

ORDINANCE NO. 3412

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING A REVISED PROJECT PLAN AND FINANCING PLAN FOR MESQUITE RODEO CITY TAX INCREMENT FINANCE REINVESTMENT ZONE NUMBER ONE; MAKING A FINDING REGARDING FEASIBILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mesquite, Texas (the "City") established Mesquite Rodeo City Tax Increment Finance Reinvestment Zone Number One (the "Zone") and established a Board of Directors for the Zone to promote development or redevelopment in the Zone pursuant to Ordinance No. 3138 approved by the City Council on February 3, 1997, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act"); and

WHEREAS, the Board of Directors of Mesquite Rodeo City Tax Increment Finance Reinvestment Zone Number One (the "Board") on June 17, 1997, prepared and adopted a Revised Project Plan and Financing Plan (the "Plans") for the Zone pursuant to Ordinance No. 3162 approved by the City Council on July 7, 1997; and

WHEREAS, the Board on December 15, 2000, prepared and adopted the Plans for the Zone; and

WHEREAS, the Plans are substantially consistent with the adopted plan developed for the Zone; and

WHEREAS, in compliance with the Act, the Board hereby submits the Plans for the Zone, attached hereto as Exhibit "A", to the City Council for approval; and

WHEREAS, the Board has respectfully advised and recommended approval of the Plans by the City Council in order to promote development and redevelopment of the Zone.

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

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 2. That the Revised Project Plan and Financing Plan (the "Plans") submitted to the City Council attached hereto as Exhibit "A" are hereby found to include all information required under Section 311.011 of the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act").

Eco Dev/Rodeo City TIF/February 5, 2001  
Page 2 of 2

SECTION 3. That in accordance with the Act, the City Council has reviewed the Plans and hereby finds the Plans to be feasible and conform to the Master Plan for the City of Mesquite.

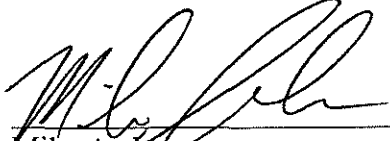
SECTION 4. That in accordance with the Act, the City Council hereby approves the Plans attached hereto as Exhibit "A".

SECTION 5. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.


SECTION 6. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 7. That the need to regulate the Plans for the Mesquite Rodeo City Tax Increment Finance Reinvestment Zone Number One and the need to protect the public interest, comfort and general welfare of the citizens of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of February, 2001.

  
\_\_\_\_\_  
Mike Anderson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Ellen Williams  
City Secretary

APPROVED:

  
\_\_\_\_\_  
B. J. Smith  
City Attorney

**Amended and Restated  
Project and Financing Plan  
for  
Mesquite Rodeo City  
Reinvestment Zone Number One**

**January 31, 2001**

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## Contents

	Page
Section 1: Amended and Restated Plan	1
Section 2: What Is Tax Increment Financing?	2
Section 3: Pro Forma (Economic Feasibility Study)	3
Section 4: Project and Financing Plan Checklist	13

Neither this report nor its conclusions may be referred to or included in any product or part of any offering made in connection with private syndication of equity, sale of bonds, sales of securities or sale of participation interests to the public without express written approval of Stein Planning and Management, 3733 Shenandoah Street, Dallas, Texas 75205, 214-526-3733.

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## Exhibits

	Page
<b>Exhibit A:</b> Existing Uses and Conditions	5
<b>Exhibit B:</b> Improvements to be Reimbursed by Tax Increment Fund	9

## Schedules

	Page
<b>Schedule 1:</b> Real Property Accounts in the Reinvestment Zone	6
<b>Schedule 2:</b> Estimated Annual Values and Revenues of Zone One	7
<b>Schedule 3:</b> Reimbursement Schedule for Tax Increment Fund	10

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## Section 1: Amended and Restated Plan

The Mesquite City Council ("Council") designated the Mesquite Rodeo City Reinvestment Zone Number One ("Zone 1") by Ordinance 3138 on February 3, 1997. The Council approved a project plan and financing plan for Zone 1 on April 21, 1997 and revised the project plan and financing plan on July 7, 1997. The Board of the Mesquite Independent School District voted in 1997 to participate in Zone 1 with 100% of the School District's Zone 1 tax increment.

Three years after the February 3, 1997 date when Zone 1 was created, no bonds had been issued for Zone 1, the City of Mesquite had not acquired property in Zone 1 that it would not have acquired in the absence of Zone 1 and no construction of Zone 1 improvements had begun that would not have begun in the absence of Zone 1. Subsequently, a member of the Zone 1 board of directors ("TIF Board") requested that the County of Dallas and the Dallas County Hospital District be allowed to terminate their participation in Zone 1. The TIF Board deemed the request reasonable and determined to consider a revised project and financing plan with continuing participation by only the City of Mesquite and the Mesquite Independent School District.

This document is an amended and restated project plan and financing plan for Zone 1. It does not modify the boundaries of Zone 1 as approved on February 3, 1997 and maintained without change. It reflects participation by only the City of Mesquite and the Mesquite Independent School District. It deletes improvements for the Rodeo City entertainment project to have been developed by AGF Scyene Rodeo or its assigns or successors. It adds an erosion control and sidewalk improvement project along Hickory Tree Road. Upon approval by the Council, this amended and restated project and financing plan will supersede and replace the previously approved project plan and financing plan to the full extent permitted by Texas law.

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## Section 2: What Is Tax Increment Financing?

Tax increment financing ("TIF") is a tool to finance public improvements within a defined area. These improvements are intended to attract new investment. The primary statute governing TIF is Chapter 311 of the Texas Tax Code. The Texas Government Code, Section 403.302, also addresses TIF as a factor in defining school district property values for purposes of equalizing wealth per student. Mesquite Independent School District tax increments paid to the tax increment fund for Zone 1 are not treated as local wealth.

