

**ORDINANCE NO. 2026-10**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS ANNEXING A PORTION OF FM 2920 ROAD BEING A 120-FOOT-WIDE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) RIGHT-OF-WAY BETWEEN TELEG ROAD AND A 20' WIDE ACCESS EASEMENT OF RECORD IN HARRIS COUNTY CLERK'S FILE NUMBER E658958, ALONG THE FRONTAGE OF PROPERTY KNOWN AS SHOPPES AT WILLOWCREEK LLC CONSISTING OF 14.0945 ACRES FOR ALL MUNICIPAL PURPOSES; APPROVING A SERVICE PLAN FOR THE TERRITORY; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City of Tomball, Texas (the “City”) is a home-rule municipality located in Harris County, created in accordance with all the powers granted to cities by the Constitution and Laws of the State of Texas; and

**WHEREAS**, the City of Tomball, Texas on April 1, 2026, provided a written notice of municipal annexation to the owner of the right-of-way, TxDOT, not later than the 61<sup>st</sup> day before the date of the proposed annexation according to Texas Local Government Code (LGC) Sec. 43.1056; and

**WHEREAS**, an 120 foot wide portion of FM 2920 Road right-of-way abutting the city limits along the length of property frontage known as Shoppes at Willowcreek Property, H.C.C.F. File Number E658958, consisting of 14.0945 acres; and

**WHEREAS**, the city desires to annex a portion of the right-of-way of FM 2920 as depicted on the attached Exhibit A; and

**WHEREAS**, public notices were published on May 20, 2026 and June 3, 2026, in the Tomball Potpourri; and,

**WHEREAS**, after proper notice was provided in accordance with Chapter 43 of the Texas Local Government Code, public hearings on the proposed annexation were held before the Tomball City Council on June 1, 2026 and June 15, 2026; and

**WHEREAS**, the City has prepared a service plan, setting forth municipal services and a schedule for providing services to the annexed property, which is attached to this ordinance; and

**WHEREAS**, all requirements of law have been met to require this annexation in compliance with Chapter 43 of the Texas Local Government Code;

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

**SECTION 1.**

That the following described territory is hereby annexed into the City of Tomball, Texas, and the boundary limits of the City are extended to include the Territory within the City limits, and the owners within the Territory shall be entitled to all rights and privileges of the City.

The entire right-of-way 120 feet wide of Farm to Market 2920 Road, starting at the **POINT OF BEGINNING** at the northwest corner of the remainder of a called 114.9706 acre tract of record in the name of Festival Properties, Inc., & Silvesti Investments of Florida, Inc., in H.C.C.F. Number RP-2020-302036, being on the east line of aforesaid 20' wide access easement and the south right-of-way (R.O.W.) line of aforesaid Farm to Market 2920, and as more fully described on the attached Exhibit "A";

**THENCE**, through and across aforesaid Farm to Market 2920, North 01 Degrees 51 Minutes 07 Seconds West, a distance of 120.00 feet to the northwest corner of the herein described tract, being on the north R.O.W. line of aforesaid Farm to Market 2920 and being on the south line of a called 3.592 acre tract of record in the name of Harry F. Pang in H.C.C.F. Number J044871;

**THENCE**, coincident the north R.O.W. line of aforesaid Farm to Market 2920 the following two (2) courses:

1. North 87 Degrees 59 Minutes 32 Seconds East, a distance of 2,499.72 feet to the beginning of a curve to the left;
2. Coincident aforesaid curve to the left, an arc length of 441.56 feet, having a radius of 1,372.40 feet, a central angle of 18 Degrees 26 Minutes 04 Seconds and a chord bearing North 81 Degrees 23 Minutes 18 Seconds East, a distance of 439.65 feet to the northeast corner of the herein described tract, being on the North R.O.W. line of aforesaid Farm to Market 2920 and west R.O.W. line of Telge Road (width varies)

**THENCE**, though and across aforesaid Farm to Market 2920, South 02 Degrees 23 Minutes 39 Seconds East, a distance of 146.30 feet to the southeast corner of the herein described tract, being on the south R.O.W. line of said Farm to Market 2920 and within the existing R.O.W. of aforesaid Telge Road;

