

**CITY OF VENUS, TEXAS**

**ORDINANCE NO. 760-2022-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS APPROVING THE 2022 ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN, INCLUDING THE ASSESSMENT ROLL, FOR BLUESTEM HILLS PUBLIC IMPROVEMENT DISTRICT NO. 1 IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, on January 14, 2019, the City Council passed and approved Resolution No. 01-2019-01, which was amended by Resolution No. 05-2019-02 passed and approved by the City Council on February 11, 2019, which authorized and approved the creation and establishment of the Bluestem Hills Public Improvement District No. 1 (the "District"); and

**WHEREAS**, on March 25, 2019, after notice and a public hearing in the manner required by law, the City Council passed Ordinance No. 672-2019-03 approving the Bluestem Hills Public Improvement District No. 1 Service and Assessment Plan; and

**WHEREAS**, August 9, 2021, the City Council passed Ordinance No. 733-2021-08 approving the "Bluestem Hills Public Improvement District No. 1 Amended and Restated Service and Assessment Plan," including the Assessment Roll attached to the Service and Assessment Plan (the "Assessment Roll"), (the "Service and Assessment Plan") and levied the Assessments on property within District in accordance with the Assessment Roll for the purposes of financing the public improvements (the "Authorized Improvements") undertaken for the benefit of such property; and

**WHEREAS**, Chapter 372, Texas Local Government Code (as amended, the "PID Act") requires the Service and Assessment Plan to be reviewed and updated annually for the purposes of determining the annual budget for the Authorized Improvements; and

**WHEREAS**, the City Council has received the "Bluestem Hills Public Improvement District No. 1 2022 Annual Service Plan Update" (the "Annual Service Plan Update") which includes the updated Assessment Roll and now desires to proceed with the adoption of this Ordinance which approves and adopts the Annual Service Plan Update and updated Assessment Roll for District as required by the PID Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS:**

**Section 1. Terms.** Terms not otherwise defined herein are defined in the Service and Assessment Plan.

**Section 2. Findings.** That the recitals and findings in the Recitals of this Ordinance are hereby found and determined to be true and correct and constitute the legislative findings and determinations of the City Council.

**Section 3. Assessment Plan.** The Annual Service Plan Update, including the updated Assessment Roll contained therein, in the form attached as **Exhibit A** is hereby approved and the same is incorporated as part of this Ordinance as if fully set forth in the body of this Ordinance.

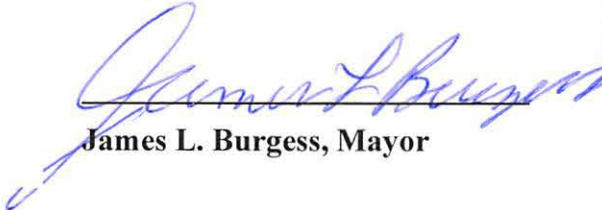
**Section 4. Severability.** If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the governing body of the City in adopting this Ordinance that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

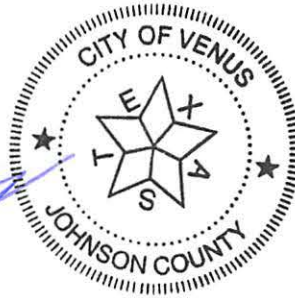
**Section 5. Filing in Land Records.** The City Secretary is directed to cause a copy of this Ordinance, including the 2022 Annual Service Plan Update, to be recorded in the real property records of Ellis County, Texas, on or before August 5, 2022. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City Council, with each such filing to occur within seven days of the date each respective Annual Service Plan Update is approved.

**Section 6. Effective Date.** This Ordinance shall take effect immediately from and after its passage in accordance with applicable law.

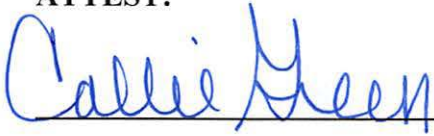
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VENUS,  
TEXAS, THIS 13 DAY OF JUNE, 2022.

