

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
(512) 435-2300

TELECOPIER (512) 435-2360

CINDY ARIAS
(512) 435-2374
CARIAS@ABAUSTIN.COM

MEMORANDUM

TO: Robin Campbell
Brenda Richter
Felix Amaro, Jr.
Scott Gray
Alex Martinez

FROM: Cindy Arias, Legal Assistant

DATE: February 8, 2013

RE: Northtown Municipal Utility District
February 13, 2013 Special Meeting

Attached please find the agenda and meeting materials for a *special* meeting of the Board of Directors of Northtown Municipal Utility District scheduled for **Wednesday, February 13, 2013 at 5:45 p.m. at the Wells Branch Tech Center, 1421 Wells Branch Parkway, Suite 106, Pflugerville, Texas.**

Please let us know if you will be unable to attend the meeting so that we can determine if a quorum of the Board of Directors will be present.

cc: Sue Brooks Littlefield
Robert Anderson
Scott Foster
Cheryl Allen
Mary Bott
Mona Oliver
Michael DeMotte*
Keith Kinnard*
Tom Anker*
Lupe Serna*
Lee Hill *via email**
Chrissie Bryant, Wildflower HOA *via email**
Amanda Gomez *via email**
Alan J. Rivaldo *via email**
Tawnya Walker, Wildflower HOA *via email**
James N. Nias*
Richard Fadal*
Trent Rush*
Ray Bryant*
Carol Polumbo*
John Zinsmeyer, KB Home*
Kathy Haught*
Kay Taylor*
Blake Magee*
Leonard De Leon *via email**
Nick Contreras *via email**
Ian Asselstine *via email**
Pat Patterson *via email**
Dustin Butler *via email**
Esmeralda Tapia *via email**

*Agenda Only

**NORTHTOWN MUNICIPAL UTILITY DISTRICT
AGENDA**

February 13, 2013

TO: THE BOARD OF DIRECTORS OF NORTHTOWN MUNICIPAL UTILITY DISTRICT
AND ALL OTHER INTERESTED PARTIES:

Notice is hereby given that the Board of Directors of Northtown Municipal Utility District will hold a special meeting at **5:45 p.m. on Wednesday, February 13, 2013**, at the District office located at the Wells Branch Tech Center, 1421 Wells Branch Parkway, Suite 106, Pflugerville, Texas. The following matters may be considered and acted upon at the meeting:

PUBLIC INPUT

1. Resident communications;
2. Board member announcements;

DISCUSSION/ACTION ITEMS

3. Report from Village @ Northtown, including Resolution Authorizing Change in Land Use Plan, Contingent Upon Consent of the City of Austin;
4. Future agenda items.

The Board of Directors is authorized by the Texas Open Meetings Act, Chapter 551, Texas Government Code, to convene in closed or executive session for certain purposes, including receiving legal advice from the District's attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074) and discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session to discuss any item on this agenda, the presiding officer will announce that an executive session will be held and will identify the item to be discussed and the provision of the Open Meetings Act that authorizes the closed or executive session.

(SEAL)



Attorney for the District

Northtown Municipal Utility District is committed to compliance with the Americans With Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request. Please call Armbrust & Brown, PLLC at (512) 435-2300 for additional information.

**RESOLUTION
AUTHORIZING CHANGE IN LAND-USE PLAN FOR
NORTHTOWN MUNICIPAL UTILITY DISTRICT
CONTINGENT UPON CONSENT OF THE CITY OF AUSTIN**

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, Northtown Municipal Utility District (the "District") is a political subdivision of the State of Texas, created and operating under Chapters 49 and 54 of the Texas Water Code; and

WHEREAS, under the "Agreement Concerning Creation and Operation of Northtown Municipal Utility District No. 1" between Pflugerville Joint Venture, the City of Austin and the District, as amended (the "Consent Agreement"), all development within the District is subject to compliance with a land plan approved by the City (the "Land Plan"), and changes in the land uses shown on the Land Plan may only be made with the consent of a majority of the members of the Board of Directors of the District and the City of Austin (the "City"); and

