

ORDINANCE NO. 2021-

AN ORDINANCE AUTHORIZING A BOUNDARY ADJUSTMENT AGREEMENT WITH THE CITY OF FRIENDSWOOD SO THAT 26.921 ACRES OF LAND, WHICH IS LOCATED IN LEAGUE CITY, TEXAS AND HAS A WIDTH OF LESS THAN 1,000 FEET, WILL BE LOCATED IN THE CITY LIMITS OF FRIENDSWOOD; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA AS DESCRIBED IN EXHIBIT "A" OF SAID BOUNDARY AGREEMENT SHALL BE INCORPORATED INTO THE CITY OF FRIENDSWOOD FOR INCLUSION WITHIN ITS CORPORATE LIMITS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of League City ("League City") and the City of Friendswood ("Friendswood") desire to enter into a Boundary Adjustment Agreement to make mutually agreeable changes in their boundaries; and

WHEREAS, pursuant to Section 43.015 of the Texas Local Government Code adjacent municipalities may make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width; and

WHEREAS, the Avalon Development is a new residential development that is mainly located in Friendswood with a small portion (26.921 acres) of the development located in League City and the 26.921 acres of territory in League City is less than 1,000 feet in width; and

WHEREAS, Friendswood has requested that League City release 26.921 acres of its territory, as further described in Exhibit "A" which is incorporated herein, so that the entire the Avalon Development will be located within Friendswood and have Friendswood utilities; and

WHEREAS, Friendswood as agreed to make an annual payment to League City in an amount equal to 50% of the property taxes generated from the released territory over the next twenty (20) years; and

WHEREAS, it would be infeasible for the City to provide utilities to the area in question given the location of certain detention ponds in the development; and

WHEREAS, all necessary and required legal conditions have been satisfied for this boundary adjustment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. Incorporation of Recitals. That all the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

Section 2. Boundary Adjustment Agreement. That the Boundary Adjustment Agreement between the City of League City and the City of Friendswood, a true copy of which is attached hereto as Exhibit “A” and made a part hereof for all purposes, is hereby authorized and the City Manager is authorized to execute all documents necessary to complete this transaction.

Section 3. Relinquishment of Tract 2. Upon the full execution of the Boundary Adjustment Agreement, the City of League City does hereby relinquish that certain tract of land currently situated within League City and described in Exhibit “A” – Tract 2, to be within the corporate limits of Friendswood.

Section 4. Official Map. The official maps and boundaries of League City, heretofore adopted and amended, shall be and is hereby amended to reflect the boundary adjustments described in Exhibit “A”.

Section 5. Copy to County Clerk. The City Secretary is hereby directed to send a certified copy of this ordinance to the Office of the County Clerks of Harris and Galveston Counties.

Section 6. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 9. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. This Ordinance shall become effective on passage.

PASSED first reading the ____ day of _____, 2021.

PASSED second reading the ____ day of _____, 2021.

PASSED AND ADOPTED the ____ day of _____, 2021.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney