



ORDINANCE NO. O-2024-042

AN ORDINANCE OF THE CITY OF FATE, TEXAS, RELATED TO THE WILLIAMSBURG EAST PUBLIC IMPROVEMENT DISTRICT; RATIFYING AND CONFORMING PRIOR ACTIONS OF THE CITY COUNCIL IN CONNECTION WITH THE DISTRICT; APPROVING THE 2024 OPERATION AND MAINTENANCE (O&M) ANNUAL SERVICE PLAN UPDATE; MAKING LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "Act"), authorizes the City Council (the "City Council") of the City of Fate, Texas (the "City"), to create a public improvement district within the City; and

WHEREAS, on July 6, 2020, the City Council approved Resolution No. R-2020-043 (the "Authorization Resolution"), authorizing, establishing, and creating the Williamsburg East Public Improvement District (the "District"); and

WHEREAS, on October 19, 2020, the City Council adopted and approved Ordinance No. O-2020-30, accepting the *Williamsburg East Public Improvement District Operation and Maintenance Service and Assessment Plan* (the "SAP"), and the Assessment Roll and levied the Assessments for the maintenance of Authorized Improvements within the District; and

WHEREAS, the Act requires that the SAP be updated annually; and

WHEREAS, the City Council and the City staff have been presented a "*City of Fate, Texas Williamsburg East Public Improvement District 2024 O&M Annual Service Plan Update*", including the proposed assessment roll attached thereto (the "Proposed Assessment Roll"), dated August 19, 2024 (the "2024 O&M Annual Service Plan Update"), a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, the 2024 O&M Annual Service Plan Update includes a service plan, assessment plan and assessment rolls as required by the Act; and

WHEREAS, the City Council has elected that the Operations & Maintenance Costs for 2024-2025 do not require additional funds from the 2024 O&M Annual Service Plan Update, therefore no Operations & Maintenance Assessment will be collected; and

WHEREAS, after the closing of the Assessment Hearing, and after considering the information, materials, evidence and testimony offered to the City Council prior to and at the Assessment Hearing, the City Council has determined that it promotes the interest of the City to adopt and approve this Ordinance.

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

SECTION 1. The findings set forth above, together with the Exhibits attached hereto, are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. The City Council hereby accepts the 2024 O&M Annual Service Plan Update and is incorporated as part of the Ordinance for all purposes as **Exhibit A**. The 2024 O&M Annual Service Plan Update shall be updated by the City Council no less frequently than annually as required by the Act.

SECTION 3. Each Assessment against an Assessed Property, together with Annual Collection Costs, and reasonable attorney's fees, if incurred, constitutes a lien against the Assessed Property and is the personal liability of and charge against the owner of the Assessed Property regardless of whether the owner is named in this Ordinance.

SECTION 4. The Assessment lien against each Assessed Property created by is effective from the date of this Ordinance and "runs with the land." The special Assessment lien may be enforced by the City, including foreclosure, in the same manner that an ad valorem tax lien is foreclosed. Any purchaser of an Assessed Property in foreclosure takes subject to the lien against the Assessed Property created by the Assessment.

SECTION 5. The Assessments against each Assessed Property as set forth in the Assessment Rolls are due and payable not later than January 31, 2025 and will be delinquent February 1, 2025. Delinquent Assessments shall incur interest, penalties, and attorney's fees in the same manner as delinquent ad valorem taxes.

SECTION 6. The City shall cause the Assessments to be billed and collected at the same time and in the same manner as the ad valorem taxes, and immediately deposit the Annual Installment of Assessments collected from Assessed Property within the District into the Williamsburg East Operation and Maintenance Account.

SECTION 7. Based on materials and information prepared by City staff and qualified professional consultants, on testimony provided throughout the process of creating the District and levying the Assessments including, but not limited to, testimony offered at the Assessment Hearing, the City Council, acting in its discretionary, legislative capacity hereby finds and determines:

7.1 That the Assessed Property is specially benefitted by the Supplemental Services in an amount that meets or exceeds the Assessments.

7.2 The Assessments (i) are just and equitable; (ii) produces substantial equality, considering benefits received and the burdens imposed; (iii) results in equal shares of the cost of the services on property similarly benefitted; and (iv) is authorized by and has been levied in accordance with the Act, state law, and ordinances of the City.

7.3 That the Assessments against the Assessed Property are in amounts required to pay the costs of the Supplemental Services.

