

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 18, 2019

Ms. Bridget Bohac, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087

Re: TCEQ Docket No. 2019-0175-DIS; Consideration of a Petition for Creation of Northlake Municipal Management District No. 2 of Denton County

Dear Ms. Bohac:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) is the original plus seven copies of the following backup materials for the May 8, 2019 agenda item on the above referenced matter:

1. Proposed Order;
 - a. Exhibit A: Metes and Bounds
 - b. Exhibit B: Staff Memorandum
2. Petition for Creation (contains Exhibits A-C);
3. Certificate and Notice of Hearing;
4. Affidavits of Publication and Original Tear Sheets;
5. Mailing List; and
6. Caption.

Please do not hesitate to contact me at (512) 239-4761 if you have any questions regarding this material. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kayla Murray".

Kayla Murray
Staff Attorney
Environmental Law Division

Proposed Order

- a. **Exhibit A: Metes and Bounds**
- b. **Exhibit B: Staff Memorandum**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN ORDER GRANTING THE PETITION FOR CREATION OF NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 2 OF DENTON COUNTY AND APPOINTING INITIAL DIRECTORS

DOCKET NO. 2019-0175-DIS

On May 8, 2019, the Texas Commission on Environmental Quality ("Commission") met in regular session at its offices in Austin, Texas, with notice of the meeting issued in compliance with the Open Meetings Act, Texas Government Code §§ 551.001-551.146, and the Administrative Procedure Act, Texas Government Code §§ 2001.001-2001.902, to consider the petition filed by TMRY Ridge Limited Partnership, as authorized, to create Northlake Municipal Management District No. 2 of Denton County (the "District") pursuant to Article XVI, § 59, and Article III, §§ 52 and 52(a) of the Texas Constitution and Chapter 375, Texas Local Government Code, and Chapter 49, Texas Water Code.

The Commission has jurisdiction to consider this matter and the following Findings of Fact, Conclusions of Law, and Ordering Provisions are appropriate after examining the application and supporting documentation:

FINDINGS OF FACT

1. On October 30, 2018, an application (including the Petition) by TMRY Ridge Limited Partnership ("Petitioner") was filed with the Commission pursuant to Chapter 375, Texas Local Government Code; Chapter 49, Texas Water Code; and Chapter 293, Title 30 Texas Administrative Code.
2. The Petition was signed by a duly authorized officer of Petitioner.
3. Petitioner holds a majority in value of title to the land to be included within the proposed District's boundaries.
4. Petitioner requested that the Commission hold a public hearing on the question of the creation of the District pursuant to Texas Local Government Code §375.023; Chapter 49, Texas Water Code; and Title 30 Texas Administrative Code §293.12(g).
5. The Petition contains a metes and bounds description of the boundaries of the District (attached as "Exhibit A"); states the specific purpose for which the District will be created; states the general nature of the work, the necessity for the work, and the approximate cost of the work; includes the name of the District; includes a proposed list of initial directors, their experience, and their initial term of service; and includes a resolution by the Town of Northlake, which expresses the town's consent to create the District.

6. All persons holding liens on the land in the proposed District have consented to the creation of the proposed District.

7. Denton County is the county in which the District is to be located.

8. Notice of the hearing on the application was published on March 26, 2019, and April 2, 2019, in the Denton Record Chronicle, a newspaper regularly published and generally circulated in Denton County, Texas.

9. The notices of the hearing on the application contained the statement, "Each person has a right to appear and present evidence and testify for or against the allegations in the petition, the form of the petition, the necessity and feasibility of the district's project, and the benefits to accrue.

10. Submitted within the application were notarized affidavits for each of the proposed initial directors, listed as follows and indicating that each meets the qualification requirements of Texas Local Government Code § 375.063:

<u>2-Year Term</u>	<u>4-Year Term</u>
Cody Johnson Audrey White	John Harris Richardson Beard Nick Hayden

Pursuant to Texas Local Government Code § 375.062, Petitioner requests that the Commission divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms, as indicated above.

11. By Resolution No. 18-23, passed and adopted August 9, 2018, the Town of Northlake has consented to the creation of the District.

12. The Executive Director conducted a review of the application and memorialized his findings in a technical memorandum dated April 12, 2019 (the "Memorandum"). The Memorandum is attached as " Exhibit B" and is incorporated into this Order.

13. The creation of the District as set out in the application is feasible, necessary, and would be a benefit to the land to be included in the District.

14. The District and its system and subsequent development within the District will not have an unreasonable effect on the following: land elevations; subsidence; groundwater level within the region; recharge capability of a groundwater source; natural run-off rates and drainage; and water quality.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to consider this application and is authorized to make and enter its Findings of Fact, Conclusions of Law, and Orders with respect to the creation of the proposed District.

2. All of the land and property proposed may properly be included within the District.

3. The Petition conforms to the requirements of Texas Local Government Code § 375.022.

4. Proper notice of this application was given pursuant to Texas Local Government Code §§ 375.023 and 375.024.

5. All statutory and regulatory requirements for creation of Northlake Municipal Management District No. 2 of Denton County have been fulfilled in accordance with Chapter 375, Texas Local Government Code and Title 30 Texas Administrative Code § 293.11(j).

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

1. The Petition for the creation of Northlake Municipal Management District No. 2 of Denton County is hereby granted.

2. The District is created under the terms and conditions of Article XVI, § 59, and Article III, §§ 52 and 52(a) of the Texas Constitution, and Chapter 375, Texas Local Government Code, and Chapter 49, Texas Water Code.

3. The District shall have, and shall be subject to, all of the rights, duties, powers, privileges, authority, and functions conferred and imposed by the Commission and the general laws of the State of Texas relating to municipal management districts.

4. The District is created for the specific purposes of purchasing, constructing, acquiring, providing, operating, maintaining, repairing, improving, or extending inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial and commercial purposes; collecting, transporting, processing, disposing of and controlling domestic, industrial and commercial wastes; gathering, conducting, diverting, abating, amending and controlling local storm water or other local harmful excesses of water in the District; and purchasing, constructing, acquiring, providing, operating, maintaining, repairing, improving, or extending inside or outside of its boundaries such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is created.

5. The District shall be composed of the area situated wholly within the corporate limits of the Town of Northlake, Denton County, Texas, described by metes and bounds in "Exhibit A", which is attached and incorporated into this Order.

6. The following five persons, with terms as noted, are hereby named and appointed as initial directors of the District to serve until their successors are elected or have been appointed in accordance with applicable law:

2-Year Term

Cody Johnson
Audrey White

4-Year Term

John Harris
Richardson Beard
Nick Hayden

7. The foregoing initial directors shall, as soon as practicable after the date of entry of this Order, execute their official bonds and take their official oath of office. All such bonds shall be approved by the Board of Directors of the District and each bond and oath shall be filed with the District and retained in its records.

8. This Order shall in no event be construed as an approval of any proposed agreements or of any particular items in any documents provided in support of the petition for creation, nor as a commitment or requirement of the Commission in the future to approve or disapprove any particular items or agreements in future applications submitted by the District for Commission consideration.

9. This Order shall not constitute approval or recognition of the validity of any provision in the Town of Northlake's creation consent Resolution No. 18-23, passed and adopted August 9, 2018, or of any other ordinance/resolution incorporated therein by reference to the extent that such provisions exceed the authority granted to the Town of Northlake by the laws of the State of Texas.

10. The Chief Clerk of the Texas Commission on Environmental Quality shall forward a copy of this Order to all affected persons.

11. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Jon Niermann, Chairman

Date Signed

EXHIBIT "A"

BEING a parcel of land situated in the Town of Northlake, Denton County, Texas, a part of the Patrick Rock Survey, Abstract No. 1063, and being a part of that called 248.078 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007-80851, Official Public Records of Denton County, Texas, and being a part of that called 248.001 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007-80855, Official Public Records of Denton County, Texas, and being further described as follows:

COMMENCING at a steel fence corner post found in the north line of said 248.078 acre tract of land, said point being the southwest corner of a called 2.896 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2085, Deed Records of Denton County, Texas, and said point being in the south right-of-way line of Robson Ranch Road (a variable wide right-of-way);

THENCE along the north line of said 248.078 acre tract of land, along the south line of said 2.896 acre tract of land and along the south line of Robson Ranch Road as follows:

South 89 degrees 51 minutes 16 seconds East, 7.14 feet to the POINT OF BEGINNING of the herein described tract of land;

South 89 degrees 51 minutes 16 seconds East, 794.20 feet to a one-half inch iron rod with cap stamp "JBI" set (hereinafter called "iron rod set") for corner;

THENCE South 00 degrees 08 minutes 44 seconds West, 475.16 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees 51 minutes 16 seconds East, 40.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 147.10 feet along a curve to the right which has a central angle of 18 degrees 51 minutes 18 seconds, a radius of 447.00 feet, a tangent of 74.22 feet, and whose chord bears South 80 degrees 25 minutes 37 seconds East, 146.44 feet to a one-half inch iron rod set for corner;

THENCE South 70 degrees 59 minutes 57 seconds East, 229.65 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 333.72 feet along a non-tangent curve to the left which has a central of 17 degrees 22 minutes 58 seconds, a radius of 1,100.00 feet, a tangent of 168.15 feet, and whose chord bears North 08 degrees 50 minutes 13 seconds East, 332.45 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes 44 seconds East, 219.74 feet to a one-half inch iron rod set for corner;

THENCE North 44 degrees 51 minutes 16 seconds West, 35.36 feet to a one-half inch iron rod set in the north line of said 248.078 acre tract of land, said point being in the south line of said 2.896 acre tract of land and said point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 150.00 feet along the north line of said 248.078 acre tract of land, along the south line of said 2.896 acre tract of land and along the south line of Robson Ranch Road to a one-half inch iron rod set for corner;

THENCE South 45 degrees 08 minutes 44 seconds West, 35.36 feet to a one-half inch iron rod set for corner;

THENCE South 00 degrees 08 minutes 44 seconds West, 219.74 feet to a one-half inch iron rod set for corner;

