

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on January 24, 2019, and laid over for publication of notice:

L.P. ORDINANCE NO. 19-05

AN ORDINANCE SUPPLEMENTING AND AMENDING L.P. ORDINANCE NO. 16-09 ADOPTED ON APRIL 28, 2016 TO EXPAND THE EXISTING BOUNDARIES OF JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO AND IN COMPLIANCE WITH LA. R.S. 33:9039.14; AND FURTHER PROVIDING FOR OTHER RELATED MATTERS.

The District, as modified and/or expanded will be comprised of an area of approximately [703.75 acres], all as more fully detailed in a metes and bounds description of the external boundaries of the District as set forth on *Exhibit C*.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of the Parish of Livingston, State of Louisiana will meet on Thursday, February 28, 2019, at six-thirty (6:30) p.m., at the Council Chambers in the Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy C. Teal

Sandy C. Teal, Council Clerk

Shane Mack

Shane Mack, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

EXHIBIT C TO L.P. ORDINANCE NO. 19-05

METES AND BOUNDS DESCRIPTION OF PROPERTY COMPRISING JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT

Parcel 1

A Certain Parcel of ground, designated as Tract CA-3-A, containing 556.75 Acres, located in Sections 2, 3, 10 , and 11, T7S-R3E, G.L.D., Livingston Parish, Louisiana, and being more particularly described as follows: Starting at the southeast corner of Section 2, T7S-R3E, for the POINT OF BEGINNING; thence South 00 degrees 25 minutes 52 seconds East, a distance of 1288.84 feet; thence North 89 degrees 43 minutes 42 seconds West, a distance of 1238.59 feet; thence North 89 degrees 44 minutes 41 seconds West, a distance of 406.24 feet; thence North 00 degrees 27 minutes 18 seconds West, a distance of 600.77 feet; thence South 89 degrees 36 minutes 38 seconds West, a distance of 551.30 feet; thence North 12 degrees 33 minutes 41 seconds East, a distance of 82.08 feet; thence South 89 degrees 36 minutes 38 seconds West, a distance of 136.72 feet; thence North 00 degrees 59 minutes 05 seconds West, a distance of 520.00; thence South 89 degrees 36 minutes 38 seconds West, a distance of 999.71 feet; thence North 00 degrees 59 minutes 05 seconds West, a distance of 418.05 feet; thence North 89 degrees 11 minutes 29 seconds West, a distance of 2659.65 feet; thence South 00 degrees 13 minutes 58 seconds West, a distance of 2404.91 feet; thence North 49 degrees 42 minutes 05 seconds West, a distance of 207.57 feet; thence North 56 degrees 59 minutes 25 seconds West, a distance of 343.45 feet; thence North 40 degrees 53 minutes 40 seconds West, a distance of 486.69 feet; thence North 26 degrees 34 minutes 33 seconds West, a distance of 399.41 feet; thence North 25 degrees 58 minutes 10 seconds West, a distance of 397.33 feet; thence North 40 degrees 28 minutes 10 seconds West, a distance of 392.00 feet; thence North 27 degrees 15 minutes 07 seconds West, a distance of 573.82 feet; thence North 08 degrees 20 minutes 17 seconds West, a distance of 640.53 feet; thence North 00 degrees 12 minutes 57 seconds West, a distance of 498.67 feet; thence North 18 degrees 36 minutes 13 seconds East, a distance of 403.54 feet; thence North 32 degrees 08 minutes 41 seconds East, a distance of 128.67 feet; thence North 27 degrees 48 minutes 15 seconds East, a distance of 360.07 feet; thence North 06 degrees 00 minutes 16 seconds West, a distance of 214.57 feet; thence North 85 degrees 18 minutes 07 seconds East, a distance of 1548.45 feet; thence a chord bearing of North 83 degrees 10 minutes 28 seconds East, a chord distance of 1287.17 feet; thence North 81 degrees 07 minutes 38 seconds East, a distance of 4451.12 feet; thence South 02 degrees 49 minutes 55 seconds East, a distance of 3293.32 feet to the POINT OF BEGINNING. Subject to a non-exclusive Access and Utility Servitude 50 feet in width from the public right of way known as Kelli Drive in favor of the adjoining 14 acre tract conveyed by Grantor to Redstone Group LLC. as shown on the Survey dated 02-04-16 by Alvin Fairburn & Assoc., LLC.

