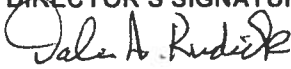
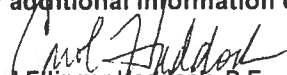



TO: Mayor via City Secretary      **REQUEST FOR COUNCIL ACTION**

<b>SUBJECT:</b> Petition for the City's consent to the addition of 0.84 acres of land to Harris County Municipal Utility District No. 150 (Key Map No. 371-K)		<b>Page</b> 1 of 1	<b>Agenda Item</b> #
<b>FROM (Department or other point of origin):</b> Department of Public Works and Engineering		<b>Origination Date</b>	<b>Agenda Date</b>
<b>DIRECTOR'S SIGNATURE</b>  Dale A. Rudick, P.E., Director		<b>Council District affected:</b> "ETJ" ✓	
<b>For additional information contact:</b>  Carol Ellinger Maddock, P.E. Senior Assistant Director      Phone: (832) 395-2686		<b>Date and identification of prior authorizing Council action:</b>	
<b>RECOMMENDATION: (Summary)</b> The petition for the addition of 0.84 acres of land to Harris County Municipal Utility District No. 150 be approved.			
<b>Amount and Source of Funding:</b> NONE REQUIRED			
<b>SPECIFIC EXPLANATION:</b> Harris County Municipal Utility District No. 150 has petitioned the City of Houston for consent to add 0.84 acre of land, located in the city's extraterritorial jurisdiction, to the district.  The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.  The district is located in the vicinity of Antoine Drive, Spears Road, West Marsham Circle, and Veterans Memorial Drive. The district desires to add 0.84 acres, thus yielding a total of 687.7379 acres. The district is served by a regional plant, Harris County Municipal Utility District No. 150 Wastewater Treatment Plant. The other district served by this plant is Harris County Municipal Utility District No. 217. The nearest major drainage facility for Harris County Municipal Utility District No. 150 is, Greens Bayou which flows into the Houston Ship Channel.  Potable water is provided by the Harris County Municipal District No. 150 (Camden – No. 1). By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.  The Utility District Review Committee recommends that the subject petition be approved.  Attachments  c:    Marta Crinejo                      Bill Zrioka Patrick Walsh, P.E.              Gary Dzierlenga Jun Chang, P.E., D.WRE        Tim Lincoln, P.E.			
LTS# 14837		<b>REQUIRED AUTHORIZATION</b>	
Finance Department		CUIC: 20IPB287	
		<b>Other Authorization:</b>  Mark L. Loether, P.E., CFM, PTOE Deputy Director Planning & Development Services Division	

City of Houston, Texas, Ordinance No. 2015-\_\_\_\_\_

**AN ORDINANCE CONSENTING TO THE ADDITION OF 0.84 ACRES OF LAND TO HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150, FOR INCLUSION IN ITS DISTRICT; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That attached to this ordinance and made a part hereof is a petition requesting the consent of the City of Houston, Texas, to the annexation of 0.84 acres of land into **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150**; such petition is hereby granted, subject to the terms and conditions set forth herein.

**Section 2.** That the City Council further hereby notifies the referenced district, its residents and property owners of the provisions of applicable law allowing the City to annex any portion of the district located within the City's extraterritorial jurisdiction, including without limitation the land authorized to be included in the district hereby. The City requests that the district include a statement in its form required under Section 49.455, Texas Water Code, reflecting the possibility of such annexation by the City.

**Section 3.** That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor; provided, however, that if the Mayor fails to sign this ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2015.

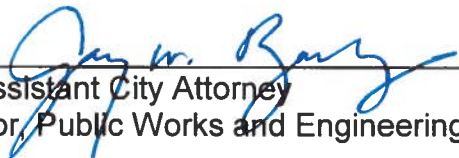
\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

(Prepared by Legal Dept.  
SOI/fg 10/1/15

Requested by Dale A. Rudick, P.E., Director, Public Works and Engineering Department  
L.D. File No. 0610400227005)

  
\_\_\_\_\_  
Assistant City Attorney

G:\LAND\OMAR IZFAR\MUDS\OLD MUDS\MUDS 2015\HCMUD NO 150\_0.849 AC.DOC

PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND IN HARRIS  
COUNTY MUNICIPAL UTILITY DISTRICT NO. 150

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF HOUSTON:

Rankin Road Investments, L.L.C., f/k/a Rankin Investment, L.L.C., a Texas limited liability company being the holder of title to all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the Harris County Appraisal District of Harris County, Texas, ("Landowner") and Harris County Municipal Utility District No. 150 ("District") (Landowner and District hereinafter called "Petitioner"), acting pursuant to the provisions of Section 54.016, Texas Water Code, respectfully petition for consent to include additional land in a municipal utility district. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code, as amended and was created by order of the Texas Water Commission, predecessor to the Texas Commission on Environmental Quality dated May 17, 1977.

II.

Landowner is the sole owner and holder of fee simple title to the land sought to be annexed to the District, as indicated by the tax rolls of the Harris County Appraisal District. Landowner represents and warrants that there are no holders of liens against the land sought to be annexed.

III.

The land sought to be added to the District contains approximately 0.84 acres of land, more or less, and lies wholly within Harris County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Vernon's Texas Civil Statutes, Local Government Code, Section 42.001 et seq., as amended, said area is within the extraterritorial jurisdiction of the City of Houston and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

IV.

The land sought to be added to the area of the District is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

V.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

- (1) provide a water supply for municipal, domestic and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state; and
- (3) gather, conduct, divert and control local storm water or other harmful excesses of water in the area.

VI.

There is a necessity for the improvements above described for the following reasons. The area of the District is urban in nature, is within the growing environs of the City of Houston, and is in close proximity to populous and developed sections of Harris County. The land sought to be added to the District is not supplied with adequate water, sanitary sewer and drainage facilities and services, nor is it presently economically feasible for such facilities to be provided to said land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District and of territories adjacent thereto require the installation and acquisition of an adequate water supply and sewage disposal system and an adequate drainage system for and within the land sought to be added to the District. A public necessity exists for the addition of the aforesaid lands to the District in order to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system and such drainage facilities, so as to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

The District and Petitioner agree and covenant to abide by the conditions set forth in Exhibit "B", attached hereto and made a part hereof for all purposes, until such time as said conditions may be changed by City of Houston ordinance or resolution, either specific or general.

VIII.


It is estimated by the Petitioner, from such information as is available at this time, that the cost of extending the District's facilities to serve the proposed area to be annexed will be approximately \$0.00.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Houston give its consent to the annexation of the aforesaid land in said District.

SIGNATURES COMMENCE ON FOLLOWING PAGES

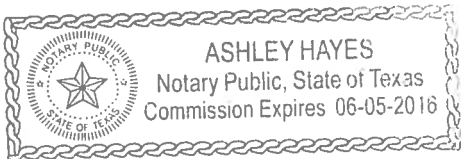
Dated this the 21<sup>st</sup> day of July, 2015.

RANKIN ROAD INVESTMENTS, L.L.C., F/K/A  
RANKIN INVESTMENT, L.L.C. a Texas limited  
liability company


By:   
Muhammad F. Ahmed, Manager/Member

THE STATE OF TEXAS    §  
  §  
COUNTY OF HARRIS    §

This instrument was acknowledged before me on this the 21<sup>st</sup> day of July, 2015, by Muhammad F. Ahmed, in his capacity as Manager and Member of Rankin Road Investments, L.L.C., f/k/a Rankin Investment, L.L.C., a Texas limited liability company.