SECTION 8. The City Council may make supplemental Assessments to correct omissions or mistakes related to the cost of the Supplemental Services and reassessments if the City Council determines that any Assessment is excessive. The City Council may also adjust the Assessments

downward following each annual update to the Operations and Maintenance Service and Assessment Plan.

SECTION 9. The City Secretary is directed to cause a copy of this Ordinance, including the 2024 O&M Annual Service Plan Update, to be recorded in the real property records of the County, on or before August 26, 2024. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

SECTION 10. This Ordinance incorporates, by reference, all provisions of the Act. In the event of any conflict between this Ordinance and the Act, the Act shall control.

SECTION 11. If any section, article, paragraph, sentence, clause, phrase or word of this Ordinance, or application thereto any persons or circumstances, is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalid portions, which remaining portions shall remain in full force and effect.

SECTION 12. This Ordinance shall become effective from and after its date of passage and approval by the City Council.

PASSED AND APPROVED by the City Council of the City of Fate, Texas, the 19th day of August, 2024.



APPROVED:


David Billings, Mayor

ATTEST:

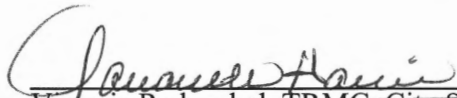
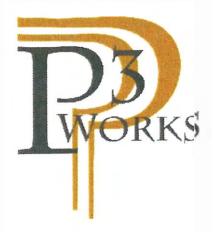

~~Victoria Raduechel, TRMC, City Secretary~~
Samantha Harris, Deputy City Secretary

Exhibit A

2024 O&M Annual Service Plan Update

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CITY OF FATE, TEXAS
WILLIAMSBURG EAST
PUBLIC IMPROVEMENT DISTRICT
2024 O&M ANNUAL SERVICE PLAN UPDATE
AUGUST 19, 2024

INTRODUCTION

Capitalized terms used in this 2024 O&M Annual Service Plan Update have the meanings set forth in the Williamsburg East Public Improvement District Operation and Maintenance Service and Assessment Plan (the “SAP”).

On July 6, 2020, the City Council passed Resolution No. 2020-043 approving and authorizing the creation of the District to finance the costs of Authorized Improvements for the benefit of the Assessed Property within the District.

On October 19, 2020, the City Council approved the SAP for the District by adopting Ordinance No. O-2020-30, which approved the levy of the Operations and Maintenance Assessment for Assessed Property within the District.

On July 6, 2021, the City Council approved the 2021 O&M Annual Service Plan Update for the District by adopting Ordinance No. O-2021-022, which approved the updated levy of the Operations and Maintenance Assessment for Assessed Property within the District.

On August 1, 2022, the City Council approved the 2022 O&M Annual Service Plan Update for the District by adopting Ordinance No. O-2022-024, which approved the updated levy of the Operations and Maintenance Assessment for Assessed Property within the District.

On August 21, 2023, the City Council approved the 2023 O&M Service Plan Update for the District by adopting Ordinance No. O-2023-031, which approved the updated levy of the Operations and Maintenance Assessment for Assessed Property within the District.

This 2024 O&M Annual Service Plan Update shall serve as the 2024 O&M Annual Service Plan Update to the 2023 O&M SAP in accordance with the PID Act. However, per the City Council, no Assessment will be levied for the 2024-2025 O&M budget.

PARCEL SUBDIVISION

Improvement Area #1

The final plat of Edgewater Phase 1 was filed and recorded with the County on July 10, 2022, and consists of 154 residential Lots and 12 Lots classified as Non-Benefitted Property.

Improvement Area #2 and Major Improvement Area

The final plat of Edgewater Phase 2 was filed and recorded with the County on January 24, 2024, and consists of 164 residential Lots and 13 Lots classified as Non-Benefitted Property.

See the completed Lot Type classification summary within Improvement Area #1 below:

Improvement Area #1	
Lot Type	Number of Lots
1	43
2	59
3	52
Total	154

See the anticipated Lot Type classification summary within Improvement Area #2 and the Major Improvement Area below:

Improvement Area #2 and Major Improvement Area	
Lot Type	Number of Lots
4	199
5	103
6	145
Total	447

OPERATIONS AND MAINTENANCE ASSESSMENT

The City, at its sole cost, will maintain the Authorized Improvements with proceeds from a fund provided with the Operations and Maintenance Assessment equal to \$0.06 per one hundred dollars of taxable ad valorem property value on property similarly benefitted within the District. **Per the City Council, the Operations and Maintenance Costs for 2024-2025 do not require additional funds from the 2024 O&M Annual Service Plan Update.** Therefore, an Operations and Maintenance Assessment will not be collected. In no event will the Operations and Maintenance Assessment, plus associated Annual Collection Costs, be greater than the Operations and

Maintenance Costs.