Being more fully shown on that map entitled “ Map Showing Resubdivision of Tract CA-3, of the Weyerhaeuser Company Property into Tracts CA-3-A, CA-3-B, & CA-3-C Located in Sections 2, 3, 10 & 11, T7S-R3E, G.L.D., Livingston Parish, Louisiana” prepared by Alvin Fairburn & Associates, LLC, dated February 4, 2016, bearing Job Number A160057-3A, and being filed of record on February 12, 2016 in Plat Book 67, Page 375, under File Number 862885 of the Plat Records of Livingston Parish, Louisiana.

Parcel 2

A certain Parcel of ground, containing 5.16 Acres, designated as ATAK property, located in Section 11, T7S-R3E, G.L.D., Livingston Parish, Louisiana, and being more particularly described as follows: Starting at the southeast corner of Section 2, T7S-R3E, proceed South 00 degrees 25 minutes 52 seconds East, a distance of 1288.84 feet, thence North 89 degrees 43 minutes 42 seconds West, a distance of 738.72 feet to the POINT OF BEGINNING; thence South 00 degrees 20 minutes 15 seconds East, a distance of 600.75 feet; thence North 89 degrees 44 minutes 40 seconds West, a distance of 376.02 feet; thence North 00 degrees 14 minutes 27 seconds West, a distance of 600.85 feet; thence North 89 degrees 43 minutes 42 seconds East, a distance of 375.01 feet to the POINT OF BEGINNING.

All according to map entitled "Map Showing Resubdivision of Tract CA-3 of the Weyerhaeuser Company Property ... ", dated 02-04-16 by Alvin Fairburn & Assoc., LLC.

Parcel 3 (Additional District Property)

A certain Parcel of ground, being a 141.86 Acre Tract of Land, located in Sections 2, 3, 10, & 11, T7S-R3E, G.L.D., Livingston Parish, Louisiana, and being more particularly described as follows: Starting at The Common Corner to Sections 1, 2, 11, & 12, T7S-R3E; proceed South 00 degrees 25 minutes 52 seconds East, a distance of 1288.84 feet; thence North 89 degrees 43 minutes 42 seconds West, a distance of 1238.59 feet; thence South 89 degrees 44 minutes 41 seconds West, a distance of 406.24 feet; thence North 00 degrees 27 minutes 18 seconds West, a distance of 600.77 feet; thence South 89 degrees 36 minutes 38 seconds West, a distance of 551.30 feet; thence North 12 degrees 33 minutes 41 seconds East, a distance of 82.08 feet; thence South 89 degrees 36 minutes 38 seconds West, a distance of 136.72 feet; thence North 00 degrees 59 minutes 05 seconds West, a distance of 520.00 feet; thence South 89 degrees 36 minutes 38 seconds West, a distance of 999.71 feet to the POINT OF BEGINNING; thence South 01 degrees 15 minutes 00 seconds East, a distance of 1795.77 feet; thence North 89 degrees 46 minutes 00 seconds West, a distance of 1170.67 feet; thence South 82 degrees 08 minutes 00 seconds West, a distance of 379.02 feet; thence South 75 degrees 15 minutes 00 seconds West, a distance of 94.80 feet; thence South 76 degrees 29 minutes 30 seconds West, a distance of 578.51 feet; thence South 78 degrees 05 minutes 30 seconds West, a distance of 243.88 feet; thence South 72 degrees 06 minutes 30 seconds West, a distance of 67.94 feet; thence North 61 degrees 53 minutes 20 seconds West, a distance of 234.66 feet; thence North 00 degrees 01 minutes 33 seconds East, a distance of 2404.91 feet; thence South 89 degrees 23 minutes 54 seconds East, a distance of 2659.65 feet; thence South 01 degrees 15 minutes 00 seconds East, a distance of 418.05 feet to the POINT OF BEGINNING.

All according to map entitled "Map Showing ALTA/ACSM Survey of A Certain 141.86 (CALLED 141.94) Acre Tract of Land, Being The Department of Public Safety Property ... ", dated 05-24-18 by Alvin Fairburn, Jr., P.L.S., attached to that certain Cash Sale Document No. 7690 by and between the State of Louisiana and Juban Land Holdings, LLC, recorded on July 23, 2018 as File Number 929378 in Book 1328, Page 71 in the conveyance records of the Clerk of Court's office for Livingston Parish, Louisiana

Please Publish on:

January 31, 2019

February 7, 2019

February 14, 2019

February 21, 2019

The following Ordinance which was previously introduced in written form required for adoption at a regular meeting of the Parish Council of the Parish of Livingston, State of Louisiana (the "Council") on January 24, 2019, a Notice of Public Hearing having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice was brought up for final passage February 28, 2019, on Motion of Garry "Frog" Talbert and seconded by Tracy Girlinghouse:

L.P. ORDINANCE NO. 19-05

AN ORDINANCE SUPPLEMENTING AND AMENDING L.P. ORDINANCE NO. 16-09 ADOPTED ON APRIL 28, 2016 TO EXPAND THE EXISTING BOUNDARIES OF JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO AND IN COMPLIANCE WITH LA. R.S. 33:9039.14; AND FURTHER PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, Juban Trails Community Development District, Parish of Livingston, State of Louisiana (the "District") is a community development district duly organized and existing under the provisions of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, specifically La. R.S. 33:9039.11 through 9039.37, inclusive (the "Act"), and L.P. Ordinance No. 16-09 duly adopted by the Council on April 28, 2016 (the "District Ordinance") and recorded as File No. 868772 in Book 1253 Page 393 in the conveyance records of the Livingston Parish Clerk of Court's office; and

WHEREAS, in accordance with the provisions of the Act, the Council, acting as the governing authority of the Parish of Livingston, State of Louisiana (the "Parish"), is authorized and empowered to modify and/or expand the territorial boundaries of the District; and

WHEREAS, pursuant to the requirements of Section 9039.14 of the Act, Juban Trails Development, LLC, a limited liability company organized and existing under the laws of the State of Louisiana (the "Petitioner"), has submitted a Petition to this Council containing the information required by the aforesaid statute and requesting that this Parish Council: (i) hold a public hearing as required by Section 9039.14 of the Act to consider the expansion of the District, and (ii) adopt a supplemental ordinance as required by the aforesaid statute to expand the District and supplement the District Ordinance. A copy of the Petition is attached hereto as **Exhibit A**; and

WHEREAS, Petitioner proposes to amend the District Ordinance and to modify and/or expand the territorial boundaries of the District, by adding certain immovable property to the District and more completely describing the territorial boundaries thereof. The survey plats attached hereto as **Exhibit B** show the location, acreage and boundaries of the District as modified and expanded by the addition of additional immovable property. The District, as modified and/or expanded will be comprised of an area of approximately [**703.75 acres**], all as more fully detailed in a metes and bounds description of the external boundaries of the District as set forth on **Exhibit C** attached hereto; and

WHEREAS, in accordance with the requirements of Section 9039.14 of the Act, this Council issued and published a Notice of Public Hearing (the "Notice") in *The Livingston Parish News*, a newspaper of general circulation in the Parish, and the Official Journal of the Council, which was published on (1) January 31, 2019, (2) February 7, 2019, (3) February 14, 2019, and (4) February 21, 2019, to notify the citizens and property owners of the Parish of the Petition to expand the District; and

WHEREAS, pursuant to the Notice and in compliance with the requirements of the Act, the public hearing to consider the proposed expansion of the District was duly convened and held by this Council on Thursday, February 28, 2019, at which time the information concerning the proposed expansion of the District, together with comments, questions and/or objections related thereto were presented and considered by this Council, all in accordance with the requirements of Section 9039.14(B) of the Act; and

WHEREAS, based on the information contained in the Petition, as well as the record of the Public Hearing and such other factors which are deemed relevant, this Council hereby finds and determines that the requirements of the Act have been satisfied and that the Petition requesting authorization to expand the territorial boundaries of the District is hereby approved and authorized.

