

City of Houston, Texas, Ordinance No. 2020- 1101

AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS (MIDTOWN ZONE); CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, by Ordinance No. 94-1345, adopted on December 14, 1994, the City Council of the City of Houston, Texas (the "City"), created Reinvestment Zone Number Two, City of Houston, Texas (the "Zone"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Code"), for the purposes of development and redevelopment in the area of the City generally referred to as the Midtown area; and

WHEREAS, pursuant to Code Section 311.007, the City may enlarge the boundaries of an existing reinvestment zone, subject to the restrictions under Code Section 311.006; and

WHEREAS, the City previously enlarged the boundaries of the Zone by Ordinance No. 95-1322 approved December 13, 1995, Ordinance No. 1999-849 approved August 11, 1999, Ordinance No. 2009-1396 approved December 29, 2009 and Ordinance No. 2015-1000 approved October 14, 2015; and

WHEREAS, the City now proposes to further enlarge the boundaries of the Zone by adding to the Zone approximately 1.2 acres of additional territory (collectively, the "Additional Area"), as described in **Exhibit A** and depicted in **Exhibit B** attached to this Ordinance; and

WHEREAS, the City Council finds that the Additional Area is located wholly within the corporate limits of the City; and

WHEREAS, the City Council finds that the Additional Area meets the requirements of Code Section 311.005(a)(1) because the Additional Area substantially impairs the sound growth of the City, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public health, safety, morals and welfare in its present condition and use because of the deterioration of site and other improvements and defective or inadequate sidewalk and street layout; and

WHEREAS, the total appraised value of taxable real property in the enlarged Zone and in existing reinvestment zones does not exceed twenty-five percent (25%) of the total appraised value of taxable real property in the City and in the industrial districts created by the City as described in Section 311.006(a)(2)(A) of the Code; and

WHEREAS, the proposed improvements in the enlarged Zone will significantly

enhance the value of all taxable real property in the Zone and will be of general benefit to the City; **NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON,
TEXAS:**

Section 1. Findings. That the facts and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are hereby adopted as part of this Ordinance for all purposes.

Section 2. Boundary Enlargement. That the City, acting in accordance with the provisions of Chapter 311 of the Texas Tax Code, specifically Sections 311.005, 311.006 and 311.007, does hereby enlarge the Zone by adding the area described in **Exhibit A** and depicted on the map in **Exhibit B**, which are attached hereto and incorporated by reference.

Section 3. Effective Date of Boundary Enlargement. That the boundaries of the Zone shall be enlarged effective as of the date of this Ordinance.

Section 4. Tax Increment Base for Added Territory. That the tax increment base for the enlarged Zone shall include the tax increment bases established by Ordinance No. 94-1345, Ordinance No. 1999-849, Ordinance No. 2009-1 and Ordinance No. 2015-1000, and shall also include the tax increment base attributable to the Additional Area added to the Zone by this Ordinance, which tax increment base shall be determined as of January 1 of the year in which this Ordinance becomes effective.

Section 5. Severability. That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of

the remaining provisions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. Emergency. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 16th day of December, 2020.

APPROVED this _____ day of _____, 2020.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 22 2020.

Pat J. Harnick
Interim City Secretary

DocuSigned by:

Kent Kelsey

(Prepared by Legal Department
(KK:gd November 25, 2020) Senior Assistant City Attorney
(Requested by Andy Icken, Chief Development Officer, Office of the Mayor)
(L.D. File No. 042-1300012-015)

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
✓		DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	

Rev. 5/18

Exhibit A

TERRITORY TO BE ADDED TO REINVESTMENT ZONE NUMBER TWO

Boundary Description – Operations Center

STATE OF TEXAS

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§

COUNTY OF HARRIS

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Metes & Bounds Description

A tract of land containing 0.3123 Acre, in Unrestricted Reserve "A", Block 1, Emancipation One Center a subdivision in Harris County, Texas according to the map or plat thereof recorded under Film Code No. 687019 of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds as follows: (Bearings based on Film Code No. 687019 of the Map Records of Harris County, Texas)

