

AN ORDINANCE CONSENTING TO THE ADDITION OF 3.418 ACRES OF LAND TO REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1, 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 3.418 acres of land into **REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1**; 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.

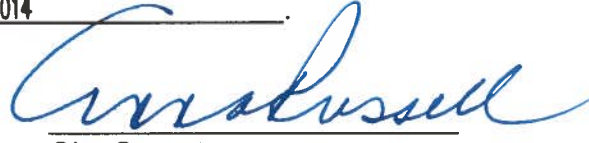
Section 3. That a public emergency exists requiring that this ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this ordinance shall take effect immediately upon its passage and approval by the Mayor; provided, however, that if the Mayor fails 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 5th day of November, 2014.

APPROVED this ____ day of _____, 2014.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is NOV 11 2014.



City Secretary

 SWO

Assistant City Attorney

Prepared by Legal Dept.
SOI/fg 10/8/14

Requested by Dale A. Rudick, P.E., Director, Public Works and Engineering Department

(L.D. File No. 0910500014002)

G:\LAND\OMAR IZFARMUDS\MUDS 2014\REID ROAD MUD NO. 1_3.4

AYE	NO	
✓		MAYOR PARKER
....	COUNCIL MEMBERS
✓		STARDIG
✓		DAVIS
✓		COHEN
✓		BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

**PETITION TO CITY OF HOUSTON
FOR ADDITION OF LAND**

The undersigned majority of the Board of Directors of REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1, hereinafter called "District", is a municipal utility district heretofore existing under the terms and provisions of Article XVI of the Constitution of the State of Texas and operating under Chapters 49 and 54, Texas Water Code, as amended was created by order of the Texas Water Rights Commission, predecessor to the Texas Commission on Environmental Quality, dated May 13, 1974, and the undersigned landowners joining in this petition desire to obtain the written consent of the City of Houston, hereinafter called "City", for the addition to the District of an area of land in the total amount of 3.418 acres within the City's extraterritorial jurisdiction in accordance with Section 54.016, Texas Water Code, which land is described in Exhibit "A" attached hereto and made a part hereof.

Said Section 54.016 provides in part that no municipal utility district operating under Chapter 54, Texas Water Code, may add land within the area of the extraterritorial jurisdiction of any city without the written consent of the city if the governing body of such city is given ninety (90) days to refuse or grant permission for the addition of land to the district, and said governing body is permitted an additional one hundred twenty (120) days' time within which to mutually agree with the landowners and officers of the district concerning the addition to the district of land within the city's extraterritorial jurisdiction.

The undersigned directors deem it beneficial to District for the City of Houston's personnel to review, study and approve the District's plans and specifications for the installation and construction of water, sewer and drainage facilities, and also deem it beneficial to District that the land described in Exhibit "A" be added to District.

Now, therefore, being in all things fully advised, for and in consideration of the premises and the timely written consent of the City of Houston for the addition of an area of land to this District as aforesaid, and in consideration of the benefits derived by said District from the City of Houston's engineering assistance in the review, study and approval of the District's utility installation plans and specifications, as will be evidenced by the passage of an ordinance or resolution and the acceptance of this agreement and undertaking by the City Council, the undersigned District directors and Landowner(s) hereby expressly covenant and agree to the terms and conditions contained in Exhibit "B" items (a) through (d), respectively, attached hereto and incorporated herein.

The Landowner(s) by joining herein expressly covenants and agrees to the terms and conditions contained in Exhibit "B", item (e).

As there are not any lienholders on the described land, there is not a lienholder joining this petition.

The general nature of the work proposed to be done in the land to be included in the District is construction and extension of water, sewer and drainage facilities.

The work proposed to be done in the land to be included in the District is necessary to provide utility service to proposed new residential development to be located within the District and to provide utility service to existing commercial establishments to be located within the District.