THENCE Southwesterly, 62.55 feet along a curve to the right which has a central of 02 degrees 59 minutes 11 seconds, a radius of 1,200.00 feet, a tangent of 31.28 feet, and whose chord bears South 01 degrees 38 minutes 20 seconds West, 62.54 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees 51 minutes 16 seconds East, 589.56 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes 44 seconds East, 307.26 feet to a one-half inch iron rod set in the north line of said 248.078 acre tract of land, said point being in the south line of said 2.896 acre tract of land and said

point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 2,202.62 feet along the south line of Robson Ranch Road to a five-eighths inch iron rod found in the north line of said 248.001 acre tract of land, said point being the southeast corner of a called 2.483 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2113, Deed Records of Denton County, Texas;

THENCE South 00 degrees 30 minutes 05 seconds East, 5.00 feet along the south line of Robson Ranch Road to a one-half inch iron rod set at the southwest corner of a called 1.001 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4653, Page 966, Deed Records of Denton County, Texas;

THENCE along the south line of said 1.001 acre tract of land and along the south line of Robson Ranch Road as follows:

South 89 degrees 51 minutes 16 seconds East, 176.60 feet to a one-half inch iron rod set for corner;
North 89 degrees 53 minutes 55 seconds East, 533.67 feet to a one-half inch iron rod found at the southeast corner of said 1.001 acre tract of land, said point being in the east line of said 248.078 acre tract of land and said point being in the west line of a called 283.564 acre tract of land described in a special warranty deed to D-F Denton Fund 28, Ltd., as recorded in Volume 4481, Page 169, Deed Records of Denton County, Texas;

THENCE along the east line of said 248.001 acre tract of land and along the west line of said 283.564 acre tract of land as follows:

South 01 degrees 05 minutes 15 seconds East, 914.01 feet to a wood fence corner post found for corner;
South 89 degrees 18 minutes 24 seconds East, 259.65 feet to a steel fence corner post found for corner;

THENCE South 00 degrees 54 minutes 07 seconds West, 1,840.61 feet to a steel fence corner post found in the south line of said 248.001 acre tract of land, said point being in the north line of a called 782.359 acre tract of land described in a special warranty deed to Belmont 407, LLC, as recorded in Document No. 2011-124875, Official Public Records of Denton County, Texas;

THENCE along the north line of said 782.359 acre tract of land as follows:

North 89 degrees 56 minutes 26 seconds West, 916.17 feet to a wood fence corner post found for corner;
South 89 degrees 56 minutes 51 seconds West, 1,538.79 feet to a wood fence corner post found for corner;
North 89 degrees 42 minutes 46 seconds West, 2,865.34 feet to a one-half inch iron rod set for corner, from which a wood fence corner post found bears North 89 degrees 42 minutes 46 seconds West, 202.87 feet;

THENCE North 00 degrees 17 minutes 14 seconds East, 137.53 feet to a one-half inch iron rod set for corner;

THENCE North 11 degrees 00 minutes 00 seconds East, 412.09 feet to a one-half inch iron rod set for corner;

THENCE North 09 degrees 29 minutes 53 seconds East, 68.68 feet to a one-half inch iron rod set for corner;

THENCE North 04 degrees 16 minutes 44 seconds East, 68.69 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 00 minutes 02 seconds West, 77.88 feet to a one-half inch iron rod set for corner;

THENCE North 03 degrees 23 minutes 19 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 08 degrees 00 minutes 30 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 12 degrees 36 minutes 48 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

THENCE North 17 degrees 13 minutes 24 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

THENCE North 13 degrees 59 minutes 43 seconds East, 64.48 feet to a one-half inch iron rod set for corner;

THENCE North 03 degrees 00 minutes 37 seconds East, 100.14 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 139.93 feet along a non-tangent curve to the right which has a central of 15 degrees 07 minutes 37 seconds, a radius of 530.00 feet, a tangent of 70.37 feet, and whose chord bears North 63 degrees 32 minutes 54 seconds West, 139.52 feet to a one-half inch iron rod set for corner;

THENCE North 55 degrees 59 minutes 06 seconds West, 124.77 feet to a one-half inch iron rod set for corner;
THENCE North 34 degrees 00 minutes 54 seconds East, 139.13 feet to a one-half inch iron rod set for corner;
THENCE North 31 degrees 01 minutes 25 seconds East, 70.00 feet to a one-half inch iron rod set for corner;
THENCE North 20 degrees 24 minutes 43 seconds East, 64.40 feet to a one-half inch iron rod set for corner;
THENCE North 08 degrees 28 minutes 07 seconds East, 427.24 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 46 minutes 43 seconds East, 92.72 feet to a one-half inch iron rod set for corner;
THENCE North 20 degrees 35 minutes 26 seconds East, 82.79 feet to a one-half inch iron rod set for corner;
THENCE North 23 degrees 06 minutes 53 seconds East, 70.62 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 51 minutes 40 seconds East, 66.35 feet to a one-half inch iron rod set for corner;
THENCE North 02 degrees 36 minutes 57 seconds East, 67.74 feet to a one-half inch iron rod set for corner;
THENCE North 04 degrees 55 minutes 30 seconds West, 160.63 feet to a one-half inch iron rod set for corner;
THENCE North 00 degrees 08 minutes 44 seconds East, 218.47 feet to the POINT OF BEGINNING and containing 13,778,026 square feet or 316.300 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

EXHIBIT "A"

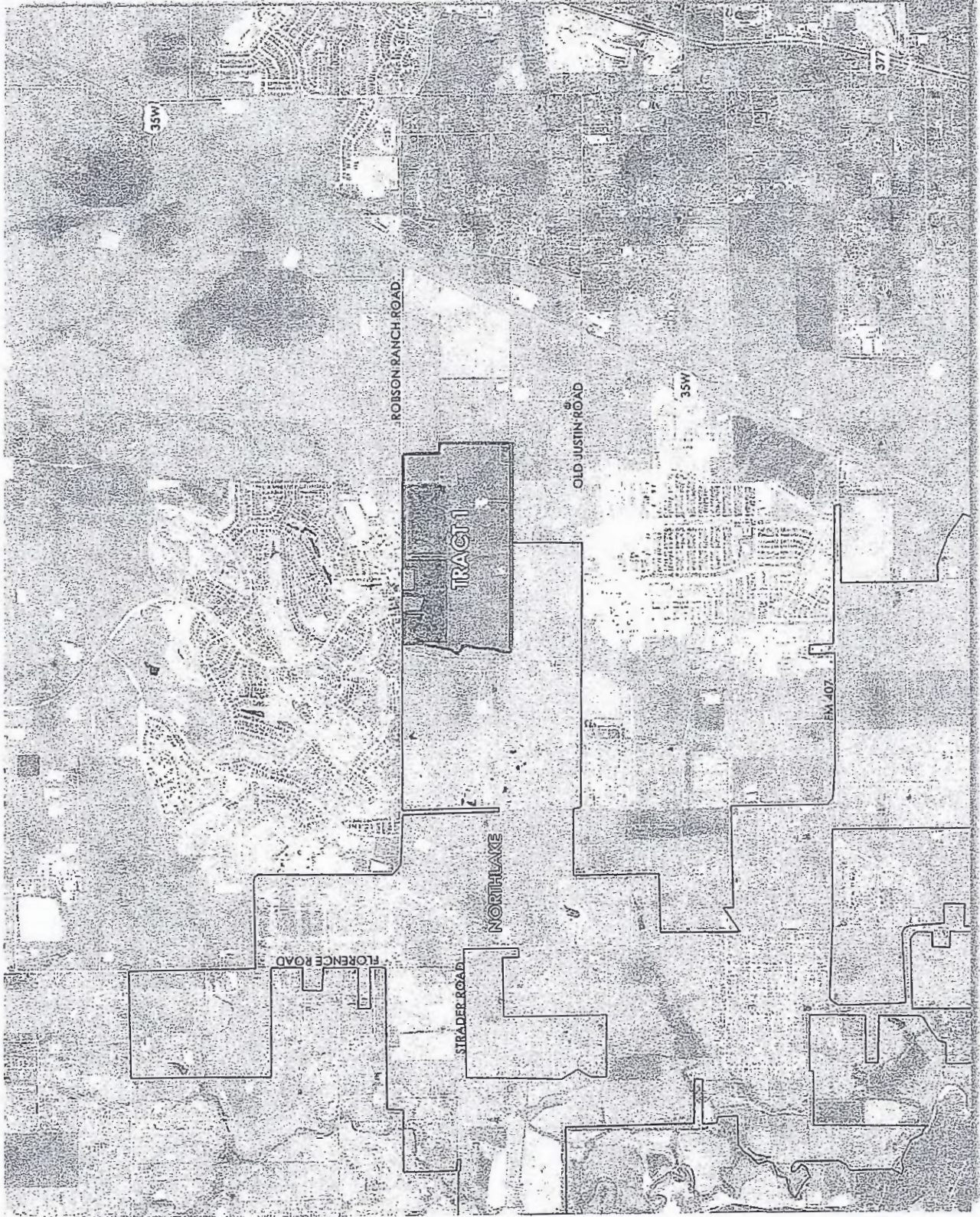



EXHIBIT 1
DISTRICT LOCATION MAP (JBI)
NORTHLAKE, TEXAS

NORTHLAKE MMD NO. 2
TRACT 1





Texas Commission on Environmental Quality

TECHNICAL MEMORANDUM

To:  4/12/19
Chris S. Ulmann, P.E., Manager
Districts Section

Date: April 12, 2019

Thru:  4/17/19
Randy Waclawczyk, P.G., Leader
Districts Bond Team

From:  4/17/19
Pirainder Lall
Districts Creation Review Team

Subject: Docket No. 2019-0175-DIS. Petition by TMRY Ridge Limited Partnership for the Creation of Northlake Municipal Management District No. 2 of Denton County; Pursuant to Chapter 375, Texas Local Government Code and Chapter 49, Texas Water Code.
TCEQ Internal Control No. D-10302018-060 (TC)
CN: 605585454 RN: 110526852

A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received a petition within the application requesting approval for the creation of Northlake Municipal Management District No. 2 of Denton County (District). The petition was signed by Ryan Huey, Vice President of Land Acquisition, and Andrew Green, Vice President, of Taylor Morrison of Texas, Inc., managing member of TM Ridge GP, LLC, as a general partner of TMRY Ridge Limited Partnership (Petitioner). In compliance with 30 Texas Administrative Code (30 TAC) Section 293.11(j)(1), the petition states that the Petitioner constitutes a majority of value of the holders of title of the land within the proposed District, as indicated by the tax rolls of Central Appraisal District of Denton County, Texas. The lienholders on the property are Veritex Community Bank, and D-F Pacific No. 2, Ltd. and Silverstone-Northlake, Ltd., and each of these lienholders consent to the petition. The consent of the lienholder Veritex Community Bank is dated September 17, 2018. The consent of the lienholder D-F Pacific No. 2, Ltd. and Silverstone-Northlake, Ltd. is dated September 12, 2018.

