

**CERTIFICATE FOR ORDER**

## PORT O'CONNOR IMPROVEMENT DISTRICT

THE STATE OF TEXAS

## COUNTY OF CALHOUN

We, the undersigned officers of the Board of Directors (the "Board") of Port O'Connor Improvement District (the "District"), hereby certify as follows:

1. The Board convened in special session, open to the public, on September 6, 2023, at the District's established meeting place inside the boundaries of the District, and the roll was called of the members of the Board, to-wit:

Danny McGuire	President
Mike Clifton	Vice-President
Nathan O'Neill	Secretary/Treasurer
Victor Mozisek	Assistant Vice-President
John "Red" Childers	Assistant Secretary

All members of the Board were present except the following absentee(s): Mike Clifton; thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

## ORDER LEVYING TAXES

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

AYES: 3 NOES: 0

2. 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 said 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 was 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 such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED this 6th day of September, 2023.

PORT O'CONNOR IMPROVEMENT DISTRICT

By:   
Nathan O'Neill, Secretary-Board of Directors

PORT O'CONNOR IMPROVEMENT DISTRICT  
ORDER LEVYING 2023 TAXES

WHEREAS, the voters of Port O'Connor Improvement District (the "District") have authorized the issuance of bonds that are payable from ad valorem taxes at an election held for such purpose; and

WHEREAS, the resolution or resolutions authorizing such bonds require a general levy of taxes for the purposes of providing for interest and principal payments on such bonds, while any part of said principal or interest remains outstanding and unpaid; and

WHEREAS, the voters of the District have authorized the levy of a tax to pay for maintenance and operation expenses of the District and also for an additional tax to pay for maintenance and operation expenses of Defined Area No. 1 at elections held for such purposes; and

WHEREAS, the Board of Directors has reviewed and approved its operating budget for its fiscal year October 1, 2023-September 30, 2024 and has concluded that a maintenance tax for such purposes should be levied for the tax year 2023; and

WHEREAS, the District has complied with the provision of Section 49.236, Texas Water Code and conducted a Public Hearing on the Tax Rate as required therein:

WHEREAS, it is necessary for the Board of Directors to fix a specific rate of tax to be levied for the tax year 2023, based on the District's tax rolls for 2023, which have been prepared; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS FOR PORT O'CONNOR IMPROVEMENT DISTRICT  
THAT:

Section 1: There is hereby levied an ad valorem tax of \$0.4949 on each \$100 of taxable property within the District for the tax year 2023 consisting of the following two (2) components: \$0.22 to pay the District's debt service; and \$0.2749 to fund the District's maintenance and operation expenditures.

Section 2: There is hereby levied an additional ad valorem tax of \$.5051 on each \$100 of taxable property within the District for the tax year 2023 only on property within the boundaries of Defined Area No. 1 in order to provide for the maintenance and operation purposes specifically related to Defined Area No. 1.

Section 3: After paying reasonable costs of levying, assessing and collecting same, \$0.22 of all taxes collected pursuant to Section 1 above, shall be deposited in the District's Debt Service Fund and shall be used solely for the purpose of paying interest on and principal of the District's outstanding bonds and paying the registrar fees; and \$.5051 of all taxes collected from property within the Defined Area No. 1 shall be deposited in the Defined Area No. 1 Fund and all remaining taxes collected shall be deposited in the District's General Fund, as applicable, and shall be used for the purposes of which such taxes were authorized.

Section 4: The taxes levied hereby shall be delinquent if not paid by January 31, 2024.

Section 5: The Order shall be effective from and after its adoption.

Section 6: The President or Vice President is authorized to execute, and the Secretary or any

Assistant Secretary to attest, this order on behalf of the Board of Directors.

THIS TAX RATE ESTABLISHES LOWER TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL BE EFFECTIVELY LOWERED BY 2.77% AND WILL LOWER TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$14.10.

Since the actual tax rate is decreased from the 2022 rate, the taxes on a \$100,000 home last year and the taxes on a \$100,000 home this year will decrease. However, a more accurate depiction is represented by the calculations of the Calhoun County Appraisal District on the Average Residential Homestead Taxable Value of \$310,709, which has increased from the prior year's \$246,204 value.. The adopted tax rate, in that instance, will be effectively raised by 7.99% and will result in an annual increase of \$79.14 on the average residential homestead in the District.

