

**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



TUESDAY, JANUARY 3, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Tuesday, January 3, 2017 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Senior Pastor Rick Brown, ChristBridge Fellowship Church

3.0 Pledges to U.S. and Texas Flags

4.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*

5.0 Reports and Announcements

- January 18, 2017 – First day to apply for Place on Ballot for the May 7, 2017 City General Election

- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Randy Parr – Report on the success of the Fire Department's Christmas Assistance Program

6.0 Approve the Minutes of the December 19, 2016 Regular Tomball City Council Meeting

7.0 Old Business:

- 7.1 Adopt, on Second Reading, Ordinance No. 2016-31, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 3.9 Acres of Land, Legally Described as Tract 262A Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property being Generally Located on the East Side of South Pitchford Street, at 909 South Pitchford; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.
- 7.2 Adopt, on Second Reading, Ordinance No. 2016-33, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-2 (“Definitions”), Section 50-82(B) (“Use Charts”) and Section 50-116 (“Supplemental Regulations”) by Defining and Creating a Land Use for “Mobile Food Courts”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters
- 7.3 Adopt, on Second Reading, Ordinance No. 2016-34, an Ordinance of the City of Tomball, Texas Amending Section 32-2, Exceptions to Chapter, and Section 32-8, Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, in General, of Chapter 32, Peddlers and Solicitors, to Allow Mobile Food Vendors Registered with the City in Compliance with the City’s Zoning Regulations; Providing a Penalty Not to Exceed \$2,000.00 for any Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability and Providing Other Findings Related Hereto
- 7.4 Adopt, on Second Reading, Ordinance No. 2016-35, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Public Right-of-Way, All Situated in the Replat of Final Plat Reserve at Spring Lake Section One and in the Replat of The Reserve at Spring Lake Section Two, Located in the Joseph Miller League, A-50, W.H. Clemens Survey, A-1641, Harris County Texas; Vacating and Abandoning Said Right-Of-Way and Replacing with an Access and Utility Easement; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Street Right-of-Way to Zion Road Properties, LLC; Providing for Severability; and Containing Other Provisions Relating to the Subject

8.0 New Business:

- 8.1 Approve Resolution No. 2017-01, a Resolution and Order of the City Council of the City Of Tomball, Texas, Ordering the General City Election, to be Held in the

City of Tomball on Saturday, May 6, 2017; Designating the Polling Places and Appointing Election Officials for Such Election; Directing the Giving of Notice of Such Election; and Providing Details Relating to the Holding of Such Election.

Aprobar la Resolución Nro. 2017-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 6 de mayo de 2017; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la Fecha de una Elección de Desempate de ser Necesaria; y Proporcionando Detalles Referentes a la Celebración de Tal Elección.

Chấp thuận Nghị Quyết số 2017-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 6 tháng Năm, 2017; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó

批准決議案編號2017-01, 為一德克薩斯州, Tomball市市議會決議及指示, 特指示一市府官員普選, 其將於2017年5月6日, 星期六在Tomball市召開; 並已為此選舉指定投票所地點以及指派選舉官員; 指導發出本選舉之選舉通知; 如需要, 將指定決選日期; 以及提供所有與召開本選舉相關的細節

- 8.2 Approve Resolution No. 2017-02, a Resolution of the City Council of the City of Tomball, Texas, Designating the Official Newspaper for 2017 for Publication of Matters Pertaining to the City of Tomball
- 8.3 Award Engineering Contract to Jones and Carter for Design Services for a Water and Sewer Line along Zion and E. Hufsmith Roads in the Amount of \$196,000
- 8.4 Approve Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 2000-62916, styled *City of Tomball, et al vs. Emma Dial Fullylove, et al*, said Property being described as: *Tract 1*: Lot No. 44, Block No. 36, Located in Harris County, Texas, According to the Map or Plat Thereof Recorded in Vol. 4, Page 25 of the Map Records of Harris County, Texas, HCAD Acct No. 035-264-036-0044, to Maricsa Villasenor, in the Amount of \$3,749.47; Located at 0 Clarence Street, Tomball
- 8.5 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

9.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 29th day of December 2016 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer

Doris Speer
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 3, 2017

Topic:

- Led by Senior Pastor Rick Brown, ChristBridge Fellowship Church

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

- January 18, 2017 – First day to apply for Place on Ballot for the May 7, 2017 City General Election
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Randy Parr – Report on the success of the Fire Department's Christmas Assistance Program

Background:

Origination:

Various

Recommendation:

N/A

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Deadline to Apply for Place on Ballot for the May 6, 2017 City General Election

NOTICE OF DEADLINE TO FILE APPLICATIONS FOR PLACE ON THE BALLOT
(AVISO DE FECHA LÍMITE PARA PRESENTAR SOLICITUDES PARA UN LUGAR EN LA BOLETA)
(THÔNG BÁO VỀ THỜI HẠN NỘP ĐƠN XIN GHI DANH TRÊN LÁ PHIẾU)
(申請選票席位 截止日期通知)

Notice is hereby given that applications for a place on the May 6, 2017 City of Tomball, Texas General Election ballot may be filed during the following time:
(Se da aviso por la presente que las solicitudes para un lugar en la boleta de la Elección General de la Ciudad de Tomball, Tejas de 6 de mayo de 2017 se pueden presentar durante el siguiente horario:)
(Theo đây xin thông báo quý vị có thể nộp đơn xin ghi tên tranh cử trên lá phiếu cho Cuộc Tổng Tuyển Cử của Thành Phố Tomball, Texas ngày 6 tháng Năm, 2017 vào ngày giờ sau đây:)
(特此通知, 申請 2017 年 5 月 6 日 Texas 州 Tomball 市 普通選舉之選票席位可於以下期間辦理登記:)

Filing Dates and Times:

(Fechas y Horario para Entregar Presentaciones):
(Ngày giờ nộp đơn):
(登記日期和时间):

Start Date: <u>January 18, 2017</u>	End Date: <u>February 17, 2017</u>
(Fecha Inicio): <u>18 de enero de 2017</u>	(Fecha Limite): <u>17 de febrero de 2017</u>
(Ngày bắt đầu: <u>18 tháng Một, 2017</u>)	(Ngày kết thúc): <u>17 tháng Hai, 2017</u>
(開始日期): <u>2017 年 1 月 18 日</u>	(截止日期): <u>2017 年 2 月 17 日</u>

Office Hours: Monday-Thursday: 7:45 a.m.-5:00 p.m.; Friday: 7:45 a.m.-4:00 p.m.
Horario de la Oficina: Lunes-Jueves: 7:45 a.m.-5:00 p.m.; Viernes: 7:45 a.m.-4:00 p.m.
Giờ làm việc: Thứ Hai - thứ Năm, 7:45 a.m.-5:00 p.m.; thứ Sáu: 7:45 a.m.-4:00 p.m.
辦公時間: 週一至週四: 上午 7:45 - 下午 5:00; 週五: 上午 7:45 - 下午 4:00

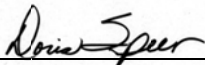
Physical address for filing applications in person for place on the ballot:
(Dirección a física para presentar las solicitudes en persona para un lugar en la boleta):
(Địa chỉ tiếp nhận đơn xin nộp trực tiếp):
(親自辦理選票席位申請地址):

City Secretary	La Secretaria de la Ciudad	Thư Ký Thành Phố	市秘書
City of Tomball, Texas	La Ciudad de Tomball, Tejas	Thành phố Tomball, Texas	Texas 州 Tomball 市
401 Market Street	401 Market Street	401 Market Street	401 Market Street
Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375

Address to mail applications for place on the ballot (if filing by mail):
(Dirección a donde enviar las solicitudes para un lugar en la boleta (en caso de presentar por correo))
(Địa chỉ nhận đơn xin gửi qua thư bưu điện (nếu nộp qua thư)):
(郵寄辦理選票席位申請地址 (如郵寄申請)):

City Secretary	Secretaria de la Ciudad	Thư Ký Thành Phố	市秘書
City of Tomball, Texas	La Ciudad de Tomball, Tejas	Thành phố Tomball, Texas	Texas 州 Tomball 市
401 Market Street	401 Market Street	401 Market Street	401 Market Street
Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375

Doris Speer, City Secretary/Secretaria de la Ciudad/
Thư Ký Thành Phố/市秘書
Printed Name of Filing Officer
(Nombre en letra de molde del Oficial de Archivos)
(Tên viết bằng chữ in của viên chức phụ trách thủ tục nộp đơn xin)
(登記官印刷體姓名)


Signature of Filing Officer
(Firma del Oficial de Archivos)
(Chữ ký của viên chức phụ trách thủ tục nộp đơn xin)
(登記官簽名)

December 2, 2016/2 de diciembre de 2016/
Ngày 2 tháng Mười Hai, 2016/2016 年 12 月 2 日
Date Posted (Fecha archivada) (Ngày đăng) (发布日期)

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 3, 2017

Topic:

Approve the Minutes of the December 19, 2016 Regular Tomball City Council Meeting

Background:

Origination:

Recommendation:

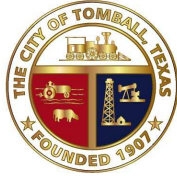
Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Draft Minutes of the December 19, 2016 Regular City Council Meeting

MINUTES OF THE REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



MONDAY, DECEMBER 19, 2016

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Hudgens
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Billy Tidwell
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Public Works – David Esquivel
Director of Community Development – Craig Meyers
Assistant City Engineer – Beth Jones
Assistant City Planner – Amelia Lindley
CSO Administrative Assistant – Tracy Garcia
Building Official – Ken Cole
Police Detective – Kenneth Yoho
Police Detective – Ron McGullion
Police Lieutenant – Danny Arriaga

2.0 The invocation was led by Pastor Kenny Rodgers, Anointed Faith Family Church.

3.0 Pledges to U. S. and Texas Flags were led by Members of Pack 72 Cub Scouts.

4.0 No public comments were received.

5.0 Reports and Announcements:

- December 23 and 26, 2016 – **Christmas Holidays** – City offices closed
- January 2, 2017 – **New Year's Day Holiday** – City offices closed
- January 18, 2017 – First day to apply for Place on Ballot for the May 7, 2016 City General Election
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
 - Denise Fiore – Report on the success of the “**Christmas on Commerce**” Event
 - Doris Speer – the City Secretary’s Office has received the “**5 Star Exemplary Award**” from the Texas Department of Health and Human Services for the sixth year
 - Doris Speer – Tracy Garcia has earned her **Master Registrar Certification** from the Texas Department of Health and Human Services

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the December 5, 2016 Special Meeting of the Tomball City Council and the December 5, 2016 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve, on Second Reading, Ordinance No. 2016-30, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 7.34 Acres of Land, Legally Described as Tracts 189A, 189B, 189C, 193A-1 & 193B-1 Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Single-Family 20 Estate District to the Commercial District; Said Property Being Generally Located on the East Side of South Cherry Street, North of Theis Lane at 1623 South Cherry Street; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

8.0 New Business:

- 8.1 Motion was made by Councilman Townsend, second by Councilman Degges, to approve Resolution No. 2016-27, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual Baseball Parade, to be held in Tomball on Saturday, March 4, 2017.

Motion carried unanimously.

- 8.2 Consideration to approve **Zoning Case P16-0162**: Request by Eleazar Cano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, generally located on the east side of South Pitchford Road at 909 South Pitchford Road, from the Agricultural District to the Commercial District.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P16-0162** at 6:17 p.m.
- Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:17 p.m.
- Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2016-31 by caption only on first reading.

Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-31, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 3.9 Acres of Land, Legally Described as Tract 262A Tomball Outlots, Within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located on the East Side of South Pitchford Street, at 909 South Pitchford; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.3 Consideration to approve **Zoning Case P16-0171**: Request by Aaron Edwards, on Behalf of Tomball Renewal Center, for a Conditional Use Permit to Operate a Rehabilitation Care Facility (Halfway House) at 401 ½ Commerce Street and to Operate an Institution for Alcoholic, Narcotic or Psychiatric Patients at 401 Commerce Street. The property is approximately 0.17 acres, legally described as Lots 22, 23 & 24 Block 18 Tomball, generally located at the southwest corner of Commerce Street and North Oak Street and is zoned Old Town & Mixed Use.

- Mayor Fagan opened the Public Hearing on **ZONING CASE P16-0171** at 6:45 p.m.. The following comments were received:

Rev. Steven G. Lightfoot 455 School, 77375	-	Expressed his support for the CUP
Becky Loving 1015 Inwood, 77375	-	Expressed her support for the CUP
Leanne Dinsmore 401 Commerce, 77375	-	Expressed her support for the CUP
Rick Brown 24102 Doverwick, 77375	-	Expressed his support for the CUP
Britt Heald 213 W. Main, 77375	-	Expressed his opposition to the CUP
Mike Brockwell 22102 Gromwell, 77351	-	Expressed his support for the CUP
Les Herron 13922 Blackfoot, 77429	-	Expressed his support for the CUP
Father George McGavern 505 Tall Pines, 77354	-	Expressed his support for the CUP
Mary Harvey 401 S. Walnut, 77375	-	Expressed her opposition to the CUP
Kevin Peipper 22407 Miramar Crest, 77375	-	Expressed his support for the CUP (read by Rev. Lightfoot)
Samantha Heard 212 S. Pine, 77375	-	Expressed her opposition to the CUP

Tina Roquemore - Expressed her opposition to the CUP
614 North Hickory

Rodney Hutson - Expressed both opposition and
9431 Rosie Lane, 77354 support regarding the CUP

- Receiving no further public comments, Mayor Fagan closed the Public Hearing at 7:21 p.m.
- Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2016-32 by caption only on first reading.

Motion carried unanimously.

- Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-32, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (Cup) to Aaron Edwards, on Behalf of Tomball Renewal Center, to Operate a “Rehabilitation Care Facility (Halfway House)” at 401 ½ Commerce Street and to Operate an “Institution for Alcoholic, Narcotic or Psychiatric Patients” at 401 Commerce Street; Said Property Being Approximately 0.17 Acres, and Being Legally Described as Lots 22, 23 & 24 Block 18 Tomball, Harris County, Texas, Generally Located at the Southwest Corner of Commerce Street and North Oak Street; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability.

Motion to TABLE consideration of this item until the February 6, 2017 Council meeting was made by Councilman Townsend, second by Councilman Stoll.

Motion to TABLE to a date certain carried unanimously.

Mayor Fagan recessed the meeting at 8:06 p.m.; upon reconvening into regular session at 8:15 p.m., Mayor Fagan recused herself from discussion and action regarding Items 8.4 and 8.5, having filed an Affidavit of Conflict of Interest with the City Secretary. Mayor Pro Tem Degges proceeded with the meeting.

- 8.4 Consideration to approve **ZONING CASE P16-0175**: Request by the City of Tomball to amend Sections 50-2 (“Definitions”), 50-82 (b) (“Use Charts”), and 50-116 (“Supplemental Regulations”) of the Tomball Code of Ordinances by defining and creating a land use for “Mobile Food Courts”.

- Mayor Pro Tem Degges opened the Public Hearing on **ZONING CASE P16-0175** at 8:15 p.m. The following comments were received:

Dan Howes - Expressed his support of the zoning change.
15223 Hilltop View, 77429

Darryl Romero - Expressed his support of the zoning change.
8303 Vintage Creek, 77379

Michael Fagan - Expressed his support of the zoning change.
1314 Pine Brook, 77375

- Receiving no additional public comments, Mayor Pro Tem Degges closed the Public Hearing at 8:28 p.m.
- Motion was made by Councilman Townsend, second by Councilman Hudgens, to read Ordinance No. 2016-33 by caption only on first reading.

Motion carried unanimously.

- Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on First Reading, Ordinance No. 2016-33, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-2 (“Definitions”), Section 50-82(B) (“Use Charts”) and Section 50-116 (“Supplemental Regulations”) by Defining and Creating a Land Use for “Mobile Food Courts”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.5 Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2016-34 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-34, an Ordinance of the City of Tomball, Texas Amending Section 32-2, Exceptions to Chapter, and Section 32-8,

Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, in General, of Chapter 32, Peddlers and Solicitors, to Allow Mobile Food Vendors Registered with the City in Compliance with the City's Zoning Regulations; Providing a Penalty Not to Exceed \$2,000.00 for any Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability and Providing Other Findings Related Hereto.

Motion to AMEND was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-34, an Ordinance of the City of Tomball, Texas Amending Section 32-2, Exceptions to Chapter, and Section 32-8, Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, in General, of Chapter 32, Peddlers and Solicitors, to Allow Mobile Food Vendors Registered with the City in Compliance with the City's Zoning Regulations; Providing a Penalty Not to Exceed \$2,000.00 for any Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability and Providing Other Findings Related Hereto, by adding provisions to limit occupancy to six months, to require that food trucks retain their roadworthiness at all times and to request confirmation of sales tax compliance on the registration form. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion to AMEND carried unanimously.

- 8.6 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2016-35 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2016-35, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Public Right-of-Way, All Situated in the Replat of Final Plat Reserve at Spring Lake Section One and in the Replat of The Reserve at Spring Lake Section Two, Located in the Joseph Miller League, A-50, W.H. Clemens Survey, A-1641, Harris County Texas; Vacating and Abandoning Said Right-Of-Way and Replacing with an Access and Utility Easement; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Street Right-of-Way to Zion Road Properties, LLC; Providing for Severability; and Containing Other Provisions Relating to the Subject. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

9.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 3rd day of January 2017.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2016-31, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 3.9 Acres of Land, Legally Described as Tract 262A Tomball Outlots, within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property being Generally Located on the East Side of South Pitchford Street, at 909 South Pitchford; Providing for the Amendment of the Official Zoning Map of the City; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

Background:

On Monday, December 12, 2016, after conducting a public hearing, the Planning and Zoning Commission unanimously voted to recommend approval of Zoning Case P16-0162.

Origination:

Eleazar Cano

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community Development Director

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Ordinance No. 2016-31

Staff Report

Notice of Public Hearing

Property Owner Notification

ORDINANCE NO. 2016-31

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 3.9 ACRES OF LAND, LEGALLY DESCRIBED AS TRACT 262A TOMBALL OUTLOTS, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS, FROM THE AGRICULTURAL DISTRICT TO THE COMMERCIAL DISTRICT; SAID PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF SOUTH PITCHFORD STREET, AT 909 SOUTH PITCHFORD; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, Eleazar Cano has requested that approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, City of Tomball, Harris County, Texas, generally located on the east side of South Pitchford Street, at 909 South Pitchford Street, in the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within two hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

Whereas, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve the requested rezoning of Commercial; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

Whereas, the City Council deems it appropriate to grant the requested rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

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

Section 2. The zoning classification of the Property is hereby changed from the Agricultural District to the Commercial District subject to the regulations, restrictions, and conditions hereafter set forth.

Section 3. The Official Zoning Map of the City of Tomball, Texas shall be revised and amended to show the designation of the Property as Commercial District, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Tomball, save and except the change in zoning classification for the Property to the Commercial District as described above.