The District is proposed to be created and organized according to the terms and provisions of Article XVI, Section 59, and Article III, Sections 52 and 52(a) of the Texas Constitution, and Chapter 375, Texas Local Government Code (TLGC), and Chapter 49, Texas Water Code.

Location and Access

The proposed District is located in southwest Denton County. The District encompasses approximately 316.30 acres located 5,000 feet west of I-35W along the south side of Robson Ranch Road. The petition states that the proposed District is located wholly within the corporate limits of the Town of Northlake and Denton County, Texas. No portion of the property is located within the corporate boundaries or extraterritorial jurisdiction of any other incorporated city, town or village. The District can be accessed directly from Robson Ranch Road, approximately 1 mile west of its intersection with I-35W.

Metes and Bounds Description

The proposed District contains a tract of land totaling 316.30 acres. The metes and bounds description of the proposed District has been checked by the TCEQ's staff and has been found to form an acceptable closure.

Exhibit "B"

City Consent

By Resolution No. 18-23, passed and adopted August 9, 2018, the Town of Northlake gave its consent to the petition for creation of the proposed District. Accordingly, the requirement of 30 TAC Section 293.11(j)(1)(F) has been satisfied.

Statements of Filing Petition

Evidence of filing the petition with the Denton County Clerk's office, the TCEQ's Dallas/Fort Worth regional office, Texas state representative, and Texas state senator has been provided.

Notice Requirements

Proper notice of the application was published on March 26, 2019, and April 2, 2019, in the Denton Record Chronicle, a newspaper regularly published or circulated in Denton County; the county in which the district is proposed to be located. Accordingly, the notice requirements of 30 TAC Section 293.12(g)(2) and TLGC Section 375.024(a) have been satisfied.

Type of Project

The proposed District will be considered a "developer project" as defined by 30 TAC Section 293.44 (a). Therefore, developer cost participation in accordance with 30 TAC Section 293.47 will be required.

Developer Qualifications

Application material indicates that the proposed District will be developed by JBI Partners, Inc., Daniel Dewey, P.E. has considerable experience in master-planned residential and commercial development projects within districts in the Dallas/Fort Worth metropolitan area.

Appraisal District Certificate

By certificate dated October 5, 2018, the Denton Central Appraisal District has certified that the tax rolls indicate that the Petitioner, TMRY Ridge Limited Partnership, represents the majority of value of the property in the proposed District.

Initial directors

The Petition requests TCEQ approval of the appointment of five initial directors, listed as follows:

<u>2-Year Term</u>	<u>4-Year Term</u>
Cody Johnson	John Harris
Audrey White	Richardson Beard
	Nick Hayden

Submitted within the application were notarized affidavits for each of the proposed initial directors, indicating that each meets the qualification requirements of TLGC Section 375.063.

Pursuant to TLGC Section 375.062, the Petitioner requests that the TCEQ divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms, as indicated above.

B. ENGINEERING ANALYSIS

Availability of Comparable Services

The proposed District is within the corporate limits of the Town of Northlake. The proposed District will construct its internal water distribution, wastewater collection, drainage, roadway, and hardscape facilities within its boundaries, as well as necessary offsite facilities, if required. It is anticipated that once constructed, the water, sanitary sewer collection system, drainage system and roadway improvements will be dedicated to, owned, maintained and operated by the Town of Northlake. All infrastructure and utilities to serve the proposed District will be designed in accordance with criteria established by the Town of Northlake, Denton County, and TCEQ.

The Town of Northlake receives its water from the Upper Trinity Regional Water District (UTRWD), and will supply the domestic water to the District.

Water Supply

The proposed District is located within the corporate limits of the Town of Northlake and is expected to receive water supply capacity to serve the 1,007 equivalent single-family connections (ESFCs) within its boundary. The Town of Northlake's existing water infrastructure along with the storage tank expansion will deliver the necessary supply of water to the District's distribution system.

Water Distribution

The water distribution system for full development will consist of approximately 59,495 linear feet of onsite distribution waterlines, 8-12 inches in diameter, and 1,863 linear feet of off-site waterline, 12 inches in diameter along with all related appurtenances. Flushing valves will be provided.

Wastewater Treatment

The wastewater generated by the development of the proposed District will flow by gravity through internal wastewater lines to off-site sanitary sewer lines to an off-site WWTP. The effluent from the WWTP will discharge into Denton Creek Tributary 7. Infrastructure includes approximately 48,781 linear feet of gravity flow sanitary sewer lines, 8 to 12 inch in diameter, and 1,847 linear feet of offsite gravity flow sanitary sewer lines, 12 inches in diameter, along with all related appurtenances. The offsite WWTP is the Denton Creek Wastewater Plant operated by the Trinity River Authority.

Wastewater Collection

The internal wastewater collection system for full development of the proposed District will consist of 8-15-inch diameter gravity lines. Manholes and service leads will be provided.

Storm water Drainage

The storm water runoff within the proposed District will be directed through a curb and gutter street system with inlets and reinforced concrete pipe and box culverts. The design and construction of these facilities will be in conformance with criteria established by the Town of Northlake, Denton County, and TCEQ. Collected storm water will outflow to detention facilities, and ultimately outfall into Graham Branch Tributary 16 and ultimately to Lake Grapevine.

Road Improvements

The roadway system within the District will be a concrete curb and gutter street system consisting of major arterials, residential collectors, and residential local streets. The Town of Northlake has consented by resolution to the creation of the District as a municipal management district having road powers.

Recreational Facilities

The District does not propose to construct recreational facilities.

Topography

The proposed District has elevations ranging from 714 to 749 feet above mean sea level (msl). The topography of the District has moderate and varying slopes. The majority of the property slopes to the southeast corner of the District. A small portion of the northwest corner of the District drains offsite to the west of the District.

Floodplain

The Federal Emergency Management Agency Flood Insurance Rate Map No. 48121C0505G indicates that approximately 1.63 acres of the proposed District lies within the mapped Zone "A" flood plain. The area within Zone "A" is located in the HOA lots containing the onsite detention ponds. No development is planned within the Zone "A" flood plain nor is any Zone "A" flood plain reclamation proposed.

Impact on Natural Resources

The creation of the proposed District is expected to have no unreasonable effect on land elevation, groundwater levels, recharge capability, subsidence, natural runoff rates and drainage, or water quality.

C. SUMMARY OF COSTS

<u>Construction Costs</u> (Developer/District Contribution Items)	<u>District's Share</u> ⁽¹⁾
Service Facilities	
1. Water Distribution	\$ 7,752,594
2. Wastewater Collection	5,982,568
3. Storm Sewer	10,319,783
4. Paving	14,398,392
5. Engineering, Staking, Inspection, Materials Testing	<u>6,500,000</u>
TOTAL CONSTRUCTION COSTS (77.2% of Bond Issue Requirement)	\$ 44,953,337
<u>Non-Construction Costs</u>	
A. Legal Fees (2.5%)	\$ 1,449,250
B. Fiscal Agent Fees (2%)	1,159,400
C. Interest Costs	
(1) Capitalized Interest	2,898,500
(2) Developer Interest (2 years at 5%)	4,495,334
D. Bond Discount (3%)	1,739,100
E. Creation Costs	125,000
F. Bond Issuance Expenses	397,184
G. Operating Costs	150,000
H. Bond Application Report	400,000

I. TCEQ Bond Issue Fee (0.25%)	144,925
J. Attorney General's Fee (0.10%)	<u>57,970</u>
TOTAL NON-CONSTRUCTION COSTS	\$ <u>13,016,663</u>
TOTAL BOND ISSUE REQUIREMENT	\$ 57,970,000

Note: (1) Assumes 100% funding of anticipated developer contribution items, where applicable.

Eligibility of costs for District funding and 30% developer contribution requirements will be determined in accordance with TCEQ rules in effect at the time bond applications are reviewed.

D. ECONOMIC ANALYSIS

Land Use

The land use for the proposed District is projected in the following table:

<u>Development</u>	<u>Acres</u>	<u>ESFCs</u>
Open Space/Park/Schools	53.86	-0-
Residential	182.50	1,007
Collector Right-of-Ways	69.94	-0-
Gas Well	<u>10.0</u>	<u>-0-</u>
Total	316.30	1,007

Market Study

A market study, prepared by RSI Residential Strategies, has been submitted in support of the creation of the proposed District. The market study indicates that the proposed District will contain 1,007 single-family homes, priced from \$340,000 to \$530,000 on 50 to 70-foot lots. Homes in the overall master planned development are expected to be absorbed at a rate of about 124 units per year, starting in 2019, and growing to 148 units per year in 2021.

Project Financing

The estimated total assessed valuation of proposed District at completion is as follows:

<u>Development Type</u>	<u>Developed Units</u>	<u>Developed Unit Value</u>	<u>Total Value</u>
Single-Family Homes, 50' lot	336	\$375,000/Unit	\$ 126,000,000
Single-Family Homes, 60' lot	431	\$445,000/Unit	\$ 191,795,000
Single-Family Homes, 70' lot	240	\$500,000/Unit	<u>\$ 120,000,000</u>
Total Assessed Value at Build-out			\$ 437,795,000

Considering an estimated bond issue requirement of \$57,970,000 (for utilities; and assuming 100% financing), a coupon bond interest rate of 5.00%, and a 25-year bond life, the average annual debt service requirement would be approximately \$4,113,114. Assuming a 98% collection rate and an ultimate assessed valuation of \$437,795,000, a tax rate of approximately \$0.96 per \$100 assessed valuation would be necessary to meet the annual debt service requirements. A projected maintenance tax of \$0.04 is anticipated initially and is expected to vary as development progresses so that a combined District tax rate of at most \$1.00 would be maintained.

The total year 2018 overlapping tax rates on land within the proposed District is shown in the following table:

<u>Taxing Jurisdiction</u>	<u>W, WW, & D</u>
Town of Northlake	\$ 0.295
Argyle Independent School District	1.58505
Denton County	0.237812
Denton County Emergency Service District No. 1	0.1000
Proposed Northlake MMD No. 2	0.96
Proposed District Maintenance	<u>0.04</u>
Total tax per \$100 valuation:	\$ 3.217862

Based on the proposed District tax rate and the year 2018 overlapping tax rate on land within the proposed District, the project is considered economically feasible.

Water and Wastewater Rates

According to information provided, the estimated monthly fee for 10,000 gallons of water and wastewater would be approximately \$73.00 for residential customers.

Comparative District Tax Rates

A tax rate of \$3.217862 for the proposed District is comparable to other subdivisions in the area that are also within a district. Based on the requirements of 30 TAC Section 293.59, this project is economically feasible.

E. SPECIAL CONSIDERATIONS

1. Hearing Action

Pursuant to TLGC Section 375.023, the TCEQ shall conduct a hearing to consider the petition received requesting the creation of a municipal management district (MMD) and its necessity, the feasibility of the proposed District's projects, and the benefit it represents for the land within its boundary.

2. Powers of Municipal Management Districts

Municipal management districts have the general powers granted to conservation and reclamation districts pursuant to Article XVI, Section 59 of the Texas Constitution, including those conferred by Chapters 49, Texas Water Code. Pursuant to Section 52, Article III, and Section 52(a), Article III of the Texas Constitution, MMDs also have the powers and authorities granted to road utility districts which includes the power to levy ad valorem taxes for construction and maintenance of roads, and for the provision of mass transit services. MMDs may borrow money, purchase or lease property, enter into agreements for joint use of facilities, establish fees for use of district facilities or property, pursue grants from government or private entities, among other things. MMDs do not have the power of eminent domain.

A MMD may issue either general obligation or revenue bonds to finance improvements or services. Bonds payable from taxes may only be issued after first holding an election.

F. CONCLUSIONS

1. Based on TCEQ policy, compliance with TCEQ rules and review of the engineering report and supporting documents, the proposed District is considered feasible, practicable, would be a benefit to the land within the proposed District, and would be necessary as a means to finance utilities for future customers.
2. Based on a review of the preliminary engineering report; market study; the proposed District's water, wastewater, and drainage facilities; a combined projected tax rate of \$1.00; the proposed District obtaining a 5.00% bond coupon interest rate; and other supporting data, the proposed District is considered feasible under the feasibility limits prescribed by 30 TAC Section 293.59.
3. The recommendations are made under authority delegated by the Executive Director of the TCEQ.

G. RECOMMENDATIONS

1. Grant the petition for the creation of Northlake Municipal Management District No. 2 of Denton County.
2. The order granting the petition should include the following statements:

"This Order shall in no event be construed as an approval of any proposed agreements or of any particular items in any documents provided in support of the petition for creation, nor as a commitment or requirement of the TCEQ in the future to approve or disapprove any particular items or agreements in future applications submitted by the District for TCEQ consideration."

"This Order shall not constitute approval or recognition of the validity of any provision in the Town of Northlake's creation consent Resolution No. 18-23, passed and adopted August 9, 2018, and any other ordinance/resolution incorporated therein by reference to the extent that such provisions exceed the authority granted to the Town of Northlake by the laws of the State of Texas."

3. Appoint the following five initial directors with terms, as noted, to serve until permanent directors are elected and qualified:

2-Year Term

Cody Johnson
Audrey White

4-Year Term

John Harris
Richardson Beard
Nick Hayden

F. ADDITIONAL INFORMATION

The petitioner's professional representatives are:

Attorney: Ms. Mindy Koehne - Coats Rose, PC
Engineer: Mr. Daniel Dewey, P.E. - JBI Partners, Inc

Petition for Creation
(contains Exhibits A-C)

PETITION FOR THE CREATION OF
NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 2

THE STATE OF TEXAS §

COUNTY OF DENTON §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

TMR Y Ridge Limited Partnership, a Texas limited partnership (the "Petitioner"), respectfully petitions the Commissioners of the Texas Commission on Environmental Quality (the "Commission") for the creation of a municipal management district in Denton County, Texas. Petitioner holds title to a majority of the assessed value of the real property described in Exhibit "A," attached hereto and incorporated herein for all purposes, as indicated by the appraisal rolls of Denton County, Texas. Petitioner, acting pursuant to the provisions of Chapter 375, Texas Local Government Code and the provisions of Chapters 49 of the Texas Water Code, together with all amendments and additions thereto, and would respectfully show the following:

I.

The name of the proposed district shall be "NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 2" (the "District"). There is no other conservation or reclamation district in Denton County, Texas with the same name.

II.

The District shall be created and organized and shall exist under the terms and provisions of Article XVI, Section 59, and Article III, Sections 52 and 52-a, of the Texas Constitution and Chapter 375, Texas Local Government Code, and Chapter 49, Texas Water Code, together with all amendments and additions thereto.

III.

The District shall have all the rights, powers, privileges, authority and functions conferred by and shall be subject to all duties imposed by the Texas Local Government Code and Texas Water Code and the general laws of the State of Texas relating to municipal management districts.

IV.

The area proposed to be within the District consists of approximately 316.300 acres as described by metes and bounds in Exhibit "A" (the "Property"). The Property is located wholly within the corporate limits of the Town of Northlake (the "Town") and Denton County, Texas. No portion of the Property is located within the corporate boundaries or extraterritorial jurisdiction of any other incorporated city, town or village. All of the territory proposed to be included in the District may properly be included in the District.

V.

The undersigned constitute a majority of value of the holders of title of the land within the proposed district, as indicated by the tax rolls of the central appraisal district of Denton County, Texas, and by conveyances of record since the date of preparation of said tax rolls. There are no lienholders on the property except, Veritex Community Bank, D-F Pacific No. 2 Ltd., and Silverstone-Northlake, Ltd.

VI.

The general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial and commercial purposes; to collect, transport, process, dispose of and control domestic, industrial and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; and to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description.

VII.

There is, for the following reasons, a necessity for the above described work, services and improvements: The area proposed to be within the District is in a developing area of Denton County, Texas, and within the foreseeable future will experience a substantial and sustained residential and commercial growth. There is not now available within the area, which will be developed as residential subdivisions with some commercial development, an adequate water supply and distribution system, sanitary sewer system, drainage system and roadway system. The protection of the purity and sanitary condition of the State's water and the health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of an adequate water supply and distribution system, sanitary sewer system, drainage system and roadway system. A public necessity therefore exists for the organization of the District to provide for the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a water supply and distribution system, sanitary sewer system, drainage system and roadway system.

VIII.

The proposed improvements are feasible and practicable, and the terrain of the territory to be included within the District is such that a waterworks system, a sanitary sewer system, and a drainage and storm sewer system, can be constructed and developed at a reasonable cost. A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioners, from such information as it has at this time, that the ultimate cost of the project contemplated will be approximately Thirty-Two Million Five Hundred Forty-Two Thousand Three Hundred Fifty-Seven and no/100 Dollars (\$32,542,357).

IX.

The following named persons are each and all over eighteen (18) years of age, resident citizens of the State of Texas, owners of land subject to taxation within the District, and are otherwise qualified to serve as directors of the District under the provisions of the Texas Water Code:

1. Cody Johnson (two-year term)
2. Audrey White (two-year term)
3. John Harris (four-year term)
4. Richardson Beard (four-year term)
5. Nick Hayden (four-year term)

A description of each individual's experience is attached hereto as Exhibit "B." Pursuant to Chapter 375.062, Texas Local Government Code, the Petition requests that the Commission divide the initial directors into two groups, with two directors serving two-year terms and three directors serving four-year terms.

X.

The Town has heretofore adopted a Resolution consenting to the creation of the District over the Property. A copy of the Town's Resolution is attached hereto as Exhibit "C."

WHEREFORE, the undersigned respectfully pray that this Petition be properly filed, as provided by law; that notice of the application be given as provided therein; that a hearing be held if necessary and that this Petition be in all things granted; that the proposed municipal management district be organized; that the five (5) persons named herein be appointed to serve as temporary directors until their successors are duly elected and qualified; and for such other orders, acts, procedures and relief as are proper, necessary and appropriate to the purpose of creating and organizing the District and to the execution of the purposes for which the District shall be organized, as you may deem proper and necessary.

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED, this 21 day of September, 2018, and executed this 21 day of September, 2018.

PETITIONER:

TMRY Ridge Limited Partnership,
a Texas limited partnership

By: TM Ridge GP, LLC
a Texas limited liability company,
its general partner

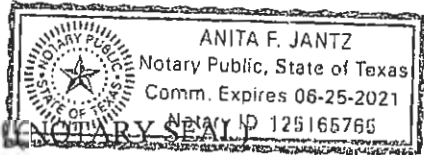
By: Taylor Morrison of Texas, Inc.,
a Texas corporation,
its managing member

By: [Signature]
Name: Ryan Huey
Title: VP-Land Acquisition

By: [Signature]
Name: Andrew Green
Title: Vice President

THE STATE OF TEXAS §
 §
COUNTY OF Collin §

This instrument was acknowledged before me on this 21 day of September, 2018, by Ryan Huey, VP-Land Acquisition and Andrew Green, Vice President of Taylor Morrison of Texas, Inc., a Texas corporation, managing member of TM Ridge GP, LLC, a Texas limited liability company, as general partner of TMRY Ridge Limited Partnership, a Texas limited partnership, on behalf of said limited partnership.



