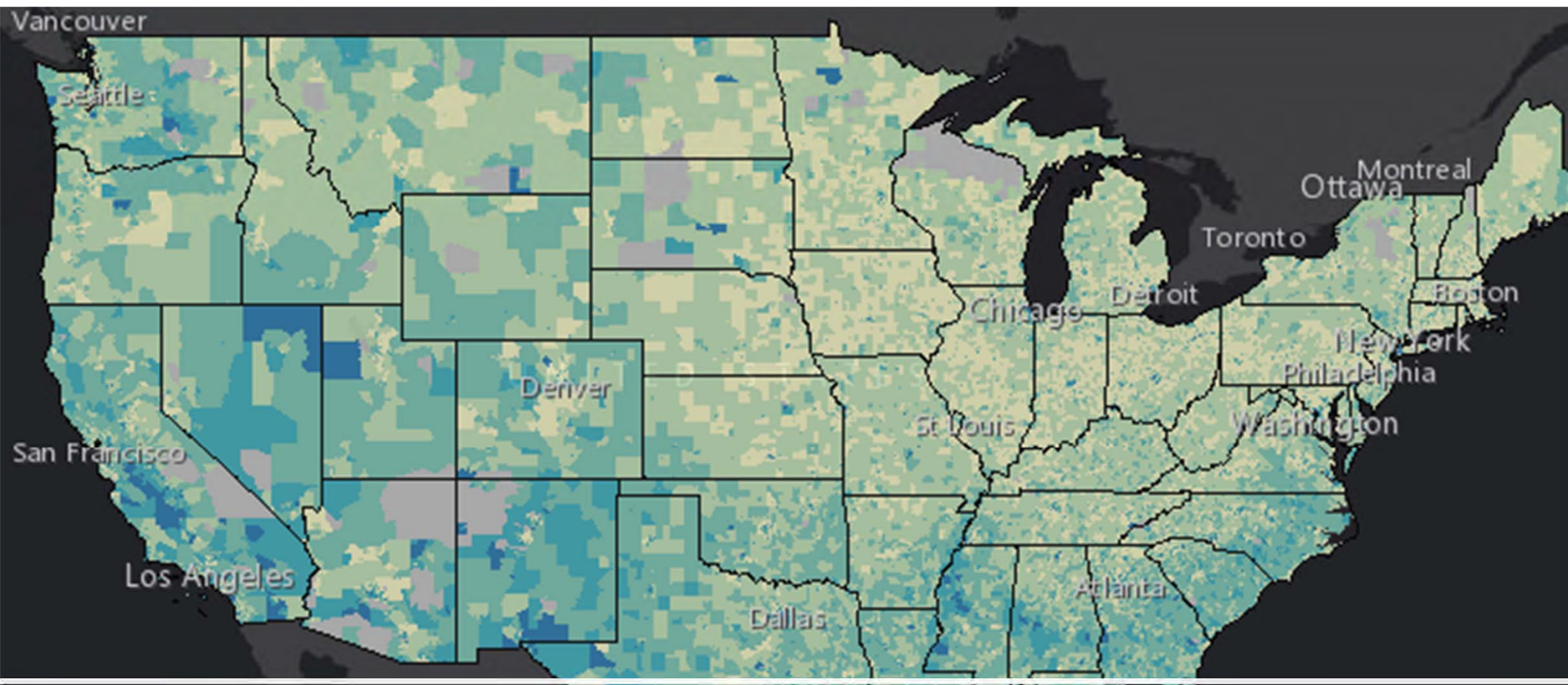
Relationship

Phone Number

**Data protected by Title 13 Confidentiality**

# Key Data Collection Dates

- **January-Feb 2019** Early Area Census Offices Open
- **Aug – Oct 2019** Address Canvassing – select areas
- **Jan-Oct-2019** Area Census Offices Open
- **Early 2020** Group Quarters Start
- **March 23, 2020** **Self Response Starts**
- **April 1st, 2020** **CENSUS DAY**
- **May 2020** **Non-Response Follow-Up Starts**
- **July 31<sup>st</sup>, 2020** **Last Day to Collect Data**
- **December 31, 2020** Counts Delivered to President

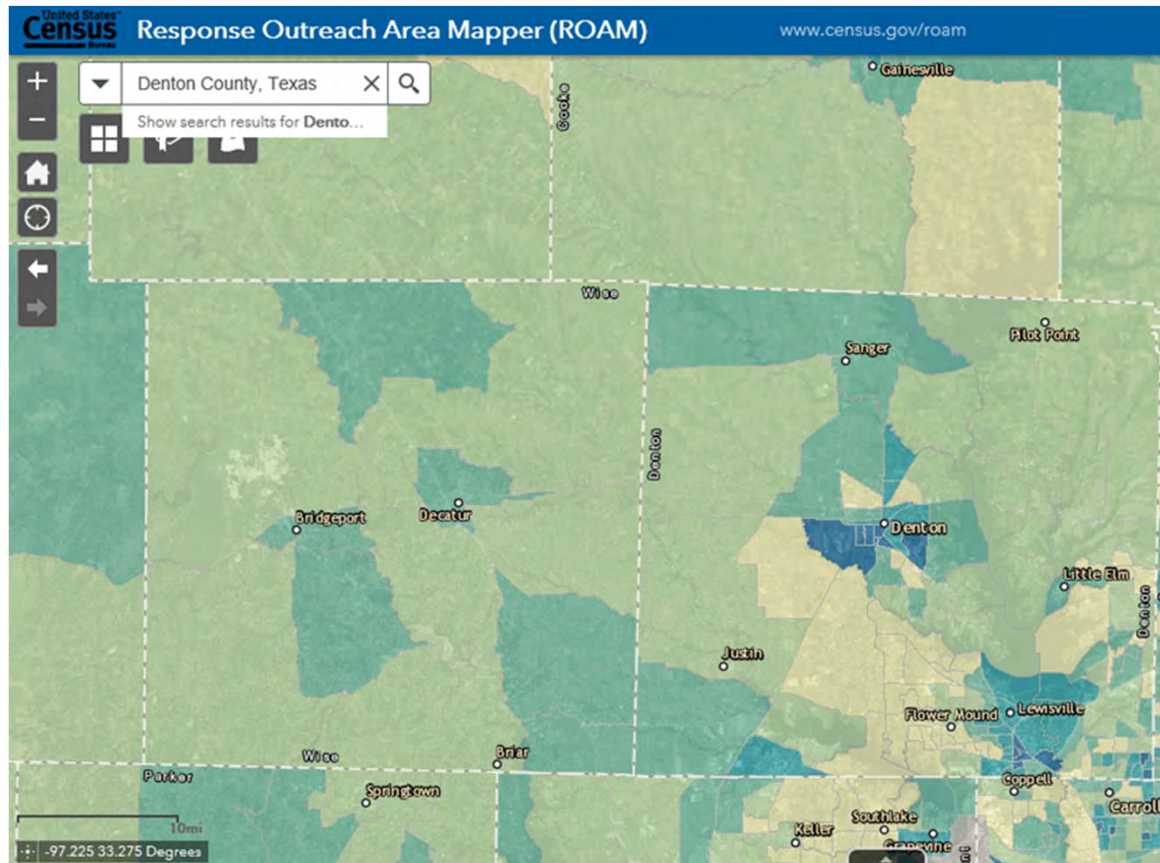


## Response Outreach Area Mapper (ROAM)

Monterrey Gulf of Mexico Miami



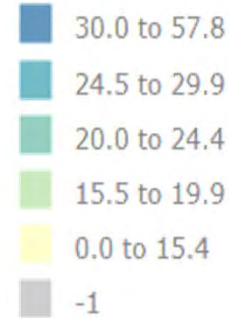
# Response Outreach Area Mapper (ROAM)



Denton County

Low Response Score by Census Tract

Predicted Mail Non-Response Rate (%)



<https://www.census.gov/roam>

# Response Outreach Area Mapper (ROAM)

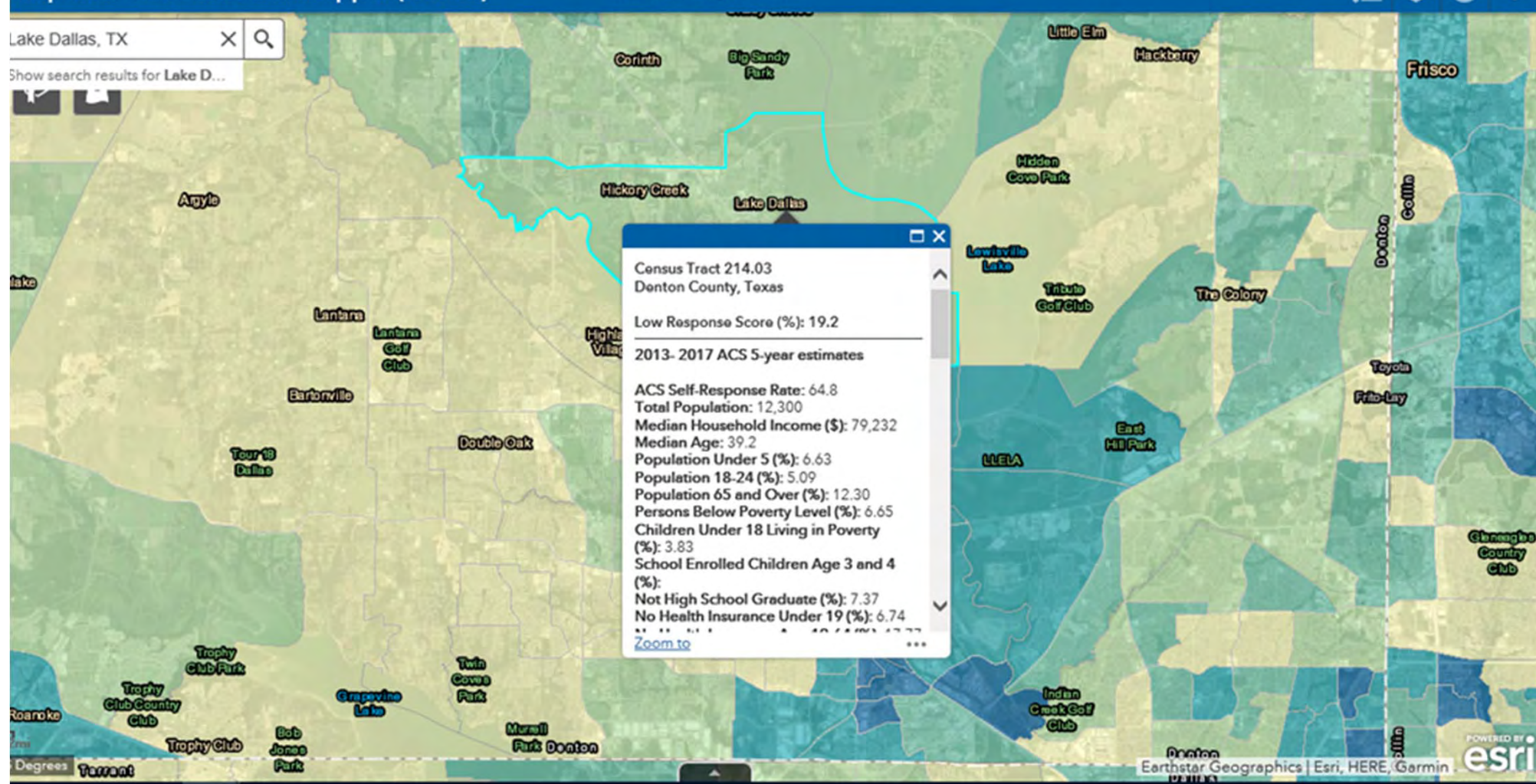
www.census.gov/roam



Lake Dallas, TX



Show search results for Lake D...

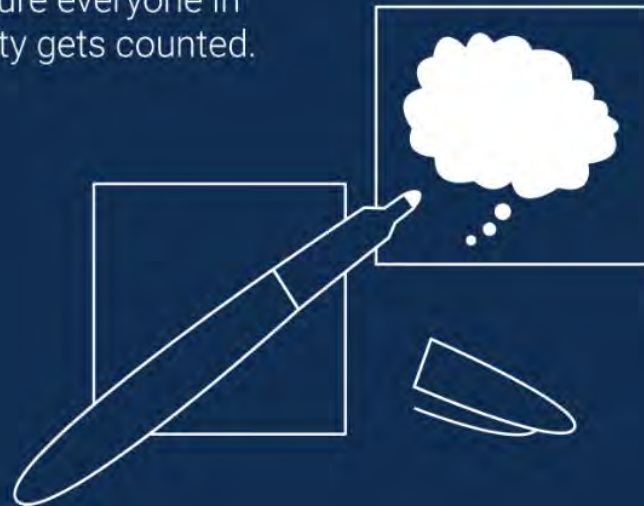


POWERED BY  
Earthstar Geographics | Esri, HERE, Garmin  
esri



# You can help.

You are the expert—  
we need your ideas on the best  
way to make sure everyone in  
your community gets counted.



United States<sup>™</sup>  
**Census**  
Bureau

United States<sup>™</sup>  
**Census**  
Bureau

U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
***census.gov***

## How You Can Help

- Partner with the Census
- Post Job Recruitment
- Encourage Participation
- Highlight Census in Materials
- Distribute Information
- Provide Spaces
- Appoint a Liaison
- Target Hard to Count Populations
- Host Census Events
- Create Your Own Strategies

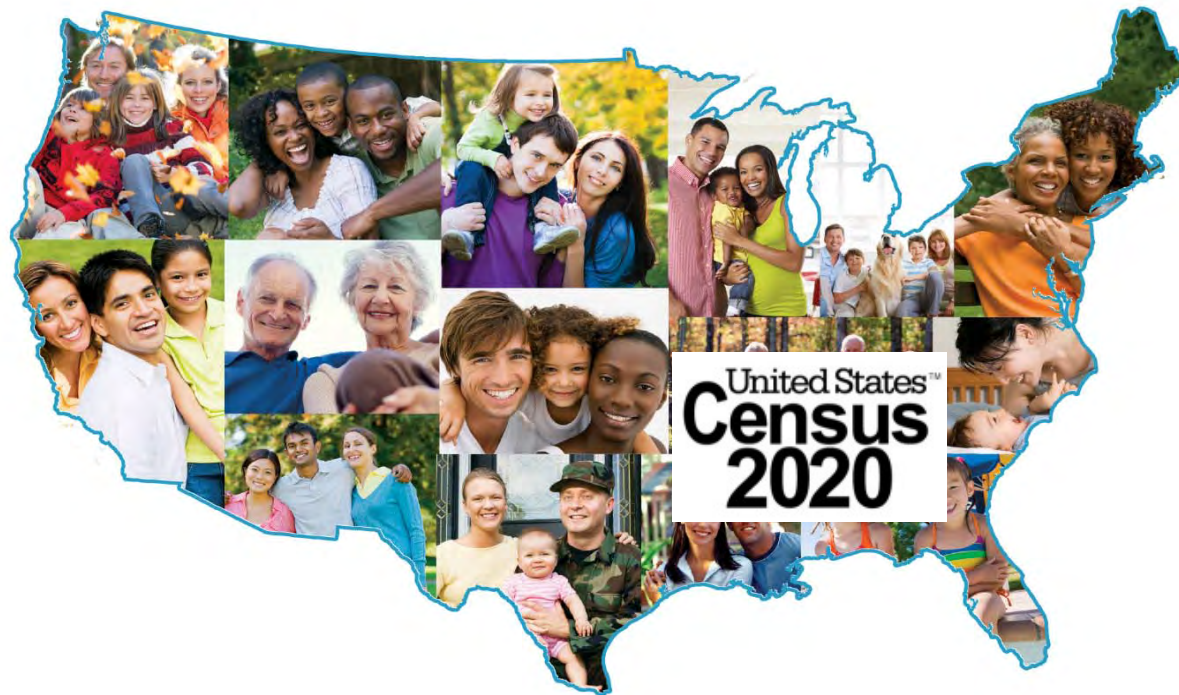


# CENSUS JOBS NOW LIVE!

[2020census.gov/jobs](https://2020census.gov/jobs)

Text the word "jobs2020" to  
313131 to get recruiting ads!





**Tenishea Turner**

**[Tenishea.turner@2020census.gov](mailto:Tenishea.turner@2020census.gov)**

**972-946-3793**



U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
***census.gov***

**Item Attachment Documents:**

16. Presentation from Dunaway Associates regarding a Comprehensive Plan Update.





# Comprehensive Plan Update





# Project Team



Barry Hudson, AICP  
Planning Manager



Jenifer Reiner, AICP  
Project Manager



Tal Jackson  
Principal-In-Charge  
and QA/AC



Chance LeBlanc, AICP  
Planner



Philip Neeley  
Park Planning



Elizabeth McIlrath  
Park Planning



Felix Landry, AICP  
Fiscal Analysis  
Urbex Solutions



Andrea Thomas  
Community Survey  
National Service Research



**INTEGRITY**



**RESPONSIVENESS**



**SENSE OF  
URGENCY**



**ATTITUDE  
OF SERVICE**



**TECHNICAL  
EXCELLENCE**



**RESPECT**



**HONESTY**







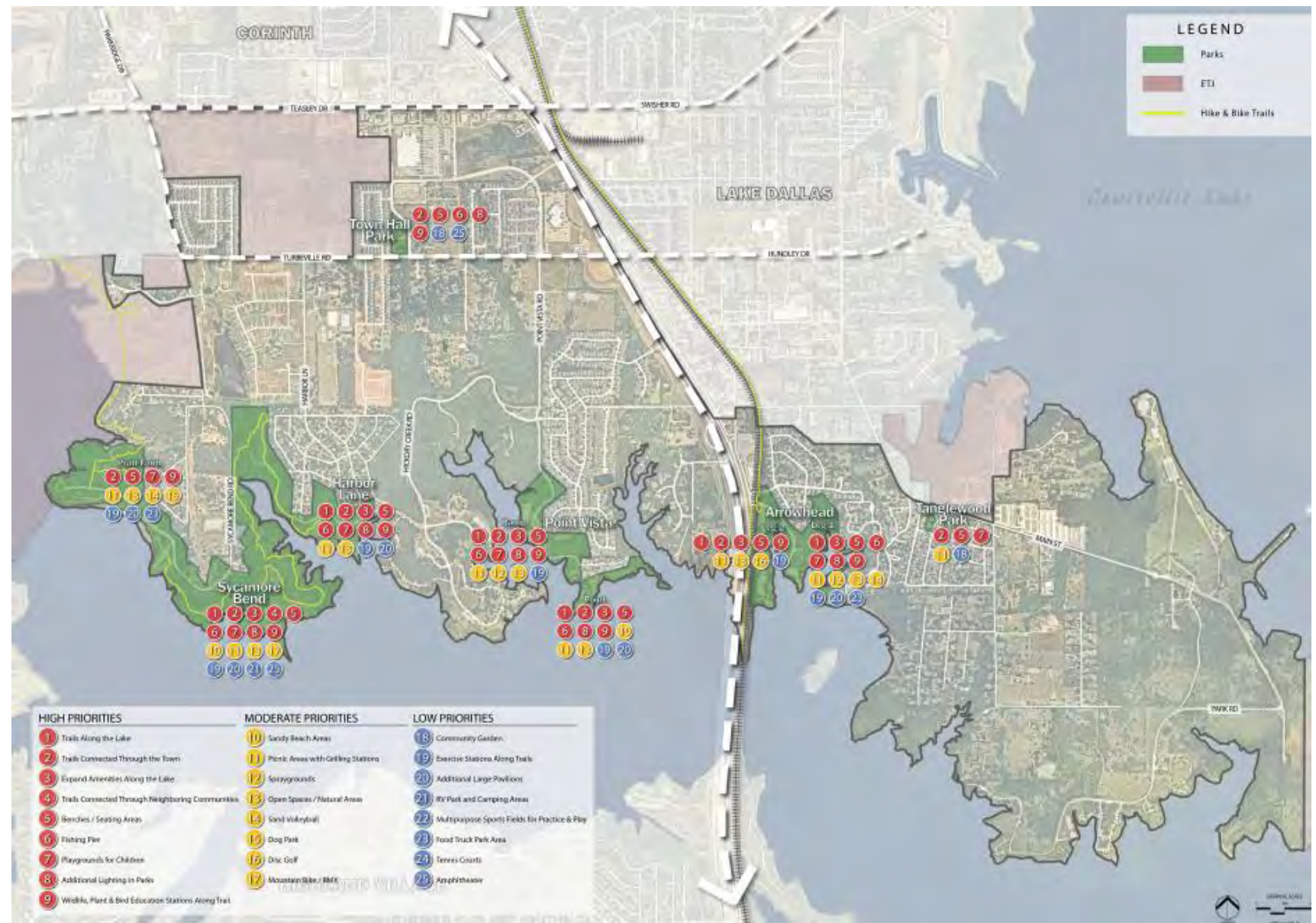
EXPERIENCE



# HICKORY CREEK

## Parks, Recreation and Open Space Master Plan

- Priority Criteria Established
- Weighted Ranking Matrix
  - Citizen Survey
  - Steering Committee
  - Park Board
  - Town Staff
  - Dunaway





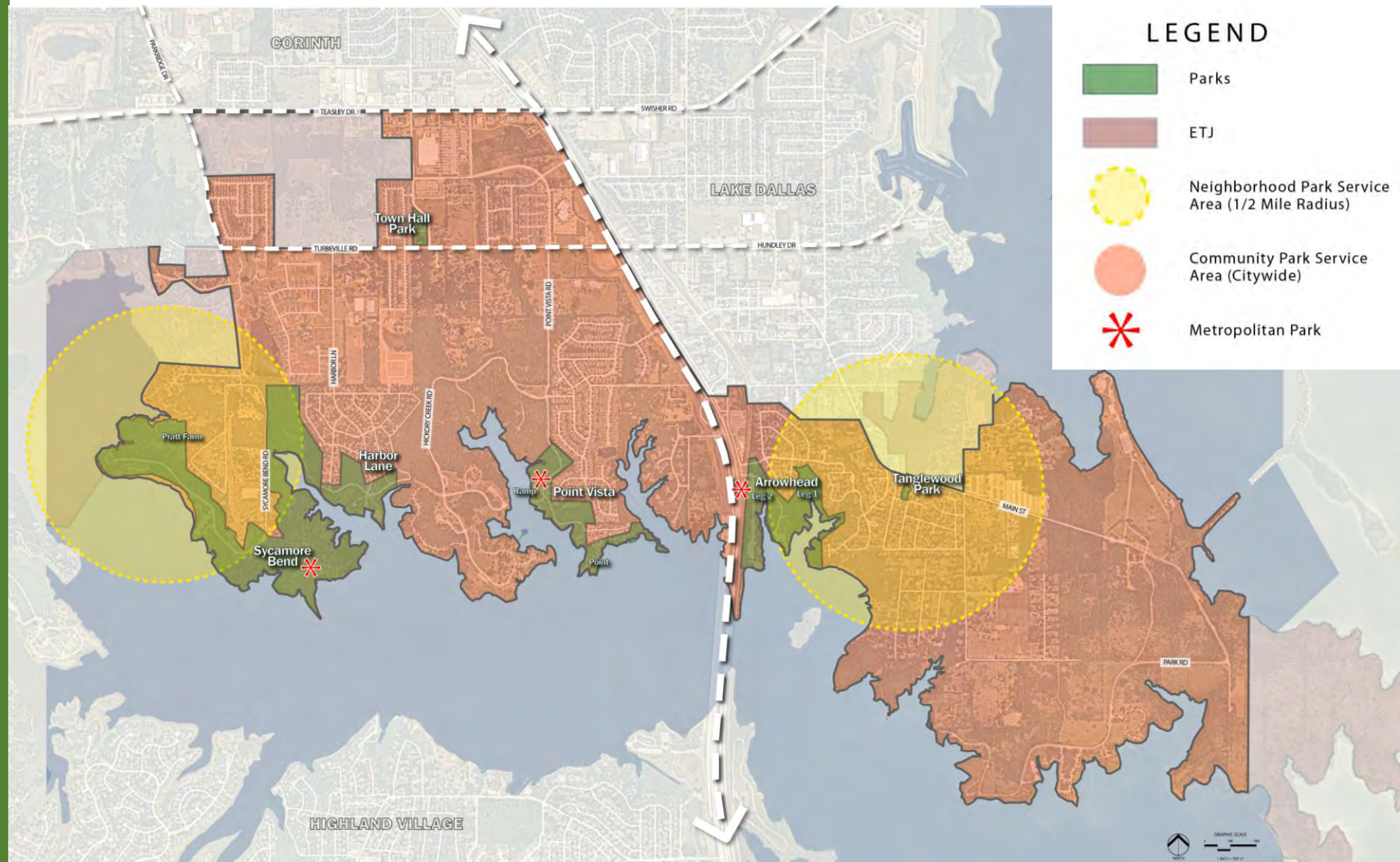
# HICKORY CREEK

## Action Plan

- Strategic Recommendations
- Mapping / Exhibits

## Implementation Plan

- Expenditure Plan
- Funding Recommendations
- Implementation Timeline

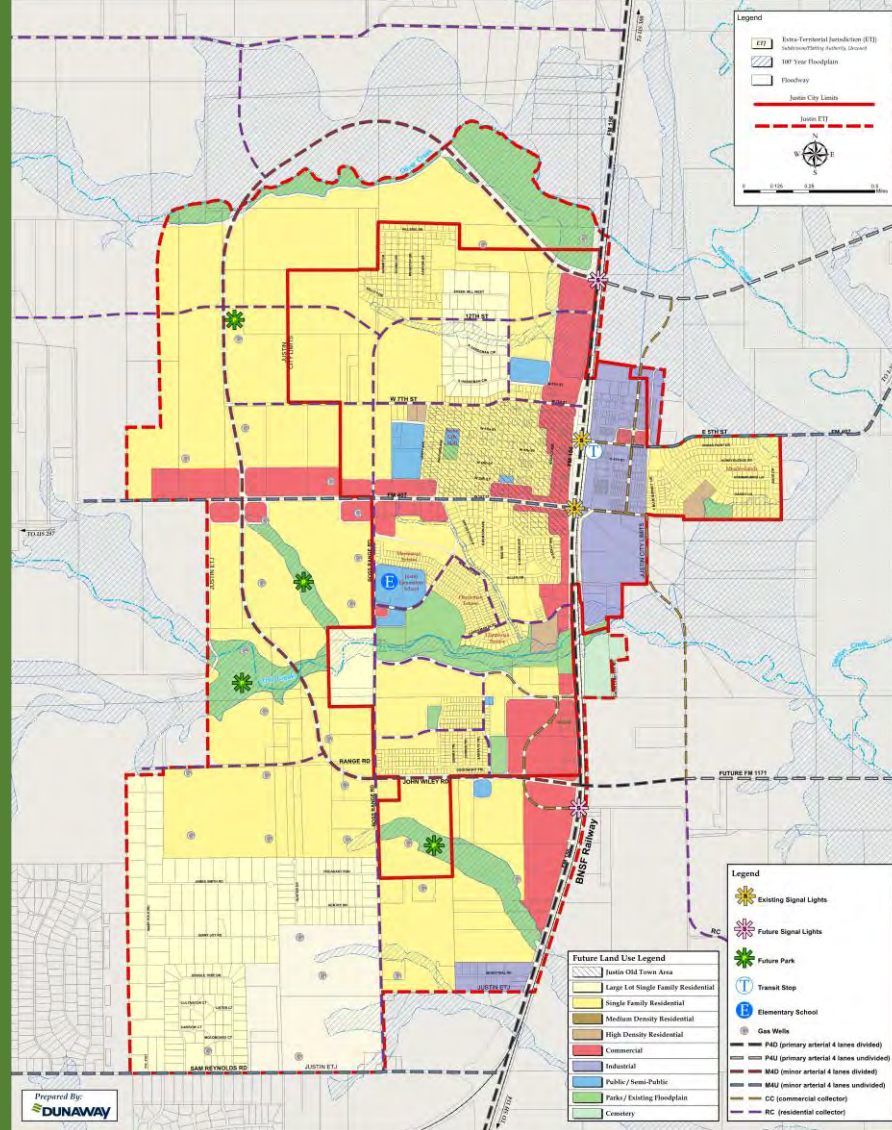




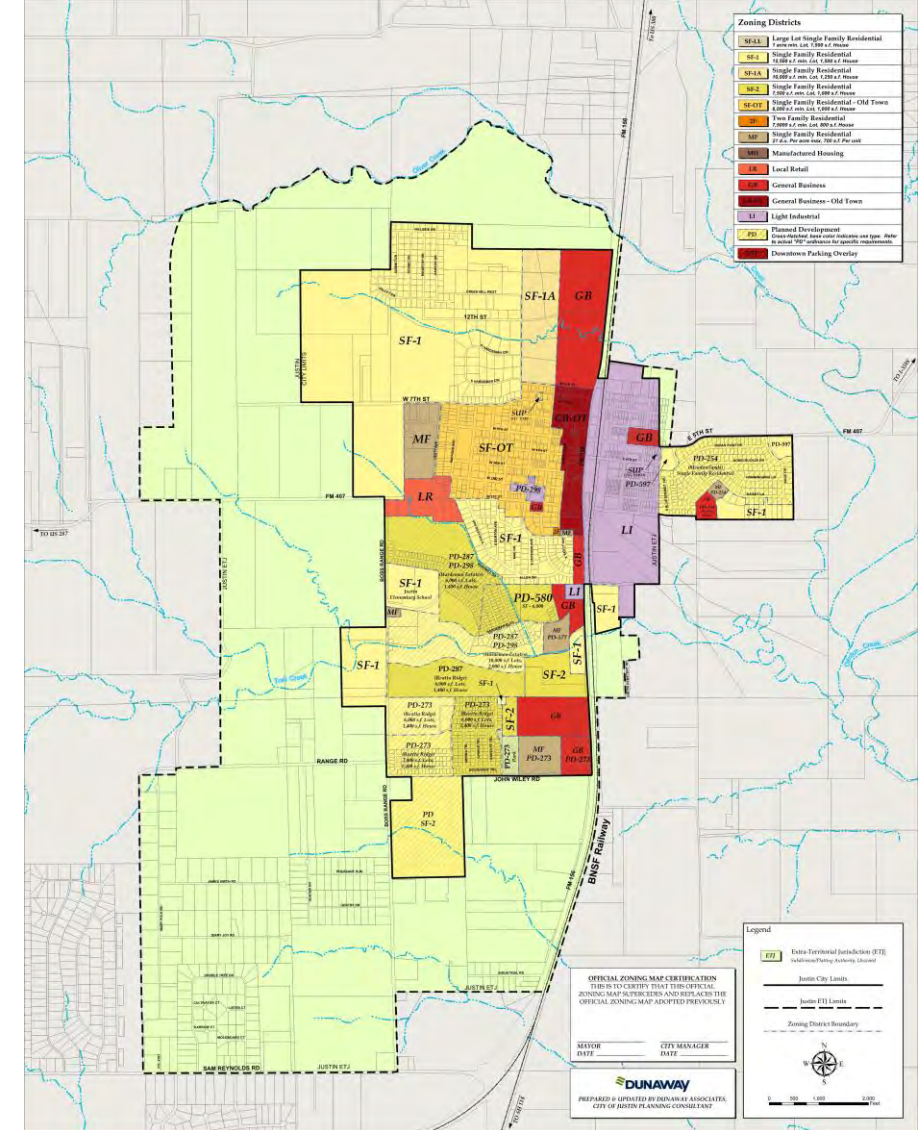
# JUSTIN

## Consultant City Planner

- Over 30 years consultant planner
- Review all Development Proposals (zoning, plats, etc.)
- Update Development Regulations, including Sign Ordinance
- Create Comprehensive Plan
- Parks & Open Space Plan
- Maintain Official Zoning Map
- Establish Impact Fees



Future Land-Use Plan



Official Zoning Map



# Create Town Center/Corridor



THE CIVIC  
CORE

THE AVENUE

THE DISTRICT































# Lake Worth Comprehensive Plan Community Engagement

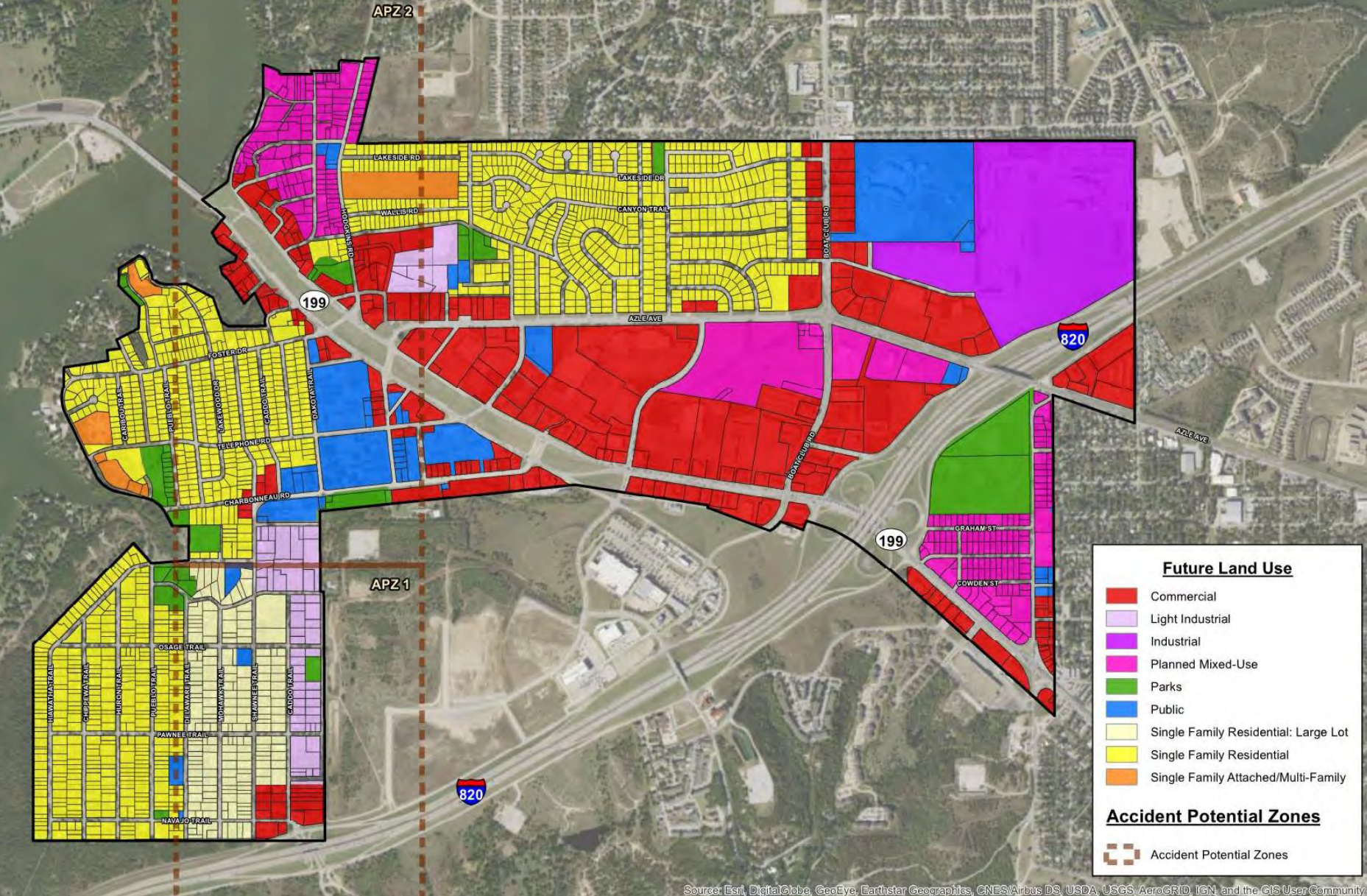
Advisory committee  
Community survey  
Town Hall meeting

## Existing Conditions

Demographic Data  
Existing Land Use  
NAS Fort Worth JRB APZ

## Future Land Use

I-820/SH 199 Interchange  
Mixed Use PD District  
Community Facilities  
District



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# Lake Worth

Comprehensive Plan

Implementation

DEVELOPMENT  
REGULATIONS

SF  
7.5

Section 14.502 SF 7.5, Single Family 7.5

A. Purpose

This zoning classification should be applied in areas of the City to conserve the traditional neighborhood character typical in Lake Worth. It is not intended that this zoning district be the subject of major alterations except for a possible re-classification in minor areas for a less restrictive residential use for reasonable adjustments necessary for orderly development of vacant lots or the gradual transition from other districts.

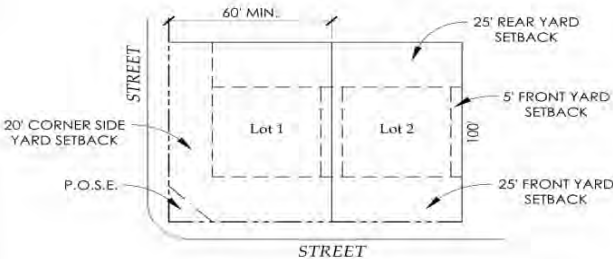
B. Use Regulations

In the SF 7.5, Single Family 7.5 District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, unless otherwise provided in this Ordinance, except as specified in the [Section 14.400, Land Use Table](#).

