

RESOLUTION

2022-10-20-0043R

GRANTING THE CITY OF SAN ANTONIO'S CONSENT TO THE CREATION BY BEXAR COUNTY OF A PUBLIC IMPROVEMENT DISTRICT, TO BE NAMED THE NORTHLAKE SPECIAL IMPROVEMENT DISTRICT, GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF BURSHARD ROAD AND GARDNER ROAD IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND ESTABLISHING CONDITIONS WITH RESPECT THERETO.

* * * * *

WHEREAS, Northlake SA, LLC. ("Owner") owns approximately 447.92 acres of land generally located southwest of the intersection of Burshard Road and Gardner Road within the City of San Antonio's ETJ (the "Property"), more particularly described and depicted in **Exhibit "1"** to **Attachment "A"** attached hereto and incorporated herein for all purposes; and

WHEREAS, on March 30, 2022, Owner filed a petition with Bexar County ("County") requesting that the County create a Public Improvement District ("PID" or "District"), which would include the Northlake Property, and that the County delegate to the PID the powers granted by Section 52, Article III of the Texas Constitution; the powers and duties of a road district; and the power to provide water, wastewater, and drainage facilities in accordance with Section 382.101 of the Local Government Code; and

WHEREAS, in order for the County to delegate to a District the powers requested by the Owner in its petition to the County, the City must provide its written consent by resolution in accordance with Sections 42.042 and 382.101 of the Texas Local Government Code; and

WHEREAS, on May 2, 2022, the Owners submitted a petition to the City requesting the City's consent to the creation of the PID and the delegation of the powers to the District as set forth therein and thereafter, Owner submitted a revised petition to the City on July 11, 2022, attached as **Attachment "A"**; and

WHEREAS, the City of San Antonio ("City") recognizes that the construction of road, water, waste water, drainage, and other infrastructure to serve the planned residential and commercial development within the District has the potential to impact the City's existing and future public infrastructure serving other properties within the City's ETJ in the future; therefore, the City has an interest in ensuring that the proposed PID does not unduly burden the City's infrastructure as well as that which will be constructed and may be expanded into the City's ETJ pursuant to the City's current and future long-term capital improvement planning; and

WHEREAS the Owner's plan to construct public improvements and infrastructure as depicted in the PID Summary and Master Development Plan (MDP) depicted in **Exhibit "2"** to **Attachment "A"**; and

WHEREAS, the City of San Antonio Planning Commission held a public hearing on September 14, 2022, and recommended that the City Council consent to the creation of the PID by the County subject to the execution of a development agreement with Owner providing terms and conditions designed to protect the City's interests as specified herein; and

WHEREAS, in order to protect the City's planning goals in the ETJ, the City Council finds that it is prudent to condition the City's agreement to consent to the creation of the PID on the Owner's execution of a Development Agreement ("Agreement") containing mutually agreeable terms relating to the development of the District property, assessment of taxes within the District, voluntary annexation at the end of the term of the Agreement; municipal services to be provided by the City within the District in the event of annexation; and a Strategic Partnership Agreement ("SPA") for limited purpose annexation and revenue sharing by City of sales and use taxes imposed within commercial areas of the District; and

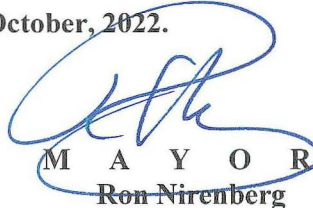
WHEREAS, as additional consideration for the City's consent provided in this Resolution, Owner has agreed to remit payment to the City a Special District application fee in the amount of \$7,500.00; a Special District Operations Assessment Fee in the amount of \$175.00 per residential lot and/or multifamily unit constructed, which in the Owner's estimation amounts to approximately three hundred sixty-one thousand, seven hundred twenty-five and No/100 (\$361,725) U.S. dollars, and which shall be paid annually based on the number of units built within the PID reflected in an annual report provided by the Owner and as verified by staff; and to reimburse the City for all costs paid the City pays for recording the development agreement in the County property records, as more fully set forth in the development agreement to be executed by the parties; **NOW, THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council of San Antonio hereby consents (1) to the creation by Bexar County ("County") of the Northlake Special Improvement District ("PID") as described and depicted in **Exhibit "1"** enclosed in **Attachment "A"**, as well as to the construction of certain public infrastructure as further described and depicted in **Exhibit "2"** enclosed in **Attachment "A"**; and (2) to the County's delegation to the PID the powers granted by Section 52, Article III of the Texas Constitution; the power and duties of a road district and the power to provide water, wastewater, and drainage facilities in accordance with Section 382.101 of the Local Government Code; but the City's consent does not include the powers to exercise eminent domain, annexation, expansion, division, and exclusion of property from the PID.

SECTION 2. The City Council of the City of San Antonio resolves that its consent to the County's creation of the Northlake PID shall remain in effect so long as the Owner and Developer agree to and execute the above-described Development Agreement.

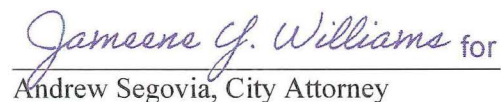
PASSED AND APPROVED on this 20th day of October, 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:

 for
Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting October 20, 2022

43.

2022-10-20-0043R

Resolution granting the City's consent to the creation by Bexar County of a proposed Public Improvement District (PID), to be named the Northlake Special Improvement District, generally located southwest of the intersection of Burshard Road and Gardner Road in the extraterritorial jurisdiction of the City of San Antonio. [Roderick Sanchez, Assistant City Manager; Bridgett White, Director, Planning]

Councilmember Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

JW/ml
10/20/2022
Item No. 43

ATTACHMENT "A"

Exhibit 1 – Petition to the City of San Antonio
Exhibit 2 – Property Description
Exhibit 3 – PID Summary and Timeline
Exhibit 4 – Financial Projections

