

**CITY OF BLUE RIDGE
SPECIAL SESSION AGENDA
MARCH 22, 2022, 7:00 P.M.
Blue Ridge Community Center
200 W. Tilton Street**

THE BLUE RIDGE CITY COUNCIL WILL MEET IN SPECIAL SESSION AT 7:00 P.M. ON TUESDAY,
MARCH 22, 2022, AT THE BLUE RIDGE COMMUNITY CENTER, LOCATED AT
200 W. TILTON, BLUE RIDGE, TEXAS WITH THE FOLLOWING ITEMS ON THE AGENDA FOR
CONSIDERATION AND/OR ACTION.

1. Call to order, Roll Call
2. Prayer and Pledges of Allegiance
3. Public Comment: This is an opportunity for the public to address the Council on any matter included on the agenda, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. To address the Council, speakers MUST complete a Speaker Form and provide it to the City Secretary PRIOR to the start of the meeting. Each speaker shall approach the front of the Council and state his/her name and street address before speaking. Speakers shall address the Council with civility that is conducive to appropriate public discussion. The public cannot speak from the gallery but only from the front of the Council. Per the Texas Open Meetings Act, the Council is not permitted to take action on or discuss any item not listed on the agenda. The Council may: (1) make a statement of fact regarding the item; (2) make a recitation of existing policy; or (3) propose the item be placed on a future agenda, in accordance with Council procedures.
4. Consider, discuss and act upon a Franchise Agreement with D&P Digital Forensics, LLC operating as Texas Data and VoIP Security
5. Presentation regarding Development Agreement for Blue Ridge Crossing, an addition situated as being part of the Mathias Mowery Survey, Abstract 557, being part of 317.764 acre tract of land conveyed to Michael McCreary and Chad Knowles for a total of 42.572 acres of land, also known as the property south of the Blue Ridge Area Sports Association land and also is intended to be annexed within the incorporated limits of the City of Blue Ridge
6. EXECUTIVE SESSION – In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess into Executive Session (closed meeting) to discuss the following:

Section 551.071: Consultation with Attorney on a matter 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 this chapter re: development agreements, zoning regulations, annexation and land use.
7. RECONVENE INTO OPEN SESSION – In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session

8. The Blue Ridge City Council will conduct a public hearing to consider testimony regarding the creation of the Blue Ridge Crossing Public Improvement District and act upon Resolution 2022-0322-001 creating the Blue Ridge Crossing Public Improvement District
9. Consider and act upon Resolution 2022-0322-002 approving and authorizing the Mayor to execute a Development Agreement relating to the Blue Ridge Crossing Public Improvement District and resolving other matters related thereto
10. Consider and act upon Resolution 2022-0322-003 approving and authorizing the Mayor to execute an Escrow Agreement relating to the Blue Ridge Crossing Public Improvement District and resolving other matters related thereto
11. Consider, discuss and act upon the First Amendment to Municipal Advisory Agreement with Hilltop Securities regarding Blue Ridge Crossing development
12. Discussion of placing items on future agendas
13. Adjournment.

Certified this the 18th day of March, 2022.



Rhonda Williams
Mayor, City of Blue Ridge

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code including, Sections: 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code including, but not limited to, Section 321.3022 (Sales Tax Information)

This facility is wheelchair accessible. Request for accommodations or sign interpretative services must be made 48 hours prior to this meeting. Please contact the city secretary's office at 972-752-5791 for further information.

I, the undersigned authority, do hereby certify that this notice was posted in the regular posting place of the City Hall building for Blue Ridge, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted March 18, 2022 by 5:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Eddie Sims



Eddie Sims, City Secretary

**CITY OF BLUE RIDGE, TEXAS
RESOLUTION 2022-0322-001**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS AUTHORIZING AND CREATING THE BLUE RIDGE CROSSING PUBLIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE; RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Blue Ridge, Texas (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 City limits or its extraterritorial jurisdiction (“ETJ”); and

WHEREAS, on February 15, 2022, the owners of (1) taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located and (2) real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal (collectively, the “Petitioners”), submitted and filed with the City Secretary of the City (the “City Secretary”) a petition (“Petition”) requesting the establishment of a public improvement district for property located partially within the corporate limits and partially within the ETJ of the City; and

WHEREAS, the Petition requested the creation of the Blue Ridge Crossing Public Improvement District (the “District”), which District is located partially within the corporate limits and partially within the ETJ of the City and is more particularly described by metes and bounds in **Exhibit A** and depicted in **Exhibit B** (the “Property”), each attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council of the City (the “City Council”) has investigated and determined that the facts contained in the Petition are true and correct; and

WHEREAS, after publishing notice in *The Leonard Graphic*, an official newspaper of general circulation in the City and in the part of the ETJ in which the District is located and mailing notice of the hearing, all as required by and in conformity with the Act, the City Council, conducted a public hearing on the advisability of the improvements and services on March 22, 2022; and

WHEREAS, the City Council closed the public hearing on the advisability of the improvements and services on March 22, 2022.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS AS FOLLOWS:

SECTION 1. The findings set forth in the recitals of this Resolution are found to be true and correct.

SECTION 2. The Petition submitted to the City by the Petitioners was filed with the City Secretary and complies with Section 372.005 of the Act.

SECTION 3. Pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a), 372.009(b), and 372.010, the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on March 22, 2022, hereby finds and declares:

- (a) **Advisability of the Proposed Improvements.** It is advisable to create the District to provide the Authorized Improvements (as defined and described below).

- (b) **General Nature of the Authorized Improvements.** The purposes of the District include the design, acquisition, construction, and improvement of public improvement projects authorized by the Act, that are necessary for the development of the property within the District, which public improvements may include, but not be limited to: (1) design, construction and other allowed costs related to street and roadway improvements, including related earthwork, sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, and rights-of-way; (2) design, construction and other allowed costs related to storm drainage improvements; (3) design, construction and other allowed costs related to water, wastewater and drainage (including detention) improvements and facilities; (4) design, construction and other allowed costs related to erection of fountains, distinctive lighting and signs, and acquisition and installation of pieces of art; (5) design, construction and other allowed costs related to parks, open space, and recreational improvements, including trails, landscaping, and irrigation related thereto; (6) design, construction and other allowed costs related to off-street parking facilities, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage and rights-of-way; (7) design, construction and other allowed costs related to projects similar to those listed in subsections (1) - (6) above authorized by the Act, including similar off-site projects that provide a benefit to the Property within the District; (8) payment of expenses incurred in the establishment, administration and operation of the District; and (9) payment of expenses associated with financing such public improvement projects, which may include but are not limited to, costs associated with issuance and sale of revenue bonds secured by assessments levied against the Property (collectively, the

“Authorized Improvements”). These Authorized Improvements shall promote the interests of the City and confer a special benefit on the Property.

- (c) **Estimated Costs of the Authorized Improvements.** The estimated total costs of the Authorized Improvements is \$7,000,000, which costs shall be paid by assessment of the property owners within the proposed District.
- (d) **Boundaries of the District.** The District is proposed to include approximately 42.539 acres of land generally located west of Business Highway 78, south of FM 545, and east of Pruett Street; and, as more particularly described in the metes and bounds described in **Exhibit A** and as more particularly depicted in **Exhibit B** attached hereto.
- (e) **Proposed Method of Assessment.** The City shall levy assessments on each parcel within the District that is specially benefitted by the Authorized Improvements in a manner that results in imposing equal shares of the costs on property similarly benefitted. Each assessment may be paid in full or in part at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including principal and interest). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessments and must continue for a period necessary to retire the indebtedness issued to finance or refinance those Authorized Improvements (including interest).
- (f) **Apportionment of Costs.** The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District property. No municipal property in the District shall be assessed. The developer of the Property may also pay certain costs of the Authorized Improvements from other funds available to such developer.
- (g) **Management of the District.** The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.
- (h) **Advisory Board.** The District shall be managed without the creation of an advisory body.

SECTION 4. The Blue Ridge Crossing Public Improvement District is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment,

and the apportionment of costs as described herein; and the conclusion that the District is needed to fund such Authorized Improvements.

SECTION 5. The City Council hereby authorizes and directs the City Secretary, on or before March 29, 2022, in accordance with the Act, to file a copy of this Resolution authorizing the District with the county clerk of each county in which all or part of the public improvement district is located.

SECTION 6. Effective upon the date of the passage of this Resolution, the District shall be established.

SECTION 7. This Resolution is effectively immediately from and after the date of its passage in accordance with law.

[Execution page follows]

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE THIS THE 22nd DAY OF MARCH, 2022.

CITY OF BLUE RIDGE,

RHONDA WILLIAMS, MAYOR

ATTEST:

EDIE SIMS, CITY SECRETARY

STATE OF TEXAS	§
	§
COUNTY OF COLLIN	§

This instrument was acknowledged before me on _____, 2022, by Rhonda Williams, Mayor of the City of Blue Ridge, Texas on behalf of said City.