Section 5. In the event any section, paragraph, subdivision, 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 any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19th DAY OF DECEMBER 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

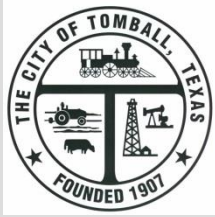
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF JANUARY 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

ATTEST:

Gretchen Fagan, Mayor

Doris Speer, City Secretary



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 12, 2016
City Council Public Hearing Date: December 19, 2016

Rezoning Case: P16-0162
Property Owner(s): Eleazar & Sara Cano
Applicant(s): Eleazar Cano
Legal Description: Tract 262A Tomball Outlots
Location: East side of South Pitchford Road at 909 South Pitchford Road (Exhibit "A")
Area: 3.9 acres
Comp Plan Designation: Business / Industrial (Exhibit "B")
Present Zoning and Use: Agricultural (Exhibit "C") / Undeveloped Land (Exhibit "D")
Request: Rezone from Agricultural (AG) to Commercial (C)
Adjacent Zoning & Land Uses:
 North: Agricultural / All About Color (Nursery)
 South: Agricultural / Single-family residence
 West: Agricultural / CenterPoint Substation
 East: Light Industrial / Full Circle Enterprises (Manufacturing Shop)

BACKGROUND

In October 2016, City Staff met with the applicant to discuss the possibilities of developing his property. The various uses the applicant expressed interest in are not allowed in the present Agricultural Zoning District. After discussing with City Staff, the applicant requested a rezoning to the Commercial Zoning District to potentially develop the property with a commercial use.

ANALYSIS

Properties to the north, south and west are zoned Agricultural with moderate land uses established. To the north, there is a nursery, to the west, there is a CenterPoint substation and to the south, there is a Manufactured Home Park. All other properties are used as single-family residences on large lots. Properties to the east, with frontage on South Persimmon, are zoned Light Industrial.

The Future Land Use Map designates the property as well as property to the north, south and west as Business / Industrial. Properties to the east, with frontage on South Persimmon, are designated as Employment / Office. The proposed rezoning is in accordance with the Comprehensive Plan.

ZONING CONSIDERATIONS

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

South Pitchford Road is mostly residential with two non-residential uses in the immediate area.

- B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

There are currently no City utilities on Pitchford Road. Utility mains will need to be extended or private onsite well and septic systems will need to be constructed, at the developer's expense, to serve the property.

- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

There is vacant land in the City currently zoned Commercial. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.**

There has been consistent commercial development city-wide in the Commercial District.

- E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.**

There are no detailed development plans for this property at this time.

- F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.**

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare.

- G. Whether the request is consistent with the Comprehensive Plan.**

The Future Land Use plan designates the property Business / Industrial. The request is consistent with the Comprehensive Plan.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 22, 2016. The Notice of Public Hearing was published in the paper and a sign was placed on the property on November 23, 2016. No public comment forms have been received as of the date of this report.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff recommends **APPROVAL** of Zoning Case P16-0162 for the following reasons:

1. The request is in conformance with the City's Comprehensive Plan;
2. The request is generally appropriate with the surrounding land uses;
3. The potential uses on this property would not negatively affect the health, safety and welfare of the general public.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photos
- E. Application

Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

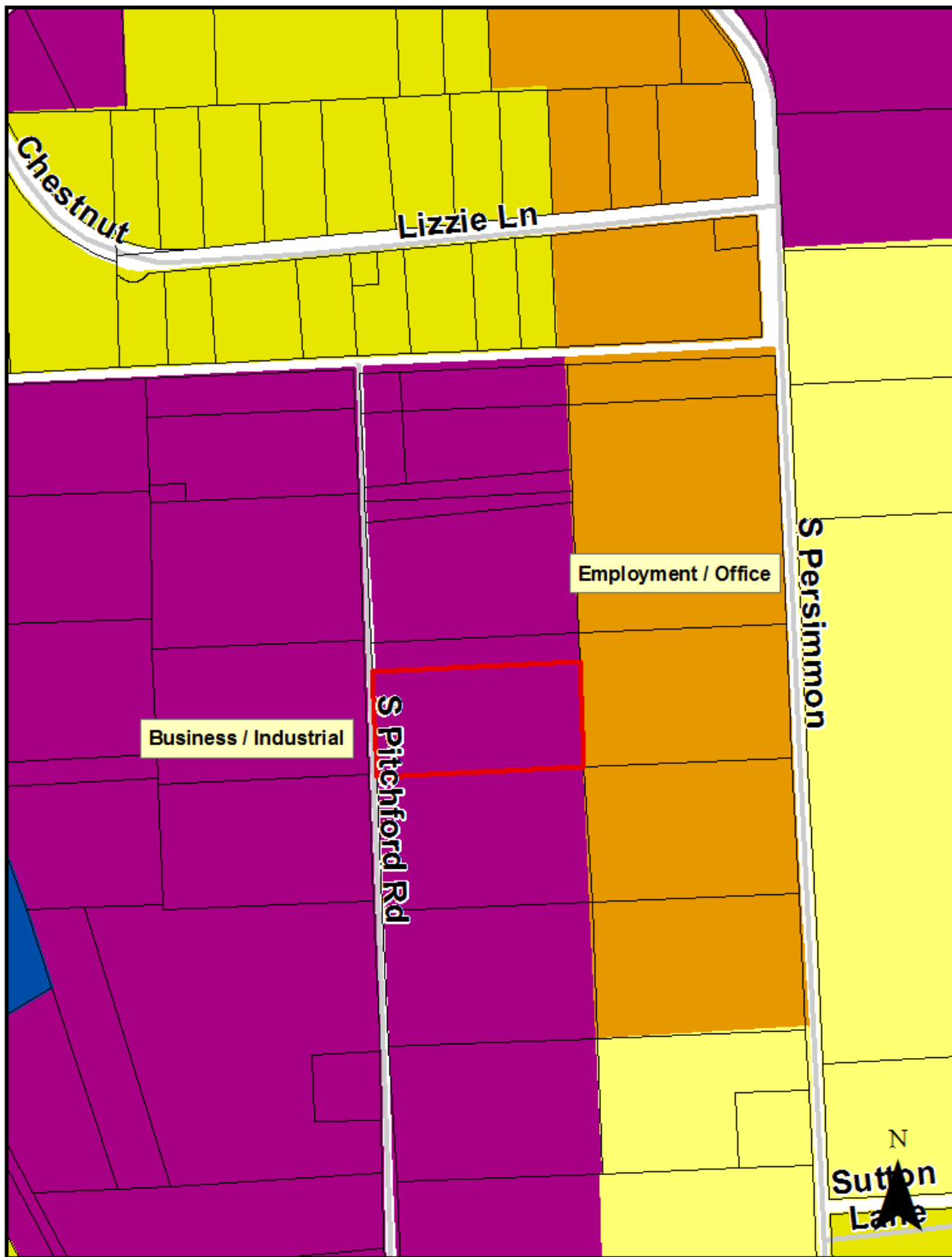
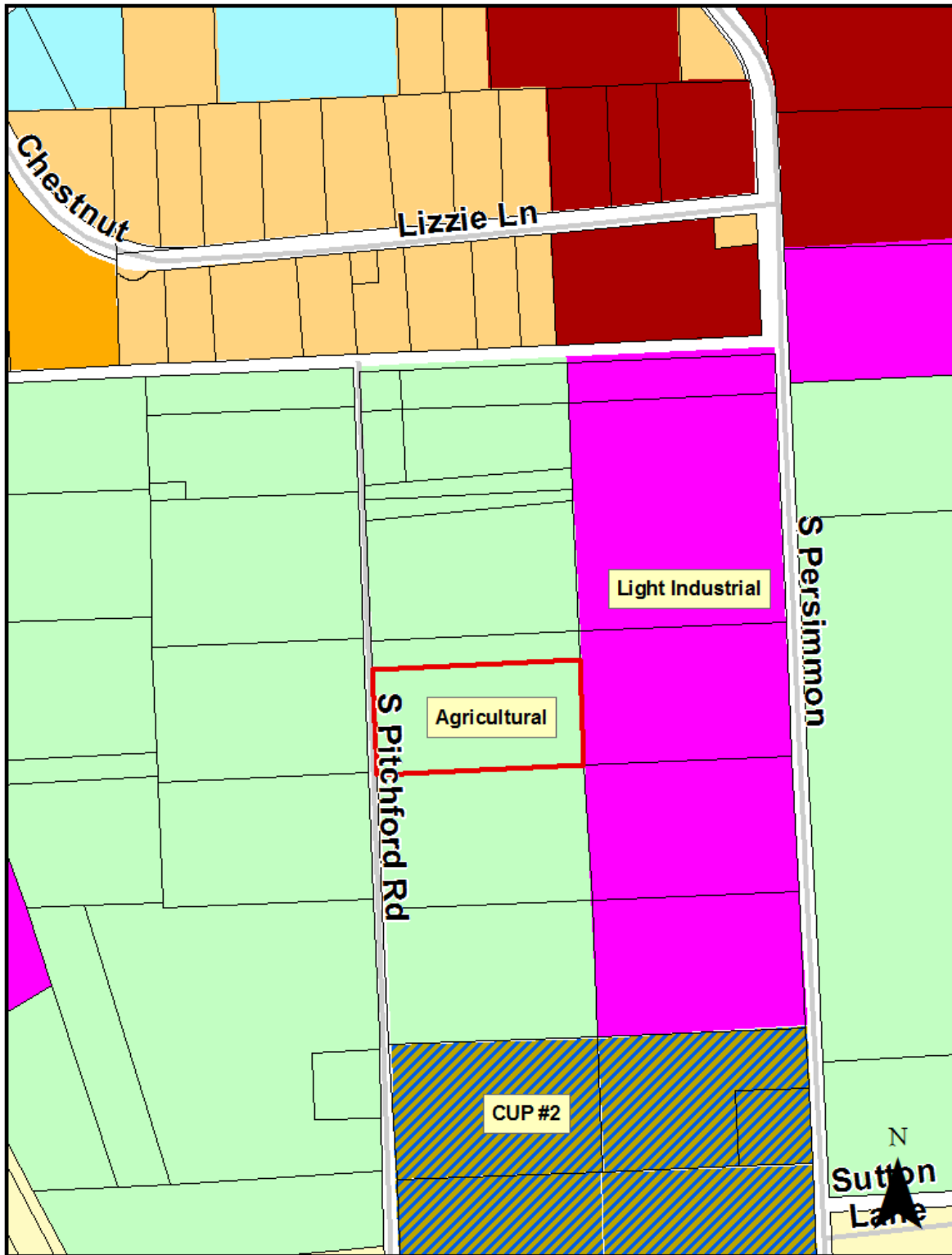


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photos**



Exhibit "E"
Application

Revised 5/19/15



116-0162
APPLICATION FOR REZONING

Community Development Department
Planning Division



APPLICATION SUBMITTAL: Applications will be **conditionally** accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

Applicant

Name: Eleazar Cano Title: _____
Mailing Address: 7907 Alexandria Ct City: Spring State: Texas
Zip: 77379
Phone: (281) 704-7214 Fax: (____) _____ Email: _____

Owner

Name: Eleazar Cano Title: _____
Mailing Address: 7907 Alexandria Ct City: Spring State: Texas
Zip: 77379
Phone: (281) 704-7214 Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: Change to Commercial

Physical Location of Property: 909 S. Pitchford RD. Tomball, TX 77375

[General Location - approximate distance to nearest existing street corner]

Legal Description of Property: Lots 262 A Tomball Outlots

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AG1

Current Use of Property: vacant

Proposed Zoning District: C

Proposed Use of Property: banquet hall

HCAD Identification Number: 6352880000262 **Acreage:** 3.9390

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 www.tomballtx.gov

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

xEleazar Cano Sara Yanez 10-10-16
Signature of Applicant Date

xEleazar Cano Sara Yanez 10-10-16
Signature of Owner Date

CITY OF TOMBALL
281-351-5484

REC#: 00952906 10/10/2016 4:57 PM
OPER: LS TERM: 005
REF#: W VISA 611

ACCT #: XXXX-XXXX-XXXX-2815
AUTH #: 796195
TRAN #: 008692938259
TYPE: PURCHASE

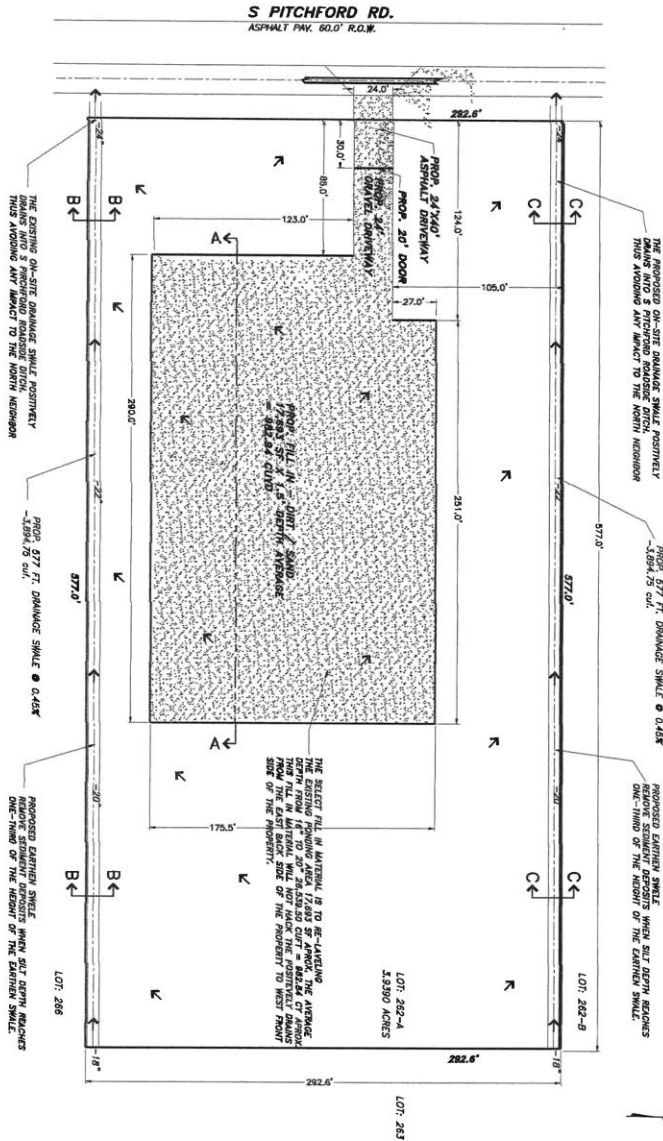
TRAN: 130.0000 PLANNING AND ZONING
ELEAZAR CANO
909 S PITCHFORD RD
100-5441
REZONING APPLICATIO 440.00CR

TENDERED: 440.00 CREDIT CARD
APPL TEND: 440.00-

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

THE PROPOSED ON-SITE DRAINAGE SWALE POSITIVELY DRAINS INTO S PITCHFORD ROADSIDE DITCH, THUS AVOIDING ANY IMPACT TO THE SOUTH NEIGHBOR. ABOVE SEWER DEPOSITS WOULD BE RELOCATED INTO THE EXISTING DRAINAGE SWALE. THE PROPOSED DRAINAGE SWALE TO NOT DRAIN TO ADJACENT PROPERTY.



THE LOCATION OF THE SUBJECT TRACT ON THE REAL ESTATE INSURANCE MAP, MAP NO. 1, IS SHOWN IN THE AREA OUTLINE OF THE 100-YEAR FLOOD PLAIN. THE SUBJECT TRACT IS SHOWN IN THE AREA OUTLINE OF THE 100-YEAR FLOOD PLAIN. THE SUBJECT TRACT IS SHOWN IN THE AREA OUTLINE OF THE 100-YEAR FLOOD PLAIN.

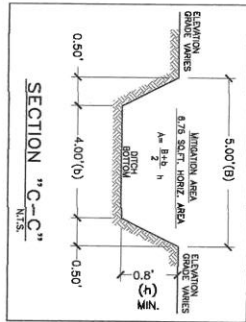
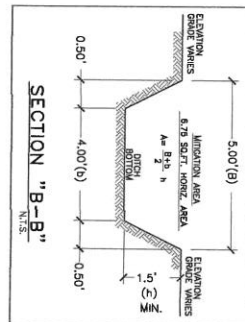
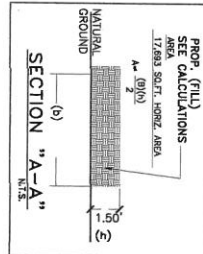
SITE PLAN
PROPOSED BACK PORCH - FILL IN
909 S PITCHFORD RD.
TOMBALL, TX 77375

OWNER: **REXAR ESTATE**
3423 SUNDANCE TR
HOUSTON, TX 77066
PH 281-704-7214
DATE: **MARCH 13, 2013**
DESIGN: **JFC ENGINEERING**
FILE: **JFC/0312/ESCANO**
DRAWING: **MT-01**

SITE PLAN
PROPOSED BACK PORCH - FILL IN
909 S PITCHFORD RD.
TOMBALL, TX 77375

JFC ENGINEERING, P.C.
One & A Half Block Development
Real Estate Management
11111 Highway 10
Houston, TX 77036
PH 713-283-7626
FAX 713-283-7629
www.jfcengineering.com

REVISIONS
No. DATE DESCRIPTION
1
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FILL IN AND DETENTION CALCULATIONS

• LOCATION/FILL IN FOOTPRINT
"A-A" SECTION SQ. FT. = 17,693.00 SQ. FT.
EXISTING GRADE = VARIES
FILL IN DEPTH = 1.50'
(1.50' x 17,693.00) = 26,539.50 CU. FT.
(1.50' x 17,693.00)/27 = 982.94 CU. YD.
-PROPOSED FILL = 983.00 CU. YD.

• PROPOSED DETENTION LOCATION
"B-B" SECTION AREA = (5+4)/2 X 1.5' = 6.75 SQ. FT.
DITCH LENGTH = 577.00 FT.
(6.75 X 577) = 3,894.75 CU. FT.
"C-C" SECTION AREA = (5+4)/2 X 1.5' = 6.75 SQ. FT.
DITCH LENGTH = 577.00 FT.
(6.75 X 577) = 3,894.75 CU. FT.
NOTE: THE DEPTH OF MITIGATION, SHOULD BE THE MIN.
AS SHOWN IN THE CALCULUS, BUT IT SHOULD
INCREASE ACCORDING TO THE PROPOSED GRADE.
-PROPOSED DETENTION : 7,789.50 CU. FT.

FILL IN & DETENTION CALCULATIONS

NOTES:

-DO NOT DRAIN TO ADJACENT PROPERTY
-IT IS THE BUILDERS/CONTRACTOR RESPONSIBILITY TO VERIFY
ALL SLAB HEIGHTS, SLAB CONFIGURATIONS AND DROPS, UTILITY
EASEMENTS, AERIAL EASEMENTS, BUILDING LINES & SUCH FOR
ENCROACHMENTS, ACCURACY & COMPLIANCE TO CODES.
-BUILDERS/CONTRACTOR TO VERIFY ALL INFORMATION ON THIS
SITE PLAN & BE RESPONSIBLE FOR ITS ACCURACY.

* SPECIAL NOTE:

DUE TO THE FILL WAS USED AS LOT LEVELING, THE MITIGATION AREA WILL NOT BE USED
IN THE SAME LOT AND IT WILL BE REMOVED AND WILL BE TAKEN TO A LANDFILL TYPE IV.
THE DEPTH OF REMOVAL SHOULD BE 0.80 FT. MIN. AND MAY VARY TO GET PROPERLY
DRAINAGE FLOW.



JFC ENGINEERING LLC
Civil & Mechanical Engineering
State Wide Registration
1101 North Loop West, Suite 100
Houston, Texas 77008
Phone: 281-441-1111
Fax: 281-441-1112
www.jfcengineering.com

**SITE PLAN
PROPOSED BACK PORCH - FILL IN**
909 S PITCHFORD RD.
TOMBALL, TX 77375

OWNER & LEGAL DESIGN
EUGENE ESCOBAR
EUGENE ESCOBAR & ASSOCIATES, INC.
HOUSTON, TX 77066
PH: 281-794-7214

DATE: _____
DRAWN: _____
SCALE: _____
FILE: _____
CHECKED: _____
SHEET 2 OF 8

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 12, 2016
&
CITY COUNCIL
DECEMBER 19, 2016**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 12, 2016, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 19, 2016, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case P16-0162: Request by Eleazar Cano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, generally located on the east side of South Pitchford Road at 909 South Pitchford Road, from the Agricultural District to the Commercial District.