KENNETH W. BROWN, AICP
DANIEL ORTIZ
JAMES MCKNIGHT

BROWN & ORTIZ, P.C.
ATTORNEYS AT LAW

CAROLINE McDONALD
KEVIN DEANDA
MATTHEW T. GILBERT

112 E. PECAN STREET
SUITE 1360
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

PAUL M. JUAREZ
OF COUNSEL

 **COPY**

July 11, 2022

VIA HAND DELIVERY

Honorable Debbie Racca-Sittre
City Clerk
City of San Antonio
100 Military Plaza, 1st Floor
San Antonio, Texas 78205

COSA - CITY CLERK
2022 JUL 11 PM 02:27:33

RE: Petition for Consent to the Creation of the Northlake Special Improvement District, in accordance with Chapter 382 of the Texas Local Government Code, to Include Property Generally Located Southwest of the Intersection of New Sulphur Springs Road and Burshard Road, in the Extraterritorial Jurisdiction ("ETJ") of the City of San Antonio Bexar County, Texas (the "Subject Property"); *Our File No. 10266.001.*

Dear Ms. Racca-Sittre:

On behalf of Northlake SA, LLC (the "Petitioner") we respectfully submit the enclosed Petition to the City of San Antonio Planning Department. Included with this correspondence are documents and exhibits related to the request for consent to creation of the Northlake Special Improvement District and the inclusion of the Subject Property therein, all as further described in the attached Petition and exhibits. Please find enclosed:

1. A signed Petition submitted to Bexar County requesting consent to the creation of the Northlake PID (**Exhibit "1"**);
2. Northlake Special Improvement District Layout (**Exhibit "2"**);
3. Northlake Special Improvement District Summary and Timeline (**Exhibit "3"**);
4. Northlake Special Improvement District Financial Projections (**Exhibit "4"**);
- 5.

Please do not hesitate to contact our office should you have any questions or need any additional information in connection with this Petition.

Thank you,

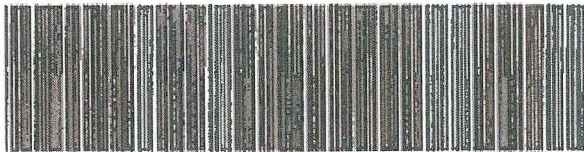
BROWN & ORTIZ, P.C.

BY:


Daniel Ortiz

Enclosures: As Stated

EXHIBIT "1"
**PETITION SUBMITTED TO BEXAR COUNTY REQUESTING CONSENT TO CREATION
OF THE NORTHLAKE PID**



VG-76-2022-20220080430

COSA - CITY CLERK
2022 JUL 11 PM02:28:01

File Information

**FILED IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20220080430
Recorded Date: March 30, 2022
Recorded Time: 4:13 PM
Total Pages: 14
Total Fees: \$74.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Bexar County, Texas on:
3/30/2022 4:13 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE
NAMED THE NORTHLAKE SPECIAL IMPROVEMENT DISTRICT**

STATE OF TEXAS

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COUNTY OF BEXAR

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TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS

The undersigned petitioner ("Petitioner") acting pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code"), submit this petition ("Petition") to the Commissioners Court of Bexar County, Texas, to request the creation of a public improvement district, within the extraterritorial jurisdiction ("ETJ") of the City of San Antonio ("City"), Bexar County, Texas ("County"). Specifically, the Petitioner requests that the County create a public improvement district and include the property described in Exhibit "A" attached hereto ("Subject Property") within such public improvement district. In support of this Petition, the Petitioner presents the following:

I. PETITIONERS

In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioner constitutes the owner representing more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the public improvement district proposed in this Petition.

Attached to this Petition is a sworn statement, affirming the Petitioner is the holder of fee simple title to more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the District (as defined below) and is the owner representing more than fifty-percent (50%) of all record owners of property within the proposed District. Petitioner requests, and consents to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioner is attached hereto as Exhibit "B" and incorporated herein for all purposes.

II. NAME

A public improvement district is being requested, which will be named the "Northlake Special Improvement District" (referred to herein as the "District").

III. BOUNDARIES

The proposed boundaries of the District shall include the Subject Property, more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes. The total acreage of the District is approximately 447.92 acres. None of the land to be included in the District is within the corporate boundaries of any municipality and all of the land proposed to be included in the District is in the extraterritorial jurisdiction of the City and in the County.

IV. GENERAL NATURE OF THE PROPOSED PUBLIC IMPROVEMENTS

The Petitioner requests that the County create a public improvement district and authorize it to engage in economic development projects and grant to the District the powers requested in this Petition. The District proposes to enter into development agreements as are deemed advisable to promote state and local economic development and to stimulate residential and commercial activity in the District. The general nature of the work proposed to be done may include, but is not limited to: onsite roads (including, but not limited to, a collector road); offsite roads (including construction of a turn lane); offsite utility extension; onsite public improvements for residential lots (sewer, water, streets, and drainage); the improvement and construction of water, sanitary sewer, dry utilities (gas and electric) detention ponds, storm sewer, impact fees for capacity, road, landscaping in public right of ways, or sidewalks; right of way acquisition costs; easement acquisition costs; appraisal costs; geotechnical engineering costs; environmental inspection/testing and remediation costs; well plugging costs; demolition costs; water and sewer impact fees; floodplain reclamation costs; tree mitigation costs; park/entry/amenity improvement costs; including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries flood plains and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements. Further, the public improvements financed by the District may include any public improvements in compliance with Chapter 382 of the Code, as amended, and in accordance with the governing laws.

V. ESTIMATED COSTS OF THE PROPOSED CONSTRUCTION OF THE PUBLIC IMPROVEMENTS

The total estimated capital cost for the District's public improvements is approximately \$83,485,600. Such costs can be partially offset with the imposition of taxes and the issuance of bonds by the District, as further described herein.

VI. NATURE OF THE DISTRICT AND AUTHORITY

The District is expressly requested pursuant to Chapter 382 of the Code. The District shall be created for the purposes of a district created and organized under Section 52, Article III, and Section 59, Article XVI of the Texas Constitution, Chapters 380, 381, 382, and 383 of the Code, and for the purpose of creating a program for economic development as provided in Section 52, Article III of the Texas Constitution, and for any other lawful purpose authorized by the governing laws.