COMMENCING at the intersection of the northerly right-of-way line of Elgin Street (platted as Elgin Avenue, 80 Feet wide) and the easterly right-of-way line of Emancipation Avenue (80 Feet wide);

THENCE, NORTH 32° 52' 00" EAST, with said easterly right-of-way line, a distance of 10.04 Feet to a point at the southwesterly corner and POINT OF BEGINNING of this tract;

THENCE, NORTH 32° 52' 00" EAST, continuing with said easterly right-of-way line, a distance of 182.08 Feet to a point at the northwesterly corner of this tract;

THENCE, across and through the aforementioned Unrestricted Reserve "A" the following

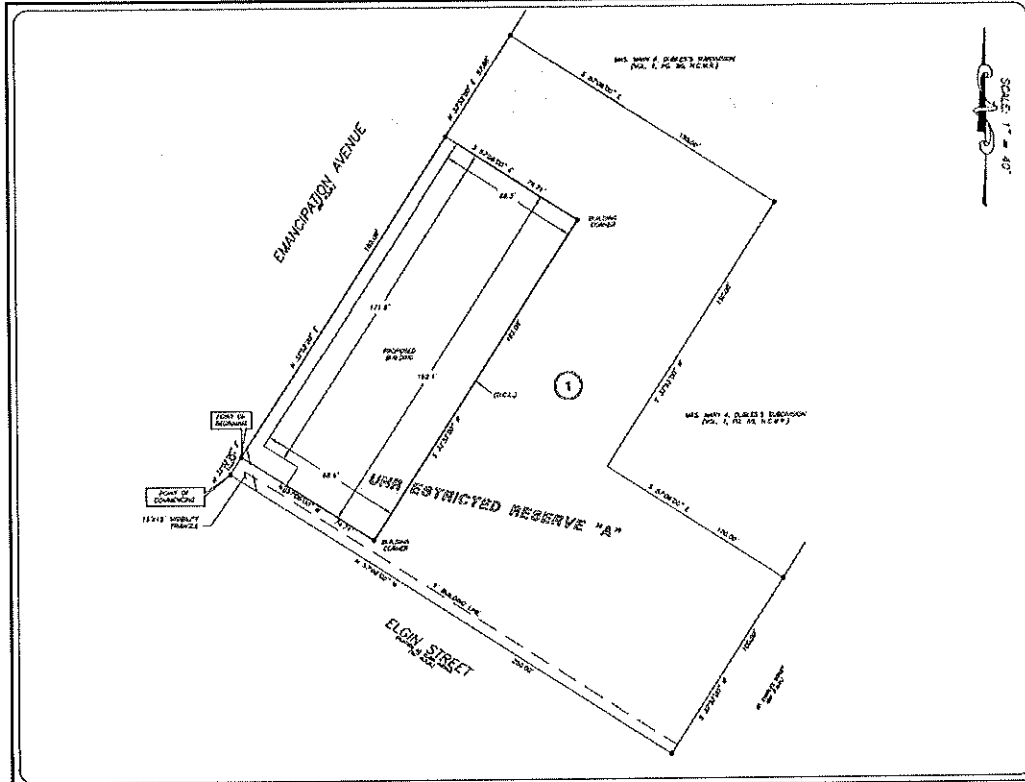
three (3) courses:

1. SOUTH 57° 08' 00" EAST, a distance of 74.71 Feet to a point at the northeasterly corner of this tract;
2. SOUTH 32° 52' 00" WEST, a distance of 182.08 Feet to a point at the southeasterly corner of this tract;
3. NORTH 57° 08' 00" WEST, a distance of 74.71 Feet to the POINT OF BEGINNING and containing 0.3123 Acre of land.