It is now estimated by those filing this petition, from such information as is available at this time, that the ultimate cost of the development contemplated will be approximately \$75,000.

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

Dated this 18th day of June 2014.



REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1

[Signature]
President

[Signature]
Vice President

[Signature]
Director

[Signature]
Director

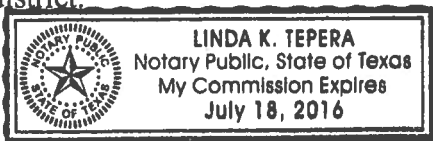
ATTEST:

[Signature]
Secretary

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 18 day of June, 2014, by Patrick L. Cieslewitz, Marvin E. Fesler, Gilbert De la Cruz, Bob Brenzel and Carla Christensen

the directors of REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1, on behalf of said utility district.

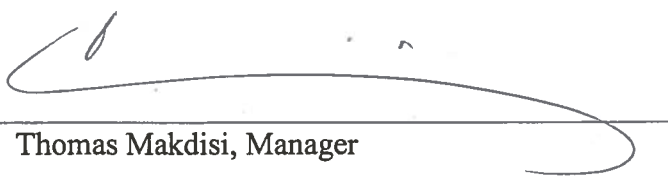


[Signature]
Notary Public in and for the State of T E X A S

JOINDER OF LANDOWNER:

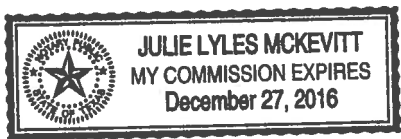
The undersigned owner of the land described in Exhibit "A" to be added to the District have joined in this petition.

TLM FM1960, LLC, a Texas limited liability company

By: 
Thomas Makdisi, Manager

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on June 9, 2014,
by Thomas Makdisi, the Manager of TLM FM1960, LLC, a Texas limited
liability company, on behalf of said company.




Notary Public in and for the State of Texas

County: Harris
Project: Captain Toms FM 1960
M&B No: 14-021
CS Job No: 13110

METES AND BOUNDS DESCRIPTION OF 3.418 ACRES

Being a tract of land containing 3.418 acres, located in the William Waters Survey Survey, Abstract 851, in Harris County, Texas; Said 3.418 acres being all of a called 3.418 acre tract of land recorded in the name of TLM FM 1960, LLC in Harris County Clerk's File Number (H.C.C.F. No.) 20130590952; Said 3.418 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Revised Boundary Map of Reid Road Municipal Utility District No. 1, dated July, 1986, issued by Landev Engineers, Inc.):

BEGINNING, at a 5/8-inch capped iron rod found at the most northerly corner of said 3.418 acre tract and the intersection of the southwesterly Right-of-Way (R.O.W.) line of Bobcat Road (sixty feet wide per H.C.C.F. No. E150407) with the southeasterly R.O.W. line of F.M. 1960 (also known as Jack Rabbit Road) (one hundred feet wide), from which a point at the northwest corner of Block 1 of Idlewilde Apartments, a subdivision of record in Film Code No. 619143 of the Harris County Map Records, same being the northwest corner of a called 20.211 acre tract described as Tract 6 in said Revised Boundary Map of Reid Road Municipal Utility District No. 1, bears South 54° 57' 24" East, a distance of 166.20 feet;

THENCE, with the northeast line of said 3.418 acre tract and the southwesterly R.O.W. line of said Bobcat Road, the following two (2) courses:

1. South 34° 16' 41" East, a distance of 100.00 feet to a 5/8-inch capped iron rod found at the beginning of a curve to the right;
2. 477.98 feet along the arc of said curve to the right, having a radius of 1,115.92 feet, a central angle of 24° 32' 28", and a chord that bears South 22° 00' 27" East, a distance of 474.33 feet to a 5/8-inch iron rod found at the southeast corner of said 3.418 acre tract, on the north line of a called 4.700 acre Houston Lighting and Power Company Fee Strip recorded in H.C.C.F. No. C303948;

