

RESOLUTION NO. 2024-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DECLARING THE INTENTION TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING NOVEMBER 4, 2024 AT 6 O’CLOCK PM AS THE DATE AND TIME FOR PUBLIC HEARING AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICE OF SAID PUBLIC HEARING; DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (BEING 11.40 ACRES (496,734 SQUARE FEET) TRACT OF LAND SITUATED IN THE JOHN EDWARDS SURVEY, ABSTRACT NO. 20 AND CHAUNCEY GOODRICH SURVEY, ABSTRACT NO. 311, IN HARRIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 18.739 ACRES RECORDED UNDER COUNTY CLERK’S FILE NO. (C.C.F.NO.) RP-2017-242129, OFFICIAL PUBLIC RECORDS, HARRIS COUNTY, TEXAS (O.P.R.H.C.T.)); AND PROVIDING FOR SEVERABILITY.

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WHEREAS, International Commercial Development Enterprise, LLC, a Texas limited liability company, acting through its agent, Santos Gonzalez, is the owner (the “Owner”) of a certain tract of land being 11.40 acres (496,734 square feet) tract of land situated in the John Edwards Survey, Abstract No. 20 and Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, being a portion of a called 18.739 acres recorded under County Clerk’s File No. (C.C.F.No.) RP-2017-242129, Official Public Records, Harris County, Texas (O.P.R.H.C.T.) (the “Property”); and

WHEREAS, the Owner has petitioned that the City of Tomball annex the Property into the City of Tomball; and

WHEREAS, Texas Local Government Code, at Section 43.0673 requires a municipality to conduct one public hearing prior to the adoption of an ordinance annexing the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1. The facts and matters set forth in the preamble to this resolution are hereby found to be true and correct.

Section 2. The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit “A” attached hereto

and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

Section 3. The City Council directs that the Council will hold a public hearing on November 4, 2024, at the City Council Chambers at 401 Market Street, Tomball, Texas 77375, at 6 o'clock p.m., where all interested persons will be provided the opportunity to be heard on the requests for annexation of an 11.40 acre tract of land as more fully described in Exhibit "A".

Section 4. The City Secretary is directed to post notice of the public hearings in a newspaper of general circulation in the City once on or after the 20th day but before the 10th day before November 4, 2024.

Section 5. The City Secretary is directed to post notice of the public hearings on the City's website on or after the 20th day but before the 10th day before November 4, 2024, and must remain posted until the date of the hearing.

Section 6. The appropriate City departments are directed to prepare the Municipal Service Plan for the Property to include provisions for police protection; fire protection; solid waste collection, maintenance of water, wastewater, and gas facilities; operation and maintenance of roads and streets; operation and maintenance of parks, playground and swimming pools; and operation and maintenance of any other publicly owned facility, building, or service, as needed.

Section 7. In the event any clause phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas, declares that

it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND RESOLVED this the _____ day of _____ 2024.

Lori Klein Quinn, Mayor

ATTEST:

Tracylynn Garcia, City Secretary