Zoning Case P16-0171: Request by Aaron Edwards, on behalf of Tomball Renewal Center, for a Conditional Use Permit to operate a *Rehabilitation Care Facility (Halfway House)* at 401 ½ Commerce Street and to operate an *Institution for alcoholic, narcotic or psychiatric patients* at 401 Commerce Street. The property is approximately 0.17 acres, legally described as Lots 22, 23 & 24 Block 18 Tomball, generally located at the southwest corner of Commerce Street and North Oak Street and is zoned Old Town & Mixed Use.

ZONING CASE P16-0175: Request by the City of Tomball to amend Sections 50-2 ("Definitions"), 50-82 (b) ("Use Charts"), and 50-116 ("Supplemental Regulations") of the Tomball Code of Ordinances by defining and creating a land use for "Mobile Food Courts".

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

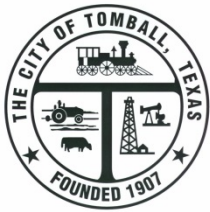
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **8th** day of **December 2016** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



Notice of Public Hearing

YOU ARE INVITED TO ATTEND Public Hearings before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P16-0162

APPLICANT/OWNER: Request by Eleazar Cano

LOCATION: Generally located on the east side of South Pitchford Road at 909 South Pitchford Road

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, from the Agricultural District to the Commercial District

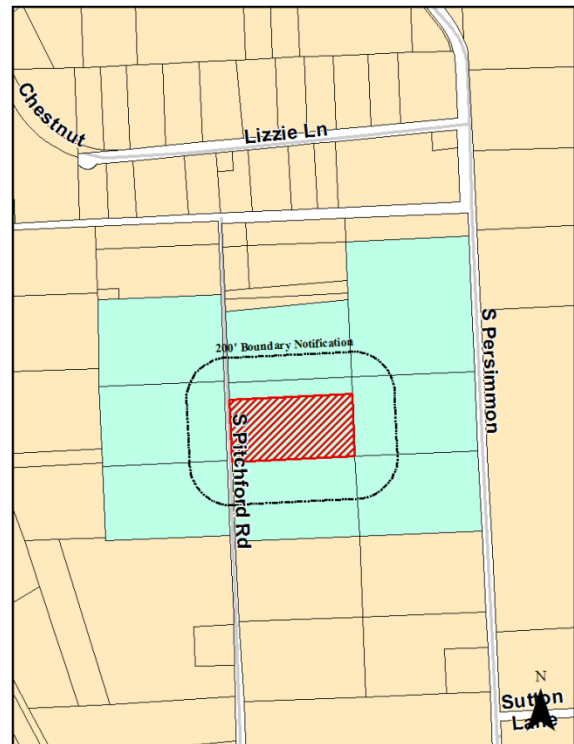
CONTACT: Amelia Lindley

PHONE: (281) 290-1410

E-MAIL: alindley@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.



**Planning & Zoning Commission
Public Hearing:
Monday, December 12, 2016, 6:00 PM**

**City Council Public Hearing:
*Monday, December 19, 2016, 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2016-33, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Code of Ordinances by Amending Section 50-2 (“Definitions”), Section 50-82(B) (“Use Charts”) and Section 50-116 (“Supplemental Regulations”) by Defining and Creating a Land Use for “Mobile Food Courts”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters

Background:

On Monday, December 12, 2016, after conducting a public hearing, the Planning and Zoning Commission unanimously voted to recommend approval of Zoning Case P16-0175.

Council adopted Ordinance Nos. 2016-33 and 2016-34 on First Reading, with amendments to be added to Ordinance No. 2016-34 to limit occupancy to six months, to require that food trucks retain their roadworthiness at all times and to request confirmation of sales tax compliance on the registration form.

Community Development's recommendation is that these provisions be added to Chapter 50 instead of Chapter 32 and Ordinance No. 2016-33 has been amended accordingly.

Origination:

Community Development Department

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community Development Director

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Ordinance No. 2016-33

Staff Report

Notice of Public Hearing

ORDINANCE NO. 2016-33

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE CODE OF ORDINANCES BY AMENDING SECTION 50-2 (“DEFINITIONS”), SECTION 50-82(B) (“USE CHARTS”) AND SECTION 50-116 (“SUPPLEMENTAL REGULATIONS”) BY DEFINING AND CREATING A LAND USE FOR “MOBILE FOOD COURTS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

WHEREAS, the City of Tomball has requested that Chapter 50 (Zoning) of the Code of Ordinances be amended;

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted public hearings regarding the request to amend Chapter 50 (Zoning) of the Code of Ordinances;

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve amendments to Chapter 50 (Zoning) of the Code of Ordinances; and

Whereas, the City Council deems it appropriate to grant the amendments to Chapter 50 (Zoning) of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

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

Section 2. Section 50-2 (Definitions) is hereby amended by adding the following:

Mobile Food Court means a parcel of land where two or more mobile food vendors congregate to offer food or beverages for sale to the public as the principal use of the land. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary, accessory use, and/or temporary use.

Section 3. Section 50-82(b) (Use Charts) of the Code of Ordinances is hereby amended by adding the following:

Land Use Type	Residential Zoning Districts							Nonresidential Zoning Districts				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Retail													
Mobile Food Court									C	C	C	C	Whichever is greater: 1 per 100 square feet of seating area or 2 per mobile food vendor

Section 4. Section 50-116 (Supplemental Regulations) of the Code of Ordinances is hereby amended by adding the following:

1. Site Development Standards for Mobile Food Vendors

- a. No Mobile Food Vendor nor any associated seating areas shall be located in the required landscape buffer yard, access easement, surface drainage easement, driveway, and/or fire lane(s).
- b. All activity must occur on private property, outside of the public right-of-way.
- c. There shall be at least three (3) feet of unobstructed clearance between all individual Mobile Food Vendors and all permanent or accessory structures and at least ten (10) feet of unobstructed clearance for mobile food vendors parked side-by-side.
- d. Mobile Food Vendors shall not park in required parking stalls, rather they shall be located on a designated paved surface. Spaces for Mobile Food Vendors shall meet the minimum parking requirements per Table Section 50-112-1.
- e. Vehicular drive-thru service of food and/or beverages shall not be permitted.
- f. Accessible restroom facilities shall be provided within a permanent structure. Temporary or portable toilet facilities are not permitted.
- g. Electrical service may be provided to the Mobile Food Vendors by a permitted electrical connection or on-board generators. When using on-board generators, sound absorbing devices shall be used.
- h. A designated seating area shall be provided for patrons.
- i. A Mobile Food Vendor conducting business at a Mobile Food Court shall not be located within the same Mobile Food Court for a period in excess of 180 days. The same Mobile Food Vendor shall not return to the same Mobile Food Court for a period of 30 days.

j. Mobile Food Vendors conducting business at a Mobile Food Court shall have current vehicular registration and shall be in a suitable operating condition for transit.

k. All Mobile Food Vendors shall meet all other requirements per Chapter 32 – Peddlers and Solicitors.

Section 5. Chapter 50 (Zoning) of the Code of Ordinances shall be revised and amended as indicated above.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any other provision of Chapter 50 (Zoning) of the Code of Ordinances except as indicated above.

Section 7. In the event any section, paragraph, subdivision, 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 any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19th DAY OF DECEMBER 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3rd DAY OF JANUARY 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Planning and Zoning Commission Hearing Date: December 12, 2016

Section 50-116 (*Supplemental Regulations*)

Site Development Standards for Mobile Food Courts

- (1) No Mobile Food Vendor nor any associated seating areas shall be located in the required landscape buffer yard, access easement, surface drainage easement, driveway, and/or fire lane(s).
- (2) All activity must occur on private property, outside of the public right-of-way.
- (3) There shall be at least three (3) feet of unobstructed clearance between all individual Mobile Food Vendors and all permanent or accessory structures and at least ten (10) feet of unobstructed clearance for mobile food vendors parked side-by-side.
- (4) Mobile Food Vendors shall not park in required parking stalls, rather they shall be located on a designated paved surface. Spaces for Mobile Food Vendors shall meet the minimum parking requirements per Table Section 50-112-1.
- (5) Vehicular drive-thru service of food and/or beverages shall not be permitted.
- (6) Accessible restroom facilities shall be provided within a permanent structure. Temporary or portable toilet facilities are not permitted.
- (7) Electrical service may be provided to the Mobile Food Vendors by a permitted electrical connection or on-board generators. When using on-board generators, sound absorbing devices shall be used.
- (8) A designated seating area shall be provided for patrons.
- (9) All Mobile Food Vendors shall meet all other requirements per Chapter 32 – Peddlers and Solicitors.

PUBLIC COMMENT

A public hearing notice was published in the Potpourri on November 23, 2016. No public comment forms have been received as of the date of this report.

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 12, 2016
&
CITY COUNCIL
DECEMBER 19, 2016**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 12, 2016, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 19, 2016, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case P16-0162: Request by Eleazar Cano to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 3.9 acres of land, legally described as Tract 262A Tomball Outlots, generally located on the east side of South Pitchford Road at 909 South Pitchford Road, from the Agricultural District to the Commercial District.

Zoning Case P16-0171: Request by Aaron Edwards, on behalf of Tomball Renewal Center, for a Conditional Use Permit to operate a *Rehabilitation Care Facility (Halfway House)* at 401 ½ Commerce Street and to operate an *Institution for alcoholic, narcotic or psychiatric patients* at 401 Commerce Street. The property is approximately 0.17 acres, legally described as Lots 22, 23 & 24 Block 18 Tomball, generally located at the southwest corner of Commerce Street and North Oak Street and is zoned Old Town & Mixed Use.

ZONING CASE P16-0175: Request by the City of Tomball to amend Sections 50-2 (“Definitions”), 50-82 (b) (“Use Charts”), and 50-116 (“Supplemental Regulations”) of the Tomball Code of Ordinances by defining and creating a land use for “Mobile Food Courts”.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Assistant City Planner, Amelia Lindley, at (281) 290-1410 or at alindley@tomballtx.gov.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **8th** day of **December 2016** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Secretary of the Board

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Adopt, on Second Reading, Ordinance No. 2016-34, an Ordinance of the City of Tomball, Texas Amending Section 32-2, Exceptions to Chapter, and Section 32-8, Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, in General, of Chapter 32, Peddlers and Solicitors, to Allow Mobile Food Vendors Registered with the City in Compliance with the City's Zoning Regulations; Providing a Penalty Not to Exceed \$2,000.00 for any Violation Hereof with Each Day Constituting a Separate Offense; Providing for Severability and Providing Other Findings Related Hereto

Background:

Since an amendment is being made to Chapter 50 in regards to establishing a land use for mobile food courts, it is necessary to amend Section 32-2 to exempt mobile food vendors from the provisions of Chapter 32 when registered with the City and conducting business at a mobile food court as defined in Chapter 50. Also, an amendment is being made in Section 32-8 where a reference is made to the incorrect chapter for Zoning.

Ordinance 2016-34 should only be approved if the proposed amendments to Chapter 50 in regards to mobile food courts is approved (Ordinance 2016-33).

Council adopted Ordinance Nos. 2016-33 and 2016-34 on First Reading, with amendments to be added to Ordinance No. 2016-34 to limit occupancy to six months, to require that food trucks retain their roadworthiness at all times and to request confirmation of sales tax compliance on the registration form.

Community Development's recommendation is that these provisions be added to Chapter 50 instead of Chapter 32 and Ordinance No. 2016-33 has been amended accordingly.

Origination:

Community Development Department

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community Development Director

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Ordinance No. 2016-34

ORDINANCE NO. 2016-34

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS AMENDING SECTION 32-2, EXCEPTIONS TO CHAPTER, AND SECTION 32-8, RESPONSIBILITY OF OWNERS, TENANTS, AND LESSEES ALLOWING PEDDLERS TO UTILIZE PROPERTY, OF ARTICLE 1, IN GENERAL, OF CHAPTER 32, PEDDLERS AND SOLICITORS, TO ALLOW MOBILE FOOD VENDORS REGISTERED WITH THE CITY IN COMPLIANCE WITH THE CITY'S ZONING REGULATIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION HEREOF WITH EACH DAY CONSTITUTING A SEPARATE OFFENSE; PROVIDING FOR SEVERABILITY AND PROVIDING OTHER FINDINGS RELATED HERETO.

* * * * *

WHEREAS, the City of Tomball, Texas desires to exempt mobile food vendors from the requirements of Chapter 32 when the vendors are operating in accordance with the City's zoning regulations related thereto; and

WHEREAS, the City Council of the City of Tomball, Texas finds it to be in the best interest of the health, safety and welfare of its citizens to exempt mobile food vendors from the requirements of Chapter 32 as set forth herein; **now, therefore**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

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

Section 2. The Code of Ordinances of the City of Tomball, Texas is hereby amended by adding to Section 32-2, Exceptions to Chapter, of Article 1, In General, of Chapter 32, Peddlers and Solicitors, the language underscored below as follows:

“Section 32-2. - Exceptions to chapter.

The provisions of this chapter shall not apply to the following:

- (1) Sales made to dealers or permanent merchants by commercial travelers selling in the usual course of business.
- (2) Sheriffs, constables, bona fide assignees, receivers or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law.
- (3) Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state, owned or controlled by such vendor.
- (4) Noncommercial solicitations, sales or distributions for purposes of fundraising or generating profits by religious or charitable organizations, political organizations, conservation organizations, city civic organizations, or other educational organizations, which have their principal place of activity within the city.
- (5) Minors conducting fundraising activities who represent an organization for the benefit of youths, including, but not limited to, Boy Scouts, Girl Scouts, Little League groups and city school groups.
- (6) Mobile food vendors that are registered with the city and conducting business at a mobile food court as defined in Section 50-2."

Section 3. The Code of Ordinances is further amended by deleting the language struck through below and adding the language underscored below to Section 32-8, Responsibility of Owners, Tenants, and Lessees Allowing Peddlers to Utilize Property, of Article 1, In General, of Chapter 32, Peddlers and Solicitors as follows:

“Section 32-8. - Responsibility of owners, tenants and lessees allowing peddlers to utilized property.

Any property owner, tenant, or lessee who allows a peddler to utilize his private property shall be responsible, along with the peddler, for compliance with the adopted zoning regulations of the city set forth in chapter ~~48~~50. Approval by the zoning administrator must be obtained before a permit may be issued.”

Section 4. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and,

upon conviction, shall be fined in an amount not to exceed \$2000. Each day of violation shall constitute a separate offense.

Section 4. It is the intent of the City that this Ordinance shall comply in all respects with the applicable provisions of the United States Constitution, the Texas Constitution, and the Charter of the City of Tomball. 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 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.

Section 5. This Ordinance shall take effect fourteen (14) days from and after its passage and the publication of the caption hereof, as provided by law and the City's Home Rule Charter.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF DECEMBER 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF
THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF
JANUARY 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Regular City Council

Agenda Item

Meeting Date: January 3, 2017

Data Sheet

Topic:

Adopt, on Second Reading, Ordinance No. 2016-35, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity No Longer Require the Continued Existence of a Public Right-of-Way, All Situated in the Replat of Final Plat Reserve at Spring Lake Section One and in the Replat of The Reserve at Spring Lake Section Two, Located in the Joseph Miller League, A-50, W.H. Clemens Survey, A-1641, Harris County Texas; Vacating and Abandoning Said Right-Of-Way and Replacing with an Access and Utility Easement; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Street Right-of-Way to Zion Road Properties, LLC; Providing for Severability; and Containing Other Provisions Relating to the Subject

Background:

Mr. Bob Allen of Zion Road Properties, LLC reached out to the City of Tomball about his desire to privatize and gate the streets within The Reserve at Spring Lakes. As part of Mr. Allen's request, letters of no objection of the abandonment have been provided by all property owners that abut the existing rights-of-way within the residential subdivision.

Prior to execution of the quitclaim deed conveying the rights-of-way from the City of Tomball to Zion Road Properties, LLC, an access and public utility easement shall be dedicated where the rights-of way are abandoned. Prior to closing the gates on the privatized streets, a secondary public road access to Ulrich Road for The Reserves at Spring Lakes and Raleigh Creek shall be constructed and accepted by the City of Tomball. The secondary access shall be a public right-of-way, maintained by the City of Tomball, and not gated.

Origination:

Bob Allen, Zion Road Properties, LLC

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda:

Craig T. Meyers, Community Development Director

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Ordinance No. 2016-35
Letters of No Objection
Metes and Bounds

Conceptual Public Access to Ulrich Road
Entry Gate into The Reserve at Spring Lake Estates

ORDINANCE NO. 2016-35

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PUBLIC RIGHT-OF-WAY, ALL SITUATED IN THE REPLAT OF FINAL PLAT RESERVE AT SPRING LAKE SECTION ONE AND IN THE REPLAT OF THE RESERVE AT SPRING LAKE SECTION TWO, LOCATED IN THE JOSEPH MILLER LEAGUE, A-50, W.H. CLEMENS SURVEY, A-1641, HARRIS COUNTY TEXAS; VACATING AND ABANDONING SAID RIGHT-OF-WAY AND REPLACING WITH AN ACCESS AND UTILITY EASEMENT; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, A QUITCLAIM DEED CONVEYING SAID STREET RIGHT-OF-WAY TO ZION ROAD PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City Council of the City of Tomball, Texas finds that public convenience and necessity no longer require the continued existence of the street right-of-way described below and that it should be vacated, abandoned and replaced with an access and utility easement for the reason that the same is to be owned and maintained by Zion Properties, LLC; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

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

Section 2. The City Council of the City of Tomball, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of the street right-of-way described in Section 3 hereof.

Section 3. The street right-of-way, more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes, located within the City of Tomball, Harris County,

Texas, is hereby vacated and abandoned contingent upon receipt and recording of access and utility easements from Zion Road Properties, LLC.

Section 4. The Mayor and City Secretary are hereby authorized to execute and attest, respectively, a quitclaim deed, conveying the hereinabove described abandoned street right-of-way to Zion Road Properties, LLC in consideration for the payment to the City of fair market value therefor.

Section 5. In the event any section, paragraph, subdivision, 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 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, or whether there be one or more parts.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 19TH DAY OF DECEMBER, 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF
THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF
JANUARY, 2017.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office, 401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

See attached list

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. **Please see attached list**

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

Certification

I, **Robert M. Allen, - Developer**, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)

Robert M. Allen

(Printed Name)

Robert M. Allen

NOTARY FORM

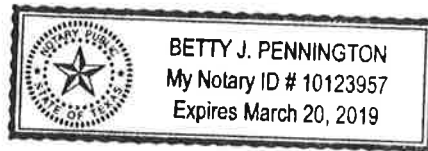
STATE OF TEXAS

COUNTY OF HARRIS

I, Betty J. Pennington, a Notary Public, do hereby certify that on this 30th day of November, 2016, personally appeared before me ROBERT M. ALLEN, known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

Betty J. Pennington

Notary Public, State of Texas



Name: Betty J. Pennington

My Commission Expires: March 20, 2019

LOTS OWNED BY ZION ROAD PROPERTIES

SECTION 1 LOTS

30702 Spring Lake Blvd – Tomball, TX 77375 – Lot 2 – Blk 1 – Sec – 1 – HCAD # 1333470010002
30935 Spring Lake Blvd – Tomball, TX 77375 – Lot 11 – Blk 2 – Sec – 1 – HCAD # 1333470020011
30943 Spring Lake Blvd – Tomball, TX 77375 – Lot 12 – Blk 2 – Sec – 1 – HCAD# 1333470020012
30942 Spring Lake Blvd – Tomball, TX 77375 – Lot 4 – Blk 3 – Sec – 1 – HCAD# 1333470030004

SECTION 2 LOTS

31003 Spring Lake Blvd – Tomball, TX 77375 – Lot 1 – Blk 1 – Sec 2 – HCAD #1368250010001
31011 Spring Lake Blvd – Tomball, TX 77375 – Lot 2 – Blk 1 – Sec 2 – HCAD #1368250010002
31019 Spring Lake Blvd – Tomball, TX 77375 – Lot 3 – Blk 1 – Sec 2 – HCAD # 1368250010003
31203 Roanoke Woods Dr – Tomball, TX 77375 – Lot 4 – Blk 1 – Sec 2 – HCAD # 1368250010004
31211 Roanoke Woods Dr – Tomball, TX 77375 – Lot 5 – Blk 1 – Sec 2 – HCAD #1368250010005
31219 Roanoke Woods Dr – Tomball, TX 77375 – Lot 6 – Blk 1 – Sec 2 – HCAD # 1368250010006
31218 Roanoke Woods Dr – Tomball, TX 77375 – Lot 7 – Blk 1 – Sec 2 – HCAD # 1368250010007
31210 Roanoke Woods Dr – Tomball, TX 77375 – Lot 8 – Blk 1 – Sec 2 – HCAD # 1368250010008
31202 Roanoke Woods Dr – Tomball, TX 77375 – Lot 9 – Blk 1 – Sec 2 – HCAD # 1368250010009
31111 Spring Lake Blvd – Tomball, TX 77375 – Lot 10 – Blk 1 – Sec 2 – HCAD # 1368250010010
31119 Spring Lake Blvd – Tomball, TX 77375 – Lot 11 – Blk 1 – Sec 2 – HCAD # 1368250010011
31002 Spring Lake Blvd- Tomball, TX 77375 – Lot 1 – Blk 2 – Sec 2 – HCAD # 1368250020001
31010 Spring Lake Blvd – Tomball, TX 77375 – Lot 2 – Blk 2 – Sec 2 – HCAD # 1368250020002
31018 Spring Lake Blvd – Tomball, TX 77375 – Lot 3 – Blk 2 – Sec 2 - HCAD # 1368250020003

31026 Spring Lake Blvd – Tomball, TX 77375 – Lot 4 – Blk 2 – Sec 2 – HCAD # 1368250020004
31034 Spring Lake Blvd – Tomball, TX 77375 – Lot 5 – Blk 2 – Sec 2 – HCAD # 1368250020005
31102 Spring Lake Blvd – Tomball, TX 77375 – Lot 1 – Blk 3 – Sec 2 – HCAD # 1368250030001
31110 Spring Lake Blvd – Tomball, TX 77375 – Lot 2 – Blk 3 – Sec 2 – HCAD # 1368250030002
31118 Spring Lake Blvd – Tomball, TX 77375 – Lot 3 – Blk 3 – Sec 2 – HCAD # 1368250030003
31111 Wild Pecan Blvd - Tomball, TX 77375 – Lot 4 – Blk 3 – Sec 2 – HCAD # 1368250030004
31134 Wild Pecan Blvd – Tomball, TX 77375 – Lot 5 – Blk 3 – Sec 2 – HCAD # 1368250030005
31110 Wild Pecan Blvd – Tomball, TX 77375 – Lot 1 – Blk 4 – Sec 2 – HCAD # 1368250040001
31102 Wild Pecan Blvd – Tomball, TX 77375 – Lot 2 – Blk 4 – Sec 2 – HCAD # 1368250040002
31110 Roanoke Woods Dr – Tomball, TX 77375 – Lot 3 – Blk 4 – Sec 2 – HCAD # 1368250040003
31118 Roanoke Woods Dr – Tomball, TX 77375 – Lot 4 – Blk 4 – Sec 2 – HCAD # 1368250040004
31111 Roanoke Woods Dr - Tomball, TX 77375 – Lot 1 – Blk 5 – Sec 2 – HCAD # 1368250050001
31119 Roanoke Woods Dr – Tomball, TX 77375 – Lot 3 – Blk 5 – Sec 2 – HCAD # 1368250050002



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

**Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.**

Minimum Submittal Requirements

- ☐ \$300 application fee;
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- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 1 - Lots 12 & 13 - Sec 2

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 -1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Springs Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxton Rd - Houston 77005

Certification

I, Steve Mueller & Anita Mueller, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)




(Printed Name)

Steve Mueller

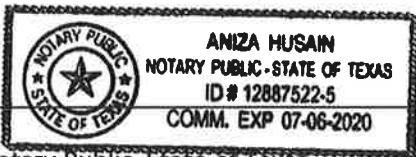
Anita Mueller

NOTARY FORM

STATE OF TEXAS

COUNTY OF HARRIS

I, ANIZA HUSAIN, a Notary Public, do hereby certify that on this 28th day of OCTOBER, 2016, personally appeared before me ANITA MUELLER known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.



Notary Public, State of Texas

Name: ANIZA HUSAIN

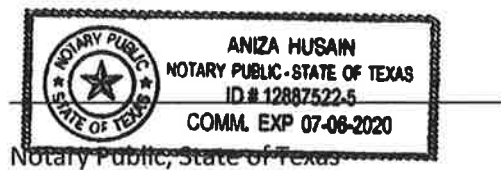
My Commission Expires: 7/6/2020

NOTARY FORM

STATE OF TEXAS

COUNTY OF HARRIS

I, ANIZA HUSAIN, a Notary Public, do hereby certify that on this 28th day of October, 2016, personally appeared before me STEVE Mueller & ANITA Mueller known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.



Name: ANIZA HUSAIN

My Commission Expires: 7/6/2020



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 3 - Lot 3 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 -1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Srpings Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxtton Rd - Houston 77005

Certification

I, Mike Dou, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)



(Printed Name)

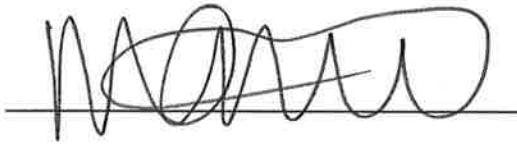
Mike Dou

NOTARY FORM

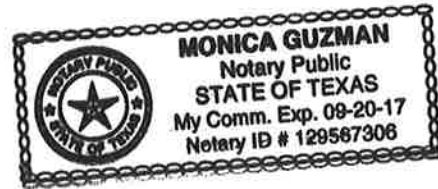
STATE OF TEXAS

COUNTY OF HARRIS

I, MONICA GUZMAN, a Notary Public, do hereby certify that on this 28th
day of OCTOBER, 2016, personally appeared before me MIKE DOU,
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.



Notary Public, State of Texas



Name: MONICA GUZMAN

My Commission Expires: 9/20/2017



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

**Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.**

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 2 - Lot 9 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 - 1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Springs Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxton Rd - Houston 77005

Certification

I, **Joe Farr & Deana LeMaster**, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

Security

(Signature)

[Handwritten Signature]
[Handwritten Signature]

(Printed Name)

Joe Farr

Deana LeMaster

NOTARY FORM

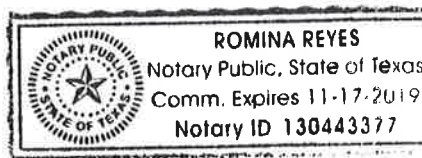
STATE OF TEXAS

COUNTY OF HARRIS

I, Romina Reyes, a Notary Public, do hereby certify that on this 31st day of October, 2016, personally appeared before me Joe Farr & Deana LeMaster known to me to be the person whose name is subscribed to the foregoing instrument, and swore and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed, and that the statements contained therein are true and correct.

Romina Reyes

Notary Public, State of Texas



Name: Romina Reyes

My Commission Expires: 11-17-2019



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 2 - Lot 8 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 - 1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Srings Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxton Rd - Houston 77005

Certification

I, Matthew Madson, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)



(Printed Name)

Matthew Madson

NOTARY FORM

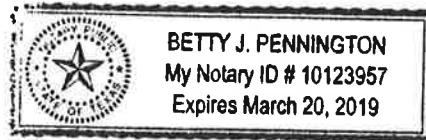
STATE OF TEXAS

COUNTY OF HARRIS

I, Betty J. Pennington, a Notary Public, do hereby certify that on this 18th
day of November, 2016, personally appeared before me Matthew Madison,
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.

Betty J. Pennington

Notary Public, State of Texas



Name: Betty J. Pennington

My Commission Expires: March 20, 2019



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office, 401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 2 - Lot 6 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 -1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Springs Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxtton Rd - Houston 77005

Certification

I, Tony Hamblen & Judy Hamblen, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)




(Printed Name)

Tony Hamblen

Judy Hamblen

NOTARY FORM

STATE OF TEXAS

COUNTY OF HARRIS

I, Maria Davila, a Notary Public, do hereby certify that on this 7
day of November, 2016, personally appeared before me Tony Hamblen + Judy Hamblen
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.

Maria Davila

Notary Public, State of Texas



Name: Maria Davila

My Commission Expires: 11/14/2018



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office, 401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 2 - Lot 3 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 - 1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Srpings Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxtton Rd - Houston 77005

Certification

I, Daniel Eilers & Meghan N Eilers, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)



(Printed Name)

Daniel Eilers

Meghan N. Eilers

NOTARY FORM

STATE OF TEXAS

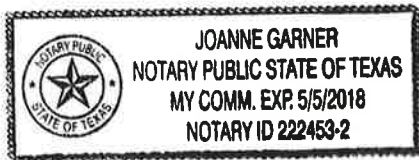
COUNTY OF HARRIS

I, JOANNE GARNER, a Notary Public, do hereby certify that on this 22nd
day of NOVEMBER, 2016, personally appeared before me Meghan N. Elrod,
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.

Joanne Garner
Notary Public, State of Texas

Name: JOANNE GARNER

My Commission Expires: 5/5/18



NOTARY FORM

STATE OF TEXAS

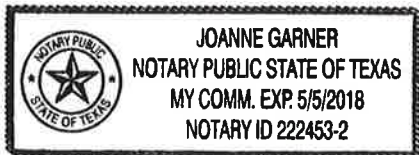
COUNTY OF HARRIS

I, JOANNE GARNER, a Notary Public, do hereby certify that on this 22nd
day of NOVEMBER, 2016, personally appeared before me Daniel P. Ellis,
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.

Joanne Garner
Notary Public, State of Texas

Name: JOANNE GARNER

My Commission Expires: 5/5/18





CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 2 - Lot 2 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 -1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Srpings Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxton Rd - Houston 77005

Certification

I, Paul Haddon & Margie Haddon, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature) 
Margie Haddon

(Printed Name)
Paul Haddon 11-25-16
Margie Haddon 11-25-16

NOTARY FORM

STATE OF TEXAS

COUNTY OF HARRIS

I, Theresa PARKER, a Notary Public, do hereby certify that on this 28th
day of November, 2016, personally appeared before me Paula Haddon + Margie Haddon
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.

Theresa Parker

Notary Public, State of Texas

Name: Theresa PARKER

My Commission Expires: 12-3-17





CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

**Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.**

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

Reserve at Spring Lake - Blk 1 - Lot 4 - Sec 1

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

1. Sandy and John Moss - 30718 Spring Lake Blvd - Tomball - 77375 - 1333470010004
2. George Patrick Daily & Patricia Skelly - 30818 Spring Lake Blvd. Tomball 77375 - 1333470010007
3. Margie and Paul Haddon - 12911 Mossy Shore - Tomball - 77375 -1333470030002
4. Meghan N and Daniel R Eilers - 12919 Mossy Shore - Tomball - 77375 - 1333470020003
5. Judy and Tony Hamblen - 12918 Mossy Shore - Tomball - 77375 - 1333470020006
6. Matthew Madson - 13618 Sloan Lake Ln- Cypress - 77429 - 1333470020008
7. Deana LeMaster and Joe Farr - 20219 Evergreen Srpings Ln - Spring - 77379 - 1333470020009
8. Martha Lydia Andrade - 2710 Ladin Dr - Houston - 77039 - 1333470020010
9. Mike Suisheng Dou - 30934 Spring Lake Blvd- Tomball - 77375 - 1333470030003
10. Anita and Steve Mueller - 2242 Wroxton Rd - Houston 77005

Certification

I, John Moss & Sandy Moss, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

BECOMING A GATED COMMUNITY WILL DEFINITELY INCREASE THE
SALE OF HOMES & LOTS IN THE RESERVE AT SPRING LAKES. IN TURN,
TOMBALL WILL RECEIVE SIGNIFICANTLY HIGHER TAX REVENUE,
WHICH WILL GREATLY BENEFIT THE CITY & ITS RESIDENTS IN GENERAL.

(Signature)

John Moss
Sandy Moss

(Printed Name)

John Moss

Sandy Moss

NOTARY FORM

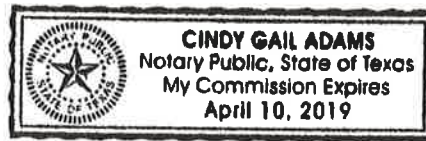
STATE OF TEXAS

COUNTY OF HARRIS

I, Cindy Gail Adams, a Notary Public, do hereby certify that on this 10
day of November, 2016, personally appeared before me John & Sandy Moss,
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.



Notary Public, State of Texas



Name: Cindy Gail Adams

My Commission Expires: 4/10/19



CITY OF TOMBALL

RIGHT-OF-WAY ABANDONMENT REQUEST APPLICATION

**Please provide the following information & return your submittal to the City Manager's Office,
401 Market St., Tomball, Texas 77375.**

Minimum Submittal Requirements

- ☐ \$300 application fee;
- ☐ Detailed description of entire limits or extent of the ROW and the limits to be abandoned, if different;
- ☐ Five (5) copies of the Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Electronic File (PDF) of Boundary Survey and metes & bounds description of the ROW to be abandoned;
- ☐ Copy of letters to utility providers, drainage districts, and/or other interested agencies stating they have been notified of the requested ROW abandonment;
- ☐ Letter of "No Objection" from each of the concerned entities; and
- ☐ Completed and signed application form.

Applicant Information

Name Zion Road Properties, LLC

Mailing Address 9977 W. Sam Houston Pkwy, N. Suite 150

City Houston State TX Zip Code 77064

Phone Number 281-477-8688 Fax Number 281-477-9191

E-mail Address bob@thereservetomball.com

Agent or Engineer Information

Name David P. Kelly, - DPK Engineering

Mailing Address PO Box 823

City Fulshear State TX Zip Code 77441

Phone Number 281-300-1869 Fax Number _____

E-mail Address david.kelly@dpkengineering.com

We, the undersigned property owners of

See attached list

(name of subdivision, lot, and block number)

do hereby request that the City of Tomball release and vacate the said Right-of-Way as further described in the attached Boundary Survey.

Adjacent Property Owners Signatures

(please include your name, mailing address, HCAD number of your property, and signature)

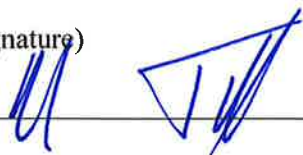
1. Princeton Classic Homes - 30618 Spring Lake Blvd. Tomball, Texas 77375 - 1333470010001
2. Princeton Classic Homes - 30710 Spring Lake Blvd. Tomball, Texas 77375 -1333470010003
3. Princeton Classic Homes - 30802 Spring Lake Blvd. Tomball, TX 77375 - 1333470010005
4. Princeton Classic Homes - 30810 Spring Lake Blvd. Tomball, TX 77375 - 1333470010006
5. Princeton Classic Homes - 30826 Spring Lake Blvd. Tomball, TX 77375 - 1333470010008
6. Princeton Classic Homes - 12903 Mossy Shore Tomball, TX 77375 - 1333470020001
7. Princeton Classic Homes - 12927 Mossy Shore Tomball, TX 77375 - 1333470020004
8. Princeton Classic Homes -12926 Mossy Shore Tomball, TX 77375 - 1333470020005
9. Princeton Classic Homes - 12910 Mossy Shore Tomball, TX 77375 - 1333470020007
10. Princeton Classic Homes - 30926 Spring Lake Blvd. Tomball, TX 77375 - 1333470030002

Certification

I, Mark Tollefsrud, Legend Classic Homes-, being one of the above named persons, do hereby certify that the above named persons include all abutting property owners of the property being vacated and released.

Please list the reasons for the request and how this request will benefit the public:

(Signature)



(Printed Name)

Mark Tollefsrud

NOTARY FORM

STATE OF TEXAS

COUNTY OF HARRIS

I, Michele Lotsu, a Notary Public, do hereby certify that on this 21
day of November, 2016, personally appeared before me Mark Tollefsrud
known to me to be the person whose name is subscribed to the foregoing instrument, and swore and
acknowledged to me that he executed the same for the purpose and in the capacity therein expressed,
and that the statements contained therein are true and correct.


