

CERTIFICATE OF ORDER

STATE OF TEXAS §
COUNTY OF WALLER §
BROOKSHIRE MUNICIPAL WATER DISTRICT §

We the undersigned officers of the Board of Directors (the "Board") of **BROOKSHIRE MUNICIPAL WATER DISTRICT** (the "District") hereby certify as follows:

The Board convened in regular session, open to the public, on Monday, February 5, 2024, at 6:00 p.m., at 4004 6th Street, Brookshire, Texas, and the roll was called of the members of the Board, to-wit:

Stephanie Green	President
LaKethia Connor	Vice President
Erin Jackson	Secretary
Shirley Williams	Investment Officer
<i>Vacant</i>	Director

All members of the Board were present, thus constituting a quorum. Whereupon among other business, the following was transacted at such meeting: A written

ORDER CALLING DEFINED AREA ELECTION, BOND ELECTION, PARK BOND ELECTION, AND OPERATIONS AND MAINTENANCE TAX ELECTION

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

AYES: 4 **NOES:** 0

A true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such meeting for such purpose; and such meeting was open to the public and public notice of the time, place, and purpose of such meeting was given, all as required by Chapter 551, Texas Government Code and Section 49.063, Texas Water Code, as amended.

SIGNED this 5th day of February, 2024.

Secretary, Board of Directors

President, Board of Directors

(DISTRICT SEAL)

**ORDER CALLING DEFINED AREA ELECTION, BOND ELECTION, PARK BOND
ELECTION, AND OPERATIONS AND MAINTENANCE TAX ELECTION**

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

BROOKSHIRE MUNICIPAL WATER DISTRICT

§

WHEREAS, Brookshire Municipal Water District (the "District") is a governmental agency and body politic of the State of Texas operating under and governed by the provisions of Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54, Texas Water Code, and has all of the purposes and powers described therein;

WHEREAS, the District is authorized pursuant to the provisions of Subchapter J of Chapter 54, Texas Water Code to designate a defined area within the boundaries of the District that requires certain improvements, facilities, or services that do not benefit the District as a whole;

WHEREAS, pursuant to that certain Order Adopting Designation Plan, Improvements Plan, and Taxation Plan Relating to Designation of Defined Area No. 1 Within the Boundaries of Brookshire Municipal Water District (the "Designation Order"), adopted by the Board of Directors (the "Board") of the District on February 5, 2024, the Board designated an area within the District comprised of approximately 177.9580 acres as a defined area within the boundaries of the District, as more particularly described on **Exhibit "A,"** attached hereto ("Defined Area No. 1");

WHEREAS, pursuant to the Designation Order, the Board adopted and filed an Engineer's Report for Defined Area No. 1 for the land and the planned improvements within Defined Area No. 1 and a plan of taxation that will apply only to Defined Area No. 1 (the "Taxation Plan") (the Engineer's Report and the Taxation Plan are collectively referred to herein as the "Define Area Plan");

WHEREAS, the Defined Area Plan has been filed in the office of the District open to inspection by the public, and the Defined Area Plan has been carefully considered and adopted by the Board;

WHEREAS, it is now necessary to call an election in accordance with Section 54.806, Texas Water Code, for the purpose of allowing the resident electors of Defined Area No. 1 to vote for or against such Defined Area;

WHEREAS, as required by Section 49.106, Texas Water Code, there has been filed in the office of the District, open to inspection by the public, an engineer's report, and any supplemental letters or amendments, covering the land, improvements, facilities, plants, equipment, and appliances to be purchased or constructed and their estimated cost, together with maps, plats, profiles and data fully showing and explaining the report (the "Engineer's Report"), and the Engineer's Report has been carefully considered and approved by the Board;

WHEREAS, the Board finds that the estimate of \$30,000,000 for probable costs of the design, construction, purchase, and acquisition of waterworks system, sanitary sewer system, and drainage and storm sewer system facilities and additions thereto, and incidental expenses connected with such improvements and the issuance of bonds and refunding bonds, contained in the Engineering Report for Defined Area No. 1 is reasonable and proper and hereby approves the same;

WHEREAS, the Board finds that the estimate of \$8,000,000 for probable costs of the design, construction, purchase, and acquisition of parks and recreational facilities and additions thereto, and

incidental expenses connected with such improvements and the issuance of bonds and refunding bonds, contained in the Engineering Report for Defined Area No. 1 is reasonable and proper and hereby approves the same;