The Operations and Maintenance Assessment and Annual Collection Costs shall be collected per Lot in the same manner and at the same time as the Annual Installments of Assessments for the Authorized Improvements and shall be subject to the same penalties and procedures as the Annual Installments for the Authorized Improvements as authorized by the PID Act.

All Authorized Improvements were designed and constructed in accordance with City standards and specifications and are owned and operated by the City.

ANNUAL INSTALLMENT DUE 1/31/2025

- **Operations and Maintenance Assessment** – The total Operations and Maintenance Assessment required for the Annual Installment is \$0.00.
- **Annual Collection Costs** – The cost of administering the District and collecting the Annual Installment shall be paid for equally by each Parcel. The total Annual Collection Costs budgeted for the Annual Installment for the District is \$0.00.

Due January 31, 2025	
Operations and Maintenance Assessment	\$ -
Annual Collection Costs	\$ -
Total Annual Installment	\$ -

SERVICE PLAN - FIVE YEAR PROJECTION

The PID Act requires the Service Plan and projected costs for the Operations and Maintenance Assessment and Annual Collection Costs to be reviewed and updated annually, and the projection shall cover a period of no less than five years. The following table shows the five-year projection of Annual Installments:

Annual Installment Due		1/31/2025 ^[a]	1/31/2026	1/31/2027	1/31/2028	1/31/2029
Appraised Taxable Value ^[b]	A	\$ 54,057,297	\$ 90,472,297	\$ 108,462,297	\$ 113,782,297	\$ 113,782,297
Operation and Maintenance Assessment ^[c]	B	\$ -	\$ 0.06	\$ 0.06	\$ 0.06	\$ 0.06
Annual Collection Costs	C	\$ -	\$ 0.00020	\$ 0.00020	\$ 0.00020	\$ 0.00020
Total Annual Installment	D = (A + 100) × (B + C)	\$ -	\$ 54,463.38	\$ 65,293.17	\$ 68,495.75	\$ 68,495.75

Notes:

[a] Per the City Council's determination, no Operation and Maintenance Assessment nor Annual Collection Costs will be levied for the Annual Installment due 1/31/2025.
 [b] Appraised Taxable Value for the current year per the Rockwall Central Appraisal District. Each following year is estimated based on projected new development. Expected construction completion in Q2 of 2028.
 [c] Per the SAP, the Operations and Maintenance Assessment (per \$100 of Appraised Value).

ASSESSMENT ROLL

The list of current Lots within the District, the corresponding Operations and Maintenance Assessment, Annual Collection Costs, and total Annual Installment are shown on the Assessment Roll attached hereto as **Exhibit A**.

