



City of Magnolia

P.O. BOX 396
MONTGOMERY COUNTY
MAGNOLIA, TEXAS 77353-0396
281-356-2266
Fax 281-259-7811



Ordinance No. 2006-098

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS LEVYING ASSESSMENTS FOR THE COST OF CERTAIN IMPROVEMENTS TO BE PROVIDED IN THE MAGNOLIA RIDGE PUBLIC IMPROVEMENT DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creating of a public improvement district;

WHEREAS, owners of real property located within the Magnolia Ridge Subdivision Public Improvement District delivered to the City a petition to create the Magnolia Ridge Subdivision Public Improvement District (the "PID") that is described in the boundary description attached hereto as **Exhibit "A"**; and

WHEREAS, the City staff and the City Council reviewed the Petition and determined that the owners of taxable real property representing more than 50% of the appraised value of the taxable real property liable for assessment under the petition, and owning more than 50% of the area of all taxable real property within the PID executed the petition and that the petition complied with the Act and authorized the City Council of the City of Magnolia to consider making findings as to the advisability of the creation of the PID;

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on September 28, 2005, conducted a public hearing on the advisability of the improvements, recommended, and approved the PID; and

WHEREAS, the PID was approved by passage of the City of Magnolia Resolution No. 2005-005 on February 8, 2006; and

WHEREAS, pursuant to the Act, the proposed the statutory notice of public hearing was mailed to the property owners within the boundaries of the PID and published on September 28, 2006 to consider the levy of the proposed assessment on real property within the PID; and

WHEREAS, after notice was provided as required by the Act, the City Council of the City of Magnolia on October 10, 2006, held a public hearing to consider the levy of the proposed assessments on the property in the PID, heard and passed on any objections to the proposed assessments, and closed the public hearing.

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

Section 1. All matters stated in the preamble of this Ordinance are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. The City Council finds that assessments as set forth in the PID Service and Assessment Plan, attached hereto as **Exhibit "B"**, should be made and levied against the respective parcels of property within the PID and against the owners thereof, and are substantially in proportion to the benefits to the respective parcels of property by means of improvements in the PID for which such assessments are levied, and establish substantial justice and equality and uniformity between respective owners to the respective properties and between all parties concerned considering the benefits received and burdens imposed, and further finds that in each case the property assessed is specially benefited by means of the said improvements in the PID, and further finds that the apportionment of the cost of the services is in accordance with the law in force in this City and State and the proceedings of the City heretofore had with reference to the formation of the PID and the imposition of the assessments for said improvements are in all aspects valid and regular.

Section 3. There shall be and is hereby levied and assessed against the parcels of property within the PID, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money set forth in the PID Service and Assessment Plan attached hereto and made a part hereof shown opposite the description of the respective parcels of property, and the several amounts assessed against the same, and the owners thereof. Such assessments are summarized in **Exhibit "C"**, attached hereto.

Section 4. The sums levied and assessed against the said parcels of property in the PID and the owners thereof, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a first, prior and superior lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners are named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first and paramount lien thereon, superior to all other liens and claims except city, county, state, and school district ad valorem taxes.

Section 5. The first annual assessments on single-family property located in the PID shall be due on the date that the property is transferred from MagTex, LP, or its assignee to a homebuilder or similar end user. The first annual PID assessment shall be due by the same date that City taxes are due of each year for the prior calendar year and continuing regularly until the Bonds and other obligations, including Project costs incurred by the Developer as set forth in the PID Service and Assessment Plan and the Developer Reimbursement Agreement, are paid in full. If default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, costs, and attorney's fees, shall be enforced by suit in any court having jurisdiction or by lien foreclosure, or both, in the same manner that an ad valorem tax lien against real property may be enforced by a governing body, pursuant to the Texas Tax Code.

Section 6. All assessments levied are a personal liability and charge against the real and true owners of the premises described notwithstanding such owners may not be named, or may be incorrectly named. Assessments may be paid in full and a complete release of lien executed by the City. The owner may pay the full and complete amount of the assessment, plus interest accrued to the date of payment, and upon such payment of principal and interest receive a full and complete release of lien executed by the City. All interest payments on the assessments are calculated to the date of payment. All payments shall be in accordance with the PID Service and Assessment Plan attached hereto.

Section 7. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 8. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

Section 9. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law during all times during which this Ordinance and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ AND APPROVED on first reading on the 23rd day of October, 2006.

