

RESOLUTION 21-R-30

A RESOLUTION OF THE CITY OF ALVIN, TEXAS, MAKING FINDINGS IN CONNECTION WITH THE PROPOSED BAYOU POINT PUBLIC IMPROVEMENT DISTRICT RELATED TO THE ADVISABILITY OF THE IMPROVEMENTS, THE NATURE OF THE IMPROVEMENTS, THE ESTIMATED COST OF THE IMPROVEMENTS, THE BOUNDARIES OF THE PROPOSED DISTRICT, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF COST BETWEEN THE DISTRICT AND THE CITY AS A WHOLE; AND MAKING OTHER FINDINGS RELATED TO THE DISTRICT.

WHEREAS, the City of Alvin City Council is authorized to create a public improvement district pursuant to Chapter 372 of the Texas Local government Code (the “Code”) for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, notice of a public hearing to consider the advisability of establishing the proposed district was published in *The Alvin Sun* a local newspaper of general circulation on October 31, 2021, which notice included: the place, City Council Chambers, Alvin, Texas; the general nature of the proposed improvements; the boundaries of the proposed district; the proposed method of assessment; and the proposed apportionment of cost between the district and the City as a whole; and

WHEREAS, written notice of the public hearing to consider advisability of establishing the district was sent timely to the current address, so reflected on the tax rolls, of the owners of property subject to assessment under the proposed district; and

WHEREAS, the public hearing was held with all interested parties having been given the opportunity to be heard; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN:

Section 1. The City Council, having duly considered the petition submitted by property owners in the proposed district and the comments of those who made presentations at the public hearing on November 18, 2021, hereby finds as follows:

- (1) It will promote the interests of the City to create the Bayou Point Public Improvement District (the “District”) under the provisions of the Code for the purposes herein described.
- (2) It is advisable that the proposed improvement project be provided in the District and the City exercise the powers granted by the Code in connection with the establishment of the District, including the carrying out of the improvement project described below that will confer special benefits on property in the District and to levy and collect a special assessment on property in the District, based on

the benefit conferred by such project, to pay all of the costs of such improvements.

- (3) The general nature of the public improvements in the District includes the engineering and construction of water, wastewater, storm sewer facilities, detention, common areas and amenities, and other improvements, contingency provisions, creation and administration costs, and interest.
- (4) The estimated costs of the public improvements over the life of the PID are a total of \$5,571,250.00.
- (5) The boundaries of the District are fully described in Exhibit A attached hereto.
- (6) The proposed method of assessment is as follows:
 - (a) The assessment for the Public Improvements is proposed to be by value, lot, or according to the square footage of property without regard to improvements on the property.
- (7) The proposed method of apportionment of the cost of the improvements between the District and the City as a whole is as follows:
 - (a) The District will bear 100 percent of the costs of the percentage of the Public Improvements that will be reimbursed by assessment on the property.

Section 2. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this 18th day of November 2021.

CITY OF ALVIN, TEXAS

ATTEST

Paul A. Horn, Mayor

Dixie Roberts, City Secretary

EXHIBIT A

Metes and Bounds Description

Being a 31.446 acre tract of land out of the B.B.B & C. Railroad Company Survey, Abstract No. 159, situated in Brazoria County, Texas, said tract being more particularly described as follows:

BEGINNING at a fence post found at the Southeast corner of Lot 14, of DEZSO ADDITION, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 6, Page 53 in the Office of the County Clerk of Brazoria County, Texas, said point also being the Southwest corner of a 2.07 acre tract of land conveyed to William and Colleen Buel in deed recorded in Brazoria County Clerk's File No. 2008005052, from which a found 1/2 inch rod bears South 59°57'58" East, a distance of 1.70 feet;

THENCE North 86°22'06" East along the Southerly line of said Buel tract, a distance of 128.00 feet to a 1/2 inch rod set at the Southeast corner of said Buel tract, said point also being the Southwest corner of a 0.87 acre tract of land conveyed to Ramos, LLC. in deed recorded in Brazoria County Clerk's File No. 2008052274;

THENCE North 85°58'27" East along the Southerly line of said Ramos tract, a distance of 89.39 feet to a 60d nail set in the Westerly line of a 0.2296 acre tract of land conveyed to Howard and Vickie Weaver in deed recorded in Brazoria County Clerk's File No. 1995-004989;

THENCE South 10°56'51" West along Westerly line of said Weaver tract, a distance of 68.47 feet to a 1 inch pipe found at the Southwest corner of said Weaver tract;

THENCE North 73°53'07" East along the Southerly line of said Weaver tract, a distance of 167.98 feet to a 1 inch pipe found at the Southeast corner of said Weaver tract, said point also being the Northwest corner of a 2.00 acre tract of land conveyed to Alvin Independent School District (Alvin ISD) in deed recorded in Brazoria County Clerk's File No. 2014032049;

THENCE South 08°25'04" East along the Westerly line of said Alvin ISD tract, a distance of 114.83 feet to a 1/2 inch rod set at the Southwest corner of said Alvin ISD tract;

THENCE North 84°57'39" East along the Southerly line of said Alvin ISD tract, a distance of 743.89 feet to a 1/2 inch rod set in the approximate centerline of Old Mustang Slough;

THENCE along the approximate centerline of said Old Mustang Slough the following courses and distances:

South 11°49'52" East, a distance of 77.90 feet to a point for corner, and a set 1/2 inch rod;
South 18°59'28" West, a distance of 640.20 feet to a point for corner, and a set 1/2 inch rod;
South 30°46'43" West, a distance of 49.49 feet to a point for corner, and a set 1/2 inch rod;
South 50°41'43" West, a distance of 244.00 feet to a point for corner, and a found 1/2 inch rod;

South 41°08'43" West, a distance of 241.45 feet to a point for corner, and a set 1/2 inch rod;

South 39°57'33" West, a distance of 231.95 feet to a point for corner, and a set 1/2 inch rod;

South 49°12'28" West, a distance of 344.95 feet to a point for corner, and a set 1/2 inch rod;

South 44°00'15" West, a distance of 25.65 feet to a point for corner lying parallel to the high bank of Mustang Bayou, and a set 1/2 inch rod;

THENCE North 11°03'30" West along the high bank of said Mustang Bayou, a distance of 160.54 feet to a point for corner, and a set 1/2 inch rod;

THENCE North 22°26'30" West continuing along the high bank of said Mustang Bayou, a distance of 1,458.38 feet to a 1/2 inch rod set in the Southerly line of said DEZSO ADDITION;

THENCE North 86°22'06" East along the Southerly line of said DEZSO ADDITION, a distance of 490.63 feet to the POINT OF BEGINNING of the herein described tract.