WHEREAS, the Board desires to call an election for the purpose of submitting a proposition on the issuance of the bonds of the District to serve Defined Area No. 1 for the provision of a waterworks system, sanitary sewer system, and a drainage and storm sewer system in the maximum aggregate principal amount of \$30,000,000 and the levy of taxes within Defined Area No. 1 in payment of such bonds;

WHEREAS, the Board also desires to call an election for the purpose of submitting a proposition on the issuance of bonds of the District to serve Defined Area No. 1 in the maximum aggregate original principal amount of \$30,000,000 for the refunding of bonds of the District issued to provide a waterworks system, sanitary sewer system, and a drainage and storm sewer system and the levy of taxes in payment of such refunding bonds;

WHEREAS, the Board also desires to call an election for the purpose of submitting a proposition on the issuance of the bonds to serve Defined Area No. 1 for parks and recreational facilities in the maximum aggregate principal amount of \$8,000,000 and the levy of taxes within Defined Area No. 1 in payment of such bonds;

WHEREAS, the Board also desires to call an election for the purpose of submitting a proposition on the issuance of bonds of the District to serve Defined Area No. 1 in the maximum aggregate original principal amount of \$8,000,000 for the refunding of bonds of the District issued for parks and recreational facilities and the levy of taxes in payment of such refunding bonds;

WHEREAS, Sections 49.107, 54.804, and 54.805, Texas Water Code, provides that the District may separately, differently, equitably, and specifically levy and collect a tax for operation and maintenance purposes upon all taxable property within Defined Area No. 1 to serve Defined Area No. 1 after such tax is approved by a majority of the electors voting in an election held for that purpose;

WHEREAS, pursuant to Section 41.001, Texas Election Code, as amended, the District is required to hold any and all elections on uniform election dates designated for the State of Texas;

WHEREAS, the Board of the District has determined that it is in the best interest of the District to call a bond, park bond and operations and maintenance tax elections for Defined Area No. 1 for the next uniform election date, which is Saturday, May 4, 2024 (the "Election");

WHEREAS, the Board of the District deems it necessary and appropriate to establish the procedures whereby such Election may be held;

WHEREAS, Section 271.0002, Texas Election Code, provides that in elections ordered by the authorities of two (2) or more political subdivisions are to be held on the same day in all or part of the same county, the governing bodies of the political subdivisions may enter into an agreement to hold the elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, the Board has determined that it will conduct a joint election with, and such election will be administered by the Waller County Office of Elections Administrator pursuant to the Joint Election Agreement and Contract for Election Services.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT, THAT:

I.

An Election shall be held for Defined Area No. 1 between the hours of 7:00 a.m. to 7:00 p.m. on the 4th day of May, 2024, at the polling place(s) described on the attached **Exhibit "B,"** which may be updated subsequent to the adoption of this Order, as additional polling places are identified by Waller County.

II.

Such Election shall be held and conducted in all respects as provided by law for general elections, except as provided by Chapters 49 and 54, Texas Water Code, as amended.

III.

All duly qualified resident voters of Defined Area No. 1 shall be allowed to vote at such Election.

IV.

The Board hereby appoints its Attorney, Radcliffe Adams Barner PLLC ("Attorney" or "Designated Agent"), 2929 Allen Parkway, Suite 3450, Houston, Harris County, Texas 77019-7120, as designated agent for purposes of the Election, and any and all documents required to be filed with or notices required to be given by the Secretary of the Board under the provisions of the Texas Election Code shall be deemed filed and notices shall be deemed given if filed with or given to the District's Designated Agent.

V.

The Secretary of the Board shall give notice of the purpose of such Election, the proposition(s) to be voted on, and the early voting and Election Day polling places pursuant to Section 4.003(a)(2), Texas Election Code, as amended, by posting a Notice of Election with the requisite Waller County translation(s) in a public place in each Election precinct that is within the boundaries of the District, not later than Saturday, April 13, 2024. In addition, pursuant to Section 4.003(b), Texas Election Code, as amended, a Notice of Election with the requisite Waller County translation(s) shall be posted on the bulletin board used for posting notices of meetings of the Board of the District not later than Saturday, April 13, 2024; provided, further, that if the polling location has changed from the previous election, Notice of Election with the requisite Waller County translation(s) shall also be posted at the location of the previous polling place.