**THENCE**, coincident the south R.O.W. line of aforesaid Farm to Market 2920 the following three (3) courses:

1. South 88 Degrees 05 Minutes 34 Seconds West, a distance of 98.52 feet to a 5/8 inch iron rod with “Frontier” cap found for the beginning of a curve to the right, being on the north line of Restricted Reserve “a”, Block 1 in Jack in the Box #3980, a subdivision duly of record in Film Code Number 568095, H.C.M.R., Texas;
2. Coincident aforesaid curve to the right, an arc length of 343.51 feet, having a radius of 1,492.40 feet, a central angle of 13 Degrees 11 Minutes 17 Seconds and a chord bearing of South 83 Degrees 54 Minutes 15 Seconds West, a distance of 342.75 feet to a 3/4 inch iron rod found, being on the north line of a called 8.053 acre tract of record in the name of Shoppes at Willowcreek LLC in H.C.C.F. Number RF-2024-432934;
3. South 87 Degrees 59 Minutes 32 Seconds West, a distance of 2,497.37 feet to the **POINT OF BEGINNING** and containing 8.1270 acres (354,013 square feet) of land. This tract is not staked.

#### **SECTION 2.**

That the Annexation Service Plan is approved by the City Council and adopted and is attached as Exhibit “B” which is incorporated in this Ordinance for all purposes.

#### **SECTION 3.**

The official map and boundaries of the City are amended to include the territory as a part of the City. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the city to add the territory annexed as required by law.

#### **SECTION 4.**

The City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Harris County, Texas, and with any other government agency required by law.

#### **SECTION 5.**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Tomball, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinance, in which event the conflicting provisions of such ordinances are repealed.

#### **SECTION 6.**

Should any section or part of this ordinance be held unconstitutional, illegal or invalid, or the application thereof, the unconstitutionality, illegality, invalidity or effectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portions, the same shall be and remain in full force and effect.

**SECTION 7.**

That this ordinance shall go into effect immediately upon its adoption and approval by City Council.

**FIRST READING:**

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

**SECOND READING:**

READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

\_\_\_\_\_  
Lori Klein Quinn, Mayor  
City of Tomball

ATTEST:

\_\_\_\_\_  
Thomas Harris III, City Secretary

## APPENDIX A

**FM 2920 (120 FEET WIDE)  
METES AND BOUNDS DESCRIPTION  
8.1270 ACRES (354,013 SQUARE FEET)  
WILLIAM HURD SURVEY, ABSTRACT NUMBER 377  
JOHN H. EDWARDS SURVEY, ABSTRACT NUMBER 20,  
HARRIS COUNTY, TEXAS**

Being a tract or parcel containing 8.1270 acres (354,013 square feet) of land situated in the William Hurd Survey, Abstract Number 377 and in John H. Edwards Survey, Abstract Number 20, Harris County, Texas; being all of Farm to Market 2920 (120 feet wide) between Telge Road (width varies) and a 20' wide Access Easement of record in Harris County Clerk's File (H.C.C.F.) Number E658958; said tract being more particularly described as follows (Bearings described herein are referenced to the Texas Coordinate System, South Central Zone No. 4204 (NAD83):

**BEGINNING** at the northwest corner of the remainder of a called 114.9706 acre tract of record in the name of Festival Properties, Inc., & Silvestri Investments of Florida, Inc., in H.C.C.F. Number RP-2020-302036, being on the east line of aforesaid 20' wide access easement and the south Right-of-Way (R.O.W.) line of aforesaid Farm to Market 2920;

**THENCE**, through and across aforesaid Farm to Market 2920, North 01 Degrees 51 Minutes 07 Seconds West, a distance of 120.00 feet to the northwest corner of the herein described tract, being on the north R.O.W. line of aforesaid Farm to Market 2920 and being on the south line of a called 3.592 acre tract of record in the name of Harry F. Pang in H.C.C.F. Number J044871;

**THENCE**, coincident the north R.O.W. line of aforesaid Farm to Market 2920 the following two (2) courses:

1. North 87 Degrees 59 Minutes 32 Seconds East, a distance of 2,499.72 feet to the beginning of a curve to the left;
2. Coincident aforesaid curve to the left, an arc length of 441.56 feet, having a radius of 1,372.40 feet, a central angle of 18 Degrees 26 Minutes 04 Seconds and a chord bearing of North 81 Degrees 23 Minutes 18 Seconds East, a distance of 439.65 feet to the northeast corner of the herein described tract, being on the north R.O.W. line of aforesaid Farm to Market 2920 and the west R.O.W. line of Telge Road (width varies)

