

MIDTOWN MANAGEMENT DISTRICT

**PETITION REQUESTING CERTAIN SERVICES AND IMPROVEMENT
PROJECTS FROM THE MIDTOWN MANAGEMENT DISTRICT**

TO THE BOARD OF DIRECTORS OF MIDTOWN MANAGEMENT DISTRICT:

The undersigned (herein the “Petitioners”), constituting either: (i) at least 25 persons who own real property, or (ii) the owners of a majority of the assessed value of real property within Midtown Management District (the “District”), as determined by the certified Harris County property tax rolls, acting pursuant to the provisions of Chapter 375, Texas Local Government Code, as amended (the “Code”), and Chapter 3809, Special Districts Code (collectively, the "Act"), respectfully petition the Board of Directors of the District to provide certain services and improvement projects and would show the following:

I.

Section 3809.151 of the Special Districts Code provides that the Board of Directors (the "Board") of the District may not finance a service or improvement project under the Act unless a written petition requesting those services or improvements signed by either (i) the owners of a majority of the assessed value of real property in the District or (ii) at least 25 persons who own land in the District has been filed with the Board of Directors.

II.

Each of the Petitioners owns land in the District as determined by the certified Harris County property tax rolls, and collectively, Petitioners represent either: (i) at least twenty-five (25) persons who own land in the District, or (ii) the owners of a majority of the assessed value of real property within the District.

III.

Petitioners request the Board to (i) provide the services and improvement projects in substantial conformance with the District's Service and Improvement Plan and Assessment Plan attached hereto as Appendix A (the “Service Plan”) for a period of ten (10) years commencing in fiscal year 2025 and (ii) levy an assessment against all properties in the District that are subject to assessment pursuant to the Act in an amount sufficient to provide funding for such services and improvement projects.

IV.

Petitioners presently estimate that the annual cost of the services and improvements to be provided by the District is shown in the Plan. To pay the estimated costs of the proposed services and improvements, Petitioners propose that each property within the District be assessed an amount sufficient to provide funding for the Plan, with such initial assessment to be paid in annual installments at annual rates to be set by the board of not more than \$0.15 per \$100 valuation on the basis of the value of taxable real property as shown by the tax rolls of the Harris County Appraisal District for the then current year. Petitioners propose that the District reserve the right to set the assessment for any year lower than the initial assessment. Petitioners further propose that no property be assessed an amount in any year during the Plan that exceeds twice the amount such property was assessed in the first year of the Plan (excluding any assessment for new improvements as provided herein). Petitioners propose that for (a) land and improvements annexed to the District, or (b) new improvements under construction on January 1, 2025, or constructed in the District after January 1, 2025, the Board levy assessments on the value of the land and improvements on the tax rolls of the Harris County Appraisal District during the year in which the land and improvements are (a) annexed and added to the rolls of the District, or (b) added and valued as a completed improvement on the tax rolls of the Harris County Appraisal District. Petitioners propose that property which has a special use designation for tax purposes on the Harris County Appraisal District rolls as (a) agricultural use, (b) timberland use, or (c) recreation, park or service use be assessed by the Board at its designated special use value for so long as it enjoys that special use designation on the Harris County Appraisal District tax roll, Petitioners propose that the Board assess such property in accordance with the provisions of the Texas Tax Code concerning recapture upon the conversion of such property to another use.

V.

The following classes of property are proposed to be excluded from assessment unless consent of the owner is given: (a) property owned by political subdivisions of the State of Texas and organizations exempt from federal income tax under Section 501(c)(3), Internal Revenue Code of 1986; and (b) property, equipment, facilities of a utility.

VI.

Petitioners represent and believe that (a) all real property in the District, other than that exempt from assessment by law and as provided herein, will be benefited by the services and improvements requested to be provided by the District; (b) the cost of providing the proposed services and improvements on the basis of the value of the property as shown on the tax roll of the Harris County Appraisal District results in imposing equal shares of the cost on property similarly benefited, and results in a reasonable classification and formula for the apportionment of costs to the various classes of services and improvements requested by Petitioners; (c) all of the real property in the District which is proposed to be assessed (other than that exempt by law and that proposed to be exempt by Petitioners) will be benefited by the services and improvement projects requested by Petitioners; and (d) each parcel of real property proposed to be assessed will receive special benefits in each year equal to or greater than the amount proposed to be assessed, and will receive special benefits during the proposed ten (10) year period of the Plan equal to or greater than the total amount proposed to be assessed during the proposed ten (10) year period of the Plan.

VII.