The Petitioner specifically requests that:

- (1) the County authorize the District to exercise the powers granted under Chapter 382 of the Code;
- (2) the County delegate to the District all powers that the County is granted pursuant to Chapter 382; and
- (3) the County authorize the District to engage in economic development projects, as the District may enter into development agreements which are deemed advisable to promote state and local economic development and to stimulate business and commercial activity in the District.

VII. ROAD IMPROVEMENTS

The Petitioner requests that pursuant to Section 382.109 of the Code the County designate and approve the proposed onsite and offsite road improvements as a "Road Improvement Project" and designate and approve such Road Improvement Project as a targeted economic development project, which is of an economic benefit to the District, to the Subject Property within the District, and to the County.

VIII. ADVISORY BOARD

As authorized by the Code, an advisory body may be established by the County to develop and recommend an improvement plan. However, an improvement plan is not necessary or applicable, as the Petitioner does not propose that the District be granted with the power to impose assessments.

IX. MANAGEMENT OF THE DISTRICT AND BOARD OF DIRECTORS

The Petitioner specifically requests the County appoint a seven (7) member Board of Directors to govern the District and approve their respective terms in accordance with Section 382.051 of the Code, as the population of the District is less than 1,000 persons. The Petitioner also requests that the County delegate to the District's Board of Directors the County's powers and duties provided by Chapter 382 of the Code, in order for the Board of Directors to oversee, manage, and govern the District to the fullest extent authorized by the Code.

X. TAXES AND BONDS

The Petitioner requests that the County authorize the District to accomplish its purposes and the costs of services and improvements by imposing an ad valorem tax. The District shall also have the authority to issue bonds, negotiate promissory notes, and other District obligations, as further described herein.

The Petitioner specifically requests that:

- (1) the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments;

- (2) the County grant the District authority to impose an ad valorem tax and a sales and use tax to accomplish the economic development purposes prescribed by Section 52a, Article III, of the Texas Constitution;
- (3) the County grant the District authority, in accordance with Section 382.152 of the Code, to issue bonds, negotiable promissory notes and other District obligations, which may be secured by District revenue or any type of District taxes, or any combination of taxes and revenue pledged to the payment of bonds; and
- (4) the County grant the District authority as provided in Sections 382.158 and 382.159 of the Code, regarding borrowing and repayment of costs, respectively.

In regards to the proposed tax rates, the Petitioner specifically requests that the County authorize the District to:

- (1) impose an ad valorem tax not to exceed the City's tax rate; and
- (2) impose a sales and use tax at a rate of 2% per taxable sale, subject to the state and local sales and use tax rates in the District.

XI. METHOD OF ASSESSMENT

The Petitioner does not propose that the District be granted the power to impose assessments, and accordingly, the Petitioner is not required to present a Service Plan, an Assessment Plan (including method of assessment), or to prepare an Assessment Roll. As stated above, the Petitioner requests that the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments.

XII. APPORTIONMENT OF COST BETWEEN COUNTY AND THE DISTRICT

Approval and creation of District will not obligate the County to provide any funds to finance the proposed public improvements. All costs of the District shall be paid by and apportioned to the District, and not to the County, as a whole.

XIII. ADVISABILITY AND FEASIBILITY OF THE DISTRICT AND BEST INTERESTS OF THE COUNTY

The District and its proposed improvements and economic development projects appear feasible and are necessary and advisable for the economy of the District and the County. Additionally, the County may create a public improvement district if the County determines it is in the best interest of the County. The area comprising the District is not presently developed, and therefore, the proposed District is necessary to pay for or finance public improvements and economic development within the District. Furthermore, the District will serve the public purpose of promoting and encouraging new residential development (among other types of development) in the District and the County, which will encourage employment and economic activity within the District and the County. As such, the County's creation of the District is in the best interest of the County, as the District and the proposed

XIV. FILING WITH THE COUNTY CLERK

This Petition will be filed with the County Clerk in support of the creation of the District, as described herein.

XV. PRAYER

This Petition requests that the County create the District, include the Subject Property therein, and grant to the District the powers requested in the Petition. The Petitioner prays that this Petition be heard and the Commissioners Court set a hearing date, publish notice of, conduct a hearing, make certain findings, and enter an Order creating the District in a manner authorized under Chapter 382 of the Code and as described herein.

Signature(s) on the Following Page(s)

COSA - CITY CLERK
2022 JUL 11 PM 02:28:35


Wherefore, this Petition satisfies all of the requirements of the Code for the creation of the District, and the Petitioner respectfully requests the County create the District and include the Subject Property within such District, as described herein.

Respectfully submitted, this 28th day of March, 2022.

PETITIONER:

NORTHLAKE SA, LLC,
a Texas limited liability company

By:


Clint Jones
Manager

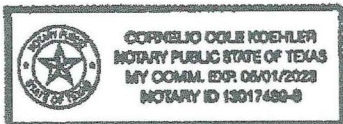
ACKNOWLEDGEMENT

STATE OF TEXAS

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COUNTY OF COMAL

The foregoing instrument was acknowledged before me on the 28th day of March, 2022, by Clint Jones, on behalf of NORTHLAKE SA, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed, on behalf of said company, in the capacity therein stated.




Notary Public State of Texas

Printed Name of Notary: Cornelio Cole Koehler

Commission Expiration: 05/01/2023

COSA - CITY CLERK
2022 JUL 11 PM02:28:40

EXHIBIT A
FIELD NOTES OF THE SUBJECT PROPERTY

**DESCRIPTION OF
A 447.92 ACRE TRACT
C.B. 2148**



COSA - CITY CLERK
2022 JUL 11 PM02:28:45

A 447.92 acre tract of land situated in County Block 2148 in the Pablo Villapando Survey No. 142, Abstract No. 772, Bexar County, Texas, and being all of that called 454.023 acre tract of land conveyed to Shannon Partners, Ltd. and described in Volume 6689, Page 1101, recorded March 11, 1996 in the Official Public Records of Bexar County, Texas (O.P.R.), said 447.92 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a PK nail and washer stamped "KFW SURVEYING" set in asphalt at the intersection of the southerly right-of-way of Burshard Road (apparent 50' wide R.O.W.) with the westerly right-of-way of Gardner Road (apparent 50' wide R.O.W.) for the northeast corner of said 454.023 acre tract of land and the tract described herein, whence a $\frac{1}{2}$ " iron rod found in the easterly right-of-way of Gardner Road bears N 88°43'27" E, a distance of 48.48 feet;

