

**ORDINANCE ESTABLISHING
JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT
APPROVED AT THE MEETING HELD ON**

Thursday, April 28, 2016

**PARISH COUNCIL OF THE
PARISH OF LIVINGSTON,
STATE OF LOUISIANA**

The following ordinance was offered by Tracy Girlinghouse and seconded by Garry ‘Frog’ Talbert:

L.P. ORDINANCE NO. 16-09

An ordinance creating the Juban Trails Community Development District within the Parish of Livingston, State of Louisiana; and further describing the boundaries thereof; and further appointing a board of supervisors consisting of five (5) members to govern and manage said community development district; and providing for certain other related matters, all in compliance with the provisions of Chapter 27–B, Title 33 of the Louisiana Revised Statutes of 1950, as amended, La. R.S. 33:9039.11 to 33:9039.37, inclusive.

WHEREAS, in accordance with 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*”), the Parish Council of the Parish of Livingston, State of Louisiana (this “*Council*”) is authorized and empowered to establish and create community development districts within the unincorporated boundaries of the Parish; 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 Parish Council (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 creation and establishment of the Juban Trails Community Development District (the “*District*”), and (ii) adopt an ordinance as required by the aforesaid statute creating and establishing the aforesaid District; and

WHEREAS, in accordance with the requirements of Section 9039.14 of the Act, this Parish Council issued and published a Notice of Public Hearing (the “*Notice*”) in *The Livingston Parish News*, a newspaper of general circulation in, and the official journal of, the Parish Council, which was published on (1) April 3, 2016, (2) April 10, 2016, (3) April 17, 2016, and (4) April 24, 2016, to notify the citizens and property owners of the Parish of the Petition to create and establish the District, a complete copy of which is attached hereto as *Exhibit A*; and

WHEREAS, pursuant to the Notice and in compliance with the requirements of the Act, the public hearing to consider the creation and establishment of the District was duly convened and held by this Council on Thursday, April 28, 2016, at which time the information concerning the proposed District, together with comments, questions and/or objections related thereto were presented and considered by this Parish 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 Parish Council hereby finds and determines that the requirements of the Act have been satisfied and that the Petition requesting creating and establishment of the District is hereby approved and authorized.

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

1554058.4

SECTION 1. Creation of the District; Boundaries. In accordance with the provisions of the Act, there is hereby created and established a community development district within the Parish, which district shall comprise and include all of the property situated within the described boundaries as shown on *Exhibit B* attached hereto and made a part hereof.

SECTION 2. Name, Status and Powers. The aforesaid community development district shall be known and designated as the **JUBAN TRAILS COMMUNITY DEVELOPMENT DISTRICT, PARISH OF LIVINGSTON, STATE OF LOUISIANA**, and as thus created and established, said District shall constitute a special district, as provided in Article VI, Section 19 of the Constitution of the State of Louisiana of 1974, as amended (the "*Constitution*") and shall have all the powers granted by the Constitution, the Act and all other laws of the State of Louisiana, including but not limited to the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems for (1) water management and control, (2) water supply, sewer and wastewater management, reclamation and reuse or any combination thereof, and (3) garbage disposal and other systems as permitted and appropriate.

SECTION 3. Board of Supervisors.

(a) General Provisions. In accordance with the provisions of the Act, particularly Section 9039.15, the District shall be governed and managed by a Board of Supervisors (the "*Supervisory Board*") consisting of five (5) members. The following persons are hereby appointed as the initial members of the Supervisory Board: (1) Jeff Averette, (2) Tracy Girlinghouse, (3) Ronnie Morse, (4) Rick Ramsey, and (5) Jimmy Watson. Each initial member of the Supervisory Board shall serve for a term of four (4) years and until a successor is chosen and qualifies. Each of the initial members of the Board is a resident of the State of Louisiana. Prior to the end of the sixth (6th) year following the appointment of the initial members of the Supervisory Board, any reappointments to the Supervisory Board shall be made by the Petitioner subject to the approval of this Parish Council, or in such manner as may be provided by the Act, as hereafter from time to time amended.