A municipality makes an area eligible for tax increment financing by designating a "reinvestment zone" ("Zone"). Tax dollars generated by growth of real property value in the Zone are called the "tax increment." These tax increment dollars flow to a tax increment fund ("Fund") for a specified term of years. For Zone 1, tax increments on real property levied through December 31, 2018 will flow to the Fund. The Fund may be used to pay for or reimburse expenses of constructing public improvements in the Zone. Money in the Fund may be disbursed according to a plan and agreements approved by the TIF Board and the Council. The TIF Board consists of five to fifteen members appointed according to state law and municipal ordinance.

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### Section 3: Pro Forma (Economic Feasibility Study)

The original plan for Zone 1 anticipated that AGF Scyene Rodeo, owner of the vacant tracts at the center of the zone, would advance funds for specific public improvements and construct taxable improvements for entertainment, retail and restaurant uses. The development would build on a theme set by the Mesquite Rodeo. City investments in the conference center and exhibit hall and School District investments in the stadium would contribute to the success of the themed entertainment complex.

After more than three years, the private developer has not constructed improvements and no longer has a specific plan to do so. Consequently, the City of Mesquite is updating the Zone 1 project and financing plan to reflect changed reality. The City believes tax increment financing remains an inducement for economic development of Zone 1 and will consider subsequent changes to the plan if and when a landowner demonstrates interest in using tax increment financing to facilitate development.

Exhibit A is a map of Zone 1, showing existing uses and conditions. Schedule 1 identifies all real property accounts from the Dallas Central Appraisal District that are known to lie within Zone 1. The schedule documents appraised values for each account and for the zone in aggregate for each year from 1997 through 2000.

Schedule 2 projects aggregate annual values of Zone 1, annual captured appraised values of Zone 1 and annual tax increment revenues from Zone 1 for the duration of the zone. Appraisals through 2000 are actual values, not projections.

The projected values of Schedule 2 are predicated on annual value growth of 2.1%. No supplemental value growth been assumed for any development. Actual value changes for any year and for the duration of the zone may be more or less than the assumed 2.1%. The hypothetical growth rate is less than recent consumer price index changes. The assumed growth rate is the rate required to amortize project costs and interest with cash flow to the Fund from levies through 2018 (collected through 2019).

Exhibit B locates public improvements to be reimbursed by the Fund. It also shows the vacant sites in Zone 1, all of which are anticipated for eventual use as entertainment, sports, retail, restaurant, hotel or office facilities.

The final schedule of the pro forma, Schedule 3, projects annual expenses of the tax increment fund, including administrative expenses, interest reimbursements and capital reimbursements. Actual reimbursements may vary from Schedule 3 for several reasons, including these:

- (1) Revenues vary;
- (2) A cash balance is maintained for the Fund;
- (3) Actual expenses vary;



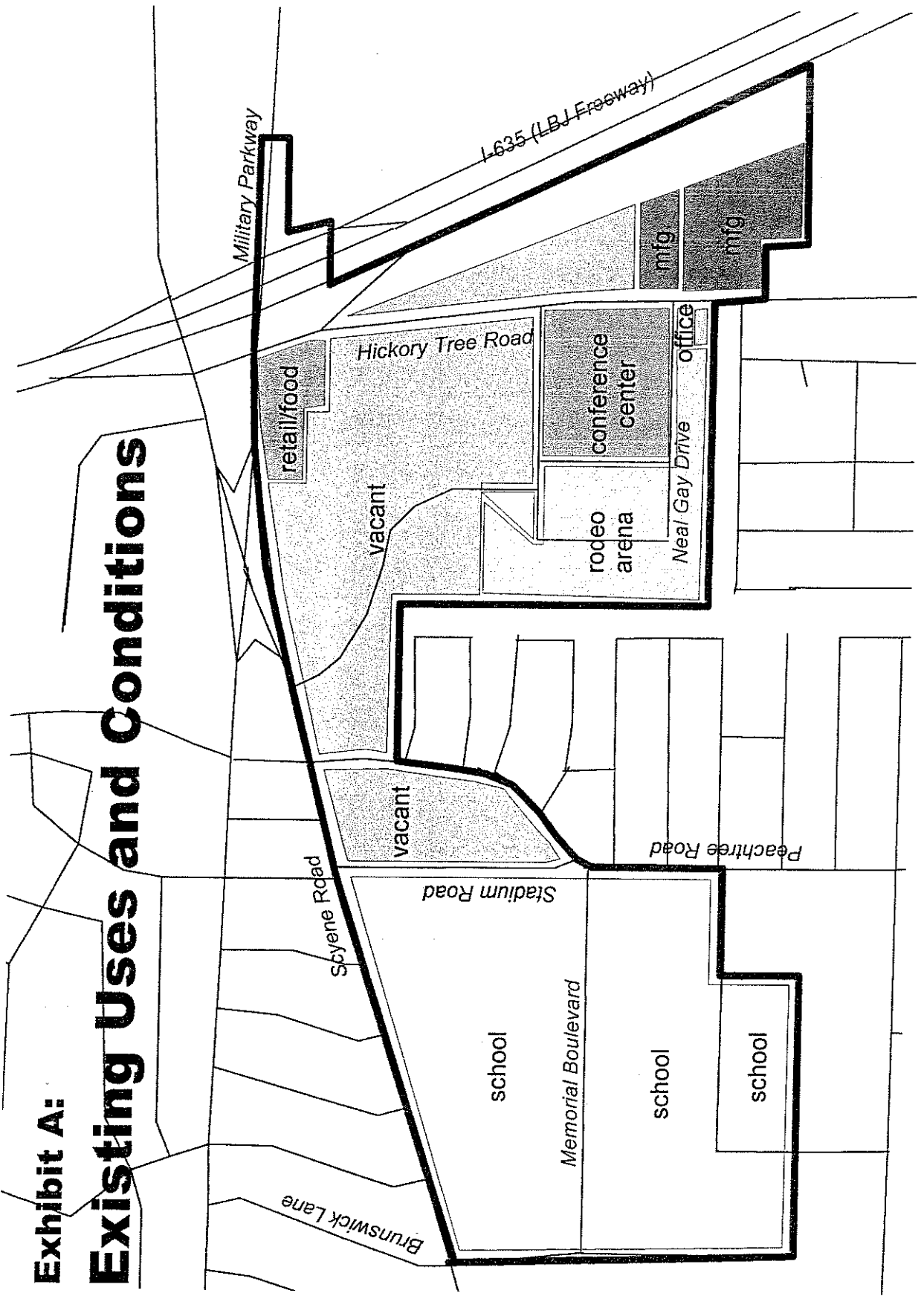
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- (4) The interest rates actually paid vary;
  - (5) Interest is earned on cash balances for the Fund.

