

City of Houston, Texas, Ordinance No. 95-1322

AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS, BY ADDING TWO ADDITIONAL CONTIGUOUS AREAS; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Houston pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone Number Two, City of Houston, Texas, (the "Midtown Zone") by Ordinance No. 94-1345 passed December 14, 1994; and

WHEREAS, the City may enlarge the boundaries of an existing reinvestment zone pursuant to Section 311.007, Texas Tax Code; and

WHEREAS, the Board of Directors of the Midtown Zone has adopted a Resolution requesting that the City incorporate into the Midtown Zone two areas contiguous to the Midtown Zone pursuant to the provisions of Chapter 311, Texas Tax Code; and

WHEREAS, upon the request of a property owner, an additional contiguous area is proposed to be included within the northern area proposed for addition into the Midtown Zone; and

WHEREAS, the City Council finds that each of the areas proposed to be included in the Midtown Zone is located wholly within the corporate limits of the City of Houston and is contiguous to the existing boundaries of the Midtown Zone; and

WHEREAS, the City Council held a public hearing on the proposed inclusion of the two additional areas within the Midtown Zone on December 6, 1995, and

WHEREAS, the City finds that notice of the hearing was published in a newspaper of general circulation within the City in the time and manner required by law; and

WHEREAS, at the public hearing, interested persons were allowed to speak for or against of the enlargement of the Midtown Zone; and

WHEREAS, evidence was received and presented at the public hearing in favor of the enlargement of the Midtown Zone, and no one appeared or presented evidence in opposition to the enlargement of the Midtown Zone; and

WHEREAS, the City Council finds that each of the areas proposed for addition to the Midtown Zone meets the requirements of Section 311.005 of the Texas Tax Code because each of the proposed areas substantially impairs and arrests 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 presence of:

- (a) a substantial number of substandard, slum, deteriorated or deteriorating structures;
- (b) the predominance of defective or inadequate sidewalk and street layout;
- (c) faulty lot layout in relation to size, adequacy, accessibility or usefulness;
- (d) unsanitary or unsafe conditions;
- (e) the deterioration of site or other improvements; and
- (f) existence of conditions that endanger life or property by fire or other cause; and

WHEREAS, less than ten percent of the property proposed to be included in the enlarged Midtown Zone, excluding property dedicated to public use, is used for residential purposes; and

WHEREAS, the total appraised value of taxable real property in the enlarged Midtown Zone and in any other existing reinvestment zones does not exceed 15 percent of the total appraised value of taxable real property in the City and in the industrial districts created by the City; and

WHEREAS, the proposed enlarged Midtown Zone does not contain more than 15 percent of the total appraised value of real property taxable by Harris County or the Houston Independent School District, within whose boundaries the Midtown Zone, as enlarged, is located; and

WHEREAS, the proposed improvements in the enlarged zone will significantly enhance the value of all taxable real property in the proposed 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. That the findings and recitals contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

Section 2. That the City, acting under the provisions of Chapter 311, Texas Tax Code, including Sections 311.005, 311.006 and 311.007(a), does hereby enlarge Reinvestment Zone Number Two, City of Houston, Texas, by adding the areas described in Exhibits "A" and "B" and depicted in the map attached hereto. A map of the areas to be added to the Zone is attached as Exhibit "C".

Section 3. The Midtown Zone shall be enlarged as of the effective date of this Ordinance.

Section 4.- The tax increment base for the enlarged Zone shall include the tax increment base established by Ordinance No. 94-1345 and after January 1, 1995, shall include the tax increment base attributable the land added to the Midtown Zone by this Ordinance.

Section 5. The publication and contents of the notice of the December 6, 1995, public hearing in the Houston Chronicle, a newspaper of general circulation in the City, are hereby ratified, approved and confirmed.

Section 6. 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 be 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 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall for the time required by law preceding this meeting, as required by the Open Meetings Law, TEX. GOV'T CODE ANN., Ch. 551 (Vernon 1994); and that this meeting was open to the public as required by law at all times during which this

ordinance and the subject matter thereof was discussed, considered and acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 8. 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 the Mayor fails to sign this ordinance within five (5) days after its passage and adoption it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 13th day of December, 1995.

APPROVED this _____ day of _____, 1995.

CITY OF HOUSTON, TEXAS

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 19 1995



City Secretary

bjm
(Prepared by Legal Dept. DEBORAH FALKENBERG)
(DFM/cj 11/27/95 Senior Assistant City Attorney)
(Requested by Robert M. Litke, Director, Planning & Development Department)
L.D.# ____-____-01

DFM/cj
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**BOUNDARY DESCRIPTION MIDTOWN TAX INCREMENT FINANCED DISTRICT
NORTH ANNEXATION PARCEL**

Being all of the following described property in the Obedience Smith Survey, Abstract No. 696, and the James S. Holman Survey No. 323, City of Houston, Harris County Texas and being more particularly described as follows:

BEGINNING at the intersection of the westerly line of Brazos Street with the northerly line of Webster Avenue;

THENCE in a southeasterly direction along the northerly line of Webster Avenue to its intersection with the easterly line of Main Street;

THENCE in a southwesterly direction along the easterly line of Main Street to its intersection with the northerly line of Dennis Avenue;

THENCE in a southeasterly direction along the northerly line of Dennis Avenue to its intersection with the westerly line of San Jacinto Street;

THENCE in a northeasterly direction along the westerly line of San Jacinto to its intersection with the northerly line of McGowen Avenue;

THENCE in a southeasterly direction along the northerly line of McGowen Avenue to its intersection with the westerly line of Austin Street;

THENCE in a northeasterly direction along the westerly line of Austin Street to its intersection with the northerly line of Webster Avenue;

THENCE in a southeasterly direction along the northerly line of Webster Avenue to its intersection with the easterly line of Chenevert Street;

THENCE in a southwesterly direction along the easterly line of Chenevert Street to its intersection with the northerly line of Dennis Avenue;

THENCE in a southeasterly direction along the northerly line of Dennis Avenue to its intersection with the easterly line of Hamilton Street which is adjacent to US Highway 59/State Highway 288;

THENCE in a northeasterly and northerly direction along the easterly line of Hamilton Street and westerly line of said US Highway 59 / State Highway 288 to its intersection with the northerly line of West Gray Avenue;

THENCE in a northwesterly direction along the northerly line of West Gray Avenue to its intersection with the easterly line of Smith Street;

THENCE in a northeasterly direction along the easterly line of Smith Street to its intersection with the southerly line of Interstate Highway No. 45;

THENCE in a northwesterly and northerly direction along the southerly line of said Interstate Highway No. 45 to its intersection with the north line of Cleveland Street;

THENCE in a westerly direction along the northerly line of Cleveland Street to its intersection with the westerly line of Arthur Street;

THENCE in a southerly direction along the westerly line of Arthur Street to the southerly dead end thereof;

THENCE in a southeasterly direction at right angles to the northwesterly line of Baldwin Street to its intersection with said line;

THENCE in a southwesterly direction along the northwesterly line of Baldwin Street to its intersection with the southerly line of West Gray Avenue;

THENCE in a northwesterly and westerly direction along the southerly line of West Gray Avenue to its intersection with the north line of Webster Avenue;

THENCE in a southeasterly direction along the northerly line of Webster Avenue to its intersection with an easterly projection of the north line of West Webster Avenue;

THENCE westerly along the northerly line of West Webster Avenue to the westerly line of Bailey Street;

THENCE southerly along the westerly line of Bailey Street and a southerly projection thereof to its intersection with the southwesterly line of McGowen Avenue;

THENCE southeasterly along the southwesterly line of McGowen Avenue to its intersection with the northwesterly line of Bagby Street;

THENCE northeasterly along the northwesterly line of Bagby Street to the northeasterly line of Bremond Avenue;

THENCE southeasterly along the northeasterly line of Bremond Avenue to its intersection with the northwesterly line of Brazos Street;

THENCE northeasterly along the northwesterly line of Brazos Street to the PLACE OF BEGINNING.

BOUNDARY DESCRIPTION MIDTOWN TAX INCREMENT FINANCED DISTRICT

SOUTH ANNEXATION PARCEL

Being all of the following described property in the Obedience Smith Survey, Abstract No. 696, City of Houston, Harris County Texas and being more particularly described as follows:

BEGINNING at the intersection of the southeasterly line of San Jacinto Street with the southwesterly line of Cleburne Avenue;

THENCE in a northwesterly direction along the southerly line of Cleburne Avenue to its intersection with the easterly line of Main Street;

THENCE in a southerly direction along the easterly line of Main Street to its intersection with the southerly line of Richmond Avenue;

THENCE northwesterly and westerly along the southerly line of Richmond Avenue to its intersection with the easterly line of Spur 527, a segment of the Southwest Freeway;

THENCE in a southwesterly direction along said Spur 527 to it's intersection with the northerly line of U.S. 59 South;

THENCE easterly along the northerly line of said US 59 South to its intersections with the southeasterly line of Austin Street;

THENCE northeasterly along the southeasterly line of Austin Street to its intersection with the northeasterly line of Eagle Avenue;

THENCE northwesterly along northeasterly line of Eagle Avenue to the southeasterly line of San Jacinto Street;

THENCE northeasterly along the southeasterly line of San Jacinto Street to the PLACE OF BEGINNING.

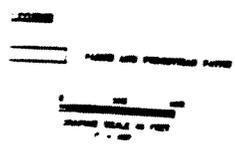
NORTH ANNEXATION PARCEL

POINT OF BEGINNING ORIGINAL T.I.F. AND NORTH ANNEXATION PARCEL

POINT OF BEGINNING SOUTH ANNEXATION PARCEL

SOUTH ANNEXATION PARCEL

BOUNDARY



Carter & Burgess
 CIVIL ENGINEERS
 1000 PINE STREET
 SUITE 1000
 HOUSTON, TEXAS 77001
 (713) 596-1000

EXHIBIT "C"