C. Height and Area Regulations (refer to next page for regulations)

D. Additional Design Requirements

1. Site and building design shall be provided in accordance with Section 14.600, Supplemental Regulations.
2. Parking. Off-street parking shall be provided in accordance with Section 14.610, Vehicle Parking Regulations.
3. Landscaping. Provide lawn grass and one (1) 3-inch caliper tree in the front yard.
4. Architectural design: The main residential structure, including additions and attached garages, shall comply with the following:
  - a. Exterior building materials shall comply with Section 14.607, Masonry requirements.
  - b. The minimum roof pitch shall be in 6:12 for the roof of the principal and accessory structures, including attached garages.
  - c. Garage doors shall be located no closer than 25 feet from the right-of-way.
  - d. The City Manager and/or designee may authorize encroachments into the required yard of up to 20 square feet for fire places and/or bay windows that do not restrict access for public safety and/or adjacent property.
  - e. Exemptions. Prefabricated sunrooms, porch and patio roofs, dormers, bay windows, chimney caps, carports, and similar architectural features, unconditioned additions, and accessory buildings are exempt from the exterior material requirements, as regulated in Section 14.600, Supplemental Regulations.



Page 63

SF  
7.5

Section 14.502 SF 7.5, Single Family 7.5

Height and Area Regulations

1. Lot Area  
The minimum lot area shall be 7,500 square feet.
2. Lot Dimensions  
The width of a lot shall be a minimum of 60 feet and the depth shall be a minimum of 100 feet.
3. Floor Area  
The main residence shall contain a minimum of 1,500 square feet of livable floor space, exclusive of garage, porches and breezeways, and incidental storage areas.
4. Height  
No building hereafter erected, reconstructed, altered, or enlarged shall exceed two (2) stories nor shall it exceed 35 feet.
5. Front Yard
  - a. There shall be a front yard of not less than 25 feet, or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater.
  - b. Corner lots shall have a minimum side yard of 20 feet on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the City Manager and/or designee.
  - c. If a second front yard building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than 20 feet, then the platted building line shall be required on the second front yard.
  - d. Garage doors shall be located no closer than 25 feet from the right-of-way.
6. Rear Yard  
There shall be a rear yard having a depth of not less than 25 feet.
7. Side Yard  
There shall be a minimum side yard of five (5) feet on side yards adjacent to interior lots.
8. Maximum Lot Coverage  
The maximum portion of the lot area which may be covered by the main building and all accessory buildings shall not exceed 60 percent.

SF 7.5 - SINGLE FAMILY 7.5

Site Development

Lot Density 6 dwelling units/acre

Lot Coverage 60 percent

Lot Dimensions

Lot size (min) 7,500 square feet

Lot width (min) 60 feet

Lot depth (min) 100 feet

Building Placement

Minimum Setbacks

Front Yard 25 feet

Side Yard (Interior) 5 feet

Side Yard (Corner) 20 feet

Rear Yard 25 feet

Building Standards

Floor area (min) 1,500 square feet

Height (max) 35 ft. 2 stories max.

Roof pitch (min) 6:12

Masonry 75 percent all sides

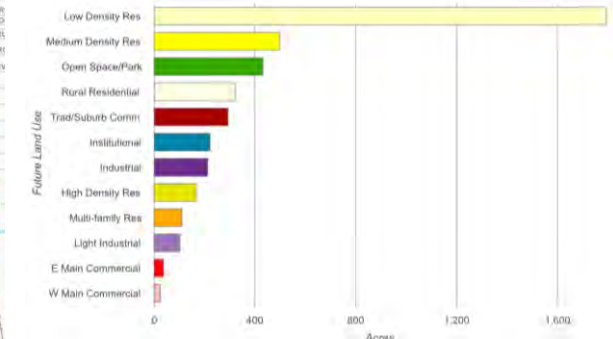
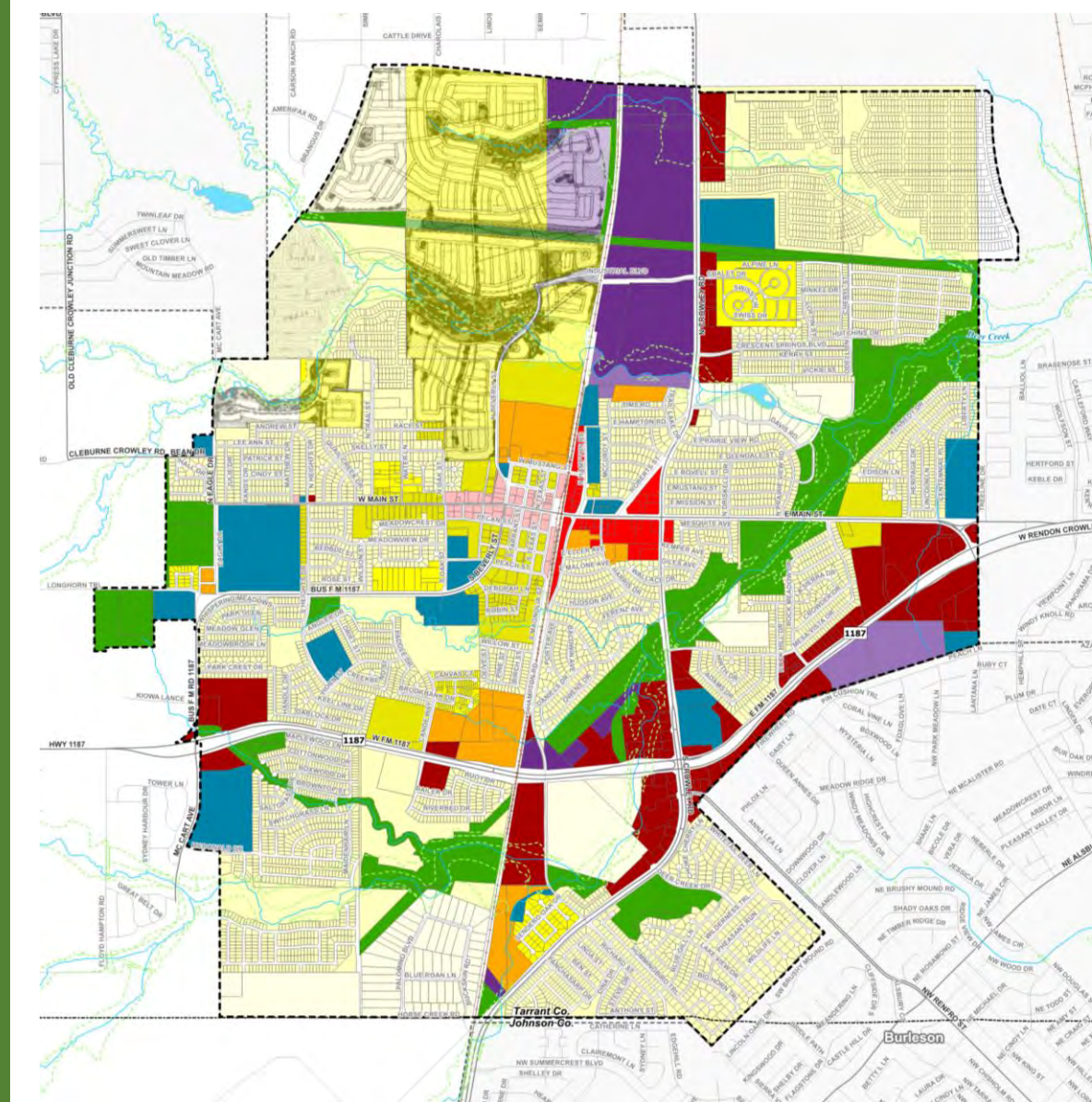
Page 64



# CROWLEY

## Comprehensive Plan: Future Land Use Plan

- Based on Community Engagement
- Range of Residential Types
- Coordinated with new Parks and Trails Master Plan
- Strengthen Community Identity
- Focus on Downtown District





# CROWLEY

## Comprehensive Plan: Fiscal Analysis

### Downtown Crowley

- Based on typical development patterns
- Calibrated to reflect conditions in Crowley
- Illustrates impact of a fully developed downtown district



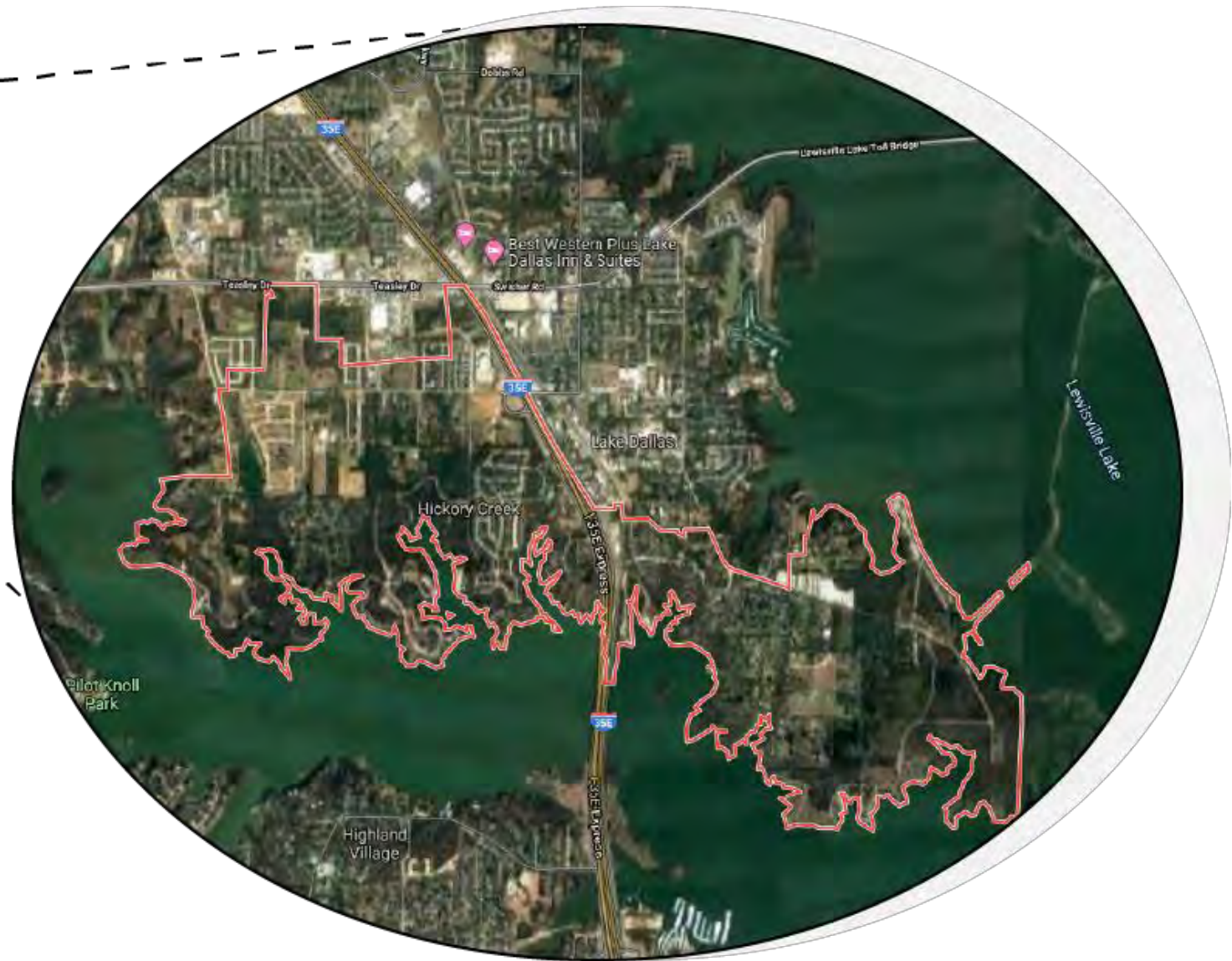


# PROJECT UNDERSTANDING





- NCTCOG
- DCTA (A-Train)
- Corps of Engineers
- Lake Dallas ISD
- City of Corinth
- City of Lake Dallas
- Dallas/Fort Worth Airport
- Lake Cities Chamber of Commerce



# Regional Context



# Community Character



# Goals from 2008 Comprehensive Plan

1	2	3	4	5	6	7	8
Population Growth	Planning & Zoning	Housing & Neighborhoods	Economic Development	Mixed Use Development	Municipal & Institutional	Parks & Trails	Natural Preservation
Achieve Home Rule status	Promote mixed-use development	Promote "Missing Middle" housing types	Capitalize on Lake Lewisville	High-quality mixed-use development	Build new animal shelter	Purchase land for large facility	Preserve rural quality
	Analyze commercial uses/zoning districts	Preserve large lots	Expand commercial development	Build a public anchor site	Provide facilities for town services/offices	Require park dedication	
	Recategorize Industrial Zoning Districts	Promote high quality housing	Enhanced commercial corridors	Focus on I-35 and FM 2181/Teasley /Swisher Roads		Coordinate with Corps	
		Increase property values					



# Goals from 2008 Comprehensive Plan

1	2	3	4	5	6	7	8
Population Growth	Planning & Zoning	Housing & Neighborhoods	Economic Development	Mixed Use Development	Municipal & Institutional	Parks & Trails	Natural Preservation
Achieve Home Rule status	PROMOTE MIXED-USE DEVELOPMENT	Promote "Missing Middle" housing types	Capitalize on Lake Lewisville	HIGH-QUALITY MIXED-USE DEVELOPMENT	Build new animal shelter	Purchase land for large facility	Preserve rural quality
	Analyze commercial uses/zoning districts	Preserve large lots	Expand commercial	Build a public anchor site	Provide facilities for town homes/offices	Require park dedication	
	Recategorize Industrial Zoning Districts					Coordinate with Corps	



# Goals from 2008 Comprehensive Plan

1

Population  
Growth

Achieve Home  
Rule status

2

Planning &  
Zoning

Promote mixed-  
use development

Analyze  
commercial uses/  
zoning districts

Recategorize  
Industrial Zoning  
Districts

3

Housing &  
Neighborhoods

Promote "Missing  
Middle" housing  
types

Preserve large lots

PROMOTE  
HIGH-QUALITY  
HOUSING

Increase property  
values

4

Economic  
Development

Capitalize on  
Lake Lewisville

Expand  
commercial  
development

Enhance  
commercial  
corridors

5



services/offices

6



7

Parks & Trails

Purchase land for  
large facility

Require park  
dedication

Coordinate with  
corps

8

Natural  
Preservation

Preserve rural  
quality



# Goals from 2008 Comprehensive Plan

1

Population Growth

Achieve Home Rule status

2

Planning & Zoning

Promote mixed-use development

3

Housing & Neighborhoods

PROMOTE DIVERSE HOUSING TYPES

4

Economic Development

Capitalize on Lake Lewisville

5

Mixed Use Development

Promote mixed-use development

6

Municipal & Institutional

Build new animal shelter

7

Parks & Trails

Purchase land for large facility

8

Natural Preservation

Preserve rural quality



Require park dedication

Coordinate with Corps

# Goals from 2008 Comprehensive Plan

1

2

3

4

5

6

7

8



g &  
hoods

Missing  
using

Large lots

High  
using

Property

Economic  
Development

Capitalize on  
Lake Lewisville

Expand  
commercial  
development

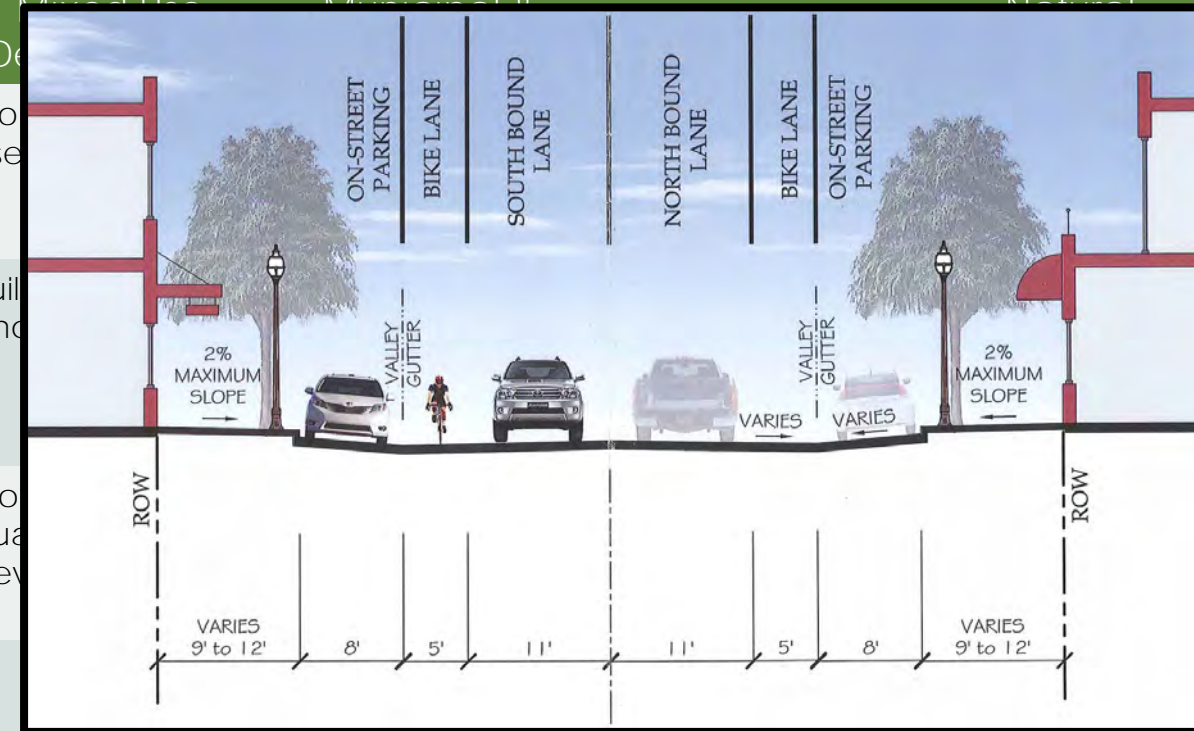
ENHANCED  
COMMERCIAL  
CORRIDORS

De

Pro  
use

Build  
and

Pro  
qua  
dev





# Trends since 2008

- Regional population growth
- Retail growth brought by DCTA light rail
- Planned and programmed City Parks
- Commercial development:
  - Expanded with FM 2181/Swisher/Teasley Dr. and I-35E expansions
  - Maintained low property taxes



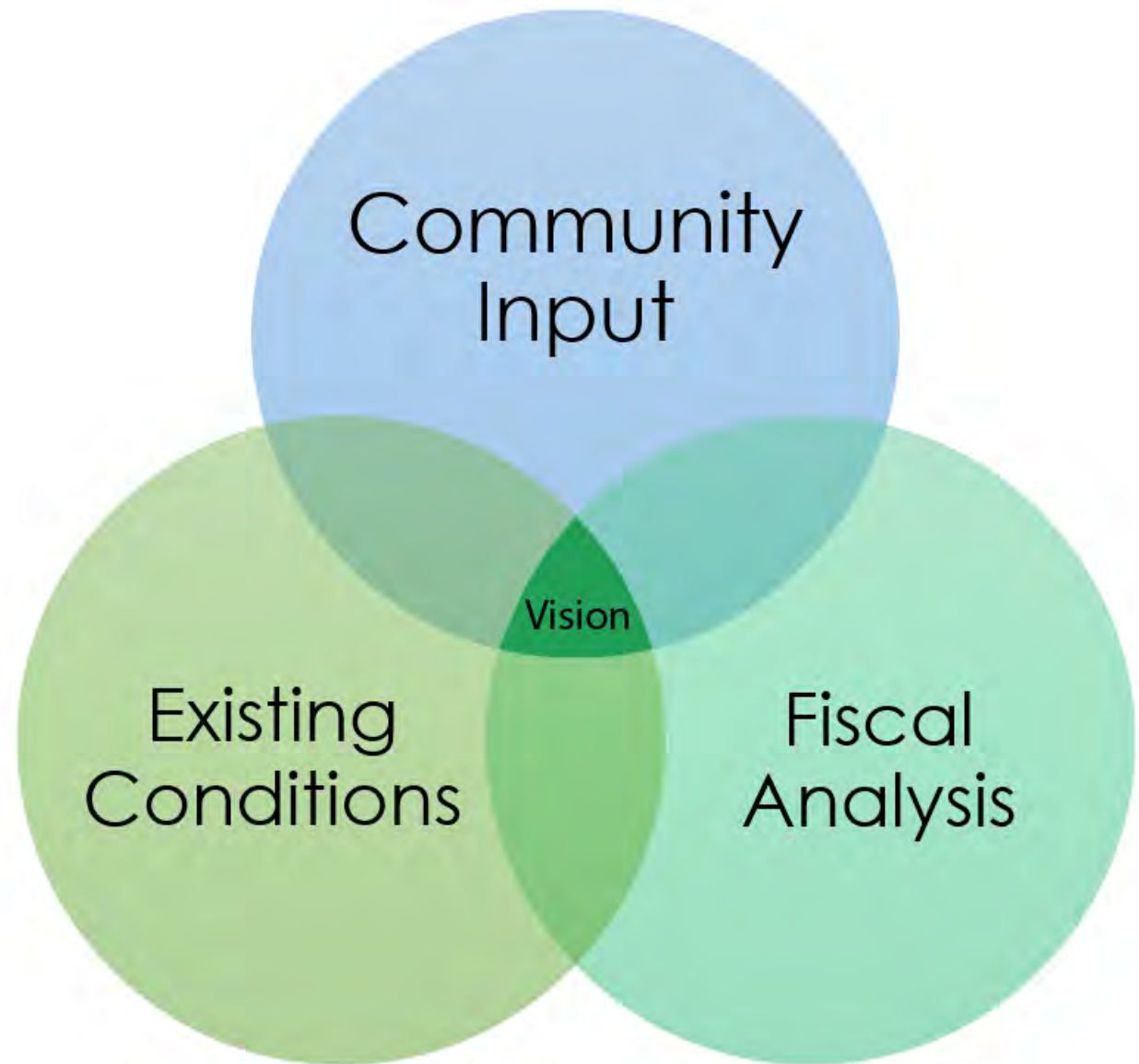
<https://images.app.goo.gl/bX1GL25tKR0etvI9>

# COMPREHENSIVE PLANNING APPROACH

# 2040 Hickory Creek

## MAJOR COMPONENTS

- EXISTING CONDITIONS
- COMMUNITY INPUT
- FISCAL ANALYSIS

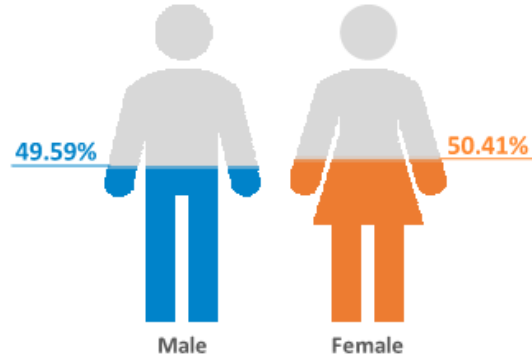




# 2040 Hickory Creek EXISTING CONDITIONS

- Local History
- Community Character
- Regional Context
- Demographic Trends
- Development Patterns
- Zoning Analysis
- Transportation/Mobility
- Environmental Context

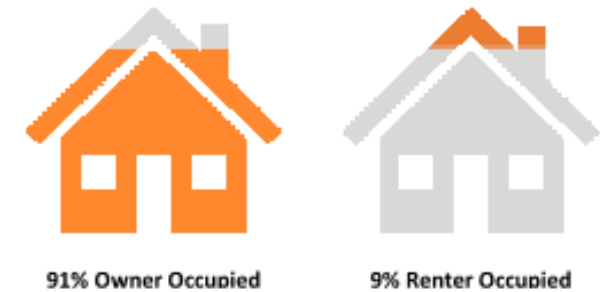
2019 POPULATION BY SEX



HOUSEHOLD GROWTH



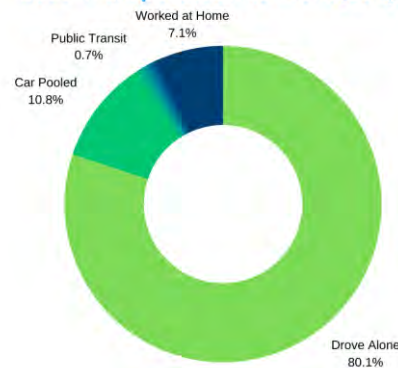
OCCUPIED HOUSING BY TENURE



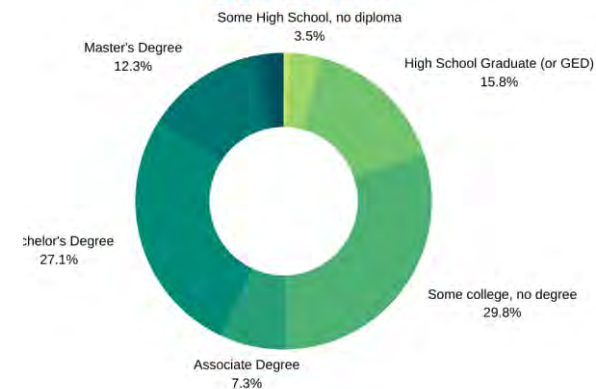
HICKORY CREEK POPULATION DATA

2000	2010	2019	Projected 2024
2,663	3,247	4,560	5,000

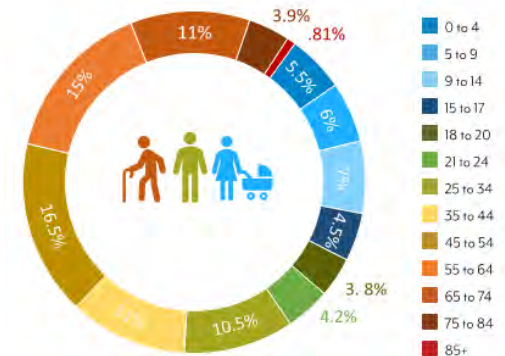
2019 Transportation to Work (16+)



2019 Education



2019 POPULATION BY AGE



# 2040 Hickory Creek

## FISCAL ANALYSIS

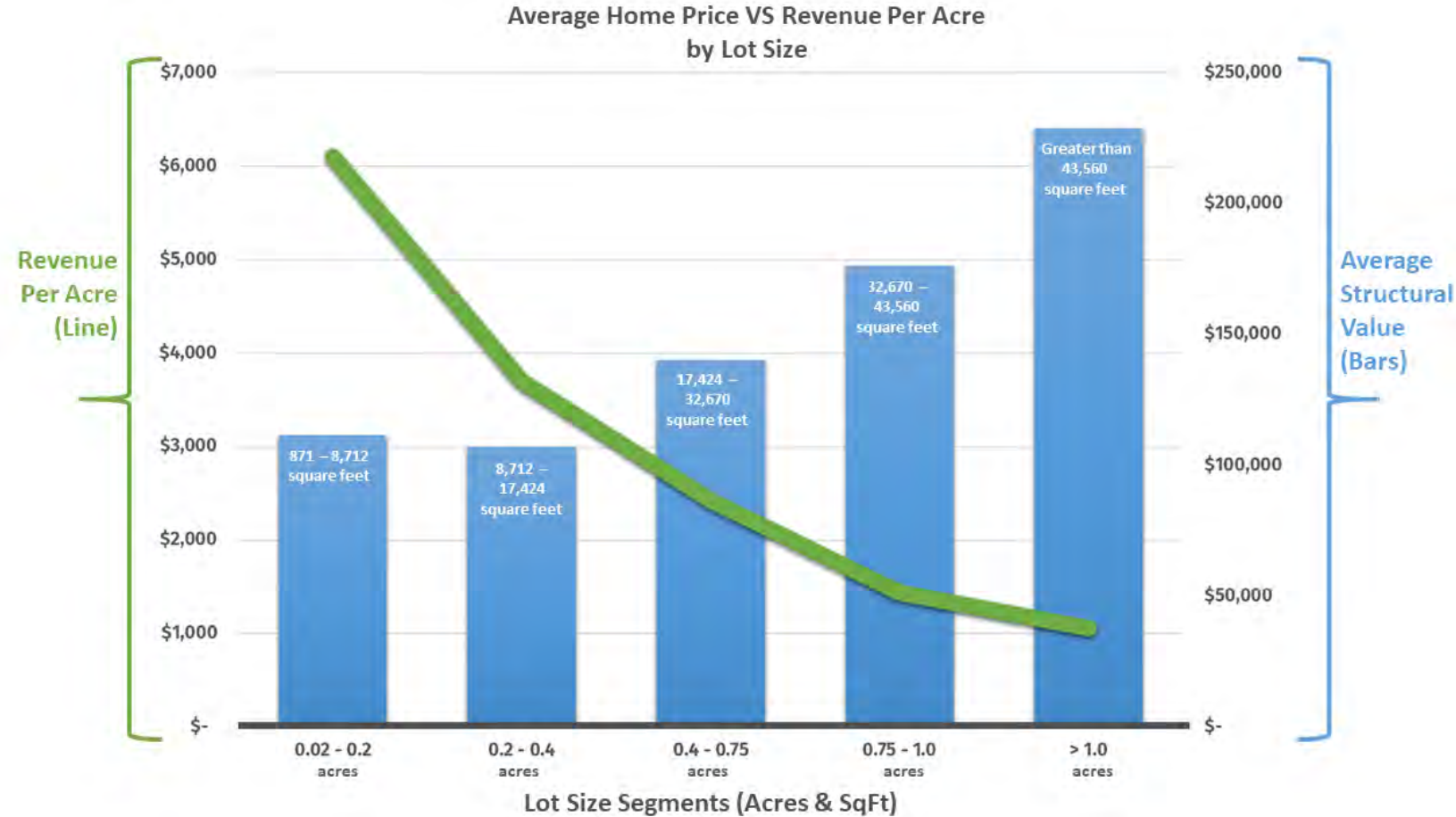
Analysis of current Town  
budget

Revenue by land use

Mixed use development



Sustainable economy





# 2040 Hickory Creek

## COMMUNITY INPUT

Advisory Committee

Community Survey

Social Pinpoint

Town Website

amenities Close big city business Calm Still traffic lots wonderful little living people  
Hometown feel fun s areas Ft Worth Clean comfortable diverse Beautiful schools  
enough needs Boring Great ghetto close location home Close Burleson  
affordable Charming safe used Small town feel  
peaceful Small town Homey friendly town feel  
Small family oriented quiet restaurants Growing  
Safe Comfortable convenient suburb country Bedroom  
community Laid back family crowded good Fort Worth Nice  
town attitude city hometown old Needs updated feel South Fort Worth Run much Quaint  
close everything park cheap Quite entertainment small town atmosphere Rural low crime  
much traffic good school easy Nice quiet







Town Hall Meetings

		VERY IMPORTANT	IMPORTANT	SOMEWHAT UNIMPORTANT	NOT IMPORTANT AT ALL
<b>A</b>	Quality shopping opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>B</b>	Overall appearance of College Station	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>C</b>	Appearance of neighborhoods	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>D</b>	Availability of medical/health care facilities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>E</b>	Recreational opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>F</b>	Educational opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>G</b>	Entertainment opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>H</b>	Cultural activities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>I</b>	Opportunities to participate in local government	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>J</b>	Ease of car travel around town	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>K</b>	Job opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>L</b>	Business opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>M</b>	Support of sustainability, environmental and green issues	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>N</b>	Volunteer opportunities	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>O</b>	Quality of business and service establishments	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>P</b>	Quality of new development	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>Q</b>	Availability of open space	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>R</b>	Ease of bicycle travel around town	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>S</b>	Sense of community	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>
<b>T</b>	Availability of quality affordable housing	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>

Citizen Survey



Advisory Committee



Visioning Session





## Comprehensive Planning Process

### Phase 1 Data Collection

HICKORY CREEK POPULATION DATA			
2000	2010	2019	Projected 2024
2,663	3,247	4,560	5,000

- Establish Advisory Committee
- Data Collection & Base Map
  - Demographic Trends
  - Zoning and Land Use Analysis
  - Transportation and Mobility Issues
- Fiscal Analysis (Dunaway + Urbex)
  - Appraisal District data
  - Regional Development patterns

### Phase 2 Community Engagement



- Community Visioning / Charrette
- Online Survey  
(Dunaway + National Service Research)
  - ✓ City Website
  - ✓ Social Media
  - ✓ Email Links
    - to Citizens
    - HOAs
  - ✓ Notices in Water Bills
  - ✓ Mailed Postcard w/  
Link to Online Survey
  - ✓ Other
- Update Advisory Committee



## Comprehensive Planning Process

### Phase 3 Plan Preparation

- Establish Community Priorities
- Preliminary Comprehensive Plan
  - Future Land Use Plan
  - Master Thoroughfare Plan
  - Mapping / Exhibits
- Preliminary Implementation
  - Goal
  - Action
  - Time Frame

#### 2035 LAKE WORTH COMPREHENSIVE LAND USE PLAN

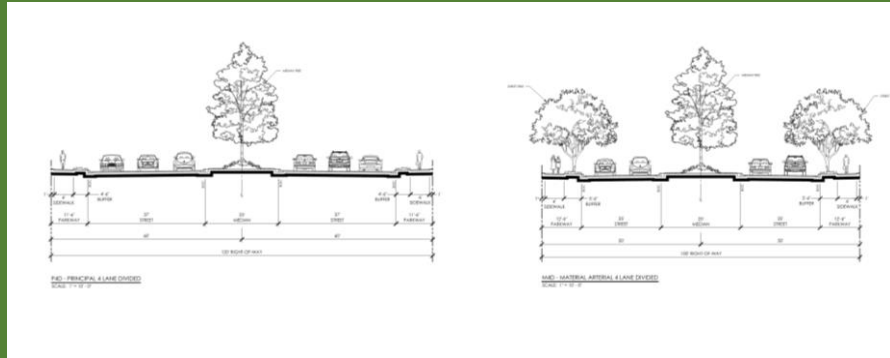
Focus Area	Goal	Development Principle	Action	Time Frame
Community	Set up storefront improvement program for existing businesses	Sustainability	Create stakeholder committee; Include fund in annual budget; Create application process	Immediate 1-2 years
	Reduce residential uses in APZs	Resiliency	Revise development regulations to include APZ Overlay District	Immediate 1-2 years
	Incentivize creation of large residential lots and industrial uses in APZ I	Resiliency	Revise development regulations, review process, permit requirements	Immediate 1-2 years
	Provide new high density residential options outside of APZs	Sustainability	Revise development regulations	Immediate 1-2 years
	Address AICUZ in building codes	Resiliency	Adopt updated building codes; Revise development regulations	Immediate 1-2 years
	Establish recycling program	Sustainability	Study costs and benefits; coordinate with local agencies	Near term 2-5 years
	Create walkable mixed-use commercial core between Azle Ave and SH 199	Marketability	Create Commercial Core small area plan; Revise development regulations, review process, permit regulations	Near term 2-5 years
	Create horizontal planned mixed-use small area plan for area west of Hodgkins Road	Marketability	Create Lake View small area plan	Near term 2-5 years
	Create horizontal mixed-use small area plan along Robert's Cut Off Road	Marketability	Create Robert's Cut Off small area plan	Near term 2-5 years
	Strengthen active transportation connections across SH 199 between City Hall and commercial core	Resiliency	Create Commercial Core small area plan	Near term 2-5 years
	Identify and improve key corridors as Main Streets (i.e. Charbonneau Road)	Sustainability	Based on update to Master Thoroughfare Plan and Commercial Core small area plan	Near term 2-5 years
	Build community gathering location, such as a plaza or outdoor entertainment venue	Sustainability	Based on Commercial Core small area plan; Include in Capital Improvements Program and/or budget	Near term 2-5 years
	Create strategic plan to attract developers and new businesses	Marketability	Subsequent phase of Commercial Core small area plan	Long term 5-10 years
Natural	Improve facilities at existing city parks, such as shade structures over playground equipment	Sustainability	Incorporate into the Parks Master Plan; Include in Capital Improvement Program	Immediate 1-2 years
	Connect existing city parks with trails and sidewalks	Sustainability	Inventory parks and update plan	Near term 2-5 years
	Develop streetscape aesthetic which promotes natural context	Marketability	Create stakeholder committee to determine theme for city based on regional location and proximity to lake	Near term 2-5 years
	Create connection to Lake Worth	Sustainability	Coordinate with property owners and FW to acquire lake frontage/shoreline	Long term 5-10 years
Regional	Improve intersections on key corridors	Resiliency	Identify and study key intersections; Include in updated Master Thoroughfare Plan	Immediate 1-2 years
	Coordinate with NAS FW JRB in APZs*	Resiliency	Coordinate landscape and streetscape standards in APZ I in updated development regulations; Coordinate permitted commercial and industrial uses with Navy recommendations in APZ II	Immediate 1-2 years
	Design and construct large identification signs on Loop 820 and SH 199	Marketability	Create stakeholder committee to determine design; coordinate with property owners	Near term 2-5 years
	Evaluate PLMC Lake Worth and Joining Forces plans (NCTCOG)	Resiliency	Incorporate action items applicable to Lake Worth and update the Comprehensive Plan	Near term 2-5 years
	Improve intersection of Navajo Trail and Loop 820	Sustainability	Study intersection; coordinate with NCTCOG and Fort Worth	Long term 5-10 years







## Comprehensive Planning Process



## Phase 4 Adoption & Implementation

- Update Advisory Committee
- Public Approval Process
  - Town Hall
  - Planning and Zoning Board
  - Town Council
- Adoption
- Delivery of Final Documents





## Dunaway Experience

- Capitalize on natural assets and regional context
- Coordinate with Parks and Recreation Master Plan
- Build on sense of place and community identity

## Hickory Creek Team

- Dunaway Associates: multi-disciplinary
- Urbex Solutions
  - Successful partnership with previous planning efforts
  - Fiscal analysis is data to support land use decisions
- National Service Research
  - Proven community engagement in Hickory Creek
  - Opportunity to build on recent citizen input

## Vision to Reality

- Creative partnerships
- Funding opportunities
- Sustainable development pattern



# Multidisciplinary



Civil  
Engineering



Environmental



GIS



Planning/  
Landscape Architecture



Water  
Resources



Traffic



Surveying



Structural





## Dunaway Experience

- Capitalize on natural assets and regional context
- Coordinate with Parks and Recreation Master Plan
- Build on sense of place and community identity

## Hickory Creek Team

- Dunaway Associates: multi-disciplinary
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  - Proven community engagement in Hickory Creek
  - Opportunity to build on recent citizen input

## Vision to Reality

- Creative partnerships
- Funding opportunities
- Sustainable development pattern





# Comprehensive Plan Update



**Item Attachment Documents:**

17. Presentation regarding the Lake Cities Fire Department from Chief Michael Ross.





## Fire Services

### Michael Ross, Fire Chief

The Fire Department is a recognized leader in the development and delivery of professional and innovative emergency and life-safety services. We'll be there – Ready to respond, compassionate in our care, and safe in our work.