Notary Public, State of Texas

(SEAL)

EXHIBIT A

METES AND BOUNDS DESCRIPTION OF THE PROPERTY

BEING A TRACT OF LAND SITUATED IN THE MATHIAS MOWERY SURVEY, ABSTRACT NO. 557, IN COLLIN COUNTY, TEXAS, BEING A PORTION OF THAT SAME TRACT OF LAND CONVEYED TO MIKE MCCREARY AND CHAD KNOWLES BY DEED RECORDED IN INSTRUMENT NO. 20210911001135230, OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS (O.P.R.C.C.T.), TOGETHER WITH A TRACT OF LAND CONVEYED TO JACOB W. LITTLEJOHN BY DEED RECORDED IN INSTRUMENT NO. 20210304000430470, O.P.R.C.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL FOUND ON A WOOD POST FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO JORGE ALBERTO JIMENEZ BY DEED RECORDED IN INSTRUMENT NO. 20170109000036820, O.P.R.C.C.T., SAME BEING AN INTERIOR "ELL" CORNER OF SAID MCCREARY & KNOWLES TRACT, SAME BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 40 MINUTES 46 SECONDS EAST, WITH THE EAST LINE OF SAID JIMENEZ TRACT, PASSING A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID JIMENEZ TRACT AT A DISTANCE OF 480.00 FEET, SAME BEING THE SOUTHEAST CORNER OF PRUETT STREET (VARIABLE WIDTH RIGHT-OF-WAY), AND CONTINUING WITH THE EAST RIGHT-OF-WAY LINE OF SAID PRUETT STREET, FOR A TOTAL DISTANCE OF 846.78 FEET TO A MAG NAIL FOUND IN A WOOD POST FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO BLUE RIDGE AREA SPORTS ASSOCIATION BY DEED RECORDED IN CLERK'S FILE NO. 92-0020137 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS (D.R.C.C.T.), SAME BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 89 DEGREES 34 MINUTES 48 SECONDS EAST, DEPARTING THE EAST RIGHT-OF-WAY LINE OF SAID PRUETT STREET, OVER, ACROSS, AND THROUGH SAID MCCREARY & KNOWLES TRACT, AND WITH THE SOUTH LINE OF SAID BLUE RIDGE AREA SPORTS ASSOCIATION TRACT, A DISTANCE OF 445.19 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING AN INTERIOR "ELL" CORNER OF SAID MCCREARY & KNOWLES TRACT;

THENCE NORTH 89 DEGREES 30 MINUTES 41 SECONDS EAST, CONTINUING WITH THE SOUTH LINE OF SAID BLUE RIDGE AREA SPORTS ASSOCIATION TRACT, A DISTANCE OF 884.90 FEET TO A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "STOVALL & ASSOC." FOR A NORTHEAST CORNER OF SAID MCCREARY & KNOWLES TRACT;

THENCE SOUTH 01 DEGREES 52 MINUTES 31 SECONDS EAST, DEPARTING THE SOUTH LINE OF SAID BLUE RIDGE AREA SPORTS ASSOCIATION TRACT, PASSING A FENCE POST FOUND FOR THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO RANDELL S. MOODY AND BOBBIE MOODY BY DEED RECORDED IN CLERK'S FILE NO. 94-0101604, D.R.C.C.T., AT A DISTANCE OF 3.11 FEET AND CONTINUING WITH THE WEST LINE OF SAID MOODY TRACT, FOR A TOTAL DISTANCE OF 131.63 FEET TO A 6" WOOD FENCE POST FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID MOODY TRACT, SAME BEING AN INTERIOR "ELL" CORNER OF SAID MCCREARY & KNOWLES TRACT;

THENCE NORTH 88 DEGREES 23 MINUTES 58 SECONDS EAST, WITH THE SOUTH LINE OF SAID MOODY TRACT, A DISTANCE OF 253.67 FEET TO A 6 INCH WOOD FENCE POST FOUND FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF SAID MOODY TRACT;

THENCE NORTH 03 DEGREES 51 MINUTES 03 SECONDS EAST, WITH THE EAST LINE OF SAID MOODY TRACT, A DISTANCE OF 110.57 FEET TO A 6 INCH WOOD FENCE POST FOR CORNER, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF ROBY LANE (40 FOOT RIGHT-OF-WAY);

