

City of Houston, Texas, Ordinance No. 2018-996

**AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER TEN, CITY OF HOUSTON, TEXAS (LAKE HOUSTON ZONE); CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, by Ordinance No. 1997-1589, adopted effective December 17, 1997, the City Council of the City of Houston, Texas (the "City") created Reinvestment Zone Number Ten, City of Houston, Texas (the "Zone") pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Code"), for the purpose of development or redevelopment in the area of the City generally referred to as the Lake Houston 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. 1999-853 approved August 11, 1999, Ordinance No. 2011-741 approved August 24, 2011 and Ordinance No. 2014-254 approved April 2, 2014; and

**WHEREAS**, the City now proposes to further enlarge the boundaries of the Zone by adding to the Zone approximately 36.18 acres of additional territory, including public right-of-way and a City-owned drainage easement (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 within both the corporate limits and the extraterritorial jurisdiction 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 arrests or impairs the sound growth of the City, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use because of the presence of:

- (a) a substantial number of substandard, slum, deteriorated, or deteriorating structures;
- (b) unsanitary or unsafe conditions; and

**WHEREAS**, the City Council finds that the Additional Area also meets the requirements of Code Section 311.005(a)(2) because the Additional Area is predominantly open or undeveloped and, due to a variety of factors, substantially impairs or arrests the sound growth of the City; and

**WHEREAS**, less than thirty percent (30%) of the property in the enlarged Zone, excluding property that is publicly owned, is used for residential purposes as described in Code Section 311.006(a)(1); 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 recitations 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 Reinvestment Zone Number Ten, City of Houston, Texas, 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 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. 1997-1589, Ordinance No. 1999-853, Ordinance No. 2011-741, and Ordinance No. 2014-254, 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.

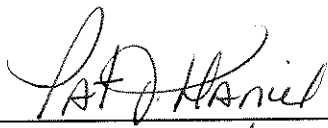
**Section 6. Emergency.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval 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 12<sup>th</sup> day of December, 2018.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

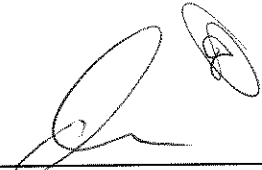
\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 18 2018.

  
 City Secretary, *Interim*

AYE	NO	
✓		<b>MAYOR TURNER</b>
....	....	<b>COUNCIL MEMBERS</b>
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		LE
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		LASTER
✓		CASTEX-TATUM
✓		KNOX
✓		ROBINSON
✓		KUBOSH
✓		EDWARDS
✓		CHRISTIE
CAPTION	ADOPTED	

CAPTION PUBLISHED IN DAILY COURT  
 REVIEW  
 DATE: DEC 18 2018

(Prepared by Legal Department   
 (JN/gd November 30, 2018) Assistant City Attorney  
 (Requested by Andy Icken, Chief Development Officer, Office of the Mayor)  
 (L.D. File No 042-1300016-014)

Rev. 5/18

**Exhibit A**

TERRITORY TO BE ADDED TO REINVESTMENT ZONE NUMBER TEN

1 PROPOSED CITY OF HOUSTON

2 FISCAL YEAR 2018 ANNEXATION FOR TAX INCREMENT REINVESTMENT ZONE NUMBER TEN, (LAKE  
3 HOUSTON ZONE), CITY OF HOUSTON, TEXAS:

4  
5 MONTGOMERY COUNTY TRACTS

6  
7 This description is comprised of the following tract of land (Tract 1) that is included and being situated in  
8 Montgomery County, Texas, and being more particularly described as follows:

9  
10 TRACT ONE

11  
12 Being a tract of land located in the Mary Owens Survey, Abstract No. 405 and the H.T. & B.R R. Co. Survey,  
13 Abstract No. 283, Montgomery County, Texas;

14  
15 BEGINNING at the intersection of the westerly right-of-way line of US Highway 59 with the northeasterly  
16 end of a cutback line in the northerly right-of-way line of North Park Drive;

17  
18 THENCE, easterly, crossing said US Highway 59 right-of-way to the easterly right-of-way line of said US  
19 Highway 59 at the northwesterly end of a cutback line in the northerly right-of-way line of said North Park  
20 Drive;

21  
22 THENCE, southeasterly along said cutback line to the southeasterly end of said cutback line in the  
23 northerly right-of-way line of North Park Drive (200 foot wide);

24  
25 THENCE, easterly along said northerly right-of way line of North Park Drive, approximately 1,408 feet to  
26 the easterly line of a called 13.577 acre tract of land conveyed to NorthP13, Ltd. as recorded in Clerk's File  
27 No. 2005-130924 of the Official Public Records of Real Property of Montgomery County, Texas  
28 (O.P.R.R.P.M.C.T.) and the westerly line of a called 1.8794 acre tract of land conveyed to Russak  
29 Properties, Ltd. as recorded in Clerk's File No. 9852411 of said O.P.R.R.P.M.C.T.;

30  
31 THENCE, southerly along the line common to said 13.577 acre tract and said 1.8794 acre tract to the  
32 southeasterly corner of said 13.577 acre tract, the southwesterly corner of said 1.8794 acre tract and  
33 being in the northerly right-of way line of North Park Drive (width varies);

34  
35 THENCE, easterly along said northerly right-of way line of North Park Drive to the westerly line of a called  
36 2.9978 acre Harris County Utility District No. 3 Kingwood Diversion Ditch Easement recorded in Volume  
37 823, Page 754 of the Montgomery County Deed Records (M.C.D.R.);