The first year in which the Fund was due an increment was 2000. This increment is based on appraisals for 1999 and real property tax levied in fall 1999. Taxes were due without penalty by January 31, 2000. Section 311.013 prescribes payments to the Fund not later than the 90<sup>th</sup> day after the delinquency date for taxes.

The formula for division of available TIF dollars among creditors will be as follows:

- (1) TIF cash will be applied first to administrative fees incurred by the City of Mesquite for Zone 1. To earn the fees, the City shall maintain documentation of tasks performed for Zone 1, including time to accomplish such tasks. Administrative fees shall be paid after approval by the TIF Board.
- (2) Until 2001, TIF cash remaining after administrative fees will be divided among creditors according to percentages reflecting the share of reimbursable investments for public improvements to be made by each creditor through April 2001.
- (3) Beginning in 2001, the percentages of annual TIF revenue after administrative fees will reflect shares of reimbursable investments *actually* made by each creditor. This mechanism will assure that if one of the anticipated creditors does not make any or part of the anticipated public improvement expenditures from the project list (Schedule 3), that party will not receive undue benefits.
- (4) No creditor shall receive more proceeds from the Fund than the amount of principal and interest due. When the Fund has satisfied an obligation to a creditor, available TIF dollars may be distributed to remaining creditors.
- (5) A positive Fund balance at the termination of Zone 1 may be used for public improvements in the zone or may be returned to participating jurisdictions according to relative amounts of tax increments paid to the zone in the most recent year, at the discretion of the TIF Board, subject to approval by the Council.

# Exhibit A: Existing Uses and Conditions



### Schedule 1: Real Property Accounts in the Reinvestment Zone

2000 Owner of Record	DCAD Account #	Site Address	Land SF	Acres	2000 Total Appraisal	1999 Total Appraisal	1998 Total Appraisal*	1997 Total Appraisal*
<b>Taxable Accounts</b>								
SCYENE RODEO LTD	65007456510010000	1705 RODEO DR	84,867	1.9483	\$190,950	\$190,950	\$100,140	\$100,140
SCYENE RODEO LTD	65007456510010300	417 HICKORY TREE RD	122,892	2.8212	\$276,510	\$276,510	\$150,000	\$150,000
SCYENE RODEO LTD	65146264410030000	1900 W SCYENE RD	797,161	18.3003	\$184,560	\$184,560	\$263,060	\$263,060
SCYENE RODEO LTD	65146264410030200	2000 W SCYENE RD	363,382	8.3421	\$272,540	\$272,540	\$272,540	\$272,540
SCYENE RODEO LTD	65146264410030500	2000 W SCYENE RD	459,065	10.5387	\$275,440	\$275,440	\$144,080	\$144,080
Subtotal			1,827,367	41.9506	\$1,200,000	\$1,200,000	\$929,820	\$929,820
AMBAJI SERI CORP	65097420510020200	500 HICKORY TREE RD	16,529	0.3795	\$15,220	\$15,220	\$0	\$0
CHARGER SQUARE JV	381620000A02B0000	1704 MILITARY PKWY	42,061	0.9656	\$696,920	\$696,920	\$696,920	\$696,920
EL TRA JV	381620000A03A0000	1726 MILITARY PKWY	19,845	0.4556	\$89,300	\$89,300	\$59,540	\$59,540
ENGRAM BRYAN H ET AL	65103155010130000	410 HICKORY TREE RD	276,606	6.3500	\$276,610	\$276,610	\$96,810	\$96,810