THENCE NORTH 88 DEGREES 20 MINUTES 53 SECONDS EAST, DEPARTING THE EAST LINE OF SAID MOODY TRACT, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID ROBY LANE, A DISTANCE OF 126.05 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "STOVALL & ASSOC." FOUND FOR CORNER;

THENCE SOUTH 72 DEGREES 37 MINUTES 51 SECONDS EAST, CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID ROBY LANE, A DISTANCE OF 145.29 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 89 DEGREES 46 MINUTES 37 SECONDS EAST, CONTINUING WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID ROBY LANE, A DISTANCE OF 119.48 FEET TO A 3/4 INCH IRON PIPE FOUND FOR CORNER, SAID POINT BEING A NORTHEAST CORNER OF SAID MCCREARY & KNOWLES TRACT, SAME BEING THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ADRIANA TORRES BY DEED RECORDED IN INSTRUMENT NO. 20150415000423960, O.P.R.C.C.T.;

THENCE SOUTH 02 DEGREES 19 MINUTES 20 SECONDS EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID ROBY LANE, WITH THE WEST LINE OF SAID TORRES TRACT, AND WITH THE WEST LINE OF A TRACT OF LAND CONVEYED TO DAVID PAUL APPLE BY DEED RECORDED IN INSTRUMENT NO. 20190718000844250, AND THROUGH SAID MCCREARY & KNOWLES TRACT, FOR A TOTAL DISTANCE OF 299.36 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 89 DEGREES 58 MINUTES 29 SECONDS EAST, CONTINUING THROUGH SAID MCCREARY & KNOWLES TRACT, A DISTANCE OF 117.50 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "APPLE 5932" FOUND FOR CORNER, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF S. MORROW STREET (UNKNOWN RIGHT-OF-WAY);

THENCE SOUTH 02 DEGREES 26 MINUTES 02 SECONDS EAST, WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. MORROW STREET, A DISTANCE OF 246.41 FEET TO A 5/8 INCH IRON ROD WITH A CAP STAMPED "JM CIVIL ENGINEERING" SET FOR CORNER, SAID POINT BEING THE SOUTHWEST CORNER OF SAID S. MORROW STREET;

THENCE NORTH 88 DEGREES 59 MINUTES 53 SECONDS EAST, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID S. MORROW STREET, PASSING A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID S. MORROW STREET, SAME BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO RAUL SINGLETERRY AND JENARRA SINGLETERRY BY DEED RECORDED IN VOLUME 2013, PAGE 239, D.R.C.C.T., AT A DISTANCE OF 32.73 FEET AND CONTINUING WITH THE SOUTH LINE OF SAID SINGLETERRY TRACT, AND WITH THE SOUTH RIGHT-OF-WAY LINE OF S. MAIN STREET (UNKNOWN RIGHT-OF-WAY) AND WITH THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO ADRIAN R. PITTS BY DEED RECORDED IN VOLUME 5014, PAGE 3378, D.R.C.C.T. AND CONTINUING FOR A TOTAL DISTANCE OF 458.84 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "TEXAS RPLS", SAID POINT BEING THE NORTHWEST CORNER OF SAID LITTLEJOHN TRACT;

THENCE NORTH 89 DEGREES 52 MINUTES 16 SECONDS EAST, CONTINUING WITH THE SOUTH LINE OF SAID PITTS TRACT, AND WITH THE NORTH LINE OF SAID LITTLEJOHN TRACT, A DISTANCE OF 106.56 FEET TO A 5/8 INCH IRON ROD WITH A CAP STAMPED "JM CIVIL ENGINEERING" SET FOR CORNER, SAID POINT BEING THE NORTHEAST CORNER OF SAID LITTLEJOHN TRACT;

THENCE NORTH 02 DEGREES 56 MINUTES 37 SECONDS WEST, A DISTANCE OF 71.84 FEET TO A 5/8 INCH IRON ROD WITH A CAP STAMPED "JM CIVIL ENGINEERING" SET FOR CORNER, SAID POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF S. BUSINESS HIGHWAY 78 (VARIABLE WIDTH RIGHT-OF-WAY), AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 08 DEGREES 14 MINUTES 34 SECONDS, A RADIUS OF 507.57 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 27 DEGREES 11 MINUTES 39 SECONDS EAST, 72.96 FEET;

