

CITY OF BAY CITY, TEXAS

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, CREATING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER FIVE, CITY OF BAY CITY, TEXAS

WHEREAS, the City of Bay City, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

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

WHEREAS, the City Council desires to promote the development of a certain noncontiguous geographic area in the City and the City’s ETJ, which is more specifically described in *Exhibits "A" and "B"* of this Ordinance (the "Zone"), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Five, City of Bay City*, attached as *Exhibit C* (hereinafter referred to as the “Preliminary Project and Finance Plan”) for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on December 1, 2024, which date is before the seventh (7th) day before the public hearing held on December 10, 2024; and

WHEREAS, at the public hearing on December 10, 2024, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on December 10, 2024, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on December 10, 2024; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance plan has been prepared for the proposed reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED.

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

SECTION 2. FINDINGS.

That the City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

- (a) That the public hearing on the creation of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and
- (b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits "A" and "B"* will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and
- (c) That the proposed reinvestment zone, as defined in *Exhibits "A" and "B"*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:
 - 1. It is a geographic area located within the City limits of the City and the City's ETJ; and

2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.

- (d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and
- (e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and
- (f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and
- (g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits “A” and “B” hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number Five, City of Bay City, Texas (hereinafter referred to as the “Zone”).

SECTION 4. BOARD OF DIRECTORS.

That a board of directors for the Zone is hereby created. The board of directors ("Board") shall consist of nine (9) members. Of these nine (9) members, each taxing unit other than the City that levies taxes on real property in the Zone and contributes tax increment to the Zone may, but is not required to, appoint a member to the Board per the Act. Four of the directors shall be appointed for two-year terms, beginning on the effective date of this Ordinance, while five of the directors shall appointed to a one-year term, beginning on the effective date of this Ordinance. All subsequent appointments shall be for two-year terms. If a taxing unit receives two director's positions, the terms of the positions shall not expire in the same year.

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone’s project plan and financing plan.

Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Council hereby authorizes the Board, as necessary or convenient to implement the Project and Finance Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants of land and buildings and make grants from the Tax Increment Fund for activities that benefit the Zone and stimulate business and commercial activity in the Zone. In addition, the City Council hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

SECTION 5. DURATION OF THE ZONE.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2059 (with the final year’s tax increment to be collected by September 1, 2060); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2024, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) a percentage of the City’s tax increment generated by the City’s tax rate, as described in the Project and Finance Plan approved by the City Council, and as

defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND.

That there is hereby created and established a “Tax Increment Fund” for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

SECTION 8. SEVERABILITY CLAUSE.

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

SECTION 9. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally

acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

PASSED AND APPROVED ON this _____ day of December 2024.

CITY OF BAY CITY

Robert K. Nelson, Mayor

ATTEST:

Jeanna Thompson
City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey
City Attorney

APPROVED AS TO CONTENT:

Scotty Jones
City Manager

EXHIBIT A

BOUNDARY DESCRIPTION

Bay City TIRZ #5 consists of nine noncontiguous areas within the City limits and the City's extraterritorial jurisdiction.

Area #1

Beginning at the northwest corner of Property ID 10399, thence

East across the northern boundary of Property ID 10399 to the point the northeast corner of Property ID 10399 meets the western right of way boundary of State Highway 60, thence

East across State Highway 60 to the point the northwest corner of Property ID 10381 meets the eastern right of way boundary of State Highway 60, thence

South along the eastern right of way boundary of State Highway 60 to the point it meets the southern point of Property ID 10381, thence

North along the southern boundary of Property ID 10381 to the point it meets the northeast corner of Property ID 131904, thence

South along the eastern boundary of Property ID 131904 to the point it meets the northern boundary of the easement directly north of Property ID 10393, thence

South across the easement to the northern boundary of Property ID 10392, thence

West along the southern boundary of the easement, continuing along the boundary of Property ID 10393 to the point the southwest corner of Property ID 10393 meets the eastern right of way boundary of State Highway 60, thence

West across State Highway 60 to the point where the northeast corner of Property ID 128242 meets the southern boundary of the easement directly south of Property ID 10399, thence

West along the southern boundary of the easement directly south of Property ID 10399 to the point it meets Property ID 10688, thence

North to the southwest corner of Property ID 10399, thence

North along the western boundary of Property ID 10399 to the northwest corner of Property ID 10399, which is the point of beginning.

