

City of Houston, Texas, Ordinance No. 2020-1082

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; PROVIDING FOR SEVERABILITY; 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, Ordinance No. 2014-254 approved April 2, 2014 and Ordinance No. 2018-996 approved December 12, 2018; and

WHEREAS, the City now proposes to further enlarge the boundaries of the Zone by adding to the Zone approximately 350 acres of additional territory, including Taylor's Gully Drainage Easement and nearby parcels (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)(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, not more 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 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 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, Ordinance No. 2014-254, and Ordinance No. 2018-996, 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.

Patricia H. Harnier
Interim City Secretary

DocuSigned by:

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(Prepared by Legal Department
(JN:gd December 1, 2020)
(Requested by Andy Icken, Chief Development Officer, Office of the Mayor)
(L.D. File No 042-1300016-020)

Assistant City Attorney

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	

Exhibit A

TERRITORY TO BE ADDED TO REINVESTMENT ZONE NUMBER TEN

TIRZ 10
State of Texas
Harris County

Description of properties located in Harris County that are to be annexed into the boundaries of TIRZ No. 10. The properties are situated in the following surveys; the John W. Asbury Survey, A-91; the Gory Gary Survey, A-303; the Thomas S. Foster Survey, A-1720; the H.T. & B. R.R. Co. No. 5 Survey, A-422; the Harrison McClain Survey, A-529; the Richard Williams Survey, A-1721; and the M. H. Short Survey, A-1722; comprising the Taylor Gully Drainage Easement, recorded under Harris County Clerk File Number F856410 on November 15, 1978, and described in three tracts as follows:

(Subdivisions and Roads marked with an asterisk (*) are already part of TIRZ 10.)

TRACT ONE

Being a tract of land located in the Gory Gary Survey, Abstract No. 303 and the John W. Asbury Survey, Abstract No. 91, Harris County, Texas;

BEGINNING at a south corner of Mills Creek Village, Section 6*, also being in the northeast Right-Of-Way (ROW) line of Mills Branch Drive* (width varies);

THENCE northeasterly, with the southeast line of said Mills Creek Village, Section 6* and the southeast line of Mills Creek Village, Section 4* to the east corner of said Mills Creek Village, Section 4;

THENCE northeasterly, easterly, and southeasterly, following the southwest line of Woodstream Community Association Tract 1C-1* of the Gory Gary Survey, Abstract No. 303 and the westerly line of Woodstream Community Association Tract 2E* of the John W. Asbury Survey, Abstract No. 91 to the northeast line of Mills Creek Village, Section 3;

THENCE northwesterly and southwesterly, following the northerly line of said Mills Creek Village, Section 3, and the northwesterly lines of Mills Creek Village, Section 2 and Mills Creek Village Section 1, to the intersection with said northeasterly ROW line of Mills Branch Drive;

THENCE northwesterly, along the said northeast ROW line of Mills Branch Drive to the POINT OF BEGINNING.

TRACT TWO

Being a tract of land located in the Gory Gary Survey, Abstract No. 303, the John W. Asbury Survey, Abstract No. 91 and the Harrison McClain Survey, Abstract No. 529, Harris County, Texas;

BEGINNING at the southeasterly corner of Mills Branch Village Section 6* in the southwesterly Right-Of-Way (ROW) line of Mills Branch Drive* (width varies);

THENCE southeasterly, with the southwesterly ROW line of said Mills Branch Drive to the northeasterly corner of Mills Branch Village, Section 1;

THENCE westerly and northwesterly, along the northerly lines of Mills Branch Village, Section 1, and Mills Branch Village, Section 3, to the easterly ROW line of West Lake Houston Parkway* (width varies);

THENCE northerly, along said easterly ROW line of West Lake Houston Parkway to the southwest corner of Mills Branch Village, Section 4;

THENCE easterly and southeasterly, along the southerly line of Mills Branch Village, Section 4, Mills Branch Village, Section 5, and Mills Branch Village, Section 6, to the POINT OF BEGINNING.