Notary Public, State of Texas



Name: Michele Lotsu
My Commission Expires: 10-28-17

Being 5.24 acres (228,310 square feet) of land, all of Spring Lake Boulevard and Mossy Shore road, out of the Replat of the Final Plat of Reserve at Spring Lake, Section 1, recorded under Filmcode 654094 Map Records of Harris County, Texas (M.R. H.C.T.), said 5.24 acre tract lying in the Joseph Miller Survey, Abstract 50 and being more particularly described by metes and bounds as follows;

COMMENCING at a found 1 inch iron pipe in the north right-of-way (R.O.W.) of Zion Road, Public R.O.W. varies, marking the southeast corner of the Remainder of a called 19.496 acres, conveyed to David Sabin, by deed recorded under County Clerk's File Number (C.F.) U337573 Official Public Records Real Property of Harris County, Texas (O.P.R.R.P. H.C.T.);

THENCE North 02°33'09" West, along the east line of said Remainder, a distance of 10.00 feet to a point for corner, marking southwest corner Reserve "B", out of said Replat;

THENCE North 85°28'48" East, along said north R.O.W., a distance of 39.45 feet to an angle point of said Reserve "B";

THENCE North 87°44'56" East, along said north R.O.W., a distance of 125.31 feet to a set 5/8 inch iron rod, marking the southeast corner of said Reserve "B", also being the southwest corner of said Spring Lake Boulevard and the POINT OF BEGINNING;

THENCE North 02°15'04" West, along the west R.O.W. of said Spring Lake Boulevard, a distance of 213.34 feet to a set 5/8 inch iron rod, marking an internal corner of said Reserve "B", also being an external corner of the herein described tract;

THENCE North 87°44'56" East, along said R.O.W., a distance of 20.00 feet to a set 5/8 inch iron rod, marking an external corner of said Reserve "B", also being an internal corner of the herein described tract;

THENCE along said R.O.W. and a curve to the LEFT, having a radius of 470.00 feet, a delta angle of 25° 43' 32", and whose long chord bears North 15°06'50" West a distance of 209.26 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE North 27°58'36" West, along said R.O.W., a distance of 116.33 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said R.O.W. and a curve to the RIGHT, having a radius of 530.00 feet, a delta angle of 25° 25' 26", and whose long chord bears North 15°15'53" West a distance of 233.25 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE North 02°33'10" West, along said R.O.W., a distance of 1041.96 feet to a set 5/8 inch iron rod, marking the northeast corner of Lot 1, Block 2 of said Remainder, also being the southeast corner of said Mossy Shore and an internal corner of the herein described tract;

THENCE South 87°26'50" West, along the south R.O.W. of said Mossy Shore, a distance of

512.12 feet to a set 5/8 inch iron rod, marking the southeast corner of a cul-de-sac of the herein described tract;

THENCE along a curve to the RIGHT, having a radius of 60.00 feet, a delta angle of $300^{\circ} 00' 00''$, and whose long chord bears North $02^{\circ} 33' 10''$ West a distance of 60.00 feet to a set 5/8 inch iron rod, marking the northeast corner of said cul-de-sac of the herein described tract;

THENCE North $87^{\circ} 26' 50''$ East, along the north R.O.W. of said Mossy Shore, a distance of 512.12 feet to a set 5/8 inch iron rod in said west R.O.W. of said Spring Lake Boulevard, marking the southeast corner of Lot 8, said Block 2, also being an internal corner of the herein described tract;

THENCE North $02^{\circ} 33' 10''$ West, along said west R.O.W., a distance of 31.34 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said west R.O.W. and a curve to the LEFT, having a radius of 270.00 feet, a delta angle of $53^{\circ} 26' 28''$, and whose long chord bears North $29^{\circ} 16' 24''$ West a distance of 242.81 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE North $55^{\circ} 59' 39''$ West a distance of 149.06 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said west R.O.W. and a curve to the RIGHT, having a radius of 330.00 feet, a delta angle of $53^{\circ} 46' 38''$, and whose long chord bears North $29^{\circ} 06' 20''$ West a distance of 298.49 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE North $02^{\circ} 13' 01''$ West a distance of 347.96 feet to a set 5/8 inch iron rod in the north line of said Section 1, marking the southeast corner of Lot 1, Block 1, Replat of the Reserve at Spring Lake, Section 2, recorded under Filmcode 675954 M.R. H.C.T., also being the northeast corner of Lot 12, Block 3, said Section 1, also being the northwest corner of the herein described tract;

THENCE North $87^{\circ} 47' 03''$ East, along the north line of said Section 1, a distance of 60.00 feet to a found 5/8 inch iron rod, marking the southwest corner of Lot 1, Block 2, said Section 2, also being the northwest corner of Lot 4, said Block 3 and the northeast corner of the herein described tract;

THENCE South $02^{\circ} 13' 01''$ East, along the east R.O.W. of said Spring Lake Boulevard, a distance of 347.96 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the LEFT, having a radius of 270.00 feet, a delta angle of $53^{\circ} 46' 38''$, and whose long chord bears South $29^{\circ} 06' 20''$ East a distance of 244.22 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE South 55°59'39" East, along said east R.O.W., a distance of 149.05 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the RIGHT, having a radius of 330.00 feet, a delta angle of 53° 26' 29", and whose long chord bears South 29°16'25" East a distance of 296.76 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE South 02°33'10" East, along said east R.O.W., a distance of 1133.30 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the LEFT, having a radius of 470.00 feet, a delta angle of 25° 25' 26", and whose long chord bears South 15°15'53" East a distance of 206.85 feet to a set 5/8 inch iron rod, marking a point of tangency of the herein described tract;

THENCE South 27°58'36" East, along said east R.O.W., a distance of 116.33 feet to a set 5/8 inch iron rod, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the RIGHT, having a radius of 530.00 feet, a delta angle of 25° 43' 32", and whose long chord bears South 15°06'50" East a distance of 235.97 feet to a set 5/8 inch iron rod, marking an external corner of Reserve "A", of said Section 1, also being an internal corner of the herein described tract;

THENCE North 87°44'56" East a distance of 20.00 feet to a set 5/8 inch iron rod, marking an internal corner of said Reserve "A", also being an external corner of the herein described tract;

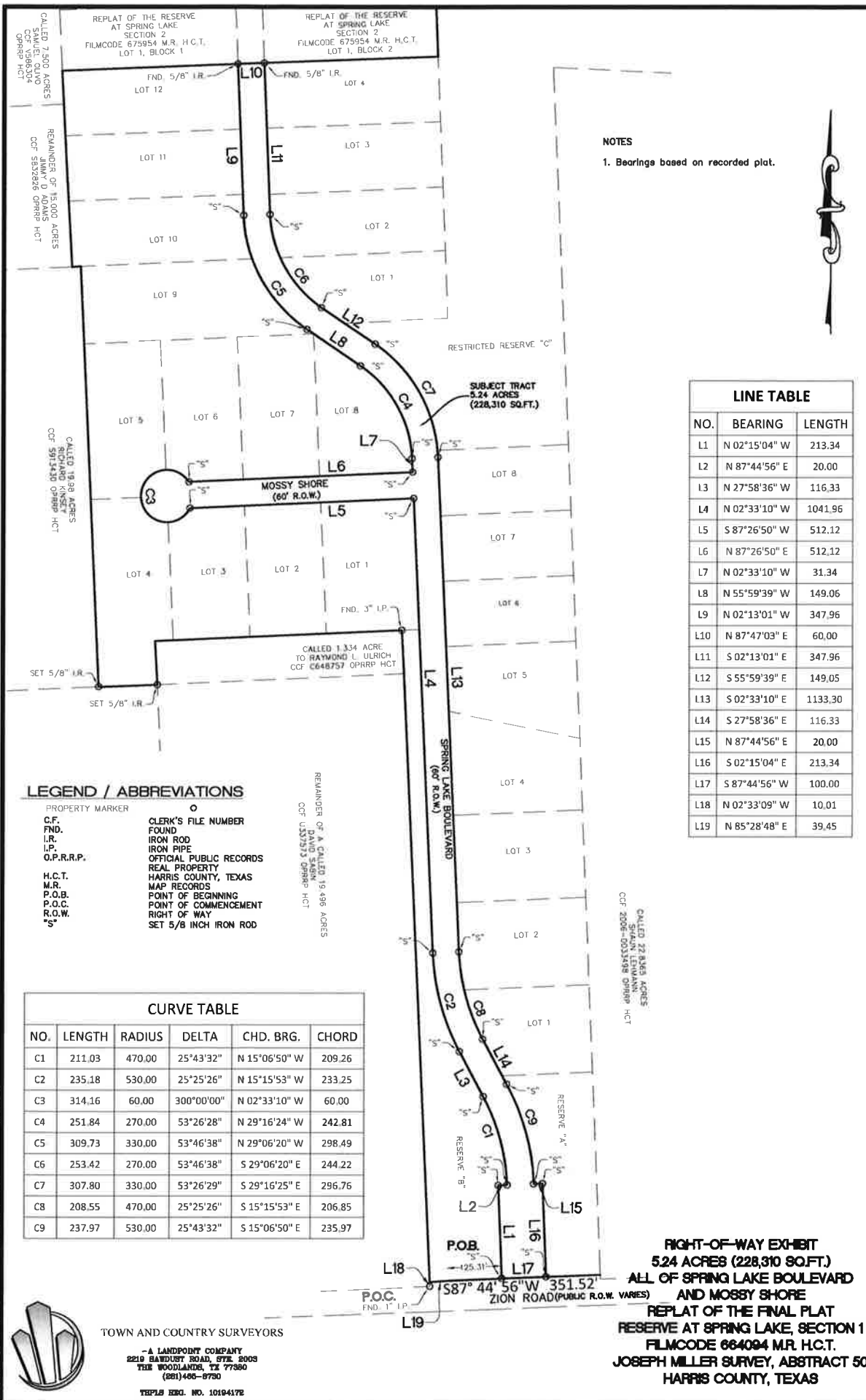
THENCE South 02°15'04" East, along said east R.O.W., a distance of 213.34 feet to a set 5/8 inch iron rod in said north R.O.W. of Zion Road, marking the southwest corner of Reserve "A", also being the southeast corner of the herein described tract;

THENCE South 87°44'56" West, along said north R.O.W., a distance of 100.00 feet to the POINT OF BEGINNING and containing a computed 5.24 acres (228,310 square feet) of land.



L. Shayne Thatcher, R.P.L.S. #4544
Town and Country Surveyors
- A Landpoint Company
2219 Sawdust Road, Ste. 2003
The Woodlands, Texas 77380
TBPLS Registration No. 10194172
Tele # (281) 465-8730
Job No. 16-1471





H:\2016 Download\16-1471.dwg\16-1471 SECTION 1.dwg



TOWN AND COUNTRY SURVEYORS

-A LANDPOINT COMPANY
2210 SAWDUST ROAD, STE. 2005
THE WOODLANDS, TX 77380
(281)466-5720

TRPLS REG. NO. 10194172

Being 4.61 acres (200,906 square feet) of land, all of Spring Lake Boulevard, Roanoke Woods Drive and Wild Pecan Drive, out of the Replat of the Reserve at Spring Lake, Section 2, recorded under Filmcode 675955 Map Records of Harris County, Texas (M.R. H.C.T.), said 4.61 acre tract lying in the Joseph Miller Survey, Abstract 50 and being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8 inch iron rod in the west right-of-way (R.O.W.) of said Spring Lake Boulevard, marking the northeast corner of Lot 12, Block 3, Replat of the Final Plat of Reserve at Spring Lake, Section 1, recorded under Filmcode 664094 M.R. H.C.T., also being the southeast corner of Lot 1, Block 1, said Section 2 and the southwest corner of the herein described tract;

THENCE North $02^{\circ}13'01''$ West, along said west R.O.W., a distance of 160.00 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said R.O.W. and a curve to the RIGHT, having a radius of 530.00 feet, a delta angle of $14^{\circ}47'54''$, and whose long chord bears North $05^{\circ}11'00''$ East a distance of 136.51 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE North $12^{\circ}34'58''$ East, along said R.O.W., a distance of 215.18 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along a curve to the LEFT, having a radius of 720.00 feet, a delta angle of $15^{\circ}11'44''$, and whose long chord bears North $05^{\circ}03'14''$ East a distance of 190.39 feet to a set 5/8 inch iron rod with cap, marking the northeast corner of Lot 4, said Block 1, also being the intersection of Roanoke Woods Drive and said Spring Lake Boulevard and an internal corner of the herein described tract;

THENCE South $87^{\circ}14'21''$ West, along the south R.O.W. of said Roanoke Woods Drive, a distance of 253.67 feet to a set 5/8 inch iron rod with cap, marking the southeast corner of a cul-de-sac;

THENCE along a curve to the RIGHT, having a radius of 60.00 feet, a delta angle of $300^{\circ}00'00''$, and whose long chord bears North $02^{\circ}45'39''$ West a distance of 60.00 feet set 5/8 inch iron rod with cap, marking the northeast corner of said cul-de-sac;

THENCE North $87^{\circ}14'21''$ East, along the north line of said Roanoke Woods Drive, a distance of 253.88 feet to a set 5/8 inch iron rod with cap in said west R.O.W. of said Spring Lake Boulevard, marking the southeast corner of Lot 9, said Block 1, also being an internal corner of the herein described tract;

THENCE North $02^{\circ}33'07''$ West, along said west R.O.W., a distance of 521.77 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said west R.O.W. and a curve to the LEFT, having a radius of 240.00 feet, a delta angle of $05^{\circ}38'45''$, and whose long chord bears North $05^{\circ}22'30''$ West a distance of

23.64 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE North 08°11'52" West, along said west R.O.W., a distance of 18.72 feet to set 5/8 inch iron rod with cap, marking the southwest corner of a cul-de-sac of the herein described tract;

THENCE along a curve to the RIGHT, having a radius of 60.00 feet, a delta angle of 299° 57' 03", and whose long chord bears North 84°00'46" East a distance of 60.04 feet to set 5/8 inch iron rod with cap, marking the southeast corner of said cul-de-sac of the herein described tract;

THENCE South 08°11'52" East, along the east R.O.W. of said Spring Lake Boulevard, a distance of 16.40 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the RIGHT, having a radius of 300.00 feet, a delta angle of 05° 38' 45", and whose long chord bears South 05°22'30" East a distance of 29.55 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South 02°33'07" East, along said east R.O.W., a distance of 521.56 feet to a set 5/8 inch iron rod with cap in the north R.O.W. of Roanoke Woods Drive, marking the southwest corner of Lot 1, Block 3, of said Section 2, also being an internal corner of the herein described tract;

THENCE North 87°14'21" East, along said north R.O.W., a distance of 121.21 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said north R.O.W. and a curve to the RIGHT, having a radius of 330.00 feet, a delta angle of 18° 29' 11", and whose long chord bears South 83°31'03" East a distance of 106.01 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South 74°16'27" East, along said north R.O.W., a distance of 109.18 feet to a set 5/8 inch iron rod with cap, marking the southeast corner of Lot 5, Block 3 of said Section 2, also being the southwest corner of Wild Pecan Drive and an internal corner of the herein described tract;

THENCE North 23°15'12" East, along the northwest R.O.W. of said Wild Pecan Drive, a distance of 407.10 feet to a set 5/8 inch iron rod with cap in the southwest line of Unrestricted Reserve "D", out of said Section 1, marking the east corner of Lot 4, Block 3 of said Section 2, also being an external corner of the herein described tract;

THENCE South 49°14'09" East, along said Reserve "D", a distance of 62.92 feet to a set 5/8 inch iron rod with cap, marking the north corner of Lot 1, Block 4 of said Section 2, also being an external corner of the herein described tract;

THENCE South 23°15'12" West, along the southeast R.O.W. of said Wild Pecan Drive, a distance of 387.23 feet to a set 5/8 inch iron rod with cap in the said north R.O.W. of said Roanoke Woods Drive, marking the west corner of Lot 2, Block 4, said Section 2, also being an internal corner of the herein described tract;

THENCE along said north R.O.W. and a curve to the RIGHT, having a radius of 330.00 feet, a delta angle of 11° 55' 32", and whose long chord bears South 56°32'52" East a distance of 68.56 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South 50°35'06" East, along said north R.O.W., a distance of 145.61 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said north R.O.W. and a curve to the LEFT, having a radius of 270.00 feet, a delta angle of 41° 53' 49", and whose long chord bears South 71°32'01" East a distance of 193.07 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE North 87°31'05" East, along said north R.O.W., a distance of 194.47 feet to a set 5/8 inch iron rod with cap in the east line of said Section 2, marking the southeast corner of Lot 4, Block 4, also being the most easterly northeast corner of the herein described tract;

THENCE South 02°28'55" East, along said east line, a distance of 60.00 feet to a set 5/8 inch iron rod with cap, marking the northeast corner of Lot 1, Block 5, said Section 2, marking the most easterly southeast corner of the herein described tract;

THENCE South 87°31'05" West, along the south R.O.W. of said Roanoke Woods Drive, a distance of 194.47 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said south R.O.W. and a curve to the RIGHT, having a radius of 330.00 feet, a delta angle of 41° 53' 49", and whose long chord bears North 71°32'01" West a distance of 235.97 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE North 50°35'06" West, along said south R.O.W., a distance of 145.61 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said south R.O.W. and a curve to the LEFT, having a radius of 270.00 feet, a delta angle of 23° 41' 22", and whose long chord bears North 62°25'47" West a distance of 110.84 feet to a set 5/8 inch iron rod with cap, marking the northwest corner of Unrestricted Reserve "C", said Section 1, also being the northeast corner of Lot 5, said Block 2 and a point of tangency of the herein described tract;

THENCE North $74^{\circ}16'28''$ West, along said south R.O.W., a distance of 101.50 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said south R.O.W. and a curve to the LEFT, having a radius of 270.00 feet, a delta angle of $18^{\circ}29'11''$, and whose long chord bears North $83^{\circ}31'03''$ West a distance of 86.74 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South $87^{\circ}14'21''$ West, along said south R.O.W., a distance of 121.42 feet to a set 5/8 inch iron rod with cap in the east R.O.W. of said Spring Lake Boulevard, marking the northwest corner of said Lot 5, Block 2, also being an internal corner of the herein described tract;

THENCE along said east R.O.W. and a curve to the RIGHT, having a radius of 780.00 feet, a delta angle of $15^{\circ}12'44''$, and whose long chord bears South $05^{\circ}02'44''$ West a distance of 206.49 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South $12^{\circ}34'58''$ West, along said east R.O.W., a distance of 215.10 feet to a set 5/8 inch iron rod with cap, marking a point of curvature of the herein described tract;

THENCE along said east R.O.W. and a curve to the LEFT, having a radius of 470.00 feet, a delta angle of $14^{\circ}47'54''$, and whose long chord bears South $05^{\circ}11'00''$ West a distance of 121.06 feet to a set 5/8 inch iron rod with cap, marking a point of tangency of the herein described tract;

THENCE South $02^{\circ}13'01''$ East a distance of 160.00 feet to a set 5/8 inch iron rod with cap, marking the northwest corner of Lot 4, Block 3 of said Section 1, also being the southwest corner of Lot 1, said Block 2, said Section 2, also being the southeast corner of the herein described tract;

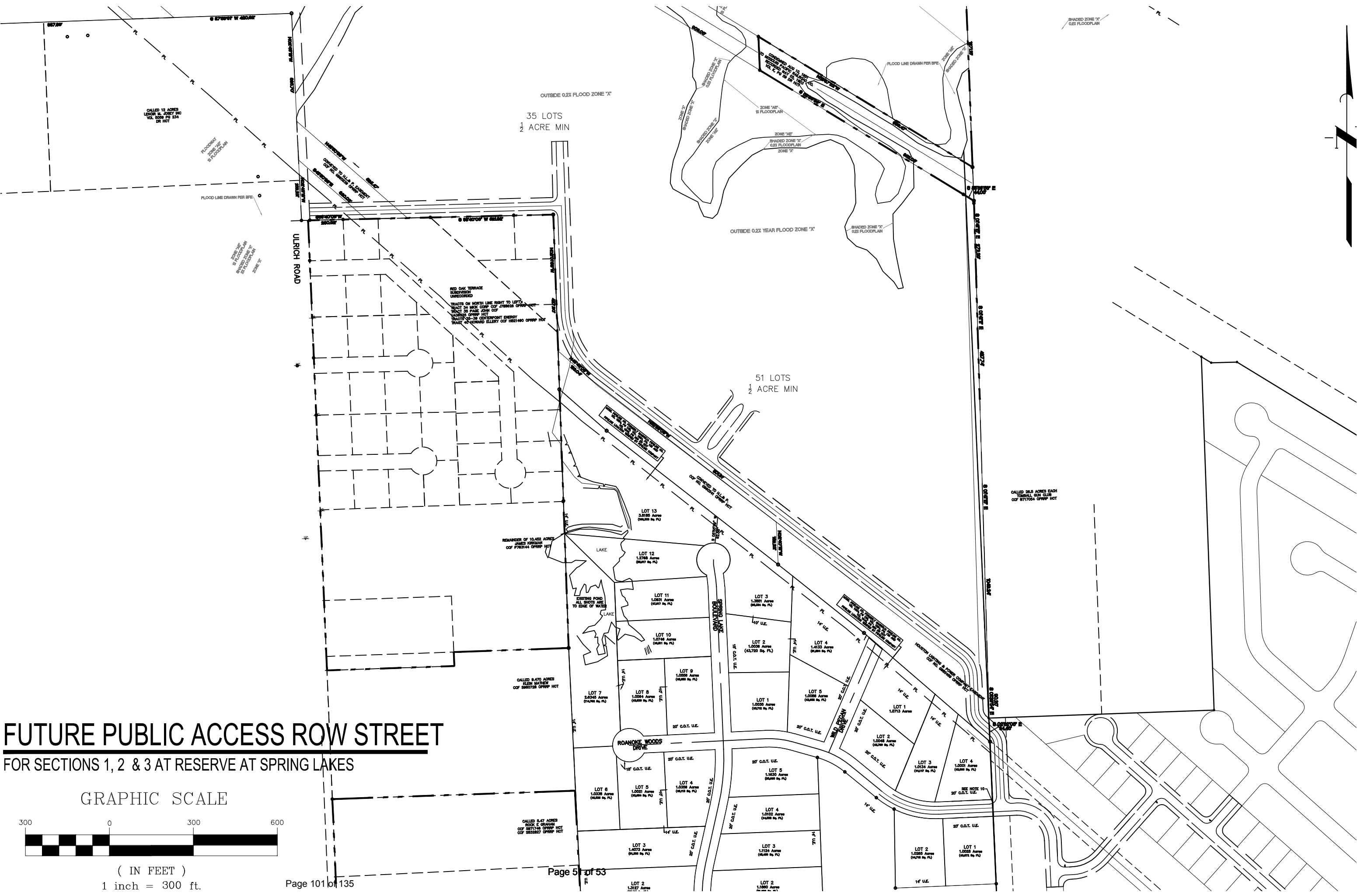
THENCE South $87^{\circ}47'03''$ West, along the south line of said Section 2, a distance of 60.00 feet to the POINT OF BEGINNING and containing a computed 4.61 acres (200,906 square feet) of land.