APPROVED:

  
James L. Burgess, Mayor



ATTEST:

  
Callie Green, City Secretary

**Exhibit A**

**2022 Annual Service Plan Update**

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BLUESTEM HILLS  
PUBLIC IMPROVEMENT DISTRICT NO. 1  
2022 ANNUAL SERVICE PLAN UPDATE

## **INTRODUCTION**

Capitalized terms used in this Annual Service Plan Update shall have the meanings set forth in the Bluestem Hills Public Improvement District No. 1 2021 Amended and Restated Service and Assessment Plan dated August 9, 2021 (the “2021 SAP”).

The District was created pursuant to the Act by Resolution No. 01-2019-01 on January 14, 2019 by the City Council to finance certain Authorized Improvements for the benefit of the property in the District.

On February 11, 2019, the City Council passed and approved Resolution No. 05-2019-02 serving to amend the Resolution No. 01-2019-01, in its entirety for its purposes of updating the Authorized Improvements as set forth in the aforementioned resolution.

On March 25, 2019, the City Council approved the 2019 Service and Assessment Plan for the District by adopting Ordinance No. 672-2019-03, which approved the levy of Assessments on Assessed Property within the District and approved the Assessment Roll.

On July 13, 2020, the City Council approved the 2020 Annual Service Plan Update for the District by approving Resolution No. 16-2020-07, which updated the Assessment Roll for 2020.

On August 9, 2021, the City Council approved the 2021 Amended and Restated Service and Assessment Plan for the District by adopting Ordinance No. 733-2021-08, which served to amend and restate the 2019 Service and Assessment Plan, including all previously approved Annual Service Plan Updates (including the 2020 Annual Service Plan Update), in its entirety for the purposes of (1) amending and restating the 2019 Service and Assessment Plan, and (2) updating the Assessment Roll.

The 2021 SAP identified the Authorized Improvements to be constructed, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in the District for the costs of the Authorized Improvements. Pursuant to the Act, the SAP must be reviewed and updated annually. This document is the 2022 Annual Service Plan Update. This Annual Service Plan Update also updates the Assessment Roll for 2022.

## PARCEL SUBDIVISION

- The final plat of Bluestem Hills was filed and recorded within the Official Records of Ellis County on November 7, 2017 and consists of 50 residential Lots classified as Lot Type 1 Acre Minimum.

## LOT AND HOME SALES

All homes in the District have been sold to End-Users.

See **Exhibit B** for Homebuyer Disclosures.

## AUTHORIZED IMPROVEMENTS

The developer has completed the Authorized Improvements listed in the 2021 SAP and they were dedicated to the City in November 2021.

## OUTSTANDING ASSESSMENT

The District has an outstanding Assessment of \$593,403.10.

## ANNUAL INSTALLMENT DUE 1/31/2023

- **Principal and Interest** – The total principal and interest required for the Annual Installment is \$47,235.00.
- **Administrative Expenses** – The cost of administering the PID and collecting the Annual Installments shall be paid for on a pro rata basis by each Parcel based on the amount of outstanding Special Assessment remaining on the Parcel. The total Administrative Expenses budgeted for the Annual Installment is \$5,500.00.

Due January 31, 2023	
Bluestem Hills PID	
Principal	\$ 8,604.46
Interest	38,630.54
Administrative Expenses	5,500.00
<b>Total Annual Installment</b>	<b>\$ 52,735.00</b>

## PREPAYMENT OF ASSESSMENTS IN FULL

The following is a list of all Parcels or Lots that made a Prepayment in full.

Bluestem Hills PID				
Property ID	Address	Lot Type	Prepayment Date	Recorded Lien Release Number
270865	150 CLIFF RIDGE LN	1 Acre Minimum	7/13/2021	Pending
270857	340 CLIFF RIDGE LN	1 Acre Minimum	1/5/2022	Pending
270849	141 HIGHGATE DR	1 Acre Minimum	5/27/2022	Pending

## PARTIAL PREPAYMENT OF ASSESSMENTS

No partial prepayments of Assessments have occurred within the District.