Area #2

Consisting of Property ID 27207, legally described as BAY WAY ESTATE, RESERVE A, ACRES 1.67.

Area #3

Beginning at the point where the northeast corner of Property ID 10682 meets the northern right of way boundary of 12th Street, thence

East along the northern right of way boundary of 12th Street, continuing east along the northern right of way boundary of County Road 12 to the point it meets the southwest corner of Property ID 43390, thence

North along the western boundary of Property ID 43390, continuing north to the western boundary of Property ID 43392, thence

Continuing east along the northern boundary of Property ID 43392, continuing east along the northern boundary of Property ID 43390, thence

South along the eastern boundary of Property ID 43390, then south along the eastern boundary of Property ID 43472, then continuing south again along the eastern boundary of Property ID 43390 to the point it meets the northern right of way boundary of 12th Street, thence

East along the northern right of way boundary of 12th Street to the point it meets the eastern right of way Avenue K, thence

South along the eastern right of way Avenue K to the point it meets the southwest corner of Property ID 25612, thence

East along the southern boundary of Property ID 25612, continuing west crossing Avenue L, Avenue M, Cottonwood Avenue, Sycamore Street, Nichols Avenue, and Mary Avenue, to the southwest corner of Property ID 38296, thence

South to the northeast corner of Property ID 27604, thence

West along the northern boundary of Property ID 27604, continuing west crossing Mary Avenue, Nichols Avenue, Sycamore Street, Cottonwood Avenue, Avenue M, and Avenue L, to the point the western right of way boundary of Avenue K meets the northeast corner of Property ID 25571, thence

North along the western right of way boundary of Avenue K to the point it meets the southern right of way boundary of 12th Street, thence

West along the southern right of way boundary of County Road 12 to the point it meets the eastern right of way boundary of Avenue H, thence

South along the eastern right of way boundary of Avenue H to the point it meets the southern right of way boundary of 11th Street, thence

West across Avenue H to the western right of way boundary of Avenue H, thence

North along the western right of way boundary of Avenue H to the point it meets the southern right of way boundary of 12th Street, thence

West along the southern right of way boundary of 12th Street, continuing west along the southern right of way boundary of County Road 12 to the point it meets the northeast corner of Property ID 15120, thence

South along the eastern boundary of Property ID 15120 to the point it meets the northern right of way boundary of 9th Street, thence

East along the northern right of way boundary of 9th Street to the point it meets the western right of boundary Avenue E, thence

South to the southern right of way boundary of 9th Street, thence

West along the southern right of way boundary of 9th Street to the point it meets Property ID 118754, thence

North across the right of way of 9th Street to the southwest corner of Property ID 15100, thence

North along the western boundary of Property ID 15100 to the point it meets the southern right of way boundary of County Road 12, thence

West along the southern right of way boundary of County Road 12 to the point it meets the northwest boundary of Property ID 15132, thence

East along the northern boundary of Property ID 15132, continuing south along the boundary of Property ID 15132 to the point it meets Property ID 15103, thence

South along the eastern boundary of Property ID 15103 to the point it meets the northern right of way boundary of 7th Street, thence

South across 7th Street to the point the southern right of way boundary of 7th Street meets the northern boundary of Property ID 15110, thence

West along the southern right of way boundary of 7th Street to the point it meets the northeast corner of Property ID 15104, thence

South along the eastern boundary of Property ID 15104 to the point it meets Property ID 88601, thence

South along the eastern boundary of Property ID 88601 to the point it meets the northern right of way boundary of Dr. Martin Luther King Jr. Drive, thence

South across Dr. Martin Luther King Jr. Drive to the northeast corner of Property ID 12257, thence

South along the eastern boundary of Property ID 12257, continuing west and then north along the boundary of Property ID 12257 to the point the northwest corner of Property ID 12257 meets the southern right of way boundary of Martin Luther King Jr. Drive, thence