# OPERATIONAL AND ADMINISTRATIVE ANALYSIS

---

## CORINTH, TEXAS for Lake Cities Fire Department

*Final Report-October 2019*



# CPSM<sup>®</sup>

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CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC  
475 K STREET NW, STE 702 • WASHINGTON, DC 20001  
WWW.CPSM.US • 716-969-1360

## ICMA

Exclusive Provider of Public Safety Technical Services for  
International City/County Management Association



# Center for Public Safety Management. LLC

---

- In 2014, as part of a restructuring at ICMA, the Center for Public Safety Management (CPSM) was spun out as a separate company. It is now the exclusive provider of public safety technical assistance for ICMA.
- Workload and deployment analysis using unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs, and align department operations with industry best practices.
- Conducted more than 315 studies in 42 states and provinces and 224 communities ranging in population from 8,000 (Boone, Iowa) to 800,000 (Indianapolis, Ind.).

# Key Factors

---

- Fire department response times (using data from the City's computer-aided dispatch system and the LCFD records management systems).
- Deployment, staffing, and overtime.
- Agency interaction with neighboring mutual aid and joint response partners.
- Organizational structure and managerial oversight.
- Fire and EMS workloads, including unit response activities.
- LCFD support functions (training, fire prevention/code enforcement, and 911 dispatch).
- Essential facilities, equipment, and resources.
- An evaluation of the capacity of the organization to best position itself in meeting anticipated demand.

# Overview of Process

---

- Retained by the City of Corinth to evaluate the Lake Cities Fire Department and conduct an Operational and Administrative Analysis for its fire department.
- Analysis included a thorough review of the organization structure, training, performance measures, prevention activities, and interactions with mutual aid and regional partners.
- During the study, CPSM analyzed performance data provided by the Lake Cities Fire Department (LCFD) and examined firsthand the department's operations.
- The provided information was supplemented with information collected during an on-site visit to observe the performance of the department and to compare that performance to national benchmarks.

# Overview of Findings

---

- The Lake Cities Fire Department is a highly skilled and progressive organization that is making exceptional progress in dealing with a very significant and growing workload.
- The personnel with whom CPSM interacted are truly interested in serving the Cities of Corinth, Hickory Creek, Lake Dallas and Shady Shores to the best of their abilities and demonstrated a unified goal of achieving excellence in service delivery.
- The multi-city contractual relationship was clearly providing for the most efficient, most effective, and most affordable service delivery system to all residents.
- The department is well-respected in the community and by City leadership.
- The LCFD is an exemplary department whose challenge will be sustainability.
- Extraordinary efforts have been made to reconfigure the operations of the department that have resulted in reduced overtime, improved service, and management by data driven decisions.

# Department Recommendations

“CPSM looked for areas that could be viewed as needing improvement and found few that met such a need.”

- 1 Consider staffing three command positions (Battalion Chiefs) – one per shift to alleviate demand on administration
- 2 The LCFD should institute an internet-based video conferencing system to facilitate regular meeting forums (daily/weekly/monthly), to discuss departmental initiatives and new directives
- 3 Expand “Excellent” training program to include professional development programs
- 4 The LCFD should fill its vacant command position. (Filled)
- 5 Prior to any anticipated, large public event, the fire and police departments should identify a common radio communications channel to be utilized for interoperability during the event





# Department Recommendations Cont.

6

Conduct a formal fire risk analysis for each of the four member communities, taking into account the varying demographic make-ups

7

Develop a written internal risk management program, including implementing a wellness program with a baseline physical screening

8

Hazardous material incidents: maintaining control on incidents and continue efforts to handle smaller incidents with contracts in place. Larger incidents handled through a contractual arrangement

9

Consider CPSE fire accreditation

10

LCFD and its member cities should adopt the Community Risk Reduction philosophy

11

LCFD should work with the medical director and dispatch to reduce the overall need to run with lights and siren to both EMS and fire calls





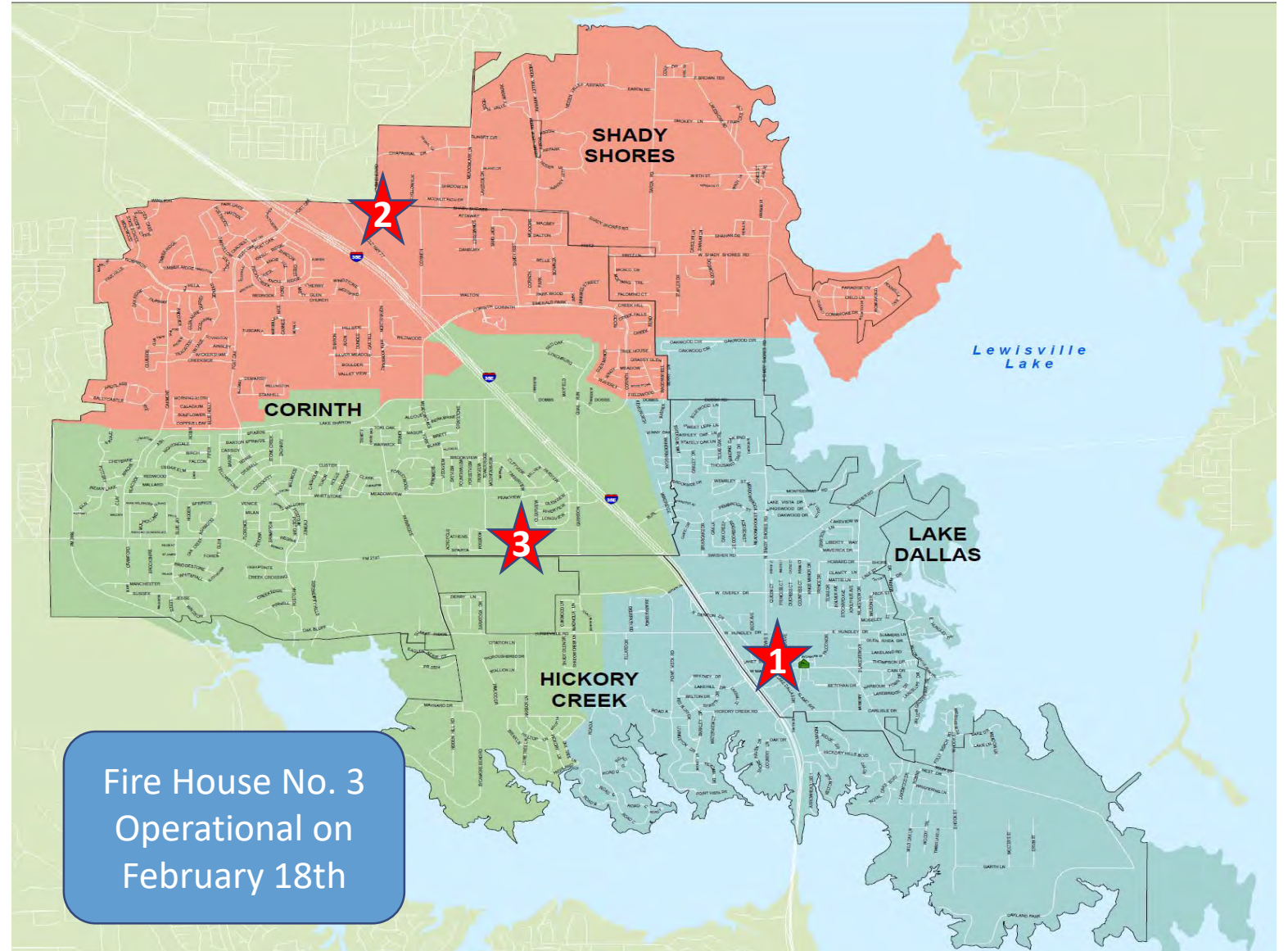
**Fire House No. 1**  
**275 Main Street, Lake Dallas**



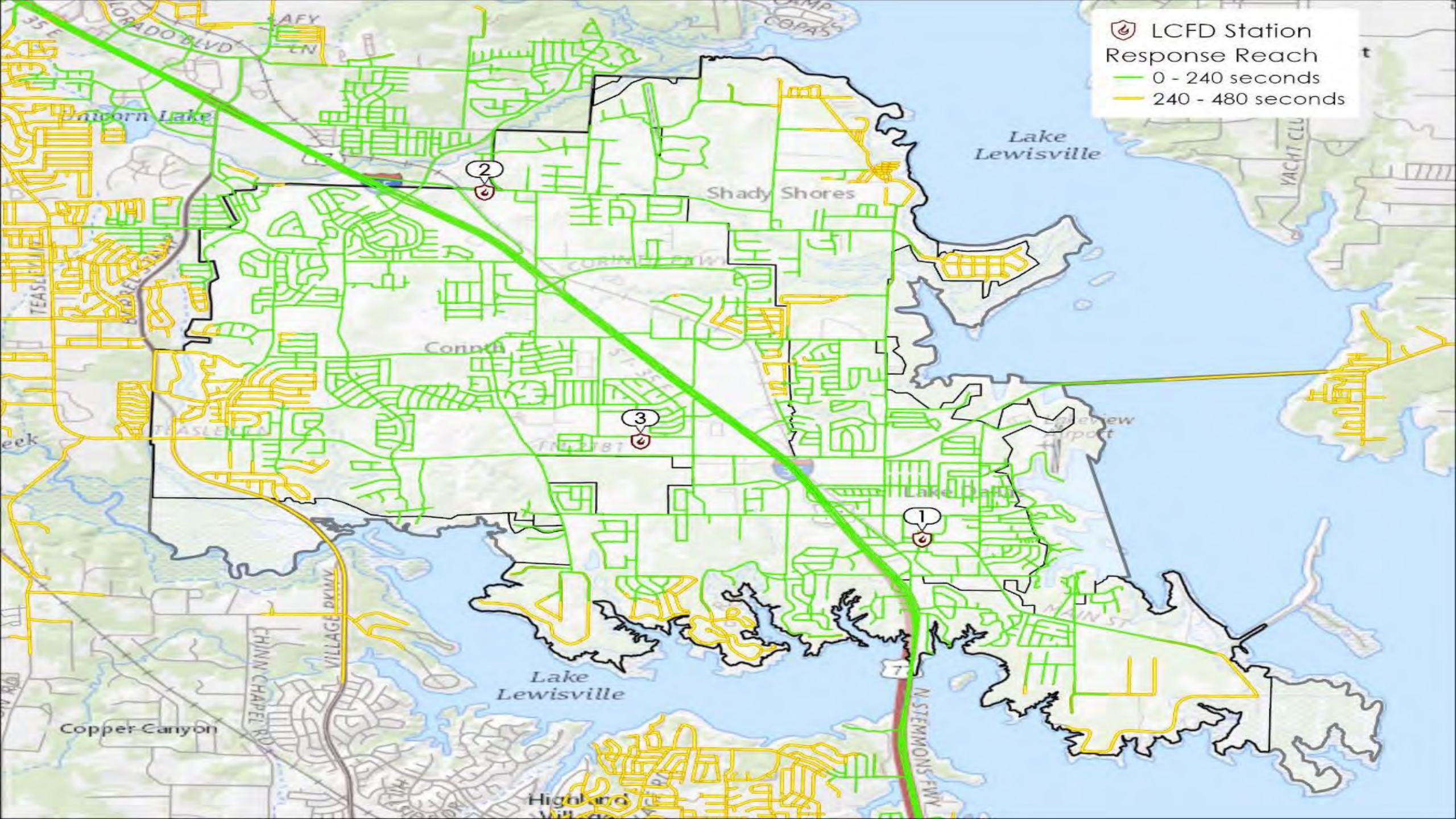
**Fire House No. 2**  
**2700 W. Shady Shores, Corinth**



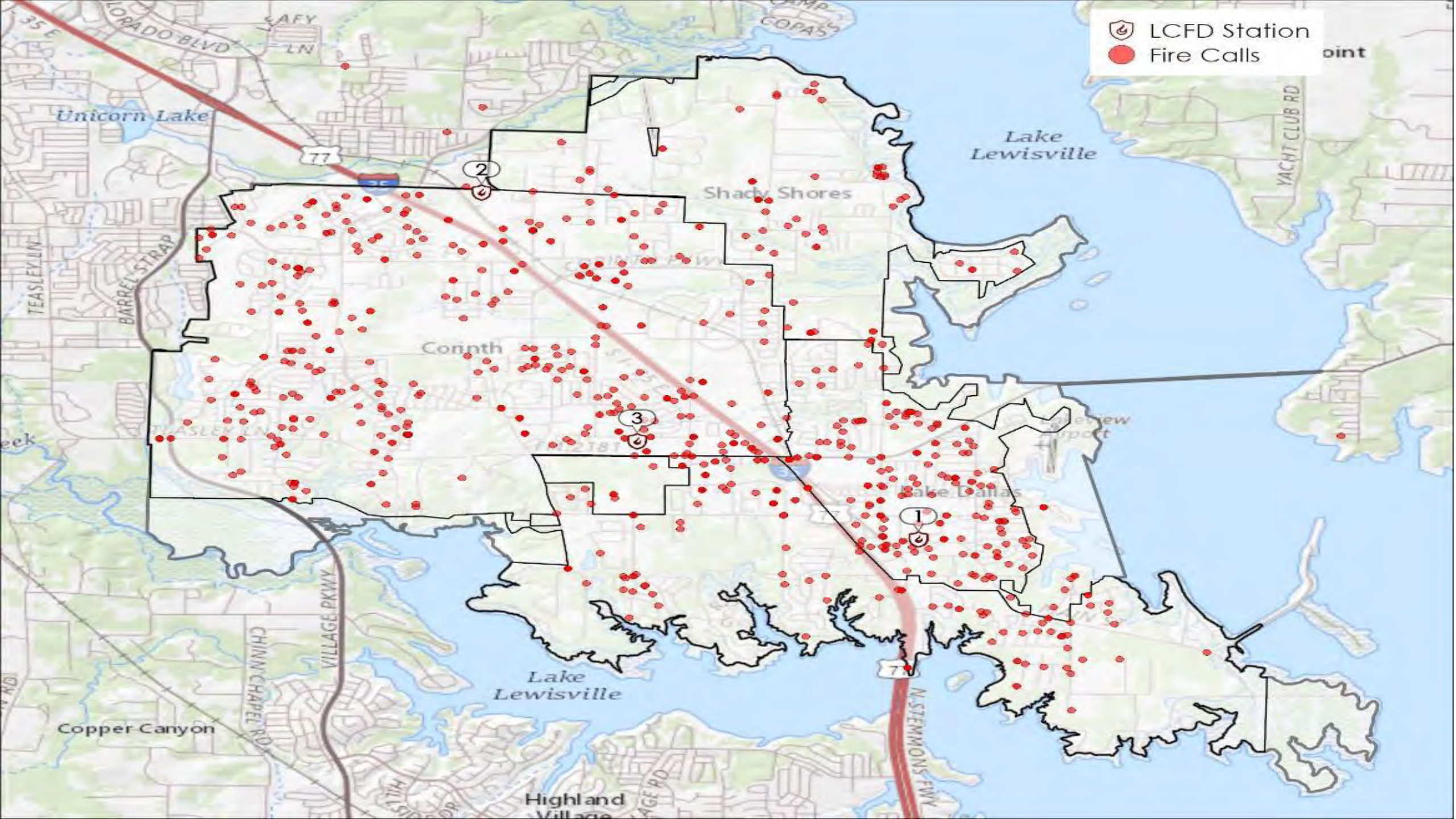
**Fire House No. 3**  
**3750 Clif Oaks, Corinth**



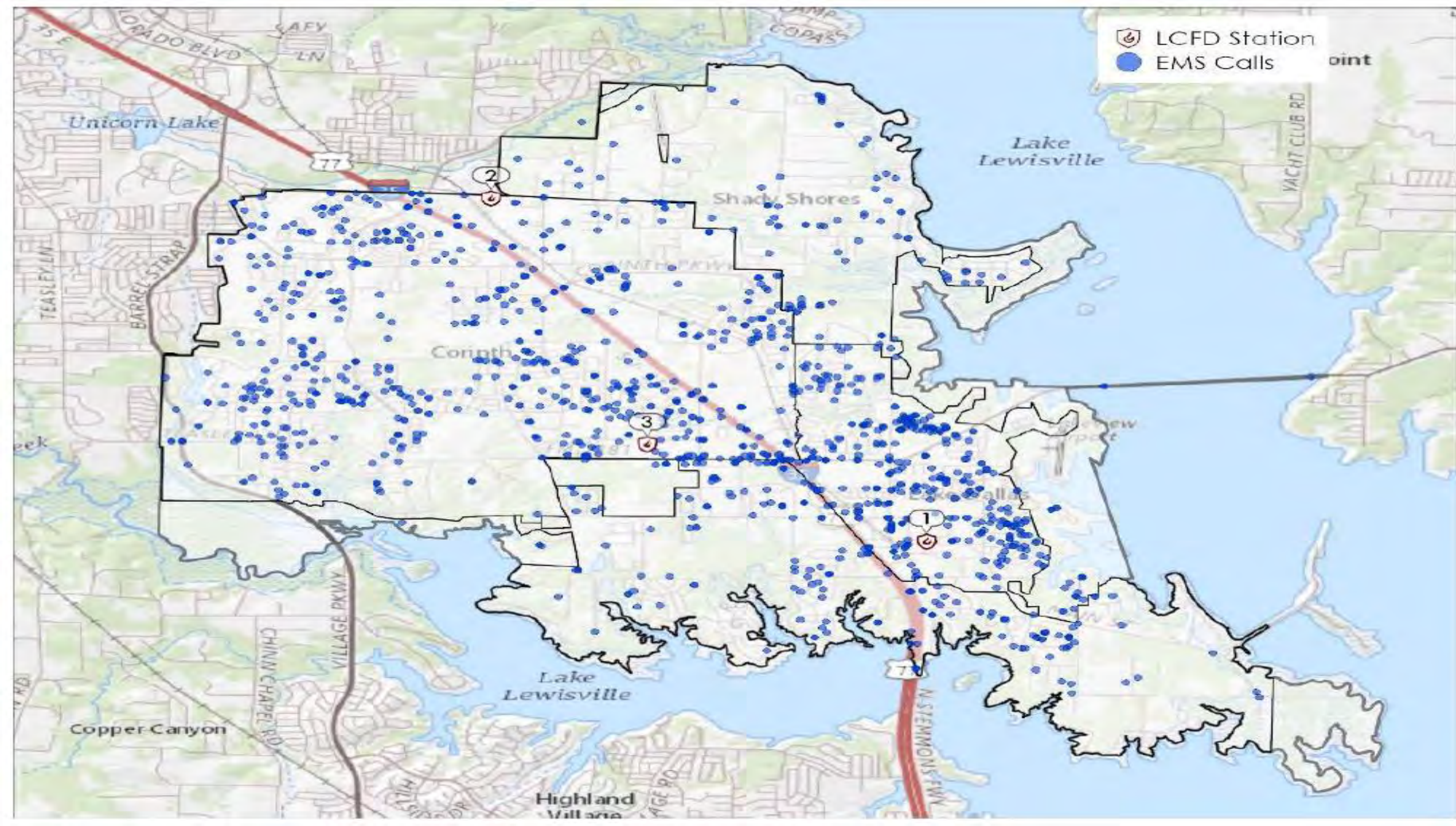














# Action Plans

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## Completed

- Updated HazMat companies
- Evaluated radio Channels and found 32+ shared channels for better communication and interoperability between FD and PD
- Reduced Reaction times from 1.8 to 1.3

## Planned

- Create committee to develop an all cities Community Risk Reduction Implementation Program
- Additional command and succession planning for members
- Continue transparency and relationship building from the Chief down to all Towns/Cities

**Item Attachment Documents:**

18. Consider and act on a resolution of the Town of Hickory Creek, Texas approving the Hickory Creek Public Improvement District No. 2 2020 Amended Service And Assessment Plan, including proposed reallocation of the assessment roll; directing the filing of the proposed reallocation of the assessment roll with the town secretary; calling a public hearing to consider an ordinance reallocating assessments on the public improvement district.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2020-0127-\_\_**

**A RESOLUTION OF THE TOWN OF HICKORY CREEK, TEXAS  
APPROVING THE HICKORY CREEK PUBLIC IMPROVEMENT  
DISTRICT NO. 2 2020 AMENDED SERVICE AND ASSESSMENT PLAN,  
INCLUDING PROPOSED REALLOCATION OF THE ASSESSMENT  
ROLL; DIRECTING THE FILING OF THE PROPOSED  
REALLOCATION OF THE ASSESSMENT ROLL WITH THE TOWN  
SECRETARY; CALLING A PUBLIC HEARING TO CONSIDER AN  
ORDINANCE REALLOCATING ASSESSMENTS ON THE PUBLIC  
IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS  
INCIDENT AND RELATED THERETO**

**RECITALS**

**WHEREAS**, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "Act") authorizes the governing body (the "Town Council") of the Town of Hickory Creek, Texas (the "Town"), to create a public improvement district within the Town; and

**WHEREAS**, the Town Council has created the Hickory Creek Public Improvement District No. 2 (the "District"); and

**WHEREAS**, the Town Council and the Town staff have been presented a "Hickory Creek Public Improvement District No. 2 - 2020 Amended and Restated Service and Assessment Plan" (the "Amended SAP") including the proposed reallocation of the Improvement Area #1 Assessment Roll and the Improvement Area #2 Assessment Roll attached thereto (collectively, the "Reallocated Assessment Roll"), a copy of which is attached hereto as Exhibit A and is incorporated herein for all purposes; and

**WHEREAS**, the Amended SAP sets forth the change in previously Non-Benefitted Property (as defined in the Amended SAP) which requires a reallocation of the assessments that have been levied against each parcel of land in the District; and

**WHEREAS**, the Act requires that that the Reallocated Assessment Roll be filed with the Town Secretary of the Town (the "Town Secretary") and be subject to public inspection; and

**WHEREAS**, the Act requires that a public hearing (the "Hearing") be held to consider reallocation of assessments and requires the Town Council to hear and pass on any objections to the proposed reallocation of assessments at, or on the adjournment of, the Hearing; and

**WHEREAS**, the Act requires that notice of the Hearing be mailed to property owners liable for the reallocated assessments and published in a newspaper of general circulation in the Town before the 10<sup>th</sup> day before the date of the Hearing;

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

SECTION 1. The recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the Town Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. The Town Council hereby accepts the Amended SAP for the District, including the Reallocated Assessment Roll.

SECTION 3. The Town Council hereby authorizes and directs the filing of the Reallocated Assessment Roll with the Town Secretary and the same shall be available for public inspection.

SECTION 4. The Town Council hereby calls a public hearing (the Hearing as defined above) to be held on February 24 at 6:00 p.m. in the regular meeting place of the Town Council in the Council Chamber in the Town Hall located at 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065, at which the Town Council shall, among other actions, hear and pass on any objections to the proposed reallocation of assessments; and, upon the adjournment of the Hearing, the Town Council may consider an ordinance reallocating the assessments as described in the Amended SAP.

SECTION 5. The Town Council hereby authorizes and directs the Town Secretary to publish notice of the Hearing, in substantially the form attached hereto as **Exhibit B** and incorporated herein for all purposes, in a newspaper of general circulation in the Town.

SECTION 6. The Town Council hereby authorizes and directs the Town Secretary to mail notice of the Hearing to owners of property liable for the reallocation of the assessment, as required by Section 372.016(c) of the Act.

SECTION 7. This Resolution shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED by the Town Council of the Town of Hickory Creek, Texas this 27<sup>th</sup> day of January, 2020.

---

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

---

Kristi Rogers, Town Secretary  
Town of Hickory Creek, Texas

**EXHIBIT A**

**2020 HICKORY CREEK PUBLIC IMPROVEMENT DISTRICT NO. 2  
AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN**



# Hickory Creek Public Improvement District No. 2

---

2020 AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN

FEBRUARY 24, 2020



AUSTIN, TX | KELLER, TX

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## INTRODUCTION

Capitalized terms used in this 2020 Amended and Restated Service and Assessment Plan shall have the meanings given to them in **Section I** unless otherwise defined in this 2020 Amended and Restated Service and Assessment Plan or unless the context in which a term is used clearly requires a different meaning. Unless otherwise defined, a reference to a “Section” or an “Exhibit” shall be a reference to a Section of this 2020 Amended and Restated Service and Assessment Plan or an Exhibit attached to and made a part of this 2020 Amended and Restated Service and Assessment Plan for all purposes.

On September 18, 2012, the Town Council of the Town of Hickory Creek, Texas passed and approved Resolution No. 1012-0918-1 authorizing the establishment of Hickory Creek Public Improvement District No. 2 in accordance with Chapter 372, Texas Local Government Code, as amended (the “Act”), which authorization was effective upon publication as required by the Act. The purpose of the District is to finance the Actual Costs of Authorized Improvements that confer a special benefit on approximately 111.424 acres located within the Town, as described and depicted by the District replat on **Exhibit A-1**.

On October 16, 2012 the Town approved the Service and Assessment Plan and levied Assessments to finance the Authorized Improvements to be constructed for the benefit of the Assessed Property within the District by approved the Assessment Ordinance. The Service and Assessment Plan identified the Authorized Improvements to be provided by the District, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements and the manner of assessing the property in the District for the costs of the Authorized Improvements, The Town also adopted an Assessment Roll identifying the Assessment on each Lot within the District, based on the method of assessment identified in the Service and Assessment Plan.

The Assessment Roll for the District was not updated in 2013 or 2014.

On September 22, 2015 the Town Council approved the 2015 Annual Service Plan Update by approving Resolution No. 2015-0922-2. The 2015 Annual Service Plan Update updated the Assessment Roll for 2015.

On September 15, 2016 the Town Council approved the 2016 Annual Service Plan Update by approving Resolution No. 2016-0920-2. The 2016 Annual Service Plan Update updated the Assessment Roll for 2016.

On September 19, 2017 the Town Council approved the 2017 Annual Service Plan Update by approving Resolution No. 2017-0919-2. The 2017 Annual Service Plan Update updated the Assessment Roll for 2017.

On June 19, 2018 the Town Council approved the 2018 Amended and Restated Service and Assessment Plan by adopting Ordinance No. 2018-06-796, which issued PID Bonds for Assessed Property within the District and updated the Assessment Roll for 2018.

On June 18, 2019, the Town Council approved the 2019 Annual Service Plan Update by adopting Ordinance No. 2019-0618-2. The 2019 Annual Service Plan Update updated the Assessment Roll for 2019.

This 2020 Amended and Restated Service and Assessment Plan serves to amend the restate the 2018 Amended and Restated Service and Assessment Plan in its entirety for the purposes of: (1) reallocating the Assessment; and (2) updating the Assessment Roll.

The Act requires that the Service Plan include an Assessment Plan that assesses the Actual Costs of the Authorized Improvements against the District based on the special benefits conferred on the District by the Authorized Improvements. The Assessment Plan is contained in Section V.

The Act requires an Assessment Roll that states the Assessment against each Parcel determined by the method chosen by the Town Council. The Assessment against each Parcel must be sufficient to pay the share of the Actual Costs of the Authorized Improvements apportioned to the Parcel and cannot exceed the special benefit conferred on the Parcel by such Authorized Improvements. The Improvement Area #1 Assessment Roll is included as **Exhibit F-1**, and the Improvement Area #2 Assessment Roll is included as **Exhibit G-1**.

## SECTION I: DEFINITIONS

**“2018 Amended and Restated Service and Assessment Plan”** means the 2018 Amended and Restated Service and Assessment Plan, which was approved by the Town Council on June 19, 2018 by adopting Ordinance No. 2018-06-796.

**“2020 Amended and Restated Service and Assessment Plan”** means this 2020 Amended and Restated Service and Assessment Plan, as it may be modified and updated from time to time.

**“Act”** means Texas Local Government Code Chapter 372, as amended.

**“Actual Costs”** mean with respect to Authorized Improvements, the actual costs paid or incurred by or on behalf of the Developer of the District, (1) to plan, finance, design, acquire, construct, install, and dedicate such improvements to the Town; (2) to prepare plans, specifications (including bid packages), contracts, and as-built drawings; (3) to obtain zoning, licenses, plan approvals, permits, inspections, and other governmental approvals; (4) to acquire easements and other right-of-way; (5) for third-party professional consulting services including, but not limited to, engineering, surveying, geotechnical, land planning, architectural, landscaping, legal, accounting, and appraisals; (6) of labor, materials, equipment, fixtures, payment and performance bonds and other construction security, and insurance premiums; and (7) of fees charged by the Town or any other political subdivision or governmental authority.

**“Additional Interest”** means the amount collected by application of the Additional Interest Rate.

**“Additional Interest Rate”** means the 0.50% additional interest rate charged on Assessments pursuant to Section 372.018 of the Act.

**“Administrator”** means the person or independent firm designated by the Town Council to perform the duties and obligations of the "Administrator" in this 2020 Amended and Restated Service and Assessment Plan. The Town has selected P3Works, LLC is the initial Administrator.

**“Annual Collection Costs”** mean the actual or budgeted costs and expenses related to the creation and operation of the District, the issuance and sale of PID Bonds, and the construction, operation, and maintenance of the Authorized Improvements, including, but not limited to, costs and expenses for: (1) the Administrator; (2) legal counsel, engineers, accountants, financial advisors, and other consultants engaged by the Town; (3) calculating, collecting, and maintaining records with respect to Assessments and Annual Installments; (4) preparing and maintaining records with respect to Assessment Rolls and Annual Service Plan Updates; (5) issuing, paying and redeeming PID Bonds; (6) investing or depositing Assessments and Annual Installments; (7)



complying with this 2020 Amended and Restated Service and Assessment Plan and the Act with respect to the issuance and sale of PID Bonds, including continuing disclosure requirements; and (8) the paying agent/registrar and Trustee in connection with PID Bonds, including their respective legal counsel, and (9) administering the construction of the Authorized Improvements. Annual Collection Costs collected but not expended in any year shall be carried forward and applied to reduce Annual Collection Costs for subsequent years.

**“Annual Installment”** means the annual installment payment on the Assessment as calculated by the Administrator and approved by the Town Council, that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Annual Service Plan Update”** means an update to this 2020 Amended and Restated Service and Assessment Plan prepared no less frequently than annually by the Administrator and approved by the Town Council.

**“Assessed Property”** means any Parcel within the District against which an Assessment is levied.

**“Assessment”** means an assessment levied against a Parcel imposed pursuant to an Assessment Ordinance and the provisions herein, as shown on an Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the Act.

**“Assessment Ordinance”** means an ordinance adopted by the Town Council in accordance with the Act that levied Assessments within the District.

**“Assessment Plan”** assesses the Actual Costs of the Authorized Improvements against the Assessed Property within the District based on the special benefits conferred on such property by the Authorized Improvements, more specifically described in **Section V**.

**“Assessment Roll”** means any assessment roll for the Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the Act, including updates prepared in connection with the issuance of PID Bonds, or any Annual Service Plan Update.

**“Authorized Improvements”** means improvements authorized by Section 372.003 of the Act, as described in **Section III**.

**“Changed Property”** means Parcel 557982, Steeplechase South Additional Block A, Lot 1, which was originally a Non-Benefitted Property, without an assessment, but is being rezoned at the request of the Developer, and therefore the use changed to a benefitted property. The Changed Property is depicted and described on the replat on **Exhibit A-5**.

**“County”** means Denton County, Texas.

**“Delinquent Collection Costs”** mean, for a Parcel, interest, penalties, and other costs and expenses authorized by the Act that directly or indirectly relate to the collection of delinquent Assessments, delinquent Annual Installments, or any other delinquent amounts due under this 2020 Amended and Restated Service and Assessment Plan, including costs and expenses to foreclose liens.

**“Developer”** means CTMGT Tuberville, LLC, a Texas limited liability company and its successors and assigns.

**“District”** means Hickory Creek Improvement District No. 2, containing approximately 111.424 acres located within the Town, as more specifically described and depicted on **Exhibit A-1**.

**“Improvement Area #1”** means the area within the District as shown on **Exhibit A-2** and described by the legal description on **Exhibit A-3**.

**“Improvement Area #1 Annual Installment”** means the Annual Installment of the Improvement Area #1 Assessment as calculated by the Administrator and approved by the Town Council that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Improvement Area #1 Assessed Property”** means any and all parcels within Improvement Area #1, against which an Improvement Area #1 Assessment is levied.

**“Improvement Area #1 Assessment”** means an Assessment levied against a Parcel within Improvement Area #1 and imposed pursuant to the Improvement Area #1 Assessment Ordinance and the provisions herein, as shown on the Improvement Area #1 Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the Act.

**“Improvement Area #1 Assessment Ordinance”** means Resolution No. 2012-10-699 adopted by the Town Council on October 16, 2012 in accordance with the Act that levied the Improvement Area #1 Assessments.

**“Improvement Area #1 Assessment Roll”** means the Assessment Roll for the Improvement Area #1 Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the Act, including any updates prepared in connection with the issuance of PID Bonds or any Annual Service Plan Updates. The Improvement Area #1 Assessment Roll is included in this 2020 Amended and Restated Service and Assessment Plan as **Exhibit F-1**.

**“Improvement Area #1 Improvements”** means the Authorized Improvements which only benefit the Improvement Area #1 Assessed Property as described in **Section III.A.**

**“Improvement Area #2”** means the area within the District depicted and described on the replat attached as **Exhibit A-4.**

**“Improvement Area #2 Annual Installment”** means the Annual Installment of the Improvement Area #2 Assessment as calculated by the Administrator and approved by the Town Council that includes: (1) principal; (2) interest; (3) Annual Collection Costs; and (4) Additional Interest.

**“Improvement Area #2 Assessed Property”** means any and all parcels within Improvement Area #2, against which an Improvement Area #2 Assessment is levied.

**“Improvement Area #2 Assessment”** means an Assessment levied against a Parcel within Improvement Area #1 and imposed pursuant to the Improvement Area #1 Assessment Ordinance and the provisions herein, as shown on the Improvement Area #1 Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the Act.

**“Improvement Area #2 Assessment Ordinance”** means Ordinance No. 2018-06-796 adopted by the Town Council on June 19, 2018 in accordance with the Act that levied the Improvement Area #2 Assessments.

**“Improvement Area #2 Assessment Roll”** means the Assessment Roll for the Improvement Area #2 Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the Act, including any updates prepared in connection with the issuance of PID Bonds or any Annual Service Plan Updates. The Improvement Area #2 Assessment Roll is included in this 2020 Amended and Restated Service and Assessment Plan as **Exhibit G-1.**

**“Improvement Area #2 Improvements”** means the Authorized Improvements which only benefit the Improvement Area #2 Assessed Property as described in **Section III.B.**

**“Indenture”** means an Indenture of Trust entered into in connection with the issuance of each series of PID Bonds, as amended from time to time, between the Town and the Trustee setting forth terms and conditions related to the applicable series of PID Bonds.

**“Lot”** means for any portion of the District for which a final subdivision plat has been recorded in the official public records of the County, a tract of land described by “lot” in such recorded and final subdivision plat.

**“Maximum Assessment”** means, for each Lot other than Non-Benefitted Property, an amount not to exceed \$31,287.88, as shown on **Exhibit B**, and as described further in **Section VI**.

**“Non-Benefitted Property”** means Parcels within the boundaries of the District that receive no special benefit from the Authorized Improvements as determined by the Town Council which may include Public Property.

**“Notice of Assessment Termination”** means a recorded document evidencing the termination of an Assessment, a form of which is attached as **Exhibit H**.

**“Parcel” or “Parcels”** means a specific property within the District identified by either a tax map identification number assigned by the Denton Central Appraisal District for real property tax purpose, by metes and bounds description, or by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the Town.

**“PID Bonds”** means those certain “Town of Hickory Creek, Texas Special Assessment Revenue Bonds, Series 2018 (Hickory Creek Public Improvement District No. 2)” that are secured by Improvement Area #1 Assessments and Improvement Area #2 Assessments.

**“PID Formation and Bond Issuance Costs”** means the costs associated with forming the District and issuing PID Bonds, including but not limited to attorney fees, financial advisory fees, consultant fees, appraisal fees, printing costs, publication costs, Town costs, capitalized interest, reserve fund requirements, 1<sup>st</sup> year’s Annual Collection Costs, underwriter’s discount, fees charged by the Texas Attorney General, and any other cost or expense directly associated with the establishment of the District and/or the issuance of PID Bonds.

**“Prepayment”** means the payment of all or a portion of an Assessment before the due date thereof. Amounts received at the time of a Prepayment which represent a payment of principal, interest, or penalties on a delinquent installment of an Assessment are not to be considered a Prepayment, but rather are to be treated as the payment of the regularly scheduled Annual Installment.

**“Prepayment Costs”** means interest, including Additional Interest and Annual Collection Costs to the date of Prepayment.

**“Public Property”** means real property, whether conveyed or dedicated in fee simple, as an easement, license, or otherwise, to the Federal Government, to the County, to the Town, or to any other political subdivision, public or government agency, or public utility.

**“Service and Assessment Plan”** means the Service and Assessment plan adopted by Town Council on October 16, 2012.

**“Service Plan”** covers a period of at least five years and defines the annual indebtedness and projected costs of the Authorized Improvements, more specifically described in **Section IV**.

**“Town”** means the Town of Hickory Creek, Texas.

**“Town Council”** means the governing body of the Town.

**“Trustee”** means the trustee or successor trustee under an Indenture.



## SECTION II: THE DISTRICT

The District includes approximately 111.424 contiguous acres located within the Town, as more particularly described and depicted on **Exhibit A-1**. Development of the District is anticipated to include approximately 131 single-family homes, 108 of which are located within Improvement Area #1 and the remaining 23 are located within Improvement Area #2. Improvement Area #1 is depicted on the map on **Exhibit A-2** and described by the legal description on **Exhibit A-3**. Improvement Area #2 is depicted and described on the replat attached as **Exhibit A-4**.

## SECTION III: AUTHORIZED IMPROVEMENTS AND PID FORMATION AND BOND ISSUANCE COSTS

The Town, based on information provided by the Developer and its engineer and reviewed by the Town staff and by third-party consultants retained by the Town, has determined that the Authorized Improvements confer a special benefit on the Assessed Property. Authorized Improvements have been or will be designed and constructed in accordance with Town standards and specifications and are or will be owned and operated by the Town. The budget for the Authorized Improvements is shown on **Exhibit C**.

### A. Improvement Area #1 Improvements

#### ▪ *Street*

Improvements including subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel for roadways, testing, handicapped ramps, and street lights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will provide street access to each Lot within Improvement Area #1.

#### ▪ *Water*

Improvements including trench excavation and embedment, trench safety, PVC piping, manholes, service connections, testing, related earthwork, excavation, and erosion control all necessary appurtenances required to provide water service to all Lots within Improvement Area #1.

- *Sanitary Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, manholes, service connections, testing, related earthwork, excavation, and erosion control all necessary appurtenances required to provide wastewater service to all Lots within Improvement Area #1.

- *Storm Drainage*

Improvements including earthen channels, swales, curb and drop inlets, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, and erosion control necessary to provide storm drainage for all Lots within Improvement Area #1.

- *Soft Costs*

Improvements including engineering and design, construction inspection fees, geotechnical testing and governmental submittal fees for the costs associated with the street, water, sanitary sewer and storm drainage improvements as described above.

## **B. Improvement Area #2 Improvements**

- *Street*

Improvements including subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel for roadways, testing, handicapped ramps, and street lights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will provide street access to each Lot within Improvement Area #2.

- *Water*

Improvements including trench excavation and embedment, trench safety, PVC piping, manholes, service connections, testing, related earthwork, excavation, and erosion control all necessary appurtenances required to provide water service to all Lots within Improvement Area #2.

- *Sanitary Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, manholes, service connections, testing, related earthwork, excavation, and erosion

control all necessary appurtenances required to provide wastewater service to all Lots within Improvement Area #2.

- *Storm Drainage*

Improvements including earthen channels, swales, curb and drop inlets, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, and erosion control necessary to provide storm drainage for all Lots within Improvement Area #2.

- *Soft Costs*

Improvements including engineering and design, construction inspection fees, geotechnical testing and governmental submittal fees for the costs associated with the street, water, sanitary sewer and storm drainage improvements as described above.

### **C. PID Formation and Bond Issuance Costs**

- *Debt Service Reserve Fund*

Equals the amount required under an applicable Indenture in connection with the issuance of PID Bonds.

- *Capitalized Interest*

Equals the capitalized interest payments on PID Bonds as reflected in an applicable Indenture.

- *Underwriter's Discount*

Equals a percentage of the par amount of a particular series of PID Bonds plus a fee for underwriter's counsel.

- *Cost of Issuance*

Includes costs of issuing PID Bonds, including but not limited to attorney fees, financial advisory fees, first year Annual Collection Costs, consultant fees, appraisal fees, printing costs, publication costs, Town costs, fees charged by the Texas Attorney General, and any other cost or expense directly associated with the issuance of PID Bonds.

## SECTION IV: SERVICE PLAN

The Act requires the Service Plan to cover a period of at least five years. The Service Plan is required to define the annual projected costs and indebtedness for the Authorized Improvements undertaken within the District during the five-year period. The Service Plan must be reviewed and updated in each Annual Service Plan Update. **Exhibit D** summarizes the Service Plan for the District.

**Exhibit E** summarizes the sources and uses of funds required to construct the Authorized Improvements. The sources and uses of funds shown on **Exhibit E** shall be updated in the Annual Service Plan Update to reflect any budget revisions and Actual Costs.

## SECTION V: ASSESSMENT PLAN

The Act allows the Town Council to apportion the costs of the Authorized Improvements to the Assessed Property based on the special benefit received from the Authorized Improvements. The Act provides that such costs may be apportioned: (1) equally per front foot or square foot; (2) according to the value of property as determined by the Town Council, with or without regard to improvements constructed on the property; or (3) in any other manner approved by the Town that results in imposing equal shares of such costs on property similarly benefited. The Act further provides that the governing body may establish by ordinance or order reasonable classifications and formulas for the apportionment of the cost between the municipality and the area to be assessed and the methods of assessing the special benefits for various classes of improvements.

This section of this 2020 Amended and Restated Service and Assessment Plan described the special benefit received by each Parcel within the District as a result of the Authorized Improvements and provides the basis and justification for the determination that this special benefit exceeds the amount of the Assessments to be levied on the Assessed Property for such Authorized Improvements.

The determination by the Town Council of the assessment methodologies set forth below is the result of the discretionary exercise by the Town Council of its legislative authority and governmental powers and is conclusive and binding on the Developer and all future owners and developers of the Assessed Property.

## **A. Assessment Methodology**

The Town, acting in its legislative capacity based on information provided by the Developer and its engineer and reviewed by the Town staff and by third-party consultants retained by the Town, has determined that the Assessments shall be allocated as follows:

### **1. Improvement Area #1**

The Improvement Area #1 Assessments relating to the Improvement Area #1 Improvements shall be allocated 100% to the Improvement Area #1 Assessed Property. The Improvement Area #1 Assessments shall be allocated equally among all Lots located within Improvement Area #1

### **2. Improvement Area #2**

The Improvement Area #2 Assessments relating to the Improvement Area #2 Improvements shall be allocated 100% to the Improvement Area #2 Assessed Property. The Improvement Area #2 Assessments shall be allocated equally among all Lots located within Improvement Area #2.

## **B. Reallocation of Assessment due to Changed Property**

Parcel 557982, Steeplechase South Additional Block A, Lot 1, (the “Changed Property”), depicted and described on the plat on **Exhibit A-5**, upon creation of the District, was designated as Non-Benefitted property; therefore, such property was not assessed. This property comprises certain private improvements located with the District, consisting of an approximately 2,200 square foot pool and related facilities and equestrian stables with 14 stalls to serve homeowners in the District. These private improvements were to be dedicated to and accepted by the Homeowner’s Association (“the “HOA”); the Homeowner’s Association was to provide for the ongoing operation, maintenance and repair of the private improvements through the administration of a maintenance and operation fee and/or a property owner’s association fee to be paid by each Lot owner within the District. Due to the unforeseen expenses of operating an equestrian stable, which make the HOA fees unreasonable, the Developer now desires to (i) have a 6.72 acre portion of Parcel 557982 (“Changed Property”) rezoned as for commercial stables use and (ii) convey such portion of the Changed Property to a private party to operate the equestrian stables for profit. The approximately 1.33 acre portion of the Changed Property for the pool and related facilities are separate from the equestrian stables and will be dedicated to an accepted by the HOA. The City Council has determined that the Changed Property now must be assessed as it becomes property that would have been assessed originally but for the desire for it to remain



Homeowner's Association property. The benefit to the assessed property is similar to all the other property within the District, and therefore, the Assessment to be placed on the Changed Property is uniform with the other Lots within the District. In light of this, the Assessment levied on the District has been reallocated to include the Changed Property, resulting in a slightly lower Assessment for all other landowners within the District. See **Exhibit B** for a table showing the amount of the change in Assessments.

Both the existing and future landowners of the Changed Property have provided consent to the imposition of an Assessment on the Changed Property as shown on the Landowner Consent Forms attached as **Exhibit K**.

### **C. Assessments**

The Improvement Area #1 Assessments are shown on the Improvement Area #1 Assessment Roll, attached hereto as **Exhibit F-1**. The projected Improvement Area #1 Annual Installments are shown on **Exhibit F-2**.

The Improvement Area #2 Assessments are shown on the Improvement Area #2 Assessment Roll, attached hereto as **Exhibit G-1**. The projected Improvement Area #2 Annual Installments are shown on **Exhibit G-2**.

### **D. Findings of Special Benefit**

The Town Council, acting in its legislative capacity based on information provided by the Developer and its engineer and reviewed by the Town staff and by third-party consultants retained by the Town, has found and determined:

- *Improvement Area #1*
  - The costs of the Improvement Area #1 Improvements plus the PID Formation and Bond Issuance Costs allocable to Improvement Area #1 equal \$3,482,166 as shown on **Exhibit C**; and
  - The Improvement Area #1 Assessed Property receives special benefit from the Improvement Area #1 Improvements equal to or greater than the Actual Cost of the Improvement Area #1 Improvements; and

- With the adoption of the Improvement Area #1 Assessment Ordinance, the sum of the Improvement Area #1 Assessments for all Lots within Improvement Area #1 equaled \$3,479,084<sup>1</sup>.
  - The special benefit ( $\geq \$3,482,166$ ) received by the Improvement Area #1 Assessed Property from the Improvement Area #1 Improvements was equal to or greater than the amount of the Improvement Area #1 Assessment (\$3,479,084) levied on the Improvement Area #1 Assessed Property for the Improvement Area #1 Improvements at the time the Improvement Area #1 Assessment Ordinance was approved; and
  - At the time the Town Council approved the Service and Assessment Plan, the Developer owned 100% of the Improvement Area #1 Assessed Property. The Developer acknowledged that the Improvement Area #1 Improvements confer a special benefit on the Improvement Area #1 Assessed Property and consented to the imposition of the Improvement Area #1 Assessment to pay for the Actual Costs associated therewith. The Developer ratified, confirmed, accepted, agreed to, and approved: (1) the determinations and findings by the Town Council as to the special benefits described herein and the Improvement Area #1 Assessment Ordinance; (2) the Service and Assessment Plan and the Assessment Ordinance, and (3) the levying of the Improvement Area #1 Assessment on the Improvement Area #1 Assessed Property.
- *Improvement Area #2*
    - The costs of the Improvement Area #2 Improvements plus the PID Formation and Bond Issuance Costs allocable to Improvement Area #2 equal \$855,973 as shown on **Exhibit C**; and
    - The Improvement Area #2 Assessed Property receives special benefit from the Improvement Area #2 Improvements equal to or greater than the Actual Cost of the Improvement Area #2 Improvements; and

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<sup>1</sup> Assessments are allocated based on the Lot counts in the District at the time PID Bonds were issued. Improvement Area #1 contained 108 of the total 131 Lots, so Improvement Area #1 was allocated 82.44% ( $108/131 = 82.44\%$ ) of the Assessments. Based on new Lot counts, Improvement Area #1 is allocated 82.58% ( $109/132 = 82.58\%$ ) of Assessments, which equals approximately \$3,484,696.97, \$74,318.18 of which has been billed or paid off as part of the Annual Installments due on 1/31/2019 and 1/31/2020, leaving \$3,410,378.79 of Assessments allocable to Improvement Area #1, as shown on **Exhibit F-2**.

- With the adoption of the Improvement Area #2 Assessment Ordinance, the sum of the Improvement Area #2 Assessments for all Lots within Improvement Area #2 equals \$740,916<sup>2</sup>.
- The special benefit ( $\geq \$855,973$ ) received by the Improvement Area #2 Assessed Property from the Improvement Area #2 Improvements was equal to or greater than the amount of the Improvement Area #2 Assessment (\$740,916) levied on the Improvement Area #2 Assessed Property for the Improvement Area #2 Improvements at the time the Improvement Area #2 Assessment Ordinance was approved; and
- At the time the Town Council approved the Service and Assessment Plan, the Developer owned 100% of the Improvement Area #2 Assessed Property. The Developer acknowledged that the Improvement Area #2 Improvements confer a special benefit on the Improvement Area #2 Assessed Property and consented to the imposition of the Improvement Area #2 Assessment to pay for the Actual Costs associated therewith. The Developer ratified, confirmed, accepted, agreed to, and approved: (1) the determinations and findings by the Town Council as to the special benefits described herein and the Improvement Area #2 Assessment Ordinance; (2) the Service and Assessment Plan and the Assessment Ordinance, and (3) the levying of the Improvement Area #2 Assessment on the Improvement Area #2 Assessed Property.

#### **E. Annual Collection Costs**

The Annual Collection Costs shall be paid for annually by each Parcel pro rata based on the ratio of the amount of outstanding Assessment remaining on the Parcel to the total outstanding Assessment. The Annual Collection Costs shall be collected as part of and in the same manner as Annual Installments in the amounts shown on the Assessment Roll, which may be revised based on actual costs incurred in Annual Service Plan Updates.

#### **F. Additional Interest**

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<sup>2</sup> Assessments are allocated based on the Lot counts in the District at the time PID Bonds were issued. Improvement Area #2 contained 23 of the total 131 Lots, so Improvement Area #2 was allocated 17.56% ( $23/131 = 17.56\%$ ) of the Assessments. Based on new Lot counts, Improvement Area #2 is allocated 17.42% ( $23/132 = 17.42\%$ ) of Assessments, which equals approximately \$735,303.03, \$15,681.82 of which has been billed or paid off as part of the Annual Installments due on 1/31/2019 and 1/31/2020, leaving \$719,621.21 of Assessments allocable to Improvement Area #2, as shown on **Exhibit G-2**.

The interest rate on Assessments levied on the Assessed Property may exceed the interest rate on the PID Bonds by the Additional Interest Rate. Additional Interest shall be collected as part of each Annual Installment and shall be deposited pursuant to the Indenture.

## SECTION VI: TERMS OF THE ASSESSMENTS

### A. Reallocation of Assessments

#### 1. *Upon Division Prior to Recording of Subdivision Plat*

Upon the division of any Assessed Property (without the recording of subdivision plat), the Administrator shall reallocate the Assessment for the Assessed Property prior to the division among the newly divided Assessed Properties according to the following formula:

$$A = B \times (C \div D)$$

Where the terms have the following meanings:

A = the Assessment for the newly divided Assessed Property

B = the Assessment for the Assessed Property prior to division

C = the estimated buildout value of the newly divided Assessed Property

D = the sum of the estimated buildout value for all of the newly divided Assessed Properties

The calculation of the buildout value of an Assessed Property shall be performed by the Administrator based on information from the Developer, homebuilders, market studies, appraisals, official public records of the County, and any other relevant information regarding the Assessed Property. The calculation as confirmed by the Town Council shall be conclusive.

The sum of the Assessments for all newly divided Assessed Properties shall equal the Assessment for the Assessed Property prior to subdivision. The calculation shall be made separately for each newly divided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in the next Annual Service Plan Update and approved by the Town Council.

#### 2. *Upon Subdivision by a Recorded Subdivision Plat*

Upon the subdivision of any Assessed Property based on a recorded subdivision plat, the Administrator shall reallocate the Assessment for the Assessed Property prior to the

subdivision among the new subdivided Lots based on buildout value according to the following formula:

$$A = [B \times (C \div D)]/E$$

Where the terms have the following meanings:

A = the Assessment for the newly subdivided Lot

B = the Assessment for the Parcel prior to subdivision

C = the sum of the estimated average buildout value of all newly subdivided Lots with same Lot Type

D = the sum of the estimated average buildout value for all of the newly subdivided Lots excluding Non-Benefitted Property

E = the number of newly subdivided Lots with same Lot Type

Prior to the recording of a subdivision plat, the Developer shall provide the Town an estimated buildout value as of the date of the recorded subdivision plat for each Lot created by the recorded subdivision plat considering factors such as density, lot size, proximity to amenities, view premiums, location, market conditions, historical sales, discussions with homebuilders, and any other factors that may impact value. The calculation of the estimated average buildout value for a Lot shall be performed by the Administrator and confirmed by the Town Council based on information provided by the Developer, homebuilders, third party consultants, and/or the official public records of the County regarding the Lot.

The sum of the Assessments for all newly subdivided Lots shall not exceed the Assessment for the portion of the Assessed Property subdivided prior to subdivision. The calculation shall be made separately for each newly subdivided Assessed Property. The reallocation of an Assessment for an Assessed Property that is a homestead under Texas law may not exceed the Assessment prior to the reallocation. Any reallocation pursuant to this section shall be reflected in the next Annual Service Plan Update and approved by the Town Council.

### *3. Upon Consolidation*

If two or more Lots or Parcels are consolidated, the Administrator shall allocate the Assessments against the Lots or Parcels before the consolidation to the consolidated Lot or Parcel, which allocation shall be reflected in the next Annual Service Plan Update and approved by the Town Council.



## **B. Mandatory Prepayment of Assessments**

If an Assessed Property is transferred to a person or entity that is exempt from payment of the Assessment, the Developer transferring the Assessed Property shall pay to the Town the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs prior to the transfer. If the owner of an Assessed Property causes the Assessed Property to become Non-Benefited Property, the owner causing the change in status shall pay the full amount of the Assessment, plus Prepayment Costs and Delinquent Collection Costs, prior to the change in status.

## **C. True-Up of Assessments if Maximum Assessment Exceeded at Plat**

Prior to the Town approving a final subdivision plat, the Administrator will certify that such plat will not result in the Assessment per Lot for any Lot Type to exceed the Maximum Assessment. If the Administrator determines that the resulting Assessment per Lot for any Lot Type will exceed the Maximum Assessment for that Lot Type, then (1) the Assessment applicable to each Lot Type shall each be reduced to the Maximum Assessment, and (2) the person or entity filing the plat shall pay to the Town the amount the Assessment was reduced, plus Prepayment Costs and Delinquent Collection Costs, if any, prior to the Town approving the final plat. The Town's approval of a plat without payment of such amounts does not eliminate the obligation of the person or entity filing the plat to pay such amounts.

## **D. Reduction of Assessments**

If as a result of cost savings or an Authorized Improvement not being constructed, the Actual Costs of completed Authorized Improvements are less than the Assessments, the Assessments shall be reduced on a pro-rata basis such that the sum of the resulting reduced Assessments for all Assessed Properties equals the reduced Actual Costs. Excess PID Bond proceeds shall be applied to redeem outstanding PID Bonds. The Assessments shall not, however, be reduced to an amount less than the outstanding PID Bonds.

The Administrator shall update (and submit to the Town Council for review and approval as part of the next Annual Service Plan Update) the Assessment Roll and corresponding Annual Installments to reflect the reduced Assessments.

## **E. Prepayment of Assessments**

The owner of the Assessed Property may pay, at any time, all or any part of an Assessment in accordance with the Act. Prepayment Costs, if any, may be paid from a reserve established under

the applicable Indenture. If an Annual Installment has been billed prior to the Prepayment, the Annual Installment shall be due and payable and shall be credited against the Prepayment.

If an Assessment is paid in full, with Prepayment Costs, (1) the Administrator shall cause the Assessment to be reduced to zero and the Assessment Roll to be revised accordingly; (2) the Administrator shall prepare the revised Assessment Roll and submit to the Town Council for review and approval as part of the next Annual Service Plan Update; (3) the obligation to pay the Assessment and corresponding Annual Installments shall terminate; and (4) the Town shall provide the owner with a recordable "Notice of PID Assessment Termination," a form of which is attached hereto as **Exhibit H**.

If an Assessment is paid in part, with Prepayment Costs: (1) the Administrator shall cause the Assessment to be reduced and the Assessment Roll revised accordingly; (2) the Administrator shall prepare the revised Assessment Roll and submit to the Town Council for review and approval as part of the next Annual Service Plan Update; and (3) the Assessment obligation that is outstanding will be reduced to the extent a Prepayment is made.

#### **F. Payment of Assessment in Annual Installments**

Assessments that are not paid in full shall be due and payable in Annual Installments. **Exhibit F-2** shows the estimated Annual Installments for Improvement Area #1, and **Exhibit G-2** shows the estimated Annual Installments for Improvement Area #2. Annual Installments are subject to adjustment in each Annual Service Plan Update.

If any Parcel shown on the Assessment Roll is assigned multiple tax identification numbers for billing and collection purposes, the Annual Installment shall be allocated pro rata based on the acreage of the property as shown by Denton Central Appraisal District for each tax identification number.

The Administrator shall prepare and submit to the Town Council for its review and approval an Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each Annual Service Plan Update shall include updated Assessment Rolls and updated calculations of Annual Installments. The Annual Collection Costs for a given Assessment shall be paid for by each Parcel pro rata based on the ratio of the amount of outstanding Assessment remaining on the Parcel to the total outstanding Assessment. Annual Installments shall be reduced by any credits applied under an applicable Indenture, such as capitalized interest, interest earnings on account balances, and any other funds available to the Bond Trustee for such purposes. Annual Installments shall be collected by the Town in the same manner and at the same time as ad

valorem taxes. Annual Installments shall be subject to the penalties, procedures, and foreclosure sale in case of delinquencies as set forth in the Act and in the same manner as ad valorem taxes for the Town. The Town Council may provide for other means of collecting Annual Installments. Assessments shall have the lien priority specified in the Act.

Sales of the Assessed Property for nonpayment of Annual Installments shall be subject to the lien for the remaining unpaid Annual Installments against the Assessed Property, and the Assessed Property may again be sold at a judicial foreclosure sale if the purchaser fails to timely pay the non-delinquent Annual Installments as they become due and payable.

The Town reserves the right to refund PID Bonds in accordance with the Act. In the event of a refunding, the Administrator shall recalculate the Annual Installments so that total Annual Installments will be sufficient to pay the refunding bonds, and the refunding bonds shall constitute "PID Bonds."

Each Annual Installment of an Assessment, including interest on the unpaid principal of the Assessment, shall be updated annually. Each Annual Installment shall be due when billed and shall be delinquent if not paid prior to February 1 of the following year.

Failure of an owner to receive an invoice for an Annual Installment on the property tax bill shall not relieve the owner of the responsibility for payment of the Assessment. Assessments, or Annual Installments thereof, that are delinquent shall incur Delinquent Collection Costs. The Town may provide for other means of collecting the Annual Installments to the extent permitted by the Act.

#### **G. Prepayment as a Result of an Eminent Domain Proceeding or Taking**

If any portion of any Parcel of Assessed Property is taken from an owner as a result of eminent domain proceedings or if a transfer of any portion of any Parcel of Assessed Property is made to an entity with the authority to condemn all or a portion of the Assessed Property in lieu of or as a part of an eminent domain proceeding (a "Taking"), the portion of the Assessed Property that was taken or transferred (the "Taken Property") shall be reclassified as Non-Benefitted Property.

For the Assessed Property that is subject to the Taking as described in the preceding paragraph, the Assessment that was levied against the Assessed Property (when it was included in the Taken Property) prior to the Taking shall remain in force against the remaining Assessed Property (the Assessed Property less the Taken Property) (the "Remaining Property") following the reclassification of the Taken Property as Non-Benefitted Property. The Owner will remain liable

to pay in Annual Installments, or as otherwise provided by this Service and Assessment Plan, as updated, or the Act, the Assessment that remains due on the Remaining Property. Notwithstanding the foregoing, if the Assessment that remains due on the Remaining Property exceeds the Maximum Assessment, the owner will be required to make a Prepayment in an amount necessary to ensure that the Assessment against the Remaining Property does not exceed the Maximum Assessment.

Following the initiation of the Taking, the Administrator will be required, as part of the next Annual Service Plan Update, to determine the portion of the Assessment that was levied against the Assessed Property that would have been allocated to the Taken Property prior to its reclassification as Non-Benefitted Property based on a manner that results in imposing equal shares of the costs of the applicable Authorized Improvements on property similarly benefitted.

Within 30 days of the receipt by the owner of the funds received from the entity taking the Taken Property, the owner shall make a Prepayment of the Assessment in an amount equal to the lesser of (i) the amount the owner received as a result of the Taking or (ii) the amount determined by the Administrator in the above paragraph; provided, however, that in all instances the Assessment remaining on the Remaining Property shall not exceed the Maximum Assessment.

By way of illustration, if an owner owns 100 acres of Assessed Property subject to a \$100 Assessment and 10 acres is taken through a Taking, the 10 acres of Taken Property shall be reclassified as Non-Benefitted Property and the remaining 90 acres of Remaining Property shall be subject to the \$100 Assessment, (provided that this \$100 Assessment does not exceed the Maximum Assessment on the Remaining Property). If the Administrator determines that the portion of the \$100 Assessment that would have been allocated to the Taken Property prior to its reallocation is \$10 and the owner receives \$8 as compensation for the Taken Property as a result of the Taking, the Owner shall be required to pay \$8 as a Prepayment of the Assessment against the Remaining Property (in addition to any other amount that would be required to ensure the Assessment does not exceed the Maximum Assessment). Alternatively, in the above scenario, if the owner receives \$20 in compensation for the Taken Property, the owner shall be required to pay \$10 as a Prepayment of the Assessment.

Notwithstanding the previous two paragraphs, if the owner notifies the City and the Administrator that the Taking prevents the Remaining Property from being developed as shown on a final plat, the owner shall, upon receipt of the compensation for the Taken Property, be required to prepay the total amount of the Assessment levied against the Taken Property and, and the amount of the Assessment required to buy down the outstanding Assessment to the

Maximum Assessment on the Remaining Property. The owner will remain liable to pay the Annual Installments on both the Taken Property and the Remaining Property until such time that such Assessment has been prepaid in full.

## **SECTION VII: ASSESSMENT ROLL**

The Improvement Area #1 Assessment Roll is attached as **Exhibit F-1**. The Administrator shall prepare and submit to the Town Council for review and approval proposed revisions to the Improvement Area #1 Assessment Roll and Improvement Area #1 Annual Installments for each Parcel as part of each Annual Service Plan Update.

The Improvement Area #2 Assessment Roll is attached as **Exhibit G-1**. The Administrator shall prepare and submit to the Town Council for review and approval proposed revisions to the Improvement Area #2 Assessment Roll and Improvement Area #2 Annual Installments for each Parcel as part of each Annual Service Plan Update.

## **SECTION VIII: ADDITIONAL PROVISIONS**

### **A. Calculation Errors**

If the owner of a Parcel claims that an error has been made in any calculation required by this 2020 Amended and Restated Service and Assessment Plan, including, but not limited to, any calculation made as part of any Annual Service Plan Update, the owner's sole and exclusive remedy shall be to submit a written notice of error to the Administrator by December 1<sup>st</sup> of each year following Town Council approval of the calculation; otherwise, the owner shall be deemed to have unconditionally approved and accepted the calculation. Upon receipt of a written notice of error from an owner the Administrator shall provide a written response to the Town Council and the owner within 30 days of such referral. The Town Council shall consider the owner's notice of error and the Administrator's response at a public meeting, and within 30 days after closing such meeting, the Town Council shall make a final determination as to whether an error has been made. If the Town Council determines that an error has been made, the Town Council shall take such corrective action as is authorized by the Act, this 2020 Amended and Restated Service and Assessment Plan, the Assessment Ordinance, the Indenture, or is otherwise authorized by the discretionary power of the Town Council. The determination by the Town Council as to whether an error has been made, and any corrective action taken by the Town Council, shall be final and binding on the owner and the Administrator.



## **B. Amendments**

Amendments to this 2020 Amended and Restated Service and Assessment Plan must be made by the Town Council in accordance with the Act. To the extent permitted by the Act, this 2020 Amended and Restated Service and Assessment Plan may be amended without notice to owners of the Assessed Property: (1) to correct mistakes and clerical errors; (2) to clarify ambiguities; and (3) to provide procedures to collect Assessments, Annual Installments, and other charges imposed by this 2020 Amended and Restated Service and Assessment Plan.

## **C. Administration and Interpretation**

The Administrator shall: (1) perform the obligations of the Administrator as set forth in this 2020 Amended and Restated Service and Assessment Plan; (2) administer the District for and on behalf of and at the direction of the Town Council; and (3) interpret the provisions of this 2020 Amended and Restated Service and Assessment Plan. Interpretations of this 2020 Amended and Restated Service and Assessment Plan by the Administrator shall be in writing and shall be appealable to the Town Council by owners adversely affected by the interpretation. Appeals shall be decided by the Town Council after holding a public meeting at which all interested parties have an opportunity to be heard. Decisions by the Town Council shall be final and binding on the owners and their successors and assigns.

## **D. Severability**

If any provision of this 2020 Amended and Restated Service and Assessment Plan is determined by a governmental agency or court to be unenforceable, the unenforceable provision shall be deleted and, to the maximum extent possible, shall be rewritten to be enforceable. Every effort shall be made to enforce the remaining provisions.

## EXHIBITS

The following Exhibits are attached to and made a part of this 2020 Amended and Restated Service and Assessment Plan for all purposes:

<b>Exhibit A-1</b>	District Legal Description
<b>Exhibit A-2</b>	Improvement Area #1 Legal Description
<b>Exhibit A-3</b>	Improvement Area #2 Legal Description
<b>Exhibit A-4</b>	Map of Improvement Area #1 and Improvement Area #2
<b>Exhibit A-5</b>	Changed Property Legal Description and Map
<b>Exhibit B</b>	Change in Assessments
<b>Exhibit C</b>	Authorized Improvements
<b>Exhibit D</b>	Service Plan
<b>Exhibit E</b>	Sources and Uses of Funds
<b>Exhibit F-1</b>	Improvement Area #1 Assessment Roll
<b>Exhibit F-2</b>	Improvement Area #1 Annual Installments
<b>Exhibit G-1</b>	Improvement Area #2 Assessment Roll
<b>Exhibit G-2</b>	Improvement Area #2 Annual Installments
<b>Exhibit H</b>	Form of Notice of PID Assessment Termination
<b>Exhibit I</b>	Homebuyer Disclosure
<b>Exhibit J</b>	Debt Service Schedules for Bonds
<b>Exhibit K</b>	Landowner Consent Forms

## EXHIBIT A-1 – DISTRICT LEGAL DESCRIPTION

### Exhibit A Legal Description of the PID 2 Property

#### TRACT 1 – 112.4 ACRES (part of the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC as recorded in Document Number 2011-121573 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

BEGINNING at a found PK nail for the southeast corner of said Tract 3- South, said point being in the centerline of Harbor Lane (a called 60 foot wide right-of-way in said Document Number 2011-121573), and being in the north line of the Harbor Grove Estates, Section 3, an addition to the Town of Hickory Creek, Texas, as recorded in Volume 2, Page 151 of the Plat Records of Denton County, Texas;

THENCE South 89 degrees 43 minutes 27 seconds West (record South 89 degrees 47 minutes 55 seconds West 666.64 feet), with the common north line of said Harbor Grove Estates, Section 3 and the south line of said Tract 3- South, a distance of 667.21 feet to a found Corps of Engineers monument for the common northwest corner of said Harbor Grove Estates, Section 3 and the northeast corner of that tract of land described as Tract No. F-522 in deed to United States of America as recorded in Volume 383, Page 375 of the Deed Records of Denton County, Texas (D.R.D.C.T.);

THENCE North 88 degrees 47 minutes 24 seconds West (record North 88 degrees 51 minutes 13 seconds West 658.88 feet), with the common north line of said Tract No. F-522 and the south line of said Tract 3- South, a distance of 658.67 feet to a found Corp of Engineers monument for the common northwest corner of said United States of America tract and the northeast corner of that tract of land described in deeds to Sabrina Holkar-Ellis Irrevocable 2007 Trust as recorded in Document Number 2007-127619, O.P.R.D.C.T., and Yeshwant R. Holkar Irrevocable 2007 Trust as recorded in, Document Number 2007-127629, O.P.R.D.C.T.;

THENCE North 89 degrees 46 minutes 12 seconds West (record North 89 degrees 46 minutes 12 seconds West 478.46 feet), with the common north line of said Holkar Trusts tract and the south line of said Tract 3- South, a distance of 478.46 feet to a found PK nail for the southwest corner of said Tract 3- South in the approximate centerline of Sycamore Bend Road (a variable width roadway by usage, no deed of record found);

THENCE with the west line of said Tract 3- South and along the approximate centerline of said Sycamore Bend Road through the following calls:

North 03 degrees 50 minutes 37 seconds West (record North 03 degrees 50 minutes 37 seconds West 502.49 feet), a distance of 502.49 feet to a found PK nail for corner;

North 05 degrees 22 minutes 06 seconds West (record North 05 degrees 22 minutes 06 seconds West 254.96 feet), a distance of 255.11 feet to a found PK nail for corner;

Exhibit A  
Legal Description of the PID 2 Property

North 06 degrees 22 minutes 51 seconds West (record North 06 degrees 25 minutes 21 seconds West 259.59 feet), a distance of 259.28 feet to a found PK nail for corner;

North 07 degrees 54 minutes 41 seconds West (record North 07 degrees 52 minutes 58 seconds West 361.37 feet), a distance of 361.68 feet to a found PK nail for corner;

North 07 degrees 01 minute 29 seconds West (record North 07 degrees 01 minute 29 seconds West 448.45 feet), a distance of 448.45 feet to a found PK nail for corner;

North 10 degrees 09 minutes 53 seconds West (record North 10 degrees 09 minutes 53 seconds West 139.03 feet), a distance of 139.03 feet to a found PK nail for corner;

North 12 degrees 10 minutes 59 seconds West (record North 12 degrees 10 minutes 59 seconds West 706.84 feet), a distance of 706.84 feet to a found PK nail for the northwest corner of said Tract 3- South, said point being within the right-of-way of Turbeville Road (a variable width roadway by usage, no deed of record found);

THENCE South 89 degrees 13 minutes 35 seconds East (record South 89 degrees 13 minutes 35 seconds East 2,142.75 feet), with the north line of said Tract 3- South and within said Turbeville Road, a distance of 2,143.10 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" for the northeast corner of said Tract 3- South, said point being on the centerline of the aforementioned Harbor Lane as described in said Document Number 2011-121573, and from which point a 1/2-inch found iron rod for the northeast corner of that called 116.768 acre tract of land described in deed to Alan H. Goldfield and Shirley M. Goldfield as recorded in Document Number 95-R0035165 (hereinafter referred to as the "Goldfield tract") bears North 48 degrees 36 minutes 21 seconds West a distance of 9.32 feet;

THENCE South 00 degrees 33 minutes 59 seconds East (record South 00 degrees 33 minutes 59 seconds East 1,511.92 feet), with the east line of said Tract 3- South and said centerline of Harbor Lane as described in said Document Number 2011-121573, a distance of 1,511.92 feet to a found PK nail for corner;

THENCE with a jog in the east line of said Tract 3- South through the following calls:

South 89 degrees 19 minutes 44 seconds West (record South 89 degrees 19 minutes 44 seconds West 638.96 feet), departing said centerline of Harbor Lane, at a distance of 2.20 feet passing the east line of said Goldfield tract, a distance of 639.15 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

South 00 degrees 40 minutes 15 seconds East (record South 00 degrees 40 minutes 15 seconds East 318.16 feet), a distance of 318.16 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

North 89 degrees 42 minutes 51 seconds East (record North 89 degrees 42 minutes 51 seconds East 436.59 feet), a distance of 436.59 feet to a found 5/8-inch iron rod with a

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cap stamped "RPLS 1890" for the point curvature of a non-tangent circular curve to the right having a radius of 50.00 feet and a chord that bears North 78 degrees 17 minutes 44 seconds East, a distance of 19.14 feet (record radius 50.00 feet, central angle 22 degrees 04 minutes 01 second, arc distance 19.26 feet, chord North 78 degrees 17 minutes 44 seconds East 19.14 feet);

Easterly, with said curve, through a central angle of 22 degrees 04 minutes 01 second, an arc distance of 19.26 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

North 89 degrees 34 minutes 27 seconds East (record North 89 degrees 34 minutes 27 seconds East 183.02 feet), at a distance of 182.00 feet passing the east line of said Goldfield tract, a distance of 183.21 feet to a found PK nail for corner on the aforementioned centerline of the Harbor Lane as described in said Document Number 2011-121573;

THENCE South 00 degrees 33 minutes 59 seconds East (record South 00 degrees 33 minutes 59 seconds East 797.79 feet), with the east line of said Tract 3- South and with said centerline of Harbor Lane as described in said Document Number 2011-121573, a distance of 797.79 feet to the POINT OF BEGINNING and containing 112.4 acres (4,896,020 square feet) (record 112.3629 acres) of land, more or less



Exhibit A  
Legal Description of the PID 2 Property

TRACT 2 – 5,789 SQUARE FEET  
(part of the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton County, Texas, and being part of the remainder of a called 116.768 acre tract of land described in General Warranty Deed with Vendor's Lien to Alan H. Goldfield and Shirley M. Goldfield, as recorded in Document Number 95-R0035165 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)] ("Record" bearings and distances cited herein are from that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, O.P.R.D.C.T.):

COMMENCING at a found PK nail for an "ell" corner of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, O.P.R.D.C.T., said corner also being on the approximate centerline of Harbor Lane (a called 60-foot wide right-of-way in said Document Number 2011-121573);

THENCE South 89 degrees 34 minutes 27 seconds West (*record North 89 degrees 34 minutes 27 seconds East*), with a jog in the east line of said CTMGT tract, passing at a distance of 1.21 feet the east line of said Goldfield tract, and continuing with said jog, in all a total distance of 37.10 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner, said point also being the POINT OF BEGINNING;

THENCE South 89 degrees 34 minutes 27 seconds West (*record North 89 degrees 34 minutes 27 seconds East*), continuing with said jog, a distance of 146.11 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for the point of curvature of a non-tangent circular curve to the left having a radius of 50.00 feet and a chord that bears South 78 degrees 17 minutes 44 seconds West a distance of 19.14 feet (*record radius 50.00 feet, central angle 22 degrees 04 minutes 01 second, arc distance 19.20 feet, chord North 78 degrees 17 minutes 44 seconds East, 19.14 feet*);

THENCE Westerly, with said curve, continuing with said jog, through a central angle of 22 degrees 04 minutes 01 second, an arc distance of 19.26 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for the end of said curve;

THENCE South 89 degrees 42 minutes 51 seconds West (*record North 89 degrees 42 minutes 51 seconds East*), continuing with said jog, a distance of 107.68 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 00 degrees 17 minutes 09 seconds West, departing said jog and over and across said Goldfield tract, a distance of 22.74 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 89 degrees 22 minutes 49 seconds East, continuing over and across said Goldfield tract, a distance of 272.57 feet to a 1/2-inch set iron rod with cap for corner;

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THENCE South 00 degrees 15 minutes 06 seconds East, continuing over and across said Goldfield tract, a distance of 20.19 feet to the POINT OF BEGINNING and containing 0.1329 of an acre (5,789 square feet) of land, more or less.