THENCE: S 00°23'10" E, along and with the westerly right-of-way line of said Gardner Road and the east line of said 454.023 acre tract of land, a distance of 4147.52 feet to a $\frac{1}{2}$ " iron rod found at the northeast corner of that called 234.61 acre tract of land condemned by the City Public Service Board, City of San Antonio, and described in Volume 6754, Page 403, O.P.R., and for the southeast corner of said 454.023 acre tract of land and the tract described herein;

THENCE: Along and with the northerly lines of said 234.61 acre tract of land and the southerly lines of said 454.023 acre tract of land, the following sixteen (16) courses:

1. N 49°30'18" W, a distance of 806.17 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
2. N 30°44'51" W, a distance of 235.97 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
3. N 15°44'01" E, a distance of 99.44 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
4. N 43°27'57" E, a distance of 150.29 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
5. N 61°15'02" W, a distance of 203.79 feet to a found $\frac{5}{8}$ " iron rod at a fence corner post;
6. S 21°30'52" W, a distance of 749.45 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
7. S 08°23'25" E, a distance of 1149.37 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
8. S 52°32'20" W, a distance of 788.56 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
9. N 00°59'52" W, a distance of 724.12 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
10. S 89°35'06" W, a distance of 499.68 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
11. S 01°33'37" W, a distance of 939.51 feet to a found $\frac{5}{8}$ " iron rod at a fence corner post;
12. S 84°32'01" W, a distance of 469.54 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
13. S 00°25'49" E, a distance of 1379.34 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
14. N 71°58'20" W, a distance of 899.16 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
15. N 01°33'12" W, a distance of 574.43 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post;
16. N 50°12'34" W, a distance of 399.15 feet to a found $\frac{1}{2}$ " iron rod at a fence corner post in the east line of that called 115 acre tract of land conveyed to the City Public Service Board, City of San Antonio and described in Volume 5703, Page 801, recorded February 8, 1967 in the Deed Records of Bexar County, Texas (D.R.), for the northwest corner of said 234.61 acre tract of land and the southwest corner of said 454.023 acre tract of land and the tract described herein,

THENCE: N 00°25'30" W, along and with the east lines of said 115 acre tract of land, that called 35 acre tract of land conveyed to the City Public Service Board, City of San Antonio and described in Volume 5745, Page 428, recorded April 27, 1967 in the D.R., and that called 74.18 acre tract of land conveyed to the City Public Service Board, City of San Antonio and described in Volume 5759, Page 812, recorded May 26, 1967 in the D.R., and the west line of said 454.023 acre tract of land, a distance of 3776.55 feet to a 1" iron pipe found for the northeast corner of said 74.18 acre tract of land and the southeast corner of that called 10.59 acre tract of land conveyed to Sunbelt Estates, LLC and described in Volume 16116, Page 1639, recorded May 20, 2013 in the O.P.R.;

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2022 JUL 11 PM02:28:50

THENCE: N 00°17'41" W, along and with the east line of said 10.59 acre tract of land and the west line of said 454.023 acre tract of land, passing at a distance of 570.86 feet a ½" iron rod with cap stamped "JOHN HOWARD SURVEYING" found at the northeast corner of said 10.59 acre tract of land and the southeast corner of that called 10.88 acre tract of land conveyed to Salvador Valladolid and Javier Valladolid and described in Volume 16625, Page 2148, recorded April 10, 2014 in the O.P.R., and continuing along and with the east line of said 10.88 acre tract of land, a total distance of 2178.90 feet to a 8" fence corner post found in the southerly right-of-way of said Burchard Road, for the northeast corner of said 10.88 acre tract of land and the northwest corner of said 454.023 acre tract of land and the tract described herein, whence a found ½" iron rod bears S 89°36'17" W, a distance of 643.63 feet;

THENCE: Along and with the southerly right-of-way of said Burshard Road and the north line of said 454.023 acre tract of land, the following two (2) courses:

1. N 89°36'17" E a distance of 2407.29 feet to a set ½" iron rod with cap stamped "KFW SURVEYING";
2. S 89°47'08" E a distance of 1291.35 feet to the **POINT OF BEGINNING** and containing 447.92 acres more or less, in Bexar County, Texas. Said tract being described in accordance with a survey prepared by KFW SURVEYING. Bearings are based on NAD83 Texas State Plane South Central Zone.

Job No.: 19-001
Prepared by: KFW Surveying
Date: January 11, 2019
File: S:\Draw 2019\19-001 Calaveras\DOCS\19-001 Calaveras description TCP 01112019.doc

COSA - CITY CLERK
2022 JUL 11 PM02:29:01

EXHIBIT B
PETITIONER'S SWORN STATEMENT

**SWORN AFFIDAVIT OF FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING
CREATION OF, AND CONSENTING TO INCLUSION IN, THE NORTHLAKE SPECIAL
IMPROVEMENT DISTRICT**

Northlake SA, LLC, a Texas limited liability company (hereinafter "Owner") hereby affirms that they are the fee simple owner of real property located in Bexar County. Owner requests the creation of the Northlake Special Improvement District (the "District") and consents to the inclusion of said real property within its boundaries. The description of the real property owned by Owner, and which Owner wishes to include within the proposed District is attached as Exhibit "A" to the Petition for the creation of the Northlake Special Improvement District.

By the signatures below, Owner verifies, for purposes of Chapter 382 of the Texas Local Government Code that they are the owner of taxable real property described in Exhibit "A" below, representing more than fifty-percent (50%) of the appraised value of taxable real property within the proposed District, and that they constitute more than fifty-percent (50%) of all record owners of property within the proposed District or that they own taxable real property that constitutes more than fifty-percent (50%) of the area of all taxable real property within the proposed District.