West along the southern right of way boundary of Martin Luther King Jr. Drive to the point it meets the eastern right of way boundary of Nile Valley Drive, thence

North along the eastern right of way boundary of Nile Valley Road to the point it meets the northwest corner of Property ID 115403, thence

East along the northern boundary of Property ID 115403 to the point it meets Property ID 15104, thence

East and then north along the boundary of Property ID 15104 to the point it meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the northwest corner of Property ID 88576, thence

North across 7th Street to the southwest corner of Property ID 10684, thence

North along the western boundary of Property ID 10684 to the point it meets the western corner of Property ID 10683, thence

Continuing north to the western boundary of Property ID 10682, continuing north and then east along the boundary of Property ID 10682 to the northeast corner of Property ID 10682 where it meets the northern right of way boundary of County Road 12, which is the point of beginning.

Area #4:

Consisting of Property ID 12265, legally described as AB 0045, E HALL, ACRES 174.184, (NEW SURVEY) (DEED SAVES & EXCEPTS 1.1689 AC & 5.627 AC FOR ROW) (NILE VALLEY).

Area #5:

Beginning at the point where the western right of way boundary of Moore Avenue meets the southern right of way boundary of 7th Street, thence

North along the western right of way boundary of Moore Avenue to the northeast corner of Property ID 43502, thence

East across Moore Avenue to the northwest corner of Property ID 24478, thence

East along the northern boundaries of Property IDs 24478 and 24479 to the point the northeast corner of Property ID 24479 meets the western right of way boundary of Avenue A, thence

East across Avenue A to the northwest corner of Property ID 24577, thence

East and then north along the northern boundary of Property ID 24577, continuing south to the point it meets the northern boundary of Property ID 24582, thence

East along the northern boundary of Property ID 24582 to the point it meets the western right of way boundary of Avenue B, thence

North along the western right of way boundary of Avenue B to the point it meets the northeast corner of Property ID 24581, thence

East across Avenue B to the northwest corner of Property ID 24739, thence

East across the northern boundaries of Property IDs 24739, 24740, 24741, and 24744, to the point the northeast corner of Property ID 24744 meets the western right of way boundary of Avenue C, thence

South along the western right of way boundary of Avenue C, thence

East across Avenue C to the point the southwest corner of Property ID 24855 meets the northern boundary of the easement separating Property ID 24855 and Property ID 24846, thence

East across the northern boundary of the easement, continuing east across Avenue D, to the point the easement meets the western right of way boundary of Avenue E, thence

South along the western right of way boundary of Avenue E to the point where the northeast corner of Property ID 24963 meets the southern boundary of the easement separating Property ID 24963 and Property ID 24964, thence

West along the southern boundary of the easement to the point it meets the eastern right of way boundary of Avenue C, thence

West across Avenue C to the southeast corner of Property ID 24736, thence

West along the southern boundaries of Property IDs 24736 and 24738, to the point where the southwest corner of Property ID 24738 meets the eastern right of way boundary of Avenue B, thence

West across Avenue B to the southeast corner of Property ID 24586, thence

West along the southern boundaries of Property IDs 24586, 24587, 24588, and 24589, to the point where the southwest corner of Property ID 24589 meets the eastern right of way boundary of Avenue A, thence

South along the eastern right of way boundary of Avenue A to the point it meets the southern right of way boundary of 6th Street, thence

West along the southern right of way boundary of 6th Street to the point it meets the western right of way Moore Avenue, thence

North along the western right of way Moore Avenue to the point the western right of way boundary of Moore Avenue meets the southern right of way boundary of 7th Street, which is the point of beginning.

