

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEWISVILLE APPROVING THE 2025-2026 ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR PUBLIC IMPROVEMENTS FOR THE JOSEY LANE PUBLIC IMPROVEMENT DISTRICT WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; PROVIDING A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City (the “City Council”) of Lewisville, Texas (the “City”) received a petition (the “Petition”) requesting the creation of a public improvement district (the “District”) under Chapter 372 of the Texas Local Government Code (the Act), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Denton County) in the proposed District and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment under the proposal; and

WHEREAS, the petitions contained the signatures of the owners of taxable property representing more than 50 percent of the appraised value of taxable real property liable for assessment within the boundaries of the proposed District, as determined by the then current ad valorem tax rolls of the Denton Central Appraisal District and the signatures of property owners who own taxable real property that constitutes more than 50 percent of the area of all taxable property that is liable for assessment by the City; and

WHEREAS, on October 6, 2014, after due notice, the City Council held a public hearing in the manner required by law on the advisability of the certain public improvements (the “Authorized Improvements”) described in the petition as required by Sec. 372.009 of the Act and made the findings required by Sec. 372.009(b) of the Act and, by resolution adopted by a majority of the members of the City Council, authorized the Josey Lane Public Improvement District (the “Josey Lane PID”) in accordance with its findings as to the advisability of certain public improvement projects and services; and

WHEREAS, the City Council, pursuant to Section 372.016(c) of the Act, caused the mailing of notice of the public hearing to consider the proposed Service and Assessment Plan and the related assessment roll (the “Assessment Roll”) and the levy of Assessments on property in the Josey Lane PID to the address of the last known address of the owners of the property liable for the Assessments; and

WHEREAS, the City Council convened the hearing at 7:00 p.m. on the 15th day of December, 2014, at which all persons who appeared, or requested to appear, in person or by their attorney, were given the opportunity to contend for or contest the Service and Assessment Plan, the Assessment Roll, and each proposed Assessment, and to offer testimony pertinent to any issue presented on the amount of the Assessment, the allocation of the costs of the Authorized Improvements, the purposes of the Assessment, the special benefits of the Assessment, and the penalties and interest on annual installments and on delinquent annual installments of the Assessments; and

WHEREAS, the City Council found and determined that the Service and Assessment Plan and Assessment Roll should be approved and that the Assessments (as defined in the Service and Assessment Plan) should be levied on property within the Josey Lane PID as provided in the ordinance approving the Service and Assessment Plan and the Service and Assessment Plan and Assessment Roll; and

WHEREAS, by the adoption of Ordinance No. ORD-4144-12-2014 adopted December 15, 2014, and, after considering all written and documentary evidence presented at the hearing, including all written comments and statements filed with the Josey Lane PID, the City Council levied assessments for public improvements on property in the Josey Lane PID as set forth in the Service and Assessment Plan and Assessment Roll for the Josey Lane PID in conformity with the requirements of the Act; and

WHEREAS, pursuant to notice and a public hearing, on April 18, 2022 the City council adopted an “Amended and Restated Service and Assessment Plan” to amend the initial collection date for Phase #2 West of the District; and

WHEREAS, pursuant to Section 372.013, the Amended and Restated Service and Assessment Plan must cover a period of at least five years and must also define the annual indebtedness and projected costs for improvements and such Amended and Restated Service and Assessment Plan must be reviewed and updated annually for the purpose of determining the annual budget for improvements; and

WHEREAS, the City has directed that an update to the Amended and Restated Service and Assessment Plan and the Assessment Roll for the Josey Lane PID for 2025-2026 (the “Annual Service Plan Update”) be prepared, setting forth the annual budget for improvements and the Annual Installment for assessed properties in the Josey Lane PID, and the City now desires to approve such Annual Service Plan Update.

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

Section 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. Terms. Terms not otherwise defined herein are defined in the Annual Service Plan Update attached hereto as Exhibit A.

Section 3. Approval of Update. The Annual Service Plan Update for the Josey Lane PID for 2025-2026 is hereby approved and accepted by the City Council.

Section 4. Repealer. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

Section 5. Severability. If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion here, and all provisions of this ordinance are declared to be severable for that purpose.

Section 6. Effective Date. This ordinance shall take effect from and after its final date of passage, and it is accordingly so ordered.

[Remainder of Page left Intentionally Blank]

PASSED AND APPROVED this 18th day of August, 2025.

APPROVED:

TJ Gilmore, MAYOR

ATTEST:

Jennifer Malone-Ippolito, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY

THE STATE OF TEXAS §

COUNTY OF DENTON §

Before me, the undersigned authority, on this day personally appeared TJ Gilmore, Mayor of the City of Lewisville, Texas, known to me to be such persons who signed the above and acknowledged to me that such persons executed the above and foregoing Ordinance in my presence for the purposes stated therein.

Given under my hand and seal of office this _____.

Notary Public, State of Texas

[NOTARY STAMP]

EXHIBIT A

PUBLIC IMPROVEMENT SERVICE AND ASSESSMENT PLAN
AND ASSESSMENT ROLL 2025-2026 – JOSEY LANE PID