-Signature(s) on the Following Page(s)-

COSA - CITY CLERK
2022 JUL 11 PM02:29:24

OWNER:

NORTHLAKE SA, LLC,
a Texas limited liability company

By:


Clint Jones
Manager

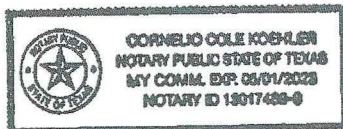
ACKNOWLEDGEMENT

STATE OF TEXAS

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COUNTY OF COMAL

The foregoing instrument was acknowledged before me on the 14TH day of March, 2022, by Clint Jones, on behalf of NORTHLAKE SA, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed, on behalf of said company, in the capacity therein stated.




Notary Public State of Texas

Printed Name of Notary: Cornelio Cole Koshler
Commission Expiration: 05/01/2023

Sworn Affidavit
Northlake Special Improvement District



LUCY ADAME-CLARK

BEXAR COUNTY CLERK

100 Dolorosa, Suite 104
San Antonio, TX 78205

(210) 335-2218
Mon - Fri 8am - 5pm

Visit our website at:
www.Bexar.org

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Description	Document Type	Document #	Book/Vol/Page	# Pages	GF/Serial #	Amount
Real Property Recordings	MISC	20220080430		14		\$74.00

Total Documents : 1

Total: \$74.00

Payment Method	Payment ID	Authorization #	Amount
Check	10876	WALK IN	\$74.00

Tender Subtotal:

Total Payments: \$74.00

Check: \$74.00

Change Due: \$0.00

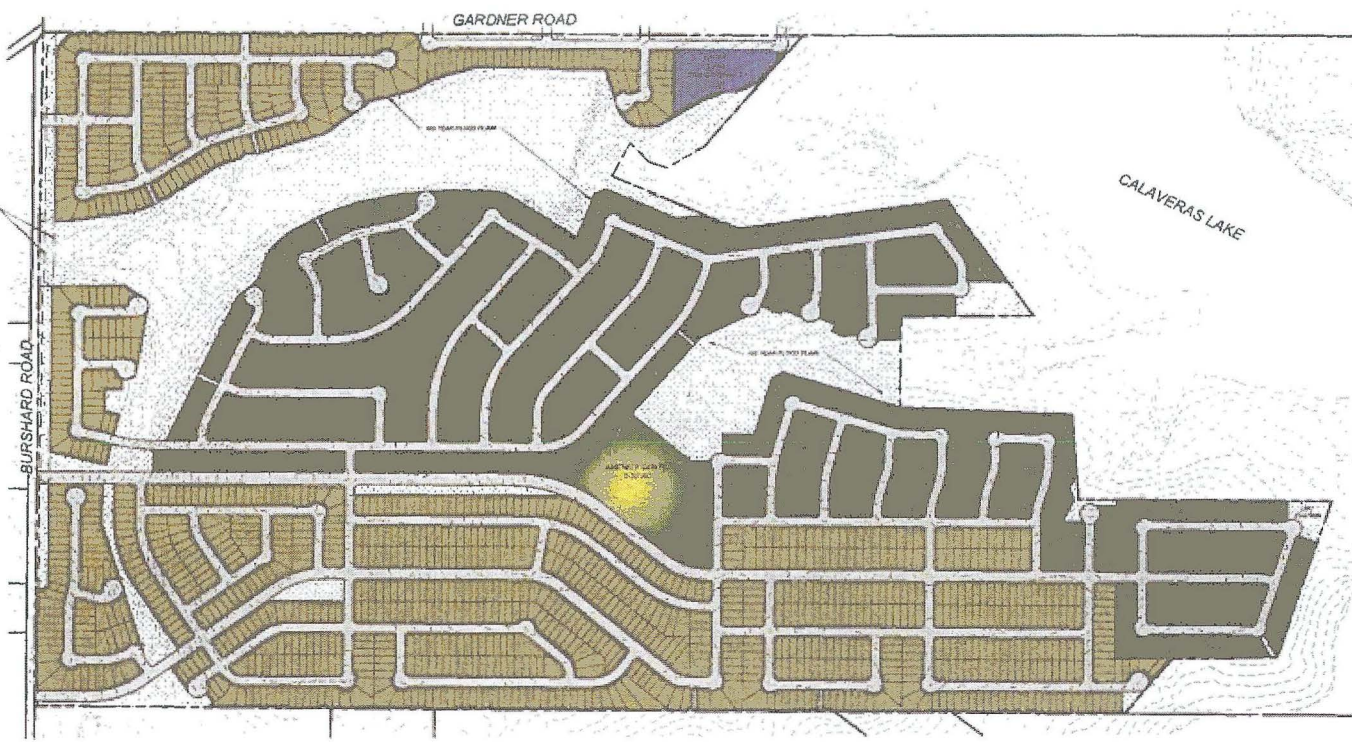
Client Name: BROWN AND ORTIZ

Date: 03/30/2022 | 04:13PM
Clerk: Adam B

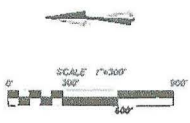
EXHIBIT "2"
NORTHLAKE SPECIAL IMPROVEMENT DISTRICT LAYOUT

File: 100_11_1001_1001.dwg Date: 07/11/2022
 User: 1001_11_1001_1001.dwg Plot: 1001_11_1001_1001.dwg

3.5 AC. EXISTING
 LOT 1 OF 100
 1001_11_1001_1001.dwg



LAND USE TABLE						
LOT SIZE	NO. OF LOTS	AREA (ACRES)	OPEN SPACE (ACRES)	PAVED AREA (ACRES)	LOT STATION	RESIDENTIAL AREA (ACRES)
1.122	1	1.122	1.122	0.00	0.00	1.122
0.00	0	0.00	0.00	0.00	0.00	0.00
TOTAL	1	1.122	1.122	0.00	0.00	1.122



KFW
 KIEWIT FUNDING & SURVEYING
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CALAVERAS LAKE SUBDIVISION
 LAND USE EXHIBIT

DATE: 07/11/2022
 DRAWN: 1001_11_1001_1001.dwg
 SHEET NUMBER:
 1 OF 1

2022 JUL 11 PM02:29:42
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EXHIBIT "3"
NORTHLAKE SPECIAL IMPROVEMENT DISTRICT SUMMARY AND TIMELINE