Area #6

Beginning at the point where the western right of way boundary of Live Oak Avenue meets the southern right of way boundary of 7th Street, thence

North along the western right of way boundary of Live Oak Avenue to the point it meets the northeast corner of Property ID 46901, thence

East across Live Oak Avenue to the northwest corner of Property ID 46908, thence

East across the northern boundaries of Property IDs 46908, 46909, and 46911 to the point the northeast corner of Property ID 46911 meets the western right of way boundary of Elm Avenue, thence

East across Elm Avenue to the northwest corner of Property ID 46916, thence

South along the eastern right of way boundary of Elm Avenue to the point it meets the northern right of way boundary of 7th Street, thence

East along the northern right of way boundary of 7th Street to the point it meets the western right of way boundary of Sycamore Street, thence

North along the western right of way boundary of Sycamore Street to the point it meets the southwest corner of 46916, thence

East across Sycamore Street to the northwest corner of Property ID 37820, thence

East across the northern boundary of Property IDs 37820 and 37821 to the point the northeast corner of Property ID 37821 meets the western right of way boundary of Cypress Avenue, thence

East across Cypress Avenue to the northwest corner of Property ID 37822, thence

East across the northern boundary of Property ID 37822 to the northwest corner of Property ID 37823, thence

North to the southwest corner of Property ID 37837, thence

North along the western boundary of Property ID 37837 to the point it meets the southern right of way boundary of 8th Street, thence

East along the southern right of way boundary of 8th Street to the point it meets the eastern right of way boundary of Peach Avenue, thence

South along the eastern right of way boundary of Peach Avenue to the point it meets the northwest corner of Property ID 37826, thence

East along the northern boundaries of Property IDs 37826, 37828, and 37830, to the point the northeast corner of Property ID 37830 meets the western right of way boundary of Nichols Road, thence

South along the western right of way boundary of Nichols Road to the point it meets the northern right of way boundary of 7th Street, thence

East along the northern right of way boundary of 7th Street to the point it meets the southwest corner of Property ID 40030, thence

North and then east along the boundary of Property ID 40030 to the point it meets the northwest corner of Property ID 123268, thence

East then south along the boundary of Property ID 123268 to the point the southeast corner of Property ID 123268 meets the northern right of way boundary of 7th Street, thence

South across 7th street to the point the southern right of way boundary of 7th Street meets the western right of way boundary of Katy Avenue, thence

West along the southern right of way boundary of 7th Street to the point it meets the northeast corner of Property ID 40981, thence

South along the eastern right of way boundary of Property ID 40981, continuing west along the boundary to the point it meets the eastern right of way boundary of Mary Avenue, thence

West across Mary Avenue to the southeast corner of Property ID 40980, thence

South along the western right of way boundary of Mary Avenue to the point it meets the northern right of way boundary of 6th Street, thence

West along the northern right of way boundary of 6th Street to the point it meets the eastern right of way boundary of Nichols Road, thence

North along the eastern right of way boundary of Nichols Road to the point it meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the northeast corner of Property ID 43690, thence

South along the eastern boundary of Property ID 43690, continuing west along the southern boundary to the point it meets the eastern right of way boundary of Peach Avenue, thence

West across Peach Avenue to the southeast corner of Property ID 43681, thence

West along the southern boundaries of Property IDs 43681, 118337, 118339, and 118335, to the point the southwest corner of Property ID 118335 meets the eastern right of way boundary of Cypress Avenue, thence

West across Cypress Avenue to the southeast corner of Property ID 43673, thence

West along the southern boundaries of Property IDs 43673, 43672, 43671, and 43670, to the point the southwest corner of Property ID 43670 meets the eastern right of way boundary of Sycamore Street, thence

West across Sycamore Street to the southeast corner of Property ID 40887, thence

North along the western right of way boundary of Sycamore Street to the point it meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the western right of way boundary of Live Oak Avenue, which is the point of beginning.

Area #7

Beginning at the northwest corner of Property ID 19984 where it meets the southern right of way boundary of Rose Street, thence

East along the southern right of way boundary of Rose Street to the point it meets the northeast corner of Property ID 46563, thence

South along the eastern boundary of Property ID 46563 to the point it meets the northwest corner of Property ID 19987, thence

East then south along the boundary of Property ID 19987 to the point it meets the northern right of way boundary of 7th Street, thence

East along the northern right of way boundary of 7th Street to the point it meets the southwest corner of Property ID 19989, thence

North along the western boundary of Property ID 19989 to the point it meets the western boundary of Property ID 19991, thence

Continuing north along the western boundary of Property ID 19991, continuing east then south along the boundary of Property ID 19991 to the point it meets the northern right of way boundary of 7th Street, thence

