

## RESOLUTION 21-R-31

**A RESOLUTION OF THE CITY OF ALVIN, TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE BAYOU POINT PUBLIC IMPROVEMENT DISTRICT IN THE CITY OF ALVIN, TEXAS; AUTHORIZING PUBLICATION OF THIS RESOLUTION; PROVIDING FOR THE PREPARATION OF A SERVICE AND ASSESSMENT PLAN; AND MAKING OTHER PROVISIONS RELATED THERETO.**

**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**, the City Council held a public hearing on November 18, 2021, notice of which was published and mailed to property owners of the proposed district pursuant to Section 372.009 of the Code; and

**WHEREAS**, the City Council has made findings by resolution as to the advisability of the proposed improvement project, the nature of the improvements, the boundaries of the proposed public improvement district, the estimated cost, the method of assessment and the apportionment of cost between the improvement district and the City as a whole, as required by Chapter 372 of the Code; and

**WHEREAS**, the City Council has determined that it should proceed with the creation of the Bayou Point Public Improvement District and the provision of public improvements proposed to be provided thereby; NOW, THEREFORE,

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

**Section 1.** The facts recited in the preamble hereto are hereby found to be true and correct.

**Section 2.** The Bayou Point Public Improvement District Number (the “District”) is authorized to be and is hereby established as a public improvement district under the provisions of Chapter 372 of the Code over the land currently included within the boundaries of the City of Alvin, Texas, as more fully described in Exhibit A attached hereto, all in accordance with the findings made by the City Council in Section 1 of Resolution No. 21-R-30, passed and approved on November 18, 2021.

**Section 3.** The City Secretary is hereby directed to give notice of the authorization for establishment of the District by publishing the Resolution once in at least one local newspaper of general circulation in the City. The authorization and establishment of the District shall be deemed to be effective upon the publication of the notice directed by this section.

**Section 4.** The City Council hereby directs the District Administrator to prepare a service and assessment plan for review and approval of the City Council in accordance with Chapter 372 of the Code.

**Section 5.** The District shall not provide any improvements until at least 20 days after authorization of the District takes effect. Such services shall not begin if during such period a petition is filed pursuant to section 372.010(c) of the Code.

**Section 6.** This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

**Section 7.** 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 18<sup>th</sup> day of November 2021.

**CITY OF ALVIN, TEXAS**

**ATTEST**

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Paul A. Horn, Mayor

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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.