THENCE, IN A SOUTHEASTERLY DIRECTION, WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. BUSINESS HIGHWAY 78, ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC LENGTH OF 73.02 FEET TO A 5/8 INCH IRON ROD WITH A CAP STAMPED "JM CIVIL ENGINEERING" SET FOR CORNER;

THENCE SOUTH 31 DEGREES 11 MINUTES 37 SECONDS EAST, CONTINUING WITH THE WEST RIGHT-OF-WAY LINE OF SAID S. BUSINESS HIGHWAY 78, A DISTANCE OF 240.11 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "APPLE 5932" FOUND FOR CORNER;

THENCE NORTH 89 DEGREES 58 MINUTES 52 SECONDS WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID S. BUSINESS HIGHWAY 78, OVER, ACROSS, AND THROUGH SAID MCCREARY & KNOWLES TRACT, A DISTANCE OF 678.20 FEET TO A 1/2 INCH IRON ROD WITH A CAP STAMPED "APPLE 5932" FOUND FOR CORNER;

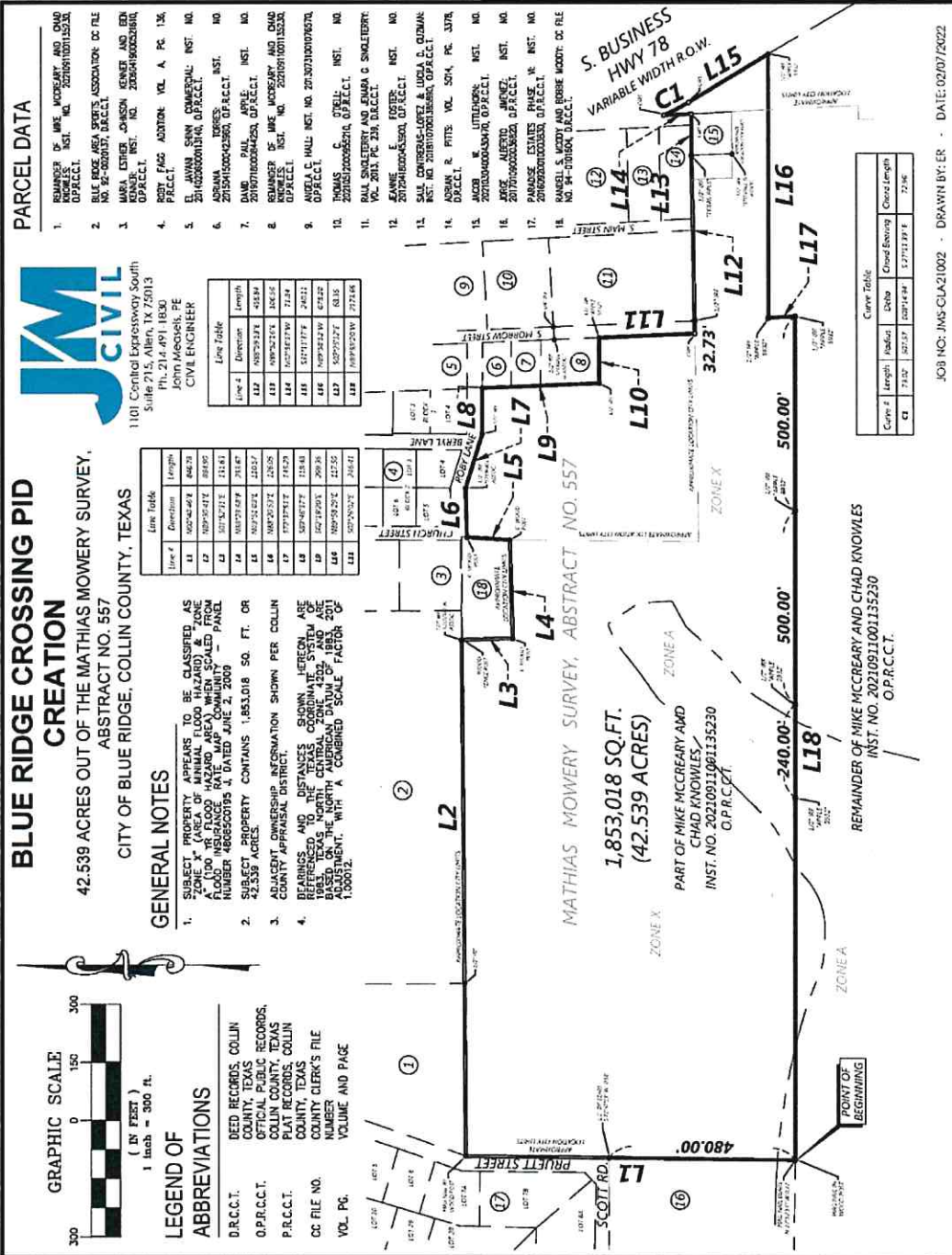
THENCE SOUTH 02 DEGREES 25 MINUTES 12 SECONDS EAST, CONTINUING THROUGH SAID MCCREARY & KNOWLES TRACT, A DISTANCE OF 68.36 FEET TO A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "APPLE 5932" FOR CORNER;

