

ORDINANCE NO. 2024-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS APPROVING AN AMENDMENT TO THE SERVICE AND ASSESSMENT PLAN FOR WOLFFORTH PUBLIC IMPROVEMENT DISTRICT NO. 2

WHEREAS, the City of Wolfforth (the “City”) is authorized under Chapter 372 of the Texas Local Government Code, as amended (the “Act”), to create a public improvement district within its corporate limits;

WHEREAS, after providing all notices, holding all public hearings and complying with all prerequisites required by the Act and otherwise required by the laws of the State of Texas, the City Council of the City (the “City Council”) created a public improvement district of approximately 198.275 contiguous acres located within the corporate limits of the City known as the Wolfforth Public Improvement District No. 2 (the “District”);

WHEREAS, on August 19, 2021, the City Council passed and adopted an ordinance (the “Assessment Ordinance”) levying special assessments for the District (the “Assessed Property”), approving a service and assessment plan for the District (the “Original Service and Assessment Plan”) attached to the Assessment Ordinance, and approving an assessment roll for Improvement Area #1 of the District; and

WHEREAS, the City Council has been presented with an amendment to the Original Service and Assessment Plan (the “Amendment” and, together with the Original Service and Assessment Plan, the “Amended SAP”) which identifies additional costs in the District and updates the assessment roll for the assessed property in the District.

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

Part 1. Enacted

Section 1. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section.

Section 2. The Amended SAP in substantially the form and content attached as Exhibit “A” hereto is hereby approved and the City Council hereby authorizes the expenditures identified in the Amended SAP. The Assessment Roll for the District attached to the Amended SAP as Exhibit A is hereby approved by the City Council.

Section 3. The City Council hereby finds and determines: (i) that continued maintenance and operation of the improvements will specially benefit the Assessed Property (as defined in the Service and Assessment Plan) in relation to the cost of such improvements; (ii) that the method of apportioning the cost against the Assessed Property and the real and true owners of the Assessed Property as set forth in the Service and Assessment Plan is just and equitable; (iii) that such method

of apportioning the cost will produce substantial equality considering the benefits to be received by and the burdens imposed on the Assessed Property; and (iv) that the assessments levied and charges declared against the Assessed Property and the real and true owners of the Assessed Property as set forth in the Amended Service and Assessment Plan are just and equitable.

Part 2. Severability

The provisions and sections of this Ordinance shall be deemed to be independent, and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Part 3. Repeal of Conflicting Ordinances

All ordinances or part of ordinances in conflict herewith are hereby repealed to the extent of the conflict with this Ordinance.

Part 4. Effective Date

This Ordinance shall be in force and effect upon its passage and approval.

Passed and approved by the City Council this 15th day of July 2024.

CITY OF WOLFFORTH, TEXAS

Charles Addington, II, Mayor

ATTEST:

Terri Robinette, City Secretary