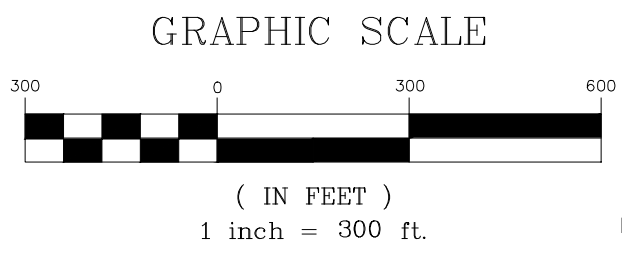
L. Shayne Thatcher, R.P.L.S. #4544
Town and Country Surveyors
- A Landpoint Company
2219 Sawdust Road, Ste. 2003
The Woodlands, Texas 77380
TBPLS Registration No. 10194172
Tele # (281) 465-8730
Job No. 16-1471



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FUTURE PUBLIC ACCESS ROW STREET
FOR SECTIONS 1, 2 & 3 AT RESERVE AT SPRING LAKES



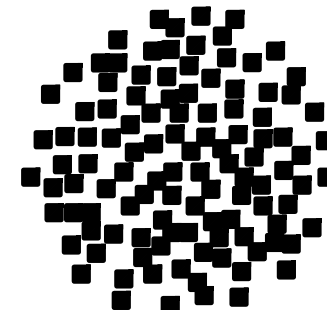
RESERVE AT SPRING LAKES

ENTRY GATES

Sitework Plan

Tomball, Texas

sweitzer + associates



landscape architects
planning consultants

13300 katy hwy.
houston, tx 77079
281.496.3111
info@sweitzerassoc.com

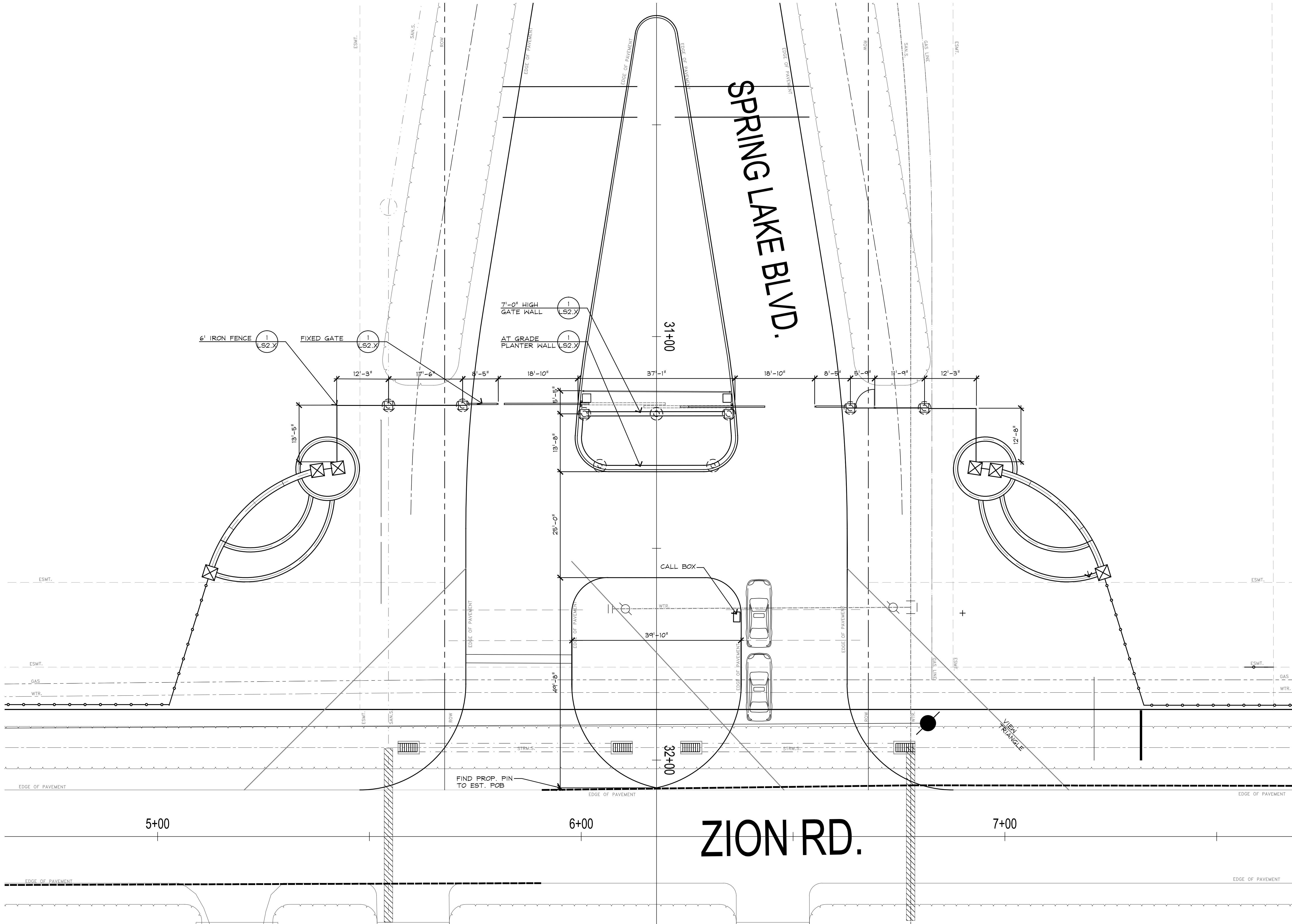
Project No. 216-026
Revisions:

Sheet Number:

LS1.1

drawn by: mz
date: 12/6/16

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1 SITEWORK LAYOUT
PLAN

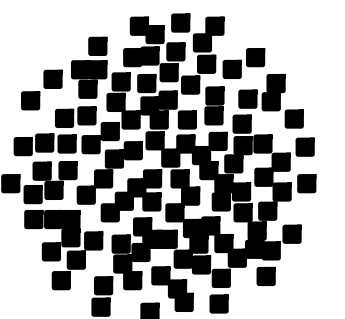
0 5 10 20
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RESERVE AT SPRING LAKES
ENTRY GATES

Tomball, Texas

sweitzer + associates



landscape architects
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13300 katy fwy.
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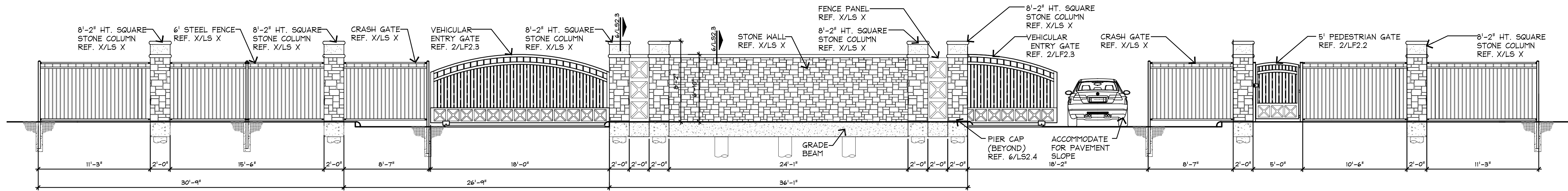
Project No. 216-026
Revisions:

Sheet Number:

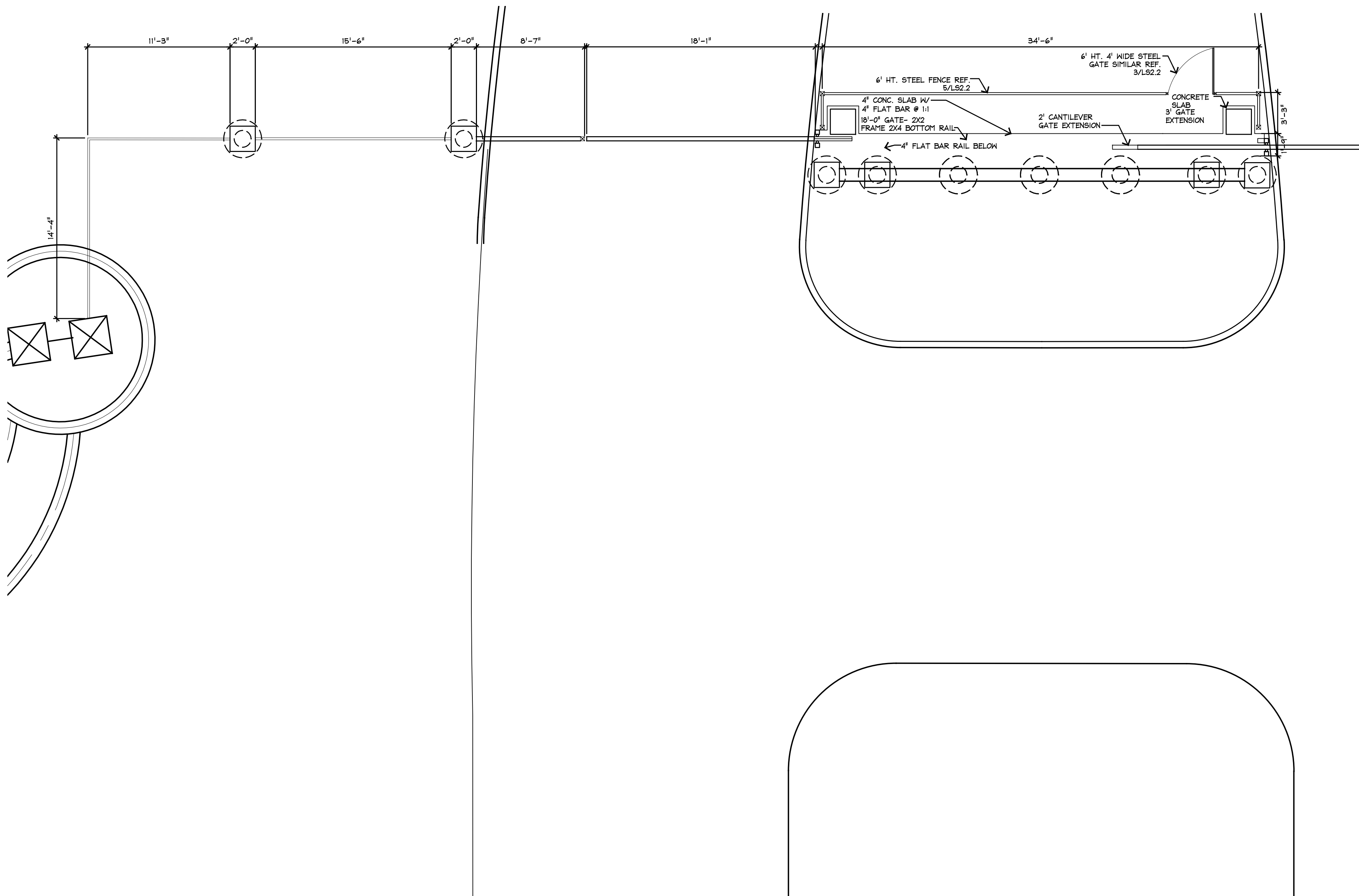
LS 2.2

drawn by: nuz
date: 12/6/16

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2 ENTRY GATE
ELEVATION



1 ENTRY GATE
PLAN

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Approve Resolution No. 2017-01, a Resolution and Order of the City Council of the City Of Tomball, Texas, Ordering the General City Election, to be Held in the City of Tomball on Saturday, May 6, 2017; Designating the Polling Places and Appointing Election Officials for Such Election; Directing the Giving of Notice of Such Election; and Providing Details Relating to the Holding of Such Election.

Aprobar la Resolución Nro. 2017-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 6 de mayo de 2017; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la Fecha de una Elección de Desempeño de ser Necesaria; y Proporcionando Detalles Referentes a la Celebración de Tal Elección.

Chấp thuận Nghị Quyết số 2017-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 6 tháng Năm, 2017; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó

批准決議案編號2017-01, 為一德克薩斯州, Tomball市市議會決議及指示, 特指示一市府官員普選, 其將於2017年5月6日, 星期六在Tomball市召開; 並已為此選舉指定投票所地點以及指派選舉官員; 指導發出本選舉之選舉通知; 如需要, 將指定決選日期; 以及提供所有與召開本選舉相關的細節

Background:

Resolution No. 2017-01 orders the Regular City Officer's Election, which will be held on Saturday, May 6, 2017 for Council Position 1 and Council Position 5.

The first day to file an Application for Place on Ballot is Wednesday, January 18, 2017; the last day to file an Application for Place on Ballot is Friday, February 17, 2017 at 5:00 p.m. Early Voting will be held April 24-28 and May 1-2, 2017.

The Resolution also designates the polling places, appoints the election officers, authorizes the use of the eSlate Voting System, and authorizes two 12-hour days of early voting on Tuesday, April 25, and Tuesday, May 2, 2017.

Should a Runoff Election be required, the date of the Runoff Election is designated to be Saturday, June 10, 2017; early voting for the Runoff Election would begin Tuesday, May 30, and end June 6, 2017.

The contract between Hart Intercivic and the City includes personnel training, equipment testing, programming, on-site support, tallying, maintenance/repairs, software upgrades and certification services for the City's general election and the special election. The anticipated expenses for the May 6, 2017 election are approximately \$15,000, including the contracted services with Hart Intercivic for programming and Election Day support/finalizing the election. Additional expenses will be incurred for the general election if a runoff election is required; however, funds budgeted for elections in the FY 2016-2017 budget should be sufficient to cover anticipated costs.

As in previous years, a provision has been included in Section 2 to authorize the City Secretary to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified pool of Election Clerks if either the

Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties for whatever reason.

Origination:

Doris Speer, City Secretary

Recommendation:

Approve Resolution No. 2017-01

Funding:

Yes

Account Number:100-114-6371

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

- Resolution No. 2017-01 - English
- Resolution No. 2017-01 - Spanish
- Resolution No. 2017-01 - Vietnamese
- Resolution No. 2017-01 - Mandarin

RESOLUTION NO. 2017-01

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ORDERING A REGULAR CITY OFFICER'S ELECTION, TO BE HELD IN THE CITY OF TOMBALL ON SATURDAY, MAY 6, 2017; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; DESIGNATING THE DATE FOR A RUNOFF ELECTION IF NEEDED; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

Section 1: It is hereby ordered that a Regular Election be held in and throughout the City of Tomball, Texas on the second Saturday in May, the 6th day of May, 2017, at which election the following officers shall be elected by the resident qualified voters in and for the said City of Tomball, to-wit:

POSITION

**COUNCIL POSITION 1
COUNCIL POSITION 5**

Section 2: The present boundaries of the City constituting one election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the election at said polling place:

POLLING PLACE

Tomball City Hall
401 Market Street
Tomball, Texas 77375

ELECTION OFFICERS

Patsy Kinsey, Presiding Judge
Latrell Shannon, Alternate Presiding Judge.

The City Secretary is hereby authorized and directed to provide a copy of the RESOLUTION to the judges as written notice of their appointment as required by Section 32.009 of the Texas Election Code. If either the Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties, the City Secretary is authorized to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified Election Clerks, as needed.

The Presiding Judge shall have the authority to appoint no more than seven (7) clerks to assist in the

holding of such election, but in no event shall the Presiding Judge appoint less than two clerks. Said election officers shall also serve as the Early Voting Ballot Board for such election; the Presiding Judge of such election precinct shall also serve as the Presiding Officer of the Early Voting Ballot Board.

The Election Judge shall be compensated at an hourly rate of \$12.50; early voting clerks and election clerks shall be compensated at an hourly rate of \$11.50 as provided by Title 3, Section 32.091(a) of the State Election Code. The Election Judge shall be compensated in the amount of \$25 for the delivery of election equipment and supplies as provided by Title 3, Section 32.091(a) of the State Election Code, if such delivery is necessary. The City will pay for any required training of the City's election judges and clerks. Judges and clerks will also be reimbursed for travel and will be paid at the set hourly rates for training time.

Section 4: The City Secretary is hereby appointed the Elections Clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.001 *et seq.* of the Texas Election Code. The place for early voting for such election is hereby designated as:

City Hall
City of Tomball, Texas
401 Market Street
Tomball, Texas 77375.

Said clerks shall keep said office open during the hours that the City Hall is regularly open for business, that is, from seven forty-five o'clock (7:45) a.m. until five o'clock (5:00) p.m. on Monday, Wednesday, and Thursday, from seven forty-five o'clock (7:45) a.m. until seven forty-five o'clock (7:45) p.m. on Tuesday, and from seven forty-five o'clock (7:45) a.m. until four o'clock (4:00) p.m. on Friday, on each day for early voting which is not a Saturday, a Sunday, or an official state holiday, beginning on the twelfth (12th) day and continuing through the fourth (4th) day preceding the date of such election. As required under Section 85.005 (d), Election Code, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours on two weekdays, if the early voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for 12 hours on Tuesday, April 25, 2017 and Tuesday, May 2, 2017.

Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above-described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

Section 5: All ballots shall be prepared in accordance with Texas Election Code. Paper ballots shall be used for early voting by mail and the eSlate Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day, both of which are part of the eSlate DRE Voting System. The City Council hereby adopts for use in early and election day voting the eSlate Direct

Recording Electronic (DRE) Voting System as approved by the Secretary of State. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Section 6: The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 7: Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary after the closing of the polls.

Section 8: Said election shall be held in accordance with the provisions of Article XI, Section 11 of the Constitution of Texas, which provides that a municipality having terms exceeding two (2) years must fill any vacancy within 120 days after such vacancy occurs, the Texas Election Code and the Federal Voting Rights Act of 1965, as amended. Only duly qualified resident electors of the City of Tomball shall be qualified to vote.

Section 9: The first day to file an application for place on ballot is January 18, 2017. All candidates for election for the Office of City Council, Position 1 and City Council, Position 5 must file their names with the City Secretary of the City of Tomball, Texas, by 5:00 P.M. on February 17, 2017 in order for their names to be included on the Official Ballot.

Section 10: Should a Runoff Election be required, the date of the Runoff Election is designated to be Saturday, June 10, 2017. Early voting for the Runoff Election will begin May 30, 2017 and end June 6, 2017. All terms, conditions, and provisions established for the May 6, 2017 Regular City Officers Election shall apply to the Runoff Election.

Section 11: The City Secretary is hereby authorized and instructed to give Notice of said election as required by law.

PASSED, APPROVED and RESOLVED this 3rd day of January 2017.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

RESOLUCIÓN Nro. 2017-01

RESOLUCIÓN Y ORDEN DEL CONSEJO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS, ORDENANDO LA CELEBRACIÓN DE UNA ELECCIÓN REGULAR DE FUNCIONARIOS MUNICIPALES PARA EL SÁBADO 6 DE MAYO DE 2017; DESIGNANDO LOS LUGARES DE VOTACIÓN Y NOMBRANDO A LOS OFICIALES ELECTORALES DE TAL ELECCIÓN; INSTRUYENDO QUE SE NOTIFIQUE SOBRE ESTA ELECCIÓN; DESIGNANDO LA FECHA DE UNA ELECCIÓN DE DESEMPATE DE SER NECESARIA; Y PROPORCIONANDO DETALLES REFERENTES A LA CELEBRACIÓN DE TAL ELECCIÓN.