PASSED AND APPROVED on this 6th day of September, 2023.

ATTEST:

PORT O'CONNOR IMPROVEMENT DISTRICT

By:   
Nathan O'Neill, Secretary-Board of Directors

By:   
Danny McGuire, President-Board of Directors

AMENDMENT TO INFORMATION FROM OF  
PORT O'CONNOR IMPROVEMENT DISTRICT

STATE OF TEXAS §  
§  
COUNTY OF CALHOUN §

We, the undersigned, constituting a majority of the members of the Board of Directors of PORT O'CONNOR IMPROVEMENT DISTRICT (the "District"), do hereby make, execute, and affirm this Amendment to Information Form of Defined Area No. 1 in compliance with TEXAS WATER CODE §49.452 AND §49.455 and 30 TEXAS ADMIN. CODE §293.92. We do hereby certify as follows:

1. As of this date the District has levied a tax on property within the District of \$0.4949 on each \$100 of assessed valuation. There is an additional tax of \$0.5051 on each \$100 of assessed valuation on property within the boundaries of Defined Area No. 1 in order to provide for the maintenance and operation purposes specifically related to Defined Area No. 1.
2. The form Notice to Purchasers required by TEXAS WATER CODE §49.452, as amended, to be furnished by a seller to a purchaser of real property in the District is attached hereto as Exhibit A and incorporated herein for all purposes.

WITNESS OUR HANDS this 6<sup>th</sup> day of September, 2023.



Danny McGuire, President



Mike Clifton, Vice-President



Nathan O'Neill, Secretary



Victor Mozisek, Assistant Vice-President

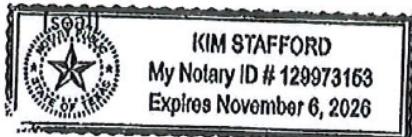


John "Red" Childers, Assistant Secretary

THE STATE OF TEXAS §  
§  
§  
COUNTY OF CALHOUN §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Danny McGuire, Mike Clifton, Nathan O'Neill, Victor Mozlsek, and John "Red" Chldres know to me to be the persons and officers whose names are subscribed to the foregoing instrument and affirmed and acknowledged that said instrument is correct and accurate to the best of their knowledge and belief, and that they executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6<sup>th</sup> day of September, 2023.



Kim Shafford  
Notary Public, State of Texas

**AFTER RECORDING, return to:**

Port O'Connor Improvement District  
c/o Walker Keeling LLP  
Attn: Donna Gafe-Tucker  
P.O. Box 108  
Victoria TX 77902

EXHIBIT A

## NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT

The real property that you are about to purchase is located in the PORT O'CONNOR IMPROVEMENT DISTRICT (the "District") and may be subject to District taxes or assessments. The District may, subject to voter approval, impose taxes and issue bonds. The District may impose an unlimited rate of tax in payment of such bonds. The current rate of the District property tax is \$0.4949 on each \$100 of assessed valuation.

The total amounts of bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters, approved by the voters are:

\$52,000,000 for water and sanitary sewer facilities;

The aggregate initial principal amounts of all such bonds issued are:

\$27,280,000 for water and sanitary sewer facilities;

The District has the authority to levy a sales and use tax on taxable transactions within the District and to issue bonds payable from such taxes. As of this date, the rate of sales and use tax levied by the District on all taxable transactions within the District is 1.5%. The aggregate initial principal amount of all bonds issued and payable in whole or in part from sales and use taxes is \$0.

The purpose of the District is to provide water, sewer, and drainage facilities and services. The cost of District facilities is not included in the purchase price of your property.

SELLER:

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(Date)

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Signature of Seller

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

○ The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of real property or at the closing of purchase of the real property.

PURCHASER:

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(Date)

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Signature of Purchaser

AFTER RECORDING, return to: \_\_\_\_\_.

