

**ORDER SETTING TAX RATE AND
LEVYING TAX**

WHEREAS, the Appraisal Review Board of the Montgomery County Appraisal District (the "MCAD") has approved the appraisal records of Montgomery County Utility District No. 3 (the "District") and the chief appraiser of the MCAD has prepared and certified to the District's tax assessor and collector the District's tax roll for the current tax year;

WHEREAS, the Board of Directors (the "Board") of the District is required to levy and cause to be assessed and collected ad valorem taxes upon all taxable property within the District sufficient to pay, together with revenues and receipts from other sources legally available for such purposes, all of its debt obligations payable in whole or in part from taxes and to pay when due any other contractual obligations of the District payable in whole or in part from taxes, and to pay the expenses of assessing and collecting the taxes, full allowance being made for expected delinquencies;

WHEREAS, the Board is authorized to levy and collect a tax for operation and maintenance purposes;

WHEREAS, the Board has previously proposed a tax rate and caused notice to be given as provided by law, and the Board has conducted a public hearing on the proposed tax rate, as required by law; and

WHEREAS, the Board adopts, ratifies and confirms all such information, calculations, notices, publication, hearing and all other procedures and officially finds and determines that the steps necessary for the levy of taxes have been taken, all in accordance with the law;

IT IS, THEREFORE, ORDERED AND RESOLVED BY THE BOARD OF DIRECTORS OF MONTGOMERY COUNTY UTILITY DISTRICT NO. 3 THAT:

I.

A. The matters stated in the preamble, above, are hereby found and determined to be true and correct and are hereby adopted by the Board, and the Board hereby levies, establishes and causes to be assessed upon all taxable property within the District an ad valorem tax for tax year 2023 at the following rates per \$100 of taxable value:

\$ -0- for debt service purposes, and
\$0.082 for operation and maintenance purposes.
\$0.082 TOTAL TAX RATE

B. This order specifies: (a) \$-0- as the portion of such total tax rate levied to pay principal (and Redemption Price) of, interest on, and Paying Agent fees and expenses with respect to the District's UNLIMITED TAX REFUNDING BONDS, SERIES 2021 or the District's UNLIMITED TAX BONDS, SERIES 2023 (including allowable delinquencies), (b) \$-0- as the portion, if any, of such total tax rate levied to pay other bonds and contractual obligations of the District payable in whole or in part from taxes, and (c) \$0.082 as the portion, if any, of such total tax rate levied for operating and maintenance purposes. The Board has found and determined that there are revenues and receipts from other sources legally available in the General Fund in an amount sufficient to pay such principal (and Redemption Price, if any) of, interest on, and Paying Agent fees and expenses (taking into account amounts available in the Debt Service Fund for such purposes), and the Board hereby authorizes transfer of such amount to the Debt Service Fund for such bonds.

II.

Taxes shall be due and payable on receipt of the tax bill and shall be paid on or before January 31 of the year following the year in which this order is adopted, or as otherwise provided by section 31.02 of the Texas Property Tax Code.

III.

The Tax Assessor and Collector for the District is hereby authorized and instructed to proceed to collect the aforesaid tax upon the basis of this Order.

IV.

A. Pursuant to Section 49.455 of the Texas Water Code, the District has filed an Amended Information Form indicating the most recent rate of District taxes on property located in the District which includes the form of the NOTICE TO PURCHASER required by the Texas Water Code. The District shall file within seven days an amendment to such Information Form substantially as shown in the attached "AMENDMENT TO AMENDED AND RESTATED DISTRICT INFORMATION FORM," which includes an updated "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT," as required by the Texas Water Code. All Directors are authorized to sign such an amendment.

B. The District shall also post such amendment, including the form of the "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT," on its Internet website.

C. The District hereby delegates to its Records Management Officer (currently, Ms. Meghan Koett, Norton Rose Fulbright, 1301 McKinney, Suite 5100, Houston, Texas 77010) the responsibilities listed below and designates such Records Management Officer as the District's agent for such purposes. The delegated responsibilities are:

- (1) to maintain in the District office (at the office of Norton Rose Fulbright, the District's attorneys, located at 1301 McKinney, Suite 5100, Houston, Texas 77010 or such other location as such firm may establish as its principal office in Houston, Texas) a true copy of such "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT;"
- (2) to issue the notice form completed with all information required to be furnished by the District, as required by Section 49.453 of the Texas Water Code, upon written request of any person;
- (3) to include, in any notice form issued under the provisions of such Section 49.453, a written statement that the notice form is being issued by the District, the date of its issuance, and the District's telephone number (the District not being required to orally provide the information);
- (4) to charge a fee of \$10 for the issuance of any such notice form;
- (5) to deliver any such notice form by regular mail or make it available at such District office;
- (6) to impose an additional charge not to exceed the actual cost of delivery, if the District is requested to deliver the notice form to a person by an alternative method;
- (7) to file with the Texas Commission on Environmental Quality: (i) a copy of such "AMENDMENT TO AMENDED AND RESTATED DISTRICT INFORMATION FORM," with such updated "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT," and (ii) the name, address, and telephone number of the agent responsible for issuance of such notice forms; and
- (8) to notify the Commission in writing within seven days after there is a change to the information required to be filed with the Commission under the provisions of such Section 49.453.