VI.

The Notice of the Election, the provisions of which are made a part of this Order, shall be in substantially the following form:

NOTICE OF ELECTION

TO THE DULY QUALIFIED RESIDENT VOTERS OF DEFINED AREA NO. 1 IN BROOKSHIRE MUNICIPAL WATER DISTRICT:

Notice is hereby given that a bond, park bond, operations and maintenance tax, and defined area election (the "Election") will be held for Brookshire Municipal Water District (the "District"), pursuant to an Order of the Board of said District passed on February 5, 2024. Said Order is on file in the Designated Agent's office located at 2929 Allen Parkway, Suite 3450, Houston, Texas 77019-7120, where any interested person may refer to it for all purposes.

- (1) The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.
- (2) The Engineering Report and estimates of costs described above are hereby approved.
- (3) The Election will be held between 7:00 a.m. and 7:00 p.m. on Saturday, May 4, 2024, at the polling place(s) described on the attached **Exhibit "B."** which are public places, and shall conform to all the requirements of Chapters 49 and 54, Texas Water Code, as amended, and all of the requirements of the Texas Election Code, as amended, so far as applicable.
- (4) Only duly qualified resident electors of Defined Area No. 1 may vote at the Election.
- (5) The bond propositions to be voted on in the Election are as follows:

PROPOSITION A

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER
DISTRICT DEFINED AREA NO. 1 BE CONFIRMED?

PROPOSITION B

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER DISTRICT DEFINED AREA NO. 1 BE CONFIRMED, AND SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE (1) OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$30,000,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT IN EFFECT AT THE TIME OF ISSUANCE OF EACH ISSUE OR SERIES OF BONDS, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DEFINED AREA NO. 1, FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, MAINTAINING, OPERATING, REPAIRING, IMPROVING, EXTENDING, OR PAYING FOR, INSIDE AND OUTSIDE THE DISTRICT'S BOUNDARIES, ANY AND ALL DISTRICT WORKS, IMPROVEMENTS, FACILITIES, PLANTS, EQUIPMENT, AND APPLIANCES NEEDED TO PROVIDE A WATERWORKS SYSTEM, SANITARY SEWER SYSTEM, AND DRAINAGE AND STORM SEWER SYSTEM, INCLUDING, BUT NOT LIMITED TO, ALL COSTS ASSOCIATED WITH FLOOD PLAIN AND WETLANDS REGULATION (INCLUDING MITIGATION) AND ENDANGERED SPECIES AND STORMWATER PERMITS (INCLUDING MITIGATION) AND ALL ADDITIONS TO SUCH SYSTEMS AND ALL WORKS, IMPROVEMENTS, FACILITIES, PLANTS, EQUIPMENT, APPLIANCES, INTERESTS IN PROPERTY, AND CONTRACT RIGHTS NECESSARY OR CONVENIENT THEREFOR AND ADMINISTRATIVE FACILITIES NEEDED IN CONNECTION THEREWITH, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DEFINED AREA NO. 1, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

PROPOSITION C

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER DISTRICT DEFINED AREA NO. 1 BE CONFIRMED, AND SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE (1) OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$30,000,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING FORTY (40) YEARS FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM

LEGAL LIMIT IN EFFECT AT THE TIME OF ISSUANCE OF EACH ISSUE OR SERIES OF SAID BONDS, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF THE DISTRICT, FOR THE PURPOSE OF REFUNDING BY ANY MEANS NOW OR HEREAFTER AUTHORIZED BY LAW, ALL OR ANY PORTION OF THE BONDS SOLD FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, MAINTAINING, OPERATING, REPAIRING, IMPROVING, EXTENDING, OR PAYING FOR, INSIDE AND OUTSIDE THE DISTRICT'S BOUNDARIES, ANY AND ALL DISTRICT WORKS, IMPROVEMENTS, FACILITIES, PLANTS, EQUIPMENT, AND APPLIANCES NEEDED TO PROVIDE A WATERWORKS SYSTEM, SANITARY SEWER SYSTEM, AND DRAINAGE AND STORM SEWER SYSTEM, INCLUDING, BUT NOT LIMITED TO, ALL COSTS ASSOCIATED WITH FLOOD PLAIN AND WETLANDS REGULATION (INCLUDING MITIGATION) AND ENDANGERED SPECIES AND STORMWATER PERMITS (INCLUDING MITIGATION) AND ALL ADDITIONS TO SUCH SYSTEMS AND ALL WORKS, IMPROVEMENTS, FACILITIES, PLANTS, EQUIPMENT, APPLIANCES, INTERESTS IN PROPERTY, AND CONTRACT RIGHTS NECESSARY OR CONVENIENT THEREFOR AND ADMINISTRATIVE FACILITIES NEEDED IN CONNECTION THEREWITH, TO SERVE THE DEFINED AREA NO. 1 OF THE DISTRICT, HERETOFORE OR HEREAFTER ISSUED BY THE DISTRICT, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH REFUNDING BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DEFINED AREA NO. 1, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, SUCH AUTHORIZATION BEING IN ADDITION TO ANY OTHER REFUNDING AUTHORIZATION ALLOWED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

PROPOSITION D

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER DISTRICT DEFINED AREA NO. 1 BE CONFIRMED, AND SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT BE AUTHORIZED TO ISSUE THE BONDS OF THE DISTRICT, MATURING SERIALLY OR OTHERWISE OVER A PERIOD NOT TO EXCEED 40 YEARS FROM THEIR DATE OR DATES, AND TO BE ISSUED AND SOLD AT ANY PRICE OR PRICES AND TO BEAR INTEREST AT ANY RATE OR RATES AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE BOARD OF DIRECTORS OF THE DISTRICT AT THE TIME OF ISSUANCE AS AUTHORIZED BY LAW AS NOW ENACTED OR HEREAFTER AMENDED, FOR THE PURPOSES OF DESIGNING, PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, OPERATING, REPAIRING, REPLACING, IMPROVING AND EXTENDING PARKS AND RECREATION FACILITIES WITHIN THE DISTRICT IN THE MAXIMUM AMOUNT NOT TO EXCEED \$8,000,000, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX AUTHORIZED BY CHAPTERS 49 AND 54 OF THE TEXAS WATER CODE, UPON ALL TAXABLE PROPERTY WITHIN

SAID DEFINED AREA NO. 1, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

PROPOSITION E

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER DISTRICT DEFINED AREA NO. 1 BE CONFIRMED, AND SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT BE AUTHORIZED TO ISSUE THE BONDS OF THE DISTRICT, MATURING SERIALLY OR OTHERWISE OVER A PERIOD NOT TO EXCEED 40 YEARS FROM THEIR DATE OR DATES, AND TO BE ISSUED AND SOLD AT ANY PRICE OR PRICES AND TO BEAR INTEREST AT ANY RATE OR RATES AS SHALL BE DETERMINED WITHIN THE DISCRETION OF THE BOARD OF DIRECTORS OF THE DISTRICT AT THE TIME OF ISSUANCE AS AUTHORIZED BY LAW AS NOW ENACTED OR HEREAFTER AMENDED, FOR THE PURPOSES OF REFUNDING ANY BONDS OR OTHER EVIDENCES OF INDEBTEDNESS OF THE DISTRICT ISSUED FOR RECREATIONAL FACILITIES, WHICH MAY BE OUTSTANDING FROM TIME TO TIME IN THE MAXIMUM AMOUNT NOT TO EXCEED \$8,000,000, AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT AD VALOREM TAX AUTHORIZED BY CHAPTERS 49 AND 54 OF THE TEXAS WATER CODE, UPON ALL TAXABLE PROPERTY WITHIN SAID DEFINED AREA NO. 1, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS?

