

ORDER #2023-02

AN ORDER SETTING RATE AND LEVYING TAXES FOR THE UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT.

WHEREAS, Upper Brushy Creek Water Control and Improvement District (the "District") has issued and sold certain bonds; and

WHEREAS, Texas Water Code §51.445, as amended, provides that the Board of Directors of the District (the "Board") is required to levy and cause to be assessed and collected ad valorem taxes upon all property (real, personal or mixed) subject to taxation within the boundaries of the District sufficient to pay the principal and interest on any bonds issued by the District; and

WHEREAS, Texas Water Code §49.107, as amended, provides that the District may levy and collect a tax for operation and maintenance purposes, including funds for planning, constructing, acquiring, maintaining, repairing, and operating all necessary land, plants, facilities, improvements, appliances, and equipment of the District and for paying costs of proper services, engineering and legal fees, and organization and administrative expenses; and

WHEREAS, Texas Water Code §49.236, as amended, provides that before the Board adopts an ad valorem tax rate for debt service, operation and maintenance purposes, or contract purposes, the Board shall give proper notice of each meeting of the Board at which the adoption of a tax rate will be considered; and

WHEREAS, the Board has received the calculation indicating the tax rate for the current year necessary to pay principal and interest on bonds and certain other obligations of the District; and

WHEREAS, the Board finds that the portion of the tax levy for debt service purposes in this Order are sufficient to provide for the District's debt service as required by Texas Water Code §51.445, as amended, and the portion of the tax levy for operations and

maintenance purposes of the District are permitted by Texas Water Code §49.107, as amended.

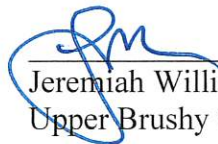
NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF THE UPPER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT THAT:

Section 1. The Board hereby finds that prior to adopting the ad valorem tax rate for 2022, the District has provided proper notice of the public hearing to set the District's tax rate and otherwise satisfied the requirements of Texas Water Code §49.236, as amended.

Section 2. The Board hereby levies and causes to be assessed upon all property (real, personal, or mixed) subject to the taxation within the District a total ad valorem tax rate of \$0.0170 per \$100.00 of assessed value for the year 2023, comprised of \$0.00370 per \$100.00 assessed valuation for debt service purposes, and \$0.01330 per \$100.00 assessed valuation for operation and maintenance purposes. The District's Tax Assessor-Collector(s) shall take all steps necessary and authorized by law to collect taxes as owed pursuant to this Order. Said taxes shall be levied, assessed, and collected at the rate of \$0.0170 per \$100 of assessed valuation for 2023 as provided for in Chapter 51, Texas Water Code, and all other applicable laws.

Section 3. The Board hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Order was adopted was posted and that such meeting was open to the public as required by law at all times during which this Order and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and APPROVED on this the 14th day of September 2023.



Jeremiah Williams, President
Upper Brushy Creek WCID