HAMMONS JOHN Q HOTELS	65007456510030100	1700 RODEO DR	156,816	3.6000	\$8,847,080	\$8,323,300	\$0	\$0
JADO PROPERTIES INC	65007456510010200	1703 RODEO DR	231,599	5.3168	\$521,100	\$521,100	\$231,600	\$231,600
KENTUCKY FRIED CHICKEN	381620000A03B0000	1722 MILITARY PKWY	27,643	0.6346	\$555,770	\$333,850	\$330,850	\$290,520
LBJ MILITARY JV ETAL	381620000A0040000	21713 LBJ FWY	224,155	5.1459	\$448,310	\$448,310	\$275,550	\$275,550
MCCAY M A	38162050010040000	1720 NEAL GAY DR	28,100	0.6451	\$180,000	\$180,000	\$155,700	\$155,700
MCDONALDS CORP 042 0476	381182000A0010000	2012 W SCYENE RD	38,219	0.8774	\$335,030	\$340,780	\$363,790	\$285,660
NUMO MANUFACTURING CO INC	38142980000010000	700 HICKORY TREE RD	417,923	9.5942	\$621,380	\$621,380	\$621,380	\$847,070
RODEO DRIVE PARTNERS	38162050010010200	1901 RODEO DR	8,350	0.1917	\$18,790	\$18,790	\$12,530	\$12,530
RODEO PARTNERS L P	38162050010010100	1700 NEAL GAY DR	739,083	16.9670	\$4,915,960	\$4,847,680	\$3,135,210	\$3,135,210
ROHAN EMANUEL & VALERIE	38142990000020000	622 HICKORY TREE RD	123,057	2.8250	\$278,370	\$278,370	\$230,620	\$219,180
SAVICKAS JOHN E	381620000A02A0000	1714 MILITARY PKWY	17,711	0.4066	\$244,730	\$244,730	\$244,730	\$249,220
SIMPSON DAVID R & ANN	38162050010020000	1919 RODEO DR	24,267	0.5571	\$196,200	\$196,200	\$196,200	\$192,120
SKINNER MASONRY INC	65007456510050000	627 HICKORY TREE RD	42,227	0.9694	\$98,240	\$98,240	\$71,080	\$71,080
SOUTHWEST RODEO L P	38162050010010000	800 HICKORY TREE RD	15,743	0.3614	\$35,420	\$35,420	\$19,680	\$19,680
SOUTHWEST RODEO L P	65146264410030400	1700 RODEO DR	185,348	4.2550	\$46,340	\$46,290	\$46,290	\$46,290
SOUTHWEST RODEO L P	65146264410030600	1700 RODEO DR	104,693	2.4034	\$235,560	\$235,560	\$50,000	\$50,000
TRAIL DUST STEAK HOUSE	381620000A0010000	21717 LBJ FWY	126,193	2.8970	\$1,457,820	\$1,457,820	\$1,400,000	\$1,400,000
TRAIL DUST STEAK HOUSE	381620000A0040100	21717 LBJ FWY	3,337	0.0766	\$1,000	\$1,000	\$0	\$0
TXU INTEGRATED SOLUTIONS	3816205001001M100	1700 NEAL GAY DR	10	0.0002	\$84,010	\$84,010	\$0	\$0
WHATABURGER OF MESQUITE	381620000A03C0000	1718 MILITARY PKWY	22,999	0.5280	\$256,800	\$256,800	\$264,870	\$259,270
WHITE FLOYD G	38162050010030000	613 HICKORY TREE RD	14,201	0.3260	\$31,950	\$31,950	\$28,400	\$28,400
Two owners have 50% interests in one tract:								
HOLLIN ROBERT W PROFIT	65097420510020100	500 HICKORY TREE RD	177,446	4.0739	\$70,980	\$70,980	\$33,970	\$13,941
SWAFFORD BURL	6509742051002D100	500 HICKORY TREE RD	177,446	4.0739	\$70,980	\$70,980	\$33,970	\$13,941
Subtotal for Hollin-Swofford tract			177,446	4.0739	\$141,960	\$141,960	\$67,940	\$27,881
Taxable accounts subtotal			4,911,528	112.7535	\$21,829,870	\$21,021,590	\$9,529,510	\$9,580,051
<b>Fully exempt accounts</b>								
MESQUITE I S D	65146264510050000	713 PEACHTREE RD	40,511	0.9300	\$11,710	\$11,710	\$11,710	\$7,440
MESQUITE I S D	65146264510070000	713 PEACHTREE RD	4,008	0.0920	\$740	\$740	\$740	\$740
MESQUITE CITY OF	65007456510030000	1800 RODEO DR	286,320	6.5730	\$9,452,480	\$9,452,480	\$443,140	\$443,140
MESQUITE CITY OF	65146264410030300	301 PEACHTREE RD	82,851	1.9020	\$124,280	\$124,280	\$165,700	\$165,700