THENCE NORTH 89 DEGREES 59 MINUTES 20 SECONDS WEST, CONTINUING THROUGH SAID MCCREARY & KNOWLES TRACT, PASSING A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "APPLE 5932" AT A DISTANCE OF 500.00 FEET AND CONTINUING FOR AN ADDITIONAL 500.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "APPLE 5932" AND CONTINUING FOR AN ADDITIONAL 240.00 FEET TO A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "APPLE 5932" AND CONTINUING FOR A TOTAL DISTANCE OF 2173.66 TO THE POINT OF BEGINNING AND CONTAINING 1,853,018 SQUARE FEET OR 42.539 ACRES OF LAND, MORE OR LESS.

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EXHIBIT B

PROPERTY DEPICTION



PARCEL DATA

1. REMAINDER OF MIKE MCCREARY AND CHAD KNOWLES, O.P.R.C.C.T. INST. NO. 20210911001135230
2. BLUE RIDGE AREA SPORTS ASSOCIATION, CC FILE NO. 82-000197, D.R.C.C.T.
3. MIRA, ESTHER JOHNSON KENNER AND ERN O.P.R.C.C.T. INST. NO. 20060400020810
4. PERRY, FLEM ASHTON, VOL. A, PG. 13A, D.R.C.C.T.
5. E. JIMM SMYTH COMMERCIAL, INST. NO. 2014020000011140, O.P.R.C.C.T.
6. ASHAMA TERRES, INST. NO. 2015041500042380, O.P.R.C.C.T.
7. DAVID PAUL APPLE, INST. NO. 2010070000044650, O.P.R.C.C.T.
8. REMAINDER OF MIKE MCCREARY AND CHAD KNOWLES, O.P.R.C.C.T. INST. NO. 20210911001135230
9. MIRA, C. WALL, INST. NO. 2013070000016570, O.P.R.C.C.T.
10. THOMAS C. OTELL, INST. NO. 2010050000000000, O.P.R.C.C.T.
11. PAUL SMOLETERY AND EMMA C. SMOLETERY, VOL. 2011, PG. 239, D.R.C.C.T.
12. LEANNE E. ESTER, INST. NO. 2012040000000000, O.P.R.C.C.T.
13. SALLI CONTRERAS-LOPEZ & LUGIA D. OLIVAN, INST. NO. 2018100000000000, O.P.R.C.C.T.
14. ASHMAN R. PITTS, VOL. 5014, PG. 337A, D.R.C.C.T.
15. ANOR W. LITTLEBORN, INST. NO. 2012040000000000, O.P.R.C.C.T.
16. JANE ALBERTO JIMENEZ, INST. NO. 2012040000000000, O.P.R.C.C.T.
17. PARADISE STATES PHASE II, INST. NO. 2008080000000000, O.P.R.C.C.T.
18. MABEL ANN BURSE MOORE, CC FILE NO. 82-000197, D.R.C.C.T.



1101 Central Expressway South
Suite 715, Allen, TX 75013
John Jacobson, PE
CIVIL ENGINEER

Line #	Direction	Length
L12	N87°23'13"E	458.84
L13	N89°25'17"W	186.56
L14	S27°14'17"W	71.24
L15	S51°11'17"E	246.11
L16	N48°38'13"W	678.92
L17	S07°25'12"E	183.16
L18	T09°32'51"E	272.84

Line #	Direction	Length
L1	S07°24'47"E	466.20
L2	S07°25'12"E	283.90
L3	S07°25'12"E	124.83
L4	N07°32'51"E	216.69
L5	N07°25'12"E	120.17
L6	N07°25'12"E	226.26
L7	N77°37'17"E	716.29
L8	S07°25'12"E	118.88
L9	S07°25'12"E	209.94
L10	N07°25'12"E	122.52
L11	S07°25'12"E	216.61

GENERAL NOTES

1. SUBJECT PROPERTY APPEARS TO BE CLASSIFIED AS "ZONE X" (AREA OF ANIMAL FLOOD HAZARD) & "ZONE A" (FLOOD HAZARD AREA) WHEN SCALED FROM A FLOOD HAZARD MAP, BEING SCALED FROM NUMBER 4866520198, DATED JUNE 2, 2009 - PANEL 4.
2. SUBJECT PROPERTY CONTAINS 1,853,018 SQ. FT. OR 42,539 ACRES.
3. ADJACENT OWNERSHIP INFORMATION SHOWN PER COLLIN COUNTY APPRAISAL DISTRICT.
4. BEARINGS AND DISTANCES SHOWN HEREON ARE REFERENCED TO THE COASTAL SYSTEM OF THE STATE OF TEXAS, BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, WITH A COMBINED SCALE FACTOR OF 1/1000.0.

LEGEND OF ABBREVIATIONS

D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
 O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
 P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
 CC FILE NO. COUNTY CLERK'S FILE NUMBER
 VOL. PG. VOLUME AND PAGE

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	71.02	107.17	109°14'34"	S 27°13'31"E	72.86

**CITY OF BLUE RIDGE, TEXAS
RESOLUTION 2022-0322-002**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT RELATING TO THE BLUE RIDGE CROSSING PUBLIC IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS RELATED THERETO.

WHEREAS, on March 22, 2022, the City Council (the “City Council”) of the City of Blue Ridge, Texas (the “City”) adopted a resolution creating the Blue Ridge Crossing Public Improvement District (the “District”) in accordance with Chapter 372, Texas Local Government Code, as amended (the “Act”); and

WHEREAS, the City desires to approve the “Development Agreement (Blue Ridge Crossing in Blue Ridge, Texas)” relating to the District (the “Development Agreement”); and

WHEREAS, the Development Agreement satisfies the requirements of Section 212.172 of the Texas Local Government Code and provides for the orderly development of property within the District in accordance with the terms agreed to by the Owner (as defined in the Development Agreement) and the City and promotes the interests of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS, THAT:

SECTION 1. The findings and premises contained in the WHEREAS clauses above are hereby deemed to be true and correct and incorporated as a part of this Resolution for all purposes.

SECTION 2. The Development Agreement attached hereto as **Exhibit A**, is approved and the Mayor is authorized to execute such Development Agreement on behalf of the City.

SECTION 3. The City Council hereby authorizes and directs the City Secretary of the City to record the Development Agreement in the deed records of Collin County, Texas pursuant to the requirements of Section 212.172(f) of the Texas Local Government Code and Section 5.9 of the Development Agreement.

SECTION 4. This Resolution shall become effective from and after its date of passage in accordance with law.

[Remainder of Page Intentionally Left Blank]

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE
THIS THE 22nd DAY OF MARCH, 2022.**

CITY OF BLUE RIDGE,

RHONDA WILLIAMS, MAYOR

ATTEST:

EDIE SIMS, CITY SECRETARY

Exhibit A to Resolution
Development Agreement
(Blue Ridge Crossing in Blue Ridge, Texas)

**CITY OF BLUE RIDGE, TEXAS
RESOLUTION 2022-0322-003**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN ESCROW AGREEMENT RELATING TO THE BLUE RIDGE CROSSING PUBLIC IMPROVEMENT DISTRICT; AND RESOLVING OTHER MATTERS RELATED THERETO.

WHEREAS, on March 22, 2022, the City Council (the “City Council”) of the City of Blue Ridge, Texas (the “City”) adopted a resolution creating the Blue Ridge Crossing Public Improvement District (the “District”) in accordance with Chapter 372, Texas Local Government Code, as amended (the “Act”); and

WHEREAS, the City desires to approve the “Escrow Agreement” relating to the District (the “Development Agreement”); and

WHEREAS, the Escrow Agreement authorizes and directs the Escrow Agent (as defined in the Escrow Agreement) to hold in escrow a dissolution petition (the “Dissolution Petition”), signed by the Owner (as defined in the Escrow Agreement), with respect to the District, with instructions to submit the Dissolution Petition to the City Council in certain events, as described in the Escrow Agreement ; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE, TEXAS, THAT:

SECTION 1. The findings and premises contained in the WHEREAS clauses above are hereby deemed to be true and correct and incorporated as a part of this Resolution for all purposes.