See attached drawing)



Terrance P. Mish
Registered Professional Land Surveyor
No. 4981
Job No. 19-08444
October 14, 2019



ADDRESS: 2401 ELGIN STREET
HOUSTON, TEXAS 77004
ORDERED BY: MARLON MARSHALL

**PLOT PLAN:
0.3123 ACRE
BEING PART OF
UNRESTRICTED RESERVE "A"
BLOCK 1
EMANCIPATION ONE CENTER**

A SUBDIVISION IN HARRIS COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAN THEREOF RECORDED
UNDER FILM CODE NO. 450718 OF THE MAP RECORDS
OF HARRIS COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS)

NOTE: THIS PLAN MAY BE SUBJECT TO EASEMENTS AND RIGHTS OF WAY NOT SHOWN
BY THIS PLAN AND RECORDS THEREOF.

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THE PROPERTY SHOWN ON THIS PLAN IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE CONSIDERED AS A WARRANTY OF TITLE OR AS A GUARANTEE OF THE ACCURACY OF THE SURVEY.

A SURVEYOR'S CERTIFICATION
WAS MADE ON THE DATE OF THIS SURVEY

SCALE - DIMENSIONAL CONTROL LINE
RECORD BEARING FILE CODE NO. 450718, ACRES

CHARTER BY TEXAS

SEARCHED WITH
INDEXED WITH
FILED WITH
DATE
BY
OFFICE OF THE CLERK OF COURTS
COUNTY OF HARRIS, TEXAS
RECORDED OCTOBER 14, 2018



PRECISION
surveyors

1-800-LANDSURVEY
WWW.PRECISIONSURVEYORS.COM
281-456-1525 FAX 281-456-1527 281-456-1541 FAX 281-456-1533
400 DUNNWOOD STREET, SUITE 150 HOUSTON, TEXAS 77057 1717 W. LOOP HOUSTON, TEXAS 77057
TOLL FREE 1-800-333-3333

Boundary Description – LULAC 60 Clubhouse (3004 Bagby)

**JURISDICTIONAL BOUNDARY DESCRIPTION OF AREA TO BE ANNEXED TO
TAX INCREMENT REINVESTMENT ZONE NUMBER TWO (MIDTOWN)
CITY OF HOUSTON**

Tract 1 of 1 being a +/- 0.92 acre tract of land, centered on 3004 Bagby St in the O. Smith Abstract 696, City of Houston, Harris County, Texas and being more particularly described by the following: **Beginning** at intersection of east right-of-way of Bagby St and north right-of-way of Anita St, same being boundary line City of Houston TIRZ No. 2 Midtown (and west corner of +/- 1.43 acre LOVETTE SQUARE CONDO Property);

Then generally south southwest along east right-of-way of Bagby St to a point east and in line with south right-of-way line of Avondale St;

Then west across Bagby St and along south right-of-way line of Avondale St to a point due south of west right-of-way line of Baldwin St;