East along the northern right of way boundary of 7th Street to the point it meets the southwest corner of Property ID 20169, thence

North along the western boundary of Property ID 20169, continuing to follow the boundary of Property ID 20169 to the point the southeast corner of Property ID 20169 meets the northern right of way boundary of 7th Street, thence

East along the northern right of way boundary of 7th Street to the point it meets the southeast corner of Property ID 28419, thence

South across 7th Street to the point the southern right of way boundary of 7th Street meets the northeast corner of Property ID 20984, thence

West along the southern right of way boundary of 7th Street to the point it meets the northeast corner of Property ID 20982, thence

South along the eastern boundary of Property ID 20982 to the point it meets the northeast corner of Property ID 20981, thence

South along the eastern boundary of Property ID 20981, continuing to follow the boundary of Property ID 20981 to the point the western corner of Property ID 20981 meets the southern corner of Property ID 20982, thence

North along the western boundary of Property ID 20982 to the point the western corner of Property ID 20982 meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the eastern boundary of Property ID 20202, thence

South along the eastern boundary of Property ID 20202, continuing to follow the boundary west and then north, to the point it meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the northeast corner of Property ID 122096, thence

South along the eastern boundary of Property ID 122096, continuing to follow the boundary west and then north, to the point it meets the southern right of way boundary of 7th Street, thence

West along the southern right of way boundary of 7th Street to the point it meets the western right of way boundary of FM 457, thence

South along the western right of way boundary of FM 457 to the point it meets the southern right of way boundary of Sargent Ct, thence

West along the southern right of way boundary of Sargent Ct to the point it meets the northeast corner of Property ID 20010, thence

South along the eastern boundary of Property ID 20010 to the point the southeast corner of Property ID 20010 meets the northern right of way boundary of the Union Pacific railroad, thence

West along the northern right of way boundary of the Union Pacific railroad to the point it meets the western right of way boundary of Norvell Avenue, thence

North along the western right of way boundary of Norvell Avenue to the point it meets the northeast corner of Property ID 41001, thence

West along the northern boundary of Property ID 41001, continuing west along the northern boundary of Property ID 41003 to the northwest corner of Property ID 41003, thence

Continuing south along the western boundary of Property ID 41003 to the point the eastern right of way boundary of Waldron Avenue meets the southern right of way boundary of 5th Street, thence

West along the southern right of way boundary of 5th Street to the point it meets the western right of way boundary of Clover Avenue, thence

North along the western right of way boundary of Clover Avenue to the point it meets the southeast corner of Property ID 41029, thence

West along the southern boundary of Property ID 41029 to the point it meets the southeast corner of Property ID 41028, thence

West along the southern boundary of Property ID 41028 to the point it meets the eastern right of way boundary of Helen Avenue, thence

North along the eastern right of way boundary of Helen Avenue to the point it meets the southern right of way boundary of 6th Street, thence

West along the southern right of way boundary of 6th Street to the point it meets the western right of way boundary of Gloria Avenue, thence

North along the western right of way boundary of Gloria Avenue to the point it meets the northeast corner of Property ID 40988, thence

North across 7th Street to the southern boundary of Property ID 19983, thence

East along the southern boundary of Property ID 19983 to the point it meets the southwest corner of Property ID 19984, thence

North along the western boundary of Property ID 19984 to the point the northwest corner of Property ID 19984 meets the southern right of way boundary of Rose Street, which is the point of beginning.

Area #8

Consisting of Property ID 131895, legally described as AB 0151, JOHN DUNCAN, ACRES 2.0, AB 151 & AB 150 (VAN VLECK ISD -AG SITE).