\*1997 base value and 1998 taxable value are \$9,525,623 and \$9,445,540, respectively, according to 11/12/98 finding by the TIF Board of Directors.

**Schedule 2:  
Estimated Annual Values and Revenues of  
Reinvestment Zone One**

**Assumptions:**

Average annual appreciation: 2.1% Applied after 2000  
 Assumes these tax rates per \$100:  
 City: \$0.54148 100% participation  
 MISD: \$1.58000 100% participation

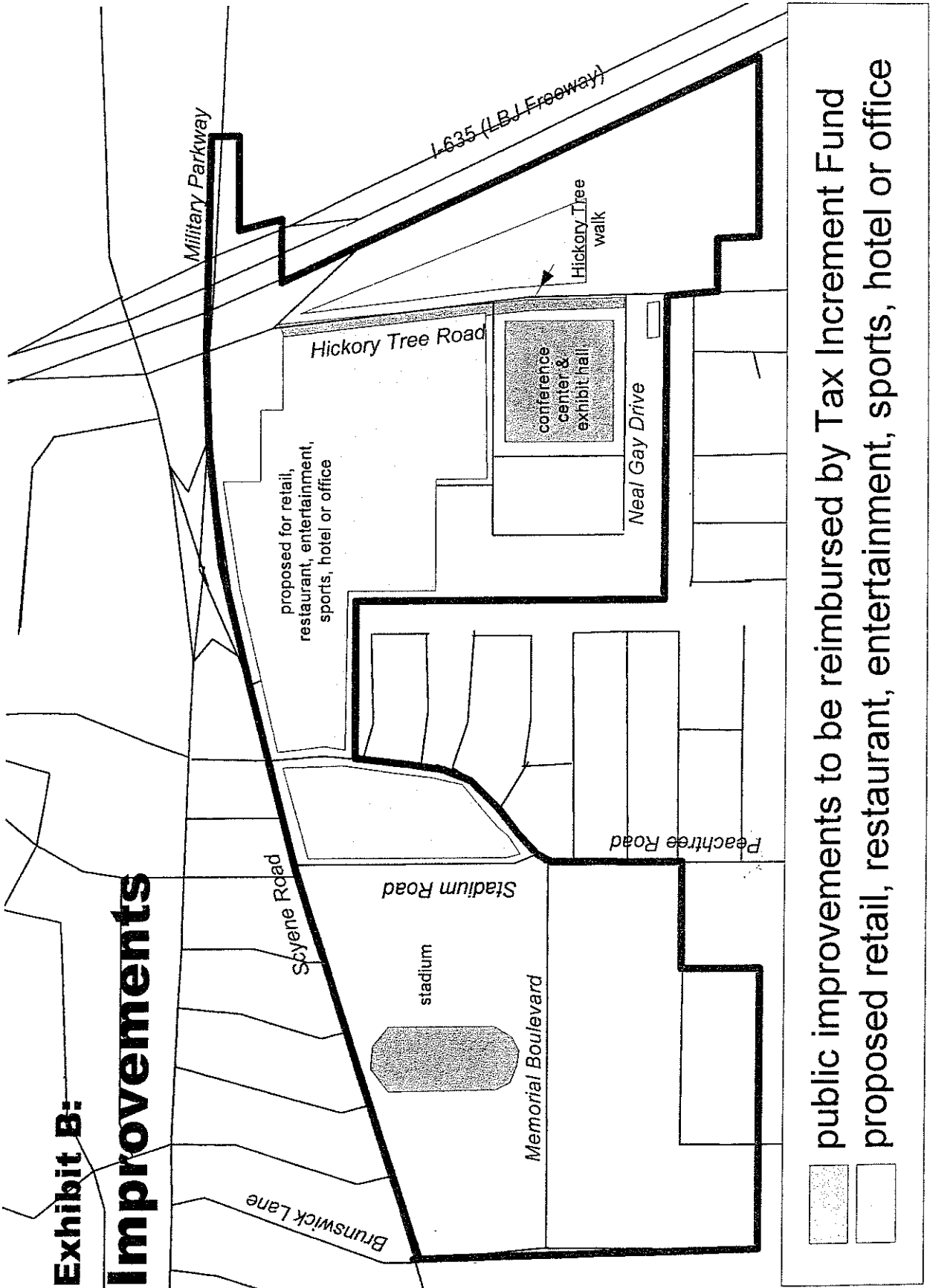
Year:	1	2	3	4	5	6	7	8	9	10	11	12
<i>Appraisals as of 1/1;</i>												
<i>Collections lag by 12-16 mo.</i>	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Stream 1: Specific improvements anticipated for real property</b>				\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Stream 1 subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Stream 2: Real properties without specific anticipated improvements</b>	\$9,529,510	\$21,021,590	\$21,829,870	\$22,288,297	\$22,756,352	\$23,234,235	\$23,722,154	\$24,220,319	\$24,728,946	\$25,248,254	\$25,778,467	\$26,319,815
<b>Total value of Zone 1</b>	\$9,529,510	\$21,021,590	\$21,829,870	\$22,288,297	\$22,756,352	\$23,234,235	\$23,722,154	\$24,220,319	\$24,728,946	\$25,248,254	\$25,778,467	\$26,319,815
Less 1997 base value	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051
<b>Captured appraised value of Zone 1</b>	\$0	\$11,441,539	\$12,249,819	\$12,708,246	\$13,176,300	\$13,654,184	\$14,142,103	\$14,640,268	\$15,148,895	\$15,668,203	\$16,198,416	\$16,739,764
<b>Annual revenue to Zone 1 from ...</b>												
City of Mesquite		\$0	\$61,954	\$66,330	\$68,813	\$71,347	\$73,935	\$76,577	\$79,274	\$82,028	\$84,840	\$87,711
Mesquite Independent School District		\$0	\$180,776	\$193,547	\$200,790	\$208,186	\$215,736	\$223,445	\$231,316	\$239,353	\$247,558	\$255,935
All sources		\$0	\$242,730	\$259,877	\$269,603	\$279,533	\$289,671	\$300,022	\$310,590	\$321,381	\$332,398	\$343,646

Schedule 2:  
**Estimated Annual Values and Revenues of  
 Reinvestment Zone One**

Year: Appraisals as of 1/1; Collections lag by 12-16 mo.	13	14	15	16	17	18	19	20	21	22	Cumulative	PV in 2000 5.50%
<b>Stream 1: Specific improvements anticipated for real property</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Stream 1 subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
<b>Stream 2: Real properties without specific anticipated improvements</b>	\$26,872,531	\$27,436,854	\$28,013,028	\$28,601,302	\$29,201,929	\$29,815,169	\$30,441,288	\$31,080,555	\$31,733,247	\$32,399,645		
Total value of Zone 1	\$26,872,531	\$27,436,854	\$28,013,028	\$28,601,302	\$29,201,929	\$29,815,169	\$30,441,288	\$31,080,555	\$31,733,247	\$32,399,645		
Less 1997 base value	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051	\$9,580,051		
Captured appraised value of Zone 1	\$17,292,480	\$17,856,803	\$18,432,977	\$19,021,251	\$19,621,878	\$20,235,118	\$20,861,237	\$21,500,504	\$22,153,196	\$22,819,594		
<b>Annual revenue to Zone 1 from ...</b>												
City of Mesquite	\$90,642	\$93,635	\$96,691	\$99,811	\$102,996	\$106,249	\$109,569	\$112,959	\$116,421	\$119,955	\$1,801,738	\$1,070,695
Mesquite Independent School District	\$284,488	\$273,221	\$282,137	\$291,241	\$300,536	\$310,028	\$319,715	\$329,608	\$339,708	\$350,020	\$5,257,342	\$3,124,210
All sources	\$355,131	\$366,857	\$378,829	\$391,052	\$403,532	\$416,274	\$429,284	\$442,567	\$456,129	\$469,976	\$7,059,080	\$4,194,905

\*The Zone terminates Dec. 31, 2018. Whether taxes levied on the tax increment in 2018, but received in 2019, will flow to the TIF is unclear.