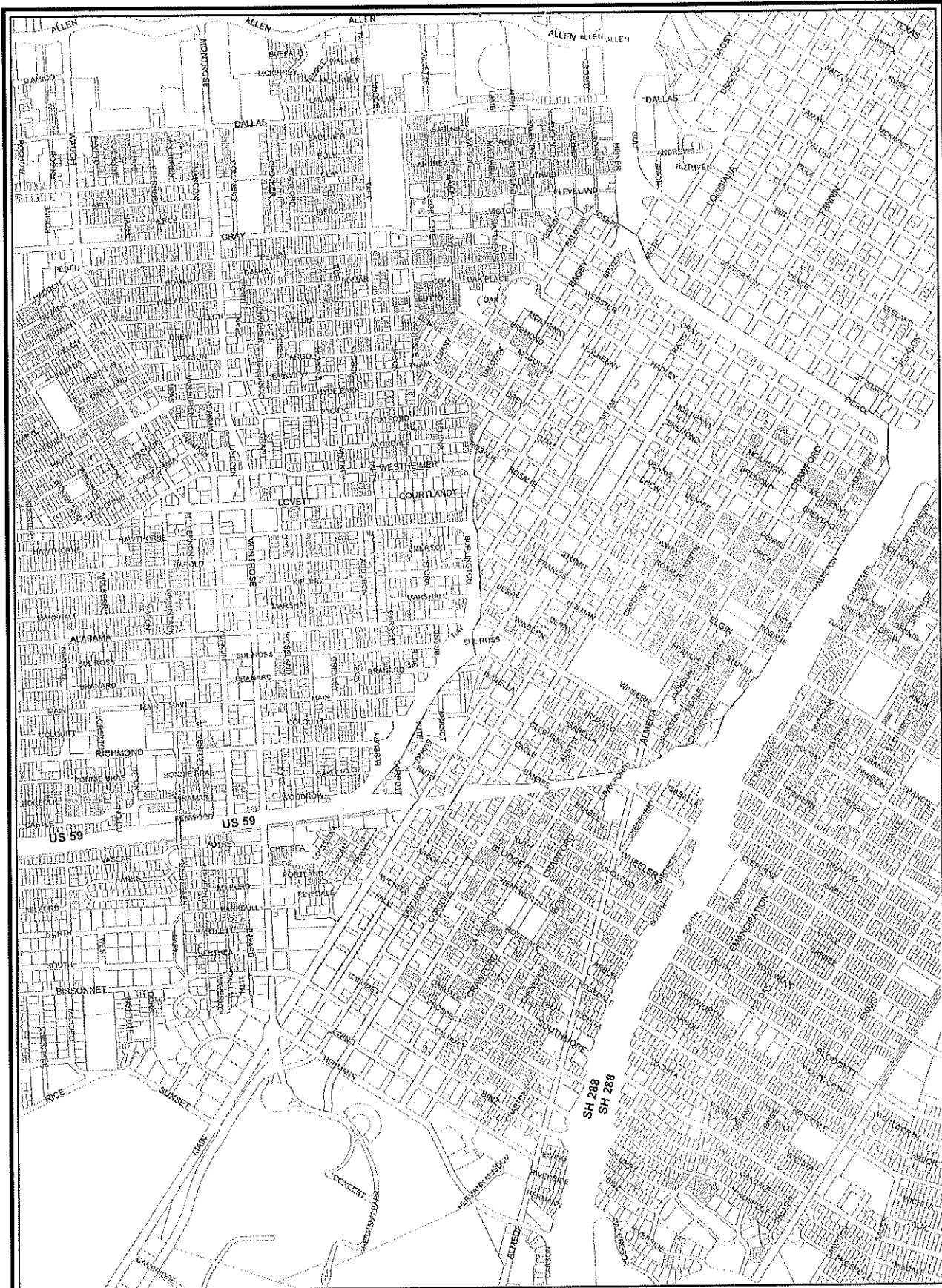
Then north along west right-of-way of Baldwin St to northeast corner of 0.0298 acre tract (TR 1F BLK 6 3000 BALDWIN ST T/H U/R AVONDALE);

Then east by south across Baldwin St to east right-of-way of Baldwin St and north right-of-way of Anita St, same being corner 0.1214 acre tract (TR 1 & TR 12A BLK 6 FAIRGROUNDS);




Then east southeast along north right-of-way of Anita St, across Bagby St to east right-of-way of Bagby St, same being boundary line City of Houston TIRZ No. 2 Midtown (and west corner of +/- 1.43 acre LOVETTE SQUARE CONDO Property), and **point of beginning** of +/- 0.92 acre tract

Exhibit B

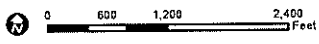
MAP OF AREA TO BE ADDED TO REINVESTMENT ZONE NUMBER TWO



Legend

-  Midtown
-  Proposed Annexation
-  Parcels

**City of Houston
Midtown - TIRZ #2
Proposed Annexation**



Source: COHGIS Database, Economic Development
Date: October 2020
Reference: pj21437_Midtown

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Houston will not accept liability of any kind in conjunction with its use.



**PLANNING &
DEVELOPMENT
DEPARTMENT**