**THENCE**, through and across aforesaid Farm to Market 2920, South 02 Degrees 23 Minutes 39 Seconds East, a distance of 146.30 feet to the southeast corner of the herein described tract, being on the south R.O.W. line of said Farm to Market 2920 and within the existing R.O.W. of aforesaid Telge Road;

**THENCE**, coincident the south R.O.W. line of aforesaid Farm to Market 2920 the following three (3) courses:

1. South 88 Degrees 05 Minutes 34 Seconds West, a distance of 98.52 feet to a 5/8 inch iron rod with "Frontier" cap found for the beginning of a curve to the right, being on the north line of Restricted Reserve "A", Block 1 in Jack in the Box #3980, a subdivision duly of record in Film Code Number 568095, H.C.M.R., Texas;
2. Coincident aforesaid curve to the right, an arc length of 343.51 feet, having a radius of 1,492.40 feet, a central angle of 13 Degrees 11 Minutes 17 Seconds and a chord bearing of South 83 Degrees 54 Minutes 15 Seconds West, a distance of 342.75 feet to a 3/4 inch iron rod found, being on the north line of a called 8.053 acre tract of record in the name of Shoppes at Willowcreek LLC in H.C.C.F. Number RP-2024-432934;



8118 FRY ROAD, SUITE 402  
CYPRESS, TEXAS 77433  
281.213.2517  
[www.dvjlandsurveying.com](http://www.dvjlandsurveying.com)  
TX ENGINEERING FIRM NO. F-22322  
TX SURVEYING FIRM NO. 10194609

1. South 87 Degrees 59 Minutes 32 Seconds West, a distance of 2,497.37 feet to the **POINT OF BEGINNING** and containing 8.1270 acres (354,013 square feet) of land. This tract is not staked.

Compiled by: Chris Garcia, RPLS  
Checked by: Daniel Villa, Jr., RPLS, PE  
DVJ Group  
8118 Fry Road, Ste. 402  
Cypress, Texas 77433  
March 25, 2026  
Project Number 24-0303



**ANNEXATION SERVICE PLAN  
FOR A PORTION OF FM 2920 ROAD RIGHT-OF-WAY**

For an approximate 0.15 acres of land, being a 120-foot-wide portion of FM 2920 Road, being a Texas Department of Transportation (TxDOT) right-of-way, along the length of property frontage between Telge Road (width varies) and a 20' Wide Access Easement of record in Harris County Clerk's File (H.C.C.F.) Number E658958, extending from Festival Properties, Inc., & Silvestri Investments of Florida, Inc., in H.C.C.F. Number RF-2020-302036 west a distance of 342.75 feet to a 3/4 inch iron rod of a called 8.053 acre tract of record in the name of Shoppes at Willowcreek LLC in H.C.C.F. Number RP-2024-432934, as described in Appendix A and depicted in Appendix B herein according to Local Government Code; Sec. 43.065. Provision of Services to Annexed Area.

**1. Upon the effective date of annexation, the City will provide the following services to the newly annexed area:**

**a. Police Protection**

The City will provide police services. The newly annexed area will be provided with the same or similar level of police service now being provided to other areas of the City with similar topography, land use, and population density.

**b. Fire Protection and Emergency Medical Service**

The City will provide fire protection and first response services to the newly annexed area at the same or similar level of service now being provided to other areas of the City with similar topography, land use, and population density. Emergency Medical Services are provided by Harris County Emergency Services District No. 3.

**c. Solid Waste Collection**

Although not contemplated to be applicable to this annexation, which is limited to existing road right-of-way, but in accordance with Texas Local Government Code Section 43.065(b), the City is not required to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider and will not, for a period of two (2) years following the annexation effective date, prohibit the collection of solid waste in the area by a privately owned solid waste management service provider is unavailable. In the event of unavailability, the City provides residential and commercial solid waste collection services

within the City for a fee, which will be provided within the annexed area upon request and approved application for property owners.

**d. Maintenance of Water, Wastewater and Natural Gas Facilities**

Water, wastewater, and natural gas facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any water, wastewater, and natural gas facilities acquired subsequent to the annexation of the proposed area shall be maintained by the City to the extent of its ownership. It is the intent of the City to maintain all City-owned water and wastewater facilities in the annexed area. Facilities owned and operated by other entities, if any, will continue to be maintained by other entities.