* * * * *

EL CONSEJO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS, RESUELVE:

Sección 1: Por la presente se ordena que se celebre una Elección Regular en y en toda la Ciudad de Tomball el segundo sábado de mayo, es decir el 6 de mayo de 2017, elección en al cual los residentes votantes calificados de la mencionada Ciudad de Tomball elegirán a los siguientes funcionarios municipales, a saber:

CARGO

CONCEJAL, POSICIÓN 1

CONCEJAL, POSICIÓN 5

Sección 2: Los límites actuales de la Ciudad constituyen un precinto electoral, las casillas electorales abrirán desde las siete en punto (7:00) de la mañana hasta las siete en punto (7:00) de la tarde en el siguiente lugar de votación, y quienes figuran a continuación son por la presente designados oficiales a cargo de la conducción de la elección en el mencionado lugar de votación:

LUGAR DE VOTACIÓN

Tomball City Hall
401 Market Street
Tomball, Texas 77375

OFICIALES ELECTORALES

Patsy Kinsey, Juez Presidente
Latrell Shannon, Juez Presidente Alterno

Por la presente se autoriza e instruye a la Secretaria de la Ciudad para que proporcione una copia de la RESOLUCIÓN a los jueces como aviso escrito de su nombramiento como lo requiere la Sección 32.009 del Código Electoral de Texas. Si el Juez Presidente o el Juez Presidente alterno no pueden desempeñar sus funciones asignadas, la secretaria de la ciudad está autorizada a seleccionar un Juez presidente Actuante o un Juez Alterno Actuante de entre los funcionarios electorales calificados, según sea necesario.

El Juez Presidente tendrá la autoridad de nombrar a no más de siete (7) funcionarios para que asistan en la conducción de tal elección, pero en ningún caso el Juez Presidente deberá nombrar menos de dos funcionarios. Tales oficiales electorales integrarán también el Consejo de Boletas de Votación Anticipada de tal elección; el Juez Presidente de tal precinto electoral cumplirá además la función de Oficial Presidente del Consejo de Boletas de Votación Anticipada.

El Juez Electoral debe ser remunerado a razón de \$12.50 por hora; los funcionarios de votación anticipada y los funcionarios electorales deben ser remunerados a razón de \$11.50 por horas según lo dispone el Título 3, Sección 32.091(a) del Código Electoral del Estado. El Juez Electoral debe recibir una remuneración de \$25 por hacer entrega del equipo y los suministros para la elección según lo dispone el Título 3, Sección 32.091(a) del Código Electoral del Estado, en el caso de que dicha entrega sea necesaria. La Ciudad pagará cualquier capacitación necesaria de los jueces y funcionarios electorales de la Ciudad. Además se reembolsará a los jueces y funcionarios por gastos de viaje y se les pagará a la tarifa por hora establecida para el tiempo de capacitación.

Sección 4: Por la presente se designa a la Secretaria de la Ciudad como Oficial de Votación Anticipada; el nombramiento de funcionarios de votación anticipada por parte de la Secretaria de la Ciudad deberá ser hacerse conformidad con la Sección 83.001 *et seq.* del Código Electoral de Texas. Por la presente se designa el lugar de votación anticipada para dicha elección de la siguiente manera:

City Hall
City of Tomball, Texas
401 Market Street
Tomball, Texas 77375.

Los funcionarios mencionados deberán mantener dicha oficina abierta durante el horario en que City Hall normalmente esta abierto, es decir, desde las siete y cuarenta y cinco (7:45) a.m. hasta las cinco en punto (5:00) p.m. los días lunes, miércoles y jueves; desde las siete y cuarenta y cinco (7:45) a.m. hasta las siete y cuarenta y cinco (7:45) p.m. los martes; y desde las siete y cuarenta y cinco (7:45) a.m. hasta las cuatro en punto (4:00) p.m. los viernes, todos los días de votación anticipada que no sean sábado, domingo ni día feriado oficial del estado, comenzando el décimo segundo (12vo) día anterior a la elección y culminando el cuarto (4to) día anterior a la fecha de tal elección. Según lo requiere la Sección 85.005 (d) del Código electoral, la votación anticipada en

persona en el lugar central de votación anticipada debe realizarse por al menos 12 horas dos días hábiles si el período de votación anticipada es de seis días hábiles o más; por lo tanto, la votación anticipada en persona se realizará por 12 horas el día martes 25 de abril de 2017 y el martes 2 de mayo de 2017.

Los funcionarios mencionados no deberán permitir a nadie votar por anticipado en persona en ningún día que no sea un día de trabajo normal de la oficina del oficial, y bajo ninguna circunstancia deberán permitir que nadie vote por anticipado en persona en cualquier hora en que tal ofician no esté abierta al público. El lugar de votación anticipada mencionado arriba es también la dirección postal del oficial a la cual pueden enviarse las solicitudes de boletas de votación por correo y los votos emitidos por correo. De acuerdo con las disposiciones del Código Electoral de Texas, el oficial de votación anticipada debe mantener una lista con los nombres de cada persona que vota por anticipado en persona y cada persona a quien se le envía una boleta de votación para votar por correo. Esta lista debe ser mantenida de una forma aprobada por el Secretario de Estado.

Sección 5: Todas las boletas de votación deberán ser preparadas de acuerdo con el Código Electoral de Texas. La votación anticipada por correo será mediante el uso de boletas de papel y para la votación anticipada en persona y para la votación el día de elección se usará el Sistema de Votación Electrónico de Registro Directo (DRE) eSlate, siendo ambos parte del Sistema de Votación DRE eSlate. Por la presente el Consejo Municipal adopta el Sistema de Votación Electrónico de Registro Directo (DRE) eSlate para ser usado durante la votación anticipada y durante el día de elección según éste fue aprobado por el Secretario de Estado. Por la presente se autorizan todos los gastos necesarios para la conducción de la elección, la compra de los materiales para la misma, y la contratación de todos los oficiales electorales.

Sección 6: Por la presente se autoriza e instruye a la Secretaria de la Ciudad para que proporcione todos los suministros electorales necesarios para la conducción de tal elección.

Sección 7: Se deberá dar aviso de esta elección de acuerdo con lo dispuesto en el Código Electoral de Texas y la entrega de tal aviso deberá hacerse según lo dispuesto por dicho Código. La Alcaldesa deberá expedir todas las órdenes y escritos necesarios para tal elección y los resultados de tal elección deben ser entregados a la Secretaria de la Ciudad después que cierren las casillas de votación.

Sección 8: Dicha elección deberá ser celebrada de acuerdo con las disposiciones del Artículo XI, Sección 11 de la Constitución de Texas, la cual determina que una municipalidad con mandatos de más de dos (2) años debe llenar una vacante en un plazo de 120 días a partir de cuando se genera la vacante; deberá ser celebrada además de acuerdo con el Código Electoral de Texas y con la Ley Federal de Derechos de Votación de 1965, según enmendada. Solamente los votantes residentes debidamente calificados de la Ciudad de Tomball estarán calificados para votar.

Sección 9: El primer día para presentar una solicitud para un lugar en la boleta de votación es el 18 de enero de 2017. Todos los candidatos para el cargo de Concejal Municipal, Posición 1 y Concejal Municipal, Posición 5, deben presentar sus nombres ante la Secretaria de la Ciudad de Tomball para las 5:00 P.M. del 17 de febrero de 2017 para que sus nombres sean incluidos en la Boleta Oficial de Votación.

Sección 10: En el caso de que sea necesaria una Elección de Desempate, la fecha de la Elección de Desempate será el sábado 10 de junio de 2017. La votación anticipada de la Elección de Desempate comenzará el 30 de mayo de 2017 y terminará el 6 de junio de 2017. Todos los términos, condiciones y disposiciones establecidas para la Elección Regular de Funcionarios Municipales del 6 de mayo de 2017 se aplicarán a la Elección de Desempate.

Sección 11: Por la presente se instruye y autoriza a la Secretaria de la Ciudad a que haga la notificación de dicha elección según lo exige la ley.

PASADA, APROBADA y RESUELTA este día 3 de enero de 2017.

GRETCHEN FAGAN, Alcaldesa
Ciudad de Tomball

ATESTIGUA:

DORIS SPEER, Secretaria de la Ciudad
Ciudad de Tomball

NGHỊ QUYẾT SỐ 2017-01

MỘT NGHỊ QUYẾT VÀ LỆNH CỦA HỘI ĐỒNG THÀNH PHỐ
THÀNH PHỐ TOMBALL, TEXAS, YÊU CẦU MỘT CUỘC BẦU
CỬ VIÊN CHỨC THÀNH PHỐ THƯỜNG LỆ TỔ CHỨC VÀO
THỨ BẢY, NGÀY 6 THÁNG NĂM, 2017; CHỈ ĐỊNH CÁC ĐỊA
ĐIỂM BỎ PHIẾU VÀ BỔ NHIỆM CÁC VIÊN CHỨC PHỤ TRÁCH
BẦU CỬ CHO CUỘC BẦU CỬ NÀY; HƯỚNG DẪN ĐƯA RA
THÔNG BÁO CỦA CUỘC BẦU CỬ; CHỈ ĐỊNH NGÀY CHO
CUỘC BẦU CỬ CHUNG CUỘC NẾU CẦN; VÀ ĐƯA RA CÁC CHI
TIẾT CÓ LIÊN QUAN ĐẾN VIỆC TỔ CHỨC BẦU CỬ

* * * * *

HỘI ĐỒNG THÀNH PHỐ CỦA THÀNH PHỐ TOMBALL, TEXAS RA NGHỊ
QUYẾT:

Mục 1: Theo đây ra yêu cầu một Cuộc Bầu Cử Thường Lệ được tổ chức trong
toàn Thành Phố Tomball, Texas vào ngày Thứ Bảy thứ hai trong tháng Năm, 6 tháng
Năm, 2017, để cử tri có đủ điều kiện đi bầu cho các chức vụ dưới đây trong và cho Thành
Phố Tomball nói trên, gồm có:

VỊ TRÍ

NGHỊ VIÊN THÀNH PHỐ VỊ TRÍ 1
NGHỊ VIÊN THÀNH PHỐ VỊ TRÍ 5

Mục 2: Các ranh giới hiện tại của Thành Phố lập nên một phân khu bầu cử,
phòng phiếu sẽ mở cửa cho cử tri đi bầu từ bảy giờ (7:00) sáng cho đến bảy giờ (7:00)
chiều tại địa điểm bỏ phiếu sau đây, và theo đó cũng là danh sách các viên chức được bổ
nhiệm phụ trách tiến hành cuộc bầu cử tại địa điểm bỏ phiếu đã chọn:

ĐỊA ĐIỂM BỎ PHIẾU

Tomball City Hall
401 Market Street
Tomball, Texas 77375

CÁC VIÊN CHỨC PHỤ TRÁCH CUỘC BẦU CỬ

Patsy Kinsey, Trưởng Ban Điều Hành
Latrell Shannon, Trưởng Ban Điều Hành Dự Khuyết

Thư Ký Thành Phố theo đây được cho phép và được chỉ thị giao một bản sao của
NGHỊ QUYẾT cho các trưởng ban điều hành như bản thông báo về việc bổ nhiệm của họ

như đã được yêu cầu trong Mục 32.009 của Bộ Luật Bầu Cử Texas. Nếu Trưởng Ban Điều Hành Bầu Cử hoặc Trưởng Ban Điều Hành Dự Khuyết đều không thể thực hiện các nhiệm vụ được chỉ định, Thư Ký Thành Phố được phép chọn ra một Quyền Trưởng Ban hoặc Quyền Trưởng Ban Dự Khuyết từ các Thư Ký Phụ Trách Cuộc Bầu Cử hội đủ điều kiện, nếu cần.

Trưởng Ban Điều Hành sẽ có quyền bổ nhiệm không quá bảy (7) thư ký để giúp việc tổ chức cuộc bầu cử nói trên, nhưng Trưởng Ban Điều Hành không được bổ nhiệm ít hơn hai thư ký. Các viên chức bầu cử nói trên cũng sẽ nằm trong Ban Thực Hiện Bỏ Phiếu Sớm cho cuộc bầu cử trên; Trưởng Ban Điều Hành của phân khu bầu cử cũng sẽ làm Viên Chức Điều Hành của Ban Thực Hiện Bỏ Phiếu Sớm.

Trưởng Ban Điều Hành sẽ được trả lương giờ ở mức \$12.50; các thư ký phụ trách bỏ phiếu sớm và các thư ký cuộc bầu cử sẽ được trả lương giờ ở mức \$11.50 như đã được chỉ định trong Tiêu Đề 3, Mục 32.091(a) Bộ Luật Bầu Cử Tiểu Bang. Trưởng Ban Điều Hành sẽ được trả thêm \$25 cho việc phân phối các dụng cụ và thiết bị cho cuộc bầu cử như đã được chỉ định trong Tiêu Đề 3, Mục 32.091(a) Bộ Luật Bầu Cử Tiểu Bang, nếu cần. Thành Phố sẽ trả cho bất kỳ buổi huấn luyện cần thiết nào của các trưởng ban và thư ký phụ trách cuộc bầu cử của Thành Phố. Các trưởng ban và thư ký sẽ được hoàn lại tiền đi lại và sẽ được trả lương giờ cho thời gian huấn luyện.

Mục 4: Thư Ký Thành Phố theo đây được chỉ định làm Thư Ký cho Cuộc Bầu Cử bỏ phiếu sớm; việc bổ nhiệm một thư ký phụ tá hoặc các thư ký cho kỳ bỏ phiếu sớm của Thư Ký Thành Phố chiếu theo Mục 83.001 et seq. của Bộ Luật Bầu Cử Texas. Địa điểm thực hiện bỏ phiếu sớm cho cuộc bầu cử trên được thiết định ở:

City Hall
City of Tomball, Texas
401 Market Street
Tomball, Texas 77375

Các thư ký nói trên sẽ mở cửa phòng phiếu trong thời gian Tòa Thị Chính mở cửa thường lệ, đó là từ bảy giờ bốn mươi lăm (7:45) sáng cho đến năm giờ (5:00) chiều ngày Thứ Hai, Thứ Tư, và Thứ Năm, từ bảy giờ bốn mươi lăm (7:45) sáng cho đến 7 giờ bốn mươi lăm (7:45) chiều vào ngày Thứ Ba, và từ bảy giờ bốn mươi lăm (7:45) sáng cho đến bốn giờ (4:00) chiều vào ngày Thứ Sáu, trừ ngày Thứ Bảy, Chủ Nhật, hoặc ngày lễ chính thức của Tiểu Bang, bắt đầu từ ngày thứ mười hai (12) cho đến ngày thứ tư (4) trước ngày bầu cử chính thức. Như đã được yêu cầu trong Mục 85.005 (d), Bộ Luật Bầu Cử, thủ tục đích thân đến bỏ phiếu sớm tại địa điểm bỏ phiếu sớm chính sẽ được tiến hành ít nhất 12 tiếng vào hai ngày trong tuần, nếu thời gian bỏ phiếu sớm từ sáu ngày trở lên; do đó, thủ tục đích thân đến bỏ phiếu sớm sẽ được tiến hành trong 12 tiếng vào Thứ Ba, ngày 25 tháng Tư, 2017 và Thứ Ba, ngày 2 tháng Năm, 2017.

Các thư ký đã nói ở trên sẽ không cho ai đích thân đến bỏ phiếu sớm vào các ngày khác ngày làm việc thường lệ của văn phòng thư ký, và trong bất kỳ trường hợp nào

không cho phép ai đích thân đến bỏ phiếu vào lúc văn phòng này không mở cửa cho công chúng. Địa điểm mô tả ở trên cho thủ tục bỏ phiếu sớm cũng là địa chỉ thư từ của thư ký để gửi các đơn xin lá phiếu và các lá phiếu bầu gửi bằng thư. Thư ký phụ trách bỏ phiếu sớm, chiếu theo các điều khoản trong Bộ Luật Bầu Cử Texas, sẽ giữ danh sách mỗi người đích thân đến bỏ phiếu sớm và mỗi cá nhân gửi lá phiếu bầu qua thư. Danh sách này sẽ được giữ theo mẫu đã được Tổng Thư Ký Tiểu Bang chấp thuận.

Mục 5: Tất cả các lá phiếu sẽ được chuẩn bị chiếu theo Bộ Luật Bầu Cử Texas. Các lá phiếu giấy sẽ được dùng cho thủ tục bỏ phiếu qua thư và Hệ Thống Bỏ Phiếu Ghi Điện Tử Trực Tiếp eSlate (DRE) sẽ được sử dụng cho thủ tục đích thân đến bỏ phiếu sớm và bỏ phiếu ngày Bầu Cử, cả hai đều thuộc Hệ Thống Bỏ Phiếu DRE eSlate. Hội Đồng Thành Phố theo đây thông qua việc sử dụng Hệ Thống Bỏ Phiếu Ghi Điện Tử Trực Tiếp eSlate (DRE) cho ngày bỏ phiếu sớm và bỏ phiếu chính thức như đã được Tổng Thư Ký Tiểu Bang chấp thuận. Tất cả các chi phí cần thiết cho việc tiến hành cuộc bầu cử, tiền mua các tài liệu theo đó, và việc mượn các viên chức phụ trách bầu cử tại đây được cấp phép.

Mục 6: Thư Ký Thành Phố theo đây được cấp phép và chỉ thị cung cấp các dụng cụ bầu cử cần thiết để tiến hành cuộc bầu cử trên.

Mục 7: Thông báo của cuộc bầu cử này sẽ được ban hành chiếu theo các điều khoản của Bộ Luật Bầu Cử Texas và việc thông báo kết quả này nên được làm theo chỉ thị của Bộ Luật nói trên. Thị trưởng sẽ ban hành tất cả các yêu cầu và lệnh cần thiết cho cuộc bầu cử, và kết quả của cuộc bầu cử sẽ được gửi cho Thư Ký Thành Phố sau khi đóng cửa phòng phiếu.

Mục 8: Cuộc bầu cử nói trên sẽ được tổ chức chiếu theo quy định của Điều XI, Mục 11 của Hiến pháp Tiểu Bang Texas, trong đó quy định rằng viên chức cơ quan thành phố có đã làm việc nhiệm kỳ hơn hai (2) năm phải tìm người vào vị trí trống trong vòng 120 ngày sau khi có vị trí trống xảy ra, theo Bộ Luật Bầu Cử Texas và Đạo Luật Về Quyền Bầu Cử Liên Bang năm 1965, được sửa đổi. Chỉ có các cử tri thường trú hội đủ điều kiện của Thành Phố Tomball sẽ được bỏ phiếu.

Mục 9: Ngày đầu tiên nộp đơn cho vị trí trên lá phiếu là ngày 18 tháng Giêng, 2017. Tất cả các ứng cử viên cho cuộc bầu cử Văn Phòng Nghị Viên Hội Đồng Thành Phố, Vị Trí 1 và Vị Trí 5, phải đệ trình tên lên cho thư ký thành phố của Thành Phố Tomball, Texas, vào lúc 5 giờ chiều ngày 17 tháng Hai, 2017 để cho tên của họ được bao gồm trong Lá Phiếu Chính Thức.