V.

The President or the Vice President and Secretary or Assistant Secretary are authorized on behalf of the Board to evidence adoption of this Order and to do any and all things appropriate or necessary to give effect to the intent hereof.

PASSED, APPROVED, ADOPTED AND SIGNED on September 18, 2023.

Attest:

Signed:



Janis Boulware, Secretary



Doris Hickman, President



**AMENDMENT TO AMENDED AND RESTATED
DISTRICT INFORMATION FORM**

STATE OF TEXAS §
COUNTY OF MONTGOMERY §
MONTGOMERY COUNTY UTILITY DISTRICT NO. 3 §

The District Information Form for Montgomery County Utility District No. 3 is hereby amended by amending Sections 3 and 9 as follows:

"3. The most recent rate of taxes on property located in the District is \$0.082 per \$100 of assessed valuation."

"9. The form of Notice to Purchasers required by Section 49.452 of the Texas Water Code as furnished by a seller to a purchaser of real property in the District, is to read as follows:

**NOTICE TO PURCHASER
OF SPECIAL TAXING OR
ASSESSMENT DISTRICT**

The real property that you are about to purchase is located in the MONTGOMERY COUNTY UTILITY DISTRICT NO. 3 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 \$0.082 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:

- (i) \$28,935,000 for water, sewer, and drainage facilities;
- (ii) \$-0- for road facilities;
- (iii) \$-0- for parks and recreational facilities; and
- (iv) \$-0- for additional facilities

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

- (i) \$18,010,000 for water, sewer, and drainage facilities;
- (ii) \$-0- for road facilities;
- (iii) \$-0- for parks and recreational facilities; and
- (iv) \$-0- for additional facilities

The district is located wholly or partly within the corporate boundaries of the City of Conroe. The municipality and the district overlap, but may not provide duplicate services or improvements. Property located in the municipality and the district is subject to taxation by the municipality and the district. The district has entered into a strategic partnership agreement with the City of Conroe. This agreement addressed the timeframe, process, and procedures for the municipal annexation of the area of the district that was located in the municipality's extraterritorial jurisdiction.

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

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 the real property or at closing of purchase of the real property.

Dated and executed by:

Seller: _____, Date: _____

Purchaser: _____, Date: _____

This Amendment is dated September 18, 2023.

MONTGOMERY COUNTY UTILITY DISTRICT NO. 3

Doris Hickman
Doris Hickman, President

Janis Boulware
Janis Boulware, Secretary

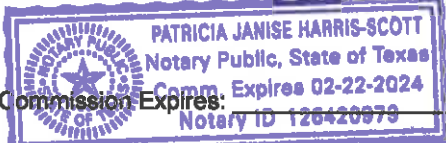
Carolyn H. Smith
Carolyn H. Smith, Treasurer

Judy Robert
Judy Robert, Director

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority on this day personally appeared Doris Hickman whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 18th day of September, 2023



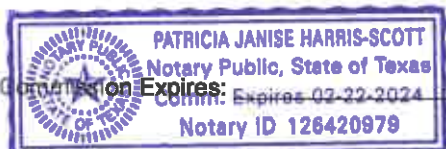
(SEAL) My Commission Expires: _____

Patricia Janise Harris-Scott
Notary Public in and for the State of TEXAS

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority on this day personally appeared Richard Tibbets whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 18th day of September, 2020



(SEAL) My Commission Expires: _____

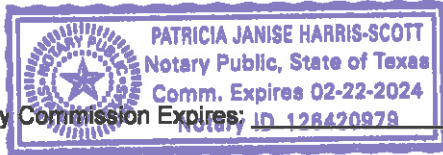
Patricia Janise Harris-Scott
Notary Public in and for the State of TEXAS

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority on this day personally appeared Judy Robert whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 18th day of September, 2023

Patricia Janise Harris-Scott



(S E A L) My

Commission Expires: _____

Notary ID 126420979

Notary Public in and for the State of T E X A S

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority on this day personally appeared Janie Boulware whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 18th day of September, 2023



(S E A L) My

Commission Expires: _____

Notary ID 126420979

Notary Public in and for the State of T E X A S

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority on this day personally appeared _____ whose name is subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20____.

Notary Public in and for the State of T E X A S

(S E A L) My Commission Expires: _____

Return file-stamped copy to:
Ms. Meghan Koett
Norton Rose Fulbright US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010-3095