

City of Houston, Texas, Ordinance No. 1999- 549

AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER TWO, CITY OF HOUSTON, TEXAS, (MIDTOWN); 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 ("City") pursuant to the provisions of Chapter 311, Texas Tax Code, created Reinvestment Zone Number Two, City of Houston, Texas, (the "Zone") by Ordinance No. 94-1345 passed December 14, 1994; and

WHEREAS, the City Council of the City enlarged the Zone by Ordinance No. 95-1322 on December 13, 1995; 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 Zone has adopted a Resolution requesting that the City annex into the Zone certain areas contiguous to the Zone pursuant to the provisions of Chapter 311, Texas Tax Code; and

WHEREAS, two of the areas proposed to be included in the Zone are described in petitions requesting that the areas be designated as a reinvestment zone, and such petitions have been submitted to the City by the owners of property constituting at least fifty percent (50%) of the appraised value of the property in the areas according to the most recent certified appraisal roll for Harris County, Texas, pursuant to Section 311.005(a)(5), Texas Tax Code; and

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

WHEREAS, the City Council finds that the areas proposed for addition to the Zone meet the criteria of Section 311.0031 of the Texas Tax Code because the areas are within an enterprise zone created and designated under the provisions of Chapter 2303, Texas Government Code and meet the requirements of Section 311.005 of the Texas Tax Code because each of the areas to be added 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;

or is described in a petition requesting that the area be designated as a reinvestment zone, and such petition has been submitted to the City by the owners of property constituting at least fifty percent (50%) of the appraised value of the property in the area

according to the most recent certified appraisal roll for Harris County, Texas, pursuant to Section 311.005(a)(5), Texas Tax Code; and

WHEREAS, less than ten percent (10%) of the property proposed to be included in the areas which have not submitted petitions to the City pursuant to Section 311.005(a)(5), Texas Tax Code, excluding property dedicated to public use, is used for residential purposes as described in Section 311.006(d); and

WHEREAS, the total appraised value of taxable real property in the enlarged Zone and in any other existing reinvestment zones does not exceed fifteen percent (15%) 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 Zone does not contain more than fifteen percent (15%) of the total appraised value of real property taxable by Harris County or the Houston Independent School District, within those boundaries the 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 and in accordance with the provisions of Chapter 311, Texas Tax Code, including Sections 311.005, 311.006 and 311.007, does hereby enlarge Reinvestment Zone Number Two, City of Houston, Texas, by adding the areas described in Exhibit "A" and depicted in the map attached hereto as Exhibit "B".

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

Section 4. That the City Council confirms that the boundaries of the Zone as amended by this Ordinance shall be the areas described in Exhibit "C" attached hereto.

Section 5. That the tax increment base for the enlarged Zone shall include the tax increment base established by Ordinances No. 94-1345 and No. 95-1322 and, beginning January 1, 2000, shall include the tax increment base attributable to the land added to the Zone by this Ordinance, which shall be January 1, 1999.

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 unconstitutionally, 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 14th day of August, 1999.

APPROVED this _____ day of _____, 1999.

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 AUG 17 1999.



City Secretary

(Prepared by Legal Dept. TERORAH F. ALLEN)
 (DFM/dfm August 9, 1999) Sr. Assistant City Attorney
 (Requested by Robert M. Litke, Director, Planning and Development)
 (L.D. File No. 34-94360-29)

AYE	NO	
✓		MAYOR BROWN
••••	••••	COUNCIL MEMBERS
✓		TATRO
✓		YARBROUGH
✓		WONG
✓		BONEY
✓		TODD
✓		DRISCOLL
✓		KELLEY
ABSENT-JW PERSONAL BUSINESS		FRAGA
✓		CASTILLO
ABSENT-OUT OF CITY ON PERSONAL BUSINESS		PARKER
ABSENT-JW PERSONAL BUSINESS		ROACH
ABSENT-OUT OF CITY CITY BUSINESS		SANCHEZ
✓		BELL
ABSENT		ROBINSON
CAPTION	ADOPTED	

Exhibit A

***BOUNDARY DESCRIPTION
Midtown Tax Increment Reimbursement Zone No. 2***

5-99 Annexation Parcel No. 1

BEGINNING at the intersection of the northerly line of West Gray Avenue with the easterly line of Smith Street;

THENCE easterly with the northerly line of West Gray Avenue to the westerly line of State Highway 288 and US Highway 59, said point being an easterly corner of a parcel described as Midtown Tax Increment Zone No. 2, North Annexation Parcel;

THENCE in a northerly direction crossing Interstate Highway 45 (Gulf Freeway) to the northerly line thereof;

THENCE northwesterly and northerly along the northerly line of Interstate Highway 45 (Gulf Freeway) to the northerly line of Calhoun Avenue;

THENCE northwesterly along a westerly projection of said Calhoun Avenue, crossing said Interstate Highway 45 to the westerly line thereof;

THENCE in a southeasterly direction along the westerly line of said Interstate Highway 45 to its intersection with the easterly line of Smith Street;

THENCE southerly along the easterly line of Smith Street to the PLACE OF BEGINNING.