SECTION 2. The Escrow Agreement in substantially the form attached hereto as **Exhibit A**, is approved and the Mayor is authorized to execute such Escrow Agreement on behalf of the City.

SECTION 3. This Resolution shall become effective from and after its date of passage in accordance with law.

[Remainder of Page Intentionally Left Blank]

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BLUE RIDGE
THIS THE 22nd DAY OF MARCH, 2022.**

CITY OF BLUE RIDGE,

RHONDA WILLIAMS, MAYOR

ATTEST:

EDIE SIMS, CITY SECRETARY

Exhibit A to Resolution
Escrow Agreement

**FIRST AMENDMENT TO
MUNICIPAL ADVISORY AGREEMENT**

WITNESSETH:

WHEREAS, the City of Blue Ridge, Texas (the “Issuer”), and Hilltop Securities Inc. (“HilltopSecurities”), previously entered into a certain Municipal Advisory Agreement, effective as of July 24, 2018 (the “Agreement”); and

WHEREAS, the Issuer and HilltopSecurities desire to amend the Agreement to include Development Services and Development Debt Instruments to the scope of services to be provided by HilltopSecurities, as well as the corresponding fees for such services.

NOW THEREFORE, the Issuer and HilltopSecurities, in consideration of the mutual covenants and agreements contained in the Agreement and those set forth herein, do hereby agree to amend the Agreement as follows:

**AMENDMENTS
APPENDIX A**

Appendix A of the Agreement shall be amended to add the following as Section VI:

“**VI. Development Services and Development Debt Instruments.** Upon request, HilltopSecurities will assist the Issuer in structuring and securing for any development of real property within the City of Blue Ridge (the "Development") one or more economic incentive program(s) as described in a development agreement for the Development (“Development Agreement”) entered into between the Issuer and a property owner, developer, and/or development district (a “Program”).”

APPENDIX B

Appendix B of the Agreement shall be amended to include the following as Section VI:

“**VI. Development Services and Development Debt Instruments.** Recognizing the expertise that HilltopSecurities possesses with municipalities in Texas regarding economic incentive programs, the fee for assisting the Issuer with reviewing, analyzing and structuring land developments and land development agreements shall be:

- (i) a nonrefundable upfront cash payment of \$25,000, may be required, payable prior to commencement of the work outlined in the Scope of Services and credited against other fees due to HilltopSecurities; and
- (ii) a fee of 2.0% of the par of any bonds or debt issued by the City or by an entity under the Issuer’s control for the benefit of the development (this Development related financial advisory fee will apply to any General Obligation Bonds, Certificates of Obligation, Tax Notes, Waterworks and Sewer System Revenue Bonds, or Special Revenue Bonds that are issued, including any refunding bonds, as long as such Debt Instruments are related to a Program as defined above; provided, however, this fee will

not apply to any New Issuances of Municipal Securities for which HilltopSecurities receives fees as described Section I of this Appendix B). Fees charged in (i) above, if any, will be netted against fees due in this Section VI.

Notwithstanding any provision in this Agreement or in this Appendix A, Issuer's obligations with respect the fee of 2.0% of the par of any bonds or debt issued by the Issuer or by an entity under the Issuer's control for the benefit of the development as described in the immediately preceding paragraph (ii) shall terminate if no such bond or debt is issued by the Issuer or by an entity under the Issuer's control for the benefit of the development within three years after the effective date of the Development Agreement related to a Program. Said termination shall occur immediately upon the third anniversary date of the effective date of such Development Agreement unless the Issuer and HilltopSecurities enter into a duly authorized written agreement extending such obligation.

It is expected that the Issuer will be reimbursed for the above-referenced fees by the developer as an expense of negotiating the economic incentive agreement(s).

HilltopSecurities shall be entitled to reimbursement for reasonable expenses in connection with providing the above-referenced Development consulting services to the Issuer. Expenses shall be reimbursed within thirty (30) days after receipt of a detailed invoice therefor submitted by HilltopSecurities. Expenses related to Development Services are not contingent upon a Program being agreed to or a transaction being completed.

MODIFICATIONS

The Agreement, except as amended by this First Amendment to Municipal Advisory Agreement ("First Amendment"), remains in effect in all other respects.

IN WITNESS WHEREOF, the parties have made and executed this First Amendment in multiple copies, each of which shall be an original, effective as of _____.

HILLTOP SECURITIES INC.

By: 

Nick Bulaich
Managing Director

CITY OF BLUE RIDGE, TEXAS

By: _____

Name: _____

Title: _____