PROPOSITION F

SHALL THE DESIGNATION OF BROOKSHIRE MUNICIPAL WATER DISTRICT DEFINED AREA NO. 1 BE CONFIRMED, AND SHALL THE BOARD OF DIRECTORS OF BROOKSHIRE MUNICIPAL WATER DISTRICT BE AUTHORIZED TO LEVY AND COLLECT AN OPERATION AND MAINTENANCE TAX (IN ADDITION TO ANY OTHER OPERATION AND MAINTENANCE TAX AUTHORIZED BY THE VOTERS OF THE DISTRICT OR THE DEFINED AREA NO. 1) NOT TO EXCEED ONE DOLLAR AND FIFTYCENTS (\$1.50) PER ONE HUNDRED DOLLARS (\$100) VALUATION ON ALL TAXABLE PROPERTY WITHIN SAID DEFINED AREA NO. 1 TO SECURE FUNDS FOR OPERATION AND MAINTENANCE OF ALL DISTRICT FACILITIES TO SERVE SAID DEFINED AREA NO. 1 AUTHORIZED BY ARTICLE XVI, SECTION 59, OF THE TEXAS CONSTITUTION, INCLUDING, BUT NOT LIMITED TO, FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING, AND OPERATING ALL NECESSARY LAND, PLANTS, WORKS, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF THE DISTRICT, AND FOR PAYING RELATED COSTS OF PROPER SERVICES, ENGINEERING AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES?

- (6) Based upon market conditions as of the date of this Election Order, if the Bonds are approved and authorized, the maximum interest rate of the debt obligations, or any series of the debt obligations, is estimated to be four and one-half percent (4.5%). The actual interest rate of the debt obligations, or any series of the debt obligations, may be either higher or lower and will depend upon general market conditions at the date the bonds are issued.
- (7) The District's Board and the District's consultants estimate the following costs for purchasing, constructing, acquiring, owning, operating, repairing, replacing, improving and extending water, sanitary sewer and drainage facilities within the report fully explaining the costs listed above is on file in the District's office and open to inspection by the public.

<u>Brookshire Municipal Water District</u>		
Bond Authorization for Water, Sanitary Sewer and Drainage Facilities		
<u>Estimated Construction Costs</u>		<u>Amount</u>
1.	Water Sewer and Drainage Internal	\$7,338,110
2.	Water Sewer and Drainage Offsite	\$617,815
3.	Detention	\$2,919,184
4.	Facilities	\$934,960
5.	Contingencies (30% of items 1-4)	\$3,543,021
6.	Inflation (11% of Items 1-5)	\$1,688,840
7.	Engineering (15% of Items 1-6)	\$2,556,289
8.	Capacity Purchase Fees	\$1,968,149
9.	Land Acquisition	\$1,290,000
TOTAL CONSTRUCTION COSTS		\$ 22,856,368
<u>Non-Construction Costs</u>		
1.	Legal Fees (3% of BIR)	\$900,000
2.	Financial Advisor Fees (2% of BIR)	\$600,000
3.	Interest Costs	
	1. Capitalized Interest (1 Yrs. @ 5%)	\$1,500,000
	2. Developer Interest (2 Yrs. @ 5% of Construction Costs)	\$2,285,637
4.	Bond Discount (3% of BIR)	\$900,000
5.	Administrative, Organization and Issuance Expense	\$472,995
6.	Annexation Cost	\$50,000
7.	Attorney General Fee (0.1% of BIR)	\$30,000
8.	T.C.E.Q. Bond Issuance Fee (0.25% of BIR)	\$75,000
9.	Bond Application Report Cost	\$330,000
TOTAL NONCONSTRUCTION COSTS		\$ 7,143,632

TOTAL BOND ISSUANCE REQUIREMENT	\$ 30,000,000
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- (8) The District's Board and the District's consultants estimate the following costs for purchasing, constructing, acquiring, owning, operating, repairing, replacing, improving, maintaining and extending parks and recreation facilities within the District.

<u>Brookshire Municipal Water District</u>		
Bond Authorization for Parks and Recreational Facilities		
Estimated Design, Construction, Purchase and Acquisition Costs		Amount
1.	Lake Amenity Items	\$622,950
2.	Landscaping/Hardscaping/Irrigation	\$2,727,273
3.	Contingencies (30% of Items 1-2)	\$1,005,067
4.	Inflation (11% of Items 1-3)	\$479,082
5.	Engineering & Landscape Architect (15% of Items 1-4)	\$725,156
6.	Land Acquisition (Park /Open Space)	\$240,000
Total Design, Construction, Purchase And Acquisition Costs		\$5,779,527
Estimated Non-construction Costs		
1.	Legal Fees (3% of BIR)	\$240,000
2.	Financial Advisor Fees (2% of BIR)	\$160,000
3.	Interest Costs	
	1. Capitalized Interest (1Yrs. @ 5%)	\$400,000
	2. Developer Interest (2 Yrs. @ 5% of Construction Costs)	\$579,953
4.	Bond Discount (3% of BIR)	\$240,000
5.	Administrative, Organization and Issuance Expense	\$422,520
6.	Annexation Costs	\$50,000
7.	Attorney General Fee (0.10% of BIR)	\$8,000
8.	T.C.E.Q. Bond Issuance Fee (0.25% of BIR)	\$20,000
9.	Bond Application Report Cost	\$80,000
Total Non-Construction Costs		\$ 2,200,473
TOTAL BOND ISSUANCE REQUIREMENT		\$ 8,000,000