EXHIBIT A – ASSESSMENT ROLL

Property ID	A	B	C	D = (A ÷ 100) × (B + C)
	Appraised Taxable Value	Operation & Maintenance Assessment	Annual Collection Costs	Annual Installment Due 1/31/2025 ^[a]
11912	\$ 388,033.00	\$ -	\$ -	\$ -
73541	\$ 62,693.00	\$ -	\$ -	\$ -
73543	\$ 134,486.00	\$ -	\$ -	\$ -
116127	\$ 419,306.00	\$ -	\$ -	\$ -
118291	\$ 126,000.00	\$ -	\$ -	\$ -
118292	\$ 537,168.00	\$ -	\$ -	\$ -
118293	\$ 542,881.00	\$ -	\$ -	\$ -
118294	\$ 126,000.00	\$ -	\$ -	\$ -
118295	\$ 126,000.00	\$ -	\$ -	\$ -
118296	\$ 528,747.00	\$ -	\$ -	\$ -
118297	\$ 496,616.00	\$ -	\$ -	\$ -
118298	\$ 126,000.00	\$ -	\$ -	\$ -
118299	\$ 126,000.00	\$ -	\$ -	\$ -
118300	\$ 544,257.00	\$ -	\$ -	\$ -
118301	\$ 538,457.00	\$ -	\$ -	\$ -
118302	\$ 422,965.00	\$ -	\$ -	\$ -
118303	\$ 8,517.00	\$ -	\$ -	\$ -
118304	\$ 126,000.00	\$ -	\$ -	\$ -
118305	\$ 542,881.00	\$ -	\$ -	\$ -
118306	\$ 565,226.00	\$ -	\$ -	\$ -
118307	\$ 126,000.00	\$ -	\$ -	\$ -
118308	\$ 126,000.00	\$ -	\$ -	\$ -
118309	\$ 544,257.00	\$ -	\$ -	\$ -
118310	\$ 528,747.00	\$ -	\$ -	\$ -
118311	\$ 514,603.00	\$ -	\$ -	\$ -
118312	\$ 543,131.00	\$ -	\$ -	\$ -
118313	\$ 81,000.00	\$ -	\$ -	\$ -
118314	\$ 100.00	\$ -	\$ -	\$ -
118315	\$ 126,000.00	\$ -	\$ -	\$ -
118316	\$ 544,257.00	\$ -	\$ -	\$ -
118317	\$ 81,000.00	\$ -	\$ -	\$ -
118318	\$ 528,747.00	\$ -	\$ -	\$ -
118319	\$ 544,257.00	\$ -	\$ -	\$ -
118320	\$ 614,468.00	\$ -	\$ -	\$ -
118321	\$ 502,156.00	\$ -	\$ -	\$ -
118322	\$ 126,000.00	\$ -	\$ -	\$ -
118323	\$ 528,747.00	\$ -	\$ -	\$ -
118324	\$ 551,936.00	\$ -	\$ -	\$ -
118325	\$ 126,000.00	\$ -	\$ -	\$ -
118326	\$ 126,000.00	\$ -	\$ -	\$ -

Property ID	A	B	C	D = (A ÷ 100) × (B + C)
	Appraised Taxable Value	Operation & Maintenance Assessment	Annual Collection Costs	Annual Installment Due 1/31/2025 ^[a]
118327	\$ 1,115.00	\$ -	\$ -	\$ -
118328	\$ 648,997.00	\$ -	\$ -	\$ -
118329	\$ 418,991.00	\$ -	\$ -	\$ -
118330	\$ 126,000.00	\$ -	\$ -	\$ -
118331	\$ 69,000.00	\$ -	\$ -	\$ -
118332	\$ 670,000.00	\$ -	\$ -	\$ -
118333	\$ 548,148.00	\$ -	\$ -	\$ -
118334	\$ 440,260.00	\$ -	\$ -	\$ -
118335	\$ 100.00	\$ -	\$ -	\$ -
118336	\$ 69,000.00	\$ -	\$ -	\$ -
118337	\$ 69,000.00	\$ -	\$ -	\$ -
118338	\$ 126,000.00	\$ -	\$ -	\$ -
118339	\$ 126,000.00	\$ -	\$ -	\$ -
118340	\$ 100.00	\$ -	\$ -	\$ -
118341	\$ 69,000.00	\$ -	\$ -	\$ -
118342	\$ 396,958.00	\$ -	\$ -	\$ -
118343	\$ 467,010.00	\$ -	\$ -	\$ -
118344	\$ 196,862.00	\$ -	\$ -	\$ -
118345	\$ 124,849.00	\$ -	\$ -	\$ -
118346	\$ 439,637.00	\$ -	\$ -	\$ -
118347	\$ 69,000.00	\$ -	\$ -	\$ -
118348	\$ 69,000.00	\$ -	\$ -	\$ -
118349	\$ 345,621.00	\$ -	\$ -	\$ -
118350	\$ 69,000.00	\$ -	\$ -	\$ -
118351	\$ 69,000.00	\$ -	\$ -	\$ -
118352	\$ 455,794.00	\$ -	\$ -	\$ -
118353	\$ 464,806.00	\$ -	\$ -	\$ -
118354	\$ 304,879.00	\$ -	\$ -	\$ -
118355	\$ 197,969.00	\$ -	\$ -	\$ -
118356	\$ 430,000.00	\$ -	\$ -	\$ -
118357	\$ 442,041.00	\$ -	\$ -	\$ -
118358	\$ 69,000.00	\$ -	\$ -	\$ -
118359	\$ 464,990.00	\$ -	\$ -	\$ -
118359	\$ 464,990.00	\$ -	\$ -	\$ -
118361	\$ 608,030.00	\$ -	\$ -	\$ -
118362	\$ 69,000.00	\$ -	\$ -	\$ -
118363	\$ 126,000.00	\$ -	\$ -	\$ -
118364	\$ 126,000.00	\$ -	\$ -	\$ -
118365	\$ 100.00	\$ -	\$ -	\$ -
118366	\$ 100.00	\$ -	\$ -	\$ -