KENNETH W. BROWN, AICP
DANIEL ORTIZ
JAMES MCKNIGHT

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ATTORNEYS AT LAW

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OF COUNSEL

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**NORTHLAKE SPECIAL IMPROVEMENT DISTRICT
PID SUMMARY**

1. Public Improvement District:

- a. Name: Northlake Special Improvement District
- b. Location: Southwest of Burshard Road and Gardner Road
- c. Applicant: Northlake SA, LLC
- d. Jurisdiction: Bexar County (City of San Antonio's Extraterritorial Jurisdiction)
- e. Acreage: +/- 447.92 acres
- f. Water: Partially within East Central Special Utility District CCN
- g. Sewer: No CCN (will be served by SAWS)

2. Statutory Authority, Ad Valorem Tax, and Sales and Use Tax:

- a. The Northlake Special Improvement District (District) would be a public improvement district created pursuant to Chapter 382 of the TX Local Government Code with the power to assess ad valorem tax at a rate not to exceed the City's tax rate and the power to issue bonds.

3. Project:

- a. 2,067 single family residential lots with a mix of lot sizes and +/-3.26-acres for a Fire Department site
- b. Proposed On-Site Improvements: Individual Lot Improvements, Streets, Utilities, Drainage, and Grading
- c. Proposed Off-Site Improvements: Offsite SAWS Water and Sewer Extension
- d. Improvements are dependent on phasing/adjacent platting, other developer improvements, and reimbursements through the District

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DANIEL ORTIZ
JAMES MCKNIGHT

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OF COUNSEL

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**NORTHLAKE SPECIAL IMPROVEMENT DISTRICT
DRAFT TIMELINE**

Submit Petition Requesting Creation of the Northlake PID to Bexar County (<i>provide electronic and hard copies of Petition to the City of San Antonio</i>)	March 30, 2022
Meet with County Commissioners and with City of San Antonio Staff / Negotiate Development Agreement with City	April 2022
County Meeting to Approve Resolutions of Intent (<i>Hearing to consider and accept the Petition and adopt a Resolution of Intent to establish the Northlake PID</i>)	May 3, 2022
Deadline to have Northlake PID Development Agreement finalized and all Exhibits to City	May 9, 2022
Planning Commission Meeting (<i>Briefing on proposed Northlake PID</i>)	May 25, 2022
Planning Commission Meeting (<i>Hearing regarding proposed Northlake PID</i>)	June 8, 2022
City Council Meeting (<i>adopt resolutions granting consent to the establishment of the Northlake PID and an Ordinance approving Development Agreement</i>)	June 23, 2022
Deadline to Post Notice of Commissioners Court Creation of Northlake PID in SA Express News and Mailed to Property Owners <i>TLGC 372.009(c) and (d)</i>	June 27, 2022
County Meeting to Create Northlake PID and Appoint a Board of Directors (<i>the County must approve orders establishing the Northlake PID and appointing Members to the Northlake PID Board of Directors</i>)	July 12, 2022
Board of Directors Organizational Meeting to Call Election	June 22 – August 15, 2022
Last Day for Board to Call an Election	August 22, 2022
Election to Confirm PID and Approve Taxes and Bonds & Voters Affidavits Signed (<i>note that there are numerous election requirements, which are not included herein</i>)	November 8, 2022
Board Meeting to Canvass Election Results	November 9 – December 31, 2022

EXHIBIT "4"
NORTHLAKE SPECIAL IMPROVEMENT DISTRICT FINANCIAL PROJECTIONS

**Northlake PID
Table of Contents
April 22, 2022**

Exhibit	Title	PDF Page No.
	Table of Contents	1
A	PID Analysis Summary	2
B	Project and PID Revenues Analysis	3
C	Summary of Cumulative Impact - Ad Valorem Revenues at Build-out	4
D	Calculation of Direct Economic Impact from Date Property Goes on Tax Roll	5
F	PID Qualified Costs	6
G	Off-Site Improvements Cost Schedule	7

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Exhibit A
Northlake PID
PID Analysis Summary
April 22, 2022

Description	Amount
PID Tax Rate (per \$100 AV)	\$ 0.55827
O&M Rate (per \$100 AV) - First 5 Years	\$ 0.18609
O&M Rate (per \$100 AV) - Remaining Term	\$ 0.09304
Inflation Rate	0.00%
Property Tax Collection Rate	95.00%
Single Family Residential Units	2,067
PID Revenues Collected	\$ 56,274,007
Total Eligible PID Costs	\$ 83,485,600

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Exhibit B
Northlake PID
Project and PID Revenues Analysis
SINGLE FAMILY RESIDENTIAL
April 22, 2022

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Year No.	Year on Tax Rolls [a]	Cumulative Housing Units on the Ground [b]	Taxable Basis per Unit	Total Taxable Basis [c]	Ad Valorem Tax / (100*0.55827) [d]	Cumulative
1	2025	107	\$ 220,000	\$ 23,540,000	\$ 124,846	\$ 124,846
2	2026	257	220,000	56,540,000	299,864	424,709
3	2027	407	220,000	89,540,000	474,881	899,591
4	2028	557	220,000	122,540,000	649,899	1,549,490
5	2029	707	220,000	155,540,000	824,917	2,374,406
6	2030	857	220,000	188,540,000	999,934	3,374,340
7	2031	1,007	220,000	221,540,000	1,174,952	4,549,292
8	2032	1,157	220,000	254,540,000	1,349,969	5,899,261
9	2033	1,307	220,000	287,540,000	1,524,987	7,424,249
10	2034	1,457	220,000	320,540,000	1,700,005	9,124,253
11	2035	1,607	220,000	353,540,000	1,875,022	10,999,276
12	2036	1,757	220,000	386,540,000	2,050,040	13,049,316
13	2037	1,907	220,000	419,540,000	2,225,058	15,274,373
14	2038	2,067	220,000	454,740,000	2,411,743	17,686,116
15	2039	2,067	220,000	454,740,000	2,411,743	20,097,860
16	2040	2,067	220,000	454,740,000	2,411,743	22,509,603
17	2041	2,067	220,000	454,740,000	2,411,743	24,921,346
18	2042	2,067	220,000	454,740,000	2,411,743	27,333,089
19	2043	2,067	220,000	454,740,000	2,411,743	29,744,832
20	2044	2,067	220,000	454,740,000	2,411,743	32,156,575
21	2045	2,067	220,000	454,740,000	2,411,743	34,568,318
22	2046	2,067	220,000	454,740,000	2,411,743	36,980,062
23	2047	2,067	220,000	454,740,000	2,411,743	39,391,805
24	2048	2,067	220,000	454,740,000	2,411,743	41,803,548
25	2049	2,067	220,000	454,740,000	2,411,743	44,215,291
26	2050	2,067	220,000	454,740,000	2,411,743	46,627,034
27	2051	2,067	220,000	454,740,000	2,411,743	49,038,777
28	2052	2,067	220,000	454,740,000	2,411,743	51,450,520
29	2053	2,067	220,000	454,740,000	2,411,743	53,862,264
30	2054	2,067	220,000	454,740,000	2,411,743	56,274,007
Totals:					\$ 56,274,007	\$ 56,274,007

Footnotes:

[a] For purposes of this analysis, it has been assumed that value additions will appear on the tax rolls 2 year following sale.

[b] Assumes 50% of homes built will be sold in the same year as lot sale.

[c] Assumes 0.0% annual inflation.

[d] Assumes a Collection Ratio of 95.00%.

Exhibit C
Northlake PID
Summary of Cumulative Impact - Ad Valorem Revenues at Build-out
April 22, 2022

Summary of Cumulative Impact									
Year No.	Year	Bexar County	Bexar County Rd & Flood	SA River Authority	Alamo College	Univ Health System	East Central ISD	Bexar County ESD # 10	Total
15	Year 2039	\$ 9,947,985	\$ 852,054	\$ 668,885	\$ 5,369,437	\$ 9,944,529	\$ 39,168,272	\$ 3,600,025	\$ 69,551,187
20	Year 2044	\$ 15,916,776	\$ 1,363,286	\$ 1,070,215	\$ 8,591,100	\$ 15,911,246	\$ 62,669,235	\$ 5,760,040	\$ 111,281,899
25	Year 2049	\$ 21,885,567	\$ 1,874,519	\$ 1,471,546	\$ 11,812,762	\$ 21,877,964	\$ 86,170,198	\$ 7,920,055	\$ 153,012,611
30	Year 2054	\$ 27,854,358	\$ 2,385,751	\$ 1,872,877	\$ 15,034,424	\$ 27,844,681	\$ 109,671,162	\$ 10,080,070	\$ 194,743,324

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Exhibit D
Northlake PID
Calculation of Direct Economic Impact from Date Property Goes on Tax Roll
April 22, 2022

Year on Tax Rolls	Ad Valorem Revenues [a] [b]													
	Bexar County		Bexar County Rd & Flood		SA River Auth.		Alamo College		Univ Health System		East Central ISD		Bexar County ESD #10	
	Annual \$ 0.276331	Cumulative Revenue	Annual \$ 0.023668	Cumulative Revenue	Annual \$ 0.018580	Cumulative Revenue	Annual \$ 0.149150	Cumulative Revenue	Annual \$ 0.276235	Cumulative Revenue	Annual \$ 1.088000	Cumulative Revenue	Annual \$ 0.100000	Cumulative Revenue
2025	61,796	\$ 61,796	5,293	\$ 5,293	4,155	\$ 4,155	33,354	\$ 33,354	61,774	\$ 61,774	243,309	\$ 243,309	22,363	\$ 22,363
2026	148,426	210,222	12,713	18,006	9,980	14,135	80,113	113,467	148,374	210,149	584,397	827,707	53,713	76,076
2027	235,055	445,277	20,133	38,138	15,805	29,940	126,871	240,339	234,974	445,122	925,485	1,753,192	85,063	161,139
2028	321,685	766,962	27,553	65,691	21,630	51,569	173,630	413,969	321,573	766,696	1,266,573	3,019,766	116,413	277,552
2029	408,315	1,175,277	34,973	100,664	27,454	79,024	220,389	634,357	408,173	1,174,869	1,607,661	4,627,427	147,763	425,315
2030	494,945	1,670,222	42,392	143,056	33,279	112,303	267,147	901,504	494,773	1,669,642	1,948,749	6,576,177	179,113	604,428
2031	581,575	2,251,796	49,812	192,868	39,104	151,407	313,906	1,215,410	581,372	2,251,014	2,289,837	8,866,014	210,463	814,891
2032	668,204	2,920,001	57,232	250,101	44,929	196,336	360,664	1,576,074	667,972	2,918,986	2,630,925	11,496,940	241,813	1,056,704
2033	754,834	3,674,835	64,652	314,753	50,754	247,089	407,423	1,983,497	754,572	3,673,558	2,972,013	14,468,953	273,163	1,329,867
2034	841,464	4,516,299	72,072	386,825	56,579	303,668	454,181	2,437,678	841,171	4,514,730	3,313,101	17,782,054	304,513	1,634,380
2035	928,094	5,444,392	79,492	466,317	62,403	366,071	500,940	2,938,617	927,771	5,442,501	3,654,189	21,436,244	335,863	1,970,243
2036	1,014,723	6,459,116	86,912	553,229	68,228	434,299	547,698	3,486,316	1,014,371	6,456,872	3,995,277	25,431,521	367,213	2,337,456
2037	1,101,353	7,560,469	94,332	647,561	74,053	508,352	594,457	4,080,772	1,100,971	7,557,842	4,336,365	29,767,887	398,563	2,736,019
2038	1,193,758	8,754,227	102,246	749,807	80,266	588,618	644,332	4,725,105	1,193,343	8,751,186	4,700,193	34,468,079	432,003	3,168,022
2039	1,193,758	9,947,985	102,246	852,054	80,266	668,885	644,332	5,369,437	1,193,343	9,944,529	4,700,193	39,168,272	432,003	3,600,025
2040	1,193,758	11,141,743	102,246	954,300	80,266	749,151	644,332	6,013,770	1,193,343	11,137,873	4,700,193	43,868,465	432,003	4,032,028
2041	1,193,758	12,335,502	102,246	1,056,547	80,266	829,417	644,332	6,658,102	1,193,343	12,331,216	4,700,193	48,568,657	432,003	4,464,031
2042	1,193,758	13,529,260	102,246	1,158,793	80,266	909,683	644,332	7,302,435	1,193,343	13,524,560	4,700,193	53,268,850	432,003	4,896,034
2043	1,193,758	14,723,018	102,246	1,261,040	80,266	989,949	644,332	7,946,767	1,193,343	14,717,903	4,700,193	57,969,043	432,003	5,328,037
2044	1,193,758	15,916,776	102,246	1,363,286	80,266	1,070,215	644,332	8,591,100	1,193,343	15,911,246	4,700,193	62,669,235	432,003	5,760,040
2045	1,193,758	17,110,534	102,246	1,465,533	80,266	1,150,482	644,332	9,235,432	1,193,343	17,104,590	4,700,193	67,369,428	432,003	6,192,043
2046	1,193,758	18,304,293	102,246	1,567,779	80,266	1,230,748	644,332	9,879,765	1,193,343	18,297,933	4,700,193	72,069,620	432,003	6,624,046
2047	1,193,758	19,498,051	102,246	1,670,026	80,266	1,311,014	644,332	10,524,097	1,193,343	19,491,277	4,700,193	76,769,813	432,003	7,056,049
2048	1,193,758	20,691,809	102,246	1,772,272	80,266	1,391,280	644,332	11,168,430	1,193,343	20,684,620	4,700,193	81,470,006	432,003	7,488,052
2049	1,193,758	21,885,567	102,246	1,874,519	80,266	1,471,546	644,332	11,812,762	1,193,343	21,877,964	4,700,193	86,170,198	432,003	7,920,055
2050	1,193,758	23,079,325	102,246	1,976,765	80,266	1,551,812	644,332	12,457,095	1,193,343	23,071,307	4,700,193	90,870,391	432,003	8,352,058
2051	1,193,758	24,273,084	102,246	2,079,012	80,266	1,632,079	644,332	13,101,427	1,193,343	24,264,651	4,700,193	95,570,584	432,003	8,784,061
2052	1,193,758	25,466,842	102,246	2,181,258	80,266	1,712,345	644,332	13,745,759	1,193,343	25,457,994	4,700,193	100,270,776	432,003	9,216,064
2053	1,193,758	26,660,600	102,246	2,283,504	80,266	1,792,611	644,332	14,390,092	1,193,343	26,651,338	4,700,193	104,970,969	432,003	9,648,067
2054	1,193,758	27,854,358	102,246	2,385,751	80,266	1,872,877	644,332	15,034,424	1,193,343	27,844,681	4,700,193	109,671,162	432,003	10,080,070
TOTAL	\$ 27,854,358		\$ 2,385,751		\$ 1,872,877		\$ 15,034,424		\$ 27,844,681		\$ 109,671,162		\$ 10,080,070	