5-99 Annexation Parcel No. 2.

BEGINNING at the intersection of the southerly line of Cleburne Avenue with the easterly line of San Jacinto Street;

THENCE in a northerly direction along the easterly line of San Jacinto Street to its intersection with the southerly line of Alabama Avenue;

THENCE in an easterly direction along the southerly line of Alabama Avenue to its intersection with the easterly line of LaBranch Street;

THENCE in a northerly direction along the easterly line of LaBranch Street to its intersection with the southerly line of Winbern Avenue;

THENCE in an easterly direction along the southerly line of Winbern Avenue to the easterly line of Almeda Road;

THENCE in a northerly direction along the easterly line of Almeda Road and continuing along the easterly line of Crawford Street to its intersection with the southerly line of Stuart Avenue.

THENCE in an easterly direction along the southerly line of Stuart Avenue to its intersection with the easterly line of Hamilton Street which is adjacent to US Highway 59/State Highway 288;

THENCE in a southwesterly and westerly direction along the easterly line of Hamilton Street and westerly line of State Highway 288 and US Highway 59 and continuing along the northerly line of US 59 to its intersection with the easterly line of Austin Street;

THENCE northerly with the easterly line of Austin Street to the northerly line of Eagle Avenue;

THENCE westerly with the northerly line of Eagle Avenue to the easterly line of San Jacinto Street;

THENCE northerly with the easterly line of San Jacinto Street to the southerly line of Cleburne Avenue which is the PLACE OF BEGINNING of the tract herein described.

5-99 Annexation Parcel No. 3

BEGINNING at the intersection of the southerly line of Tuam Avenue with the westerly line of Bagby Street which is also in the westerly line of US 59 South, Spur 527;

THENCE easterly along the southerly line of Tuam Avenue to the westerly line of Brazos Street;

THENCE southerly along the westerly line of Brazos Street to the northerly line of Elgin Avenue, also known as Westheimer Road;

THENCE westerly along the northerly line of Elgin Avenue/Westheimer Road to the west line of US Highway 59 South, Spur 527;

THENCE northerly and northeasterly along the westerly line of US Highway 59 South, Spur 527, to the PLACE OF BEGINNING.

5-99 Annexation Parcel No. 4

BEGINNING at the intersection of the southerly line of Tuam Avenue with the westerly line of Bagby Street;

THENCE northerly with the westerly line of Bagby Street to the southerly line of McGowen Avenue;

THENCE westerly with the southerly line of McGowen Avenue and west line of Bailey Street to the southeast corner of Lot 10, Block 78 of the W.R. Baker Subdivision, Unrecorded;

THENCE westerly along the south line of said W.R. Baker unrecorded subdivision to the westerly line of Boston Street;

THENCE southerly along the westerly line of Boston Street to the east line of Genesee Street;

THENCE southerly along the east line of Genesee Street to the south line of Tuam Avenue;

THENCE easterly along the south line of Tuam Avenue to the PLACE OF BEGINNING

5-99 Annexation Parcel No. 5

BEGINNING at the intersection of the west line of Cushing Street with the north line of West Webster Avenue;

THENCE easterly with the north line of West Webster Avenue to the northerly line of Webster Avenue;

THENCE northwesterly along the northerly line of Webster Avenue to the west line of Cushing Street;

THENCE southerly with the west line of Cushing Street to the PLACE OF BEGINNING.

5-99 Annexation Parcel No. 6

BEGINNING at the intersection of the easterly line of Fannin Street with the northerly line of US 59 South;

THENCE southerly with the easterly line of Fannin Street to the southerly line of Palm Street;

THENCE westerly with the southerly line of Palm Street to the westerly line of Main Street;

THENCE northerly with the westerly line of Main Street to the south line of Portland Street;

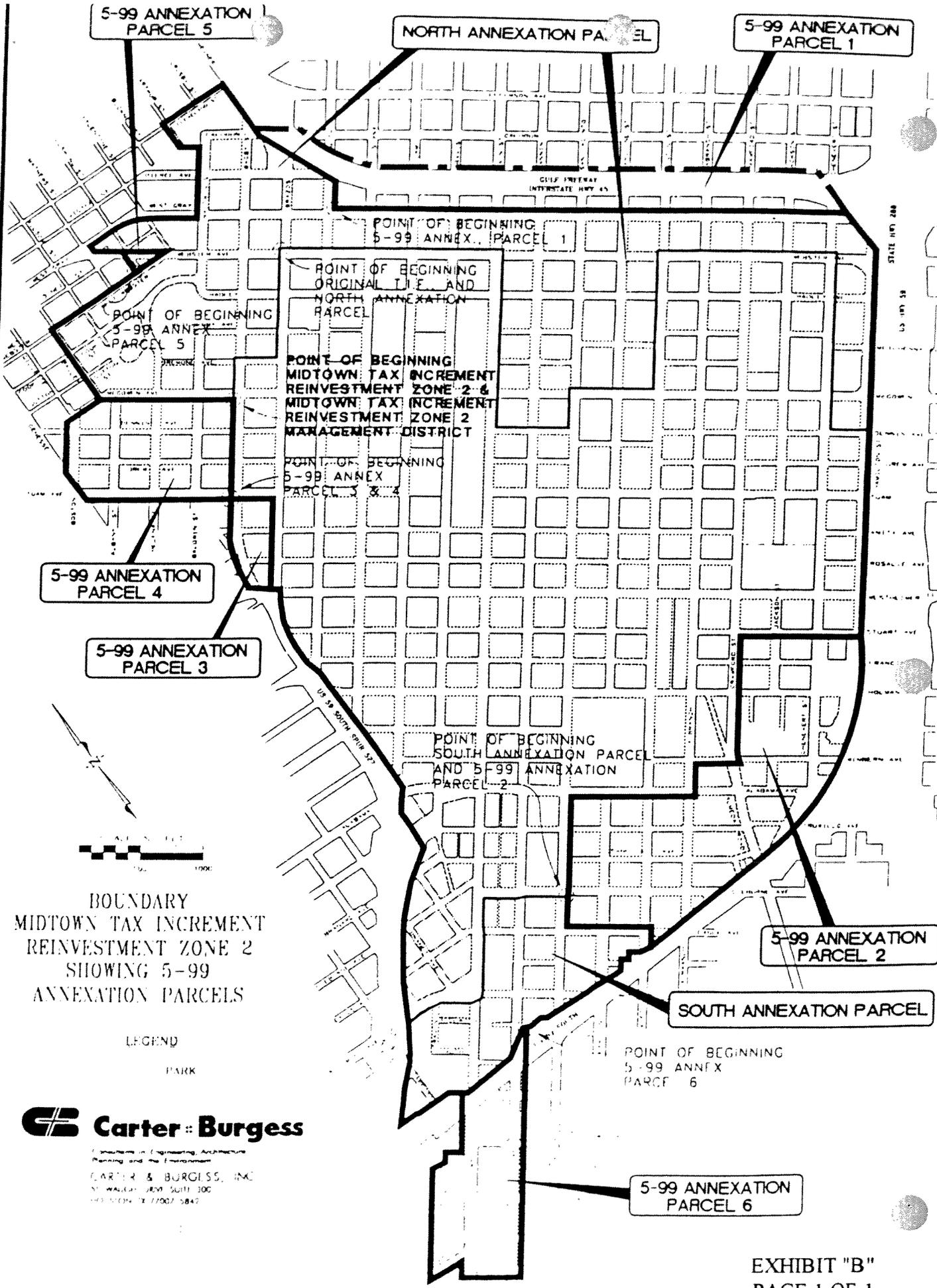
THENCE westerly with the south line of Portland Street to the westerly line of Travis Street;

THENCE northerly along the westerly line of Travis Street to the Dead End thereof in the south line of the C.C. Fitze Homestead Addition per plat recorded in Volume 259 Page 163 of the Harris County Deed Records;

THENCE easterly along the south line of said Fitze Addition and north line of Block 1 South End Villa per Volume 1, Page 104 of the Harris county Map Records, to the westerly line of Main Street;

THENCE northerly along the westerly line of Main Street to the northerly line of US 59 South;

THENCE easterly along the northerly line of US 59 South with it meanders to the east line of Fannin Street and PLACE OF BEGINNING.



BOUNDARY
MIDTOWN TAX INCREMENT
REINVESTMENT ZONE 2
SHOWING 5-99
ANNEXATION PARCELS

LEGEND
PARK

Carter Burgess
 Engineers, Architects,
 Planners and Environmental
 CARTER & BURGESS, INC.
 51 WALTON BLDG SUITE 300
 HOUSTON, TX 77002-5842