THENCE, North 89° 29' 29" West, with the line common to said 3.418 acre tract and said Fee Strip, a distance of 268.64 feet to a 5/8-inch iron rod found at the southwest corner of said 3.418 acre tract and the southeast corner of a called 0.864 acre tract of land recorded in the name of Jayson Johnson in H.C.C.F. No. T611501;

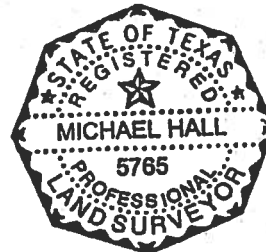
THENCE, North 34° 15' 10" West, with the line common to said 3.418 acre tract and said 0.864 acre tract, a distance of 410.23 feet to a 5/8-inch capped iron rod found at the most westerly corner of said 3.418 acre tract and the most northerly corner of said 0.864 acre tract, on the southeasterly R.O.W. line of said F.M. 1960;

THENCE, North 55° 43' 19" East, with the northwesterly line of said 3.418 acre tract and the southeasterly R.O.W. line of said F.M. 1960, a distance of 321.26 feet to the **POINT OF BEGINNING** and containing 3.418 acres of land.

An Exhibit Map of the herein described tract was prepared in conjunction with and accompanies this description.



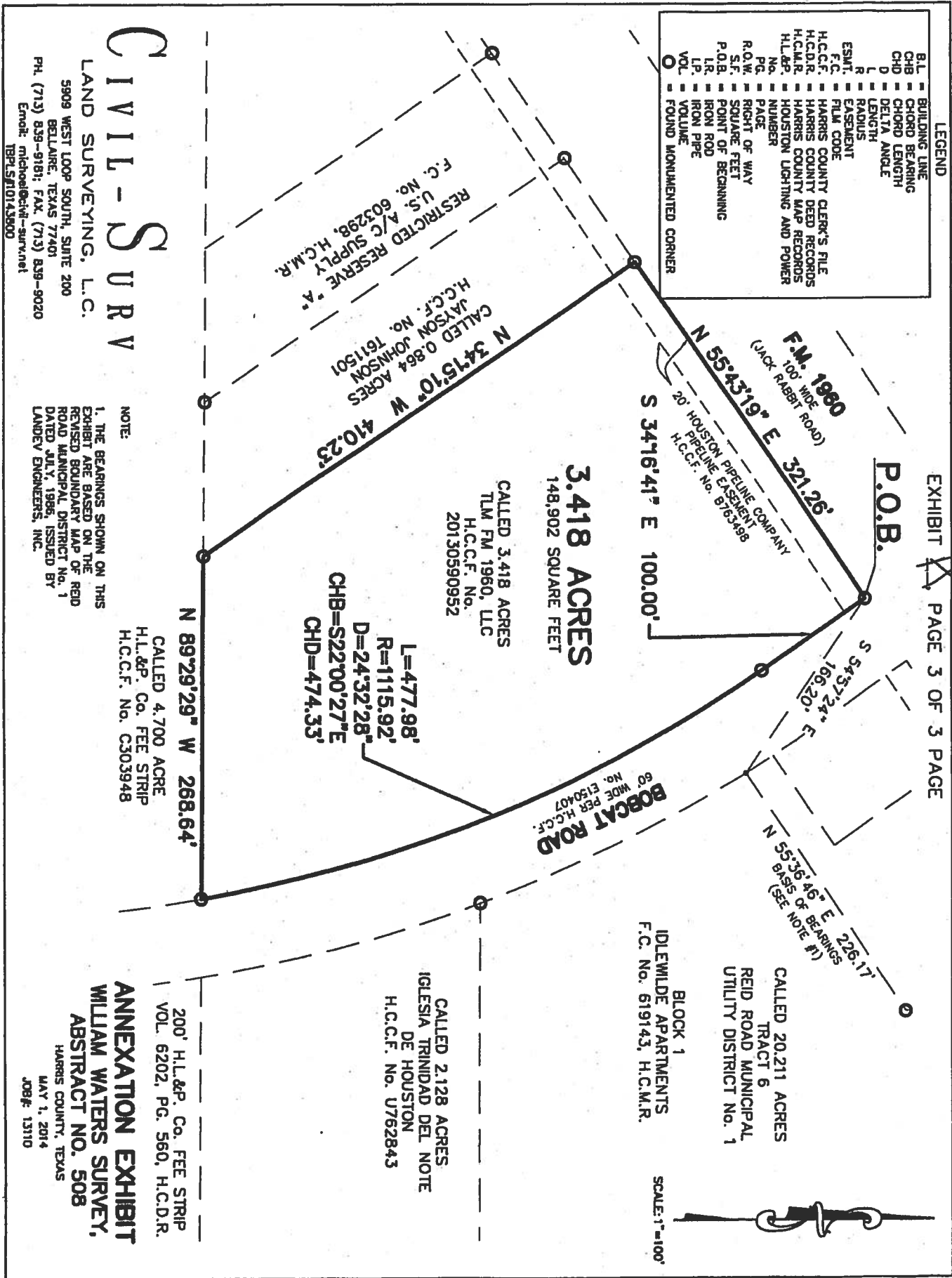
Michael Hall, R.P.L.S.
Texas Registration Number 5765