Summary of Cumulative Impact									
Year	Bexar County		Bexar County Rd & Flood	SA River Auth.	Alamo College	Univ Health System	East Central ISD	Bexar County ESD #10	Total
2039	\$ 9,947,985	\$ 852,054	\$ 668,885	\$ 5,369,437	\$ 9,944,529	\$ 39,168,272	\$ 3,600,025	\$ 69,551,187	
2044	\$ 15,916,776	\$ 1,363,286	\$ 1,070,215	\$ 8,591,100	\$ 15,911,246	\$ 62,669,235	\$ 5,760,040	\$ 111,281,899	
2049	\$ 21,885,567	\$ 1,874,519	\$ 1,471,546	\$ 11,812,762	\$ 21,877,964	\$ 86,170,198	\$ 7,920,055	\$ 153,012,611	
2054	\$ 27,854,358	\$ 2,385,751	\$ 1,872,877	\$ 15,034,424	\$ 27,844,681	\$ 109,671,162	\$ 10,080,070	\$ 194,743,324	

Footnotes:

- [a] Assumes a Collection Ratio of 95.00%.
[b] Represents the 2021 tax rates per the Bexar CAD.

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Exhibit E
Northlake PID
PID Qualified Costs
April 22, 2022

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Description [a]		Cost
Off-Site Improvements		
Traffic Signal and Bushard Rd Improvements	\$	2,500,000
Waterline Upgrades on Bushard Rd.	\$	1,500,000
Waterline Upgrades on Gardner Rd.	\$	2,787,500
Lift Station and Force Main to New Sulphur Springs Rd	\$	5,592,500
Subtotal	\$	12,380,000
Public Neighborhood Improvements		
	<u>LF</u>	
Unit I - 107 lots	4,153 \$	4,077,500
Unit II - 150 lots	4,153 \$	4,077,500
Unit III - 150 lots	4,153 \$	4,077,500
Unit IV - 150 lots	4,153 \$	4,077,500
Unit V - 150 lots	4,153 \$	4,077,500
Unit VI - 150 lots	4,153 \$	4,077,500
Unit VII - 150 lots	4,153 \$	4,077,500
Unit VIII - 150 lots	4,153 \$	4,077,500
Unit IX - 150 lots	5,537 \$	6,724,000
Unit X - 150 lots	5,537 \$	6,724,000
Unit XI - 150 lots	5,537 \$	6,724,000
Unit XII - 460 lots	5,537 \$	6,724,000
Subtotal	55,373 \$	59,516,000
On-Site Major Public Improvements		
	<u>LS</u>	
Amenity/Sidewalk/Landscape/Drainage	1 \$	4,000,000
Subtotal	1 \$	4,000,000
Subtotal	\$	75,896,000
Contingency (10.00%)	\$	7,589,600
Total	\$	83,485,600

Footnotes:

Exhibit F
Northlake PID
Off-Site Improvements Cost Schedule
April 22, 2022

				TOTAL
1067 lots	\$ 9,592,500	\$ -	\$ -	\$ 9,592,500
1000 lots		2,787,500	-	2,787,500
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
TOTAL	\$ 9,592,500	\$ 2,787,500	\$ -	\$ 12,380,000

Footnotes:

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