5-99 ANNEXATION
PARCEL 6

5-99 ANNEXATION
PARCEL 2

SOUTH ANNEXATION PARCEL

POINT OF BEGINNING
5-99 ANNEX
PARCE 6

NORTH ANNEXATION PARCEL

5-99 ANNEXATION
PARCEL 1

POINT OF BEGINNING
5-99 ANNEX. PARCEL 1

POINT OF BEGINNING
ORIGINAL I.I.E. AND
NORTH ANNEXATION
PARCEL

POINT OF BEGINNING
MIDTOWN TAX INCREMENT
REINVESTMENT ZONE 2 &
MIDTOWN TAX INCREMENT
REINVESTMENT ZONE 2
MANAGEMENT DISTRICT

POINT OF BEGINNING
5-99 ANNEX
PARCELS 3 & 4

5-99 ANNEXATION
PARCEL 4

5-99 ANNEXATION
PARCEL 3

POINT OF BEGINNING
SOUTH ANNEXATION PARCEL
AND 5-99 ANNEXATION
PARCEL 2

BOUNDARY DESCRIPTION

Midtown Tax Increment Reinvestment Zone No. 2 Includes Six Parcels Annexed in 1999

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 right-of-way line of Bagby Street with the southerly right-of-way line of Tuam Avenue;

THENCE in a southwesterly direction along the westerly right-of-way line of Bagby Street to it's intersection with the easterly right-of-way line of Spur 527, A Segment, of the Southwest Freeway;

THENCE in a southerly direction along the easterly right-of-way line of said Spur 527 to its intersection with the north right-of-way line of Elgin Street;

THENCE in a southeasterly direction along the north right-of-way line of Elgin Street to the east right-of-way line of Brazos Street which is also the easterly right-of-way line of said Spur 527, a segment of the Southwest Freeway;

THENCE in a southerly direction along the easterly right-of-way line of said Spur 527 to its intersection with the easterly right-of-way line of Milam Street;

THENCE in a southwesterly direction along the easterly right-of-way line of Milam Street to its intersection with the easterly right-of-way line of said Spur 527;

THENCE in a southerly and southwesterly direction along said Spur 527 to it's intersection with northerly right-of-way line of US 59 south;

THENCE easterly along the northerly line of said US 59 South to its intersection with the westerly right-of-way line of Main Street;

THENCE southwesterly along the westerly right-of-way line of Main Street to the north line of Block 1, South End Villa according to the map thereof recorded in Volume 1, Page 104 of the Harris County Map Records;

THENCE westerly along the north line of said Block 1, South End Villa and south line of the C.C. Fitze Homestead Addition according to the plat thereof recorded in Volume 259, Page 163 of the Harris county Deed Records, crossing the northerly dead end of Travis Street to the westerly right-of-way line thereof;

THENCE southwesterly with the westerly right-of-way line of Travis Street to the south right-of-way line of Portland Street;

THENCE easterly with the south right-of-way line of Portland Street to the westerly right-of-way line of Main Street;

THENCE southwesterly along the westerly right-of-way line of Main Street to the southerly right-of-way line of Palm Street;

THENCE southeasterly with the southerly right-of-way line of Palm Street to the easterly

EXHIBIT "C"

right-of-way line of Fannin Street;

THENCE northeasterly with the easterly right-of-way line of Fannin Street to the northerly right-of-way line of US 59 South;

THENCE in an easterly, northeasterly and northerly direction along the northerly right-of-way line of US 59 South, the westerly right-of-way line of State Highway 288 which is also US 59 North and crossing Interstate Highway 45 (Gulf Freeway) to the northerly right-of-way line thereof;

THENCE northwesterly and northerly along the northerly right-of-way line of Interstate Highway 45 (Gulf Freeway) to the northerly right-of-way line of Calhoun Avenue;

THENCE northwesterly along a westerly projection of said Calhoun Avenue right-of-way crossing said Interstate Highway 45 to the westerly right-of-way line thereof;

THENCE in northerly direction along the west right-of-way line of said Interstate Highway 45 to its intersection with the north right-of-way line of Cleveland Street;

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

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

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

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

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

THENCE in a southeasterly direction along the northerly right-of-way line Webster Avenue to its intersection with the west right-of-way line of Cushing Street;

THENCE southerly with the west right-of-way line of Cushing Street to the north right-of-way line of West Webster Avenue;

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

THENCE southerly along the westerly right-of-way line of Bailey Street and a southerly projection thereof to its intersection with the southerly right-of-way line of McGowen Avenue which point is also the southeast corner of Lot 10, Block 78 of the W.R. Baker Subdivision, unrecorded;

THENCE westerly along the south right-of-way line of said W.R. Baker unrecorded subdivision to the westerly right-of-way line of Boston Street;

THENCE southerly along the westerly right-of-way line of Boston Street to the east right-of-way line of Genesee Street;

THENCE southerly along the east right-of-way line of Genesee Street to the south right-of-way line of Tuam Avenue;

THENCE easterly along the south right-of-way line of Tuam Avenue to the PLACE OF BEGINNING.

