

City of Houston, Texas, Ordinance No. 2008- 765

AN ORDINANCE ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER EIGHTEEN, CITY OF HOUSTON, TEXAS (FIFTH WARD ZONE); 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 Eighteen, City of Houston, Texas, (the "Zone") on July 21, 1999, by Ordinance No. 1999-0766; and

WHEREAS, on May 9, 2001, by Ordinance No. 2001-0404, the City Council amended Ordinance No. 1999-0766 to clarify the boundary description of the Zone to conform to the boundary system used by the Harris County Appraisal District; and

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

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

WHEREAS, the City Council finds that the area proposed for addition to the Zone meets the requirements of Section 311.005 of the Texas Tax Code because the area 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 substantial number of substandard, slum, deteriorated, or deteriorating

structures, unsanitary or unsafe conditions, the deterioration of site and other improvements, and conditions that endanger life or property by fire or other cause; and

WHEREAS, less than ten percent (10%) of the property proposed to be included in the enlarged Zone, excluding property dedicated to public use, is used for residential purposes as described in Section 311.006(d) of the Texas Tax Code; 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 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 of the total appraised value of real property taxable by Harris County or the Houston Independent School District, within whose 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, in particular, Sections 311.005, 311.006 and 311.007(a), does hereby enlarge Reinvestment Zone Number Eighteen, City of Houston, Texas, by

adding the areas described on Exhibit "A" attached hereto and depicted on 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 tax increment base for the enlarged Zone shall include the tax increment base established by Ordinance No. 1999-0766, and, beginning January 1, 2009, shall include the tax increment base attributable to the land added to the Zone by this Ordinance, the base year for which shall be January 1, 2008.

Section 5. 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. That 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 amount of time preceding this meeting as required by Texas law governing open meetings, TEX. GOV'T CODE ANN., Ch. 551 (Vernon's 2008); 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 7. 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 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 3rd day of September, 2008.

APPROVED this _____ day of _____, 2008.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is SEP 09 2008.



City Secretary

(Prepared by Legal Dept. Donna Capps DFM)
(DFM/DRC 8/28/08 Assistant City Attorney)
(Requested by Michelle Mitchell, Director, Finance Department)
(L.D. File No. 0619900061021)

NOTION PUBLISHED IN DAILY COURT

REVIEW

DATE:

SEP 09 2008

AYE	NO	
✓		MAYOR WHITE
••••	••••	COUNCIL MEMBERS
✓		LAWRENCE
✓		JOHNSON
✓		CLUTTERBUCK
✓		ADAMS
✓		SULLIVAN
✓		KHAN
✓		HOLM
✓		GARCIA
✓		RODRIGUEZ
✓		BROWN
✓		LOVELL
✓		NORIEGA
✓		GREEN
✓		JONES
CAPTION	ADOPTED	

EXHIBIT "A"

ANNEXED AREAS FOR TIRZ NO. EIGHTEEN, FIFTH WARD REINVESTMENT ZONE

TRACT A

BEGINNING at the northern most northeast corner of a Lot described as Tract 21, ABST 32 HARRIS & WILSON, same being the intersection of the west right-of-way line of Lockwood Drive with the south right-of-way line of Sonora Street;

THENCE, proceeding in an easterly direction to the northwest corner of a Lot described as Tract 22A, ABST 32 HARRIS & WILSON, same being the intersection of the east right-of-way line of Lockwood Drive with the south right-of-way line of Sonora Street;

THENCE, proceeding in a easterly direction along the northern property line of said Tract 22A, ABST 32 HARRIS & WILSON, same being the south right-of-way line of Sonora Street, to the northeast corner of a Lot described Tract 22H, ABST 32 HARRIS & WILSON;

THENCE, proceeding in a southerly direction along the eastern property line of said Tract 22H, ABST 32 HARRIS & WILSON, same being the west right-of-way line of SOUTHERN PACIFIC RR CO RR, to the southeast corner of a Lot described as Tract 22B, ABST 32 HARRIS & WILSON;

THENCE, proceeding in an easterly direction to the northern corner of a Lot described as Part Tract R95, Extra ROW Between Legs of Wyet Baer Junction, ABST 32 HARRIS & WILSON;

THENCE, proceeding in an easterly by southeasterly direction, along the eastern property line of said Part Tract R95, Extra ROW Between Legs of Wyet Baer Junction, ABST 32 HARRIS & WILSON, to the southeast corner of said Part Tract R95, Extra ROW Between Legs of Wyet Baer Junction, ABST 32 HARRIS & WILSON;

THENCE, proceeding in a southwesterly direction to the northeast corner of a Lot described as Reserve A, Block 1, Clinton Drive Reserve R/P;

THENCE, proceeding in a southerly direction along the eastern property line of said Reserve A, Block 1, Clinton Drive Reserve R/P, to the southeast corner of said Reserve A, Block 1, Clinton Drive Reserve R/P;

THENCE, proceeding in a westerly direction along the southern property line of said Reserve A, Block 1, Clinton Drive Reserve R/P, same being the north right-of-way line of Clinton Drive, to the southwest corner of a Lot described as Tract 17, ABST 32 HARRIS & WILSON, same being the intersection of the east right-of-way line of Lockwood Drive with the north right-of-way line of Clinton Drive;

THENCE, proceeding westerly to the southeast corner of a Lot described as Tract 18A, ABST 32 HARRIS & WILSON, same being the intersection of the west right-of-way line of Lockwood Drive with the north right-of-way line of Clinton Drive.

THENCE, proceeding in a northerly direction along the eastern property line of said Tract 18A, ABST 32 HARRIS & WILSON, same being the west right-of-way line of Lockwood Drive, to the southerly most northeast corner of a Lot described as Tract 21, ABST 32 HARRIS & WILSON;

THENCE, proceeding in a northwesterly direction, a distance of approximately 21.21 feet, to the POINT OF BEGINNING.

EXHIBIT "A"

ANNEXED AREAS FOR TIRZ NO. EIGHTEEN, FIFTH WARD REINVESTMENT ZONE

TRACT B

BEGINNING at the northwest corner of a Lot described as Lot 1, Block 1 of the Cohen H M Subdivision, same being the intersection of the east right-of-way line of Bringhurst Street with the southern right-of-way line of Hare Street;

THENCE, proceeding in a easterly direction along the northern property line of said Lot 1, Block 1, Cohen H M Subdivision, same being the southern right-of-way line Hare Street to the northeast corner of a Lot described as Tract 1A-1, ABST 283 D GREGG, same being the intersection of the west right-of-way line of Press Street with the south right-of-way line of Hare Street;

THENCE, proceeding in a easterly direction to the intersection of the east right-of-way line of Press Street with the south line of Fifth Ward Reinvestment Zone No. 18;

THENCE, proceeding in a southerly direction along the east right-of-way line of Press Street, same being the west right-of-way line of SOUTHERN PACIFIC RR CO RR, to the southeast corner of a Lot described as Tract 3, ABST 283 D GREGG;

THENCE, proceeding in a southerly direction to the northeast corner of a Lot described as Tract 14, ABST 283 D GREGG;

THENCE, proceeding in a southerly direction along the eastern property line of said Tract 14, ABST 283 D GREGG, to the southeast corner of said Tract 14, ABST 283 D GREGG;

THENCE, proceeding in a westerly direction along the southern property line of said Tract 14, ABST 283 D GREGG, same being the north right-of-way line of Clinton Drive, to the southwest corner of a Lot described as Tract 13, ABST 283 D GREGG;

THENCE, proceeding in a northerly direction along the western property line of said Tract 13, ABST 283 D GREGG, same being the east right-of-way line of Bringhurst Street, to the intersection of the east right-of-way line of Bringhurst Street with the southern right-of-way line of Hare Street, the POINT OF BEGINNING.