(SEAL)

  
Notary Public in and for the  
State of Texas

Harris County Municipal Utility District No. 150

By: *Cordia Jackson*  
President, Board of Directors

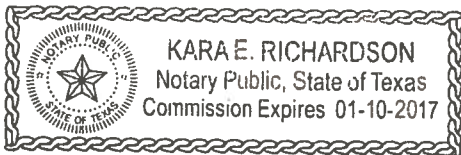
ATTEST:

By: *Shirley Adams*  
Secretary, Board of Directors

THE STATE OF TEXAS    §  
  §  
COUNTY OF HARIS       §

This instrument was acknowledged before me on this 21<sup>st</sup> day of July, 2015, by Cordia Jackson, the President of HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150.

*Kara E. Richardson*  
Notary Public in and for the  
State of Texas



(SEAL)

EXHIBIT "A"

Property

METES AND BOUNDS DESCRIPTION

0.84 ACRES OF LAND

HARRIS COUNTY, TEXAS

BPI - HOU JOB NO. 50858-001

PAD SITE "A"

BEING A 0.84 ACRE (36,459 SQ. FT.) TRACT OF LAND LYING IN THE W.C.R.R. COMPANY SURVEY, ABSTRACT NUMBER 923, HARRIS COUNTY, TEXAS, BEING OUT OF LOT 33 OF THE MILROY FARMS SUBDIVISION AS RECORDED IN VOLUME 12, PAGE 39 OF THE MAP RECORDS OF HARRIS COUNTY, AND BEING COMPOSED OF ALL OR PART OF THE FOLLOWING TWO PARCELS: A (CALLED) 51,360 SQUARE FOOT TRACT AS DESCRIBED IN WARRANTY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER R054285 AND A (CALLED) 15,000 ACRE TRACT AS DESCRIBED IN WARRANTY DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER R037497 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING 1-INCH IRON PIPE (FOUND) LYING IN THE SOUTHWEST RIGHT-OF-WAY LINE OF VETERANS MEMORIAL DRIVE AS DESCRIBED IN DONATION DEED RECORDED UNDER HARRIS COUNTY CLERK'S FILE NUMBER G692525, BEING THE NORTHEAST CORNER OF RESTRICTED RESERVE "A", BLOCK 1 OF STARLINE, A SUBDIVISION AS RECORDED IN VOLUME 330, PAGE 22 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS;

THENCE S 82°48'12" W, ALONG THE NORTH LINE OF SAID RESTRICTED RESERVE "A" AND THE COMMON LINE OF LOTS 32 AND 33 OF MILROY FARM, 1.29 FEET TO A 5/8-INCH IRON ROD WITH CAP "BURY+PARTNERS";

THENCE N 35°21'17" W, ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE AND THE NORTHEAST PROPERTY LINE OF SAID 51,360 SQUARE FOOT TRACT, 107.57 FEET TO A POINT FOR THE SOUTHEAST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE S 54°38'42" W, OVER AND ACROSS SAID 51,360 SQUARE FOOT TRACT, 176.59 FEET TO AN ANGLE POINT,

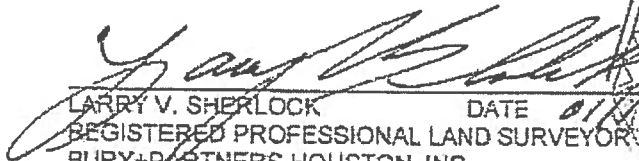
THENCE S 78°42'16" W, 47.27 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 33°16'21" W, 201.71 FEET TO A POINT IN THE NORTH PROPERTY LINE OF SAID 51,360 SQUARE FOOT TRACT AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