[Signature]
Notary Public in and for the State of Texas

EXHIBIT "A"

BEING a parcel of land situated in the Town of Northlake, Denton County, Texas, a part of the Patrick Rock Survey, Abstract No. 1063, and being a part of that called 248.078 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007-80851, Official Public Records of Denton County, Texas, and being a part of that called 248.001 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007-80855, Official Public Records of Denton County, Texas, and being further described as follows:

COMMENCING at a steel fence corner post found in the north line of said 248.078 acre tract of land, said point being the southwest corner of a called 2.896 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2085, Deed Records of Denton County, Texas, and said point being in the south right-of-way line of Robson Ranch Road (a variable wide right-of-way);

THENCE along the north line of said 248.078 acre tract of land, along the south line of said 2.896 acre tract of land and along the south line of Robson Ranch Road as follows:

South 89 degrees 51 minutes 16 seconds East, 7.14 feet to the POINT OF BEGINNING of the herein described tract of land;

South 89 degrees 51 minutes 16 seconds East, 794.20 feet to a one-half inch iron rod with cap stamp "JBI" set (hereinafter called "iron rod set") for corner;

THENCE South 00 degrees 08 minutes 44 seconds West, 475.16 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees 51 minutes 16 seconds East, 40.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 147.10 feet along a curve to the right which has a central angle of 18 degrees 51 minutes 18 seconds, a radius of 447.00 feet, a tangent of 74.22 feet, and whose chord bears South 80 degrees 25 minutes 37 seconds East, 146.44 feet to a one-half inch iron rod set for corner;

THENCE South 70 degrees 59 minutes 57 seconds East, 229.65 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 333.72 feet along a non-tangent curve to the left which has a central of 17 degrees 22 minutes 58 seconds, a radius of 1,100.00 feet, a tangent of 168.15 feet, and whose chord bears North 08 degrees 50 minutes 13 seconds East, 332.45 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes 44 seconds East, 219.74 feet to a one-half inch iron rod set for corner;

THENCE North 44 degrees 51 minutes 16 seconds West, 35.36 feet to a one-half inch iron rod set in the north line of said 248.078 acre tract of land, said point being in the south line of said 2.896 acre tract of land and said point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 150.00 feet along the north line of said 248.078 acre tract of land, along the south line of said 2.896 acre tract of land and along the south line of Robson Ranch Road to a one-half inch iron rod set for corner;

THENCE South 45 degrees 08 minutes 44 seconds West, 35.36 feet to a one-half inch iron rod set for corner;

THENCE South 00 degrees 08 minutes 44 seconds West, 219.74 feet to a one-half inch iron rod set for corner;

THENCE Southwesterly, 62.55 feet along a curve to the right which has a central of 02 degrees 59 minutes 11 seconds, a radius of 1,200.00 feet, a tangent of 31.28 feet, and whose chord bears South 01 degrees 38 minutes 20 seconds West, 62.54 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees 51 minutes 16 seconds East, 589.56 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes 44 seconds East, 307.26 feet to a one-half inch iron rod set in the north line of said 248.078 acre tract of land, said point being in the south line of said 2.896 acre tract of land and said

point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 2,202.62 feet along the south line of Robson Ranch Road to a five-eighths inch iron rod found in the north line of said 248.001 acre tract of land, said point being the southeast corner of a called 2.483 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2113, Deed Records of Denton County, Texas;

THENCE South 00 degrees 30 minutes 05 seconds East, 5.00 feet along the south line of Robson Ranch Road to a one-half inch iron rod set at the southwest corner of a called 1.001 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4653, Page 986, Deed Records of Denton County, Texas;

THENCE along the south line of said 1.001 acre tract of land and along the south line of Robson Ranch Road as follows:

South 89 degrees 51 minutes 16 seconds East, 176.60 feet to a one-half inch iron rod set for corner;
North 89 degrees 53 minutes 55 seconds East, 533.67 feet to a one-half inch iron rod found at the southeast corner of said 1.001 acre tract of land, said point being in the east line of said 248.078 acre tract of land and said point being in the west line of a called 283.564 acre tract of land described in a special warranty deed to D-F Denton Fund 2B, Ltd., as recorded in Volume 4481, Page 169, Deed Records of Denton County, Texas;

THENCE along the east line of said 248.001 acre tract of land and along the west line of said 283.564 acre tract of land as follows:

South 01 degrees 05 minutes 15 seconds East, 914.01 feet to a wood fence corner post found for corner;
South 89 degrees 18 minutes 24 seconds East, 259.65 feet to a steel fence corner post found for corner;

THENCE South 00 degrees 54 minutes 07 seconds West, 1,840.61 feet to a steel fence corner post found in the south line of said 248.001 acre tract of land, said point being in the north line of a called 782.359 acre tract of land described in a special warranty deed to Belmont 407, LLC, as recorded in Document No. 2011-124875, Official Public Records of Denton County, Texas;

THENCE along the north line of said 782.359 acre tract of land as follows:

North 89 degrees 56 minutes 26 seconds West, 916.17 feet to a wood fence corner post found for corner;
South 89 degrees 56 minutes 51 seconds West, 1,538.79 feet to a wood fence corner post found for corner;
North 89 degrees 42 minutes 46 seconds West, 2,865.34 feet to a one-half inch iron rod set for corner, from which a wood fence corner post found bears North 89 degrees 42 minutes 46 seconds West, 202.87 feet;

THENCE North 00 degrees 17 minutes 14 seconds East, 137.53 feet to a one-half inch iron rod set for corner;

THENCE North 11 degrees 00 minutes 00 seconds East, 412.09 feet to a one-half inch iron rod set for corner;

THENCE North 09 degrees 29 minutes 53 seconds East, 68.68 feet to a one-half inch iron rod set for corner;

THENCE North 04 degrees 16 minutes 44 seconds East, 68.69 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 00 minutes 02 seconds West, 77.88 feet to a one-half inch iron rod set for corner;

THENCE North 03 degrees 23 minutes 19 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 08 degrees 00 minutes 30 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 12 degrees 36 minutes 48 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

THENCE North 17 degrees 13 minutes 24 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

THENCE North 13 degrees 59 minutes 43 seconds East, 64.48 feet to a one-half inch iron rod set for corner;

THENCE North 03 degrees 00 minutes 37 seconds East, 100.14 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 139.93 feet along a non-tangent curve to the right which has a central of 15 degrees 07 minutes 37 seconds, a radius of 530.00 feet, a tangent of 70.37 feet, and whose chord bears North 63 degrees 32 minutes 54 seconds West, 139.52 feet to a one-half inch iron rod set for corner;

THENCE North 55 degrees 59 minutes 06 seconds West, 124.77 feet to a one-half inch iron rod set for corner;
THENCE North 34 degrees 00 minutes 54 seconds East, 139.13 feet to a one-half inch iron rod set for corner;
THENCE North 31 degrees 01 minutes 25 seconds East, 70.00 feet to a one-half inch iron rod set for corner;
THENCE North 20 degrees 24 minutes 43 seconds East, 64.40 feet to a one-half inch iron rod set for corner;
THENCE North 08 degrees 28 minutes 07 seconds East, 427.24 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 46 minutes 43 seconds East, 92.72 feet to a one-half inch iron rod set for corner;
THENCE North 20 degrees 35 minutes 26 seconds East, 82.79 feet to a one-half inch iron rod set for corner;
THENCE North 23 degrees 06 minutes 53 seconds East, 70.62 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 51 minutes 40 seconds East, 66.35 feet to a one-half inch iron rod set for corner;
THENCE North 02 degrees 36 minutes 57 seconds East, 67.74 feet to a one-half inch iron rod set for corner;
THENCE North 04 degrees 55 minutes 30 seconds West, 160.63 feet to a one-half inch iron rod set for corner;
THENCE North 00 degrees 08 minutes 44 seconds East, 218.47 feet to the POINT OF BEGINNING and containing 13,778,026 square feet or 316.300 acres of land.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

EXHIBIT "B"

DIRECTOR EXPERIENCE

Director 1

Name: Cody Johnson

Experience:

- Principal – Cody Johnson Studio, LLC

Director 2

Name: Audrey White

Experience:

- Landscape Designer – Cody Johnson Studio, LLC

Director 3

Name: John Harris

Experience:

- Real Estate Broker – Self-Employed

Director 4

Name: Matthew Papagolos

Experience:

- Project Manager and In-House Counsel – Papagolos Development, LLC

Director 5

Name: Nick Hayden

Experience:

- Real Estate Broker – Jones Lang LaSalle, IP, Inc.

EXHIBIT "C"
TOWN CONSENT RESOLUTION

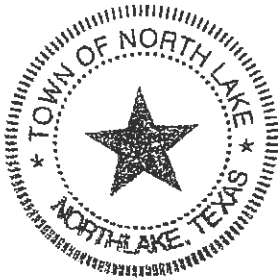


STATE OF TEXAS

COUNTY OF DENTON

I, Shirley Rogers, Town Secretary of the Town of Northlake, Texas, hereby certify that the attached and foregoing document is true and correct copy of Town of Northlake, Texas Resolution No. 18-23 approved by the Northlake Town Council on August 9, 2018 on file in my office.

(Town Seal)



Shirley Rogers
Shirley Rogers, Town Secretary
Custodian of Records

TOWN OF NORTHLAKE, TEXAS

RESOLUTION NO. 18-23

WHEREAS, D-F Pacific No. 2 Ltd., a Texas limited partnership, and Silverstone-Northlake, Ltd., a Texas limited partnership (collectively the "Petitioner"), wishes to create Northlake Municipal Management District No. 2 (the "District") to serve the approximately 316.3 acres of land, more or less, in Denton County, Texas as described in Exhibit "A" attached hereto and incorporated herein for all intents and purposes (the "Land"); and

WHEREAS, all of the land to be included within the District is located within the corporate boundaries of the Town of Northlake, Texas (the "Town"); and

WHEREAS, the Petitioner has submitted to the Mayor and Town Council of the Town, a Petition for Consent to Creation of Northlake Municipal Management District No. 2; and

WHEREAS, the general nature of the work to be done in the District is the construction, acquisition, maintenance and operation of a waterworks system, a sanitary sewer system, a storm water drainage system and roadway system; and

WHEREAS, the Town Council of the Town desires to adopt a Resolution for the purpose of consenting to the creation of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS:

Section 1. That the Town Council of the Town of Northlake hereby grants its consent to and the Mayor is instructed to execute such additional documents, if any, as required to evidence the Town's consent to the creation of a municipal management district, to be known as "Northlake Municipal Management District No. 2," on the property described on the attached metes and bounds description which is located within the Town's corporate boundaries.