WHEREAS, Village at Northtown, Ltd. (the "Applicant") has requested the District's approval of the changes in the designated uses of the property within the District owned by the Applicant (the "Land") depicted on the attached Exhibit A; and

WHEREAS, the Board of Directors of the District has determined that the changes in the Land Plan requested by the Applicant, as depicted on the attached Exhibit A would, subject to the terms of this Resolution, not adversely affect other properties within the District, and should be approved on the terms of this Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTHTOWN MUNICIPAL UTILITY DISTRICT as follows:

Section 1. The changes in the designated land uses of the Land depicted on Exhibit A are approved, contingent upon the conditions set forth in Sections 2 through 4 of this Resolution.

Section 2. The Applicant must pay all of the District's expenses incurred in connection with its request for changes to the Land Plan and this Resolution.

Section 3. The Applicant must obtain the approval of the City to the proposed changes to the District's Land Plan depicted on Exhibit A. All costs and expenses incurred in connection with obtaining this approval must be borne by the Applicant. The terms of the City's approval must not impose any conditions on the District or further alter the Land Plan or the Consent Agreement without the District's express consent.

Section 4. This Resolution does not constitute a commitment of any level of service to the Land or of participation by the District in the costs of utility improvements for the Land. A service commitment or reimbursement agreement, if approved by the District, may require the payment of fees established by the District. Service to the Land will be subject to the Applicant's satisfaction of all conditions imposed by the District.

Approved and adopted this 13th day of February, 2013.

**NORTHTOWN MUNICIPAL UTILITY
DISTRICT**

**Robin Campbell, President
Board of Directors**

ATTEST:

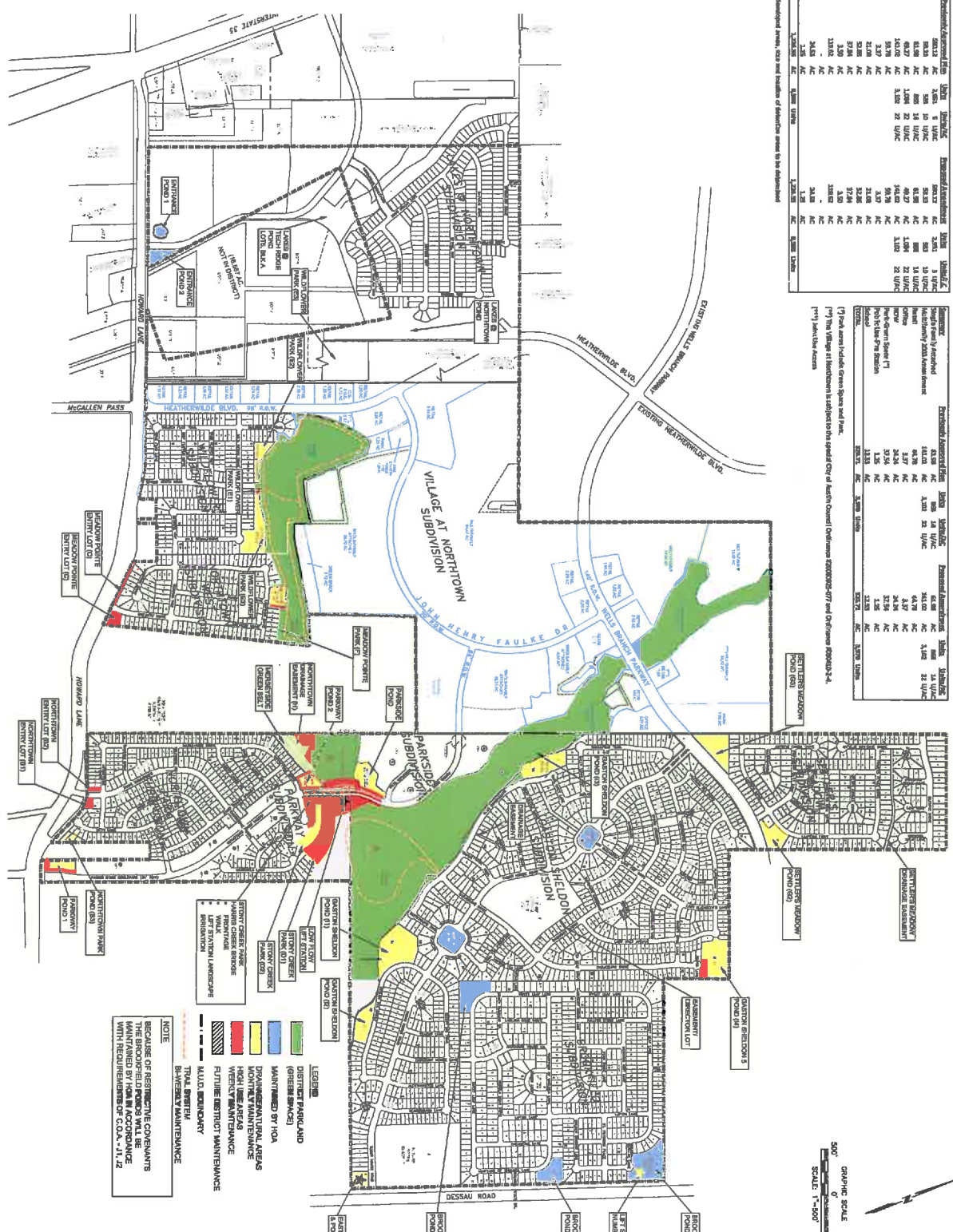
**Alex Martinez, Secretary
Board of Directors**