	A	B	C	D = (A ÷ 100) × (B + C)
Property ID	Appraised Taxable Value	Operation & Maintenance Assessment	Annual Collection Costs	Annual Installment Due 1/31/2025 ^[a]
118367	\$ 331,061.00	\$ -	\$ -	\$ -
118368	\$ 69,000.00	\$ -	\$ -	\$ -
118369	\$ 399,000.00	\$ -	\$ -	\$ -
118370	\$ 464,319.00	\$ -	\$ -	\$ -
118371	\$ 507,269.00	\$ -	\$ -	\$ -
118372	\$ 474,900.00	\$ -	\$ -	\$ -
118373	\$ 464,319.00	\$ -	\$ -	\$ -
118374	\$ 439,637.00	\$ -	\$ -	\$ -
118375	\$ 464,787.00	\$ -	\$ -	\$ -
118376	\$ 440,790.00	\$ -	\$ -	\$ -
118377	\$ 439,637.00	\$ -	\$ -	\$ -
118378	\$ 69,000.00	\$ -	\$ -	\$ -
118379	\$ 364,560.00	\$ -	\$ -	\$ -
118380	\$ 464,990.00	\$ -	\$ -	\$ -
118381	\$ 442,041.00	\$ -	\$ -	\$ -
118382	\$ 480,000.00	\$ -	\$ -	\$ -
118383	\$ 497,839.00	\$ -	\$ -	\$ -
118384	\$ 419,000.00	\$ -	\$ -	\$ -
118385	\$ 403,652.00	\$ -	\$ -	\$ -
118386	\$ 69,000.00	\$ -	\$ -	\$ -
118387	\$ 403,550.00	\$ -	\$ -	\$ -
118388	\$ 439,637.00	\$ -	\$ -	\$ -
118389	\$ 69,000.00	\$ -	\$ -	\$ -
118390	\$ 434,000.00	\$ -	\$ -	\$ -
118391	\$ 100.00	\$ -	\$ -	\$ -
118392	\$ 381,786.00	\$ -	\$ -	\$ -
118393	\$ 521,988.00	\$ -	\$ -	\$ -
118394	\$ 178,489.00	\$ -	\$ -	\$ -
118395	\$ 238,551.00	\$ -	\$ -	\$ -
118396	\$ 162,305.00	\$ -	\$ -	\$ -
118397	\$ 100.00	\$ -	\$ -	\$ -
118398	\$ 413,917.00	\$ -	\$ -	\$ -
118399	\$ 490,944.00	\$ -	\$ -	\$ -
118400	\$ 574,142.00	\$ -	\$ -	\$ -
118401	\$ 126,000.00	\$ -	\$ -	\$ -
118402	\$ 525,035.00	\$ -	\$ -	\$ -
118403	\$ 69,000.00	\$ -	\$ -	\$ -
118404	\$ 571,787.00	\$ -	\$ -	\$ -
118405	\$ 475,190.00	\$ -	\$ -	\$ -
118406	\$ 147,066.00	\$ -	\$ -	\$ -