Section 2. The Town's consent to the creation of Northlake Municipal Management District No. 2, as expressed in Section 1 hereinabove, is expressly conditioned upon: (i) the Petitioner applying for and receiving the appropriate zoning; and (ii) the Petitioner qualifying and submitting to the Texas Commission on Environmental Quality, to serve as a director of the District, a person nominated by the Town Council.

Section 3. That this resolution shall take effect immediately from and after its passage and is accordingly so resolved.

PASSED AND APPROVED ON THIS THE 9 DAY OF August, 2018



Town of Northlake, Texas


Peter Dewing, Mayor

Attest:

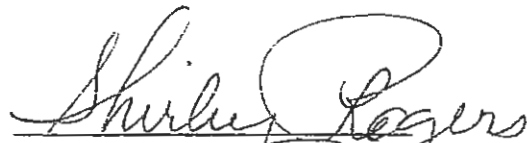

Shirley Rogers, Town Secretary

EXHIBIT "A"

BEING a parcel of land situated in the Town of Northlake, Denton County, Texas, a part of the Patrick Rock Survey, Abstract No. 1063, and being a part of that called 248.078 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007- 80851, Official Public Records of Denton County, Texas, and being a part of that called 248.001 acre tract of land described in a special warranty deed to D. F. Pacific No. 2., Ltd., and to Silverstone Northlake Ltd., as recorded in Document No. 2007-80855, Official Public Records of Denton County, Texas, and being further described as follows:

COMMENCING at a steel fence corner post Found in the north line of said 248.078 acre tract of land, said point being the southwest corner of a called 2.896 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2085, Deed Records of Denton County, Texas, and said point being in the south right-of-way line of Robson Ranch Road (a variable wide right-of-way);

THENCE along the north line of said 248.078-acre tract of land, along the south line of said 2.896-acre tract of land and along the south line of Robson Ranch Road as follows:

South 89degrees51 minutes 16 seconds East, 7.14 feet to the POINTOF BEGINNING of the herein described tract of land;

South 89 degrees51minutes 16 seconds East, 794.20 Feet to a one-half inch iron rod with cap stamp "JBI" set (hereinafter called "iron rod set") for corner;

THENCE South 00 degrees 08 minutes 44 seconds West, 475.16 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees 51 minutes 16 seconds East, 40.00 feet to a one-half inch iron rod set for corner;

THENCE Southeasterly, 147.10 feet along a curve to tile right which has a central angle of 18 degrees 51 minutes 18 seconds, a radius of 447.00 feet, a tangent of 74.22 feet, and whose chord bears South 80 degrees 25 minutes 37 seconds East, 146.44 feet to a one-half inch iron rod set for corner;

THENCE South 70 degrees 59 minutes57 seconds East, 229.65 feet to a one-half inch iron rod set for corner;

THENCE Northeasterly, 333.72 feet along a non-tangent curve to the left which has a central of 17 degrees 22 minutes 58 seconds, a radius of 1,100.00 feet, a tangent of 168.15 feet, and whose chord bears North 08 degrees 50 minutes 13 seconds East, 332.45 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes44 seconds East, 219.74 feet to a one-half Inch iron rod set for corner;

THENCE North 44 degrees 51minutes 16 seconds West, 35.36 feet to a one-half inch Iron rod set in the north line of said 248.078-acre tract of land, said point being in the south line of said 2.896-acre tract of land and said point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 150.00 feet along the north line of said 248.078-acre tract of land, along the south line of said 2.896-acre tract of land and along the south line of Robson Ranch Road to a one-half inch iron rod set for corner;

THENCE South 45 degrees 08minutes 44 seconds West, 35.36 feet to a one-half inch iron rod set for corner;

THENCE South 00 degrees 08 minutes44 seconds West, 219.74 feet to a one-half inch iron rod set for corner;

THENCE Southwesterly, 62.55 feet along a curve to the right which has a central of 02 degrees 59 minutes 11 seconds, a radius of 1,200.00 feet, a tangent of 31.28 feet, and whose chord bears South 01 degrees 38 minutes 20 seconds West, 62.54 feet to a one-half inch iron rod set for corner;

THENCE South 89 degrees51minutes 16 seconds East, 589.56 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 08 minutes 44 seconds East,307.26 feet to a one-half Inch Iron rod set in the north line of said 248.078-acre tract of land, said point being in the south line of said 2.896-acre tract of land and said point being in the south line of Robson Ranch Road;

THENCE South 89 degrees 51 minutes 16 seconds East, 2,202.62 Feet along the south line of Robson Ranch Road to a five-eighths inch iron rod found in the north line of said 248.00 1-acre tract of land, said point being the southeast corner of a called 2.483 acre tract of land described in a special warranty deed to Denton County, Texas, as recorded in Volume 4591, Page 2113, Deed Records of Denton County, Texas;

THENCE South 00 degrees 30 minutes 05 seconds East, 5.00 feet along the south line of Robson Ranch Road to one-half inch iron rod set at the southwest corner of a called 1.001-acre tract of land described in a special warranty deed to Denton County, Texas, as recorded In Volume 4653, Page 986, Deed Records of Denton County, Texas;

THENCE along the south line of said 1.001-acre tract of land and along the south line of Robson Ranch Road as follows:

South 89 degrees 51 minutes 16 seconds East 176.60 feet to a one-half Inch iron rod set for corner;

North 89 degrees 53 minutes 55 seconds East, 533.67 feet to a one-half inch iron rod found at the southeast corner of said 1.001 acre tract of land, said point being In the east line of said 248.078 acre tract of land and said point being in the west line of a called 283 564 acre tract of land described in a special warranty deed to D-F Denton Fund 28, Ltd., as recorded In Volume 4481, Page 169, Deed Records of Denton County, Texas;

THENCE along the east line of said 248.001-acre tract of land and along the west line of said 283.564-acre tract of land as follows:

South 01 degrees 05 minutes 15 seconds East, 914.01 feet to a wood fence corner post found for corner;

South 89 degrees 18 minutes 24 seconds East, 259.65 feet to a steel fence corner post found for corner;

THENCE South 00 degrees 54 minutes 07 seconds West, 1,840.61 feet to a steel fence corner post found in the south line of said 248.001-acre tract of land, said point being in the north line of a called 782.359-acre tract of land described In a special warranty deed to Belmont 407, LLC, as recorded in Document No. 2011- H 4875, Official Public Records of Denton County, Texas;

THENCE along the north line of said 782.359-acre tract of land as follows:

North 89 degrees 56 minutes 26 seconds West, 916 .17 feet to a wood fence corner post found for corner;

South 89 degrees 56 minutes 51 seconds West, 1,538.79 feet to a wood fence corner post found for corner;

North 89 degrees 42 minutes 46 seconds West, 2,865.34 feet to a one-half inch iron rod set for corner, from which a wood fence corner post found bears North 89 degrees 42 minutes 16 seconds West 202.87 feet;

THENCE North 00 degrees 17 minutes 14 seconds East, 137.53 feet to a one-half inch iron rod set for corner;

THENCE North 11 degrees 00 minutes 00 seconds East, 412.09 feet to a one-half inch iron rod set for corner;

THENCE North 09 degrees 29 minutes 53 seconds East 68.68 feet to a one-half inch iron rod set for corner;

THENCE North 04 degrees 16 minutes 44 seconds East, 68.69 feet to a one-half inch iron rod set for corner;

THENCE North 00 degrees 00 minutes 02 seconds West, 77.88 feet to a one-half Inch iron rod set for corner;

THENCE North 03 degrees 23 minutes 19 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 08 degrees 00 minutes 30 seconds East, 78.03 feet to a one-half inch iron rod set for corner;

THENCE North 12 degrees 36 minutes 48 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

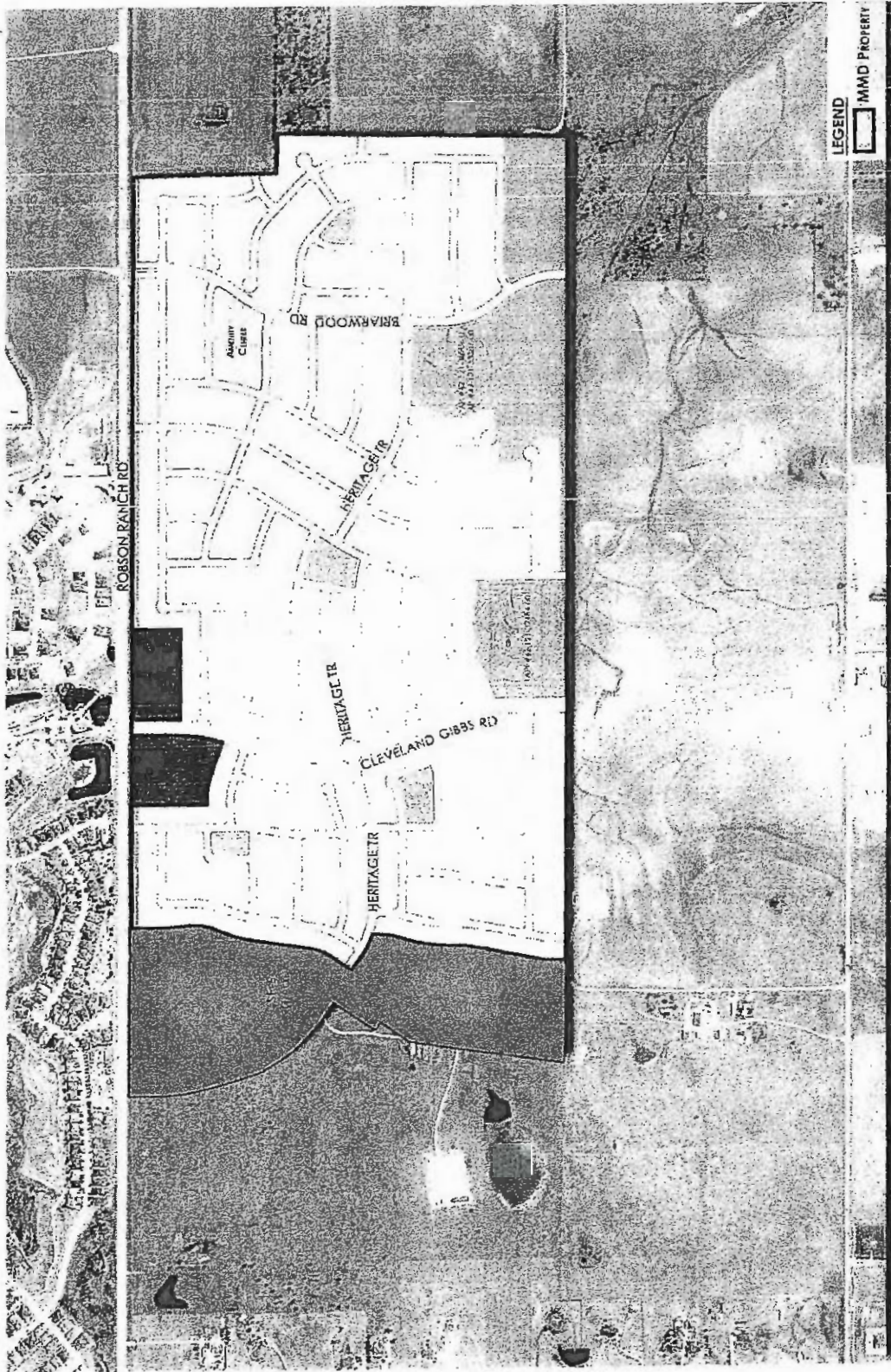
THENCE North 17 degrees 13 minutes 24 seconds East, 78.02 feet to a one-half inch iron rod set for corner;

THENCE North 13 degrees 59 minutes 43 seconds East, 64.48 feet to a one-half inch iron rod set for corner;

THENCE North 03 degrees 00 minutes 37 seconds East, 100.14 feet to a one-half inch iron rod set for corner;

THENCE Northwesterly, 139 .93 feet along a non-tangent curve to the right which has a central of 15 degrees 07 minutes 37 seconds, a radius of 530.00 feet, a tangent of 70.37 feet, and whose chord bears North 63 degrees 32 minutes 51 seconds West, 139.52 feet to a one-half inch iron rod set for corner;

THENCE North 55 degrees 59 minutes 06 seconds West, 124.77 feet to a one-half inch iron rod set for corner;
THENCE North 34 degrees 00 minutes 54 seconds East, 139.13 feet to a one-half inch iron rod set for corner;
THENCE North 31 degrees 01 minutes 25 seconds East, 70.00 feet to a one-half inch iron rod set for corner;
THENCE North 20 degrees 24 minutes 43 seconds East, 64.40 feet to a one-half inch iron rod set for corner;
THENCE North 08 degrees 28 minutes 07 seconds East, 427.24 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 46 minutes 43 seconds East 92.72 feet to a one-half Inch iron rod set for corner;
THENCE North 20 degrees 35 minutes 26 seconds East, 82.79 feet to a one-half inch iron rod set for corner;
THENCE North 23 degrees 06 minutes 53 seconds East, 70.62 feet to a one-half inch iron rod set for corner;
THENCE North 12 degrees 51 minutes 40 seconds East, 66.35 feet to a one-half inch iron rod set for corner;
THENCE North 02 degrees 36 minutes 57 seconds East, 67.74 feet to a one-half inch iron rod set for corner;
THENCE North 04 degrees 55 minutes 30 seconds West, 160.63 feet to a one-half inch iron rod set for corner;
THENCE North 00 degrees 08 minutes 44 seconds East, 218.47 feet to the POINT OF BEGINNING and containing
13,778,026 square feet or 316.300 acres of land.



MMD PROPERTY
NORTHLAKE, TEXA

THE RIDGE AT NORTHLAKE

Certificate and Notice of Hearing

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**CERTIFICATE SETTING HEARING PETITION FOR CREATION OF
NORTHLAKE MUNICIPAL MANAGEMENT DISTRICT NO. 2 OF DENTON
COUNTY**

I, Bridget C. Bohac, Chief Clerk of the Texas Commission on Environmental Quality, do hereby establish the following date, time, and place for the public hearing on the Petition for Creation of Northlake Municipal Management District No. 2 of Denton County. **TCEQ Docket No. 2019-0175-DIS** has been assigned to this matter.

DATE: **Wednesday, May 8, 2019**

TIME: **9:30 a.m.**

PLACE: **Building E, Room 201S
12100 Park 35 Circle, Austin, Texas**

Applicant's Attorney: Melisa Montague
Coats Rose, PC
14755 Preston Road, Suite 600
Dallas, Texas 75254

TCEQ Senior Attorney: Kayla Murray

TCEQ Technical Staff: Pirainder Lall

A copy of the Notice of Hearing was mailed to each party on the attached Mailing List on March 22, 2019. All cities which have extraterritorial jurisdiction in the county or counties in which the proposed district is located and which have formally requested notice have been included in the attached Service List.

Signed this the 22nd day of March, 2019.

Bridget C. Bohac
Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT HEARING TCEQ Docket No. 2019-0175-DIS

PETITION. TMRY Ridge Limited Partnership filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Northlake Municipal Management District No. 2 of Denton County (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

**9:30 a.m., Wednesday, May 8, 2019
Building E, Room 201S
12100 Park 35 Circle
Austin, Texas**

The proposed District will contain approximately 316.30 acres of land within the corporate limits of the Town of Northlake, Denton County, Texas. The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

HEARING. As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2)(A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition.

At the hearing, pursuant to the Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; and Chapter 293 of Title 30 of the Texas Administrative Code, the TCEQ will determine if creating Northlake Municipal Management District No. 2 of Denton County would be a benefit to the land and property included in the District, or, if there is any opposition to the proposed creation, the Commission may refer the application to the State Office of Administrative Hearings for a contested case hearing on the application.

INFORMATION. For information regarding the date and time this application will be heard before the Commission, please submit written inquiries to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087, or by phone at (512) 239-3300. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Creation Review Team at (512) 239-4691. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

Si desea información en Español, puede llamar al (512) 239-0200.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ External Relations Division at (800) 687-4040 or (800) RELAY-TX (TDD), at least one week prior to the hearing.

Issued: March 22, 2019

EXHIBIT "A"

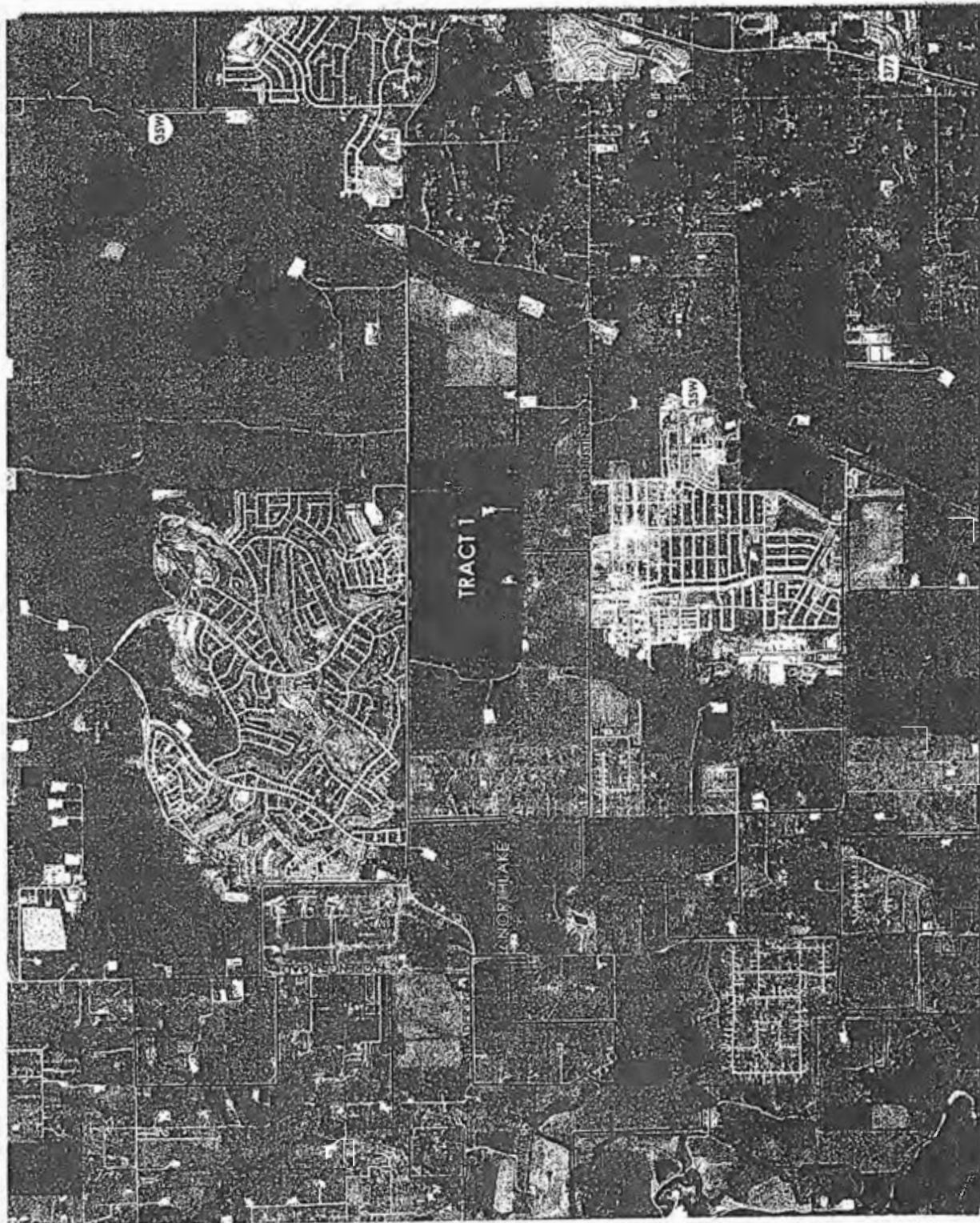


EXHIBIT 1
DISTRICT LOCATION MAP **JB**
NORTH LAKE, TEXAS

NORTH LAKE MMD NO. 2
TRACT 1



Affidavit of Publication and Original Tear Sheets

TCEQ - Office of the Chief Clerk
MC-105 Attention: Agenda Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: Northlake MMD No. 2 of Denton County
TCEQ Tracking No. 2019-0175-DIS CID Item No. 114377
Application Type: CREATION

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2019 APR -4 PM 2:47
CHIEF CLERKS OFFICE

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: Denton §

Before me, the undersigned authority, on this day personally appeared
Chris Baumfield, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Business Manager
(title of newspaper representative)

of the Denton Record-Chronicle; that said newspaper is
(name of newspaper)

regularly published or circulated in Denton County/Countries,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

March 26, 2019 & April 2, 2019
(date or dates of publication)

[Signature]
Newspaper Representative's Signature

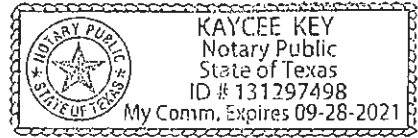
Subscribed and sworn to before me this the 2nd day of April,
20 19, to certify which witness my hand and seal of office.