# Exhibit B: Improvements



-  public improvements to be reimbursed by Tax Increment Fund
-  proposed retail, restaurant, entertainment, sports, hotel or office

### Schedule 3: Reimbursement Schedule for Tax Increment Fund

**Assumptions:**

Project costs:		
Estimated annual TIF administrative expense	\$10,000	First claim for reimbursement; no interest.
City reimbursable expense: land for Conference Center (435,600 square feet at intersection of Hickory Tree Road and Neal Gay Drive)	\$975,000	Advanced 1995
City reimbursable expense: Exhibition Hall and Conference Center (80,000 square feet at Intersection of Hickory Tree Road and Neal Gay Drive)	\$2,125,000	Advanced 1996
City reimbursable expense: Hickory Tree Road grading, erosion control and walks (1,200 linear feet along west side from Neal Gay Drive to Trill Dust Steakhouse)	\$146,200	Advanced by 4/30/2002
MISD reimbursable expenses: stadium construction (40,000 square-foot playing field at Scyene Road and Stadium Road)	\$1,000,000	Advanced 1999
Total estimated project capital costs:	\$4,246,200	
Total estimated project administrative costs:	\$210,000	Based on 1998-2018 duration of zone
Total project costs, before interest:	\$4,456,200	
City share of TIF reimbursable expenses and revenue		
City share of TIF reimbursable expenses and revenue	76.45%	Share based on investments through 4/30/2002
MISD share of TIF reimbursable expenses and revenue	23.55%	Share based on investments through 4/30/2002
After 2000, TIF revenue will be distributed according to actual expenses to date for reimbursable improvements.		
Estimated interest paid by TIF for City, MISD advances		
Estimated interest paid by TIF for City, MISD advances	5.50%	Annual compounding; accrual begins 5/1/01

### Schedule 3: Reimbursement Schedule for Tax Increment Fund

Year:	Base	1	2	3	4	5	6	7	8	9	10	11
<i>Revenues and reimbursements each April/May;</i>												
<i>Expenses for calendar year, int. estimated April 30:</i>	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Fund revenue and cash balance</b>												
Annual revenue to Zone 1 Fund (from Schedule 2)			\$0	\$242,730	\$259,877	\$269,603	\$279,533	\$289,671	\$300,022	\$310,590	\$321,381	\$332,398
Fund balance, if >\$0, after reimbursements		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenses</b>												
<i>Annual TIF administrative expense (to City)</i>												
Expenses this period		\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Total administrative expense before repayment		\$10,000	\$20,000	\$30,000	\$40,000	\$50,000	\$60,000	\$70,000	\$80,000	\$90,000	\$100,000	\$110,000
Less reduction this period		\$0	\$0	\$30,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Net administrative expense owed at end of year		\$10,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Advances by City for reimbursable improvements</i>												
Principal balance carried forward		\$0	\$3,100,000	\$3,100,000	\$2,939,155	\$2,750,224	\$2,849,221	\$2,799,872	\$2,740,057	\$2,669,040	\$2,586,038	\$2,490,220
Plus new principal advanced	\$0	\$3,100,000	\$0	\$0	\$0	\$146,200	\$0	\$0	\$0	\$0	\$0	\$0
Sum of principal before repayment	\$0	\$3,100,000	\$3,100,000	\$3,100,000	\$2,939,155	\$2,896,424	\$2,849,221	\$2,799,872	\$2,740,057	\$2,669,040	\$2,586,038	\$2,490,220
Less reduction of principal this period	\$0	\$0	\$0	\$160,845	\$188,932	\$47,203	\$49,349	\$59,814	\$71,017	\$83,003	\$95,817	\$109,509
Net principal owed	\$0	\$3,100,000	\$3,100,000	\$2,939,155	\$2,750,224	\$2,849,221	\$2,799,872	\$2,740,057	\$2,669,040	\$2,586,038	\$2,490,220	\$2,380,711
Outstanding interest carried forward		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plus interest accrued this period	\$0	\$0	\$0	\$0	\$0	\$151,262	\$156,707	\$153,993	\$150,703	\$146,797	\$142,232	\$136,962
Sum of interest before repayment	\$0	\$0	\$0	\$0	\$0	\$151,262	\$156,707	\$153,993	\$150,703	\$146,797	\$142,232	\$136,962
Less reduction of interest this period	\$0	\$0	\$0	\$0	\$0	\$151,262	\$156,707	\$153,993	\$150,703	\$146,797	\$142,232	\$136,962
Net interest owed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total principal and interest owed	\$0	\$3,100,000	\$3,100,000	\$2,939,155	\$2,750,224	\$2,849,221	\$2,799,872	\$2,740,057	\$2,669,040	\$2,586,038	\$2,490,220	\$2,380,711
<i>Advances by MISD for reimbursable improvements</i>												
Principal balance carried forward		\$0	\$0	\$1,000,000	\$948,115	\$887,169	\$874,826	\$859,465	\$840,872	\$818,818	\$793,062	\$763,349
Plus new principal advanced	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sum of principal before repayment	\$0	\$0	\$1,000,000	\$1,000,000	\$948,115	\$887,169	\$874,826	\$859,465	\$840,872	\$818,818	\$793,062	\$763,349
Less reduction of principal this period	\$0	\$0	\$0	\$51,885	\$60,946	\$12,343	\$15,361	\$18,593	\$22,054	\$25,755	\$29,713	\$33,942
Net principal owed	\$0	\$0	\$1,000,000	\$948,115	\$887,169	\$874,826	\$859,465	\$840,872	\$818,818	\$793,062	\$763,349	\$729,407
Outstanding interest carried forward		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plus interest accrued this period	\$0	\$0	\$0	\$0	\$0	\$48,794	\$48,115	\$47,271	\$46,248	\$45,035	\$43,618	\$41,984
Sum of interest before repayment	\$0	\$0	\$0	\$0	\$0	\$48,794	\$48,115	\$47,271	\$46,248	\$45,035	\$43,618	\$41,984
Less reduction of interest this period	\$0	\$0	\$0	\$0	\$0	\$48,794	\$48,115	\$47,271	\$46,248	\$45,035	\$43,618	\$41,984
Net interest owed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total principal and interest owed	\$0	\$0	\$1,000,000	\$948,115	\$887,169	\$874,826	\$859,465	\$840,872	\$818,818	\$793,062	\$763,349	\$729,407
<b>Total fees, interest and principal owed</b>	<b>\$0</b>	<b>\$3,110,000</b>	<b>\$4,120,000</b>	<b>\$3,887,270</b>	<b>\$3,637,393</b>	<b>\$3,724,046</b>	<b>\$3,659,336</b>	<b>\$3,580,929</b>	<b>\$3,487,858</b>	<b>\$3,379,100</b>	<b>\$3,253,570</b>	<b>\$3,110,118</b>