Petitioners further propose that (a) delinquent assessment accrue interest and penalty at the rate and amounts applicable to ad valorem taxes under the Texas Tax Code.

WHEREFORE, Petitioners pray that: (a) this Petition be heard; (b) the Board authorize notice of a hearing to be held on the proposed services and improvement projects set forth in the Plan to be published in a newspaper of general circulation within Harris County and otherwise give notice of the hearing in accordance with the Act; (c) the Board hold a public hearing on the advisability of the services and improvement projects and the proposed assessment; and (d) following such hearing, the Board adopt an order or resolution approving the proposed services and improvement projects set forth in the Plan, and levying an assessment in an amount sufficient to finance the costs of the proposed services and improvement projects set forth in the Plan.

RESPECTFULLY SUBMITTED by the undersigned Petitioner to the Board of Directors of the Midtown Management District this _____ day of _____ 2024.

PRINTED NAME OF PROPERTY OWNER
(as shown on Harris County Appraisal District records)

SIGNATURE OF PROPERTY OWNER/
AUTHORIZED REPRESENTATIVE

PRINTED NAME OF PERSON SIGNING
PETITION

ADDRESS OF PROPERTY/PROPERTIES
OWNED WITHIN THE DISTRICT:

Harris County Appraisal District Account Number:
(or attach copy of Harris County Appraisal District record)

SEE THE FOLLOWING PAGES FOR CERTIFICATES OF AUTHORITY THAT MUST BE FILLED OUT IF THE PETITIONING PROPERTY OWNER IS NOT AN INDIVIDUAL. NO CERTIFICATE OF AUTHORITY IS NEEDED IF THE PETITIONING PROPERTY OWNER IS AN INDIVIDUAL WHO SIGNS ON HIS OWN BEHALF. IF NEITHER OF THESE CERTIFICATES OF AUTHORITY IS APPROPRIATE FOR THE STRUCTURE OF YOUR PETITION, PLEASE CONTACT CLARK LORD AT BRACEWELL LLP (713-221-1202) WITH INFORMATION ON THE STRUCTURE OF YOUR PETITIONER SO THAT AN APPROPRIATE FORM OF CERTIFICATE OF AUTHORITY CAN BE PROVIDED TO YOU.

**TO BE COMPLETED IF THE PETITIONER
IS A CORPORATION (INC. or CORP.) OR
A LIMITED LIABILITY COMPANY (L.L.C.)**

CERTIFICATE OF AUTHORITY

I, the undersigned as _____ (*office held in the corporation*) of
_____ (*company name*), a _____ (*state*) (*circle the one
that applies*) CORPORATION or LIMITED LIABILITY COMPANY, hereby certify that
_____ (*name of the person who signed on behalf of the Petitioner*) is the
_____ (*office such person holds*) of such (*circle the one that applies*)
CORPORATION or LIMITED LIABILITY COMPANY, and that in such capacity he/she
executed the Petition for Services and Improvements for Midtown Management District, and that
execution of said Petition was duly authorized and adopted in conformity with the Articles of
Incorporation or Certificate of Formation and By-Laws of the Petitioner.

WITNESS MY HAND on this the _____ day of _____,
2024.

Signature:

Name:

(*print*)

Title:

(*print*)

**TO BE COMPLETED IF THE PETITIONER
IS A LIMITED PARTNERSHIP OR LIMITED LIABILITY PARTNERSHIP
(L.P., Ltd. OR L.L.P.)**

CERTIFICATE OF AUTHORITY

I, the undersigned,

(A) WHEN THE GENERAL/MANAGING PARTNER OR AUTHORIZED PERSON IS A CORPORATION, FILL IN THIS OPTION:

as _____ (*officer in corporation*) of _____
(*name of company*), a _____ (*state*) corporation, hereby certify that such
corporation is the general/managing partner or authorized person of
_____ (*name of limited partnership*).

(B) WHEN THE GENERAL/MANAGING PARTNER OR AUTHORIZED PERSON IS AN INDIVIDUAL, FILL IN THIS OPTION:

as a limited partner, hereby certify that _____ (*name
of person who signed petition*) is the general/managing partner or authorized person of
_____ (*name of partnership*), and that in such capacity he/she executed the
Petition for Services and Improvements for Midtown Management District, and that execution of
said Petition was duly authorized and adopted in conformity with the Limited Partnership
Agreement.

WITNESS MY HAND on this the ____ day of _____, 2024.

Signature:

Name:

(*print*)

Title:

(*print*)

APPENDIX A

PROPOSED SERVICE AND ASSESSMENT PLAN

(See Attached)