NOW, THEREFORE, BE IT ORDAINED by the Council, acting as the governing authority of the Parish, as follows:

Findings and Determinations. The Council hereby finds and determines that it is necessary and beneficial to modify and/or expand the territorial boundaries of the District to include additional immovable property within the boundaries of the District.

Expanded and Revised District; Boundaries. In accordance with the provisions of the Act, the boundaries of the District are hereby modified and expanded to include certain additional

immovable property, all as more fully described on a metes and bounds description of the external boundaries described on *Exhibit C* attached hereto and made a part hereof.

Power Over Expanded Territorial Boundaries. The District is hereby granted the right to exercise all powers provided for in the Act, including without limitation, the powers provided for in Section 9039.19, 9039.20, 9039.21 and 9039.29, respectively, over the expanded territorial boundaries of the District.

Publication; Notice of Establishment. A copy of this Ordinance shall be published in *The Livingston Parish News*, the official journal of the Parish, as provided for by law. Pursuant to Section 9039.36 of the Act, a Notice of Establishment of Community Development District shall be recorded in the mortgage records of the Parish.

Effectiveness; Supplement and Amend. This Ordinance shall take effect immediately upon adoption. Ordinance No. 16-09 previously approved and adopted on April 28, 2016 is hereby supplemented and amended by this Ordinance and is expressly incorporated herein by reference. The Council hereby ratifies and confirms the effectiveness of the original District Ordinance, as supplemented and amended hereby, and stipulates that the approval and adoption of this Ordinance shall not constitute a novation of any of the obligations of the Parish contained in such original District Ordinance.

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L.P. Ordinance No. 19-05 having been submitted to a vote, the vote thereon was as follows:

YEAS: MR. KEEN, MR. GIRLINGHOUSE, MR. ARD, MR. MACK, MR. WASCOM,
MR. TALBERT, MR. HARRIS, MR. AVERETT, MR. LOBELL

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on the 28th day of February 2019.

Shane Mack, Council Chairman

ATTEST:

Sandy C. Teal, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ M.

APPROVED BY PRESIDENT _____

Layton Ricks Date

VETOED BY PRESIDENT _____

Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ M.

PARISH OF LIVINGSTON

STATE OF LOUISIANA

I, the undersigned Council Clerk of the Parish Council of the Parish of Livingston, State of Louisiana do hereby certify that the foregoing constitutes a true and correct copy of an Ordinance adopted by the Parish Council of the Parish of Livingston, State of Louisiana on February 28, 2019, amending and supplementing L.P. Ordinance No. 16-09 to expand the boundaries of the District to include additional immovable property within the District and to provide for certain matters pertaining thereto.

IN WITNESS WHEREOF, witness my official signature and impress of the official seal of the Parish Council of the Parish of Livingston, State of Louisiana, on this 6th day of March 2019.

Sandy C. Teal, Council Clerk

[SEAL]

EXHIBIT A TO L.P. ORDINANCE NO. 19-05

PARISH OF LIVINGSTON
STATE OF LOUISIANA

IN RE: SUPPLEMENTAL ORDINANCE TO)
MODIFY THE BOUNDARIES OF JUBAN)
TRAILS COMMUNITY DEVELOPMENT)
DISTRICT)

PETITION

Petitioner, JUBAN TRAILS DEVELOPMENT, LLC, a limited liability company, organized and existing under the laws of the State of Louisiana (“*Petitioner*”), hereby submits this Petition to the Parish Council of the Parish of Livingston, State of Louisiana, pursuant to the provisions of Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of La. R.S. 33:9039.11 through 9039.37, inclusive, as amended and supplemented (herein, the “*Act*”). In accordance with the provision of Section 9039.34 of the Act, this Petition is made to expand the territorial boundaries of Juban Trails Community Development District, Parish of Livingston, State of Louisiana (the “*District*”), as more fully provided below. Petitioner now appears and states as follows:

1. The District is a community development district duly organized and existing under the provisions of the Act and L.P. Ordinance No. 09-06 (the “*District Ordinance*”) duly adopted on April 28, 2016 by the Parish Council of the Parish of Livingston, State of Louisiana (the “*Parish Council*”).
2. Petitioner proposes to amend the District Ordinance modify and/or expand the territorial boundaries of the District, by adding certain immovable property to the District and more completely describing the territorial boundaries thereof. The plat of survey which is attached hereto as Annex 1 shows the modified location, acreage and boundaries of the District. The District, as modified and/or expanded will cover an area of approximately 703.77 acres, all as more fully detailed in a metes and bounds description of the external boundaries which is set forth on Annex 2.
3. The current landowner of the respective parcels of immovable property which comprise the District and its address are as follows: Juban Land Holdings, LLC, whose mailing address is 4925 Greenville Avenue, Suite 1400, Dallas TX 75206. The aforesaid landowner has consented to the modification of the District’s boundaries pursuant to a Consent which is attached hereto as Annex 3. No other persons, firms, corporations or other entities own any immovable property situated in the expansion area to be added to the District.
4. The future general distribution, location and extent of public and private uses within the District are limited to acquisition, construction, maintenance of major infrastructure within the boundaries of the proposed expanded District, together with development, residential and commercial sites and open or green space. The parties intend that the District will finance, in one or more phases, (i) surface water management and control systems, (ii) water distribution and transmission and wastewater collection and transmission facilities, (iii) internal roadwork and bridges, and (iv) related incidental costs.
5. Petitioner hereby renews and resubmits its request that the District be granted the right to exercise all powers provided for in the Act, including, without limitation, the powers provided for in Sections 9039.19, 9039.20, 9039.21, 9039.23 and 9039.29, respectively, over the proposed expanded boundaries of the District.
6. The modified and/or expanded boundaries, when incorporated into the District, can and will be operated as a part of an independent community development district under the Act for the following reasons:

The proposed expanded District and all land uses and services planned within the proposed District are consistent with applicable elements or portions of the land use plan adopted by the Parish Council of the Parish of Livingston, State of Louisiana.

The area of land within the proposed District is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

The community development services of the expanded District will be compatible with the capacity and use of existing local and regional community development services and facilities.

7. Petitioner has presented or will present this Petition to the Board of Supervisors of the District to obtain the approval and consent of said Board of Supervisors to the proposed expansion of the District.
8. The Petitioner undertakes on behalf of the District that the District will provide full disclosure of information relating to the public financing and maintenance of improvements and services to immovable property in the District to be undertaken by the District as required by the Act.

WHEREFORE, in consideration of the foregoing, Petitioner respectfully requests that the Parish Council of the Parish of Livingston, State of Louisiana approve the petition and proceed with the proposed expansion of the District as follows:

- A. A public hearing on the Petition and the proposed expansion of the District shall be conducted by the Parish Council, as governing authority of the Parish of Livingston in accordance with the requirements set forth in Section 9039.14(B) of the Act, including but not limited to giving notice of such public hearing by publication of a notice of public hearing in *The Livingston Parish News* at least once a week for four (4) successive weeks immediately prior to such public hearing; and
- B. That, after due proceedings and consideration, the Parish Council adopt a supplemental ordinance approving the proposed expansion of the District and amending the District Ordinance, which supplemental ordinance shall be substantially in the form submitted to the Parish Council in connection with the approval of the supplemental ordinance.

Respectfully submitted this ____ day of _____, 2019.

PETITIONER:

JUBAN TRAILS DEVELOPMENT, LLC

By: Reeder & Hawes Investment, LLC,
its Member

By:

Wm. Christopher Reeder, Manager

By: UMUC, LLC,
its Member

By:

J. Marion Uter, Manager

LIST OF ATTACHMENTS:

- | | |
|---------|---------------------------|
| Annex 1 | Location Map |
| Annex 2 | Legal Description |
| Annex 3 | Consent of Sole Landowner |

EXHIBIT B to L.P. ORDINANCE NO. 19-05

**SURVEY OF PROPERTY COMPRISING
JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT**

EXHIBIT C TO L.P. ORDINANCE NO. 19-05

**METES AND BOUNDS DESCRIPTION OF PROPERTY COMPRISING
JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT**

Parcel 1

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