Exhibit A  
Legal Description of the PID 2 Property

TRACT 3 – 1.109 ACRES  
(excluded from the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton County, Texas, and being part of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [ The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)] ("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

COMMENCING at a found PK nail for an "ell" corner of said CTMGT tract, said corner also being on the approximate centerline of Harbor Lane (a called 60-foot wide right-of-way in said Document Number 2011-121573);

THENCE South 89 degrees 19 minutes 44 seconds West (*record South 89 degrees 19 minutes 44 seconds West*), with a jog in the east line of said CTMGT tract, passing at a distance of 2.20 feet the east line of the remainder of that called 116.768 acre tract of land described in deed to Alan H. Goldfield and Shirley M. Goldfield, as recorded in Document Number 95-R0035165, O.P.R.D.C.T., continuing with said jog, in all a total distance of 34.40 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner, said point also being the POINT OF BEGINNING;

THENCE South 89 degrees 19 minutes 44 seconds West (*record South 89 degrees 19 minutes 44 seconds West*), continuing with said jog, a distance of 604.75 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for an interior "ell" corner in said jog;

THENCE South 00 degrees 40 minutes 15 seconds East (*record South 00 degrees 40 minutes 15 seconds East, 318.16 feet*), continuing with said jog, a distance of 318.16 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for an interior "ell" corner in said jog;

THENCE North 89 degrees 42 minutes 51 seconds East (*record North 89 degrees 42 minutes 51 seconds East*), continuing with said jog, a distance of 278.91 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 00 degrees 17 minutes 07 seconds East, departing said jog and over and across said CTMGT tract, a distance of 30.02 feet to a 1/2-inch set iron rod with cap for corner;

THENCE continuing over and across said CTMGT tract, through the following calls:

South 89 degrees 42 minutes 53 seconds West a distance of 283.82 feet to a 1/2-inch set iron rod with cap for corner;

North 00 degrees 40 minutes 13 seconds West a distance of 177.48 feet to a 1/2-inch set iron rod with cap for corner;

Exhibit A  
Legal Description of the PID 2 Property

North 24 degrees 07 minutes 19 seconds West a distance of 236.36 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 22 minutes 49 seconds East a distance of 703.97 feet to a 1/2-inch set iron rod with cap for corner;

South 00 degrees 37 minutes 11 seconds East a distance of 45.54 feet to the POINT OF BEGINNING and containing 1.109 acres (48,285 square feet) of land, more or less.

## EXHIBIT A-2 – IMPROVEMENT AREA #1 LEGAL DESCRIPTION

### Exhibit A Legal Description of the PID 2 Property

#### TRACT 1 – 112.4 ACRES (part of the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC as recorded in Document Number 2011-121573 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

BEGINNING at a found PK nail for the southeast corner of said Tract 3- South, said point being in the centerline of Harbor Lane (a called 60 foot wide right-of-way in said Document Number 2011-121573), and being in the north line of the Harbor Grove Estates, Section 3, an addition to the Town of Hickory Creek, Texas, as recorded in Volume 2, Page 151 of the Plat Records of Denton County, Texas;

THENCE South 89 degrees 43 minutes 27 seconds West (record South 89 degrees 47 minutes 55 seconds West 666.64 feet), with the common north line of said Harbor Grove Estates, Section 3 and the south line of said Tract 3- South, a distance of 667.21 feet to a found Corps of Engineers monument for the common northwest corner of said Harbor Grove Estates, Section 3 and the northeast corner of that tract of land described as Tract No. F-522 in deed to United States of America as recorded in Volume 383, Page 375 of the Deed Records of Denton County, Texas (D.R.D.C.T.);

THENCE North 88 degrees 47 minutes 24 seconds West (record North 88 degrees 51 minutes 13 seconds West 658.88 feet), with the common north line of said Tract No. F-522 and the south line of said Tract 3- South, a distance of 658.67 feet to a found Corp of Engineers monument for the common northwest corner of said Unites States of America tract and the northeast corner of that tract of land described in deeds to Sabrina Holkar-Ellis Irrevocable 2007 Trust as recorded in Document Number 2007-127619, O.P.R.D.C.T., and Yeshwant R. Holkar Irrevocable 2007 Trust as recorded in, Document Number 2007-127629, O.P.R.D.C.T.;

THENCE North 89 degrees 46 minutes 12 seconds West (record North 89 degrees 46 minutes 12 seconds West 478.46 feet), with the common north line of said Holkar Trusts tract and the south line of said Tract 3- South, a distance of 478.46 feet to a found PK nail for the southwest corner of said Tract 3- South in the approximate centerline of Sycamore Bend Road (a variable width roadway by usage, no deed of record found);

THENCE with the west line of said Tract 3- South and along the approximate centerline of said Sycamore Bend Road through the following calls:

North 03 degrees 50 minutes 37 seconds West (record North 03 degrees 50 minutes 37 seconds West 502.49 feet), a distance of 502.49 feet to a found PK nail for corner;

North 05 degrees 22 minutes 06 seconds West (record North 05 degrees 22 minutes 06 seconds West 254.96 feet), a distance of 255.11 feet to a found PK nail for corner;



Exhibit A  
Legal Description of the PID 2 Property

North 06 degrees 22 minutes 51 seconds West (record North 06 degrees 25 minutes 21 seconds West 259.59 feet), a distance of 259.28 feet to a found PK nail for corner;

North 07 degrees 54 minutes 41 seconds West (record North 07 degrees 52 minutes 58 seconds West 361.37 feet), a distance of 361.68 feet to a found PK nail for corner;

North 07 degrees 01 minute 29 seconds West (record North 07 degrees 01 minute 29 seconds West 448.45 feet), a distance of 448.45 feet to a found PK nail for corner;

North 10 degrees 09 minutes 53 seconds West (record North 10 degrees 09 minutes 53 seconds West 139.03 feet), a distance of 139.03 feet to a found PK nail for corner;

North 12 degrees 10 minutes 59 seconds West (record North 12 degrees 10 minutes 59 seconds West 706.84 feet), a distance of 706.84 feet to a found PK nail for the northwest corner of said Tract 3- South, said point being within the right-of-way of Turbeville Road (a variable width roadway by usage, no deed of record found);

THENCE South 89 degrees 13 minutes 35 seconds East (record South 89 degrees 13 minutes 35 seconds East 2,142.75 feet), with the north line of said Tract 3- South and within said Turbeville Road, a distance of 2,143.10 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" for the northeast corner of said Tract 3- South, said point being on the centerline of the aforementioned Harbor Lane as described in said Document Number 2011-121573, and from which point a 1/2-inch found iron rod for the northeast corner of that called 116.768 acre tract of land described in deed to Alan H. Goldfield and Shirley M. Goldfield as recorded in Document Number 95-R0035165 (hereinafter referred to as the "Goldfield tract") bears North 48 degrees 36 minutes 21 seconds West a distance of 9.32 feet;

THENCE South 00 degrees 33 minutes 59 seconds East (record South 00 degrees 33 minutes 59 seconds East 1,511.92 feet), with the east line of said Tract 3- South and said centerline of Harbor Lane as described in said Document Number 2011-121573, a distance of 1,511.92 feet to a found PK nail for corner;

THENCE with a jog in the east line of said Tract 3- South through the following calls:

South 89 degrees 19 minutes 44 seconds West (record South 89 degrees 19 minutes 44 seconds West 638.96 feet), departing said centerline of Harbor Lane, at a distance of 2.20 feet passing the east line of said Goldfield tract, a distance of 639.15 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

South 00 degrees 40 minutes 15 seconds East (record South 00 degrees 40 minutes 15 seconds East 318.16 feet), a distance of 318.16 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

North 89 degrees 42 minutes 51 seconds East (record North 89 degrees 42 minutes 51 seconds East 436.59 feet), a distance of 436.59 feet to a found 5/8-inch iron rod with a

Exhibit A  
Legal Description of the PID 2 Property

cap stamped "RPLS 1890" for the point curvature of a non-tangent circular curve to the right having a radius of 50.00 feet and a chord that bears North 78 degrees 17 minutes 44 seconds East, a distance of 19.14 feet (record radius 50.00 feet, central angle 22 degrees 04 minutes 01 second, arc distance 19.26 feet, chord North 78 degrees 17 minutes 44 seconds East 19.14 feet);

Easterly, with said curve, through a central angle of 22 degrees 04 minutes 01 second, an arc distance of 19.26 feet to a found 5/8-inch iron rod with a cap stamped "RPLS 1890" for corner;

North 89 degrees 34 minutes 27 seconds East (record North 89 degrees 34 minutes 27 seconds East 183.02 feet), at a distance of 182.00 feet passing the east line of said Goldfield tract, a distance of 183.21 feet to a found PK nail for corner on the aforementioned centerline of the Harbor Lane as described in said Document Number 2011-121573;

THENCE South 00 degrees 33 minutes 59 seconds East (record South 00 degrees 33 minutes 59 seconds East 797.79 feet), with the east line of said Tract 3- South and with said centerline of Harbor Lane as described in said Document Number 2011-121573, a distance of 797.79 feet to the POINT OF BEGINNING and containing 112.4 acres (4,896,020 square feet) (record 112.3629 acres) of land, more or less

Exhibit A  
Legal Description of the PID 2 Property

TRACT 2 – 5,789 SQUARE FEET  
(part of the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton County, Texas, and being part of the remainder of a called 116.768 acre tract of land described in General Warranty Deed with Vendor's Lien to Alan H. Goldfield and Shirley M. Goldfield, as recorded in Document Number 95-R0035165 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)] ("Record" bearings and distances cited herein are from that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, O.P.R.D.C.T.):

COMMENCING at a found PK nail for an "ell" corner of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, O.P.R.D.C.T., said corner also being on the approximate centerline of Harbor Lane (a called 60-foot wide right-of-way in said Document Number 2011-121573);

THENCE South 89 degrees 34 minutes 27 seconds West (*record North 89 degrees 34 minutes 27 seconds East*), with a jog in the east line of said CTMGT tract, passing at a distance of 1.21 feet the east line of said Goldfield tract, and continuing with said jog, in all a total distance of 37.10 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner, said point also being the POINT OF BEGINNING;

THENCE South 89 degrees 34 minutes 27 seconds West (*record North 89 degrees 34 minutes 27 seconds East*), continuing with said jog, a distance of 146.11 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for the point of curvature of a non-tangent circular curve to the left having a radius of 50.00 feet and a chord that bears South 78 degrees 17 minutes 44 seconds West a distance of 19.14 feet (*record radius 50.00 feet, central angle 22 degrees 04 minutes 01 second, arc distance 19.20 feet, chord North 78 degrees 17 minutes 44 seconds East, 19.14 feet*);

THENCE Westerly, with said curve, continuing with said jog, through a central angle of 22 degrees 04 minutes 01 second, an arc distance of 19.26 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for the end of said curve;

THENCE South 89 degrees 42 minutes 51 seconds West (*record North 89 degrees 42 minutes 51 seconds East*), continuing with said jog, a distance of 107.68 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 00 degrees 17 minutes 09 seconds West, departing said jog and over and across said Goldfield tract, a distance of 22.74 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 89 degrees 22 minutes 49 seconds East, continuing over and across said Goldfield tract, a distance of 272.57 feet to a 1/2-inch set iron rod with cap for corner;

Exhibit A  
Legal Description of the PID 2 Property

THENCE South 00 degrees 15 minutes 06 seconds East, continuing over and across said Goldfield tract, a distance of 20.19 feet to the POINT OF BEGINNING and containing 0.1329 of an acre (5,789 square feet) of land, more or less.

Exhibit A  
Legal Description of the PID 2 Property

TRACT 3 – 1.109 ACRES  
(excluded from the PID 2 Property)

BEING a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton County, Texas, and being part of that tract of land described as Tract 3-South in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows [ The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)] ("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

COMMENCING at a found PK nail for an "ell" corner of said CTMGT tract, said corner also being on the approximate centerline of Harbor Lane (a called 60-foot wide right-of-way in said Document Number 2011-121573);

THENCE South 89 degrees 19 minutes 44 seconds West (*record South 89 degrees 19 minutes 44 seconds West*), with a jog in the east line of said CTMGT tract, passing at a distance of 2.20 feet the east line of the remainder of that called 116.768 acre tract of land described in deed to Alan H. Goldfield and Shirley M. Goldfield, as recorded in Document Number 95-R0035165, O.P.R.D.C.T., continuing with said jog, in all a total distance of 34.40 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner, said point also being the POINT OF BEGINNING;

THENCE South 89 degrees 19 minutes 44 seconds West (*record South 89 degrees 19 minutes 44 seconds West*), continuing with said jog, a distance of 604.75 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for an interior "ell" corner in said jog;

THENCE South 00 degrees 40 minutes 15 seconds East (*record South 00 degrees 40 minutes 15 seconds East, 318.16 feet*), continuing with said jog, a distance of 318.16 feet to a 5/8-inch found iron rod with "RPLS 1890" cap for an interior "ell" corner in said jog;

THENCE North 89 degrees 42 minutes 51 seconds East (*record North 89 degrees 42 minutes 51 seconds East*), continuing with said jog, a distance of 278.91 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 00 degrees 17 minutes 07 seconds East, departing said jog and over and across said CTMGT tract, a distance of 30.02 feet to a 1/2-inch set iron rod with cap for corner;

THENCE continuing over and across said CTMGT tract, through the following calls:

South 89 degrees 42 minutes 53 seconds West a distance of 283.82 feet to a 1/2-inch set iron rod with cap for corner;

North 00 degrees 40 minutes 13 seconds West a distance of 177.48 feet to a 1/2-inch set iron rod with cap for corner;



Exhibit A  
Legal Description of the PID 2 Property

North 24 degrees 07 minutes 19 seconds West a distance of 236.36 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 22 minutes 49 seconds East a distance of 703.97 feet to a 1/2-inch set iron rod with cap for corner;

South 00 degrees 37 minutes 11 seconds East a distance of 45.54 feet to the POINT OF BEGINNING and containing 1.109 acres (48,285 square feet) of land, more or less.

Save and except

LEGAL DESCRIPTION

**BEING** a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Lot 1X, Block A of Steeplechase South Addition, Phase I, as recorded in Document Number 2012-210, of the Official Public Records of Denton County, Texas, (O.P.R.D.C.T.), and being part of a tract of land described as "Tract 3 - South" in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, (O.P.R.D.C.T.), and more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

**COMMENCING** at a found PK nail for the northeast corner of Lot 1X, Block A of said Steeplechase Addition, said corner being at the intersection of the south right-of-way line of Turbeville Road (a variable width right-of-way, Document Number 2012-210, O.P.R.D.C.T.) and the northeast right-of-way line of Sycamore Bend Road (a variable width right-of-way);

**THENCE** South 12 degrees 10 minutes 59 seconds East, with said south right-of-way line and the north line of said Lot 1X, a distance of 33.53 feet to a point for corner;

**THENCE** South 88 degrees 41 minutes 24 seconds East, departing said south right-of-way line and the north line of said Lot 1X, a distance of 63.68 feet to a 3/4-inch found iron pipe for the POINT OF BEGINNING, said corner being at the intersection of the south right-of-way line of said Turbeville Road and the northeast right-of-way line of Sycamore Bend Road;

**THENCE** South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1, a distance of 283.03 feet to a 1/2-inch found iron pipe with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

**THENCE** with the south line of said Lot 1X, Block A and the north line of said Lot 1R, the following bearings and distances:

South 01 degrees 18 minutes 36 second West, a distance of 106.76 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non-tangent circular curve to the right, having radius of 50.00 feet, whose chord bears South 28 degrees 51 minutes 21 seconds East, a distance of 86.46 feet;

Southerly, with said curve, through a central angle of 119 degrees 40 minutes 08 seconds, an arc distance of 104.43 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular reverse curve to the left, having radius of 30.00 feet, whose chord bears South 07 degrees 41 minutes 42 seconds West, a distance of 23.72 feet;

Southerly, with said curve, through a central angle of 46 degrees 34 minutes 03 seconds, an arc distance of 24.38 feet to a 1/2-inch set iron rod with cap for corner;

South 15 degrees 35 minutes 20 seconds East, a distance of 73.24 feet to a 1/2-inch set iron rod with cap for said corner being the point of curvature of tangent circular curve to the right, having radius of 175.00 feet, whose chord bears South 03 degrees 49 minutes 04 seconds West, a distance of 116.29 feet;

Southerly, with said curve, through a central angle of 38 degrees 48 minutes 47 seconds, an arc distance of 118.55 feet to a 1/2-inch set iron rod with cap for corner;

South 23 degrees 13 minutes 28 seconds West, with the southeast line of said Lot 1X, a distance of 92.50 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the left, having radius of 125.00 feet, whose chord bears South 06 degrees 31 minutes 48 seconds West, a distance of 71.82 feet;

Southerly, with said curve, through a central angle of 33 degrees 23 minutes 19 seconds, an arc distance of 72.84 feet to a 1/2-inch set iron rod with cap for corner;

South 10 degrees 09 minutes 51 seconds East, a distance of 139.28 feet to a 1/2-inch set iron rod with cap for corner;

North 79 degrees 50 minutes 09 seconds East, a distance of 105.04 feet to a 1/2-inch set iron rod with cap for corner;

North 52 degrees 04 minutes 18 seconds East, a distance of 173.16 feet to a 1/2-inch set iron rod with cap for corner;

South 37 degrees 55 minutes 42 seconds East, a distance of 158.66 feet to a 1/2-inch set iron rod with cap for corner;

South 68 degrees 52 minutes 41 seconds West, a distance of 1.43 feet to a 1/2-inch set iron rod with cap for corner;

South 23 degrees 58 minutes 00 seconds West, a distance of 136.61 feet to a 1/2-inch set iron rod with cap for corner;

South 21 degrees 07 minutes 19 seconds East, a distance of 305.32 feet to a 1/2-inch set iron rod with cap for corner;

North 68 degrees 52 minutes 41 seconds East, a distance of 20.06 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non- tangent circular curve to the left, having radius of 2593.5 feet, whose chord bears South 22 degrees 25 minutes 49 seconds East, a distance of 153.14 feet;

Southerly, with said curve, through a central angle of 03 degrees 23 minutes 01 seconds, an arc distance of 153.16 feet to a 1/2-inch set iron rod with cap for corner;

South 24 degrees 07 minutes 19 seconds East, a distance of 54.93 feet to a 1/2-inch set iron rod with cap for corner;

South 65 degrees 52 minutes 41 seconds West, a distance of 20.00 feet to a 1/2-inch set iron rod with cap for corner;

South 24 degrees 07 minutes 19 seconds East, a distance of 487.61 feet to a 1/2-inch set iron rod with cap for corner;

South 21 degrees 44 minutes 33 seconds East, a distance of 87.02 feet to a 1/2-inch set iron rod with cap for corner;

South 02 degrees 20 minutes 12 seconds East, a distance of 110.05 feet to a 1/2-inch set iron rod with cap for corner;

South 01 degrees 52 minutes 34 seconds East, a distance of 140.03 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 19 minutes 47 seconds East, a distance of 19.15 feet to a 1/2-inch set iron rod with cap for corner;

South 08 degrees 50 minutes 46 seconds East, a distance of 554.95 feet to a 1/2-inch set iron rod with cap for corner;

**THENCE** with the west line of said Lot 1X, Block A, the following bearings and distances:

North 88 degrees 47 minutes 24 seconds West, a distance of 355.69 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 46 minutes 12 seconds West, a distance of 202.01 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non- tangent circular curve to the left, having radius of 250.00 feet, whose chord bears North 75 degrees 22 minutes 06 seconds West, a distance of 89.07 feet;

Northerly, with said curve, through a central angle of 20 degrees 31 minutes 25 seconds, an arc distance of 89.55 feet to a 1/2-inch set iron rod with cap for corner;

North 85 degrees 37 minutes 49 seconds West, a distance of 121.13 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the right, having radius of 50.00 feet, whose chord bears North 44 degrees 49 minutes 49 seconds West, a distance of 65.34 feet;

Northerly, with said curve, through a central angle of 81 degrees 36 minutes 00 seconds, an arc distance of 71.21 feet to a 1/2-inch set iron rod with cap for corner;

**THENCE** with the north line of said Lot 1X, Block A, the following bearings and distances:

North 04 degrees 01 minutes 49 seconds West, a distance of 47.90 feet to a 1/2-inch set iron rod with cap for corner;

North 00 degrees 30 minutes 37 seconds East, a distance of 90.25 feet to a 1/2-inch set iron rod with cap for corner;

North 05 degrees 37 minutes 59 seconds West, a distance of 777.96 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the left, having radius of 265.00 feet, whose chord bears North 06 degrees 48 minutes 48 seconds West, a distance of 10.92 feet;

Northerly, with said curve, through a central angle of 02 degrees 21 minutes 38 seconds, an arc distance of 10.92 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 59 minutes 37 seconds West, a distance of 260.51 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 16 minutes 00 seconds West, a distance of 326.55 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 36 minutes 46 seconds West, a distance of 199.24 feet to a 1/2-inch set iron rod with cap for corner;

North 08 degrees 11 minutes 54 seconds West, a distance of 125.55 feet to a 1/2-inch set iron rod with cap for corner;

North 10 degrees 30 minutes 00 seconds West, a distance of 89.98 feet to a 1/2-inch set iron rod with cap for corner;

North 12 degrees 01 minutes 00 seconds West, a distance of 600.09 feet to a 1/2-inch set iron rod with cap for corner;

North 40 degree 09 minutes 57 seconds East, a distance of 40.29 feet to the **POINT OF BEGINNING** and containing 33.83 acres (1,473,576 square feet) of land, more or less.

## EXHIBIT A-3 – IMPROVEMENT AREA #2 LEGAL DESCRIPTION

### LEGAL DESCRIPTION

**BEING** a tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Lot 1X, Block A of Steeplechase South Addition, Phase I, as recorded in Document Number 2012-210, of the Official Public Records of Denton County, Texas, (O.P.R.D.C.T.), and being part of a tract of land described as "Tract 3 - South" in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, (O.P.R.D.C.T.), and more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

**COMMENCING** at a found PK nail for the northeast corner of Lot 1X, Block A of said Steeplechase Addition, said corner being at the intersection of the south right-of-way line of Turbeville Road (a variable width right-of-way, Document Number 2012-210, O.P.R.D.C.T.) and the northeast right-of-way line of Sycamore Bend Road (a variable width right-of-way);

**THENCE** South 12 degrees 10 minutes 59 seconds East, with said south right-of-way line and the north line of said Lot 1X, a distance of 33.53 feet to a point for corner;

**THENCE** South 88 degrees 41 minutes 24 seconds East, departing said south right-of-way line and the north line of said Lot 1X, a distance of 63.68 feet to a 3/4-inch found iron pipe for the POINT OF BEGINNING, said corner being at the intersection of the south right-of-way line of said Turbeville Road and the northeast right-of-way line of Sycamore Bend Road;

**THENCE** South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1, a distance of 283.03 feet to a 1/2-inch found iron pipe with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

**THENCE** with the south line of said Lot 1X, Block A and the north line of said Lot 1R, the following bearings and distances:

South 01 degrees 18 minutes 36 second West, a distance of 106.76 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non-tangent circular curve to the right, having radius of 50.00 feet, whose chord bears South 28 degrees 51 minutes 21 seconds East, a distance of 86.46 feet;

Southerly, with said curve, through a central angle of 119 degrees 40 minutes 08 seconds, an arc distance of 104.43 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular reverse curve to the left, having radius of 30.00 feet, whose chord bears South 07 degrees 41 minutes 42 seconds West, a distance of 23.72 feet;

Southerly, with said curve, through a central angle of 46 degrees 34 minutes 03 seconds, an arc distance of 24.38 feet to a 1/2-inch set iron rod with cap for corner;



South 15 degrees 35 minutes 20 seconds East, a distance of 73.24 feet to a 1/2-inch set iron rod with cap for said corner being the point of curvature of tangent circular curve to the right, having radius of 175.00 feet, whose chord bears South 03 degrees 49 minutes 04 seconds West, a distance of 116.29 feet;

Southerly, with said curve, through a central angle of 38 degrees 48 minutes 47 seconds, an arc distance of 118.55 feet to a 1/2-inch set iron rod with cap for corner;

South 23 degrees 13 minutes 28 seconds West, with the southeast line of said Lot 1X, a distance of 92.50 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the left, having radius of 125.00 feet, whose chord bears South 06 degrees 31 minutes 48 seconds West, a distance of 71.82 feet;

Southerly, with said curve, through a central angle of 33 degrees 23 minutes 19 seconds, an arc distance of 72.84 feet to a 1/2-inch set iron rod with cap for corner;

South 10 degrees 09 minutes 51 seconds East, a distance of 139.28 feet to a 1/2-inch set iron rod with cap for corner;

North 79 degrees 50 minutes 09 seconds East, a distance of 105.04 feet to a 1/2-inch set iron rod with cap for corner;

North 52 degrees 04 minutes 18 seconds East, a distance of 173.16 feet to a 1/2-inch set iron rod with cap for corner;

South 37 degrees 55 minutes 42 seconds East, a distance of 158.66 feet to a 1/2-inch set iron rod with cap for corner;

South 68 degrees 52 minutes 41 seconds West, a distance of 1.43 feet to a 1/2-inch set iron rod with cap for corner;

South 23 degrees 58 minutes 00 seconds West, a distance of 136.61 feet to a 1/2-inch set iron rod with cap for corner;

South 21 degrees 07 minutes 19 seconds East, a distance of 305.32 feet to a 1/2-inch set iron rod with cap for corner;

North 68 degrees 52 minutes 41 seconds East, a distance of 20.06 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non-tangent circular curve to the left, having radius of 2593.5 feet, whose chord bears South 22 degrees 25 minutes 49 seconds East, a distance of 153.14 feet;

Southerly, with said curve, through a central angle of 03 degrees 23 minutes 01 seconds, an arc distance of 153.16 feet to a 1/2-inch set iron rod with cap for corner;

South 24 degrees 07 minutes 19 seconds East, a distance of 54.93 feet to a 1/2-inch set iron rod with cap for corner;

South 65 degrees 52 minutes 41 seconds West, a distance of 20.00 feet to a 1/2-inch set iron rod with cap for corner;

South 24 degrees 07 minutes 19 seconds East, a distance of 487.61 feet to a 1/2-inch set iron rod with cap for corner;

South 21 degrees 44 minutes 33 seconds East, a distance of 87.02 feet to a 1/2-inch set iron rod with cap for corner;

South 02 degrees 20 minutes 12 seconds East, a distance of 110.05 feet to a 1/2-inch set iron rod with cap for corner;

South 01 degrees 52 minutes 34 seconds East, a distance of 140.03 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 19 minutes 47 seconds East, a distance of 19.15 feet to a 1/2-inch set iron rod with cap for corner;

South 08 degrees 50 minutes 46 seconds East, a distance of 554.95 feet to a 1/2-inch set iron rod with cap for corner;

**THENCE** with the west line of said Lot 1X, Block A, the following bearings and distances:

North 88 degrees 47 minutes 24 seconds West, a distance of 355.69 feet to a 1/2-inch set iron rod with cap for corner;

North 89 degrees 46 minutes 12 seconds West, a distance of 202.01 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of non-tangent circular curve to the left, having radius of 250.00 feet, whose chord bears North 75 degrees 22 minutes 06 seconds West, a distance of 89.07 feet;

Northerly, with said curve, through a central angle of 20 degrees 31 minutes 25 seconds, an arc distance of 89.55 feet to a 1/2-inch set iron rod with cap for corner;

North 85 degrees 37 minutes 49 seconds West, a distance of 121.13 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the right, having radius of 50.00 feet, whose chord bears North 44 degrees 49 minutes 49 seconds West, a distance of 65.34 feet;

Northerly, with said curve, through a central angle of 81 degrees 36 minutes 00 seconds, an arc distance of 71.21 feet to a 1/2-inch set iron rod with cap for corner;

**THENCE** with the north line of said Lot 1X, Block A, the following bearings and distances:

North 04 degrees 01 minutes 49 seconds West, a distance of 47.90 feet to a 1/2-inch set iron rod with cap for corner;

North 00 degrees 30 minutes 37 seconds East, a distance of 90.25 feet to a 1/2-inch set iron rod with cap for corner;

North 05 degrees 37 minutes 59 seconds West, a distance of 777.96 feet to a 1/2-inch set iron rod with cap for corner said corner being the point of curvature of tangent circular curve to the left, having radius of 265.00 feet, whose chord bears North 06 degrees 48 minutes 48 seconds West, a distance of 10.92 feet;

Northerly, with said curve, through a central angle of 02 degrees 21 minutes 38 seconds, an arc distance of 10.92 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 59 minutes 37 seconds West, a distance of 260.51 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 16 minutes 00 seconds West, a distance of 326.55 feet to a 1/2-inch set iron rod with cap for corner;

North 07 degrees 36 minutes 46 seconds West, a distance of 199.24 feet to a 1/2-inch set iron rod with cap for corner;

North 08 degrees 11 minutes 54 seconds West, a distance of 125.55 feet to a 1/2-inch set iron rod with cap for corner;

North 10 degrees 30 minutes 00 seconds West, a distance of 89.98 feet to a 1/2-inch set iron rod with cap for corner;

North 12 degrees 01 minutes 00 seconds West, a distance of 600.09 feet to a 1/2-inch set iron rod with cap for corner;

North 40 degree 09 minutes 57 seconds East, a distance of 40.29 feet to the **POINT OF BEGINNING** and containing 33.83 acres (1,473,576 square feet) of land, more or less.

## EXHIBIT A-4 – MAP OF IMPROVEMENT AREA #1 AND IMPROVEMENT AREA #2<sup>3</sup>



<sup>3</sup> Improvement Area #1 includes Phase 1 and Phase 2A and Improvement Area #2 includes Phase 2B. Note a complete list of Tax IDs within the District, including Non-benefitted Properties, is included in **Exhibit F-1** and **Exhibit G-1**.

## EXHIBIT A-5 – CHANGED PROPERTY LEGAL DESCRIPTION AND MAP

### Exhibit A

#### Legal Description: Lot 1R, Block A

BEING a 6.72 acre tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Lot 1, Block A of Steeplechase South Addition, Phase I, as recorded in Document Number 2012-210, of the Official Public Records of Denton County, Texas, (O.P.R.D.C.T.), and being part of a tract of land described as “Tract 3 - South” in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, (O.P.R.D.C.T.), and more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)] (“Record” bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

COMMENCING at a 3/4-inch found iron pipe with yellow plastic cap stamped “HALFF” (hereinafter referred to as “with cap”) for the north corner of a corner clip of Lot 1X, Block A of said Steeplechase Addition, said corner being at the intersection of the south right-of-way line of Turbeville Road (a variable width right-of-way, Document Number 2012-210, O.P.R.D.C.T.) and the northeast right-of-way line of Sycamore Bend Road (a variable width right-of-way);

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1X, a distance of 283.03 feet to a 1/2-inch found iron rod with cap for the POINT OF BEGINNING, said corner being the common northeast corner of said Lot 1X and the northwest corner of Lot 1;

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1, a distance of 239.69 feet to a 3/4-inch found iron pipe with cap for corner;

THENCE over and across said Lot 1, Block A, the following bearings and distances:

South 05 degrees 48 minutes 52 seconds West, departing said south right-of-way line and the north line of said Lot 1, a distance of 132.35 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 60.50 feet, whose chord that bears South 39 degrees 11 minutes 08 seconds East, a distance of 85.56 feet;

Southeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 95.03 feet to a corner;

South 84 degrees 11 minutes 08 seconds East, a distance of 135.39 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 80.50 feet whose chord that bears North 50 degrees 48 minutes 52 seconds East, a distance of 113.84 feet;

Northeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 126.45 feet to a corner;



North 05 degrees 39 minutes 28 seconds East, a distance of 0.44 feet to a corner;

South 89 degrees 12 minutes 45 seconds East, a distance of 24.53 feet to a corner on the common east line of said Lot 1, Block A and the west line of Lot 1, Block C of said Steeplechase Addition;

THENCE South 05 degrees 48 minutes 52 seconds West, with the common east line of said Lot 1, Block A and the west line of 3, and 4, Block C of said Steeplechase Addition, a distance of 223.35 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A and the southwest corner of said Lot 3, Block C;

THENCE South 84 degrees 11 minutes 08 seconds East, with the common south line of said Lot 3, Block C and the northeast line of said Lot 1, Block A, a distance of 163.12 feet to a 1/2-set iron rod with cap for an “ell” corner of said Lot 1, Block A, said corner being on the west line of Lot 2, Block C;

THENCE South 06 degrees 02 minutes 56 seconds West, with the common west line of said Lots 1 and 2, Block C and the east line of said Lot 1, Block A, a distance of 172.17 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 68 degrees 52 minutes 41 seconds East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 82.00 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 82 degrees 39 minutes 01 second East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 149.61 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C, said corner being on the west right-of-way line of Chestnut Lane (a 50-foot wide right-of-way) ;

THENCE South 07 degrees 20 minutes 59 second East, with the east line of said Lot 1, Block A and said west right-of-way line, a distance of 20.00 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and Lot 36, Block B;

THENCE with the south line of said Lot 1, Block A, the following bearings and distances:

South 82 degrees 39 minutes 01 second West, with the north line of Lots 35 and 36, Block B, a distance of 147.19 feet to a 1/2-inch set iron rod with cap for corner;

South 68 degrees 52 minutes 41 seconds West, with the northwest line of Lots 32, 33, 34 and 35, Block B, a distance of 391.56 feet to a 1/2-inch set iron rod with cap for an “ell” corner of said Lot 1, Block A and Lot 1X, Block A;

North 37 degrees 55 minutes 42 seconds West, with the northeast line of said Lot 1X, a distance of 158.67 feet to a 1/2-inch set iron rod with cap for corner;

South 52 degrees 04 minutes 18 seconds West, with the northeast line of said Lot 1X, a distance of 173.16 feet to a 1/2-inch set iron rod with cap for corner;

South 79 degrees 50 minutes 09 seconds West, with the northeast line of said Lot 1X, a distance of 105.04 feet to a 1/2-inch set iron rod with cap for corner;

THENCE with the west line of said Lot 1, Block A, and the northeast line of said Lot 1X, Block A, the following bearings and distances:

North 10 degrees 09 minutes 51 seconds West, a distance of 139.28 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 125.00 feet, whose chord bears North 06 degrees 31 minutes 48 seconds East, a distance of 71.82 feet;

Northerly, with said curve, through a central angle of 33 degrees 23 minutes 19 seconds, an arc distance of 72.84 feet to a 1/2-inch set iron rod with cap for corner;

North 23 degrees 13 minutes 28 seconds East, a distance of 92.50 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the left, having radius of 175.00 feet, whose chord bears North 03 degrees 49 minutes 04 seconds East, a distance of 116.29 feet;

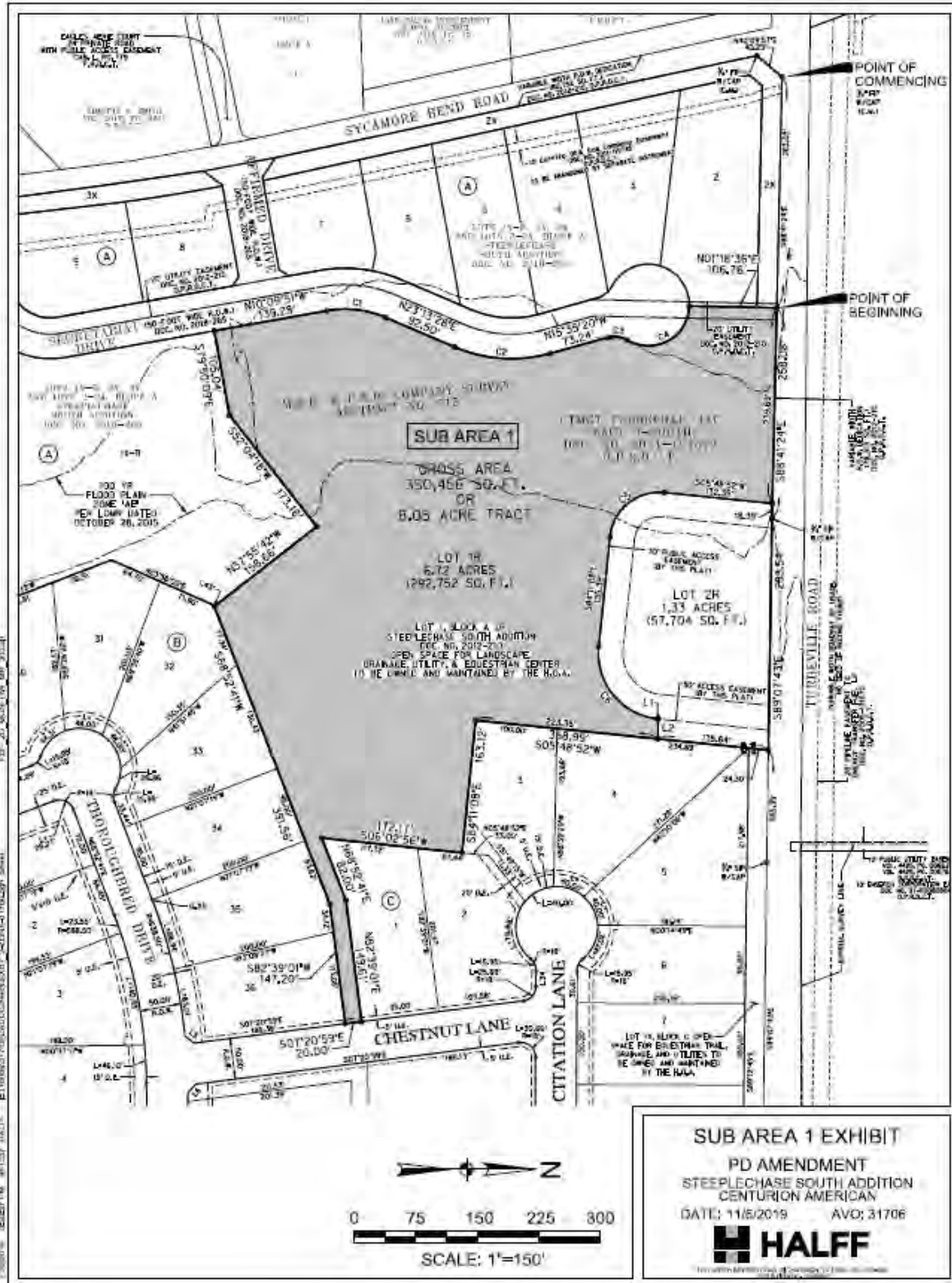
Northerly, with said curve, through a central angle of 38 degrees 48 minutes 47 seconds, an arc distance of 118.55 feet to a 1/2-inch set iron rod with cap for corner;

North 15 degrees 35 minutes 20 seconds West, a distance of 73.24 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 30.00 feet, whose chord bears North 07 degrees 41 minutes 42 seconds East, a distance of 23.72 feet;

Northerly, with said curve, through a central angle of 46 degrees 34 minutes 03 seconds, an arc distance of 24.38 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of reverse curvature of non-tangent circular curve to the left, having radius of 50.00 feet, whose chord bears North 28 degrees 51 minutes 21 seconds West, a distance of 86.46 feet;

Northwesterly, with said curve, through a central angle of 119 degrees 40 minutes 08 seconds, an arc distance of 104.44 feet to a 1/2-inch set iron rod with cap for corner;

North 01 degree 18 minutes 36 seconds East, a distance of 106.76 feet to the POINT OF BEGINNING and containing 6.72 acres (292,752 square feet) of land, more or less.