Area #9

Beginning at the point where the southern right of way boundary of Whitson Street meets the eastern right of way boundary of Roberts Road, thence

South along the eastern right of way boundary of Roberts Road to the point it meets the northwest corner of Property ID 48989, thence

East across the northern boundary of Property ID 48989, continuing east along the northern boundary of Property ID 48984, to the point it meets the western boundary of Property ID 48986, thence

East and then north along western boundary of Property ID 48986, to the point it meets the southern right of way boundary of Whitson Street, thence

North across Whitson Street to the southwestern corner of Property ID 48981, thence

East along the northern right of way boundary of Whitson Street to the point it meets the western right of way boundary of Avenue F, thence

North along the western right of way boundary of Avenue F to the point it meets the southeast corner of Property ID 48977, thence

West along the southern boundary of Property ID 48977, continuing north along the western boundary to the point it meets the southern boundary of Property ID 48976, thence

West along the southern boundary of Property ID 48976, continuing north along the western boundary of Property ID 48976 to the point it meets the southern right of way boundary of Helen Street, thence

North across Helen Street to the southern boundary of Property ID 12344, thence

West along the southern boundary of Property ID 12344, continuing north along the western boundary to the point it meets the southwest corner of Property ID 12346, thence

North and then east along the boundary of Property ID 12346 to the point it meets the southwest corner of Property ID 43736, thence

North along the western boundaries of Property IDs 43736, 43735, and 12350 to the point the northwest corner of Property ID 12350 meets the southern right of way boundary of Austin Street, thence

North across Austin Street, continuing east along the northern right of way boundary of Austin Street to the point it meets the southwest corner of Property ID 40734, thence

North along the western boundaries of Property IDs 40734, 40731, and 126118 to the point the northwest corner of Property ID 126118 meets the southern right of way boundary of Matthews Street, thence

North across Matthews Street to the southwest corner of Property ID 40746, thence

North along the western boundaries of Property IDs 40746, 40745, 40744, and 40743 to the point the northwest corner of Property ID 40743 meets the southern right of way boundary of Rugeley Street, thence

North across Rugeley Street to the southwest corner of Property ID 25130, thence

North along the western boundaries of Property IDs 25130, 25129, and 25127 continuing east along the northern boundary of Property ID 25127 to the western right of way boundary of Avenue F, thence

North along the western right of way boundary of Avenue F to the southeast corner of Property ID 25115, thence

West along the southern boundary of Property ID 25115, continuing north and then east along the boundary to the point it meets the southwest corner of Property ID 25122, thence

North along the western boundaries of Property IDs 25122, 25121, and 25120 to the point the northwest corner of Property ID 25120 meets the southern right of way boundary of 2nd Street, thence

East along the southern right of way boundary of 2nd Street to the point it meets the northeast corner of Property ID 25140, thence

South along the eastern boundary of Property ID 25140 to the point it meets the northern right of way boundary of the Union Pacific Railroad, thence

South across the Union Pacific Railroad to the northern boundary of Property ID 25135, thence

East along the northern boundary of Property ID 25135 to the northeast corner of Property ID 25135, thence

South along the eastern boundaries of Property IDs 25135, 25134, 25133, and 25131, to the point the southeast corner of Property ID 25131 meets the northern right of way boundary of Rugeley Street, thence

South across Rugeley Street to the northern boundary of Property ID 40717, thence

West along the southern right of way boundary of Rugeley Street to the northeast corner of Property ID 40718, thence

South along the eastern boundaries of Property IDs 40718, 40716, and 40715 to the point the southeast corner of Property ID 40715 meets the northern right of way boundary of Matthews Street, thence

South across Matthews Street to the northeast corner of Property ID 40729, thence

South along the eastern boundaries of Property IDs 40729, 40728, 40727, 40725, and 40723 to the point the southeast corner of Property ID 40723 meets the northern right of way boundary of Austin Street, thence

South across Austin Street to the northeast corner of Property ID 37451, thence

South along the eastern boundaries of Property IDs 37451, 37452, 37454, and 37455 to the point the southeast corner of Property ID 37455 meets the northern right of way boundary of Pearl Street, thence

South across Pearl Street to the northeast corner of Property ID 37459, thence

South along the eastern boundaries of Property IDs 37459, 37460, 37461, 37462, 12371, 12374, and 12375 to the point the southeast corner of Property ID 12375 meets the northern right of way boundary of Marguerite Street, thence

South across Marguerite Street to the northern boundary of Property ID 12391, thence

East along the southern right of way boundary of Marguerite Street to the northeast corner of Property ID 12391, thence