## SERVICE PLAN – FIVE YEAR BUDGET FORECAST

The Act requires the annual indebtedness and projected costs for the improvements to be reviewed and updated in the Annual Service Plan Update, and the projection shall cover a period of not less than five years.

		Bluestem Hills PID				
Annual Installment Due		1/31/2023	1/31/2024	1/31/2025	1/31/2026	1/31/2027
Principal		\$ 8,604.46	\$ 9,164.61	\$ 9,761.22	\$ 10,396.68	\$ 11,073.50
Interest		38,630.54	38,070.39	37,473.78	36,838.32	36,161.50
	(1)	\$ 47,235.00	\$ 47,235.00	\$ 47,235.00	\$ 47,235.00	\$ 47,235.00
Administrative Expenses	(2)	\$ 5,500.00	\$ 5,610.00	\$ 5,722.20	\$ 5,836.64	\$ 5,953.38
Total Annual Installment	(3) = (1) + (2)	\$ 52,735.00	\$ 52,845.00	\$ 52,957.20	\$ 53,071.64	\$ 53,188.38

## ASSESSMENT ROLL

The list of current Parcels or Lots within the PID, the corresponding total assessments, and current Annual Installment are shown on the Assessment Roll attached hereto as **Exhibit A**. The Parcels or Lots shown on the Assessment Roll will receive the bills for the 2022 Annual Installments which will be delinquent if not paid by January 31, 2023.



## EXHIBIT A – ASSESSMENT ROLL

Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/2023 <sup>[a]</sup>
270847	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270848	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270849	1 Acre Minimum	[b]	\$ -	\$ -
270850	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270851	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270852	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270853	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270854	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270855	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270856	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270857	1 Acre Minimum	[b]	\$ -	\$ -
270858	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270859	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270860	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270861	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270862	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270863	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270864	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270865	1 Acre Minimum	[b]	\$ -	\$ -
270866	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270867	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270868	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270869	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270870	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270871	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270872	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270873	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270874	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270875	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270876	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270877	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270878	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270879	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270880	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270881	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270882	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270883	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270884	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270885	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270886	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02

Property ID	Lot Type	Notes	Outstanding Assessment <sup>[a]</sup>	Installment Due 1/31/2023 <sup>[a]</sup>
270887	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270888	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270889	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270890	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270891	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270892	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270893	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270894	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270895	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
270896	1 Acre Minimum		\$ 12,625.60	\$ 1,122.02
<b>Total</b>			<b>\$ 593,403.10</b>	<b>\$ 52,735.00</b>

Notes:

[a] Totals may not match the outstanding Assessment or Annual Installment due to rounding.

[b] Property ID prepaid their Assessment in full.

## **EXHIBIT B – HOMEBUYER DISCLOSURES**

Homebuyer Disclosures for the following Lot Types are found in this Exhibit:

- Lot Type 1 Acre Minimum

<p style="text-align: center;"><b>BLUESTEM HILLS PUBLIC IMPROVEMENT DISTRICT NO. 1</b> <b>LOT TYPE 1 ACRE MINIMUM – BUYER DISCLOSURE</b></p>
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NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

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

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

This notice requirement does not apply to a transfer:

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

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

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

AFTER RECORDING<sup>1</sup> RETURN TO:

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

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STREET ADDRESS

**LOT TYPE 1 ACRE MINIMUM PRINCIPAL ASSESSMENT: \$12,625.60**

As the purchaser of the real property described above, you are obligated to pay assessments to City of Venus, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Bluestem Hills Public Improvement District No. 1* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

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

The exact amount of the assessment may be obtained from City of Venus. The exact amount of each annual installment will be approved each year by the Venus City Council in the annual service plan update for the District. More information about the assessments, including the amounts and due dates, may be obtained from City of Venus.