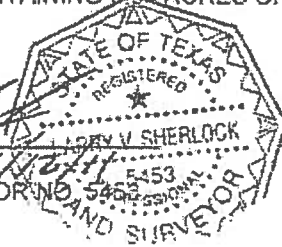
THENCE N 89°56'21" E, ALONG THE NORTH PROPERTY LINE OF SAID 51,360 SQUARE FOOT TRACT, AT 115.16 FEET PASSING A NORTHEAST CORNER OF SAID TRACT AND THE NORTHWEST CORNER OF SAID 15,000 SQUARE FOOT TRACT, AND CONTINUING A TOTAL DISTANCE OF 239.16 FEET TO A 5/8-INCH IRON ROD WITH CAP "BURY+PARTNERS" LYING IN THE AFORESAID SOUTHWEST RIGHT-OF-WAY LINE OF VETERANS MEMORIAL DRIVE (STUBNER AIRLINE DRIVE) FOR THE NORTHEAST CORNER OF SAID 15,000 SQUARE FOOT TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH POINT A RAILROAD SPIKE WITH A PUNCH HOLE LIES N 35°23'04" W - 32.95 FEET;

Exhibit "A"

THENCE S 35°21'17" E, ALONG SAID SOUTHWEST RIGHT-OF-WAY LINE AND THE  
NORTHEAST PROPERTY LINE OF SAID 15,000 SQUARE FOOT TRACT, AT 111.54 FEET  
PASSING THE SOUTHEAST CORNER OF SAID TRACT AND A NORTHEAST CORNER OF  
SAID 51,360 SQUARE FOOT TRACT AND CONTINUING A TOTAL DISTANCE OF 114.90  
FEET TO THE POINT OF BEGINNING AND CONTAINING 0.34 ACRES OF LAND MORE OR  
LESS.



LARRY V. SHERLOCK  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5453  
BURY+PARTNERS-HOUSTON, INC.  
1001 WEST LOOP SOUTH, SUITE 200  
HOUSTON, TEXAS 77027





## EXHIBIT "B"

(a) To the extent authorized by law, the District will issue bonds only for the purpose of purchasing and constructing, or purchasing, or constructing under contract with the City of Houston, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, recreational facilities, road facilities, or facilities for fire-fighting services, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds will expressly provide that the District reserves the right to redeem the bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. The resolution authorizing the issuance of the District's bonds will contain a provision that any pledge of the revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City of Houston, Texas, annexes the District, takes over the assets of the District and assumes all of the obligations of the District. No land located within the extraterritorial jurisdiction of the City of Houston will be added or annexed to the District until the City of Houston has given its written consent by resolution or ordinance of the City Council to such addition or annexation.

(b) (1) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the Director of the Department of Public Works and Engineering of the City of Houston, or to his designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform exactly to the specifications of the City of Houston. All water service lines and sewer service lines, lift stations, sewage treatment facilities, and road facilities, and appurtenances thereto, installed or used within the District will comply with the City of Houston's standard plans and specifications as amended from time to time. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the Director of Public Works and Engineering, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Houston; and during the progress of the construction and installation of such facilities, the Director of Public Works and

Engineering of the City of Houston, or an employee thereof, may make periodic on-the-ground inspections.

(2) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of recreational facilities, the District shall obtain and maintain on file, from a registered landscape architect, registered professional engineer or a design professional allowed by law to engage in architecture, a certification that the recreational facilities, as constructed, conform to the applicable recreational facilities design standards and specifications of the City of Houston's Department of Parks and Recreation and shall submit a copy of the certification and the "as built" plans and specifications for such recreational facilities to the Director of the City of Houston Parks and Recreation Department.

(3) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of facilities for fire-fighting services, the District shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting services, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Houston's Fire Department and shall submit a copy of the certification and the "as built" plans and specifications for such facilities for fire-fighting services to the Chief of the City of Houston Fire Department.

(c) The District will agree to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality, or such successor agency as the legislature may establish ("TCEQ"), as required by Section 26.0301, Texas Water Code, as may be amended from time to time. The District will agree to make periodic analyses of its discharge pursuant to the provisions of Order No. 69-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the Department of Public Works and Engineering, City of Houston, as well as to the TCEQ. The District will agree that representatives of the City of Houston may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the Planning Commission of the City of Houston of a plat which will be duly recorded in the Real Property Records of Harris County, Texas, and otherwise comply with the rules and regulations of the Department of Planning and Development and the Department of Public Works and Engineering of the City of Houston.