**e. Maintenance of Roads and Streets**

Roads, streets, or alleyways that have been dedicated to the City or which are owned or are acquired by the City shall be maintained to the same degree and extent that other roads, streets, and alleyways are maintained in areas with similar topography, land use, and population density. Lighting of roads, streets, and alleyways that may be positioned in a right-of-way, roadway, or utility company easement shall be maintained by the applicable utility company servicing the City pursuant to the rules, regulations, and fees of the utility.

**f. Maintenance of Parks, Playground and Swimming Pools**

Not applicable to the annexation of road right-of-way.

**g. Maintenance of Publicly Owned Facility, Building, or Municipal Service**

Outside of existing water, sewer and road/street facilities within the annexation area, the City Council is not aware of the existence of any other publicly owned facility or building now located in or serving the area proposed for annexation. If other publicly owned facilities, buildings, or municipal services do exist, the City will maintain the facilities and services to the same extent and degree that it maintains similar facilities and services in other similar areas of the City.

**h. Other Public Easements or Facilities**

Other public easements or facilities, including drainage facilities, such as drainage channels, storm sewers and detention ponds contained within dedicated public easements, not under the ownership and control of another public entity. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will periodically inspect facilities and perform maintenance on facilities throughout the year. Any unacceptable conditions that exist in the drainage area and are reported to the City between scheduled inspections will be evaluated and resolved as necessary. A maintenance schedule for these areas can be obtained from the Public Works Department.

**i. Development Regulation**

The City will impose and enforce zoning, subdivision development, site development and building code regulations within the annexed area upon the effective date of the annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the annexed area will be reviewed for compliance with City standards.

**j. Other Services**

City recreational facilities, including parks and libraries, will be available for use by landowners or residents of the annexed areas on the same basis as those facilities are available to current City landowners and residents. Other City services including Code Enforcement, Municipal Court, and General Administration services will be also available to landowners and residents in the annexed area on the same basis as those facilities are available to current City landowners and residents. All other services contemplated herein will be available upon the effective date of annexation.

**2. Program for construction or acquisition of capital improvements necessary for providing municipal services for the area:**

**a. In General**

- i. Capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted Capital Improvement Plan of the City, as amended, which are incorporated herein by reference.
- ii. Landowners may be required to fund capital improvements necessary to provide service in a manner consistent with Chapter 395, Texas

Local Government Code or other applicable law. Nothing in this plan shall be interpreted to require a landowner within the newly annexed area to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code or other applicable law, unless otherwise agreed to by the landowner.

**b. Police and Fire Protection Services**

The City Council finds and determines it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police and fire protection services and that it has at the present time adequate facilities to provide the same type, kind, and level of protection and service which is presently being administered to other areas already incorporated in the City with the same or similar topography, land use, and population density, without reducing by more than a negligible amount the level of police or fire services provided within the corporate limits of the City.

**c. Water Facilities and Services**

The City Council has determined that a portion of the area to be annexed is not currently within the City's certified water service area (Certificate of Convenience and Necessity or CCN). There are no existing water facilities within the area to be annexed. Additional water facilities may be installed by the City through the budgetary process or its Capital Improvement Program; or may be installed by persons developing land adjacent to the annexed area upon the developer's timeline of need as necessary to provide full municipal services. Main and service extensions will be provided in accordance with the City's utility construction and extension policies and ordinances. Upon connection to future facilities, water will be provided at rates established by the City.

**d. Wastewater Facilities and Service**

The City Council has determined that a portion of the area to be annexed is not currently within the City's certified wastewater service area (Certificate of Convenience and Necessity or CCN). There are no existing wastewater facilities within the area to be annexed. Additional wastewater facilities may be installed by the City through the budgetary process or its Capital Improvement Program; or may be installed by persons developing land adjacent to the annexed area upon the developer's timeline of need as

necessary to provide full municipal services. Main and service extensions will be provided in accordance with the City's utility construction and extension policies and ordinances. Upon connection to future facilities, wastewater will be provided at rates established by the City.