## EXHIBIT B – CHANGE IN ASSESSMENTS

Improvement Area	Prior to Rezoning			After Rezoning			Change in Assessment	Maximum Assessment
	Units	Assessment Per Unit	Total Assessment	Units	Assessment Per Unit	Total Assessment	Per Unit	Per Unit
	(A)	(B)	(C) = (A) * (B)	(D)	(E)	(F) = (D) * (E)	(G) = (E) - (B)	(H) = (F) / (D)
<i>Improvement Area #1</i>								
Residential Parcels	108	\$ 31,526.72	\$ 3,404,885.50	108	\$ 31,287.88	\$ 3,379,090.91	\$ (238.84)	\$ 31,287.88
Changed Property	0	\$ -	\$ -	1	\$ 31,287.88	\$ 31,287.88	\$ 31,287.88	\$ 31,287.88
<b>Total IA#1 Benefitted Parcels</b>	<b>108</b>		<b>\$ 3,404,885.50</b>	<b>109</b>		<b>\$ 3,410,378.79</b>		
<i>Improvement Area #2</i>								
Residential Parcels	23	\$ 31,526.72	\$ 725,114.50	23	\$ 31,287.88	\$ 719,621.21	\$ (238.84)	\$ 31,287.88
Changed Property	0	\$ -	\$ -	0	\$ -	\$ -	\$ -	\$ -
<b>Total IA#2 Benefitted Parcels</b>	<b>23</b>		<b>\$ 725,114.50</b>	<b>23</b>		<b>\$ 719,621.21</b>		
<b>Total Benefitted Parcels</b>	<b>131</b>		<b>\$ 4,130,000.00</b>	<b>132</b>		<b>\$ 4,130,000.00</b>		

## EXHIBIT C – AUTHORIZED IMPROVEMENTS

Authorized Improvements	Total Budgeted Costs	Improvement Area #1		Improvement Area #2	
		%	Cost	%	Cost
<b>Improvement Area #1<sup>1</sup></b>					
Engineering	\$ 44,899.13	100.00%	\$ 44,899.13	0.00%	\$ -
Environmental Report	2,300.00	100.00%	2,300.00	0.00%	-
Engineering	264,513.19	100.00%	264,513.19	0.00%	-
Erosion Control	20,997.45	100.00%	20,997.45	0.00%	-
Roadway Construction	81,121.36	100.00%	81,121.36	0.00%	-
Engineering	33,513.65	100.00%	33,513.65	0.00%	-
Streets	35,014.50	100.00%	35,014.50	0.00%	-
Erosion Control	1,001.31	100.00%	1,001.31	0.00%	-
Erosion Control	14,345.00	100.00%	14,345.00	0.00%	-
Water,Sewer, Stormwater	97,200.00	100.00%	97,200.00	0.00%	-
Erosion Control	4,345.00	100.00%	4,345.00	0.00%	-
Roadway Construction	1,560,761.28	100.00%	1,560,761.28	0.00%	-
City Fees	28,300.00	100.00%	28,300.00	0.00%	-
Water, Sewer, Stormwater	795,278.68	100.00%	795,278.68	0.00%	-
Street Signs	4,248.81	100.00%	4,248.81	0.00%	-
	<b>\$ 2,987,839.36</b>		<b>\$ 2,987,839.36</b>		<b>\$ -</b>
<b>Improvement Area #2<sup>1</sup></b>					
Earthwork	\$ 73,076.00	0.00%	\$ -	100.00%	\$ 73,076.00
Water	147,805.00	0.00%	-	100.00%	147,805.00
Sanitary Sewer	19,550.00	0.00%	-	100.00%	19,550.00
Storm Drain	79,284.00	0.00%	-	100.00%	79,284.00
Paving	419,330.00	0.00%	-	100.00%	419,330.00
Performance and Payment Bonds	11,654.46	0.00%	-	100.00%	11,654.46
	<b>\$ 750,699.46</b>		<b>\$ -</b>		<b>\$ 750,699.46</b>
<b>PID Formation and Bond Issuance Costs<sup>2</sup></b>					
Reserve Fund	\$ 304,200.00	82.44%	\$ 250,790.84	17.56%	\$ 53,409.16
Capitalized Interest	-	82.44%	-	17.56%	-
Underwriter's Discount	126,600.00	82.44%	104,372.52	17.56%	22,227.48
Cost of Issuance	168,800.00	82.44%	139,163.36	17.56%	29,636.64
	<b>\$ 599,600.00</b>		<b>\$ 494,326.72</b>		<b>\$ 105,273.28</b>
<b>Total</b>	<b>\$ 4,338,138.81</b>		<b>\$ 3,482,166.07</b>		<b>\$ 855,972.74</b>

**Notes:**

<sup>1</sup> Improvement Area #1 Improvements have been fully constructed and dedicated to the Town. Construction has not yet begun on Improvement Area #2 Improvements.

<sup>2</sup> PID Formation and Bond Issuance Costs is allocated based on the number of assessed Parcels in each Improvement Area at the time the PID Bonds were issued. The total number of assessed Parcels within the District was 131. Improvement Area #1 had 108 assessed Parcels, so it is allocated 82.44% (108/132 = 82.44%) of PID Formation and Bond Issuance Costs. Improvement Area #2 had 23 Parcels with Assessments, so it is allocated 17.56% (23/132 = 17.56%) of PID Formation and Bond Issuance Costs.



## EXHIBIT D – SERVICE PLAN

Hickory Creek PID No. 2 - Annual Installments						
Installment Due		1/31/2021	1/31/2022	1/31/2023	1/31/2024	1/31/2025
Principal		\$ 65,000.00	\$ 70,000.00	\$ 75,000.00	\$ 80,000.00	\$ 85,000.00
Interest		\$ 229,012.50	\$ 225,681.26	\$ 222,093.76	\$ 218,250.00	\$ 214,150.00
Total Debt Service	(1)	\$ 294,012.50	\$ 295,681.26	\$ 297,093.76	\$ 298,250.00	\$ 299,150.00
Additional Interest	(2)	\$ 20,650.00	\$ 20,325.00	\$ 19,975.00	\$ 19,600.00	\$ 19,200.00
Administrative Expenses	(3)	\$ 29,692.20	\$ 30,286.04	\$ 30,891.76	\$ 31,509.60	\$ 32,139.79
<b>Total Annual Installment</b>	<b>(4) = (1) + (2) + (3)</b>	<b>\$ 344,354.70</b>	<b>\$ 346,292.30</b>	<b>\$ 347,960.52</b>	<b>\$ 349,359.60</b>	<b>\$ 350,489.79</b>

## EXHIBIT E – SOURCES AND USES OF FUNDS

Sources of Funds	
Original Bond Par Amount	\$ 4,220,000.00
Owner Contribution	<u>\$ 170,282.57</u>
<b>Total Sources</b>	<b>\$ 4,390,282.57</b>
Uses of Funds	
Improvement Area #1 Improvements	\$ 2,987,839.36
Improvement Area #2 Improvements	<u>\$ 750,699.46</u>
	\$ 3,738,538.81
District Formation and Bond Issuance Costs	
Reserve Fund	\$ 304,343.76
Capitalized Interest	\$ -
Underwriter's Discount	\$ 134,400.00
Cost of Issuance	<u>\$ 213,000.00</u>
	\$ 651,743.76
<b>Total Uses</b>	<b>\$ 4,390,282.57</b>

## EXHIBIT F-1 – IMPROVEMENT AREA #1 ASSESSMENT ROLL

Parcel ID	Improvement Area	Lot Type	Outstanding Assessment	Installment Due 1/31/21
557860	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557861	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557862	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557863	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557864	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557865	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557866	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557867	IA #1	Non-Benefitted Property	\$ -	\$ -
557868	IA #1	Non-Benefitted Property	\$ -	\$ -
557869	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557870	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557871	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557872	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557873	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557874	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557875	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557876	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557877	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557878	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557879	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557880	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557881	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557882	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557883	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557884	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557885	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557886	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557887	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557888	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557889	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557890	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557891	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557892	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557893	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557894	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557895	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557896	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557897	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557899	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557900	IA #1	Residential	\$ 31,287.88	\$ 2,608.75

Parcel ID	Improvement Area	Lot Type	Outstanding Assessment	Installment Due 1/31/21
557901	IA #1	Non-Benefitted Property	\$ -	\$ -
557902	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557903	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557904	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557905	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557906	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557907	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557908	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557909	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557910	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557911	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557912	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557913	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557914	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557915	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557916	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557917	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557918	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557919	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557920	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557921	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557922	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557923	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557924	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557925	IA #1	Non-Benefitted Property	\$ -	\$ -
557927	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557928	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557929	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557930	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557931	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557932	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557933	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557934	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557935	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557936	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557937	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557938	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557939	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557940	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557941	IA #1	Non-Benefitted Property	\$ -	\$ -

Parcel ID	Improvement Area	Lot Type	Outstanding Assessment	Installment Due 1/31/21
557943	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557944	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557945	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557946	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557947	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557949	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557950	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557951	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557952	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557953	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557954	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557955	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557956	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557957	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557958	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557959	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557960	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557961	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557962	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557963	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557964	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557965	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557966	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557967	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557968	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557969	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557971	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557972	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557973	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557974	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557975	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557976	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557977	IA #1	Residential	\$ 31,287.88	\$ 2,608.75
557979	IA #1	Non-Benefitted Property	\$ -	\$ -
557982	IA #1	Changed Property	\$ 31,287.88	\$ 2,608.75
557981	IA #1	Non-Benefitted Property	\$ -	\$ -
581613	IA #1	Non-Benefitted Property	\$ -	\$ -
<b>Total</b>			<b>\$ 3,410,378.79</b>	<b>\$ 284,353.50</b>



## EXHIBIT F-2 – IMPROVEMENT AREA #1 ANNUAL INSTALLMENTS

Improvement Area #1 Annual Installments								
Installment Due 1/31	Principal	Interest	Additional Interest	Administrative Expenses	Reserve Fund	Total Installment		
2021	\$ 53,674.24	\$ 189,108.81	\$ 17,051.89	\$ 24,518.56	\$ -	\$ 284,353.50		
2022	\$ 57,803.03	\$ 186,358.01	\$ 16,783.52	\$ 25,008.93	\$ -	\$ 285,953.49		
2023	\$ 61,931.82	\$ 183,395.60	\$ 16,494.51	\$ 25,509.11	\$ -	\$ 287,331.04		
2024	\$ 66,060.61	\$ 180,221.59	\$ 16,184.85	\$ 26,019.29	\$ -	\$ 288,486.34		
2025	\$ 70,189.39	\$ 176,835.98	\$ 15,854.55	\$ 26,539.68	\$ -	\$ 289,419.60		
2026	\$ 74,318.18	\$ 173,238.79	\$ 15,503.60	\$ 27,070.47	\$ -	\$ 290,131.04		
2027	\$ 78,446.97	\$ 169,429.98	\$ 15,132.01	\$ 27,611.88	\$ -	\$ 290,620.84		
2028	\$ 82,575.76	\$ 165,409.56	\$ 14,739.77	\$ 28,164.12	\$ -	\$ 290,889.21		
2029	\$ 86,704.55	\$ 161,177.56	\$ 14,326.89	\$ 28,727.40	\$ -	\$ 290,936.40		
2030	\$ 94,962.12	\$ 156,300.43	\$ 10,755.49	\$ 29,301.95	\$ -	\$ 291,320.00		
2031	\$ 99,090.91	\$ 150,958.81	\$ -	\$ 29,887.99	\$ -	\$ 279,937.70		
2032	\$ 103,219.70	\$ 145,384.94	\$ -	\$ 30,485.75	\$ -	\$ 279,090.39		
2033	\$ 111,477.27	\$ 139,578.84	\$ -	\$ 31,095.46	\$ -	\$ 282,151.58		
2034	\$ 115,606.06	\$ 133,308.24	\$ -	\$ 31,717.37	\$ -	\$ 280,631.67		
2035	\$ 123,863.64	\$ 126,805.40	\$ -	\$ 32,351.72	\$ -	\$ 283,020.75		
2036	\$ 127,992.42	\$ 119,838.07	\$ -	\$ 32,998.75	\$ -	\$ 280,829.24		
2037	\$ 136,250.00	\$ 112,638.50	\$ -	\$ 33,658.73	\$ -	\$ 282,547.23		
2038	\$ 144,507.58	\$ 104,974.43	\$ -	\$ 34,331.90	\$ -	\$ 283,813.91		
2039	\$ 152,765.15	\$ 96,845.89	\$ -	\$ 35,018.54	\$ -	\$ 284,629.58		
2040	\$ 161,022.73	\$ 88,252.84	\$ -	\$ 35,718.91	\$ -	\$ 284,994.48		
2041	\$ 169,280.30	\$ 79,195.32	\$ -	\$ 36,433.29	\$ -	\$ 284,908.91		
2042	\$ 177,537.88	\$ 69,673.30	\$ -	\$ 37,161.95	\$ -	\$ 284,373.13		
2043	\$ 189,924.24	\$ 59,686.80	\$ -	\$ 37,905.19	\$ -	\$ 287,516.23		
2044	\$ 202,310.61	\$ 49,003.56	\$ -	\$ 38,663.30	\$ -	\$ 289,977.46		
2045	\$ 210,568.18	\$ 37,623.58	\$ -	\$ 39,436.56	\$ -	\$ 287,628.33		
2046	\$ 222,954.55	\$ 25,779.13	\$ -	\$ 40,225.30	\$ -	\$ 288,958.97		
2047	\$ 235,340.91	\$ 13,237.93	\$ -	\$ 41,029.80	\$ (251,314.17)	\$ 38,294.48		
	<b>\$ 3,410,378.79</b>	<b>\$ 3,294,261.90</b>	<b>\$ 152,827.08</b>	<b>\$ 866,591.89</b>	<b>\$ (251,314.17)</b>	<b>\$ 7,472,745.50</b>		

## EXHIBIT G-1 –IMPROVEMENT AREA #2 ASSESSMENT ROLL

Parcel ID	Improvement Area	Lot Type	Outstanding Assessment	Installment Due 1/31/21
732775	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732776	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732777	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732778	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732779	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732780	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732781	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732782	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732783	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732784	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732785	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732786	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732787	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732788	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732789	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732790	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732791	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732792	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732793	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732794	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732795	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732796	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732797	IA #2	Residential	\$ 31,287.88	\$ 2,608.75
732798	IA #2	Non-Benefitted Property	\$ -	\$ -
732799	IA #2	Non-Benefitted Property	\$ -	\$ -
732800	IA #2	Non-Benefitted Property	\$ -	\$ -
<b>Total</b>			<b>\$ 719,621.21</b>	<b>\$ 60,001.20</b>

## EXHIBIT G-2 –IMPROVEMENT AREA #2 ANNUAL INSTALLMENTS

Improvement Area #2 Annual Installments							
Installment Due 1/31	Principal	Interest	Additional Interest	Administrative Expenses	Reserve Fund	Total Installment	
2021	\$ 11,325.76	\$ 39,903.69	\$ 3,598.11	\$ 5,173.64	\$ -	\$	60,001.20
2022	\$ 12,196.97	\$ 39,323.25	\$ 3,541.48	\$ 5,277.11	\$ -	\$	60,338.81
2023	\$ 13,068.18	\$ 38,698.16	\$ 3,480.49	\$ 5,382.66	\$ -	\$	60,629.49
2024	\$ 13,939.39	\$ 38,028.41	\$ 3,415.15	\$ 5,490.31	\$ -	\$	60,873.26
2025	\$ 14,810.61	\$ 37,314.02	\$ 3,345.45	\$ 5,600.12	\$ -	\$	61,070.19
2026	\$ 15,681.82	\$ 36,554.97	\$ 3,271.40	\$ 5,712.12	\$ -	\$	61,220.31
2027	\$ 16,553.03	\$ 35,751.28	\$ 3,192.99	\$ 5,826.36	\$ -	\$	61,323.66
2028	\$ 17,424.24	\$ 34,902.94	\$ 3,110.23	\$ 5,942.89	\$ -	\$	61,380.29
2029	\$ 18,295.45	\$ 34,009.94	\$ 3,023.11	\$ 6,061.74	\$ -	\$	61,390.25
2030	\$ 20,037.88	\$ 32,980.83	\$ 2,269.51	\$ 6,182.98	\$ -	\$	61,471.19
2031	\$ 20,909.09	\$ 31,853.69	\$ -	\$ 6,306.64	\$ -	\$	59,069.42
2032	\$ 21,780.30	\$ 30,677.56	\$ -	\$ 6,432.77	\$ -	\$	58,890.63
2033	\$ 23,522.73	\$ 29,452.42	\$ -	\$ 6,561.43	\$ -	\$	59,536.57
2034	\$ 24,393.94	\$ 28,129.26	\$ -	\$ 6,692.66	\$ -	\$	59,215.86
2035	\$ 26,136.36	\$ 26,757.10	\$ -	\$ 6,826.51	\$ -	\$	59,719.98
2036	\$ 27,007.58	\$ 25,286.93	\$ -	\$ 6,963.04	\$ -	\$	59,257.55
2037	\$ 28,750.00	\$ 23,767.76	\$ -	\$ 7,102.30	\$ -	\$	59,620.06
2038	\$ 30,492.42	\$ 22,150.57	\$ -	\$ 7,244.35	\$ -	\$	59,887.34
2039	\$ 32,234.85	\$ 20,435.37	\$ -	\$ 7,389.23	\$ -	\$	60,059.45
2040	\$ 33,977.27	\$ 18,622.16	\$ -	\$ 7,537.02	\$ -	\$	60,136.45
2041	\$ 35,719.70	\$ 16,710.94	\$ -	\$ 7,687.76	\$ -	\$	60,118.39
2042	\$ 37,462.12	\$ 14,701.70	\$ -	\$ 7,841.51	\$ -	\$	60,005.34
2043	\$ 40,075.76	\$ 12,594.46	\$ -	\$ 7,998.34	\$ -	\$	60,668.56
2044	\$ 42,689.39	\$ 10,340.20	\$ -	\$ 8,158.31	\$ -	\$	61,187.91
2045	\$ 44,431.82	\$ 7,938.92	\$ -	\$ 8,321.48	\$ -	\$	60,692.22
2046	\$ 47,045.45	\$ 5,439.63	\$ -	\$ 8,487.91	\$ -	\$	60,972.99
2047	\$ 49,659.09	\$ 2,793.33	\$ -	\$ 8,657.66	\$ (53,029.59)	\$	8,080.49
<b>Total</b>	<b>\$ 719,621.21</b>	<b>\$ 695,119.48</b>	<b>\$ 32,247.92</b>	<b>\$ 182,858.84</b>	<b>\$ (53,029.59)</b>	<b>\$</b>	<b>1,576,817.86</b>

## EXHIBIT H – FORM OF NOTICE OF PID ASSESSMENT TERMINATION



P3Works, LLC  
350 Rufe Snow Drive, Suite 200  
Keller, TX 76248

[Date]  
Denton County Clerk's Office  
Honorable [County Clerk]  
1450 E McKinney St  
Denton, TX 76209

**Re:                      Town of Hickory Creek Lien Release documents for filing**

Dear Ms./Mr. [County Clerk],

Enclosed is a lien release that the Town of Hickory Creek is requesting to be filed in your office. Lien release for [insert legal description]. Recording Numbers: [Plat]. Please forward copies of the filed documents to my attention:

Town of Hickory Creek  
Attn: [Town Secretary]  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065

Please contact me if you have any questions or need additional information.

Sincerely,  
[Signature]

P3Works, LLC  
(817) 393-0353  
Admin@P3-Works.com  
www.P3-Works.com

**[Town Secretary Name]  
1075 Ronald Reagan Avenue  
Hickory Creek, TX 75065**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**STATE OF TEXAS**                   §  
   §       **NOW ALL MEN BY THESE PRESENTS:**  
**COUNTY OF DENTON**           §

**THIS FULL RELEASE OF PUBLIC IMPROVEMENT DISTRICT LIEN** (this "Full Release") is executed and delivered as of the Effective Date by the Town of Hickory Creek Texas, a Texas general law municipality.

**WHEREAS**, the governing body (hereinafter referred to as the "Town Council") of the Town of Hickory Creek Texas (hereinafter referred to as the "Town"), is authorized by Chapter 372, Texas Local Government Code, as amended (hereinafter referred to as the "Act"), to create public improvement districts within the corporate limits of the Town; and

**WHEREAS**, on September 18, 2012, the Town Council for the Town, approved Resolution No. 1012-0919-1, creating Hickory Creek Public Improvement District No. 2; and

**WHEREAS**, the Hickory Creek Public Improvement District No. 2 consists of approximately 111.424 contiguous acres within the corporate limits of the Town; and

**WHEREAS**, on October 16, 2012 the Town Council approved Ordinance No. \_\_\_\_\_, (hereinafter referred to as the "Assessment Ordinance") approving a service and assessment plan and assessment roll for the Property within Hickory Creek Public Improvement District No. 2; and

**WHEREAS**, the Assessment Ordinance imposed an assessment (the “Lien”) in the amount of [amount] (hereinafter referred to as the "Lien Amount") for the following property:





## EXHIBIT I – HOMEBUYER DISCLOSURE

### NOTICE OF OBLIGATION TO PAY PUBLIC IMPROVEMENT DISTRICT ASSESSMENTS TO THE TOWN OF HICKORY CREEK, TEXAS

#### CONCERNING THE PROPERTY AT:

---

STREET ADDRESS

PRINCIPAL ASSESSMENT: \$31,287.88

As the purchaser of the real property located at the street address set forth above, you are obligated to pay assessments to the Town of Hickory Creek, Texas, for the costs of a portion of public improvements (the “**Authorized Improvements**”) undertaken for the benefit of the property within “**Hickory Creek Public Improvement District No. 2**” (the “**District**”) created under Subchapter A, Chapter 372, Local Government Code, as amended.

**THE PRINCIPAL ASSESSMENT AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS IS \$31,287.88, WHICH MAY BE PAID IN FULL AT ANY TIME; HOWEVER, IF NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS WHICH WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.**

An estimate of the annual installments is attached; **however, it is only an estimate and is subject to change**. The exact amount of the annual installments, including the annual installments thereof, will be approved each year by the Town Council in the Annual Service Plan Update for the District. More information about the assessments, including the amounts and due dates, may be obtained from the Town Secretary of the Town of Hickory Creek.

Your failure to pay any assessment, or any annual installment thereof, may result in penalties and interest being added to what you owe and could result in a lien on and the foreclosure of your property.

The undersigned purchaser acknowledges receipt of the foregoing notice prior to the effective date of a binding contract for the purchase of the real property at the street address set forth above.

IN WITNESS WHEREOF, I have signed this certificate this \_\_\_\_\_, 20\_\_.

**PURCHASER:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS

§

§

COUNTY OF DENTON

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, in the capacity stated and as the act and deed of the above-referenced entities as an authorized signatory of said entities.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

STATE OF TEXAS

\_\_\_\_\_  
Notary Public, State of Texas

§

§

COUNTY OF DENTON

§

The foregoing instrument was acknowledged before me by \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, in the capacity stated and as the act and deed of the above-referenced entities as an authorized signatory of said entities.

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

Annual Installments per Lot							
Installment Due 1/31	Principal	Interest	Additional Interest	Administrative Expenses	Reserve Fund	Total Installment	
2021	\$ 492.42	\$ 1,734.94	\$ 156.44	\$ 224.94	\$ -	\$	2,608.75
2022	\$ 530.30	\$ 1,709.71	\$ 153.98	\$ 229.44	\$ -	\$	2,623.43
2023	\$ 568.18	\$ 1,682.53	\$ 151.33	\$ 234.03	\$ -	\$	2,636.06
2024	\$ 606.06	\$ 1,653.41	\$ 148.48	\$ 238.71	\$ -	\$	2,646.66
2025	\$ 643.94	\$ 1,622.35	\$ 145.45	\$ 243.48	\$ -	\$	2,655.23
2026	\$ 681.82	\$ 1,589.35	\$ 142.23	\$ 248.35	\$ -	\$	2,661.75
2027	\$ 719.70	\$ 1,554.40	\$ 138.83	\$ 253.32	\$ -	\$	2,666.25
2028	\$ 757.58	\$ 1,517.52	\$ 135.23	\$ 258.39	\$ -	\$	2,668.71
2029	\$ 795.45	\$ 1,478.69	\$ 131.44	\$ 263.55	\$ -	\$	2,669.14
2030	\$ 871.21	\$ 1,433.95	\$ 98.67	\$ 268.83	\$ -	\$	2,672.66
2031	\$ 909.09	\$ 1,384.94	\$ -	\$ 274.20	\$ -	\$	2,568.24
2032	\$ 946.97	\$ 1,333.81	\$ -	\$ 279.69	\$ -	\$	2,560.46
2033	\$ 1,022.73	\$ 1,280.54	\$ -	\$ 285.28	\$ -	\$	2,588.55
2034	\$ 1,060.61	\$ 1,223.01	\$ -	\$ 290.99	\$ -	\$	2,574.60
2035	\$ 1,136.36	\$ 1,163.35	\$ -	\$ 296.80	\$ -	\$	2,596.52
2036	\$ 1,174.24	\$ 1,099.43	\$ -	\$ 302.74	\$ -	\$	2,576.42
2037	\$ 1,250.00	\$ 1,033.38	\$ -	\$ 308.80	\$ -	\$	2,592.18
2038	\$ 1,325.76	\$ 963.07	\$ -	\$ 314.97	\$ -	\$	2,603.80
2039	\$ 1,401.52	\$ 888.49	\$ -	\$ 321.27	\$ -	\$	2,611.28
2040	\$ 1,477.27	\$ 809.66	\$ -	\$ 327.70	\$ -	\$	2,614.63
2041	\$ 1,553.03	\$ 726.56	\$ -	\$ 334.25	\$ -	\$	2,613.84
2042	\$ 1,628.79	\$ 639.20	\$ -	\$ 340.94	\$ -	\$	2,608.93
2043	\$ 1,742.42	\$ 547.59	\$ -	\$ 347.75	\$ -	\$	2,637.76
2044	\$ 1,856.06	\$ 449.57	\$ -	\$ 354.71	\$ -	\$	2,660.34
2045	\$ 1,931.82	\$ 345.17	\$ -	\$ 361.80	\$ -	\$	2,638.79
2046	\$ 2,045.45	\$ 236.51	\$ -	\$ 369.04	\$ -	\$	2,651.00
2047	\$ 2,159.09	\$ 121.45	\$ -	\$ 376.42	\$ (2,305.63)	\$	351.33
<b>Total</b>	<b>\$ 31,287.88</b>	<b>\$ 30,222.59</b>	<b>\$ 1,402.08</b>	<b>\$ 7,950.38</b>	<b>\$ (2,305.63)</b>	<b>\$</b>	<b>68,557.30</b>

*Note: Figures shown above are estimates only and subject to change in Annual Service Plan Updates. Changes in administrative expenses, interest earnings or other available offsets could increase or decrease the amounts shown.*

## EXHIBIT J – DEBT SERVICE SCHEDULE FOR BONDS

### DEBT SERVICE REQUIREMENTS

The following table sets forth the anticipated debt service requirements for the Bonds:

<b><u>Year Ending (September 30)</u></b>	<b><u>Principal</u></b>	<b><u>Interest</u></b>	<b><u>Total</u></b>
2019	\$ 25,000.00	\$ 266,072.92	\$ 291,072.92
2020	65,000.00	232,343.76	297,343.76
2021	65,000.00	229,012.50	294,012.50
2022	70,000.00	225,681.26	295,681.26
2023	75,000.00	222,093.76	297,093.76
2024	80,000.00	218,250.00	298,250.00
2025	85,000.00	214,150.00	299,150.00
2026	90,000.00	209,793.76	299,793.76
2027	95,000.00	205,181.26	300,181.26
2028	100,000.00	200,312.50	300,312.50
2029	105,000.00	195,187.50	300,187.50
2030	115,000.00	189,281.26	304,281.26
2031	120,000.00	182,812.50	302,812.50
2032	125,000.00	176,062.50	301,062.50
2033	135,000.00	169,031.26	304,031.26
2034	140,000.00	161,437.50	301,437.50
2035	150,000.00	153,562.50	303,562.50
2036	155,000.00	145,125.00	300,125.00
2037	165,000.00	136,406.26	301,406.26
2038	175,000.00	127,125.00	302,125.00
2039	185,000.00	117,281.26	302,281.26
2040	195,000.00	106,875.00	301,875.00
2041	205,000.00	95,906.26	300,906.26
2042	215,000.00	84,375.00	299,375.00
2043	230,000.00	72,281.26	302,281.26
2044	245,000.00	59,343.76	304,343.76
2045	255,000.00	45,562.50	300,562.50
2046	270,000.00	31,218.76	301,218.76
2047	285,000.00	16,031.26	301,031.26
<b>Total</b>	<b><u>\$4,220,000.00</u></b>	<b><u>\$4,487,798.06</u></b>	<b><u>\$8,707,798.06</u></b>

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## EXHIBIT K – LANDOWNER CONSENT FORMS

### LANDOWNER AGREEMENT

This **LANDOWNER AGREEMENT** (the “Agreement”), is entered into as of February 24, 2020, between the Town of Hickory Creek, Texas (the “Town”), a Type A General Law municipality of the State of Texas (the “State”), and CTMGT Turbeville, LLC, a Texas limited liability company (the “Landowner”).

#### **RECITALS:**

**WHEREAS**, capitalized terms used but not defined herein shall have the meanings given to them in the Service and Assessment Plan (as defined herein); and

**WHEREAS**, Landowner owns the Assessed Parcels described by a metes and bounds description attached as **Exhibit I** to this Agreement and which is incorporated herein for all purposes, comprising all of the non-exempt, privately-owned land described in **Exhibit I** (the “Landowner’s Parcel”) which is located within Improvement Area #1 of the Hickory Creek Public Improvement District No. 2 (the “District”) in the Town; and

**WHEREAS**, the Town Council has adopted an assessment ordinance for the Authorized Improvements (including all exhibits and attachments thereto, the “Improvement Area #1 Assessment Ordinance”) and the Hickory Creek Public Improvement District No. 2 2020 Amended and Restated Service and Assessment Plan for the District as updated and amended (the “Service and Assessment Plan”) and which is incorporated herein for all purposes, and has levied an assessment on each Assessed Parcel in Improvement Area #1 of the District, as such as Assessments have been reallocated to the Landowner’s Parcel pursuant to the Service and Assessment Plan, that will be pledged for the payment of certain infrastructure improvements and to pay the costs of constructing the Authorized Improvements that will benefit the Improvement Area #1 Assessed Property; and

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions attached to this Agreement as **Exhibit II** and which are incorporated herein for all purposes includes the statutory notification required by Texas Property Code, Section 5.014, as amended, to be provided by the seller of residential property that is located in a public improvement district established under Chapter 372 of the Texas Local Government Code, as amended (the “PID Act”), to the purchaser.

**NOW, THEREFORE**, for and in consideration of the mutual promises, covenants, obligations and benefits hereinafter set forth, the Town and the Landowner hereby contract, covenant and agree as follows:

#### **DEFINITIONS; APPROVAL OF AGREEMENTS**

Definitions. Capitalized terms used but not defined herein (including each exhibit hereto) shall have the meanings ascribed to them in the Service and Assessment Plan.

Affirmation of Recitals. The findings set forth in the Recitals of this Agreement are hereby incorporated as the official findings of the Town Council.

## **I. AGREEMENTS OF LANDOWNER**

A. Affirmation and Acceptance of Agreements and Findings of Benefit. Landowner hereby ratifies, confirms, accepts, agrees to, and approves:

(i) the creation and boundaries of the District, and the boundaries of the Landowner's Parcel and the location and development of the Authorized Improvements on the Landowner's Parcel and on the property within the Improvement Area #1 of the District;

(ii) the determinations and findings as to the benefits by the Town Council in the Service and Assessment Plan and the Improvement Area #1 Assessment Ordinance;

(iii) the Improvement Area #1 Assessment Ordinance and the Service and Assessment Plan.