NORTHTOWN LAND USE SUMMARY

Zone	Acres	Percentage	Zone	Acres	Percentage
Single Family Residential	1,234,567	65.2%	Community Development	123,456	6.5%
Multi-Family Residential	234,567	12.5%	Office	45,678	2.4%
Community Development	123,456	6.5%	Industrial	34,567	1.8%
Office	45,678	2.4%	Public Use	23,456	1.2%
Industrial	34,567	1.8%	Other	12,345	0.6%
Public Use	23,456	1.2%	Unimproved	56,789	3.0%
Other	12,345	0.6%	Water	1,234	0.1%
Unimproved	56,789	3.0%	Other	1,234	0.1%
Water	1,234	0.1%	Other	1,234	0.1%
Other	1,234	0.1%	Other	1,234	0.1%

VILLAGE @ NORTHTOWN LAND USE SUMMARY

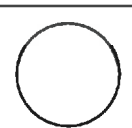
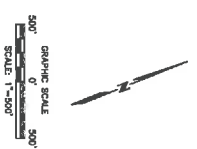
Zone	Acres	Percentage	Zone	Acres	Percentage
Single Family Residential	1,234,567	65.2%	Community Development	123,456	6.5%
Multi-Family Residential	234,567	12.5%	Office	45,678	2.4%
Community Development	123,456	6.5%	Industrial	34,567	1.8%
Office	45,678	2.4%	Public Use	23,456	1.2%
Industrial	34,567	1.8%	Other	12,345	0.6%
Public Use	23,456	1.2%	Unimproved	56,789	3.0%
Other	12,345	0.6%	Water	1,234	0.1%
Unimproved	56,789	3.0%	Other	1,234	0.1%
Water	1,234	0.1%	Other	1,234	0.1%
Other	1,234	0.1%	Other	1,234	0.1%



LEGEND

- DISTRICT PARKLAND (GREEN SPACES)
- MAINTAINED BY HOA
- DRAINAGE/MAINTENANCE AREAS
- MONTHLY MAINTENANCE
- WATER MAINTENANCE
- FUTURE DISTRICT MAINTENANCE
- MULTI-BENEFIT
- TRAIL BENEFIT
- BENTENET MAINTENANCE