Approved:

BY: 
Jimmy W. Thornton, Jr., Mayor

Attest:

BY: 
LuAnn D. Drake, City Secretary

EXHIBIT A

(Description of PID Boundaries by Metes and Bounds and Map)

METES AND BOUNDS DESCRIPTION
SUBJECT TRACT
261.5876 ACRES (11,397,650 SQUARE FEET)
OUT OF A CALLED 97.4644 ACRE TRACT,
2 x 78.4255 ACRE TRACTS,
A CALLED 150.1226 ACRES TRACT,
A CALLED 3.6557 ACRES TRACT,
A CALLED 172.6758 ACRES TRACT AND
A CALLED 24.1265 ACRES TRACT
EDWARD TAYLOR SURVEY, ABSTRACT 554
MONTGOMERY COUNTY, TEXAS

Being 261.6540 acres (11,397,650 square feet) of land, all of a called 97.4644 acres tract conveyed to Mag-Tex Limited Partnership by deed recorded under County Clerk's File (CCF) No. 2004-099106 of the Official Public Records of Real Property of Montgomery County, Texas (OPRRP MCT), a called 78.4255 acre tracts (B) conveyed to Magnolia-Tex Acquisitions Co., LLC by deed recorded under CCF No. 2005-130472 of the OPRRP MCT, a called 78.4255 acres tract (A) conveyed to Magnolia-Tex Acquisitions Co. LLC., by deed recorded under CCF No. 2005-130471 of the OPRRP MCT, a called 150.1226 acres tract and a called 3.6557 acres tract conveyed to Mag-Tex Limited Partnership III, by deed recorded under CCF No. 2005-124650 of the OPRRP MCT, a called 172.6758 acre tract conveyed to Mag-Tex Limited Partnership by deed recorded under CCF No. 2004-129388 of the OPRRP MCT and a called 24.1265 acres tract conveyed to Myrta Kaye Applewhite, Trustee by deed recorded under CCF No. 8315313 of the OPRRP MCT; said 261.6540 acres tract lying in the Edward Taylor Survey, Abstract 554 of Montgomery County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1" iron rod, marking the Northeast corner of a called 12.6276 acre tract conveyed to Larry Glen Cates II and Marie Barbara by deed recorded under CCF No. 9808086 of the OPRRP MCT and the Southeast corner of a called 11.436 acre tract conveyed to Trailside Group II, LTD by deed recorded under CCF No. 9024410 of the OPRRP MCT and the Northwest corner of a said 97.4644 acre tract;

THENCE North 87°46'38" East, along the South line of a called 24.1265 acres tract conveyed to Myrta K. Applewhite by deed recorded under CCF No. 8315313 of the OPRRP MCT and the North line of said 97.4644 acres tract, a distance of 723.94 feet to a set 5/8 inch iron rod for an internal corner of the herein described tract;

THENCE North 17°14'03" West, a distance of 534.00 feet to a set 5/8 inch iron rod for a point of curvature;

THENCE along a curve to the right, having a radius of 2336.00 feet, an internal angle of 10°00'01", a chord bearing North 12°14'03" West, a distance of 407.20 feet, for an arc length of 407.72 feet to a set 5/8 inch iron rod for a point of tangency;

THENCE North 07°14'03" West, a distance of 31.43 feet to a set 5/8 inch iron for the most Northerly Northwest corner of the herein described tract, being in the South line of Farm Market Road 1488;

THENCE Northeast, along the South ROW line of said Farm Market Road 1488, a curve to the left, having a radius of 2915.00 feet, an internal angle of 1°57'56", a chord bearing North 82°44'26" East, a distance of 100.00 feet, for an arc length of 100.00 feet to set 5/8 inch iron rod for the most Northerly Northeast corner of the herein described tract;

THENCE South 07°14'03" East, a distance of 31.48 feet to a set 5/8 inch iron rod to a point of curvature;

THENCE along a curve to the left, having a radius of 2336.00 feet, an internal angle of 10°00'01", a chord bearing South 12°14'03" East, a distance of 389.77 feet, for an arc length of 390.27 feet to a set 5/8 inch iron rod for a point of tangency;

THENCE South 17°14'03" East, a distance of 560.81 feet to a set 5/8 inch iron rod for an internal angle of the herein described tract;