- (9) The District's current ad valorem debt service tax rate is \$0.009 per \$100.00 valuation of taxable property. The District's aggregate outstanding principal of the District's bonds is \$2,640,000 and aggregate outstanding interest is \$2,970,242 on debt obligations secured by ad valorem taxes outstanding as of the beginning of the District's current fiscal year.
- (10) Defined Area No. 1's current ad valorem debt service tax rate is \$0.00 per \$100.00 valuation of taxable property. Defined Area No. 1's aggregate outstanding principal of the District's bonds is \$0.00 and aggregate outstanding interest is \$0.00 on debt

obligations secured by ad valorem taxes outstanding as of the beginning of the District's current fiscal year.

- (11) The officers of such Election shall be appointed by the Waller County Elections Administrator.
- (12) Early Voting by personal appearance shall be conducted on the days and at the times and location(s) listed on the attached Exhibit "C."
- (13) The Early Voting Clerk shall receive applications for early voting ballots by mail through Tuesday, April 23, 2024, which is 11 days prior to the Election. The Early Voting Clerk shall receive voted early voting ballots through 7:00 p.m. on Saturday, May 4, 2024, if the ballot is not postmarked, or through 5:00 p.m. on Monday, May 6, 2024, if the ballot is postmarked. Applications for voting by mail may be obtained from and mailed to the Waller County Elections Administrator/Early Voting Clerk at:

If by regular mail or
common/contract courier:

Christy A. Eason
Waller County Elections Administrator
816 Wilkins Street
Hempstead, Texas 77445

If by email:

vote@wallercounty.us or
<https://www.brookshiremwd1.org/elections-information>

If by facsimile:

979-826-7645

The Early Voting Clerk/Election Administrator's phone number is 979-826-7643 and internet website is: [https://www.co.waller.tx.us/\[page\]\[Elections.current\]](https://www.co.waller.tx.us/[page][Elections.current]).

- (9) The Election shall be held and conducted and returns made to the Board of Directors of the District in accordance with the Texas Election Code, as modified by Chapters 49 and 54, Texas Water Code, as amended.

/s/ Stephanie Green
President, Board of Directors

ATTEST:

/s/ Erin Jackson
Secretary, Board of Directors

VII.

The District hereby adopts the Hart Intercivic Verity 2.3 Duo Voting System to be used for all elections held by the District from the date of this Order. The District shall provide at least one (1) Hart Intercivic Verity 2.3 Duo Voting System in each polling place in every polling location used to conduct

the Election. The Hart Intercivic Verity 2.3 Duo Voting System may be acquired by any legal means available to the District, including, but not limited to, lease or rental from, or joint election with, Waller County or from any other legal source, as authorized or required by Sections 123.032 and 123.035, Texas Election Code.

VIII.

Voting shall be by the use of disabled access unit with the Hart Intercivic Verity 2.3 Duo Voting System which ballots shall be printed in English and Spanish.

IX.