(b) Election of Supervisory Board Members. To the extent required by the Act, as amended, commencing at the end of the sixth (6th) year following the appointment of the initial members of the Supervisory Board, the position of each member of the Supervisory Board whose term has expired shall be filled by a qualified elector residing in the District, who shall be elected by the qualified electors of the District in accordance with the provisions of Title 18 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. Registered Office. The registered office of the District will be c/o City of Walker, Attn: Secretary, 10136 Florida Boulevard, P.O. Box 217, Walker, Louisiana 70785, which is located within the parish in which the territorial boundaries of the District are located.

SECTION 5. Publication. A copy of this Ordinance shall be published in *The Livingston Parish News*, the official journal of the Parish, as provided for by law.

This L.P. Ordinance No. 16-09, having been submitted to a vote of the Parish Council of the Parish of Livingston, State of Louisiana, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

WHEREUPON, this L.P. Ordinance No. 16-09 was declared to be adopted by the Parish Council of the Parish of Livingston, State of Louisiana, on this 28th day of April, 2016, and which Ordinance will be effective immediately.

John Wascom, Council Chairman

(SEAL)

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.

EXHIBIT A
ATTACHED TO L.P. ORDINANCE NO. 16-09
COPY OF PETITION

EXHIBIT B

METES AND BOUNDS DESCRIPTION OF THE DISTRICT PROPERTY

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.

**PARISH OF LIVINGSTON
STATE OF LOUISIANA**

**IN RE: ORDINANCE TO ESTABLISH)
 THE 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 9039.14 of the Act, this Petition is made to establish a community development district with respect to the immovable property described herein. In support of the Petition, said Petitioner now comes and states as follows:

1. The proposed District (as defined below) is located within the unincorporated boundaries of the Parish of Livingston, State of Louisiana. The map which is attached hereto as *Annex 1* depicts the general location and boundaries of the proposed District, which consists of approximately 562 acres of land. The metes and bounds description of the external boundaries of the District is set forth on *Annex 2*. There is no immovable property within the external boundaries of the proposed District which is to be excluded from the District.

2. The current landowner of the respective parcels of immovable property that comprises 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 establishment of the proposed District, 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 proposed District.

3. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

	<u>Name</u>	<u>Address</u>
(a)	Jeff Averett	16135 Highway 16, French Settlement, LA 70734
(b)	Tracy Girlinghouse	28300 Magnolia Drive, Walker, LA 70785
(c)	Ronnie Morse	31075 Carter Cemetery Rd., Springfield, LA 70462
(d)	Rick Ramsey	12689 Pendarvis Lane, Walker, LA 70785
(e)	Jimmy Watson	13561 Graham Lane, Walker, LA 70785

4. The name of the District to be established will be Juban Trails Community Development District (the “*District*”).

5. The proposed timetable for the construction of improvements and installation of services owned and/or financed by the District for the District is shown on *Annex 4-A* and the estimated cost of constructing the improvements and providing the services contemplated by this petition, based on available information and data, is shown on *Annex 4-B*. This is a good faith estimate but is not binding on the Petitioner and the District and, is subject to change.

6. The future general distribution, location and extent of public and private uses within the District are limited to acquisition, construction, maintenance and operation of major infrastructure within the boundaries of the premises to be governed by the proposed District, together with residential sites and open or green space. The Petitioner intends that the District will finance, in one or more phases, any and all costs associated with: surface water

management and control systems and related drainage improvements; improvements related to creating and maintaining a potable water system and a wastewater collection and treatment system; improvements related to transportation systems, including streets and roads, bridges, sidewalks, walking trails, bike paths or the like; recreational facilities; and other works of public ally owned improvement as allowed under Chapter 27-B of Title 33 of the Louisiana Revised Statutes of 1950, as amended, comprised of La. R.S. 33:9030.11 through 9039.14, and all incidental costs associated therewith, including ongoing management and legal services for the proposed District.

7. Petitioner hereby requests that the proposed 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, including but not limited to the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems for (1) water management and control, (2) water supply, sewer and wastewater management, reclamation and reuse or any combination thereof, and (3) garbage disposal and other systems as permitted and appropriate.