AMENDMENT TO INFORMATION FROM OF DEFINED AREA NO. 1 OF  
PORT O'CONNOR IMPROVEMENT DISTRICT

STATE OF TEXAS §

§

COUNTY OF CALHOUN §

We, the undersigned, constituting a majority of the members of the Board of Directors of PORT O'CONNOR IMPROVEMENT DISTRICT (the "District"), do hereby make, execute, and affirm this Amendment to Information Form of Defined Area No. 1 in compliance with TEXAS WATER CODE §49.452 AND §49.455 and 30 TEXAS ADMIN. CODE §293.92. We do hereby certify as follows:

1. As of this date the District has levied a separate, additional tax on property located within Defined Area No. 1. The additional tax for Defined Area No. 1 is \$0.5051 on each \$100 of assessed valuation. Such amount will be levied only within Defined Area No. 1 and will be levied in addition to the tax levied District-wide. The most recent District-wide tax rate levied by the District is \$0.4949 on each \$100 of assessed valuation.
2. The form Notice to Purchasers required by TEXAS WATER CODE §49.452, as amended, to be furnished by a seller to a purchaser of real property in Defined Area No. 1 is attached hereto as Exhibit A and incorporated herein for all purposes.

WITNESS OUR HANDS this 6<sup>th</sup> day of September, 2023.

DSM

Danny McGuire, President

Mike Clifton, Vice-President

NO

Nathan O'Neill, Secretary

Victor Mozisek

Victor Mozisek, Assistant Vice-President

JRC

John "Red" Childers, Assistant Secretary

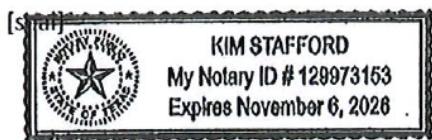
THE STATE OF TEXAS §

§

COUNTY OF CALHOUN §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Danny McGuire, <sup>Mike</sup> Clifton, Nathan O'Neill, Victor Mozisek, and John "Red" Childres know to me to be the persons and officers whose names are subscribed to the foregoing instrument and affirmed and acknowledged that said instrument is correct and accurate to the best of their knowledge and belief, and that they executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 6<sup>th</sup> day of September, 2023.



Notary Public, State of Texas

AFTER RECORDING, return to:

Port O'Connor Improvement District

c/o Walker Keeling LLP

Attn: Donna Gafe-Tucker

P.O. Box 108

Victoria TX 77902

EXHIBIT A

# NOTICE TO PURCHASERS OF SPECIAL TAXING OR ASSESSMENT DISTRICT

The real property that you are about to purchase is located in the PORT O'CONNOR IMPROVEMENT DISTRICT (the "District") and may be subject to District taxes or assessments. The District may, subject to voter approval, impose taxes and issue bonds. The District may impose an unlimited rate of tax in payment of such bonds. The real property, described below, which you are about to purchase is also located within a designated area of the District ("Defined Area No. 1") and is subject to a higher tax than other land within the District. The rate of taxes within Defined Area No. 1 is higher by \$0.5051 on each \$100 of assessed valuation than land in the District that is not within Defined Area No. 1. This tax is in addition to the tax levied by the District on a District-wide basis. The current rate of the District-wide property tax is \$0.4949 on each \$100 of assessed valuation.

The total amounts of bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters in the District, approved by the voters in the District are:

\$52,000,000 for water and sanitary sewer facilities;

The aggregate initial principal amounts of all such bonds issued are:

\$\$27,280,000 for water and sanitary sewer facilities;

The District has the authority to levy a sales and use tax on taxable transactions within the District and to issue bonds payable from such taxes. As of this date, the rate of sales and use tax levied by the District on all taxable transactions within the District is 1.5%. The aggregate initial principal amount of all bonds issued and payable in whole or in part from sales and use taxes is \$0.

The total amounts of bonds payable wholly or partly from property taxes, excluding refunding bonds that are separately approved by the voters in Defined Area No. 1, approved by the voters in the Defined Area No. 1 are:

\$20 million for specified facilities;

The aggregate initial principal amounts of all such bonds issued are:

\$0

The purpose of the District is to provide water, sewer, and drainage facilities and services. The cost of District facilities is not included in the purchase price of your property.

SELLER:

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Date

Signature of Seller

Printed Name: \_\_\_\_\_

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of real property or at closing of the purchase of the real property.

PURCHASER:

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Date

Signature of Purchaser

Printed Name: \_\_\_\_\_

AFTER RECORDING RETURN TO: