

ORDINANCE NO. 2025-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, MAKING CERTAIN FINDINGS; PROVIDING FOR THE DISANNEXATION OF (I) APPROXIMATELY 130 ACRES LOCATED ALONG FM 528, HARRIS COUNTY, TEXAS, AT THE EASTERNMOST LIMITS OF FRIENDSWOOD AND (II) PORTIONS OF FM 528 LOCATED ADJACENT THERETO AND EXTENDING EASTWARD APPROXIMATELY 0.67 MILES THEREFROM, WHICH SAID TERRITORY LIES WITHIN THE PRESENT BOUNDARY LIMITS FOR THE CITY OF FRIENDSWOOD, HARRIS COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; AND PROVIDING FOR THE EFFECTIVE DATE.

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WHEREAS, on February 7, 2025, the City of Friendswood received a petition for disannexation from BC-SB Baybrook JV LLC, (the "Petitioner"), which owns approximately 130.9043 acres within the City of Friendswood, Harris County, Texas (the "Petitioner's Property"), which petition is attached hereto as Exhibit "A" and incorporated herein for all intents and purposes; and

WHEREAS, the Petitioner has submitted such petition pursuant to Section 43.145 of the Texas Local Government Code for unimproved areas or non-taxable areas, and not for failure to provide services; and

WHEREAS, recognizing that the amount of taxes and fees collected by the City during the time the Petitioner's Property has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the Petitioner's Property during that same period, the Petitioner has waived any remedies or rights as set forth in law or equity pertaining to the recovery of property taxes and fees relative to the Petitioner's Property; and

WHEREAS, on October 8, 2024, the Harris County Commissioners Court, pursuant to Section 43.147(a) of the Texas Local Government Code, consented to Friendswood's disannexation of that portion of FM 528 located adjacent the Petitioner's Property and extending eastward approximately 0.67 miles therefrom, which said territory lies within the present boundary limits for the City of Friendswood, Harris County, Texas (the "ROW Property"), as more particularly described in Exhibit "B," which is attached hereto and incorporated herein for all intents and purposes; and

WHEREAS, the Petitioner's Property and the ROW Property (collectively the "Property") are the subject of an interlocal agreement between the City of Friendswood and the City of League City dated the 3<sup>rd</sup> day of March, 2025; and

WHEREAS, pursuant to such agreement, the City of Friendswood has agreed to release the Property and the City's extraterritorial rights to the Property, in exchange for the City of League City releasing the City of Friendswood from the payment obligations under that certain Interlocal Agreement for Boundary Adjustment between League City and Friendswood dated May 19, 2021; and

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WHEREAS, on March 3, 2025, the City Council held a public hearing wherein all interested persons were given the right to appear and be heard concerning the disannexation of the Property; and

WHEREAS, after considering the testimony and evidence presented at the public hearing, the City Council hereby finds and determines that the disannexation of the Property is appropriate; and

WHEREAS, in accordance with all applicable laws and that certain interlocal agreement between the City of Friendswood and the City of League City dated the 3<sup>rd</sup> day of March, 2025, the City of Friendswood desires to take all appropriate actions necessary to disannex the Property; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. That the Property lying within the City of Friendswood is hereby removed and disannexed from the City of Friendswood, Texas, and shall hereinafter be included within the extraterritorial limits of the City of League City, Texas. The present boundary limits of the City are altered and amended so as to exclude said areas from the corporate limits of the City of Friendswood, Texas, to-wit:

SEE EXHIBIT "C"


Section 3. The above-described territories and the areas so disannexed shall no longer be a part of the City of Friendswood, Texas; and no refund, pursuant to Section 43.148 of the Texas Local Government Code, shall be due to the landowners of the area since the amount of taxes and fees collected by the City during the time the Property has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the Property.

Section 4. The disannexed areas are hereby removed from all the service plans prepared by the City for the provision of municipal services.

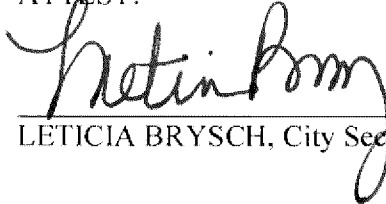
Section 5. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance 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 Friendswood, 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.

Section 6. This ordinance shall take effect immediately from and after its passage by the City Council of the City of Friendswood, Texas, on second reading.

INTRODUCED, READ and PASSED on the first reading by the affirmative vote of the City Council of the City of Friendswood on this the 3<sup>rd</sup> day of March, 2025.

  
MIKE FOREMAN, Mayor

ATTEST:

  
LETICIA BRYSCH, City Secretary



APPROVED AS TO FORM:

  
KAREN L. HORNER, City Attorney

INTRODUCED, READ and PASSED on the second and final reading on this the 7<sup>th</sup> day of April, 2025.

  
MIKE FOREMAN, Mayor

ATTEST:

  
LETICIA BRYSCH, City Secretary



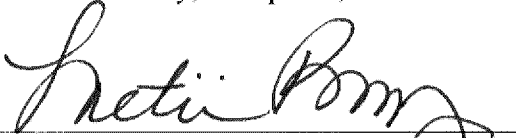
APPROVED AS TO FORM:

  
KAREN L. HORNER, City Attorney

RP-2025-128914

APPROVED AND CERTIFIED TO BE TRUE AND CORRECT, that the foregoing copy of Ordinance No. 2025-10, approved by the Friendswood City Council at its meeting held on April 7, 2025, is hereby certified to be a true and correct copy of the official copy thereof on file among the official records of the City. Witness by my hand and seal of the City, on April 8, 2025.



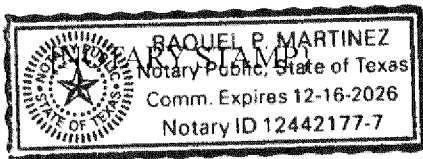
  
Leticia Brysch, City Secretary  
City of Friendswood

STATE OF TEXAS           §  
  §  
COUNTY OF GALVESTON §

Before me, the undersigned authority, on this day, personally appeared Leticia Brysch, City Secretary of the City of Friendswood, Texas, known to me as the person who signed the above and acknowledged to me that she executed the above and foregoing document in my presence for the purposes stated therein.

Given under my hand and seal of office this 8<sup>th</sup> day of April, 2025.

  
Public Notary, States of Texas



RP-2025-128914

Exhibit "A"

PETITION FOR DISANNEXATION FROM  
THE CITY OF FRIENDSWOOD, TEXAS CORPORATE LIMITS

THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS           §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF  
FRIENDSWOOD, TEXAS:

The undersigned, BC-SB BAYBROOK JV LLC, a Delaware limited liability company (the "Petitioner"), acting pursuant to the provisions of Chapter 43, Texas Local Government Code, particularly Section 43.145 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the City of Friendswood, Texas (the "City"), for the disannexation of the land described by metes and bounds in Exhibit A (the "Land"). In support of this petition, the undersigned would show the following:

I.

The Petitioner holds fee simple title to the Land sought to be disannexed and there are no lienholders on the Land.

II.

Petitioner desires that the Land be disannexed in accordance with Section 43.145 of the Texas Local Government Code and not for failure to provide services as that process is set forth in Section 43.141, Texas Local Government Code.

III.

Petitioner acknowledges that the amount of property taxes and fees collected by the City during the time the Land has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the Land during that same period.

IV.

Petitioner waives any remedies or rights as set forth in law or equity pertaining to recovery of property taxes and fees collected by the City relative to the Land.

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**EXHIBIT A**

**BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1 ANNEXATION  
TRACT M**

**METES AND BOUNDS DESCRIPTION**

**130.9043 ACRES OUT OF**

**THOMAS CHOATE LEAGUE, ABSTRACT 12,  
AUGUST WHITLOCK SURVEY, ABSTRACT 793,  
ROBERT WILSON SURVEY, ABSTRACT 88 AND  
JOHN DICKINSON SURVEY, ABSTRACT 15  
FRIENDSWOOD, HARRIS COUNTY, TEXAS**

All that certain 130.9043 acres being out of Thomas Choate League, Abstract 12, August Whitlock Survey, Abstract 793, Robert Wilson Survey, Abstract 88 and John Dickinson Survey, Abstract 15 and out of Lots 1 – 6 and 9 and 10, Block 1, and Lots 9 and 10, Block 5, Webster Outlots according to the plat thereof as filed in Volume 67, Page 197 Harris County Deed Records, and out of Block 12, Sherman Place according to the plat thereof as filed in Volume 69, Page 231 Harris County Deed Records, Friendswood, Texas being out of that certain called Tract 1 (220.0290 acres) described in a deed dated 01-01-2022 from Clearfield Realty, Inc., a Texas corporation to Clearfield Realty, Inc., a Delaware corporation as filed in the Official Records of Harris County at Clerk's File Number RP-2022-3132 and being more particularly described by metes and bounds as follows (bearings based on Texas Coordinate System of 1983, South Central Zone 4204);

Beginning at a found 5/8" iron rod with cap (stamped Terra Surveying) marking the northeast corner of that certain called 2.672 acre tract described in a deed dated 08-09-1977 from Webster Ranch Corporation to Houston Lighting and Power Company (HL&P) as filed in the Official Records of Harris County at Clerk's File Number F336213 and Film Code Number 178-01-1953 and marking a point on the south right-of-way line of Farm Market Road 528 (F.M. 528) (width varies);

1. Thence N 81° 12' 48" E – 9.50' with the south right-of-way line of said F.M. 528 to a found 5/8" iron rod with cap (stamped C.L. DAVIS – RPLS 4464) marking the beginning of a curve to the right having a radius of 5,669.58' and a central angle of 02° 45' 51";

Thence the following (3) courses with the south right-of-way line of said F.M. 528 as established by that certain Parcel 78 called 0.125 acre tract described in a deed dated 09-02-1994 from Clearfield Realty, Inc. to City of League City as filed in the Official Records of Harris County at Clerk's File Number R070017 and Film Code Number 501-12-0979 and Parcel 62, Part 1 called 0.733 acre tract described in that certain Final Judgment to City of League City as filed in the Official Records of Harris County at Clerk's File Number R249492 and Film Code Number 502-61-2107;

2. Thence with said curve an arc distance of 273.53' and a chord bearing and distance of N 82° 35' 43" E – 273.50' to a found 5/8" iron rod marking the point of a reverse curve to the left having a radius of 11,519.16' and a central angle of 02° 45' 51";

