

## **ORDINANCE NO. 2026-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, GRANTING THE REQUEST FOR DISANNEXATION OF A CERTAIN TRACT OF LAND CONTAINING 11.130 ACRES OR 484,852 SQUARE FEET, SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, HARRIS COUNTY, TEXAS, BEING OUT OF A CALLED 16.4724 ACRE TRACT CONVEYED TO 11311 HOLDERREITH LIMITED, L.P. AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. W840420, LOCATED AT 11311 HOLDERRIETH ROAD, TOMBALL, TEXAS; AMENDING THE CITY'S CORPORATE BOUNDARIES TO EXCLUDE SAID PROPERTY; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, 11311 Holderreith Limited, L.P., a Texas limited partnership (the "Owner"), is the owner of certain tracts of land totaling approximately 11.130 acres (the "Property") located at 11311 Holderrieth Road, Tomball, Texas 77375, within the corporate limits of the City of Tomball, Texas (the "City"), and more particularly described by metes and bounds in Exhibit "A," attached hereto and incorporated herein for all purposes; and

**WHEREAS**, the Property lies within the boundary limits of the City and adjoins the outer boundary of the City as required by applicable law; and

**WHEREAS**, the Owner filed a Petition Requesting Disannexation with the City Secretary on June 8, 2026, executed and notarized by the Owner as required by Texas Local Government Code § 43.141 (the "Petition"); and

**WHEREAS**, Texas Local Government Code § 43.141 authorizes the owners of land in an annexed area to petition the governing body of a municipality to disannex the area if the municipality fails to provide services to the area in accordance with the service plan for the annexation; and

**WHEREAS**, the City has reviewed the annexation service plan applicable to the Property and the City, in the exercise of its discretion, elects to grant disannexation pursuant to § 43.142 and Section 2.04 of the Code of Ordinances"; and

**WHEREAS**, Texas Local Government Code § 43.142 also authorizes a home-rule municipality to disannex an area in the municipality according to rules as may be provided by the charter of the municipality; and

**WHEREAS**, Section 2.04 of the Tomball Code of Ordinances permits territory lying within the boundary limits of the City and adjoining the outer boundary of the City to be detached from the City by ordinance following a petition by the landowner; and

**WHEREAS**, the City Council has reviewed the Petition, the legal description of the Property, and the applicable statutory and charter authority, and finds that disannexation of the Property is appropriate and authorized under state law and the City Charter; and

**WHEREAS**, in accordance with Section 6.14 of the Tomball City Charter, this Ordinance was introduced before the Tomball City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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

**Section 1. Findings.** The City Council hereby finds and declares that the recitals set forth in the preamble of this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2. Disannexation Granted.** The request for disannexation of the Property described in Exhibit "A," attached hereto and incorporated herein for all purposes, is hereby GRANTED. The Property shall be disannexed from the corporate limits of the City of Tomball, Texas, effective upon adoption of this Ordinance on Second Reading.

**Section 3. Amended Corporate Boundaries.** The boundaries and limits of the City of Tomball, Texas are hereby amended to exclude all of the territory described in Exhibit "A." Said territory is hereby disannexed from the City, and the City's official boundary maps and records shall be amended accordingly. The City Secretary is directed to file a certified copy of this Ordinance with the Harris County Clerk and to provide notice to the Harris County Appraisal District as required by law.

**Section 4. Tax and Service Obligations.** The territory described in Exhibit "A" and hereby disannexed shall not be a part of the City of Tomball, Texas, and shall not bear its pro rata part of any taxes levied by the City subsequent to the effective date of this Ordinance. The inhabitants of the disannexed area shall not be entitled to City services except as may be separately agreed in writing between the Owner and the City. Any outstanding ad valorem taxes owing to the City for tax years prior to the effective date of disannexation remain due and payable and are not affected by this Ordinance.

**Section 5. Savings.** All rights and remedies of the City are expressly saved as to any and all violations of the City's ordinances or charter that may have accrued prior to the effective date of this Ordinance, and as to any such violations, the City's ordinances shall remain in full force and effect.

**Section 6. Severability.** Should any section, part, clause, sentence, or provision of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such determination shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect. If this Ordinance is for any reason ineffective as to any part of the area hereby disannexed, such ineffectiveness shall not affect the disannexation of the remainder of the area. Any lands included within the general description of territory set out herein that are presently within the limits of any other city, or within the extraterritorial jurisdiction of any other city, or

that are not within the City's jurisdiction to disannex, are hereby expressly excluded and excepted from the territory to be disannexed.

**Section 7. Effective Date.** This Ordinance shall take effect immediately upon passage and adoption on Second Reading in accordance with Section 6.14 of the Tomball City Charter.

**INTRODUCED ON FIRST READING** in Tomball, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**PASSED AND APPROVED ON SECOND READING** in Tomball, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**APPROVED:**

\_\_\_\_\_  
LORI KLEIN QUINN, Mayor  
City of Tomball, Texas

**ATTEST:**

\_\_\_\_\_  
THOMAS HARRIS, TRMC  
City Secretary, City of Tomball, Texas

## **EXHIBIT "A"**

### **Legal Description of Property**

11311 Holderrieth Road, Tomball, Texas 77375

A TRACT OR PARCEL CONTAINING 11.130 ACRES OR 484,852 SQUARE FEET OF LAND, SITUATED IN THE ELIZABETH SMITH SURVEY, ABSTRACT NO. 70, HARRIS COUNTY, TEXAS. BEING OUT OF A CALLED 16.4724 ACRE TRACT CONVEYED TO 11311 HOLDERREITH LIMITED, L.P. AS RECORDED UNDER HARRIS COUNTY CLERK'S FILE (H.C.C.F.) NO. W840420, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW, WITH ALL BEARINGS BEING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.

COMMENCING AT A 1 INCH IRON PIPE FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HOLDERRIETH ROAD (WIDTH VARIES) RECORDED UNDER FILM CODE (F.C.) NO. 594151, HARRIS COUNTY MAP RECORDS (H.C.M.R.), MARKING THE NORTHEAST CORNER OF A CALLED 18.778 ACRE TRACT CONVEYED TO BERNHARD AND ALVINA HOLDERIETH AS RECORDED UNDER H.C.C.F. NO. P225191;

THENCE NORTH 81 DEG. 09 MIN. 40 SEC. EAST, ALONG AND WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HOLDERRIETH ROAD, A DISTANCE OF 409.45 FEET TO A POINT MARKING THE NORTHWEST CORNER OF A CALLED 1.2504 ACRE TRACT CONVEYED TO THE COUNTY OF HARRIS AS RECORDED UNDER H.C.C.F. NO. 2016466901 AND SAID 16.4724 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 18.778 ACRE TRACT, FROM WHICH A CORNER BEARS FOR REFERENCE, NORTH 81 DEG. 09 MIN. 40 SEC. EAST, 244.50 FEET TO THE NORTHEAST CORNER OF SAID 1.2504 ACRE TRACT AT THE INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF SAID HOLDERRIETH ROAD AND THE WESTERLY R.O.W. LINE OF HUFFSMITH-KOHRVILLE ROAD, FROM WHICH A FOUND 3/4 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 33 MIN. 11 SEC. EAST, 0.32 FEET;

THENCE, SOUTH 01 DEG. 30 MIN. 23 SEC. EAST, LEAVING SAID R.O.W. LINE, A DISTANCE OF 20.25 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE COMMON LINE OF SAID 18.778 ACRE TRACT AND SAID 16.4724 ACRE TRACT, MARKING A WESTERLY CORNER OF SAID 1.2504 ACRE TRACT AND THE NORTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, THROUGH AND ACROSS SAID 16.4724 ACRE TRACT AND ALONG THE SOUTH AND WEST LINES OF SAID 1.2504 ACRE TRACT, THE FOLLOWING COURSES:

NORTH 81 DEG. 09 MIN. 42 SEC. EAST, 203.13 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 49 DEG. 19 MIN. 45 SEC. EAST, 26.30 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET FOR AN ANGLE POINT;

SOUTH 00 DEG. 10 MIN. 48 SEC. WEST, 317.41 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE LEFT;

ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 2050.00 FEET, A CENTRAL ANGLE OF 07 DEG. 42 MIN. 23 SEC., AN ARC LENGTH OF 275.73 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 03 DEG. 40 MIN. 24 SEC. EAST, 275.52 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;

SOUTH 07 DEG. 31 MIN. 35 SEC. EAST, 430.17 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4450.00 FEET, A CENTRAL ANGLE OF 03 DEG. 18 MIN. 53 SEC., AN ARC LENGTH OF 257.44 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 05 DEG. 52 MIN. 09 SEC. EAST, 257.40 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 85 DEG. 47 MIN. 18 SEC. WEST, 12.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT;

ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 4438.00 FEET, A CENTRAL ANGLE OF 07 DEG. 40 MIN. 46 SEC., AN ARC LENGTH OF 594.83 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEG. 22 MIN. 20 SEC. EAST, 594.38 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET

ON THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, MARKING THE SOUTH CORNER OF SAID 1.2504 ACRE TRACT AND AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY R.O.W. LINE OF SAID HUFFSMITH-KOHRVILLE ROAD, SOUTH 44 DEG. 53 MIN. 35 SEC. WEST, A DISTANCE OF 105.45 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF A CALLED 3.989 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X787363 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS FOR REFERENCE, NORTH 00 DEG. 43 MIN. 29 SEC. WEST, 0.54 FEET;

THENCE, DEPARTING SAID R.O.W., SOUTH 88 DEG. 29 MIN. 37 SEC. WEST, A DISTANCE OF 186.62 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST LINE OF A CALLED 26.0841 ACRE TRACT CONVEYED TO THE CITY OF TOMBALL AS RECORDED UNDER H.C.C.F. NO. X346741 AND MARKING THE NORTHWEST CORNER OF SAID 3.989 ACRE TRACT AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 01 DEG. 30 MIN. 23 SEC. WEST, A DISTANCE OF 1936.33 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.1307 ACRES OR 484,852 SQUARE FEET OF LAND AS SHOWN ON THE SURVEY, JOB NO. 53491 FILED IN THE OFFICES OF WINDROSE LAND SERVICES, INC.