**e. Natural Gas Facilities and Services**

There are no existing natural gas facilities within the area to be annexed. Additional natural gas facilities may be installed by the City through the budgetary process or its Capital Improvement Program; or may be installed by persons developing land adjacent to the annexed area upon the developer's timeline of need as necessary to provide full municipal services. Main and service extensions will be provided in accordance with the City's utility construction and extension policies and ordinances. Upon connection to future facilities, water will be provided at rates established by the City.

**f. Roads and Streets**

Maintenance of properly dedicated or acquired roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use, population density and development as the annexed area. Developers of property adjacent to the annexation area will be required, pursuant to the ordinances of the City and other applicable law, to provide improvements to the dedicated roads and streets in the annexation area roughly proportionate to their proposed development's impact and to construct those improvements in accordance with the specifications required by the City for a properly dedicated street. Additional street lighting may be provided upon roadway improvements or at other times as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City. The City does not maintain private streets or private right-of-way or other public owned streets under the ownership and control of another public entity.

## **SPECIFIC FINDINGS**

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence at the time immediately preceding the annexation process. Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City. These differences are specifically dictated because of differing characteristics of the property, and the City will undertake to perform so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of similar topography, land utilization and population density.

## APPENDIX A

That the following described territory is hereby annexed into the City of Tomball, Texas, and the boundary limits of the City are extended to include the Territory within the City limits, and the owners within the Territory shall be entitled to all rights and privileges of the City.

The entire right-of-way 120 feet wide of Farm to Market 2920 Road, starting at the **POINT OF BEGINNING** at the northwest corner of the remainder of a called 114.9706 acre tract of record in the name of Festival Properties, Inc., & Silvesti Investments of Florida, Inc., in H.C.C.F. Number RP-2020-302036, being on the east line of aforesaid 20' wide access easement and the south right-of-way (R.O.W.) line of aforesaid Farm to Market 2920, and as more fully described on the attached Exhibit "A";

**THENCE**, through and across aforesaid Farm to Market 2920, North 01 Degrees 51 Minutes 07 Seconds West, a distance of 120.00 feet to the northwest corner of the herein described tract, being on the north R.O.W. line of aforesaid Farm to Market 2920 and being on the south line of a called 3.592 acre tract of record in the name of Harry F. Pang in H.C.C.F. Number J044871;

**THENCE**, coincident the north R.O.W. line of aforesaid Farm to Market 2920 the following two (2) courses:

1. North 87 Degrees 59 Minutes 32 Seconds East, a distance of 2,499.72 feet to the beginning of a curve to the left;
2. Coincident aforesaid curve to the left, an arc length of 441.56 feet, having a radius of 1,372.40 feet, a central angle of 18 Degrees 26 Minutes 04 Seconds and a chord bearing North 81 Degrees 23 Minutes 18 Seconds East, a distance of 439.65 feet to the northeast corner of the herein described tract, being on the North R.O.W. line of aforesaid Farm to Market 2920 and west R.O.W. line of Telge Road (width varies)

**THENCE**, though and across aforesaid Farm to Market 2920, South 02 Degrees 23 Minutes 39 Seconds East, a distance of 146.30 feet to the southeast corner of the herein described tract, being on the south R.O.W. line of said Farm to Market 2920 and within the existing R.O.W. of aforesaid Telge Road;

**THENCE**, coincident the south R.O.W. line of aforesaid Farm to Market 2920 the following three (3) courses:

1. South 88 Degrees 05 Minutes 34 Seconds West, a distance of 98.52 feet to a 5/8 inch iron rod with "Frontier" cap found for the beginning of a curve to the right, being

on the north line of Restricted Reserve "a", Block 1 in Jack in the Box #3980, a subdivision duly of record in Film Code Number 568095, H.C.M.R., Texas;

2. Coincident aforesaid curve to the right, an arc length of 343.51 feet, having a radius of 1,492.40 feet, a central angle of 13 Degrees 11 Minutes 17 Seconds and a chord bearing of South 83 Degrees 54 Minutes 15 Seconds West, a distance of 342.75 feet to a 3/4 inch iron rod found, being on the north line of a called 8.053 acre tract of record in the name of Shoppes at Willowcreek LLC in H.C.C.F. Number RF-2024-432934;
3. South 87 Degrees 59 Minutes 32 Seconds West, a distance of 2,497.37 feet to the **POINT OF BEGINNING** and containing 8.1270 acres (354,013 square feet) of land. This tract is not staked.

## APPENDIX B