THENCE North 87°46'38" East, along the South line of a called 24.1265 acres tract conveyed to Myrta K. Applewhite by deed recorded under CCF No. 8315313 of the OPRRP MCT and the North line of said 97.4644 acres tract, a distance of 283.84 feet to a found 1/2 inch iron rod for the Southeast corner of said 24.1265 acres tract and the Southwest corner of a called 433.188 acres tract conveyed to Douglas B. Mgmt. Trust by deed recorded in Volume 68701, Page 1012 of the Deed Records of Montgomery County, Texas (DR MCT);

THENCE North 87°42'06" East, along the South line of said 433.188 acres tract and the North line of said 97.4644 acres tract, a distance of 717.62 feet to a found 1/2 inch iron rod, marking the Northeast corner of said 97.4644 acres tract and the Northwest corner of said 78.4255 acres tract (B);

THENCE North 87°42'32" East, continuing along the South line of said 433.188 acres tract and the North line of said 78.4255 acres tract (B), a distance of 239.41 feet to a set 5/8 inch iron rod for the Northeast corner of the herein described tract;

THENCE South 00°34'04" East, a distance of 362.01 feet to an angle point;

THENCE South 14°18'07" East, a distance of 435.62 feet to an angle point;

THENCE South 76°46'35" East, a distance of 293.50 feet to an angle point;

THENCE East, a distance of 95.30 feet to a set 5/8 inch iron rod for an internal corner of the herein described tract;

THENCE North, a distance of 57.81 feet to a set 5/8 inch iron rod for corner;
THENCE South 89°57'00" East, a distance of 324.87 feet to an angle point;

THENCE North 85°07'32" East, a distance of 127.07 feet to an angle point;

THENCE North 56°54'39" East, a distance of 28.77 feet to an angle point;

THENCE North 52°08'54" East, a distance of 23.89 feet to an angle point;

THENCE East, a distance of 79.66 feet to an angle point;

THENCE South 59°15'49" East, a distance of 96.86 feet to an angle point;

THENCE South 55°23'55" East, a distance of 98.93 feet to an angle point;

THENCE South 30°59'07" East, a distance of 56.49 feet to an angle point;

THENCE North 87°42'41" East, a distance of 48.51 feet to an angle point;

THENCE South 56°19'56" East, a distance of 69.89 feet to an angle point;

THENCE North 88°49'55" East, a distance of 95.02 feet to an angle point;

THENCE South 69°40'51" East, a distance of 159.07 feet to a point for corner;

THENCE North 35°00'54" East, a distance of 364.08 feet to an angle point;

THENCE North 03°00'55" East, a distance of 113.47 feet to an angle point;

THENCE North 45°01'27" East, a distance of 42.19 feet to an angle point;

THENCE South 64°40'21" East, a distance of 125.47 feet to an angle point;

THENCE North 68°30'54" East, a distance of 211.68 feet to an angle point;

THENCE North 75°58'31" East, a distance of 295.30 feet to an angle point;

THENCE South 75°32'29" East, a distance of 191.08 feet to an angle point;

THENCE North 50°24'47" East, a distance of 162.98 feet to an angle point;

THENCE North 87°17'28" East, a distance of 376.36 feet to a point for the most Easterly Northeast corner of the herein described tract, being in the East line of said 78.4255 acres tract (A) and the West line of a called 77.051 acres tract conveyed to Susan Halstead, Carl, Clarice, Curtis Schoessow by deed recorded in Volume 803, Page 773 of the DR MCT;

THENCE South 02°42'32" East, along the West line of said 77.051 acres tract and the East line of said 78.4255 acres tract (A), a distance of 1061.46 feet to a point for corner;

THENCE South 87°17'28" West, a distance of 468.44 feet to an angle point;

THENCE North 51°14'16" West, a distance of 157.63 feet to an angle point;

THENCE North 78°54'56" West, a distance of 96.38 feet to an angle point;

THENCE South 76°35'41" West, a distance of 207.82 feet to an angle point;

THENCE North 67°37'13" West, a distance of 125.65 feet to an angle point;

THENCE South 87°16'34" West, a distance of 204.04 feet to an angle point;

THENCE South 43°21'51" West, a distance of 559.60 feet to an angle point;

THENCE South 65°58'26" West, a distance of 67.46 feet to an angle point;

THENCE North 63°27'16" West, a distance of 175.90 feet to an angle point;

THENCE South 89°44'16" West, a distance of 55.64 feet to an angle point;