EXHIBIT "A"

ANNEXED AREAS FOR TIRZ NO. EIGHTEEN, FIFTH WARD REINVESTMENT ZONE

TRACT C

BEGINNING at the intersection of the north right-of-way line of Market Street and the east right-of-way line of Gregg Street, same being the southwest corner of a Lot described as Lot 14, Block 2, of the Ludtke Subdivision;

THENCE, proceeding in a easterly direction along the southern property line of said Lot 14, Block 2, of the Ludtke Subdivision, same being the north right-of-way line of Market Street, to the south east corner of a Lot described as ALL BLOCK 1, of the Tom Stuart Subdivision, same being the intersection of the west right-of-way line of Pannell Street with the north right-of-way line of Market Street;

THENCE, proceeding in an easterly direction to the southwest corner of a Lot described as Tract 6, Block 18, of the Michaud M M Subdivision, same being the intersection of the east right-of-way line of Pannell Street with the north right-of-way line of Market Street;

THENCE, proceeding in an easterly direction along the southern property line of said Tract 6, Block 18, of the Michaud M M Subdivision, same being the north right-of-way line of Market Street, to southeast corner of a Lot described as Tract 5, Block 19, of the Michaud M M Subdivision, same being the intersection of the west right-of-way line of Granger Street with the northern right-of-way line of Market Street;

THENCE, proceeding in an easterly direction to the southwest corner of a Lot described as Lot 6, Block 20, of the Michaud M M Subdivision, same being the east right-of-way line of Granger Street with the north right-of-way line of Market Street;

THENCE, proceeding in a easterly direction along the southern property line of said Lot 6, Block 20, of the Michaud M M Subdivision, same being the north right-of-way line of Market Street to the southeast corner of a Lot described as Lot 5, Block 20, of the Michaud M M Subdivision, same being the intersection of the west right-of-way line of Benson Street with the north right-of-way line of Market Street;

THENCE, proceeding in an easterly direction to the southwest corner of a Lot described as Lot 3, Block 2, of the Roys Subdivision, same being the intersection of the east right-of-way line of Benson Street with the north right-of-way line of Market Street;

THENCE, proceeding in an easterly direction along the southern property line of said Lot 3, Block 2, of the Roys Subdivision, same being the north right-of-way line of Market Street, to the southeast corner of a Lot described as Lot 4, Block 1, of the Roys Subdivision, same being the intersection of the west right-of-way line of Press Street with the north right-of-way line of Market Street;

THENCE, proceeding in a northerly direction along the east property line of said Lot 4, Block 1, of the Roys Subdivision, same being the west right-of-way line of Press Street to the northeast corner of a Lot described as Lot 1, Jacob Smith 2 Acres Subdivision;

THENCE, proceeding in an easterly direction to the southeast corner of a Lot described as Lot 10, Block 5, of the Burke Sec 3 Subdivision;

THENCE, proceeding in an easterly direction to the northwest corner of a Lot described as Lot 1, Block 1, of the Conklin Court Subdivision;

THENCE, proceeding in a southerly direction along the western property line of said Lot 1, Block 1, Conklin Court Subdivision, same being the east right-of-way line of SOUTHERN PACIFIC RR CO RR, to the southwest corner of said Lot 1, Block 1, Conklin Court Subdivision;

THENCE, proceeding in an easterly direction along the southern property line of said Lot 1, Block 1, Conklin Court Subdivision, same being the north right-of-way line of Orange Street, to the southeast corner of a Lot described as Lot 10, Block 1, of the Conklin Court Subdivision;

THENCE, proceeding in a southerly direction to the northeast corner of a Lot described as Reserve A, Block 1, Fifth Ward Church of Christ Sec 2 Subdivision;

THENCE, proceeding in a southerly direction along the eastern property line of said Reserve A, Block 1, Fifth Ward Church of Chris Sec 2 Subdivision, to the southeast corner of a Lot described as Lot 15, Block 2, of the Conklin Court Subdivision;