NOTE: BECAUSE OF RESTRICTIVE COVENANTS MAINTAINED BY HOA IN ACCORDANCE WITH REQUIREMENTS OF COA - 11, 12



VILLAGE @ NORTH TOWN LUE SUMMARY

Summary	9th Amendment				Proposed Amendment				
	9 Amendment	Units	Units/AC	Unit/LUE	Latest	Units	Units/AC	Unit/LUE	LUE
Single Family Attached	74.51	AC	1,043	14	U/AC	1	1,043	1	1,043
Multifamily 2003 Amendment	141.02	AC	3,102	22	U/AC	0.7	2,172	0.7	2,172
Retail	44.78	AC	0.5	FAR	1660	588			588
Office	3.37	AC	0.35	FAR	3000	17			17
PISD School	-	AC		Student	13	0			0
Public Use-Fire Station	1.25	AC				6			6
TOTAL (developed)	264.93	AC	4,146	Units		3,826			3,826
ROW Dedication	24.24	Ac							
Green Space & Park	37.54	Ac							
TOTAL	326.71	Ac							
SF Land Bought from Sealy	2.40	Ac							
	329.11	Ac							

VILLAGE @ NORTH TOWN LUE - McALLEN PASS INTERCEPTOR

Summary	9 Amendment				Proposed Amendment				
	9 Amendment	Units	Units/AC	Unit/LUE	Latest	Units	Units/AC	Unit/LUE	LUE
Single Family Attached	-	AC	14	U/AC	1	0			0
Multifamily 2003 Amendment	15.50	AC	341	22	U/AC	0.7	239	0.7	239
Retail	19.76	AC	0.5	FAR	1660	259			259
Office	-	AC	0.35	FAR	3000	0			0
PISD School	-	AC		Student	13	0			0
Public Use-Fire Station	1.25	AC				6			6
TOTAL	36.51	AC	341	Units		504			504

VILLAGE @ NORTH TOWN LUE - EAST LIFT STATION

Summary	9 Amendment				Proposed Amendment				
	9 Amendment	Units	Units/AC	Unit/LUE	Latest	Units	Units/AC	Unit/LUE	LUE
Single Family Attached	37.79	AC	529	14	U/AC	1	529	1	529
Multifamily 2003 Amendment	64.96	AC	1,429	22	U/AC	0.7	1,000	0.7	1,000
Retail	24.82	AC	0.5	FAR	1660	326			326
Office	3.37	AC	0.35	FAR	3000	17			17
PISD School	-	AC		Student	13	0			0
Public Use-Fire Station	-	AC				0			0
TOTAL	130.94	AC	1,958	Units		1,872			1,872

VILLAGE @ NORTH TOWN LUE - LOW FLOW LIFT STATION

Summary	9 Amendment				Proposed Amendment				
	9 Amendment	Units	Units/AC	Unit/LUE	Latest	Units	Units/AC	Unit/LUE	LUE
Single Family Attached	36.72	AC	514	14	U/AC	1	514	1	514
Multifamily 2003 Amendment	60.56	AC	1,332	22	U/AC	0.7	933	0.7	933
Retail	0.20	AC	0.5	FAR	1660	3			3
Office	-	AC	0.35	FAR	3000	0			0
PISD School	-	AC		Student	13	0			0
Public Use-Fire Station	-	AC				0			0
TOTAL	97.48	AC	1,846	Units		1,449			1,449

SUMMARY TOTAL 264.93 AC 4,146 Units 3,826 264.93 AC 3,970 Units 3,712

Summary check

Single Family Attached	74.51
Multifamily 2003 Amendment	141.02
Retail	44.78
Office	3.37
PISD School	12.53
Public Use-Fire Station	1.25
TOTAL	264.93