South along the eastern boundary of Property ID 12391, to the point it meets Property ID 12392, continuing south along the eastern boundary of Property IDs 12392, 12394, and 12393, to the point the southeast corner of Property ID 12393 meets the northern boundary of Property ID 12495, thence

East along the northern boundary of Property ID 12495, continuing south and then west along the boundary to the point it meets Property ID 12494, thence

South along the eastern boundary of Property ID 12494 to the point it meets the western right of way boundary of Nichols Road, thence

South along the western boundary of Nichols Road to the point it meets the southeast corner of Property ID 12510, thence

West along the southern right of way boundary of Property ID 12510 to the point it meets the northeast corner of Property ID 12517, thence

South along the eastern boundary of Property ID 12517 to the point it meets the northeast corner of Property ID 12526, thence

South along the eastern boundary of Property ID 12526, continuing west and then north along the boundary to the point the northwest corner of Property ID 12526 meets the southern boundary of Property ID 12517, thence

West along the southern boundary of Property ID 12517 to the point it meets the eastern right of way boundary of Mulberry Street, thence

North along the eastern right of way boundary of Mulberry Street to the point it meets the northwest corner of Property ID 12518, thence

East along the northern boundary of Property ID 12518 to the point it meets the western boundary of Property ID 12509, thence

South and then east along the boundary of Property ID 12509 to the point it meets the southwest corner of Property ID 12510, thence

North along the western boundary of Property ID 12510 to the point it meets the southern boundary of Property ID 12494, thence

West along the southern boundary of Property ID 12494 to the point it meets the southeast corner of Property ID 12496, thence

West along the southern boundary of Property ID 12496 to the point it meets the southeast corner of Property ID 27466, thence

North along the western boundary of Property ID 12496 to the point it meets the eastern right of way boundary of Kettering Drive, thence

North along the eastern right of way boundary of Kettering Drive to the point it meets the southern right of way boundary of Sandlewood Drive, thence

East along the southern right of way boundary of Sandlewood Drive, continuing along the right of way boundary of Sandlewood Drive to the southeast corner of Property ID 27329, thence

North along the eastern boundaries of Property IDs 27329, 27328, 27327, and 27326, to the point the northern corner of Property ID 27326 meets the eastern corner of the easement directly south of Property ID 12495, thence

West along the southern boundary of the easement directly south of Property ID 12495, to the point the northwest corner of Property ID 27313 meets the northeast corner of Property ID 12498, thence

South along the eastern boundaries of Property IDs 12498 and 12501, to the point the southeast corner of Property ID 12501 meets the northern right of way boundary of Baywood Drive, thence

West along the northern right of way boundary of Baywood Drive to the point it meets the eastern right of way boundary of Avenue F, thence

South across Baywood Drive to the northwest corner of Property ID 12502, thence

West across Avenue F to the northeast corner of Property ID 12274, thence

West along the southern right of way boundary of Baywood Drive to the point it meets the northeast corner of Property ID 87321, thence

South along the eastern boundary of Property ID 87321, continuing west and then north along the boundary to the point the northwest corner of Property ID 87321 meets the southern right of way boundary of Baywood Drive, thence

North across Baywood Drive to the southern boundary of Property ID 12275, thence

East along the northern right of way boundary of Baywood Drive to the point it meets the western right of way boundary of Avenue F, thence

North along the western right of way boundary of Avenue F to the point it meets the southeast corner of Property ID 12336, thence

West along the southern boundary of Property ID 12336 to the point it meets the eastern right of way boundary of Roberts Road, thence

West across Roberts Road to the southeast corner of Property ID 49029, thence

West along the southern boundary of Property ID 49029, continuing to follow the boundary of Property ID 49029 to the point it meets the southwest corner of Property ID 49019, thence

North along the western boundary of Property ID 49019 to the point where the northwest corner of Property ID 49019 meets the southern right of way boundary of Whitson Street, thence

East along the southern right of way boundary of Whitson Street to the point it meets the eastern right of way boundary of Roberts Road, which is the point of beginning.

EXHIBIT C
PRELIMINARY PROJECT PLAN AND FINANCE PLAN