THENCE South 22°19'23" West, a distance of 86.48 feet to an angle point;

THENCE North 90-00-00" West, a distance of 43.11 feet to an angle point;

THENCE North 65°42'02" West, a distance of 299.16 feet to an angle point;

THENCE the following 23 calls along the centerline of a creek;

1. North 86°17'41" West, a distance of 87.45 feet to an angle point;
2. North 57°42'09" West, a distance of 46.84 feet to an angle point;
3. South 88°41'03" West, a distance of 70.31 feet to an angle point;
4. South 74°24'24" West, a distance of 34.39 feet to an angle point;
5. North 50°35'45" West, a distance of 27.82 feet to an angle point;
6. South 72°54'39" West, a distance of 84.46 feet to an angle point;
7. North 41°54'07" West, a distance of 37.19 feet to an angle point;
8. South 71°00'05" West, a distance of 74.77 feet to an angle point;

9. South 09°28'13" West, a distance of 40.64 feet to an angle point;
10. South 49°31'25" West, a distance of 35.20 feet to an angle point;
11. South 89°04'36" West, a distance of 69.39 feet to an angle point;
12. South 65°10'34" West, a distance of 66.58 feet to an angle point;
13. South 52°34'00" West, a distance of 174.74 feet to an angle point;
14. South 64°42'21" West, a distance of 91.59 feet to an angle point;
15. South 58°32'18" West, a distance of 169.23 feet to an angle point;
16. South 22°32'16" West, a distance of 49.63 feet to an angle point;
17. South 51°26'31" West, a distance of 57.04 feet to an angle point;
18. South 32°29'36" West, a distance of 195.47 feet to an angle point;
19. South 11°13'58" West, a distance of 234.29 feet to an angle point;
20. South 16°34'14" West, a distance of 109.21 feet to an angle point;
21. South 35°23'07" West, a distance of 107.57 feet to an angle point;
22. South 11°41'57" West, a distance of 83.78 feet to an angle point;
23. South 31°06'21" West, a distance of 74.42 feet to point for corner, being in the centerline of a Pipeline to Sinclair Refining Company by deed recorded in Volume 270, Page 463 and Volume 270, Page 458 of the DR MCT;

THENCE South 53°20'35" East, along a said Pipeline ROW, a distance of 1492.82 feet to a point for corner;

THENCE along a curve to the right, having a radius of 1189.22 feet, an internal angle of 98°53'11", a chord bearing South 85°42'02" West, a distance of 1807.05 feet, for an arc length of 2052.47 feet to a reverse point of curvature;

THENCE along a curve to the left, having a radius of 1274.31 feet, an internal angle of 47°39'44", a chord bearing North 68°41'15" West, a distance of 1029.75 feet, for an arc length of 1060.05 feet to a point for corner, being in the West property line of a called 11.034 acres tract conveyed to Harold D. and Miriam V. Hudson Revocable Trust by deed recorded under CCF No. 2002-115323;

THENCE North 02°47'53" West, along the East line of said 11.034 acres tract, a called 36.1787 acres conveyed to Maritia, L.P. by deed recorded under CCF No. 2005-089683 of the OPRRP MCT and a called 50.183 acres tract conveyed to Maritia, L.P. by deed recorded under CCF No. 2005-109755 of the OPRRP MCT, a distance of 1571.95 feet to a Fence Corner, marking the Northeast corner of said 50.183 acres tract and an internal corner of the herein described tract;

THENCE South 86°48'58" West, along the North line of said 50.183 acres tract, a distance of 591.08 feet to a fence corner for the Southeast corner of a called 54.926 acres tract conveyed to Joe F., John C. and Marilyn M. Hugon by deed recorded under CCF No. 99044741 of the OPRRP MCT;

THENCE North 02°18'52" West, along the East lines of said 54.926 acre tract and a called 17.268 acre tract conveyed to Magnolia, Texas Magnolia Bible Church by deed recorded under CCF No. 2005-022005 of the OPRRP MCT and the West line of said Taylor Survey, a distance of 921.71 feet to a found 1/2 inch iron rod, marking the Southeast corner of a said 12.6276 acre tract;

THENCE North 87°45'19" East, along the South line of said 12.6276 acre tract, a distance of 594.66 feet to a found 5/8 inch iron rod, marking the Southeast corner of said 12.6276 acre tract;

THENCE North 03°01'43" West, along the East line of said 12.6276 acre tract, a distance of 888.79 feet to the POINT OF BEGINNING and containing a computed 261.6540 acres (11,397,650 square feet) of land.

EXHIBIT B

Magnolia Ridge PID Service and Assessment Plan

MAGNOLIA RIDGE

Public Improvement District Service and Assessment Plan

Magnolia, Texas

Consultant Team:

Parke Patterson Consultants – PID Consultant
Roy Johnson - Financial Consultant
David Broussard, PE – Civil Engineer
John Madsen, CPA – Parmet, Chapman and Madsen

October 4, 2006

I. Magnolia Ridge Public Improvement District Creation
Magnolia Ridge Local Government Corporation

This document serves as the **Magnolia Ridge Public Improvement District ("PID") Service and Assessment Plan ("Plan")**. This Plan applies to Phase 1 of the Magnolia Ridge Development Project.

Creation of the PID:

Notice of the public hearing was published in the Conroe Courier newspaper on September 9, 2004. Notice of the public hearing was mailed to property owners on September 13, 2004.

The Magnolia City Council ("City") held the public hearing on September 28, 2004. The Magnolia Ridge PID was created on February 8, 2005 by Resolution 2005-0005.

The Magnolia Ridge PID is approximately 600 acres. The PID Boundary Map and PID Boundary Description are contained herein.

Following Phase 1, prior to the development of future phases of the project, the Consultants will draft Service and Assessment Plans for the purpose of seeking City approval to levy PID assessments on each additional phase after Phase 1.

Creation of the Local Government Corporation:

On February 8, 2005, the City of Magnolia created the Magnolia Ridge Local Government Corporation ("Corporation").

The purpose of the Corporation is to provide oversight for the project; administer the operations of the PID including the collection of PID assessments; the construction of public improvements within the PID; and to be the issuer of future bond debt for the purpose of reimbursing the developer for his construction of public improvements, and/or constructing public improvements, at its discretion.

The initial members of the Corporation's Board are as follows:

Jimmy Thornton
Carol Drake
Bill Cannon
Cedric Smith
Richard Carby

II. Magnolia Ridge Development Plan

Development Plan:

Magnolia Ridge is a mixed-use development located in the city limits of Magnolia, Texas. Magnolia Ridge will contain approximately 1,500 single family residential lots, passive and active public open spaces, neighborhood commercial retail and office uses. Future development may include public facilities, such as a school. The Master Plan is contained herein. The Master Plan is subject to change.

Magnolia Ridge will be developed in phases. Phase 1 of Magnolia Ridge will be approximately 309 single family residential lots, and commercial/recreation/detention/roadway/utility reserves.

Owner/Developer:

Magnolia Ridge is owned and will be developed by the Aslan Corporation ("Aslan").

III. Capital Improvements and Supplemental Services

The Developer will design, finance and construct the following capital improvements and supplemental services located within the boundaries of the PID.

Public Infrastructure within the PID

1. Water production, treatment and distribution system
2. Sanitary sewer collection and treatment system
3. Storm water drainage and detention system
4. Clearing
5. Street paving
6. Storm water protection
7. Open space, parks, landscaping and entry features
8. Civil engineering
9. Surveying
10. Geotechnical engineering

Supplemental Services within the PID

1. Civil engineering
2. Land planning
3. Landscape architecture
4. PID creation, legal services, and PID administration costs
5. PID assessment collection services

The costs for Public Infrastructure and Supplemental Services for Phase 1 of Magnolia Ridge will total approximately \$15 million (including contingencies). These figures are based on 2006 dollars and assume no inflation. The costs are based on consultant's estimates. The costs are approximate and may increase or decrease.

Aslan assumes reimbursement for some of these development costs, subject to a Developer Reimbursement Agreement.

IV. Assessment for Costs of Capital Improvements and Supplemental Services

Method of Assessment and Assessment Rate:

A PID assessment will be made on each lot in PHASE 1 of the PID.

The assessment rate is fixed at eight-five cents (\$.85) per one-hundred dollars (\$100) of value per lot in PHASE 1 for twenty-five (25) years, or upon retirement of bond debt to be issued, whichever occurs first.

At the property owner's discretion, they may make a one-time payment of the entire twenty (20) year assessment.

The anticipated revenue from PID assessments on each single-family residential lot within PHASE 1 is equal to approximately 20% (approximately \$3 million) of the developer's reimbursable costs (approximately \$15 million) for public infrastructure and supplemental services.