38  
39 THENCE, northerly along the westerly line of said 2.9978 acre tract to the northwest corner of said 2.9978  
40 acre tract;

41  
42 THENCE, along the northerly projection of the westerly line of said 2.9978 acre tract to the south line of a  
43 called 35.000 acre tract of land conveyed to St. Martha Catholic Church as recorded in Clerk's File No.  
44 2006-145732 of said O.P.R.R.P.M.C.T.;

45  
46 THENCE, easterly along the southerly line of said 35.000 acre tract to the intersection with the northerly  
47 projection of the easterly line of the said 2.9978 acre tract;

48  
49 THENCE, southerly along the easterly line of said 2.9978 acre tract and it's northerly projection to the  
50 northerly right-of-way line of said North Park Drive;

51  
52 THENCE, easterly along said northerly right-of-way line of North Park Drive to the southeasterly line of  
53 Montgomery County and the northwesterly line of Harris County;  
54  
55 THENCE, southwesterly along the line common to Montgomery County and Harris County to the southerly  
56 right-of-way line of said North Park Drive;  
57  
58 THENCE, westerly along said southerly right-of-way line of North Park Drive to the northeast corner of a  
59 called 7.8492 acre Harris County Utility District No. 3 Kingwood Diversion Ditch Easement recorded in  
60 Volume 823, Page 754 of said M.C.D.R.;  
61  
62 THENCE, southerly along the easterly line of said 7.8492 acre tract to the southeasterly line of  
63 Montgomery County and the northwesterly line of Harris County;  
64  
65 THENCE, southwesterly along the line common to Montgomery County and Harris County to the westerly  
66 line of said 7.8492 acre tract;  
67  
68 THENCE, northerly along the westerly line of said 7.8492 acre tract to the southerly right-of-way line of  
69 North Park Drive;  
70  
71 THENCE, westerly along said southerly right-of-way line of North Park Drive to the northeasterly end of a  
72 cutback line at the southeasterly corner of the intersection of North Park Drive and Russell Palmer Road;  
73 THENCE, southwesterly along said cutback line to the southwesterly end of said cutback line in the easterly  
74 right-of-way line of Russell Palmer Road;  
75  
76 THENCE, westerly crossing said Russell Palmer Road to the southeasterly end of a cutback line at the  
77 southwesterly corner of the intersection of North Park Drive and Russell Palmer Road;  
78  
79 THENCE, northwesterly along said cutback line to the northwesterly end of said cutback line in the  
80 southerly right-of-way line of North Park Drive;  
81  
82 THENCE, westerly, approximately 2,365 feet along the southerly right-of-way line of said North Park Drive  
83 to the beginning of a cutback curve to the south at the southeast corner of the intersection of North Park  
84 Drive with Kings Mill Park Drive;  
85  
86 THENCE, southwesterly along said cutback curve to the easterly right-of-way line of said Kings Mill Park  
87 Drive;  
88  
89 THENCE, southerly along said easterly right-of-way line of Kings Mill Park Drive, approximately 35 feet to  
90 a point for corner;  
91  
92 THENCE, westerly, crossing said Kings Mill Park Drive to the southwesterly end of a cutback curve in the  
93 westerly right-of-way line of Kings Mill Park Drive;  
94  
95 THENCE, northwesterly along said cutback curve to the intersection with the southerly right-of-way line  
96 of North Park Drive (width varies);  
97  
98 THENCE, westerly along said southerly right-of-way line of North Park Drive approximately 1,675 feet to  
99 the northeasterly end of a cutback line at the southeast corner of the intersection of North Park Drive and  
100 Anderson Road;

101  
102 THENCE, southwesterly along said cutback line to the easterly right-of way line of said Anderson Road;  
103  
104 THENCE, westerly, crossing said Anderson Road to the southeasterly end of a cutback line at the  
105 southwest corner of said intersection of Anderson Road and North Park Drive, same being in the easterly  
106 right-of-way line of the Southern Pacific Railroad (100 feet wide);  
107  
108 THENCE, northwesterly along said cutback line to the southerly right-of-way line of North Park Drive;  
109 THENCE, westerly along said southerly right-of-way line of North Park Drive to the northeasterly end of a  
110 cutback line at the southeast corner of the intersection of North Park Drive and US Highway 59;  
111  
112 THENCE, southwesterly along said cutback line to the easterly right-of way line of said US Highway 59,  
113 same being in the westerly right-of-way line of said Southern Pacific Railroad;  
114  
115 THENCE, westerly, crossing said US Highway 59 right-of-way to the westerly right-of-way line of said US  
116 Highway 59 at the point of intersection with the southeasterly end of a cutback line in the southerly right-  
117 of-way line of North Park Drive;  
118  
119 THENCE, northerly along said westerly right-of-way line of US Highway 59 to the POINT OF BEGINNING.










**Exhibit B**

MAP OF AREA TO BE ADDED TO REINVESTMENT ZONE NUMBER TEN

# City of Houston Lake Houston TIRZ Proposed Annexation Area

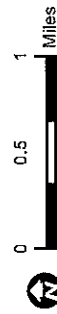
## Legend

-  Proposed Annexation
-  Existing Lake Houston
-  Full Purpose City Limit
-  Limited Purpose City Limit
-  ETJ Boundary
-  Houston City Limits
-  Water

Source: COGIS Database

Date: November 2018

Reference: pj20209\_ETJ



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**

