

RESOLUTION NO. 2024-42

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 DECEMBER 16, 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 SUCH NOTICE OF SAID PUBLIC HEARING; DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (BEING APPROXIMATELY 5.2 ACRES TRACT OF LAND CONSISTING OF: A STRIP OF LAND APPROXIMATELY FOURTY-FEET-WIDE CONTAINING 1.187 ACRES OF LAND IN THE CHAUNCEY GOODRICH SURVEY, ABSTRACT NO. 311, IN HARRIS COUNTY, TEXAS, AND BEING AN ABANDONED PORTION OF OLD TOMBALL-WALLER ROAD AND THAT CERTAIN 4.1037 ACRE TRACT OF LAND SITUATED IN THE CHAUNCY GOODRICH SURVEY, ABSTRACT 31, HARRIS COUNTY, TEXAS, AND BEING THAT 4.1037 ACRE TRACT OF LAND CONVEYED TO ERNEST GEORGE AND WIFE, IDA GEORGE FROM LEE ETTA WEINDORFF BY DEED DATED NOVEMBER 24, 1964, FILED FOR RECORD UNDER HARRIS COUNTY CLERK’S FILM CODE NO. 148-36-2242); AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, Anna M. Rumfolo, an individual, is the owner (the “Owner”) of a certain tract of land being a strip of land approximately forty-foot-wide containing 1.187 acres in the Chauncey Goodrich Survey, Abstract No. 311, in Harris County, Texas, and being an abandoned portion of Old Tomball-Waller Road; and

WHEREAS, the Owner is the owner of a certain tract of land being that certain 4.1037 acre tract of land situated in the Chauncey Goodrich Survey, Abstract 31, Harris County, Texas, and being that 4.1037 acre tract of land conveyed to Ernest George and wife, Ida George from Lee Etta Weindorff by Deed dated November 24, 1964, filed for record under Harris County Clerk’s Film Code No. 148-36-2242; and

WHEREAS, the Owner has petitioned that the City of Tomball annex the above described tracts into the City of Tomball (attached as “Exhibit A”); 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 December 16, 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 approximately 5.2 acres tracts of land as more fully described in the 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 December 16, 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 December 16, 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 18th day of November 2024.

Lori Klein Quinn, Mayor

ATTEST:

Tracylynn Garcia, City Secretary