**Schedule 3:  
Reimbursement Schedule for Tax Increment Fund**

Year:	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Cumulative
<i>Revenues and reimbursements each April/May; Expenses for calendar year, int. estimated April 30:</i>												
<b>Fund revenue and cash balance</b>												
Annual revenue to Zone 1 Fund (from Schedule 2)	\$343,646	\$355,131	\$366,657	\$378,829	\$391,052	\$403,532	\$416,274	\$429,284	\$442,567	\$456,129	\$469,976	\$7,059,080
Fund balance, if >\$0, after reimbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$0)	(\$0)	\$65,668	
<b>Expenses</b>												
<i>Annual TIF administrative expense (to City)</i>												
Expenses this period	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$0
Total administrative expense before repayment	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$0
Less reduction this period	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$0
Net administrative expense owed at end of year	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Advances by City for reimbursable improvements</i>												
Principal balance carried forward	\$2,380,711	\$2,256,579	\$2,116,840	\$1,960,451	\$1,786,308	\$1,593,243	\$1,380,018	\$1,145,324	\$887,776	\$605,909	\$298,170	\$3,246,200
Plus new principal advanced	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sum of principal before repayment	\$2,380,711	\$2,256,579	\$2,116,840	\$1,960,451	\$1,786,308	\$1,593,243	\$1,380,018	\$1,145,324	\$887,776	\$605,909	\$298,170	\$3,246,200
Less reduction of principal this period	\$124,132	\$139,739	\$156,389	\$174,143	\$193,065	\$213,225	\$234,694	\$257,548	\$281,868	\$307,738	\$298,170	\$3,246,200
Net principal owed	\$2,256,579	\$2,116,840	\$1,960,451	\$1,786,308	\$1,593,243	\$1,380,018	\$1,145,324	\$887,776	\$605,909	\$298,170	\$0	\$0
Outstanding interest carried forward	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plus interest accrued this period	\$130,939	\$124,112	\$116,426	\$107,825	\$98,247	\$87,628	\$75,901	\$62,993	\$48,828	\$33,325	\$16,399	\$1,941,280
Sum of interest before repayment	\$130,939	\$124,112	\$116,426	\$107,825	\$98,247	\$87,628	\$75,901	\$62,993	\$48,828	\$33,325	\$16,399	\$1,941,280
Less reduction of interest this period	\$130,939	\$124,112	\$116,426	\$107,825	\$98,247	\$87,628	\$75,901	\$62,993	\$48,828	\$33,325	\$16,399	\$1,941,280
Net interest owed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total principal and interest owed	\$2,256,579	\$2,116,840	\$1,960,451	\$1,786,308	\$1,593,243	\$1,380,018	\$1,145,324	\$887,776	\$605,909	\$298,170	\$0	\$0
<i>Advances by M/SD for reimbursable improvements</i>												
Principal balance carried forward	\$729,407	\$690,949	\$647,672	\$599,252	\$545,350	\$485,605	\$419,635	\$347,035	\$267,379	\$180,213	\$85,059	\$1,000,000
Plus new principal advanced	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sum of principal before repayment	\$729,407	\$690,949	\$647,672	\$599,252	\$545,350	\$485,605	\$419,635	\$347,035	\$267,379	\$180,213	\$85,059	\$1,000,000
Less reduction of principal this period	\$36,459	\$43,278	\$48,419	\$53,902	\$59,745	\$65,970	\$72,600	\$79,656	\$87,166	\$95,154	\$85,059	\$1,000,000
Net principal owed	\$690,949	\$647,672	\$599,252	\$545,350	\$485,605	\$419,635	\$347,035	\$267,379	\$180,213	\$85,059	\$0	\$0
Outstanding interest carried forward	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Plus interest accrued this period	\$40,117	\$38,002	\$35,622	\$32,959	\$29,994	\$26,708	\$23,080	\$19,087	\$14,706	\$9,912	\$4,678	\$595,932
Sum of interest before repayment	\$40,117	\$38,002	\$35,622	\$32,959	\$29,994	\$26,708	\$23,080	\$19,087	\$14,706	\$9,912	\$4,678	\$595,932
Less reduction of interest this period	\$40,117	\$38,002	\$35,622	\$32,959	\$29,994	\$26,708	\$23,080	\$19,087	\$14,706	\$9,912	\$4,678	\$595,932
Net interest owed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total principal and interest owed	\$690,949	\$647,672	\$599,252	\$545,350	\$485,605	\$419,635	\$347,035	\$267,379	\$180,213	\$85,059	\$0	\$0
<b>Total fees, interest and principal owed</b>	\$2,947,529	\$2,764,512	\$2,559,704	\$2,331,659	\$2,078,848	\$1,799,653	\$1,492,359	\$1,155,155	\$786,122	\$363,230	\$0	\$0

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## Section 4: Project and Financing Plan Checklist

This project and financing plan meets the content requirements for a project plan and financing plan set forth in Section 311.011(b) and (c) of the Local Government Code. The following list recites and addresses each requirement:

(b) The project plan must include:

- (1) A map showing existing uses and conditions of real property in the zone and a map showing proposed improvements to and proposed uses of that property.

Exhibit A is a map of existing uses and conditions. Exhibit B is a map of proposed improvements and proposed uses. The City of Mesquite anticipates that vacant building sites in Zone 1 will be used for retail, restaurant, entertainment, sports, hotel or office purposes, ideally achieving a synergy with the rodeo, conference center and exhibit hall facilities in the zone.

- (2) Proposed changes of zoning ordinances, the master plan of the municipality, building codes and other municipal ordinances.

There are no proposed changes of zoning ordinances, the master plan of the municipality, building codes or other municipal ordinances affecting Zone 1 particularly, except an ordinance to adopt this amended and restated project and financing plan.

- (3) A list of estimated nonproject costs.

There are no planned nonproject costs at present.

- (4) A statement of a method of relocating persons to be displaced as a result of implementing the plan.

No displacements are planned.

(c) The reinvestment zone financing plan must include:

- (1) A detailed list describing the estimated project costs of the zone, including administrative expenses.

The first page of Schedule 3 (Assumptions) identifies the project costs of Zone 1. These are estimated capital costs and administrative costs incurred by the City of Mesquite and the Mesquite Independent School District. Reasonable interest will accrue on unreimbursed capital cost balances, beginning May 1, 2001.

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- (2) A statement listing the kind, number and location of all proposed public works or public improvements in the zone.

The same first page of Schedule 3 (Assumptions) duly itemizes the public works or improvements in Zone 1.

- (3) An economic feasibility study.

Section 3 of this plan is a pro forma and economic feasibility study for Zone 1. Based on the facts and assumptions stated therein, it indicates the economic feasibility of reimbursing project costs and interest with the Zone 1 tax increments.

- (4) The estimated amount of bonded indebtedness to be incurred.

No bonds will be issued that are backed solely or primarily by cash flow to the Fund.

- (5) The time when related costs or monetary obligations are to be incurred.

Schedule 3 indicates the expected timing of expenditures for project costs.

- (6) A description of the method of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit that levies taxes on real property in the zone.

Schedule 3 indicates the sources of funding for project costs. The Fund will receive real property tax revenue that results from net increases in real property value since 1997. These revenues are projected in Schedule 2 and carried to Schedule 3.

The City of Mesquite and the Mesquite Independent School District will each contribute 100% of real property tax increments from Zone 1 to the Fund for the duration of Zone 1. Assuming the 1999 and 2000 property tax rates remain constant for the duration, the City of Mesquite would be the source of approximately 26% of revenue to the Fund. The School District would be the source of approximately 74% of revenue to the Fund. Other jurisdictions that levy taxes on real property in the zone, including Dallas County, the Dallas County Hospital District and the Dallas County Community College District, will pay no revenue to the Fund.

- (7) The current total appraised value of taxable real property in the zone.

Schedule 1 identifies the current total appraised value of taxable real property in Zone 1 as \$21,829,870.

- (8) The estimated captured appraised value of the zone during each year of its existence.

A line of Schedule 2 estimates captured appraised value of Zone 1 during each year of the zone's existence.

- (9) The duration of the zone..

The duration of the Zone 1 is set by City Ordinance 3138, Section 4:

"That the Zone shall take effect on January 1, 1999 and that the termination of the Zone shall occur on December 31, 2018, or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that the Zone should be terminated due to insufficient private investment or other good cause, or at such time as all project costs and tax increment bonds, if any, and the interest thereon, have been paid in full."

ORDINANCE NO. 3413

File No. 1462-232

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CONDITIONAL USE PERMIT FOR TRUCK LEASING SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

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

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a conditional use permit for truck leasing subject to the following stipulations, provisions and regulations:

1. That no display or parking of trucks shall be permitted in front of the main building.
2. That no more than eight trucks shall be on the site at any one time.
3. That trucks shall be parked in an orderly manner along the north property line.
4. That no truck shall exceed 24-feet in length.
5. That review and approval of the site plan for this use is delegated to staff.

That the subject property is a 0.75-acre tract located at 1711 W. Scyene Road, and is more fully described in the approved field notes in Exhibit "A", attached hereto.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

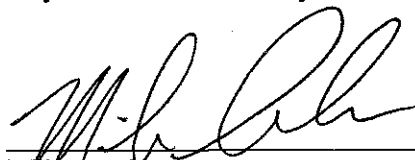
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of the Mesquite City Code.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed two thousand dollars (\$2,000.00) for each offense.

SECTION 7. Whereas the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of February, 2001.



Mike Anderson  
Mayor

ATTEST:

APPROVED:



Ellen Williams  
City Secretary



B. J. Smith  
City Attorney

**Field Notes**  
**File No. 1462-232**

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**LEGAL DESCRIPTION**

**BEING** a tract of land situated in the City of Mesquite, Dallas County, Texas out of the Daniel Tanner Survey, Abstract No. 1462 and being all of the land conveyed to Scyene Mobil, L.L.C. according to the deed filed for record in Volume 2000184, Page 1074, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8" iron rod found with yellow plastic cap stamped "Yandell Hiller" in the west right-of-way line of I.H. 635 (L.B.J. Freeway) (Variable R.O.W.) and being in the north right-of-way line of Scyene Road (100' R.O.W.), the beginning of a curve to the right with a tangent bearing of South 73 degrees, 19 minutes, 44 seconds West;

**THENCE**, along said north right-of-way line, along said curve to the right through a central angle of 04 degrees, 30 minutes, 04 seconds, a radius of 2814.79 feet, an arc length of 221.13 feet, a chord bearing of South 75 degrees, 34 minutes, 46 seconds West, a chord distance of 221.07 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" in the east line of Lot 1, Lot 1 Speed Addition according to the plat thereof recorded in Volume 80087, Page 2216, Map Records, Dallas County, Texas;

**THENCE**, along said east line, North 11 degrees, 46 minutes, 40 seconds East, a distance of 195.00 feet to a 5/8" iron rod found with yellow plastic cap, the southwest corner of a 0.677 acre described tract of land conveyed to Ronald L. Price according to the deed filed for record in Volume 91228, Page 0571, Deed Records, Dallas County, Texas;

**THENCE**, departing said east line along the south line of said 0.677 acre tract, North 86 degrees, 13 minutes, 40 seconds East, a distance of 164.92 feet to a 5/8" iron rod found in the west right-of-way line of said I.H. 635;

**THENCE**, departing said south line, along said west right-of-way line, South 13 degrees, 56 minutes, 20 seconds East, a distance of 95.00 feet to a Texas Department of Transportation concrete monument;

**THENCE**, continuing along said west line, South 13 degrees, 33 minutes, 44 seconds West, a distance of 58.05 feet to the **POINT OF BEGINNING** and containing 33,012 square feet or 0.7579 acres of land, more or less.

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