3. Thence with said curve an arc distance of 555.74' and a chord bearing and distance of N 82° 35' 44" E – 555.68' to a found 5/8" iron rod for corner, from which a found 5/8" iron rod bears N 31° 51' 08" W – 0.50' for reference;
4. Thence N 81° 12' 48" E – 615.38' to a point for corner;
5. Thence S 08° 46' 00" E – 500.00' with the common east city limit line of Friendswood and the west city limit line of League City to a point for corner;
6. Thence N 81° 12' 48" E – 790.00' with the common north city limit line of Friendswood and the south city limit line of League City to a point for corner;
7. Thence S 08° 46' 00" E – 602.03' with the common east city limit line of Friendswood and the west city limit line of League City and with the west line of that certain called 17.557 acre tract described in a deed dated 05-14-1999 from Clearfield Realty, Inc. to Baybrook Municipal Utility District No. 1 (BMUD) as filed in the Official Records of Harris County at Clerk's File Number T737635 and Film Code Number 525-76-2835 to a found 5/8" iron rod for corner;
8. Thence S 00° 25' 35" E – 793.42' continuing with the common east city limit line of Friendswood and the west city limit line of League City and with the west line of said BMUD tract to a point for corner;
9. Thence S 87° 14' 57" W – 1,556.20' with the common south city limit line of Friendswood and the north city limit line of League City and the common north line of the John Dickinson Survey, Abstract 15 and the south line of the Robert Wilson Survey, Abstract 88 to a point for corner;
10. Thence S 41° 46' 41" W – 1,517.99' with the common southerly city limit line of Friendswood and the northerly city limit line of League City to a point for corner;
11. Thence N 48° 13' 19" W – 1,411.41' with the easterly line of that certain called 6.822 acre tract as described in a deed dated 08-09-1977 from Webster Ranch Corporation to Houston Lighting and Power Company (HL&P) as filed in the Official Records of Harris County at Clerk's File Number F336215 and Film Code Number 178-01-1962 to a found 5/8" iron rod for corner;
12. Thence N 41° 06' 11" E – 1,498.06' continuing with the easterly line of said called 6.822 acre HL&P tract to a found 5/8" iron rod with cap (stamped C.L. DAVIS – RPLS 4464) for corner, from which a found 5/8" iron rod bears N 67° 59' 40" W – 1.71' for reference;
13. Thence N 02° 57' 32" W – 338.43' (deed 336.25') continuing with the easterly line of said called 6.822 acre HL&P tract to a found 5/8" iron rod with cap (stamped Terra Surveying) for corner;
14. Thence N 86° 58' 32" E – 274.75' (deed 275.00') with the south line of said called 2.672 acre HL&P tract to a found 5/8" iron rod with cap (stamped Terra Surveying) for corner;



15. Thence N 02° 57' 58" W – 345.07' (deed 344.75') with the east line of said called 2.672 acre HL&P tract to the POINT OF BEGINNING and containing 130.9043 acres (5,702,193 square feet) of land more or less.

This document was prepared under 22 TAC 663.21 and is not to be used to convey or establish interest in real property except those right and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This metes and bounds description is accompanied by a separate plat, drawing or exhibit per Texas Board of Professional Land Surveyor's "General Rules of Procedures and Practices" Section 663.19(9).

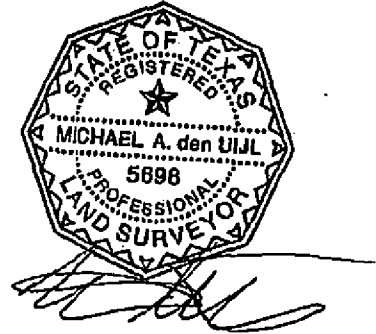
Compiled by: C.L. Davis & Company

Firm No. 10082000

Job Number: 11-1031-28-CLEARFIELD TRACT M M&B.Doc

01-25-2023

Revised 09-06-2023





## Exhibit "B"

### DESCRIPTION OF ROW PROPERTY

BEING a tract of land situated in Harris County, Texas, within the August Whitlock Survey, Abstract No. 793, and the Robert Wilson Survey, Abstract No. 88, and being a portion of that certain 12.3-acre tract of land described in Ordinance No. 83-21, as annexed into the City of Friendswood, Texas.

COMMENCING at the NORTHWEST corner of that certain 2.672-acre tract conveyed to Houston Lighting & Power Company by Special Warranty Deed recorded in Volume 4589, Page 99, of the Deed Records of Harris County, Texas, being a point in the south right-of-way line of Farm-to-Market Road No. 528 (FM 528), said right-of-way being 100 feet wide;

THENCE in a NORTHEASTERLY direction along the south right-of-way line of FM 528, a distance of approximately 356.80 feet to the NORTHEAST corner of said 2.672-acre tract, being the POINT OF BEGINNING of the tract herein described;

THENCE in a NORTHERLY direction, perpendicular to FM 528, a distance of 100 feet to a point in the north right-of-way line of FM 528;

THENCE in an EASTERLY direction along the north right-of-way line of FM 528, a distance of approximately 4,998 feet to a point, being the NORTHEAST corner of the property described in Ordinance No. 83-21;

THENCE in a SOUTHERLY direction, perpendicular to FM 528, to a point in the southern boundary of the annexed area;

THENCE in a WESTERLY direction along the southern boundary of the annexed area as described in Ordinance No. 83-21, to the POINT OF BEGINNING.

Containing approximately 11.47 acres of land, more or less.

This description follows the original metes and bounds described in Ordinance No. 83-21, excepting and removing the portion adjacent to the Houston Lighting & Power Company tract.

This description is based on available records and is subject to survey.

RP-2025-128914

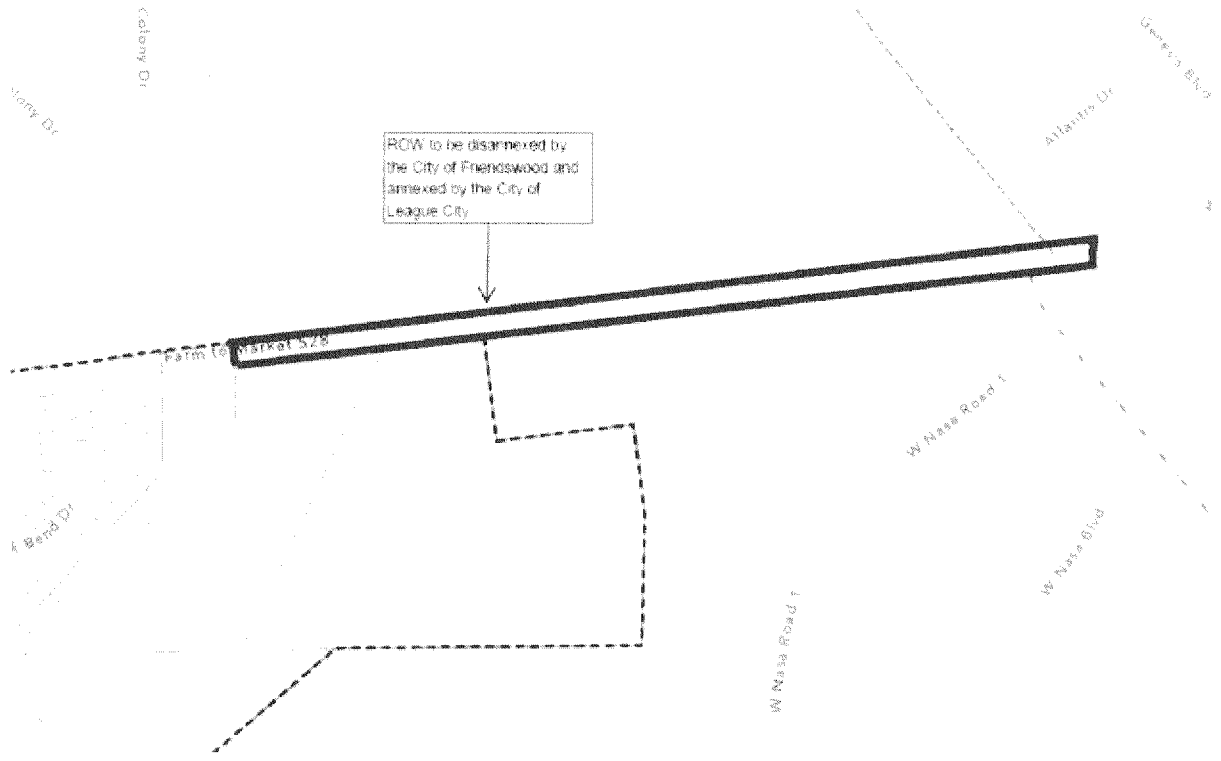


Exhibit "C"

BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1 ANNEXATION  
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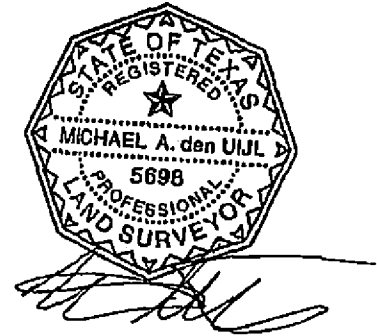
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Compiled by: C.L. Davis & Company  
Firm No. 10082000  
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(Continued)

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THENCE in a NORTHEASTERLY direction along the south right-of-way line of FM 528, a distance of approximately 356.80 feet to the NORTHEAST corner of said 2.672-acre tract, being the POINT OF BEGINNING of the tract herein described;

THENCE in a NORTHERLY direction, perpendicular to FM 528, a distance of 100 feet to a point in the north right-of-way line of FM 528;

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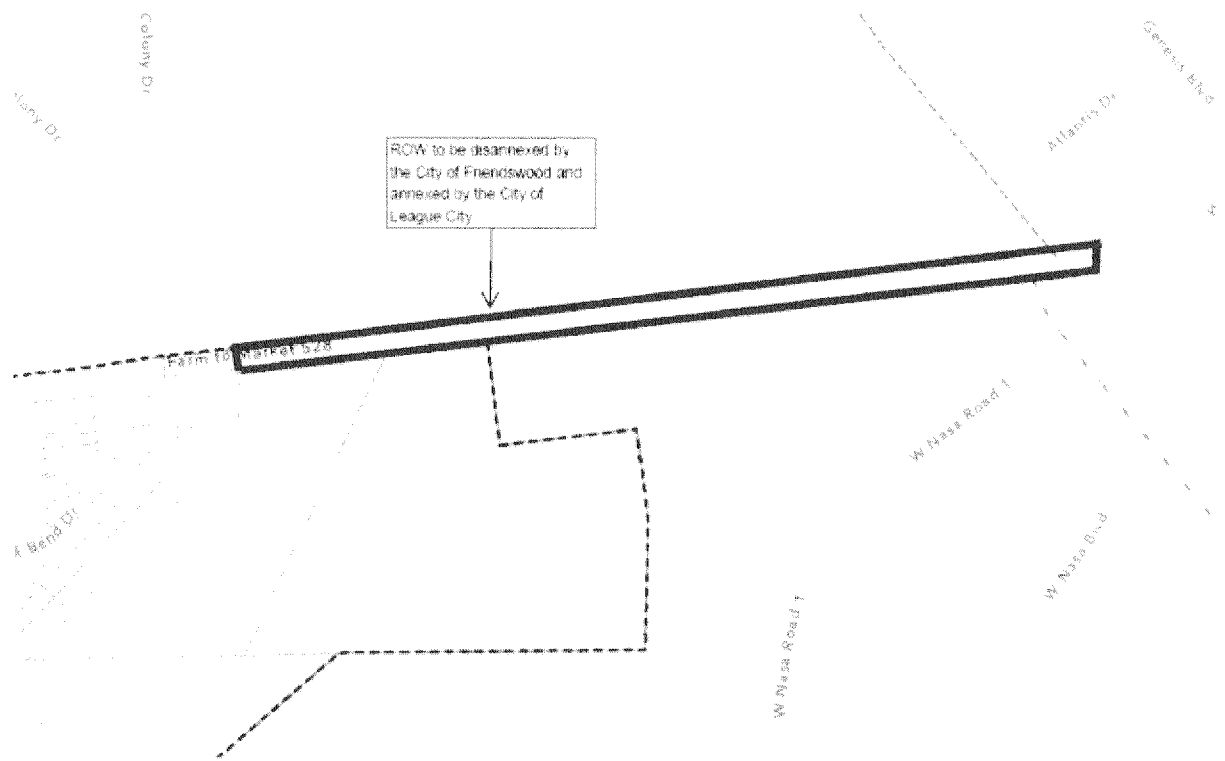
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This description is based on available records and is subject to survey.

RP-2025-128914



RP-2025-128914  
# Pages 19  
04/08/2025 02:52 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$93.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2025-128914