THENCE, proceeding in an easterly direction along the southern property line of said Lot 15, Block 2, Conklin Court Subdivision, same being the north right-of-way line of Stonewall Street to the west right-of-way line of Fifth Ward Reinvestment Zone No. 18;

THENCE, proceeding in a southerly direction to the northeast corner of a Lot described as Lot 11, Block 3, of the Conklin Court Subdivision;

THENCE, proceeding in a southerly direction along the eastern property line of said Lot 11, Block 3, Conklin Court Subdivision, to the southeast corner of said Lot 11, Block 3, Conklin Court Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Lot 11, Block 3, Conklin Court Subdivision, same being the north right-of-way line of I.H. 10, to the southeast corner of a Lot described as Lot 4, Block 3, of the Conklin Court Subdivision;

THENCE, proceeding in a southerly direction to the southeast corner of a Lot described as Lot 4, Block 1, of the Carter W E Sec 1 Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Lot 4, Block 1, of the Carter W E Sec 1 Subdivision, same being the northern right-of-way line of I.H. 10, to the southwest corner of a Lot described as Lot 1, Block 1, of the Carter W E Sec 1 Subdivision;

THENCE, proceeding in a southwesterly direction to the southeast corner of a Lot described as Tract 3, Block 4, of the Roys Subdivision;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 3, Block 4, Roys Subdivision, same being the north right-of-way line of I.H. 10, to the southwest corner of a Lot described as Tract 34, ABST 283 D GREGG;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 34, ABST 283 D GREGG, same being the north right-of-way line of I.H. 10, a distance of approximately 126.27 feet to the southerly most southeast corner of a Lot described as Tract 5, Block 3 of the Roys Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Tract 5, Block 3, Roys Subdivision, to the southwest corner of said Tract 5, Block 3, Roys Subdivision;

THENCE, proceeding in a southwesterly direction to the northerly most southeast corner of a Lot described as Reserve A, Block 1, Fifth Ward Multi Service Center;

THENCE, proceeding in a southwesterly direction, a distance of approximately 325.61 feet to the southerly most southeast corner of said Reserve A, Block 1, Fifth Ward Multi Service Center;

THENCE, proceeding in a westerly direction along the southern property line of said Reserve A, Block 1, Fifth Ward Multi Service Center, same being the north right-of-way line of I.H. 10, to the southwest corner of said Reserve A, Block 1, Fifth Ward Multi Service Center;

THENCE, proceeding in a southwesterly direction to the southeast corner of a Lot described as Tract 6, ABST 283 D GREGG;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 6, ABST 283 D GREGG, to the south east corner of a Lot described as Lot 7, Block 1, of the Bryan Heights Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Lot 7, Block 1, Bryan Heights Subdivision, same being the northern right-of-way of Providence Street, to the south east corner of a Lot described as Lot 4, Block 1, of the Bryan Heights Subdivision;

THENCE, proceeding in a southerly direction to the northeast corner of a Lot described as

Tract 6B, Block 2, of the Bryan Heights Subdivision;

THENCE, proceeding south along the eastern property line of said Tract 6B, Block 2, Bryan Heights Subdivision, to the northerly most southeast corner of said Tract 6B, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 6B, Block 2, Bryan Heights Subdivision, a distance of approximately 66.94 feet to the southerly most southeast corner of said Tract 6B, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a westerly direction along the southern boundary of said Tract 6B, Block 2, Bryan Heights Subdivision, a distance of approximately 38.84 feet to the northeast corner of a Lot described as Tract 2, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a southerly direction along the eastern property line of said Tract 2, Block 2, Bryan Heights Subdivision, to the northerly most southeast corner of said Tract 2, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 2, Block 2, Bryan Heights Subdivision, a distance of approximately 88.45 feet to the southerly most southeast corner of said Tract 2, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Tract 2, Block 2, Bryan Heights Subdivision, a distance of approximately 18.55 feet to the southwest corner of said Tract 2, Block 2, Bryan Heights Subdivision;