8. The Petitioner is Juban Trails Development, LLC, a limited liability company, organized and existing under the laws of the State of Louisiana, whose mailing address is 4925 Greenville Avenue, Suite 1400, Dallas TX 75206. Copies of all correspondence and official notices should be sent to the attention of Chris Reeder, c/o Reeder & Hawes Investments, LLC, 4925 Greenville Ave., Suite 1400, Dallas, TX 75206, Manager.

9. The property situated within the proposed District is amenable to operating as an independent special district under the Act for the following reasons:

(a) Establishment of the 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.

(b) 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.

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

(d) The proposed District will be the best alternative available for delivering infrastructure and community development services to the area to be served because the District provides a governmental entity for delivering those services and facilities in a manner that does not financially impact persons residing outside the District.

10. 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.

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WHEREFORE, Petitioner respectfully requests the Parish Council of the Parish of Livingston, State of Louisiana to:

A. After giving notice to the public as required pursuant to the provisions of the Act, hold a public hearing as required by Section 9039.14 of the Act to consider the creation and establishment of the District; and

B. Adopt an ordinance pursuant to the provisions of Section 9039.14 of the Act, granting this Petition and creating and establishing the District.

Respectfully submitted this _____ day of March, 2016.

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
Annex 4-A	Construction Timetable
Annex 4-B	Good Faith Cost Estimate

ANNEX 1
Location Map

ANNEX 2
Metes and Bounds Description of the District Property

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.

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ANNEX 3

Consent of Sole Landowner

The undersigned party (the "Landowner") is the sole landowner holding title to all of the respective parcels of immovable property which are located within the territorial boundaries of the proposed Juban Trails Community Development District (the "District"). In connection with the filing of the Petition to establish and create the District (the "Petition") to be filed by Juban Trails Development, LLC (the "Petitioner"), the undersigned landowner hereby declares and states as follows:

1. The Landowner has been furnished with a full and complete copy of the Petition and has reviewed the contents of said Petition, including all documents annexed thereto.
2. The Landowner hereby agrees and consents to the establishment and creation of the District, as requested pursuant to the Petition.
3. The Petitioner is hereby authorized to annex this Consent to the Petition and to proceed with the establishment and creation of the District.

IN WITNESS WHEREOF, the Landowner has caused this Consent of Sole Landowner to be duly executed and delivered as of the _____ day of March, 2016.

LANDOWNER:

JUBAN LAND HOLDINGS, LLC

By: Reeder & Hawes Investments, LLC,
its Member

By: _____
Wm. Christopher Reeder, Manager

By: UMUC, LLC,
its Member

By: _____
J. Marion Uter, Member

ANNEX 4-A
Construction Timetable

PHASE I
Filings 1-4 (356 Lots)

- Topographic and Boundary Survey completed.
- Preliminary plat approval by Livingston Parish Council on March 24, 2016.
- Storm water pollution prevention plan approval by May 31, 2016.
- Authorization for developer's site preparation of all non-wetland designated property within the District expected by May 31, 2016. Any District property designated as wetlands will require 404 Permit from Corps of Engineers prior to site work.
- Construction plan approval by June 30, 2016.
- Drainage impact study and approval by June 30, 2016.
- Construction of Filings 1-4 of Phase I to be completed within 12-15 months.

PHASES II, III, AND IV
(Approximately 1,550 Lots)

- Construction time 4 to 6 years (based upon demand)

**ANNEX 4-A
Construction Timetable**

**PHASE I
Filings 1-4 (356 Lots)**

Construction:	
Subdivision Infrastructure (streets, drainage, sewer collection, water distribution)	\$ 7,963,750.00
Sewer Treatment Plant	3,500,000.00
Sewer Force main from Juban to Development	1,500,000.00
Contingency Escrow	1,944,562.00
Engineering	900,000.00
Environmental Permitting	150,000.00
Wetlands Mitigation	TBD
Parish Review and Inspection Fees	45,000.00
TOTAL ESTIMATED COST (Ex Wetlands Mitigation)	\$16,003,312.00

**PHASES II, III AND IV
(Approximately 1,550 Lots)**

Estimated development/construction costs	\$30,225,000.00
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