Kaycee Key
Notary Public in and for the State of Texas

Kaycee Key
Print or type Name of Notary Public

My Commission Expires 09-28-2021

(Seal)



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT HEARING TCEQ Docket No. 2019-0175-DIS

PETITION. TMRY Ridge Limited Partnership filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the creation of Northlake Municipal Management District No. 2 of Denton County (District). The TCEQ will conduct this hearing under the authority of Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

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Austin, Texas**

The proposed District will contain approximately 316.30 acres of land within the corporate limits of the Town of Northlake, Denton County, Texas. The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The Petition states that the creation of the proposed District would be a benefit to the land within its boundary.

HEARING. As required by the Texas Local Government Code §§ 375.023 and 375.024 and Title 30 of the Texas Administrative Code § 293.12(g)(2) (A), the above hearing regarding this application will be held no earlier than 31 days after notice of this hearing is published in a newspaper with general circulation in the county or counties in which the District is located. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the petition.

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Issued: March 22, 2019

EXHIBIT "A"

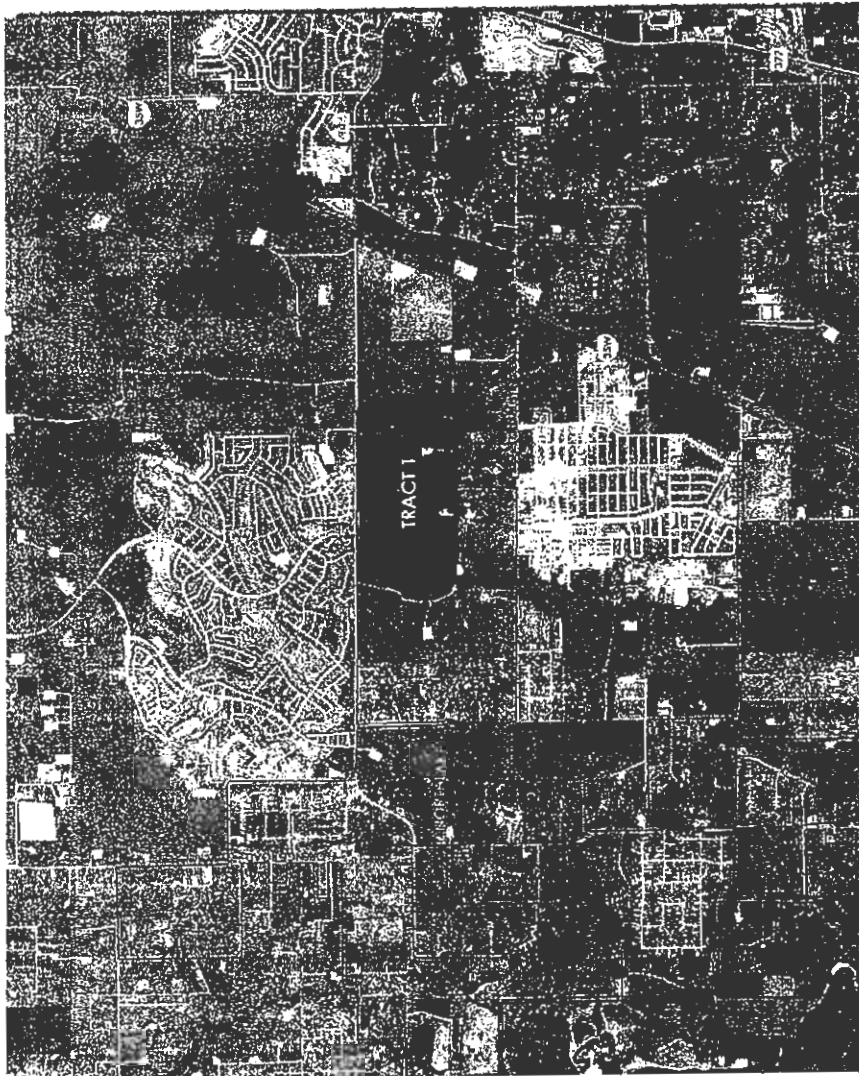


EXHIBIT 1
DISTRICT LOCATION MAP
NORTHPLATE, TEXAS

NORTHLAKE MMD NO. 2
TRACT 1



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT HEARING TCEQ Docket No. 2019-0175-DIS

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Issued: March 22, 2019

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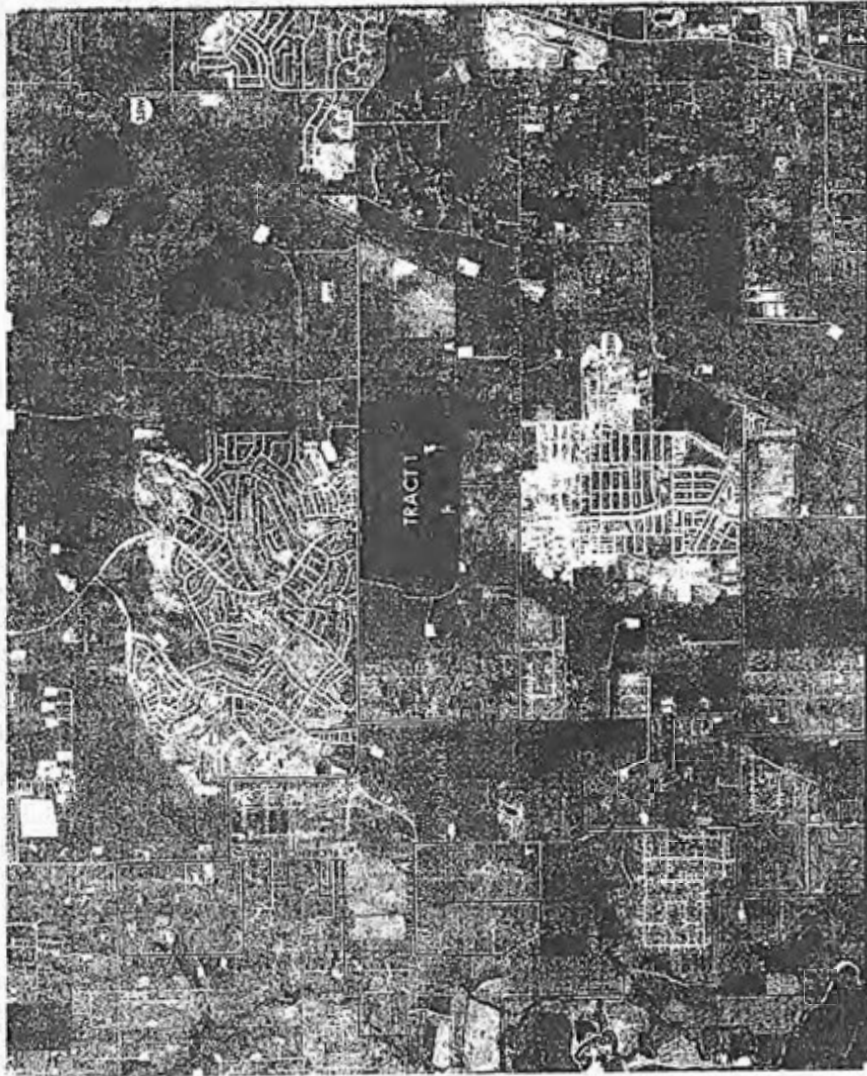


EXHIBIT 1
DISTRICT LOCATION MAP
NORTH LAKE, TEXAS

NORTHLAKE MMD NO. 2
TRACT 1



Mailing List

MAILING LIST

Docket No. 2019-0175-DIS

Northlake Municipal Management District No. 2 of Denton County
TCEQ Internal Control No. D-10302018-060

Ms. Melisa Montague
Coats Rose, PC
14755 Preston Road, Suite 600
Dallas, Texas 75254-6925

Mr. Daniel Dewey, P.E.
JBI Partners Inc.
2121 Midway Drive, Suite 300
Carrollton, Texas 75006-5039

Mr. Tony Walker
TCEQ Region 4
2309 Gravel Drive
Fort Worth, Texas 76118-6951

The Honorable Tan Parker
State Representative District No. 63
P.O. Box 12068
Capitol Station
Austin, Texas 78711-2068

The Honorable Jane Nelson
Senate District No. 12
P.O. Box 12068
Austin, Texas 78711-2068

Denton County
The Honorable Juli Luke, County Clerk
1450 East McKinney
Denton, Texas 76209-4525

Town of Northlake
Attn: Shirley Rogers, Town Secretary
1400 FM 407
Northlake, Texas 76247-6228

North Central Texas Council of Governments
600 Six Flags Drive, Centerpoint Three
Arlington, TX 76011-6346

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Todd Galiga, Senior Attorney, Environmental
Law Division, MC-173

Kayla Murray, Attorney, Environmental Law
Division, MC-173

Pirainder Lall, Technical Manager, Districts
Creation Review Team, MC-152

Randy Waclawczyk, P.G., Leader, Districts
Creation Review Team, MC-152

Kent Steelman, Districts Section, Water Supply
Division, MC-153

Vic McWherter, Office of the Public Interest
Counsel, MC-103

Caption

Docket No. 2019-0175-DIS. Consideration and hearing on a petition from TMRV Ridge LP, for creation of Northlake Municipal Management District No. 2 of Denton County ("District"), pursuant to Chapter 375, Texas Local Government Code. The proposed District is comprised of approximately 316.3 acres of land within the corporate limits of the Town of Northlake, Denton County, Texas. (Kayla Murray, Pirainder Lall)