

ORDINANCE NO. 20-L

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, ANNEXING 18.2173 ACRES, MORE OR LESS, A COMMERCIAL PARCEL OF LAND WITHIN MUNICIPAL UTILITY DISTRICT NO. 24 (MARTHA'S VINEYARD) SITUATED ALONG STATE HIGHWAY 6 IN BRAZORIA COUNTY, TEXAS; APPROVING A LIMITED PURPOSE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Alvin, Texas (the "City"), is a home-rule municipality authorized by State law and Charter to annex territory lying adjacent and contiguous to the City;

WHEREAS, on February 21, 2019, the territory, as hereinafter described, was annexed into Municipal Utility District (MUD) No. 24 as part of the Martha's Vineyard Development for the purposed of providing commercial development to the overall project;

WHEREAS, on June 20, 2019, a Strategic Partnership Agreement (SPA) was entered between the City of Alvin and MUD No. 24.

WHEREAS, Section 2.02 of the SPA allows the commercial tract to be annexed into the city in a Limited Purpose Annexation for the collection of its sales and use taxes;

WHEREAS, the City Council authorized the commencement of limited purpose annexation procedures with respect to the subject property described in Exhibit A on March 5, 2020, in Resolution 20-R-11;

WHEREAS, the two (2) separate public hearings, publications and notices were provided prior to consideration of this Ordinance, in accordance with the Texas Local Government Code;

WHEREAS, the City intends to collect its sales and use taxes per the Strategic Partnership Agreement as stated and attached hereto as Exhibit "B;"

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. That the following described property not previously annexed by the City, (hereinafter referred to as the "Limited Purpose Annexed Property"), is hereby annexed by the City of Alvin:

TRACT 1

FIELD NOTE DESCRIPTION OF 4.7335 ACRES (206,190 SQUARE FEET) OF LAND BEING A PORTION OF THAT CERTAIN CALLED 47.988 ACRE TRACT RECORDED IN VOL. 1224, PG. 565 B.C.D.R. AND A PORTION OF THAT CERTAIN CALLED 103.209 ACRE TRACT RECORDED UNDER B.C.C.F. NO. 2014026599 AND ALSO BEING A PART OF LOT 1 OF THE SUBDIVISION OF THE H.T & B.R.R. SURVEY, SECTION 21, ABSTRACT NO. 230, BRAZORIA COUNTY, TEXAS, SAID 4.7335 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS BASED ON THE SOUTHWEST LINE OF SAID CALLED 103.209 ACRE TRACT, SAID SOUTHWEST LINE, BEARING N 48° 03' 04" W); AND

TRACT 2

FIELD NOTE DESCRIPTION OF 13.3838 ACRES (582,997 SQUARE FEET) OF LAND BEING A PORTION OF THAT CERTAIN CALLED 47.988 ACRE TRACT RECORDED IN VOL 1224, PG. 565 B.C.D.R. AND A PORTION OF THAT CERTAIN CALLED 103.209 ACRE TRACT RECORDED UNDER B.C.C.F. NO. 2014026599 AND ALSO BEING A PART OF LOT 1 OF THE SUBDIVISION OF THE H.T & B.R.R. SURVEY, SECTION 21, ABSTRACT NO. 230, BRAZORIA COUNTY, TEXAS, SAID 13.3838 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS BASED ON THE SOUTHWEST LINE OF SAID CALLED 103.209 ACRE TRACT, SAID SOUTHWEST LINE, BEARING N 48° 03' 04" W);

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

Section 3. That the Limited Purpose Plan in the Strategic Partnership Agreement submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B."

Section 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Limited Purpose Plan attached hereto as Exhibit "B," and are further bound by all acts, ordinances, and all other legal action applicable now in full force and effect and all those which may be hereafter adopted.

Section 5. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

Section 7. That it is hereby officially found and determined that the meeting at which this Ordinance 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 on the 7th day of May 2020.

THE CITY OF ALVIN, TEXAS

ATTEST

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

EXHIBIT "A"

Description of Property

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EXHIBIT “B”

Strategic Partnership Agreement

June 20, 2019