TRACT THREE

Being a tract of land located in the Richard Williams Survey, Abstract No. 1721, the Thomas S. Foster Survey, Abstract No. 1720, the H.T. & B. R.R. Co. No. 5 Survey, Abstract No. 422, the M. H. Short Survey, Abstract No. 1722 and the Harrison McClain Survey, Abstract No. 529, Harris County, Texas;

BEGINNING at the northerly corner of Elm Grove Village, Section 2 at the common line between Montgomery and Harris Counties, Texas;

THENCE northeasterly, along said common County line to a point in the westerly line of the North Kingwood Forest* subdivision;

THENCE southerly then easterly, along the westerly line of said North Kingwood Forest*, North Kingwood Forest, Partial Replat No. 1*, and Elm Grove Village, Section 3, to the westerly Right-Of-Way (ROW) of West Lake Houston Parkway* (width varies);

THENCE southerly, along said westerly ROW of West Lake Houston Parkway to the north line of the south portion of Elm Grove Village, Section 3;

THENCE westerly and northerly, along said north line of Elm Grove Village, Section 3, and the northeasterly line of Elm Grove Village, Section 2, to the POINT OF BEGINNING.

TIRZ 10
State of Texas
Montgomery County

Description of property located in Montgomery County that is to be annexed into the boundaries of TIRZ No. 10. The property is situated in the following surveys; the Richard Williams Survey, Abstract No. 660, the Thomas S. Foster Survey, Abstract No. 718, the H.T. & B. R.R. Co. No. 5 Survey, Abstract No. 282, and the H.T. & B. R.R. Co. No. 3 Survey, Abstract No. 283 and described as follows:

(Subdivisions and Roads marked with an asterisk (*) are already part of TIRZ 10.)

BEGINNING at a point in the north line of the Richard Williams Survey, Abstract No. 660 and the westerly Right-Of-Way (ROW) of Ford Road (80' width);

THENCE southerly, approximately 588 feet along said westerly ROW of Ford Road to the northeast corner of a called 1.19-acre tract to David H Guthrie;

THENCE westerly, along the north lines of said 1.19-acre tract and a called 13.92-acre tract to L. Quarles Property, LLC to the NW corner of said 13.92-acre tract;

THENCE southerly, approximately 915 feet along the westerly lines of said 13.92-acre tract, a called 9.9263-acre tract to Dorthey Manhart, and a called 3.45-acre tract to Hardy Ford to the southwest corner of said 3.45-acre tract;

THENCE easterly, along the south line of said 3.45-acre tract to the southeast corner of said 3.45-acre tract in the westerly line of a called 12.8042-acre tract to Dorthey Manhart;

THENCE southerly, along the westerly line of said 12.8042-acre tract and the westerly line of North Kingwood Forest subdivision* to the line common to Montgomery and Harris Counties;

THENCE southwesterly, approximately 5065 feet along the Montgomery-Harris County line to the easterly ROW of Woodland Hills Drive* (100' wide);

THENCE northerly, along said easterly ROW of Woodland Hills Drive and the easterly line of Woodridge Forest, Section 7 to a point in the south line of a called 0.432-acre tract to Woodridge Residential, LP;

THENCE easterly, along the south line of said 0.432-acre tract to the southeast corner of said 0.432-acre tract in the southwest line of Porter Place subdivision;

THENCE southeasterly, along the southwest line of said Porter Place to the westerly southeast corner of said Porter Place;

THENCE northeasterly, along the southeast line of said Porter Place to the easterly southeast corner off said Porter Place;

THENCE northerly, a total distance of approximately 5243 feet through the H.T. & B. R.R. Co. No. 5 Survey, Abstract No. 282, then along the westerly line of the Thomas S. Foster Survey, Abstract No. 718, and along the westerly line of the Richard Williams Survey, Abstract No. 660 to the northwest corner of said Richard Williams Survey;









THENCE easterly, approximately 4205 feet along the northerly line of said Richard Williams Survey, Abstract No. 660 to the POINT OF BEGINNING.

Exhibit B

MAP OF AREA TO BE ADDED TO REINVESTMENT ZONE NUMBER TEN

City of Houston
Lake Houston
TIRZ #10
Proposed Annexation

Legend

-  Existing Lake Houston
-  Proposed Annexation
-  County Boundary
-  HCAD Parcels
-  MCAD Parcels
-  Water
-  Railroads
-  Waterway



Source: COGIS Database, TIF Works

Date: November 2020

Reference: #21445_Lake_Houston



**PLANNING &
DEVELOPMENT
DEPARTMENT**

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.