The ballots for such Election shall be prepared in sufficient number and in conformity with the Texas Election Code, as amended, and shall be substantially as follows:

BROOKSHIRE MUNICIPAL WATER DISTRICT

Defined Area Election, Bond Election, Park Bond Election,
and Operations and Maintenance Tax Election
Saturday, May 4, 2024

OFFICIAL BALLOT

PROPOSITION A

- () FOR) THE DESIGNATION OF BROOKSHIRE
- () AGAINST) MUNICIPAL WATER DISTRICT DEFINED
- ()) AREA NO. 1

PROPOSITION B

- () FOR) THE DESIGNATION OF BROOKSHIRE
- () AGAINST) MUNICIPAL WATER DISTRICT DEFINED
- ()) AREA NO. 1 AND THE ISSUANCE OF
- ()) \$30,000,000 BONDS FOR WATER, SANITARY
- ()) SEWER, AND DRAINAGE AND STORM SEWER
- ()) SYSTEMS TO SERVE SAID DEFINED AREA
- ()) NO. 1 AND THE LEVY OF TAXES, WITHOUT
- ()) LIMIT AS TO RATE OR AMOUNT, IN
- ()) PAYMENT OF THE BONDS

PROPOSITION C

- () FOR) THE DESIGNATION OF BROOKSHIRE
) MUNICIPAL WATER DISTRICT DEFINED
() AGAINST) AREA NO. 1 AND THE ISSUANCE OF
\$30,000,000 BONDS FOR REFUNDING WATER,
SANITARY SEWER, AND DRAINAGE AND
STORM SEWER SYSTEMS BONDS TO SERVE
SAID DEFINED AREA NO. 1 AND THE LEVY
OF TAXES, WITHOUT LIMIT AS TO RATE OR
AMOUNT, SUFFICIENT TO PAY THE
PRINCIPAL OF AND INTEREST ON THE
BONDS

PROPOSITION D

- () FOR) THE DESIGNATION OF BROOKSHIRE
) MUNICIPAL WATER DISTRICT DEFINED
() AGAINST) AREA NO. 1 AND THE ISSUANCE OF
\$8,000,000 BONDS AND LEVY OF TAXES
ADEQUATE TO PROVIDE FOR PAYMENT OF
THE BONDS FOR PARKS AND
RECREATIONAL FACILITIES AND THE
REFUNDING OF UP TO \$8,000,000 OF ANY
OUTSTANDING BONDS

PROPOSITION E

- () FOR) THE DESIGNATION OF BROOKSHIRE
) MUNICIPAL WATER DISTRICT DEFINED
() AGAINST) AREA NO. 1 AND THE ISSUANCE OF
\$8,000,000 IN TOTAL PRINCIPAL AMOUNT OF
REFUNDING BONDS TO REFUND BONDS
ISSUED FOR RECREATIONAL FACILITIES,
AND ANY REFUNDING BONDS RELATED
THERETO, AND THE IMPOSITION OF TAXES,
WITHOUT LIMIT AS TO RATE OR AMOUNT,
SUFFICIENT TO PAY THE PRINCIPAL OF
AND INTEREST ON THE BONDS

PROPOSITION F

- | | | | |
|-----|---------|---|---|
| () | FOR |) | THE DESIGNATION OF BROOKSHIRE |
| | |) | MUNICIPAL WATER DISTRICT DEFINED |
| () | AGAINST |) | AREA NO. 1 AND AN OPERATION AND
MAINTENANCE TAX FOR FACILITIES TO
SERVE SAID DEFINED AREA NO. 1,
AUTHORIZED BY ARTICLE XVI, SECTION 59,
OF THE TEXAS CONSTITUTION, NOT TO
EXCEED ONE DOLLAR AND FORTY CENTS
(\$1.50) PER ONE HUNDRED DOLLARS (\$100)
VALUATION OF TAXABLE PROPERTY |

Hart Intercivic Verity 2.3 Duo Voting System Instructions:

To vote for or against the proposition, select your choice on the touch screen or rotate the MOVE wheel to highlight your choice. When your choice is highlighted in green, press the NEXT button.

X.

Immediately after the Election, the election officers shall make returns of the results in triplicate. One (1) copy shall be retained by the Presiding Judge, one (1) copy shall be delivered to the President of the Board, and one (1) copy shall be delivered to the Secretary of the Board.

XI.

The President or Vice President and Secretary or any Assistant Secretary of the Board are hereby authorized to evidence adoption of this Order and directed to do any and all things legal and necessary in connection with the holding and consummation of such election and to carry out the intent hereof.

XII.

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

(EXECUTION PAGE FOLLOWS)

WITNESS OUR HANDS AND THE SEAL OF THE DISTRICT this 5th day of February, 2024.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(DISTRICT SEAL)



Exhibit "A"

Exhibit "B"

Exhibit "C"