CIVIL-SURV LAND SURVEYING, LC
PH: (713) 839-9181
May 1, 2014

LEGEND

- B.L. - BUILDING LINE
- CHB - CHORD BEARING
- CHD - CHORD LENGTH
- D - DELTA ANGLE
- L - LENGTH
- R - RADIUS
- ESMT. - EASEMENT
- F.C. - FILM CODE
- H.C.C.F. - HARRIS COUNTY CLERK'S FILE
- H.C.D.R. - HARRIS COUNTY DEED RECORDS
- H.C.M.R. - HARRIS COUNTY MAP RECORDS
- H.L.&P. - HOUSTON LIGHTING AND POWER
- No. - NUMBER
- Pg. - PAGE
- R.O.W. - RIGHT OF WAY
- S.F. - SQUARE FEET
- P.O.B. - POINT OF BEGINNING
- LR - IRON ROD
- LP - IRON PIPE
- VOL. - VOLUME
- - FOUND MONUMENTED CORNER



CIVIL-SURV
 LAND SURVEYING, L.C.
 5909 WEST LOOP SOUTH, SUITE 200
 BELLAIRE, TEXAS 77401
 PH. (713) 839-9181; FAX. (713) 839-9020
 Email: michael@civil-survey.net
 TPLS710143800

NOTE:
 1. THE BEARINGS SHOWN ON THIS EXHIBIT ARE BASED ON THE REVISED BOUNDARY MAP OF REID ROAD MUNICIPAL DISTRICT No. 1 DATED JULY, 1986, ISSUED BY LANDEV ENGINEERS, INC.

CALLLED 4.700 ACRE
 H.L.&P. Co. FEE STRIP
 H.C.C.F. No. C303948

200' H.L.&P. Co. FEE STRIP
 VOL. 6202, PG. 560, H.C.D.R.
ANNEXATION EXHIBIT
WILLIAM WATERS SURVEY,
ABSTRACT NO. 508
 HARRIS COUNTY, TEXAS
 MAY 1, 2014
 JOB# 13110

CALLLED 2.128 ACRES
 IGLESIA TRINIDAD DEL NOTE
 DE HOUSTON
 H.C.C.F. No. U762843

BLOCK 1
 IDLEWILDE APARTMENTS
 F.C. No. 619143, H.C.M.R.

CALLLED 20.211 ACRES
 TRACT 6
 REID ROAD MUNICIPAL
 UTILITY DISTRICT No. 1

SCALE: 1"=100'





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.