V. Payment of Assessments

Due Date of PID Assessments:

Property owners will pay their PID assessment one time per year.

The PID assessment will be due and payable at the same time City property taxes are due and payable to the City of Magnolia or at any such other time as determined by the City of Magnolia.

Collection of PID Assessments:

PID assessments may be collected by the City's Tax Assessor/Collector, subject to a contract for such services.

Failure to Pay PID Assessments:

The payment of any assessment levy becomes delinquent at the same time that property taxes are delinquent in the year in which the payment is due. In the event a property owner fails to pay the assessment, delinquency penalties will be applied on delinquent assessments at the same time and in the same manner as delinquency penalties are applied to delinquent City of Magnolia property taxes. An additional fifteen percent (15%) penalty will be imposed on the PID assessment, in addition to reasonable attorneys' fees and any other fees, if incurred, to collect such delinquent assessment.

V. Operations of the Magnolia Ridge PID and Corporation

Dissolution of the PID

Operations:

The Corporation may consider hiring private consultants who are experienced in PIDs and experienced in these types of Corporation's administration, legal and financial activities. Such costs will be borne by the Developer.

All administrative and land development actions will be reported to the City Council on a regular basis.

Dissolution of the PID:

Upon retirement of any debt issued by the Corporation or satisfaction of all conditions of reimbursement to the Development, the City may choose to dissolve the PID.

EXHIBIT C

Assessment Roll and Assessment Rate for Magnolia Ridge Public Improvement District Phase 1 of the Magnolia Ridge Subdivision To be Recorded in the Records of Montgomery County, Texas

SECTION	BLOCK	Area or LOTS	ASSESSMENT RATE Per \$100.00 in Valuation
Section 1	Reserve A	Roadway only	Not applicable
Section 2	Comml. Reserve A	32.22 acres	\$.85
Section 2	Comml. Reserve B	7.72 acres	\$.85
Section 2	Comml. Reserve C	9.29 acres	\$.85
Section 2	Comml. Reserve D	11.24 acres	\$.85
Section 2	Comml. Reserve E	18.92 acres	\$.85
Section 3	1	1 thru 34	\$.85
Section 3	2	1 thru 9	\$.85
Section 3	3	1 thru 3	\$.85
Section 3	4	1 thru 7	\$.85
Section 4	1	1 thru 39	\$.85
Section 4	2	1 thru 14	\$.85
Section 4	3	1 thru 27	\$.85
Section 5	1	1 thru 25	\$.85
Section 5	2	1 thru 13	\$.85
Section 5	3	1 thru 32	\$.85
Section 6	1	1 thru 3	\$.85
Section 6	2	1 thru 8	\$.85
Section 6	3	1 thru 45	\$.85
Section 6	4	1 thru 22	\$.85
Section 6	5	1 thru 8	\$.85
Section 6	6	1 thru 8	\$.85
Section 6	7	1 thru 7	\$.85
Section 7	Reserve A	Detention only	Not applicable

AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally appeared,
Tracy Herron who on her oath stated:

125 Legal Notices

Ordinance No. 2006-098

AN ORDINANCE OF THE
CITY COUNCIL OF THE
CITY OF MAGNOLIA,
TEXAS LEVYING ASSES-
MENTS FOR THE COST OF
CERTAIN IMPROVEMENTS
TO BE PROVIDED IN THE
MAGNOLIA RIDGE PUBLIC
IMPROVEMENT DISTRICT;
FIXING CHARGES AND
LIENS AGAINST THE PROP-
ERTY IN THE DISTRICT
AND AGAINST THE OWN-
ERS THEREOF; PROVIDING
FOR THE COLLECTION OF
THE ASSESSMENT, AND
PROVIDING AN EFFECTIVE
DATE.

I am the Account Manager of the TOMBALL MAGNOLIA TRIBUNE a newspaper
published in the Montgomery County, Texas and know the facts stated in this affi-
davit. The attached matter is a true and correct copy of the publication of the citation
of which it purports to be a copy, as the same appeared in such newspaper in the
respective issues of:

1/22, 2007

_____, 2007

Tracy Herron
Tracy Herron, Account Manager

*Received & Filed
in the Office of*

JAN 24 2007

*City Secretary
City of Magnolia, Texas*

Subscribed and sworn to this 23 day of January, 2007