	A	B	C	D = (A ÷ 100) × (B + C)
Property ID	Appraised Taxable Value	Operation & Maintenance Assessment	Annual Collection Costs	Annual Installment Due 1/31/2025 ^[a]
118407	\$ 389,623.00	\$ -	\$ -	\$ -
118408	\$ 696,002.00	\$ -	\$ -	\$ -
118409	\$ 590,478.00	\$ -	\$ -	\$ -
118410	\$ 484,900.00	\$ -	\$ -	\$ -
118411	\$ 465,564.00	\$ -	\$ -	\$ -
118412	\$ 475,253.00	\$ -	\$ -	\$ -
118413	\$ 608,376.00	\$ -	\$ -	\$ -
118414	\$ 126,000.00	\$ -	\$ -	\$ -
118415	\$ 69,000.00	\$ -	\$ -	\$ -
118416	\$ 69,000.00	\$ -	\$ -	\$ -
118417	\$ 69,000.00	\$ -	\$ -	\$ -
118418	\$ 69,000.00	\$ -	\$ -	\$ -
118419	\$ 126,000.00	\$ -	\$ -	\$ -
118420	\$ 126,000.00	\$ -	\$ -	\$ -
118421	\$ 715,675.00	\$ -	\$ -	\$ -
118422	\$ 126,000.00	\$ -	\$ -	\$ -
118423	\$ 69,000.00	\$ -	\$ -	\$ -
118424	\$ 477,699.00	\$ -	\$ -	\$ -
118425	\$ 205,842.00	\$ -	\$ -	\$ -
118426	\$ 69,000.00	\$ -	\$ -	\$ -
118427	\$ 126,000.00	\$ -	\$ -	\$ -
118428	\$ 126,000.00	\$ -	\$ -	\$ -
118429	\$ 581,491.00	\$ -	\$ -	\$ -
118430	\$ 69,000.00	\$ -	\$ -	\$ -
118431	\$ 228,697.00	\$ -	\$ -	\$ -
118432	\$ 143,627.00	\$ -	\$ -	\$ -
118433	\$ 126,000.00	\$ -	\$ -	\$ -
118434	\$ 126,000.00	\$ -	\$ -	\$ -
118435	\$ 126,000.00	\$ -	\$ -	\$ -
118436	\$ 669,905.00	\$ -	\$ -	\$ -
118437	\$ 528,747.00	\$ -	\$ -	\$ -
118438	\$ 622,340.00	\$ -	\$ -	\$ -
118439	\$ 585,611.00	\$ -	\$ -	\$ -
118440	\$ 582,090.00	\$ -	\$ -	\$ -
118441	\$ 535,372.00	\$ -	\$ -	\$ -
118442	\$ 558,827.00	\$ -	\$ -	\$ -
118443	\$ 126,000.00	\$ -	\$ -	\$ -
118444	\$ 126,000.00	\$ -	\$ -	\$ -
118445	\$ 565,226.00	\$ -	\$ -	\$ -
118446	\$ 496,457.00	\$ -	\$ -	\$ -

Property ID	A	B	C	D = (A ÷ 100) × (B + C)
	Appraised Taxable Value	Operation & Maintenance Assessment	Annual Collection Costs	Annual Installment Due 1/31/2025 ^[a]
118447	\$ 528,747.00	\$ -	\$ -	\$ -
118448	\$ 126,000.00	\$ -	\$ -	\$ -
118449	\$ 364,528.00	\$ -	\$ -	\$ -
118450	\$ 634,043.00	\$ -	\$ -	\$ -
118451	\$ 517,686.00	\$ -	\$ -	\$ -
118452	\$ 544,257.00	\$ -	\$ -	\$ -
118453	\$ 724,961.00	\$ -	\$ -	\$ -
118454	\$ 401,375.00	\$ -	\$ -	\$ -
118455	\$ 3,785.00	\$ -	\$ -	\$ -
118456	\$ 1,121.00	\$ -	\$ -	\$ -
118457	\$ 2,618.00	\$ -	\$ -	\$ -
Total	\$ 54,057,297.00			\$ -

Notes:

[a] No Annual Installment will be due 1/31/2025 as described herein. The Assessment Roll will be updated in each future Annual Service Plan Update in accordance with the PID Act and the 2020 O&M SAP.

EXHIBIT B – BUYER DISCLOSURES

The buyer disclosure for the Operations & Maintenance Assessment is found in this Exhibit.
(Disclosure must be given even if the Operations & Maintenance levy is equal to zero for that Service and Assessment Plan year.)

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**WILLIAMSBURG EAST PUBLIC IMPROVEMENT DISTRICT
OPERATION & MAINTENANCE ASSESSMENT BUYER DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.005), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
CITY OF FATE, TEXAS
CONCERNING THE FOLLOWING PROPERTY

STREET ADDRESS

As the purchaser of the real property described above, you are obligated to pay assessments to City of Fate, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within **Williamsburg East Public Improvement District** (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from City of Fate. The exact amount of each annual installment will be approved each year by the Fate City 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 City of Fate.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Rockwall County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF _____

§

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Rockwall County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

§
§
§

COUNTY OF _____

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

Filed and Recorded
Official Public Records
Jennifer Fogg, County Clerk
Rockwall County, Texas
08/22/2024 11:38:59 AM
\$105.00
20240000014733



Jennifer Fogg

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Rockwall County.