

## RESOLUTION NO. 21-R-24

### **A RESOLUTION OF THE CITY OF ALVIN, TEXAS, ACCEPTING THE PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF ALVIN, TEXAS; SETTING A PUBLIC HEARING FOR NOVEMBER 18, 2021; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.**

**WHEREAS**, on or about September 2, 2021, Binnacle Alvin 31, LLC, the owner of certain property located within the City of Alvin, Texas (the “Petitioner”), has petitioned the City of Alvin, Texas (the “City”), a home-rule City, for the creation of a public improvement district pursuant to Chapter 372 of the Texas Local Government Code;

**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;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THAT:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Proceedings.** The City Council hereby accepts the petition for the creation of a public improvement district of all portions of the following property:

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, and being more particularly shown and described in the Exhibit “A,” attached hereto and incorporated herein for all purposes.

In accordance with Chapter 372 of the Texas Local Government Code, a public hearing is set for November 18, 2021. Notice of such hearing shall be posted and the hearing shall be open to the public to accept public comment on the creation of the public improvement district.

**Section 3. Severability.** Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

**Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** this the 21<sup>st</sup> day of October 2021.

**THE 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.