B. Acceptance and Approval of Assessments and Lien on Property. Landowner consents to, agrees to, acknowledges and accepts the following:

(i) each Assessment levied by the Town on each Landowner's Parcel within Improvement Area #1 of the District as shown on the assessment roll attached as Exhibit F-1 to the Service and Assessment Plan (the "Improvement Area #1 Assessment Roll");

(ii) the Authorized Improvements specially benefit Improvement Area #1 of the District, and the Landowner's Parcel, in an amount at least equal to the Assessment levied on each Assessed Parcel within Improvement Area #1 of the District, as such Assessment is shown on the Improvement Area #1 Assessment Roll;

(iii) each Assessment is final, conclusive and binding upon Landowner and any subsequent owner of an Assessed Parcel, regardless of whether such landowner may be required to prepay a portion of, or the entirety of, such Assessment upon the occurrence of a mandatory prepayment event as provided in the Service and Assessment Plan;

(iv) the obligation to pay the Assessment levied on the Assessed Parcel(s) owned by it when due and in the amount required by and stated in the Service and Assessment Plan and the Improvement Area #1 Assessment Ordinance;

(v) each Assessment or reassessment, with interest, the expense of collection, and reasonable attorney's fees, if incurred, is a first and prior lien against the Landowner's

Parcel, superior to all other liens and monetary claims except liens or monetary claims for state, county, school district, or municipal ad valorem taxes, and is a personal liability of and charge against the owner of the Landowner's Parcel regardless of whether such owner is named;

(vi) the Assessment lien on each Assessed Parcel is a lien and covenant that runs with the land and is effective from the date of the Improvement Area #1 Assessment Ordinance and continues until the Assessment is paid and may be enforced by the governing body of the Town in the same manner that an ad valorem tax lien against real property may be enforced by the Town;

(vii) delinquent installments of the Assessment shall incur and accrue interest, penalties, and attorney's fees as provided in the PID Act;

(viii) the owner of an Assessed Parcel may pay at any time the entire Assessment, with interest that has accrued on the Assessment, on any parcel in the Landowner's Parcel;

(ix) the Annual Installments of the Assessments (as defined in the Service and Assessment Plan and Improvement Area #1 Assessment Roll) may be adjusted, decreased and extended; and, the assessed parties shall be obligated to pay their respective revised amounts of the Annual Installments, when due, and without the necessity of further action, assessments or reassessments by the Town, the same as though they were expressly set forth herein; and

(x) Landowner has received, or hereby waives, all notices required to be provided to it under Texas law, including the PID Act, prior to the Effective Date (defined herein).

C. Mandatory Prepayment of Assessments. Landowner agrees and acknowledges that Landowner or subsequent landowners may have an obligation to prepay an Assessment upon the occurrence of a mandatory prepayment event, at the sole discretion of the Town and as provided in the Service and Assessment Plan, as amended or updated.

D. Notice of Assessments. Landowner further agrees as follows:

(i) the Declaration of Covenants, Conditions and Restrictions attached hereto as **Exhibit II** shall be terms, conditions and provisions running with the Landowner's Parcel and shall be recorded (the contents of which shall be consistent with the Improvement Area #1 Assessment Ordinance and the Service and Assessment Plan as reasonably determined by the Town), in the records of the County Clerk of Denton County, as a lien and encumbrance against such Landowner's Parcel, and Landowner hereby authorizes the Town to so record such documents against the Landowner's Parcels owned by Landowner;

(ii) reference to the Declaration of Covenants, Conditions and Restrictions in the form attached hereto as **Exhibit II** shall be included on all recordable subdivision plats and such plats shall be recorded in the real property records of Denton County, Texas;

(iii) in the event of any subdivision, sale, transfer or other conveyance by the Landowner of the right, title or interest of the Landowner in the Landowner's Parcel or any part thereof, the Landowner's Parcel, or any such part thereof, shall continue to be bound by all of the terms, conditions and provisions of such Declaration of Covenants, Conditions and Restrictions and any purchaser, transferee or other subsequent owner shall take such Assessed Parcel(s) subject to all of the terms, conditions and provisions of such Declaration of Covenants, Conditions and Restrictions; and

(iv) Landowner shall comply with, and shall contractually obligate (and promptly provide written evidence of such contractual provisions to the Town) any party who purchases any Assessed Parcel owned by Landowner, or any portion thereof, for the purpose of constructing residential properties that are eligible for "homestead" designations under State law, to comply with, the Homebuyer Education Program described on **Exhibit III** to this Agreement. Such compliance obligation shall terminate as to each Lot if, and when, (i) a final certificate of occupancy for a residential unit on such Lot is issued by the Town, and (ii) there is a sale of a Lot to an individual homebuyer, it being the intent of the undersigned that the Homebuyer Education Program shall apply only to a commercial builder who is in the business of constructing and/or selling residences to individual home buyers (a "Builder") but not to subsequent sales of such residence and Lot by an individual home buyer after the initial sale by a Builder.

Notwithstanding the provisions of this Section, upon the Landowner's request and the Town's consent, in the Town's sole and absolute discretion, the Declaration of Covenants, Conditions and Restrictions may be included with other written restrictions running with the land on property within the District, provided they contain all the material provisions and provide the same material notice to prospective property owners as does the document attached as **Exhibit II**.

## **II. OWNERSHIP AND CONSTRUCTION OF AUTHORIZED IMPROVEMENTS**

A. **Ownership and Transfer of Authorized Improvements.** Landowner acknowledges that the portion of the Authorized Improvements benefitting the Landowner's Parcel and the land (or easements, as applicable) needed therefor shall be owned by the Town as constructed and/or conveyed to the Town and Landowner will execute such conveyances and/or dedications of public rights of way and easements as may be reasonably required to evidence such ownership, as generally described on the current plats of the property within the District.

B. Grant of Easement and License, Construction of Authorized Improvements.

(i) Any subsequent owner of the Landowner's Parcel shall, upon the request of the Town or Developer, grant and convey to the Town or Developer and its contractors, materialmen and workmen a temporary license and/or easement, as appropriate, to construct the Authorized Improvements on the Landowner's Parcel within Improvement Area #1 of the District, to stage on the Landowner's Parcel within Improvement Area #1 of the District construction trailers, building materials and equipment to be used in connection with such construction of the Authorized Improvements and for passage and use over and across parts of the property within Improvement Area #1 of the District as shall be reasonably necessary during the construction of the Authorized Improvements. Any subsequent owner of an Assessed Parcel may require that each contractor constructing the Authorized Improvements cause such owner of an Assessed Parcel to be indemnified and/or named as an additional insured under liability insurance reasonably acceptable to such owner of an Assessed Parcel. The right to use and enjoy any easement and license provided above shall continue until the construction of the Authorized Improvements is complete; provided, however, any such license or easement shall automatically terminate upon the recording of the final plat for the Landowner's Parcel in the real property records of Denton County, Texas.

(ii) Landowner hereby agrees that any right or condition imposed by any agreement with respect to the Assessments has been satisfied, and that Landowner shall not have any rights or remedies against the Town under any law or principles of equity concerning the Assessments, with respect to the formation of the District, approval of the Service and Assessment Plan and the Town's levy and collection of the Assessments.

### **III. COVENANTS AND WARRANTIES; MISCELLANEOUS**

A. Special Covenants and Warranties of Landowner.

Landowner represents and warrants to the Town as follows:

(i) Landowner is duly organized, validly existing and, as applicable, in good standing under the laws of the state of its organization and has the full right, power and authority to enter into this Agreement, and to perform all the obligations required to be performed by Landowner hereunder.

(ii) This Agreement has been duly and validly executed and delivered by, and on behalf of, Landowner and, assuming the due authorization, execution and delivery thereof by and on behalf of the Town and the Landowner, constitutes a valid, binding and enforceable obligation of such party enforceable in accordance with its terms. This



representation and warranty is qualified to the extent the enforceability of this Agreement may be limited by applicable bankruptcy, insolvency, moratorium, reorganization or other similar laws of general application affecting the rights of creditors in general.

(iii) Neither the execution and delivery hereof, nor the taking of any actions contemplated hereby, will conflict with or result in a breach of any of the provisions of, or constitute a default, event of default or event creating a right of acceleration, termination or cancellation of any obligation under, any instrument, note, mortgage, contract, judgment, order, award, decree or other agreement or restriction to which Landowner is a party, or by which Landowner or Landowner's Parcel is otherwise bound.

(iv) Landowner is, subject to all matters of record in the Denton County, Texas Real Property Records, the sole owner of the Landowner's Parcel.

(v) The Landowner's Parcel owned by Landowner is not subject to, or encumbered by, any covenant, lien, encumbrance or agreement which would prohibit (i) the creation of the District, (ii) the levy of the Assessments, or (iii) the construction of the Authorized Improvements on those portions of the property within Improvement Area #1 of the District which are to be owned by the Town, as generally described on the current plats of the property within the District (or, if subject to any such prohibition, the approval or consent of all necessary parties thereto has been obtained).

(vi) Landowner covenants and agrees to execute any and all documents necessary, appropriate or incidental to the purposes of this Agreement, as long as such documents are consistent with this Agreement and do not create additional liability of any type to, or reduce the rights of, such Landowner by virtue of execution thereof.

B. Waiver of Claims Concerning Authorized Improvements. The Landowner, with full knowledge of the provisions, and the rights thereof pursuant to such provisions, of applicable law, waives any claims against the Town and its successors, assigns and agents, pertaining to the installation of the Authorized Improvements on the Landowner's Parcel.

C. Notices.

Any notice or other communication to be given to the Town or Landowner under this Agreement shall be given by delivering the same in writing to:

To the Town:                      Town of Hickory Creek, Texas  
   Attn: Town Administrator  
   1075 Ronald Reagan Avenue  
   Hickory Creek, Texas 75065

With a copy to: Town Attorney  
Attn: Lance Vanzant  
1075 Ronald Reagan Avenue  
Hickory Creek, Texas 75065

To the Landowner: CTMGT Turbeville, LLC  
Attn: Mehrdad Moayed  
1800 Valley View Lane, Suite 360  
Farmers Branch, Texas 75234

With a copy to: Miklos Cinclair, PLLC  
Attn: Robert Miklos  
1800 Valley View Lane, Suite 360  
Farmers Branch, Texas 75234

Any notice sent under this Agreement (except as otherwise expressly required) shall be written and mailed, or sent by electronic or facsimile transmission confirmed by mailing written confirmation at substantially the same time as such electronic or facsimile transmission, or personally delivered to an officer of the recipient as the address set forth herein.

Each recipient may change its address by written notice in accordance with this Section. Any communication addressed and mailed in accordance with this provision shall be deemed to be given when so mailed, any notice so sent by electronic or facsimile transmission shall be deemed to be given when receipt of such transmission is acknowledged, and any communication so delivered in person shall be deemed to be given when receipted for, or actually received by, the addressee.

D. Parties in Interest.

This Agreement is made solely for the benefit of the Town and the Landowner and is not assignable, except, in the case of Landowner, in connection with the sale or disposition of all or substantially all of the parcels which constitute the Landowner's Parcel. However, the parties expressly agree and acknowledge that the Town, the Landowner, each current owner of any parcel which constitutes the Landowner's Parcel, and the holders of or trustee for any bonds secured by Improvement Area #1 Assessment revenues of the Town or any part thereof to finance the costs of the Authorized Improvements, are express beneficiaries of this Agreement and shall be entitled to pursue any and all remedies at law or in equity to enforce the obligations of the parties hereto. This Agreement shall be recorded in the real property records of Denton County, Texas.

E. Amendments.

This Agreement may be amended only by written instrument executed by the Town and

the Landowner. No termination or amendment shall be effective until a written instrument setting forth the terms thereof has been executed by the then-current owners of the property within the District and recorded in the Real Property Records of Denton County, Texas.

F. Effective Date.

This Agreement shall become and be effective (the “Effective Date”) upon the date of final execution by the latter of the Town and the Landowner and shall be valid and enforceable on said date and thereafter.

G. Estoppels.

Within 10 days after written request from a party hereto, the other party shall provide a written certification, indicating whether this Agreement remains in effect as to an Assessed Parcel, and whether any party is then in default hereunder.

H. Termination.

This Agreement shall terminate and be of no further force and effect as to each Assessed Parcel upon payment in full of the Assessment(s) against such Assessed Parcel.

[Signature pages to follow]

EXECUTED by the Town and Landowner on the respective dates stated below.

Date: \_\_\_\_\_

**TOWN OF HICKORY CREEK, TEXAS**

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

STATE OF TEXAS                   §  
   §  
COUNTY OF DENTON           §

This instrument was acknowledged before me on the \_\_\_\_\_ day of February, 2020 by Lynn C. Clark, Mayor of the Town of Hickory Creek, Texas on behalf of said Town.

(SEAL)

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Name printed or typed

Commission Expires:\_\_\_\_\_

[Signature Page Landowner Agreement]

**LANDOWNER**

**DATE:** \_\_\_\_\_

CTMGT Turbeville, LLC,  
a Texas limited liability company

By: Centamtar Terras, LLC,  
a Texas limited liability company  
Its Manager

By: CTMGT, LLC,  
a Texas limited liability company  
Its Sole Manager and Member

By: \_\_\_\_\_  
Name: Mehrdad Moayedi  
Its: Sole Manager and Member

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on February \_\_\_\_, 2020 by Mehrdad Moayedi, the Sole Manager and Member of CTMGT, LLC, as the Sole Manager and Member of Centamtar Terras, LLC, as the Manager of CTMGT Turbeville, LLC a Texas limited liability company on behalf of said company.

\_\_\_\_\_  
Notary Public, State of Texas

[Signature Page Landowner Agreement]



**LANDOWNER AGREEMENT - EXHIBIT I**  
**METES AND BOUNDS DESCRIPTION OF LANDOWNER'S PARCEL**

**LEGAL DESCRIPTION**

**Legal Description: Lot 1R, Block A**

BEING a 6.72 acre tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Lot 1, Block A of Steeplechase South Addition, Phase I, as recorded in Document Number 2012-210, of the Official Public Records of Denton County, Texas, (O.P.R.D.C.T.), and being part of a tract of land described as "Tract 3 - South" in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, (O.P.R.D.C.T.), and more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

COMMENCING at a 3/4-inch found iron pipe with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the north corner of a corner clip of Lot 1X, Block A of said Steeplechase Addition, said corner being at the intersection of the south right-of-way line of Turbeville Road (a variable width right-of-way, Document Number 2012-210, O.P.R.D.C.T.) and the northeast right-of-way line of Sycamore Bend Road (a variable width right-of-way);

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1X, a distance of 283.03 feet to a 1/2-inch found iron rod with cap for the POINT OF BEGINNING, said corner being the common northeast corner of said Lot 1X and the northwest corner of Lot 1;

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1, a distance of 239.69 feet to a 3/4-inch found iron pipe with cap for corner;

THENCE over and across said Lot 1, Block A, the following bearings and distances:

South 05 degrees 48 minutes 52 seconds West, departing said south right-of-way line and the north line of said Lot 1, a distance of 132.35 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 60.50 feet, whose chord that bears South 39 degrees 11 minutes 08 seconds East, a distance of 85.56 feet;

Southeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 95.03 feet to a corner;

South 84 degrees 11 minutes 08 seconds East, a distance of 135.39 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 80.50 feet whose chord that bears North 50 degrees 48 minutes 52 seconds East, a distance of 113.84 feet;

Northeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 126.45 feet to a corner;

North 05 degrees 39 minutes 28 seconds East, a distance of 0.44 feet to a corner;

South 89 degrees 12 minutes 45 seconds East, a distance of 24.53 feet to a corner on the common east line of said Lot 1, Block A and the west line of Lot 1, Block C of said Steeplechase Addition;

THENCE South 05 degrees 48 minutes 52 seconds West, with the common east line of said Lot 1, Block A and the west line of 3, and 4, Block C of said Steeplechase Addition, a distance of 223.35 feet to a 1/2-set iron rod with cap for a common "ell" corner of said Lot 1, Block A and the southwest corner of said Lot 3, Block C;

THENCE South 84 degrees 11 minutes 08 seconds East, with the common south line of said Lot 3, Block C and the northeast line of said Lot 1, Block A, a distance of 163.12 feet to a 1/2-set iron rod with cap for an "ell" corner of said Lot 1, Block A, said corner being on the west line of Lot 2, Block C;

THENCE South 06 degrees 02 minutes 56 seconds West, with the common west line of said Lots 1 and 2, Block C and the east line of said Lot 1, Block A, a distance of 172.17 feet to a 1/2-set iron rod with cap for a common "ell" corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 68 degrees 52 minutes 41 seconds East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 82.00 feet to a 1/2-set iron rod with cap for a common "ell" corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 82 degrees 39 minutes 01 second East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 149.61 feet to a 1/2-set iron rod with cap for a common "ell" corner of said Lot 1, Block A, and said Lot 1, Block C, said corner being on the west right-of-way line of Chestnut Lane (a 50-foot wide right-of-way) ;

THENCE South 07 degrees 20 minutes 59 second East, with the east line of said Lot 1, Block A and said west right-of-way line, a distance of 20.00 feet to a 1/2-set iron rod with cap for a common "ell" corner of said Lot 1, Block A, and Lot 36, Block B;

THENCE with the south line of said Lot 1, Block A, the following bearings and distances:

South 82 degrees 39 minutes 01 second West, with the north line of Lots 35 and 36, Block B, a distance of 147.19 feet to a 1/2-inch set iron rod with cap for corner;

South 68 degrees 52 minutes 41 seconds West, with the northwest line of Lots 32, 33, 34 and 35, Block B, a distance of 391.56 feet to a 1/2-inch set iron rod with cap for an "ell" corner of said Lot 1, Block A and Lot 1X, Block A;

North 37 degrees 55 minutes 42 seconds West, with the northeast line of said Lot 1X, a distance of 158.67 feet to a 1/2-inch set iron rod with cap for corner;

South 52 degrees 04 minutes 18 seconds West, with the northeast line of said Lot 1X, a distance of 173.16 feet to a 1/2-inch set iron rod with cap for corner;

South 79 degrees 50 minutes 09 seconds West, with the northeast line of said Lot 1X, a distance of 105.04 feet to a 1/2-inch set iron rod with cap for corner;

THENCE with the west line of said Lot 1, Block A, and the northeast line of said Lot 1X, Block A, the following bearings and distances:

North 10 degrees 09 minutes 51 seconds West, a distance of 139.28 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 125.00 feet, whose chord bears North 06 degrees 31 minutes 48 seconds East, a distance of 71.82 feet;

Northerly, with said curve, through a central angle of 33 degrees 23 minutes 19 seconds, an arc distance of 72.84 feet to a 1/2-inch set iron rod with cap for corner;

North 23 degrees 13 minutes 28 seconds East, a distance of 92.50 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the left, having radius of 175.00 feet, whose chord bears North 03 degrees 49 minutes 04 seconds East, a distance of 116.29 feet;

Northerly, with said curve, through a central angle of 38 degrees 48 minutes 47 seconds, an arc distance of 118.55 feet to a 1/2-inch set iron rod with cap for corner;

North 15 degrees 35 minutes 20 seconds West, a distance of 73.24 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 30.00 feet, whose chord bears North 07 degrees 41 minutes 42 seconds East, a distance of 23.72 feet;

Northerly, with said curve, through a central angle of 46 degrees 34 minutes 03 seconds, an arc distance of 24.38 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of reverse curvature of non-tangent circular curve to the left, having radius of 50.00 feet, whose chord bears North 28 degrees 51 minutes 21 seconds West, a distance of 86.46 feet;

Northwesterly, with said curve, through a central angle of 119 degrees 40 minutes 08 seconds, an arc distance of 104.44 feet to a 1/2-inch set iron rod with cap for corner;

North 01 degree 18 minutes 36 seconds East, a distance of 106.76 feet to the POINT OF BEGINNING and containing 6.72 acres (292,752 square feet) of land, more or less.

## LANDOWNER AGREEMENT - EXHIBIT II

### DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

This **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS** (as it may be amended from time to time, this “Declaration”) is made as of February 24, 2020 by CTMGT Turbeville, LLC, a Texas limited liability company (the “Landowner”).

#### RECITALS:

- A. The Landowner holds record title to that portion of the real property located in Denton County, Texas, which is described in the attached **Exhibit I** (the “Landowner’s Parcel”).
- B. The Town Council of the Town of Hickory Creek (the “Town Council”) upon a petition requesting the establishment of a public improvement district covering the property within the District to be known as the Hickory Creek Public Improvement District No. 2 (the “District”) by the then current owners of 100% of the appraised value of the taxable real property and 100% of the area of all taxable real property within the area requested to be included in the District created such District, in accordance with the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code, as amended (the “PID Act”).
- C. The Town Council has adopted an assessment ordinance to levy assessments for certain public improvements (including all exhibits and attachments thereto, the “Improvement Area #1 Assessment Ordinance”) and the Hickory Creek Public Improvement District No. 2 2020 Amended and Restated Service and Assessment Plan (as updated and amended from time to time, the “Service and Assessment Plan”), and has levied the assessments (the “Assessments”) on property in Improvement Area #1 of the District.
- D. The statutory notification required by Texas Property Code, Section 5.014, as amended, to be provided by the seller of residential property that is located in a public improvement district established under Chapter 372 of the Texas Local Government Code, as amended, to the purchaser, is incorporated into this Declaration.

#### DECLARATIONS:

NOW, THEREFORE, the Landowner hereby declares that the Landowner’s Parcel is and shall be subject to, and hereby imposes on the Landowner’s Parcel, the following covenants, conditions and restrictions:

##### 1. **Acceptance and Approval of Assessments and Lien on Property:**

- (a) Landowner accepts each Assessment levied on the Landowner’s Parcel owned by such Landowner.
- (b) The Assessment (including any reassessment, the expense of collection, and reasonable attorney’s fees, if incurred) is (a) a first and prior lien (the “Assessment”



Lien”) against the property assessed, superior to all other liens or claims except for liens or claims for state, county, school district or municipality ad valorem property taxes whether now or hereafter payable, and (b) a personal liability of and charge against the owners of the property to the extent of their ownership regardless of whether the owners are named. The Assessment Lien is effective from the date of the Improvement Area #1 Assessment Ordinance until the Assessments are paid and may be enforced by the Town in the same manner as an ad valorem property tax levied against real property that may be enforced by the Town. The owner of any assessed property may pay, at any time, the entire Assessment levied against any such property. Foreclosure of an ad valorem property tax lien on property within Improvement Area #1 of the District will not extinguish the Assessment or any unpaid but not yet due Annual Installments of the Assessment, and will not accelerate the due date for any unpaid and not yet due Annual Installments of the Assessment.

It is the clear intention of all parties to this Declaration, that the Assessments, including any Annual Installments of the Assessments (as such Annual Installments may be adjusted, decreased or extended), are covenants that run with the Landowner’s Parcel and specifically binds the Landowner, its successors and assigns.

In the event of delinquency in the payment of any Annual Installment of the Assessment, the Town is empowered to order institution of an action in district court to foreclose the related Assessment Lien, to enforce personal liability against the owner of the real property for the Assessment, or both. In such action the real property subject to the delinquent Assessment may be sold at judicial foreclosure sale for the amount of such delinquent property taxes and Assessment, plus penalties, interest and costs of collection.

**2. Landowner or any subsequent owner of the Landowner’s Parcel waives:**

- (a) any and all defects, irregularities, illegalities or deficiencies in the proceedings establishing the District and levying and collecting the Assessments or the annual installments of the Assessments;
- (b) any and all notices and time periods provided by the PID Act including, but not limited to, notice of the establishment of the District and notice of public hearings regarding the levy of Assessments by the Town Council concerning the Assessments;
- (c) any and all defects, irregularities, illegalities or deficiencies in, or in the adoption of, the Improvement Area #1 Assessment Ordinance by the Town Council;
- (d) any and all actions and defenses against the adoption or amendment of the Service and Assessment Plan, the Town’s finding of a ‘special benefit’ pursuant to the PID Act and the Service and Assessment Plan, and the levy of the Assessments; and

- (e) any right to object to the legality of any of the Assessments or the Service and Assessment Plan or to any of the previous proceedings connected therewith which occurred prior to, or upon, the Town Council's levy of the Assessments.
3. **Amendments:** This Declaration may be terminated or amended only by a document duly executed and acknowledged by the then-current owner(s) of the Landowner's Parcel and the Town. No such termination or amendment shall be effective until a written instrument setting forth the terms thereof has been executed by the parties by whom approval is required as set forth above and recorded in the real Property Records of Denton County, Texas.
4. **Third Party Beneficiary:** The Town is a third party beneficiary to this Declaration and may enforce the terms hereof.
5. **Notice to Subsequent Purchasers:** Upon the sale of a dwelling unit within the District, the purchaser of such property shall be provided a written notice that reads substantially similar to the following:

**TEXAS PROPERTY CODE SECTION 5.014**

**NOTICE OF OBLIGATION TO PAY PUBLIC IMPROVEMENT DISTRICT ASSESSMENT TO THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS CONCERNING THE PROPERTY AT [Street Address]**

As the purchaser of this parcel of real property, you are obligated to pay an assessment to the Town of Hickory Creek, Texas, for improvement projects undertaken by a public improvement district under Chapter 372 of the Texas Local Government Code, as amended. The assessment may be due in periodic installments.

The amount of the assessment against your property may be paid in full at any time together with interest to the date of payment. If you do not pay the assessment in full, it will be due and payable in annual installments (including interest and collection costs). More information concerning the amount of the assessment and the due dates of that assessment may be obtained from the Town of Hickory Creek, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065

Your failure to pay the assessment or the annual installments could result in a lien and in the foreclosure of your property.

Signature of Purchaser(s) \_\_\_\_\_

Date: \_\_\_\_\_

The seller shall deliver this notice to the purchaser before the effective date of an executory contract binding the purchaser to purchase the property. The notice may be given separately, as part of the contract during negotiations, or as part of any other notice the seller delivers to the purchaser. If the notice is included as part of the executory contract or another notice, the title of the notice prescribed by this section, the references to the street address and date in the notice, and the purchaser's signature on the notice may be omitted.

EXECUTED by the undersigned on the date set forth below to be effective as of the date first above written.

CTMGT Turbeville, LLC,  
a Texas limited liability company

By: Centamtar Terras, LLC,  
a Texas limited liability company  
Its Manager

By: CTMGT, LLC,  
a Texas limited liability company  
Its Sole Manager and Member

By: \_\_\_\_\_  
Name: Mehrdad Moayed  
Its: Sole Manager and Member

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on February \_\_\_\_\_, 2020 by Mehrdad Moayed, the Sole Manager and Member of CTMGT, LLC, as the Sole Manager and Member of Centamtar Terras, LLC, as the Manager of CTMGT Turbeville, LLC a Texas limited liability company on behalf of said company.

\_\_\_\_\_  
Notary Public, State of Texas

## **LANDOWNER AGREEMENT - EXHIBIT III**

### **HOMEBUYER EDUCATION PROGRAM**

As used in this **Exhibit III**, the recorded Notice of the Authorization and Establishment of the Hickory Creek Public Improvement District No. 2 and the Declaration of Covenants, Conditions and Restrictions in **Exhibit II** of this Agreement are referred to as the “Recorded Notices.”

1. Any Landowner who is a Builder shall attach the Recorded Notices and the final Improvement Area #1 Assessment Roll for such Assessed Parcel (or if the Improvement Area #1 Assessment Roll is not available for such Assessed Parcel, then a schedule showing the maximum 30 year payment for such Assessed Parcel) as an addendum to any residential homebuyer’s contract.
2. Any Landowner who is a Builder shall provide evidence of compliance with Paragraph 1 above, signed by such residential homebuyer, to the Town.
3. Any Landowner who is a Builder shall prominently display signage in its model homes, if any, substantially in the form of the Recorded Notices.
4. If prepared and provided by the Town, any Landowner who is a Builder shall distribute informational brochures about the existence and effect of the District in prospective homebuyer sales packets.
5. Any Landowner who is a Builder shall include Assessments in estimated property taxes, if such Builder estimates monthly ownership costs for prospective homebuyers.

## **EXHIBIT B**

### **TOWN OF HICKORY CREEK, TEXAS NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the Town Council of Hickory Creek, Texas at 6:00 p.m. on February 24, 2020 at Hickory Creek Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065. The public hearing will be held to consider proposed reallocation of assessments that have been levied against certain assessable property within the Hickory Creek Public Improvement District No. 2 ("District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

The boundaries of the District include approximately 111.424 acres generally located in the southeast quadrant of the intersection of Sycamore Bend Road and Turbeville Road within the Town of Hickory Creek, as more particularly described by a metes and bounds description available for public inspection at the office of the Town Secretary, Hickory Creek Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065.

All written or oral objections on the proposed reallocation of assessments within the District will be considered at the public hearing.

A copy of the proposed reallocated Improvement Area #1 Assessment Roll and Improvement Area #2 Assessment Roll relating to the District, which includes the reallocation of assessments that have already been levied against certain assessable parcels in the District, is available for public inspection at the office of the Town Secretary, Hickory Creek Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas 75065.



**Item Attachment Documents:**

19. Consider and act on a replat of lots 1R and 2R, Block A Steeplechase South Addition, an 8.05 acre tract being all of Lot 1, Block A of Steeplechase South Addition situated in the M.E.P. & P.R.R. Company Survey, Abstract No. 915, Town of Hickory Creek, Denton County, Texas.



**Item Attachment Documents:**

20. Reconvene a public hearing continued from November 25, 2019 on a request from CTMGT Turbeville LLC. to modify the zoning designation of PD – Planned Development on a 6.72 acre portion of an 8.0454 acre tract of land legally described as Steeplechase South Addition, Block A, Lot 1, and consider and act on an ordinance adopting the same. The property is located in the 1900 Block of Turbeville Road.

**TOWN OF HICKORY CREEK, TEXAS**  
**ORDINANCE NO. 2020-1-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF HICKORY CREEK, TEXAS, AMENDING AS HERETOFORE AMENDED, ITS COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY DESIGNATING CERTAIN TRACT OF LAND DESCRIBED AS AN APPROXIMATELY 6.72 GROSS ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; AS PD (PLANNED DEVELOPMENT); PROVIDING THAT SUCH TRACTS OF LAND SHALL BE USED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PLANNED DEVELOPMENT ZONING DISTRICT DESIGNATION FOR THE SUBJECT PROPERTY; PROVIDING A PRELIMINARY SITE PLAN; PROVIDING DEVELOPMENT STANDARDS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR THE TOWN OF HICKORY CREEK TO BRING SUIT IN DISTRICT COURT TO ENJOIN THE PERSON, FIRM, PARTNERSHIP, CORPORATION, OR ASSOCIATION FROM ENGAGING IN THE PROHIBITED ACTIVITY; PROVIDING FOR PUBLICATION; 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; and

**WHEREAS**, Title 7, Chapter 211.003 of the Texas Local Government Code empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

**WHEREAS**, the owner/representative of 6.72 gross acres of land described on Exhibit "A" attached hereto and incorporated herein (the "Property"), has applied for a zoning modification of its current zoning of PD (Planned Development) District; and

**WHEREAS**, such application further requested an amendment to the official Zoning District Map of the Town in accordance with the zoning ordinance of the Town; and

**WHEREAS**, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of the Town, and after considering the information submitted at that public hearing and all other relevant information and materials, the Planning and Zoning Commission of the Town has forwarded to the Town Council its favorable recommendation regarding the adoption of the amendment to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

**WHEREAS**, after public notices were given, legal notices and other requirements were satisfied, and a public hearing was conducted, all in accordance with State law and the Comprehensive Zoning Ordinance of this Town, and after considering the information submitted at that public hearing and all other relevant information and materials, including the character of the Property and its suitability for particular uses and development, with a view of encouraging the most appropriate use of the Property, the Town Council made a finding that the rezoning approved hereby accomplishes such objectives; and

**WHEREAS**, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan of the Town.

**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 and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, 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** **REZONING**

The zoning ordinance of the Town of Hickory Creek, Texas, the same being the Town's Comprehensive Zoning Ordinance, as it exists on the date of the adoption of this Ordinance (the "Comprehensive Zoning Ordinance") is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, definitions, phrases, and words are not amended but are hereby ratified and affirmed:

- A. The zoning of the Property hereby designates PD (Planned Development) District for use in accordance with the requirements of this Ordinance and all other applicable ordinances, rules, and regulations of the Town. Requirements of this Ordinance are more specifically described and set forth in Exhibits "B" and "C", which are attached hereto and incorporated herein for all purposes and shall apply to the "PD" Planned Development unless otherwise specified in such Exhibits.
- B. The development standards for this Planned Development are attached hereto as Exhibit "B" and are incorporated herein as if copied in their entirety. Such development standards shall be adhered to in carrying out the development of the Property in accordance with this Ordinance and shall individually and collectively constitute



conditions precedent to the granting of any Certificate of Occupancy and building permit for all structures within this Planned Development.

- C. A conceptual site plan for the Property is attached hereto as Exhibit "C" and incorporated herein as if copied in its entirety.

#### **SECTION 4**

#### **APPLICABLE REGULATIONS**

Except as otherwise provided in this Ordinance, the Property shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town, including, but not limited to, the Town's subdivision ordinance, building codes, requirements concerning preliminary and comprehensive site plans, landscape plans, and tree preservation. It shall be unlawful for any person, firm, or corporation to make sure of said premises in some manner other than as outlined by this Ordinance.

#### **SECTION 5**

#### **ZONING MAP**

The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

#### **SECTION 6**

#### **CUMULATIVE**

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.

#### **SECTION 7**

#### **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 any other Ordinance affecting regulations governing and regulating the zoning of land which have 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 courts.

#### **SECTION 8**

#### **SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 9**  
**PENALTY**

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues. If the governing body of the Town of Hickory Creek determines that a violation of this Ordinance has occurred, the Town of Hickory Creek may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

**SECTION 10**  
**PUBLICATION**

The Town Secretary of the Town of Hickory Creek is hereby directed to publish the Caption, Penalty, and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**SECTION 11**  
**ENGROSSMENT AND ENROLLMENT**

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

**SECTION 12**  
**EFFECTIVE DATE**

This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED** by the Town Council of the Town of Hickory Creek,  
Texas, this 27th day of January, 2020.

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

ATTEST:

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

APPROVED AS TO FORM:

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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas

**Exhibit A**  
**Legal Description: Lot 1R, Block A**

BEING a 6.72 acre tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number 915, Town of Hickory Creek, Denton, Texas, and being all of that tract of land described as Lot 1, Block A of Steeplechase South Addition, Phase I, as recorded in Document Number 2012-210, of the Official Public Records of Denton County, Texas, (O.P.R.D.C.T.), and being part of a tract of land described as "Tract 3 - South" in Special Warranty Deed to CTMGT Turbeville, LLC, as recorded in Document Number 2011-121573, (O.P.R.D.C.T.), and more particularly described as follows [The basis of bearing is the Texas Coordinate System of 1983, North Central Zone (4202)]("Record" bearings and distances cited herein are from said Special Warranty Deed to CTMGT Turbeville, LLC):

COMMENCING at a 3/4-inch found iron pipe with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the north corner of a corner clip of Lot 1X, Block A of said Steeplechase Addition, said corner being at the intersection of the south right-of-way line of Turbeville Road (a variable width right-of-way, Document Number 2012-210, O.P.R.D.C.T.) and the northeast right-of-way line of Sycamore Bend Road (a variable width right-of-way);

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1X, a distance of 283.03 feet to a 1/2-inch found iron rod with cap for the POINT OF BEGINNING, said corner being the common northeast corner of said Lot 1X and the northwest corner of Lot 1;

THENCE South 88 degrees 41 minutes 24 seconds East, with said south right-of-way line and the north line of said Lot 1, a distance of 239.69 feet to a 3/4-inch found iron pipe with cap for corner;

THENCE over and across said Lot 1, Block A, the following bearings and distances:

South 05 degrees 48 minutes 52 seconds West, departing said south right-of-way line and the north line of said Lot 1, a distance of 132.35 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 60.50 feet, whose chord that bears South 39 degrees 11 minutes 08 seconds East, a distance of 85.56 feet;

Southeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 95.03 feet to a corner;

South 84 degrees 11 minutes 08 seconds East, a distance of 135.39 feet to a corner, said corner being the point of curvature of a tangent circular curve to the left, having a radius of 80.50 feet whose chord that bears North 50 degrees 48 minutes 52 seconds East, a distance of 113.84 feet;

Northeasterly, with said curve, through the central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 126.45 feet to a corner;

North 05 degrees 39 minutes 28 seconds East, a distance of 0.44 feet to a corner;

South 89 degrees 12 minutes 45 seconds East, a distance of 24.53 feet to a corner on the common east line of said Lot 1, Block A and the west line of Lot 1, Block C of said Steeplechase Addition;

THENCE South 05 degrees 48 minutes 52 seconds West, with the common east line of said Lot 1, Block A and the west line of 3, and 4, Block C of said Steeplechase Addition, a distance of 223.35 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A and the southwest corner of said Lot 3, Block C;

THENCE South 84 degrees 11 minutes 08 seconds East, with the common south line of said Lot 3, Block C and the northeast line of said Lot 1, Block A, a distance of 163.12 feet to a 1/2-set iron rod with cap for an “ell” corner of said Lot 1, Block A, said corner being on the west line of Lot 2, Block C;

THENCE South 06 degrees 02 minutes 56 seconds West, with the common west line of said Lots 1 and 2, Block C and the east line of said Lot 1, Block A, a distance of 172.17 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 68 degrees 52 minutes 41 seconds East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 82.00 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C;

THENCE North 82 degrees 39 minutes 01 second East, with the common northeast line of said Lot 1, Block A and the south line of said Lot 1, Block C, a distance of 149.61 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and said Lot 1, Block C, said corner being on the west right-of-way line of Chestnut Lane (a 50-foot wide right-of-way) ;

THENCE South 07 degrees 20 minutes 59 second East, with the east line of said Lot 1, Block A and said west right-of-way line, a distance of 20.00 feet to a 1/2-set iron rod with cap for a common “ell” corner of said Lot 1, Block A, and Lot 36, Block B;

THENCE with the south line of said Lot 1, Block A, the following bearings and distances:

South 82 degrees 39 minutes 01 second West, with the north line of Lots 35 and 36, Block B, a distance of 147.19 feet to a 1/2-inch set iron rod with cap for corner;

South 68 degrees 52 minutes 41 seconds West, with the northwest line of Lots 32, 33, 34 and 35, Block B, a distance of 391.56 feet to a 1/2-inch set iron rod with cap for an “ell” corner of said Lot 1, Block A and Lot 1X, Block A;

North 37 degrees 55 minutes 42 seconds West, with the northeast line of said Lot 1X, a distance of 158.67 feet to a 1/2-inch set iron rod with cap for corner;

South 52 degrees 04 minutes 18 seconds West, with the northeast line of said Lot 1X, a distance of 173.16 feet to a 1/2-inch set iron rod with cap for corner;

South 79 degrees 50 minutes 09 seconds West, with the northeast line of said Lot 1X, a distance of 105.04 feet to a 1/2-inch set iron rod with cap for corner;

THENCE with the west line of said Lot 1, Block A, and the northeast line of said Lot 1X, Block A, the following bearings and distances:

North 10 degrees 09 minutes 51 seconds West, a distance of 139.28 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 125.00 feet, whose chord bears North 06 degrees 31 minutes 48 seconds East, a distance of 71.82 feet;

Northerly, with said curve, through a central angle of 33 degrees 23 minutes 19 seconds, an arc distance of 72.84 feet to a 1/2-inch set iron rod with cap for corner;

North 23 degrees 13 minutes 28 seconds East, a distance of 92.50 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the left, having radius of 175.00 feet, whose chord bears North 03 degrees 49 minutes 04 seconds East, a distance of 116.29 feet;

Northerly, with said curve, through a central angle of 38 degrees 48 minutes 47 seconds, an arc distance of 118.55 feet to a 1/2-inch set iron rod with cap for corner;

North 15 degrees 35 minutes 20 seconds West, a distance of 73.24 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of curvature of tangent circular curve to the right, having radius of 30.00 feet, whose chord bears North 07 degrees 41 minutes 42 seconds East, a distance of 23.72 feet;

Northerly, with said curve, through a central angle of 46 degrees 34 minutes 03 seconds, an arc distance of 24.38 feet to a 1/2-inch set iron rod with cap for corner, said corner being the point of reverse curvature of non-tangent circular curve to the left, having radius of 50.00 feet, whose chord bears North 28 degrees 51 minutes 21 seconds West, a distance of 86.46 feet;

Northwesterly, with said curve, through a central angle of 119 degrees 40 minutes 08 seconds, an arc distance of 104.44 feet to a 1/2-inch set iron rod with cap for corner;

North 01 degree 18 minutes 36 seconds East, a distance of 106.76 feet to the POINT OF BEGINNING and containing 6.72 acres (292,752 square feet) of land, more or less.

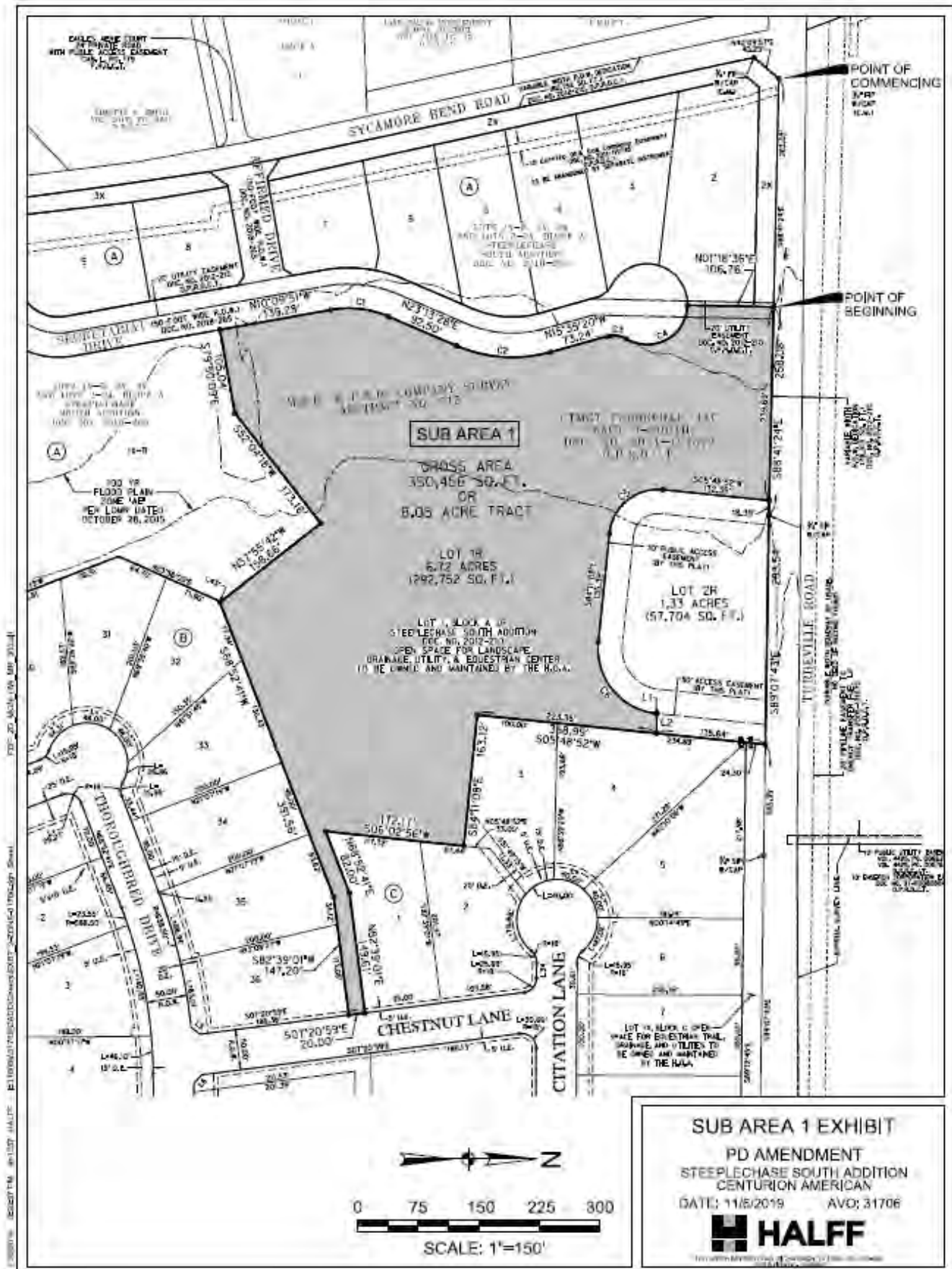


**Exhibit B**  
**Planned Development Standards**

- 1) Except as otherwise provided in this Ordinance, the Property shall be used and developed in accordance with the regulations applicable to property within the SF-3 Residential District, as set forth in the Comprehensive Zoning Ordinance in effect on the date of the adoption of Ordinance No. 2011-11-675 (the “Zoning Ordinance”).
- 2) The minimum side yard setback shall be ten feet, except that a reduced side yard setback of six feet is permitted on irregularly shaped lots identified on the preliminary or comprehensive site plan.
- 3) The minimum lot width shall be 90 feet, measured at the minimum front yard setback line, for all lots other than irregularly shaped lots identified on the preliminary or comprehensive site plan, which shall have a minimum lot width of 60 feet, measured at the minimum front yard setback line. All lots shall have a minimum width of 30 feet at the front property line.
- 4) The average lot size within the planned development shall be 15,000 square feet. No lot shall be less than 12,000 square feet in area.
- 5) Each dwelling unit shall have a minimum of 2,500 square feet of air conditioned living space.
- 6) Additional uses permitted this planned development are as follows:
  - a) Equestrian center.
  - b) Private open space.
  - c) Accessory buildings.
  - d) Retention and detention ponds. Each pond shall include a fountain or other feature to aerate the water.
  - e) Servant’s quarters on lots that are four acres or larger.
- 7) Gas drilling and related activities are prohibited on the Property except within the existing, permitted gas well pad site identified in Exhibit “C”.
- 8) Prior to the issuance of a building permit, a comprehensive site plan must be approved in accordance with Article XVII and Article XXVII of the Zoning Ordinance. The landscape plan required by Article XXVII shall only be required to show landscaping along the perimeter of the subdivision and shall not be required to show landscaping of individual lots. If a building permit has not been issued within one year of the approval of the comprehensive site plan, approval of the comprehensive site plan shall expire.
- 9) All new buildings shall be constructed according to the Standard Masonry Construction requirements as defined in the Zoning Ordinance.

- 10) In addition to the additional uses permitted as set forth in Paragraph 6 above, the following additional uses shall be permitted by right only in Subarea 1 of the Property ("Subarea 1") as depicted on the map attached hereto:
- a) Stable, boarding
  - b) A maximum one living quarters on site with a business
  - c) Office

# **Exhibit C** **Conceptual Site Plan**



**Item Attachment Documents:**

21. Consider and act on a resolution of the Town Council of the Town of Hickory Creek, Texas authorizing the Mayor of the Town of Hickory Creek, Texas to execute a Memorandum of Understanding by and between the Town of Hickory Creek, Texas and the Cross Timers Equestrian Trail Association and the U.S. Army Corps of Engineers, Fort Worth District.

**TOWN OF HICKORY CREEK, TEXAS  
RESOLUTION NO. 2020-0127-\_\_**

**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 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE TOWN OF HICKORY CREEK, TEXAS AND THE CROSS TIMBERS EQUESTRIAN TRAIL ASSOCIATION AND THE U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT; 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 Memorandum of Understanding by and between the Town of Hickory Creek, Texas, the Cross Timbers Equestrian Trail Association, and the U.S. Army Corps of Engineers, Fort Worth District (hereinafter the "Agreement") to provide a mechanism by which the U.S. Army Corps of Engineers, Fort Worth District, can process a request from the Cross Timbers Equestrian Trail Association and the Town of Hickory Creek to maintain an agreement for hiking and equestrian trails across corps property at Lewisville Lake, Texas, 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 27<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
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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Dorwin L. Sargent, III, Town Attorney  
Town of Hickory Creek, Texas



**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 17300  
FORT WORTH, TEXAS 76102-0300

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
CROSS TIMBERS EQUESTRIAN TRAIL ASSOCIATION,  
TOWN OF HICKORY CREEK,  
AND  
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT**

1. Purpose: The purpose of this Memorandum of Understanding (MOU) is to provide a mechanism by which the U.S. Army Corps of Engineers (USACE), Fort Worth District can process a request from the Cross Timbers Equestrian Trail Association, the Town of Hickory Creek, to maintain an agreement for hiking and equestrian trails across USACE property at Lewisville Lake, Texas.

2. Objective: The objective of the MOU is to establish procedures, responsibilities, and financial obligations between USACE, Cross Timbers Equestrian Trail Association, and the Town of Hickory Creek for support of the environmental, and operations involved in activities associated with the hiking and equestrian trail on USACE property at Lewisville Lake. Any structure, supplies, and material must be given permission by USACE before being built or brought onto government property.

**Section I      Challenge Cost-Sharing Agreement**

The Challenge Cost-Sharing Agreement was entered into by the U.S. Army Corps of Engineers, the Towns of Hickory Creek and the Cross Timbers Equestrian Trail Association in November 2019 to facilitate the planning and maintenance of public recreational hiking and equestrian trails at Lewisville Lake on government lands. Specifically to maintain the trail north of Hickory Creek and connect the existing Pilot Knoll Trails, under easement to the Town of Copper Canyon, east to Sycamore Bend Park in the Town of Hickory Creek via the historical Old Alton Bridge.

Under the agreement signing organizations and the Corps operate and maintain the trails within their respective jurisdictions according to a plan approved by all partners. The long-term objective to create a unified trails system operated and maintained consistently as it transverses one jurisdiction to the next.

**Section II      Trail Layout**

The Government shall provide and update at reasonable intervals GIS data maps of the trails

system on aerial views.

### Section III Architectural Theme & Materials

The architectural theme is rustic western. Materials should be chosen for durability, vandal resistance, availability, and cost effectiveness. Structures and signage placed along the trails are intended to be harmonious and consistent with the natural, native surroundings. Whenever possible, the natural color scheme of the Cross-Timbers forest is to be used with varying shades of grays, browns, and greens predominantly.

Structures amenities and improvements should conform to the rustic western theme and the project plan. Materials used for construction, should be of the same or similar type and in similar style and appearance to existing buildings, pavilions and other amenities already found at Sycamore Bend Park, Pilot Knoll Park and along the Pilot Knoll Trail system including the historical Old Alton Bridge.

### Section IV Hiking & Equestrian Trail Standards & Guidelines

The Trail Standards & Guidelines are based on currently available references and recommended standards for hiking and equestrian trails; and current maintenance and operations practices on existing trails on government lands in the Elm Fork Project.

Basic trail installations are those essential to the establishment and use of the trail system; including elements that define boundaries, are necessary for trail tread construction to permit water flow or prevent erosion, provide for crossings at roads or rivers/streams, or are necessary for public safety and use. These are included in the Trail Standards & Guidelines. An improvement is an amenity that is desirable and will enhance the user experience but is non-essential and is addressed separately. All improvements must be submitted, and given permission by USACE prior to arrival on government property.

#### A. Location

The trail shall follow a designated route as GIS mapped and approved by the partners and government on government lands.

#### B. Trail Corridor (Area)

A 20-ft. corridor width is recommended. The corridor should be of sufficient width to allow room for relocation of the trail within the corridor to facilitate drainage, minimize erosion and provide screening to adjacent private landowners.

#### C. Trail Width

A 10-ft. standard for trail width is recommended to allow sufficient clearance for use by maintenance and emergency vehicles. In the event of non-conforming areas created by circumstance of topography, utilities or some other unalterable barrier, establish the trail in the location providing the greatest width available, preferably greater than 8-ft. and no less than 6-ft.

Nonconforming trail should only be allowed when no alternative is available.

D. Trail Tread (Footing)

The tread is the surface of the trail (footing). The preferred surfaces are naturally occurring soils, grasses and dirt (primary) and granular stone (secondary with improvements such as culverts, hardening at crossings or drainage).

E. Turning Radius/Switchbacks

A 5-ft. minimum and 10 ft. maximum turning radius is recommended. For switchbacks, the radius should be adequate to prevent a rider or hiker "cutting the corner" and eroding the turn. A switchback intended for maintenance and emergency vehicle use should be 10- ft. radius and reinforced sufficiently to support the weight of intended vehicular use.

F. Gradient

The trail should follow the contour of the land where possible and be located above the 532 ft. elevation contour for trails at Lewisville Lake whenever possible.

G. Ascent

The trail should be constructed so any grade of the trail shall increase gradually. The trail should be aligned to transverse the face of a slope horizontally at a modest grade, less than 3:1 making use of switchbacks on larger slopes, as opposed to ascending the slope in a vertical route from the base of the slope to the crest at a steeper grade.

H. Slope and Backslope

Backslope is the cutting into and filling on the face of a slope to construct trail. The trail tread shall be cut at an angle with outslowing sufficient to ensure drainage away from the face of the hill and allowing for compaction and wear, providing a stable condition with minimum maintenance.

I. Steps

Steps should be avoided in equestrian trails.

J. Footpaths

A secondary path of stepping stones may be used, clearly separate from the equestrian route and marked for "hikers only" at low water crossings and in areas where the ground is suitable for equestrians but less so for hikers.

K. Drainage

Allow whenever possible for natural drainage. Avoid locating the trail in boggy and wet areas whenever possible. Transverse low or drainage areas perpendicular to the route of drainage and water flow to minimize erosion. Install low water crossings where possible. Install drainage modifications to correct wet areas, with installation of culverts reserved for use in areas of significant flow or erosion potential. Outslope cutting the inner edge of trail along a hillside higher than the outer edge so water is shed across and off the trail instead of collecting and

running downhill on the trail. Shallow dips of 3" from hill face to edge filled with gravel or other permeable material may be used to channel flow.

#### **L. Fences and Gates**

The Government uses a standard unpainted metal pipe rail fence along Government property boundaries, around parking areas, for gates and walk in access areas. Some remote boundary and secondary interior fences are constructed of T-posts and wire. Gates are typically hinged, welded pipe metal construction hung on pipe metal H-braces that swings open fully both directions. Gates routinely remain closed and locked with padlocks issued by the Government. All fencing should be verified as to ownership before alteration or removal, and replaced and constructed according to Government specifications at the time of installation.

Where barbwire fence is present, whenever possible the wire should be replaced with smooth (slick) fence wire using H-braces of wood or metal. Smooth wire fencing is safer for trail users, tightens more easily for maintenance, and blends well visually into surrounding vegetation.

In addition to fencing it is often desirable to keep users within the designated trail corridor. Fallen trees and brush piles may be used to create natural barriers while enhancing wildlife habitat. Plantings of native trees and tall grasses can also be used to create visual barriers to residential areas and businesses near the trail.

#### **M. Access Points**

##### **1. Parking Areas**

Parking areas should be of sufficient size to accommodate horse trailers pulling in and out and parking with sufficient room to extend the rear doors or ramp to load/unload a horse. Adequate parking spaces should be provided to prevent vehicles parking in front of or otherwise blocking access points. Access points should be clearly marked.

The surface of the parking area should be constructed of well packed road base at a depth sufficient to handle the weight of loaded horse trailer rigs. The surface should be topped preferably with smooth gravel or rock of 1/2" diameter or less to prevent injury to horses feet. The surface should be resurfaced and topped with materials as needed to maintain the area free of potholes and ruts. Paved surfaces are less desirable due to the tendency of these surfaces to be slick in particular for iron shod horses. Where concrete is used, rough surface is preferable to smooth.

The Government uses unpainted single rail metal pipe fence to surround parking areas. This fence is most effective in preventing illegal access by motor vehicles and ATV's. In areas adjacent to a roadway, a double rail fence of at least 48" height is desirable to prevent a horse gaining access to a road. The pipe metal fence allows for the installation of stepover bars for equestrian access and pedestrian Y-walk in turns as part of the fence line. Proper access for emergency and maintenance equipment such as pipe metal slide bars or gates should be installed

and incorporated into the metal pipe rail fence to allow access. All metal pipe rail fencing, gates, access stepover bars, pedestrian walk in Y's etc. should be approved and built in accordance with Government specifications at the time of installation.

## **2. Equestrian Step Over Bar**

Pipe rail step over bars should be provided at locations intended for equestrian access. Step over bars should be incorporated into pipe rail fencing. The bar being of the same diameter pipe as the fence rail and set at a maximum height at the top of the bar of 14" with a minimum height at the top of the bar 12" (1 foot). Improved footing under and on the approaches is recommended to prevent wear down at the bar. All step over bars and pipe fencing should be built according to Government specifications and standards.

### **1. Pedestrian Walk In Y**

Pedestrian Walk in Y access should be provided at locations intended only for hiker and pedestrian access. Walk in Y should be incorporated into pipe rail fencing. The Walk In Y being constructed of the same diameter pipe as the fence rail and set at a maximum height equal to the height of the pipe fence. All pedestrian access should be built according to Government specifications and standards.

### **4. Gates & Slide Bars**

Access gates or slide bars should be incorporated into pipe rail fencing and constructed of same or similar materials as the fencing. Gates and slide bars should be of sufficient width to permit access of maintenance and emergency equipment. Existing gates and slide bars are 14 ft-16 ft. wide. Gates are typically hinged, welded pipe metal construction hung on pipe metal H-braces that swing open fully both directions. Gates routinely remain closed and locked with padlocks issued by the Government.

## **N. Crossings**

### **1. Low Water Crossings**

Low water crossings are preferable to bridges. Use natural crossings where possible for low-flow or intermittent streams. All plans for construction of low water crossings should provide for adequate hardening of the streambed and embankments.

### **2. Culverts**

Culverts and fords should be of sufficient diameter and height to carry normal water flow with rains. Culverts should intersect the trail so the trail crosses near the midpoint of the culvert at as close to a 90-degree angle as possible to the lengthwise lie of the culvert. Metal or plastic tin horns should be of sufficient diameter and wall strength to permit normal water flow with rains and hold the weight of vehicles and horses. Culverts should be laid on a bed of and surrounded by packed water-resistant materials such as clay, gravel mixes or crushed recycled concrete. The culvert should be topped with a minimum of 12 inches of packed gravel or crushed rock or other similar material and then covered with an additional 6-8" minimum of soil or other appropriate footing. Headwalls may be stacked to create a curb to contain the materials

on top of the culvert at proper depth and to prevent washing out. Design should include consideration of outflow to prevent concentration or acceleration of water flow and erosion. Design should allow for any anticipated flooding that would submerge the culvert and the culvert constructed to retain its integrity during such an event. Culvert headwall materials should not be permeable to water flow. Stacked stone headwalls should be mortared to prevent erosion and loss of stability. All plans shall require the express approval of the Government.

### **3. Stepping Stones/Hikers**

Hiker stepping-stones may be placed to provide a crossing for hikers upstream, adjacent and parallel to the equestrian crossing. Hiker stepping-stones should be placed so as not to impede the flow of water and no more than 24" apart. Stepping stones should not be made of wood, should have a rough surface at least 12" diameter and placed so they extend above normal water level 6". Stepping-stones should be secured into the streambed to prevent their loosening or washing away.

### **4. Roads & Bridges**

Crossing signs should be posted at designated road crossings in conjunction with crosswalks painted onto the pavement. Signs should be posted at Railroad crossings if applicable. Crosswalks should be painted white or yellow in compliance with and according to all local, State and Federal rules, regulations and laws governing public crosswalks on public roadways. Signs notifying motor vehicles should be posted a sufficient distance from the crosswalk in both directions in compliance with and as required by local, State and Federal rules, regulations and laws.

Right of Way signs should be posted at bridge crossings shared with pedestrians indicating "Hikers/ Pedestrians yield Right-of -Way to Horses/Riders". Right of Way should be posted in addition to signage encouraging riders to dismount and walk the horse across the bridge.

#### **O. Bridges (existing)**

The trail should be at least the same width as the bridge. Railings should be a minimum of 5 ft. in height and comply with all state, local and federal safety regulations. Existing bridges not in compliance with current railing standards should be posted to encourage riders to dismount and walk horses across the bridge. Treated timber planks are preferred for use as bridge decking over concrete or asphalt.

#### **P. Underpasses**

Underpasses should be of sufficient height and width for passage of a mounted horse and rider, emergency and maintenance vehicles and equipment. The minimum height of the underpass should be 12 ft. and the minimum width of the underpass 20-ft. The tread should be at or above the 532 ft. elevation and drainage built in to prevent standing water.

#### **Q. Other Structures**

Structures may occasionally be required for areas where no alternative trail route is available.



These may include retaining walls or other artificial structures. The materials used should be in accordance with the architectural theme and blend into the surroundings as much as possible. Switchbacks may be required for example on a steep slope to prevent erosion, or an elevated trail surface with sub-tread drainage may be necessary to construct in wet areas. Plans and designs should be submitted to the Government for approval before installation. All structures should be considered in terms of what is the least intrusive method of modification for the given location.

#### **R. Utility Easements**

Determine the location of all utilities prior to installation of trail or improvements. Preserve access to utilities, avoiding utilities whenever possible. Seek authorization and approval for installations within an easement and coordinate installation with the utility or easement holder if no other locations outside the utility easement are possible.

#### **S. Signage**

Various sign types and methods of installation shall be used. A master sign plan should be made a part of the Project Plan. Following is a brief summary of the signs:

##### **1. Trail Location Markers**

Brown Carsonite two-sided trail signposts are used for trail location markers. Markers are installed each quarter mile with additional directional and reassurance markers placed as needed. The posts are a brown composite with vandal resistant properties and flex if a horse and rider hit them making them safe adjacent the trail. Posts are ordered from Carsonite with pre-attached metal anchors, which resist pulling out of the ground best in the soils around Lewisville Lake. The plastic anchors are insufficient.

The posts are labeled with stickers ordered from Carsonite with a brown background and white reflective lettering or symbols. They adhere well and are vandal and weather resistant. The posts are labeled with international symbols for authorized uses (hiker, equestrian), rules (pets on leash), directional arrows and trail location identification; the trail designated by alphabetical letter, the location on that trail by number. Prohibited use symbols may be added which have the red circle with a slash. "No Bicycles" and "No ATV" are used. A wide variety of symbols are available. A strip of white reflective tape is affixed across the top of each post to increase visibility of the marker especially for mowers.

A Government logo or Partner logo sticker may also be affixed. The Town of Copper Canyon uses a 3" X 3" logo sticker affixed near the base of the posts. Each entity may do the same in their jurisdiction. In unincorporated areas the Government Corps Castle sticker is available from Carsonite for use. A single overall trail logo design might be considered to use throughout the entire trail system, these designs are then available through Carsonite printed on stickers and various types of signs.

##### **2. Hunting Boundary Markers**

Yellow Carsonite posts may be used to post "No Hunting Within 600 feet of Boundary" Government hunting regulation as needed.

### **3. Trail Name Signs**

The trail name signs are larger signs located at trailheads and entrances and should be placed where they are readily visible. The signs should be constructed of wood of a design approved by the Government. The lettering may be routed into the wood and painted for visibility. Existing signs are unpainted with yellow painted lettering. Signposts are anchored in cement. Use of rustproof hardware is recommended. Information may include the trail name, total distance, elevation and directional arrows. (Refer to Section XII. Appendix, A. for photo)

### **4. Metal Information & Notice Signs**

Metal signs may be used for information and notices. Metal signs have a brown background color with white reflective lettering. Metal signs are inexpensive and easily replaced.

- a. "No Bicycles or Motorized Vehicles Allowed". Smaller signs are bolted on a 6-ft. metal T-posts or similar post.
- b. "Ride Aware Residential Area Ahead". Larger signs bolted on metal street signposts or similar metal posts anchored in cement.

All signs should be approved for use prior to posting. Metal signs should be located off to the side of the trail where visible, but not an obstruction for maintenance or emergency vehicles and located so as not to pose a hazard to a rider. Refer to Section XII. Appendix, A. for photo of "Ride Aware" sign.

### **5. Caution & Closure Signs**

Some cautionary signs and trail closure signs (and gates) may be required in certain areas. Elevation would be a good initial indicator for determining anticipated areas that may flood occasionally and be subject to high water or closure due to flooding.

### **6. Crossing Signs**

Signs should be posted at designated road crossings in conjunction with crosswalks painted onto the pavement. Signs should be posted at Railroad crossings. Right of Way signs should be posted at bridge crossings shared with pedestrians indicating "Hikers Yield to Horses". Carsonite has a sign of this type with the universal symbols available. This should be posted in addition to signage encouraging riders to dismount and walk the horse across the bridge.

## **T. User Safety**

### **1. Search Rescue & Recovery Plan (S R & R)**

Each Partner and the Government shall provide Search Rescue and Recovery Plans for the trails within their jurisdiction according to all parties.

### **2. Trail Closure**

Trail closure policies and procedures should be established and implemented as approved by the Partners and government as necessary for public safety

The existing trails are open at all times as there is one high ground trail route that remains above flood most years. There has been no official closure of the trails due flooding on the Pilot Knoll Trails. "Do not ride wet trails" is included as posted public notice in bulletin boards and trail rules. The new trails pass through the Hickory Creek floodplain and adjacent to areas where the Old Alton Road has gates to close the road when flooding occurs. Areas with flooding potential should be determined and plans made including appropriate signs indicating caution signs for high water and high ground route signs.

#### U. Public Information

##### **1. Trail Rules**

A set of trail rules should be approved and posted at trailheads, on signs and bulletin boards.

##### **2. Distribution of Information**

Internet: Post rules, information and official trail map on Partner and Government web sites with links to appropriate Government sites for Parks, Lake Levels, etc.

Brochures: Provide brochures including an official trail map approved by the Partners outlining trail rules and information on parking, camping, etc. at area parks. Brochures to be available at Government offices, City and Town Halls and Parks.

#### Section V. Trail Maintenance Standard

The following are minimum standards for trail maintenance.

(See Trail Maintenance Inspection Checklist, Section X. Form CCSA-5)

##### A. Mowing

Trails should be mowed a minimum of twice a year, typically in late May following wildflower display and again in mid to late September; with additional mowing done as required particularly in drought to prevent fires and wet years due to excess growth.

##### B. Trash & Debris

Trash collection at trailheads is determined by need, a minimum collection typically done once a month for parking areas. On the trails away from trailheads, trash is less frequently a problem and is done on an as needed basis. Trash should be picked up before mowing. Removal of fallen limbs, dead trees or drift debris on shoreline trails is on an as needed basis and done prior to mowing.

##### C. Trail Inspection Including Signs and Amenities

Inspect culverts and installations regularly for damage or wear and replace or repair as needed.

##### D. Culvert Maintenance

Clear debris and obstructions a minimum of twice yearly and as needed; re-check for debris after heavy storms. Keep areas around culverts mowed or trimmed and graded sufficiently to direct water flow.

E. Fence Maintenance

Check fencing, gates and access points for damage or missing locks, repair as needed.

F. Parking & Access Areas

Maintain surface of parking area, grade and add materials as needed. Keep area surrounding parking lots mowed shorter and pick up debris and trash every 1-2 weeks or as needed.

G. Erosion Control

Maintain trails surface (tread) by leveling, back-filling and packing or surface hardening any ruts. A front-end loader or bobcat is normally sufficient for this task. In heavily treed areas, watch for exposed tree roots and keep these covered to prevent trip hazard. In areas where runoff creates a persistent wet area, modify drainage and tread. In areas with persistent flow at one location, install a culvert with headwalls sufficient to permit flow and the trail to cross the culvert perpendicular to the placement of the tinnhorn. Identify low water crossings or other features with erosion potential and construct to minimize erosion. Any improvement projects will need to be approved by USACE prior to conducting any activities

Section VI. Existing Improvements and Amenities

A complete inventory of existing improvements and amenities should be included as part of the Project Plan.

A. Town of Copper Canyon, Pilot Knoll Trail, and Old Alton Bridge parking lot is designed for horse trailer and car parking. There is a single rail pipe fence surrounding the parking area with two built in stepover bars and a pedestrian Y-walk in for user access. A 16-ft. slide bar for maintenance and emergency access, kept closed and padlocked is constructed into the pipe fence. The Parking lot has an improved rock surface. There is a bulletin board, trail name signs, metal prohibition signs, and trail location markers.

B. Old Alton Bridge & Old Alton Park, Denton County

Old Alton Bridge Park has a small parking area designated for car parking only, a two rail metal pipe fence with a 16" pipe gate and two Y-walk through access points for pedestrians at the parking area. Horses do not have access from the car parking area.

Benches and a gravel path to the bridge are present. Access to the trail is at the foot of the bridge: A Pedestrian Walk in Y and combination stepover bar/gate for horses, emergency and maintenance access. Future improvements may include historical signage, informational signage, a bulletin board, hitching posts, a water trough, interpretive signs and other historical displays.

C. Town of Hickory Creek, Sycamore Bend Park

There is a parking facility, camping, restrooms, boat ramp, and picnic tables at Sycamore Bend

Park. Possible improvements would include horse trailer parking area, informational signage, ride in access points, locked gate or slide bar for maintenance and emergency access.

## Section VII. Optional Trail Improvements and Amenities

One ongoing aspect of the equestrian and hiking trail will be the location and installation of improvements and amenities. Amenities are elements that enhance the trail user experience but are non-essential to the basic trail. A complete inventory of existing and planned improvements and amenities should be made a part of the plan.

### A. Bulletin Boards

Bulletin boards should be located near entrance points or points of convergence or where amenities are located. Vandalism near parking areas can be significantly reduced by locating the bulletin board just up the trail 100-200 feet, out of sight of the parking area.

Bulletin boards may be constructed of wood or metal of a design approved by the Government, preferably with a peaked roof of sufficient size to shelter the information board. Covering the roof with shingles extends the life of the structure. Bulletin boards may be painted (at Pilot Knoll the color used is brown) or left unpainted to weather naturally (if located on the trails outside a formal setting). The bulletin board legs should be anchored in cement and braced per design.

Bulletin boards may have an optional cover made of Plexiglas of sufficient thickness to prevent flexing and cracking. Framing the Plexiglas with wood strengthens the cover and deters vandalism. The cover is hinged at the top to lift up to open for access and when closed has one or two latches at the bottom and is padlocked through each latch. Covers are not necessary if information is laminated.

Locate utilities in the area before installation and consider the direction of prevailing winds (in this area north/south) when facing the bulletin board. An east/west facing presents a lower profile to prevailing winds.

### B. Hitching Posts

Hitching posts may be constructed of 4" minimum wood posts with the cross bar secured with heavy duty lag bolts to the uprights, or constructed of unpainted welded pipe metal. Pipe metal should be built and finished to Government specifications for pipe fencing. Hitching posts should be 48" in height, 8ft. in length with finished ends for wood, capped for metal. Upright posts are anchored in cement.

### C. Mounting Blocks

Locate mounting blocks where an equestrian would be required to or routinely mount or dismount their horse, such as parking areas, rest areas, bridge approaches.

#### **D. Tie-Out Posts**

Tie-out posts are used when a corral or hitching post is not available. A free standing pipe metal post capped at the top, a minimum of 6-ft. height with a ring welded at the top secured in a cement footing is sufficient to tie a horse in locations a rider may need to dismount and secure the horse. These posts are often provided at equestrian camping sites and in parking locations where a horse is being loaded or unloaded from a trailer and saddled or unsaddled.

#### **E. Signs**

##### **1. Interpretive Use Signs**

Interpretive signage and displays may be desirable at various locations featuring identification information of plant, trees, grasses, wildflowers, etc. Various organizations and educational institutions may be interested in participating in this type of project.

##### **2. "You are Here" Trail Map Sign**

A large sign placed at various locations on the trails away from locations with bulletin boards already posted with the same information. The "You Are Here" sign may contain: a map indicating the location of the user and identifying closest exit points, amenities, and trail marker locations, Hunting areas indicated for cautionary purposes if applicable, high water areas indicated with quick exit routes, Trail system emblem and trail partner logos, instructional information for emergencies such as "Dial 911" or "Please call and report illegal dumping...", Ranger or Game Warden contact numbers, maintenance contact information to report trail hazards, trail etiquette reminders or rules.

#### **F. Information Kiosks**

Kiosks are information booths. A kiosk may be appropriate at a high traffic location such as a park or an interpretive education site. Kiosks should be designed and constructed in accordance with the theme.

#### **G. Screening & Visual Enhancements**

Native plants and trees should be considered for areas where visual screening is needed, such as near residential areas. Use of native plants and grasses can also stabilize disturbed soils and slow erosion, particularly on slopes and where vegetation has been stripped by past development or runoff. Open spaces may be enhanced by removal of brush and invasive, alien plants and replanted with native grasses and wildflowers to re-establish lost native habitat. This type of project may be of interest to local volunteer groups and organizations.

### **3. Understandings, Agreements, Support, and Resource Needs.**

- a. USACE will be responsible for preparation of documentation required for any real estate



- actions and compliance with provisions of the hiking and equestrian trail.
- b. All of USACE resource needs for the actions described in this MOU will be provided by the joined efforts of all parties.
  - c. Agency Coordination. Unless otherwise indicated in writing, USACE points of contact for this project are:

Natural Resources Manager, Operations Division, Mr. Aaron Howell, U. S. Army Corps of Engineers, ATTN: CESWF-OD-R, P.O. Box 17300, Fort Worth, TX 76102-0300, Phone: (817) 886-1568; Fax: 817-886-6455; E-mail: Aaron.W.Howell@usace.army.mil

Lake Manager, Lewisville Lake Office, Mr. Robert S. Jordan, U.S. Army Corps of Engineers, ATTN: CESWF-OD-LE, 1801 N. Mill Street, Lewisville, TX 75057-1821, Phone: (469) 645-9107; Fax: 469-645-9101; E-mail: Robert.S.Jordan@usace.army.mil

e. For natural and cultural resources disturbed by the construction, a mitigation plan shall be submitted by the Cross Timbers Equestrian Trail Association, and the Town of Hickory Creek for consideration by USACE and for inclusion in the EA. Both parties, prior to the start of construction, must agree upon the mitigation plan. Any such plan shall be compliant with the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, and the Texas Antiquities Code.

f. It is understood that should the proposed project enter the construction phase, Cross Timbers Equestrian Trail Association, and the Town of Hickory Creek will be responsible for compliance with all Federal, State, and/or local laws pertaining to protection of cultural or natural resources. This will include excavation and/or mitigation actions for any known cultural or natural resources, or those that might be unearthed during construction.

4. Effective Date. The final MOU will become effective when signed and dated by all parties and shall remain in effect until either modified, or the project has been completed.

\_\_\_\_\_  
Robert Jordan  
Lake Manager

Date \_\_\_\_\_

\_\_\_\_\_  
Fort Worth District  
Operations Project Manager

Date \_\_\_\_\_

Marty Underwood  
USACE Environmental Steward

\_\_\_\_\_

Town of Hickory Creek

Date\_\_\_\_\_

\_\_\_\_\_

Manger of CTETA

Date\_\_\_\_\_