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

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

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

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

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

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER]<sup>2</sup>

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

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

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF PURCHASER

\_\_\_\_\_  
SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

§

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

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>3</sup>

\_\_\_\_\_  
<sup>3</sup> To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Ellis County.

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

DATE:

DATE:

\_\_\_\_\_  
SIGNATURE OF SELLER

\_\_\_\_\_  
SIGNATURE OF SELLER

STATE OF TEXAS

§

§

COUNTY OF \_\_\_\_\_

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

Given under my hand and seal of office on this \_\_\_\_\_, 20\_\_.

Notary Public, State of Texas]<sup>4</sup>

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



## ANNUAL INSTALLMENTS - LOT TYPE 1 ACRE MINIMUM

Annual Installment Due January 31,	Principal	Interest	Administrative Expenses	Annual Installment
2023	\$ 183.07	\$ 821.93	\$ 117.02	\$ 1,122.02
2024	\$ 194.99	\$ 810.01	\$ 119.36	\$ 1,124.36
2025	\$ 207.69	\$ 797.31	\$ 121.75	\$ 1,126.75
2026	\$ 221.21	\$ 783.79	\$ 124.18	\$ 1,129.18
2027	\$ 235.61	\$ 769.39	\$ 126.67	\$ 1,131.67
2028	\$ 250.94	\$ 754.06	\$ 129.20	\$ 1,134.20
2029	\$ 267.28	\$ 737.72	\$ 131.78	\$ 1,136.78
2030	\$ 284.68	\$ 720.32	\$ 134.42	\$ 1,139.42
2031	\$ 303.21	\$ 701.79	\$ 137.11	\$ 1,142.11
2032	\$ 322.95	\$ 682.05	\$ 139.85	\$ 1,144.85
2033	\$ 343.98	\$ 661.02	\$ 142.65	\$ 1,147.65
2034	\$ 366.37	\$ 638.63	\$ 145.50	\$ 1,150.50
2035	\$ 390.22	\$ 614.78	\$ 148.41	\$ 1,153.41
2036	\$ 415.62	\$ 589.38	\$ 151.38	\$ 1,156.38
2037	\$ 442.68	\$ 562.32	\$ 154.41	\$ 1,159.41
2038	\$ 471.50	\$ 533.50	\$ 157.50	\$ 1,162.50
2039	\$ 502.19	\$ 502.81	\$ 160.65	\$ 1,165.65
2040	\$ 534.89	\$ 470.11	\$ 163.86	\$ 1,168.86
2041	\$ 569.71	\$ 435.29	\$ 167.14	\$ 1,172.14
2042	\$ 606.80	\$ 398.20	\$ 170.48	\$ 1,175.48
2043	\$ 646.30	\$ 358.70	\$ 173.89	\$ 1,178.89
2044	\$ 688.37	\$ 316.63	\$ 177.37	\$ 1,182.37
2045	\$ 733.19	\$ 271.81	\$ 180.91	\$ 1,185.91
2046	\$ 780.92	\$ 224.08	\$ 184.53	\$ 1,189.53
2047	\$ 831.75	\$ 173.25	\$ 188.22	\$ 1,193.22
2048	\$ 885.90	\$ 119.10	\$ 191.99	\$ 1,196.99
2049	\$ 943.57	\$ 61.43	\$ 195.83	\$ 1,200.83
<b>Totals</b>	<b>\$ 12,625.60</b>	<b>\$ 14,509.40</b>	<b>\$ 4,136.04</b>	<b>\$ 31,271.04</b>

**Notes:**

Administrative Expenses are preliminary and subject to change in future Annual Service Plan Updates.

## EXHIBIT C – PARCEL/LOT TYPE MAP<sup>1</sup>



<sup>1</sup> All lots are receiving equal benefit; therefore, there is only one Lot Type.