THENCE, proceeding in a southwesterly direction to the southeast corner of a Lot described as Lot 1, Block 16, of the Cage Subdivision;

THENCE, proceeding in a southwesterly direction along the southern property line of said Lot 1, Block 16, Cage Subdivision, to the southwest corner of a Lot described as Tract 6, Block 16, of the Cage Subdivision;

THENCE, proceeding in a southwesterly direction to the southeast corner of a Lot described as Lot 10, Block 13, of the Cage Subdivision;

THENCE, proceeding in a westerly direction along the southern property line of said Lot 10, Block 13, Cage Subdivision, same being the northern right-of-way line of Buck Street, to the southwest corner of a Lot described as Lot 8, Block 13, of the Cage Subdivision;

THENCE, proceeding in a southerly direction to the northeast corner of a Lot described as Tract 4, Block 12, of the Cage Subdivision;

THENCE, proceeding in a southerly direction along the eastern property line of said Tract 4, Block 12, Cage Subdivision to the southeast corner of said Tract 4, Block 12, Cage Subdivision;

THENCE, proceeding in a southwesterly direction along the southern property line of said Tract 4, Block 12, Cage Subdivision, a distance of approximately 62.77 feet to the southwest corner of said Tract 4, Block 12, Cage Subdivision;

THENCE, proceeding in a westerly direction to the southern most southwest corner of a Lot described as Tract 5, Block 12, of the Cage Subdivision, a distance of approximately 25 feet;

THENCE, proceeding in a northwesterly direction along the southwest property line of said Tract 5, Block 12, Cage Subdivision, a distance of approximately 30.83 feet to the northerly most southwest corner of said Tract 5, Block 12, Cage Subdivision;

THENCE, proceeding in a northerly direction along the west property line of said Tract 5, Block 12, Cage Subdivision, same being the east right-of-way line of Gregg Street to the northwest corner of a Lot described as Tract 5A, Block 14, of the Cage Subdivision, same being the intersection of the east right-of-way line with the south right-of-way line of Moses Street;

THENCE, proceeding in a northerly direction to the southwest corner of a Lot described as Lot 2, of the Moses Subdivision, same being the intersection of the east right-of-way line of Gregg Street with the north right-of-way line of Moses Street;

THENCE, proceeding in a northerly direction along the western property line of said Lot 2, Moses Subdivision, same being the east right-of-way line of Gregg Street to the north west corner of a Lot described as Lot 1, of the Moses Subdivision, same being the intersection of the east right-of-way line of Gregg Street with the south right-of-way line of Green Street;

THENCE, proceeding in a northerly direction to the south west corner of a Lot described as Tract 6, ABST 283 D GREGG, same being the intersection of the east right-of-way line of Gregg Street with the north right-of-way line of Green Street;

THENCE, proceeding in a northerly direction along the western property line of said Tract 6, ABST 283 D GREGG, same being the east right-of-way line of Gregg Street, to the north west corner of a Lot described as Lot 22, of the Long JC Subdivision, same being the intersection of the east right-of-way line of Gregg Street with the south right-of-way line of Market Street;

THENCE, proceeding in a northerly direction to the south west corner of a Lot described as Lot 14, Block 2, of the Ludke Subdivision, same being the intersection of the east right-of-way line of Gregg Street with the north right-of-way line of Market Street, the POINT OF BEGINNING.

EXHIBIT "B"

ANNEXED AREAS FOR TIRZ NO. EIGHTEEN, FIFTH WARD REINVESTMENT ZONE

MAP

**See attached 8.5" x 11" map
labeled "CITY OF HOUSTON TIRZ
#18 ANNEXATION" and dated
August 2008.**

CITY OF HOUSTON TRIZ #18 ANNEXATION

- Legend:**
- Parcels
 - Annexation Boundaries
 - Fifth Ward



0 300 600 900 1200 1500
Feet



City of Houston
Planning & Development Department
GIS Services Division
Map Date: August 2008

3-21-08