Mục 10: Nếu cần thiết tổ chức một Bầu Cử Chung Cuộc, ngày Bầu Cử Chung Cuộc được chỉ định là Thứ Bảy 10 Tháng Sáu, 2017. Thủ tục Bỏ phiếu sớm cho cuộc Bầu Cử Chung Cuộc sẽ bắt đầu vào ngày 30 Tháng Năm, 2017 và kết thúc ngày 6 tháng Sáu, 2017. Tất cả các điều khoản, điều kiện, và các quy định được đưa ra cho Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ ngày 6 tháng Năm, 2017 cũng sẽ áp dụng cho Cuộc Bầu Cử Chung Cuộc.

Mục 11: Thư Ký Thành Phố theo đây được cấp phép và hướng dẫn để ban hành Thông Báo về cuộc bầu cử trên theo yêu cầu của luật pháp.

THÔNG QUA, CHẤP THUẬN, và RA NGHỊ QUYẾT ngày 3 tháng Giêng, 2017.

GRETCHEN FAGAN, Thị Trưởng
Thành Phố Tomball

CHỨNG THỰC:

DORIS SPEER, Thư Ký Thành Phố
Thành Phố Tomball

決議案編號 2014-01

**TOMBALL市市議會決議及指示將於2017年5月6日星期六召開市政府官員普選；
指定該選舉之投票地點及委派選舉工作官員；指揮該選舉公告之發佈；指定
如有需要的二次決選日期；以及提供舉行該選舉的相關細節**

* * * * *

由德克薩斯州TOMBALL市議會決議的適用條款如下：

第一條： 特此指示德克薩斯州Tomball市在2017年5月6日，星期六舉行普選，在該項選舉中將由符合資格的選民選舉Tomball市下列官員，即是：

席位

市議會席位1

市議會席位5

第二條： 構成一個選舉區目前的市政區界限，下列投票所開放投票的時間將為上午七時(7:00)至下午七時(7:00)，在此指派於指定之投票所辦理投票事宜的官員如下：

投票所

Tomball市政廳
401 Market Street
Tomball, Texas 77375

執行選舉官員

Patsy Kinsey, 主理法官
Latrell Shannon, 替代主理法官

依照德克薩斯州選舉法32.009條規定，在此授權并指派市府秘書向法官們提交此**決議書**副本作為其任命之書面通知。如果主理法官或替代主理法官均無法執行其委派職責，在需要時授權市府秘書於符合資格的選舉書記中選擇一位代理主理或代理替代主理法官。

主理法官將有權委派不超過七名書記協助舉辦此項選舉，但在任何情況下主理法官不得委派兩名以下的書記。提述之選舉官員也將擔任此項選舉的提前投票選票委員會的工作；該選區的主理法官亦同時擔任提前投票選票委員會的主理法官。

依照州選舉條例第三綱領，第 32.091 (a) 條規定，選舉法官之酬薪為每小時\$12.50；提前投票書記及選舉書記之酬薪為每小時\$11.50。依照州選舉條例第三綱領，第 32.091 (a) 條規定，如送交工作是必要的，選舉法官在送交選舉設備及用品之酬薪為每小時\$25.00。市政府將支付市政府選舉法官及書記任何必要的培訓。法官及書記們出差參加培訓時將可按既定的鐘點計費報銷。

第四條： 市府秘書在此委派提前投票之選舉書記；市府秘書應將依照德克薩斯州選舉條例第83.001條及該條款下列相關條款規定委派提前投票之代表書記或書記。此項選舉的提前投票地點在此指定於：

市政廳
德州Tomball市
401 Market Street
Tomball, Texas 77375

提述之書記在市政廳正常辦公時間保持該投票所之開放，開放時間即為：週一，週三及週四上午七時四十五分(7:45)至下午五時(5:00)、週二上午七時四十五分(7:45)至下午七時四十五分(7:45)、週五上午七時四十五分(7:45)至下午四時(4:00)，提前投票的每日開放時間將從此項選舉前的第12日起至選舉前的第四日止，週六，週日或國定假日除外。依照選舉條例第85.005 (d) 條規定，如果提前投票期間含6或6個以上的平常工作日，主要的提前投票所則需在2017年4月25日，星期二及2017年5月2日，星期二開放每日12小時供個人出席的提前投票；

提述之書記不得允許任何人在書記辦公室非正常工作日內進行個人出席提前投票，在該辦公室未對外開放時，在任何情況之下絕不允許任何人進行個人出席提前投票。上述提前投票地點亦為辦理選票申請及郵寄選票書記辦公室的通訊地址。依據德州選舉條例規定，提前投票書記應保存每位進行個人出席提前投票和寄發郵寄選民的名冊。名冊應保持州務卿批核之格式。

第五條： 所有選票均依照的州選舉條例進行準備。郵寄提前投票將使用紙張選票，個人出席提前投票和選舉日投票將使用eSlate 直接記錄電子 (DRE)投票系統，兩者均為eSlate DRE 投票系統之部分。州務卿已核準市議會在此通過提前投票及選舉日使用eSlate直接記錄電子 (DRE) 投票系統。所有舉辦選舉、材料採購、以及選舉人員的僱聘之必要支出在此業經授權。

第六條： 在此授權并指示市府秘書提供舉辦此次選舉的所有必要選舉用品。

第七條： 此項選舉公告的發佈依照德克薩斯州選舉條例之規章，公告回執亦應按上述條例進行。市長將開具所有有關此項選舉必要的命令及令狀，每項選舉回執在投票所關閉后應提交市府秘書。

第八條： 提述之選舉將依據德克薩斯州憲法第11章，第11條之規定辦理，德克薩斯州選舉條例及1965年聯邦投票權法案修正案規定市行政單位超過兩年的任期，必須在空缺發生的120日內填補該項空缺，唯有Tomball市正式合格的居民選民才能取得投票資格。

第九條： 開始申請參選選票席位的第一天為2017年1月18日。所有競選市議會席位1及市議員辦公室市議會席位5之候選人必須在2017年2月17日，下午5:00前提交申請候選人姓名才能將其姓名列於正式選票上。

第十條： 如果需要進行二次決選，二次決選定於2017年6月10日。二次決選的提前投票將於2016年5月30日開始并於2017年6月2日結束。2017年5月6日市府官員普選制定之所有的任期，條件及條款均將適用於二次決選。

第十一條： 在此依法授權及指示市府秘書發佈上述選舉公告。

於2017年1月__3__日通過，核準并決議。

GRETCHEN FAGAN, 市長
Tomall市

此證：

DORIS SPEER, 市府秘書
Tomall市

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Approve Resolution No. 2017-02, a Resolution of the City Council of the City of Tomball, Texas, Designating the Official Newspaper for 2017 for Publication of Matters Pertaining to the City of Tomball

Background:

Tomball Home Rule Charter, Section 3.06, and Texas Government Code, Section 2051.044, require the City Council to annually designate a public newspaper of general circulation in the City as the official newspaper for all legal notices—ordinances, public hearing notices, election notices, and other matters required to be published by the Charter, Tomball ordinances, the Constitution or state or federal laws.

The Potpourri is the only local paper to meet all of the requirements of the City's Charter and state law; the Houston Chronicle would meet the requirements, but publications rates are much higher.

The major portion of the City's official advertising involves legal notices, some of which are quarter-page ads that state or federal law require be published as display ads in the main body of the newspaper.

The Potpourri has an Internet site and we have enjoyed an excellent relationship with The Potpourri over the years. The Potpourri states a circulation number of 17,200 home-delivery customers in zip codes 77375 and 77377 and provides locations where papers can be picked up. The Potpourri's publication date is on Wednesday.

Staff recommends designation of The Potpourri as the official newspaper for 2017.

Origination:

Home Rule Charter/City Secretary

Recommendation:

Designation of The Potpourri as the official city newspaper for 2017.

Funding:

Yes

Account Number:Responsible Departments, Acct. 6335

Party(ies) responsible for placing this item on agenda:

City Secretary

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

RESOLUTION NO. 2017-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TOMBALL, TEXAS, DESIGNATING THE OFFICIAL
CITY NEWSPAPER FOR 2017 FOR PUBLICATION OF
MATTERS PERTAINING TO THE CITY OF TOMBALL.**

* * * * *

WHEREAS, the Home Rule Charter of the City of Tomball, Section 3.06 – Official Newspaper, states:

“The Council shall have power to contract with, and by ordinance or resolution, annually designate a public newspaper of general circulation in the City as the official newspaper thereof and to continue as such until another is designated, and shall cause to be published therein all ordinances, notices and other matters required to be published by this Charter, by the ordinances of the City or by the Constitution or laws of the State of Texas.”

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body hereby designates the _____ to be named the official newspaper for 2016 for the City of Tomball, Texas, for the publication of ordinances, notices, and other matters required by law or ordinance to be published, and that this resolution shall take effect upon its passage.

PASSED AND APPROVED BY A VOTE OF ___ TO ___ AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 3RD DAY OF JANUARY 2017:

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

GRETCHEN FAGAN, Mayor

ATTEST:

Doris Speer, City Secretary

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Award Engineering Contract to Jones and Carter for Design Services for a Water and Sewer Line along Zion and E. Hufsmith Roads in the Amount of \$196,000

Background:

During the budgeting process for the 2016-17 budget, a project was identified to extend water and possibly sewer service to Broussard Park. The water line is proposed to be extended along Zion Road to E. Hufsmith then to Snook Lane which will complete a 12" water line loop. This line will provide additional access to water service to the area. The sewer service for the park will consist of a lift station and force main that will only serve the Broussard park and provide the ability to serve Sam Mathews park. Jones and Carter engineering firm has been selected to design these facilities. The design contract consists of basic services for design of the water and sewer lines, surveying and construction staking, geotechnical investigation, and construction material testing in the amount of \$196,000.

Origination:

Public Works

Recommendation:

Staff Recommends approval

Funding:

Yes

Account Number: Fund 400

Party(ies) responsible for placing this item on agenda:

David Esquivel

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

ATTACHMENTS:

Jones and Carter contract

December 22, 2016 REVISED

Mr. David Esquivel, PE
Director of Public Works
City of Tomball
401 Market Street
Tomball, Texas 77375

Re: Proposal for Preliminary Engineering Study and Report
and Engineering Design Services for
Water and Wastewater Lines
Zion and East Hufsmith Roads
City of Tomball, Harris County, Texas

Dear Mr. Esquivel:

We appreciate the opportunity to present this proposal for a feasibility study and report, along with engineering documents, in connection with The City of Tomball's (the "City") proposed public water and sanitary sewer improvements to be placed in the vicinity of Zion Road, and East Hufsmith Road.

Project Understanding

We understand you request Jones|Carter ("JC") to perform a limited analysis of the existing water system in the area for proposed public water improvements within the limits identified as Project Nos. 1 and 3 in the Future Water Distribution System Projects list (2012 to 2022), and evaluate and size a lift station to serve the proposed improvements to Broussard Park including potential service to Samuel Matthews Park.

Additionally, you request JC prepare engineering design, construction documents, technical specifications, contract documents along with cost estimates at various milestones for the projects listed above including construction administration of the projects to be publicly bid, field project representative services, surveying and construction staking, easement descriptions, if needed, project management, and management of geotechnical testing and construction materials testing during construction.

Based on our understanding of these projects, we prepared the following Scope of Services and fee proposal for your consideration.



Mr. David Esquivel, PE

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Scope of Services and Fee

Limited Analysis Services:

Water System Analysis:

Water System Analysis services will be a lump sum fee and include, but are not limited to:

1. Assess current distribution system in the vicinity and identify conceptual service area(s), waterline placement, and potential encumbrances.
2. Coordinate with City Staff regarding water system pressure, and delivery capability of water system to meet fire suppression requirements.

Total Water System Analysis Services (Lump Sum): \$5,000

Additional Services:

Miscellaneous additional engineering services billed on an hourly basis in accordance with the attached Schedule of Hourly Rates, as authorized by the City.

Total Additional Services (Hourly): \$1,000

Reimbursable Expenses:

Reimbursable expenses including outside services not performed by JC personnel shall be provided in accordance with the enclosed Schedule of Reimbursable Expenses. These services typically include deed research, reproduction, and deliveries.

Total Estimate of Reimbursable Expenses: \$500

SUBTOTAL - LIMITED ANALYSIS FEE: \$6,500

Mr. David Esquivel, PE

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Basic Services (Preliminary Phase, Design Phase & Construction Phase)

The Basic Services will encompass obtaining the remaining topographic survey data, any property data, geotechnical investigations in order to prepare plan and profile drawings, layout sheets, detail sheets, construction documents, contract documents and updated construction cost estimates for the approved project, and the services described in the Professional Services Agreement ("PSA") offered. The summary of the deliverables is itemized for the following projects:

1. Lift Station Construction Plans and Contract Documents - This project includes a complete set of plans, documents and technical specifications as this project is expected to be advertised publicly for bid.
2. Force Main Construction Plans and Contract Documents – This project will have a complete set of plans, documents and technical specifications for the portion of this project that is to be advertised publicly for bid; more specifically, the bridge crossing and the road/pipeline crossings that include encasement to meet Harris County's standards. The remainder of the project is to be constructed with City Staff and will have plans, technical specifications, details, etc. necessary for staff to construct.
3. Waterline Construction Plans and Contract Documents - Portions of this project are to be advertised publicly for bid; more specifically, the bridge crossing and the road/pipeline crossings that include encasement to meet Harris County's standards. The remainder of the project is to be constructed by City Staff and in phases to ensure water service to the park by April 2017. Staff will be provided plans, technical specifications, details, etc. necessary to construct.

Engineering services include construction drawings, contract documents, technical specifications, an itemized bid form, and an updated probable cost to construct based on recent construction market conditions. We will assist during the bidding phase by hosting a pre-bid meeting in conjunction with the staff, assisting with receipt and evaluation of the bids, and provide a letter recommending award of the project (s) for best and most responsive bid.

The conceptual construction cost for your project costs are as follows:

- | | |
|--|------------|
| 1. Water Project– Zion Road & East Hufsmith Road 12-inch (12") waterline (approx. 5,600 LF); from the Raleigh Creek Subdivision entrance to E. Hufsmith and Zion Road intersection and along E. Hufsmith Road from Zion to the intersection of E. Hufsmith Road at Snook Lane including an 8-inch (8") waterline within Broussard Park | \$ 648,900 |
| 2. Wastewater Project – Duplex Grinder Pump Lift Station, wet well, controls 3-phase power, manual transfer switch, quick connect generator coupling, driveway, fence | \$ 115,000 |



Mr. David Esquivel, PE

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3. Wastewater Project – Force Main serving the proposed Lift Station (approx. 4,200 LF)	<u>\$ 136,000</u>
Total	<u>\$ 900,000</u>

SUBTOTAL – BASIC SERVICES LUMP SUM FEE	\$ 100,000
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Additional Services (known at this time; these are estimates)

• Project Field Representative (for lift station & contracted services)	\$ 20,000
• Surveying and Construction Staking	\$ 30,000
• Geotechnical Investigation (soil borings for lift station & pipelines)	\$ 20,000
• Construction Materials Testing (densities, concrete tests, plant visits, etc)	<u>\$ 20,000</u>

TOTAL FEE – STUDY AND REPORT, BASIC AND ADDITIONAL SERVICES	\$ 196,000
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Special Considerations

The following special considerations were included while preparing this proposal:

1. The City shall provide JC with as-builts for existing water and sanitary sewer plans relevant to the project area along with any park conceptual plans that are relevant to the projects.
2. The City shall provide JC with maps of existing City gas lines.
3. Any additional Hourly Services shall be provided in accordance with the enclosed Schedule of Hourly Rates.
4. Reimbursable expenses, including outside services not performed by JC personnel, shall be provided in accordance with the enclosed Schedule of Reimbursable Expenses. These services typically include deed research, reproduction, and deliveries.
5. This proposal shall be valid for 60 days from this date and may be extended upon approval by this office.



Mr. David Esquivel, PE

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We thank you for the opportunity to submit this proposal and look forward to working with you. An executed copy of this proposal will serve as our notice to proceed. Please return 1 copy to our office. Should you have any questions, please call.

Sincerely,

A blue ink signature of Joshua P. Lee, written in a cursive style.

Joshua P. Lee, P.E.

Department Manager

Municipal and District Services

A blue ink signature of Ed Shackelford, written in a cursive style.

Ed Shackelford, P.E.

Senior Vice President

Senior Manager/Business Development

EHS/gef:lr2

M:\KMF\City of Tomball Proposal 08 11 16 EHS 122216.doc

Enclosures: Existing Professional Services Agreement, Rate Schedules

APPROVED BY:

City of Tomball, TX

By: _____

Signature

Name and Title (Printed)

Date

Regular City Council

Agenda Item

Data Sheet

Meeting Date: January 3, 2017

Topic:

Approve Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 2000-62916, styled *City of Tomball, et al vs. Emma Dial Fullylove, et al*, said Property being described as: *Tract 1: Lot No. 44, Block No. 36, Located in Harris County, Texas, According to the Map or Plat Thereof Recorded in Vol. 4, Page 25 of the Map Records of Harris County, Texas, HCAD Acct No. 035-264-036-0044, to Maricsa Villasenor, in the Amount of \$3,749.47; Located at 0 Clarence Street, Tomball*

Background:

When taxes are owed on a property resulting in a foreclosure, those properties may be sold through a bid process with proceeds paid to the taxing entities for back taxes. The subject property is located at 0 Clarence Street in Tomball. We request approval of the sale of the property to Maricsa Villasenor, in the amount of \$3,749.47.

The City of Tomball will receive \$611.34 in post judgment and back taxes/interest and the property will return to the tax roles under new ownership.

Origination:

Perdue, Brandon, Fielder, Collins and Mott, LLP, Attorneys at Law

Recommendation:

Staff recommends approval.

Party(ies) responsible for placing this item on agenda:

Doris Speer, City Secretary

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Resale Deed - Lot 44 Block 36 - COT to Maricsa Villasenor

Bid Analysis - Lot 44 Block 36

HCAD Map - Lot 44 Block 36

**Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number.
(Language pursuant to Section 11.008 of the Texas Property Code)**

THE STATE OF TEXAS

§

RESALE DEED

§

COUNTY OF HARRIS

§

KNOW ALL MEN BY THESE PRESENTS that the CITY OF TOMBALL FOR ITSELF AND AS TRUSTEE FOR TOMBALL INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT and HARRIS COUNTY, acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by MARICSA VILLASENOR ("GRANTEE") the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said grantee all right, title and interest of the CITY OF TOMBALL, TRUSTEE, FOR THE USE AND BENEFIT OF ITSELF AND ALL OTHER TAXING UNITS THAT ESTABLISHED TAX LIENS IN CAUSE NO. 2000-62916, in the property herein conveyed, acquired by tax foreclosure sale heretofore held, in Cause No. 2000-62916, styled *City of Tomball, et al vs. Emma Dial Fullylove, et al*, said property being described as:

TRACT 1: LOT NO. 44, BLOCK NO. 36, TOMBALL, LOCATED IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOL. 4, PAGE 25 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. (ACCOUNT #035-264-036-0044)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said MARICSA VILLASENOR, her heirs and assigns forever, so that neither the CITY OF TOMBALL, TRUSTEE, FOR THE USE AND BENEFIT OF ITSELF AND ALL OTHER TAXING UNITS THAT ESTABLISHED TAX LIENS IN CAUSE NO. 2000-62916 nor any person claiming under it or them shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Grantee accepts the property in "AS IS, WHERE IS" condition, subject to any environmental conditions that might have or still exist on said property and subject to the rights of any parties in possession of the property.

Post judgment taxes and taxes for the current year are assumed by Grantee.

IN TESTIMONY WHEREOF, THE CITY OF TOMBALL, TRUSTEE, FOR THE USE AND BENEFIT OF ITSELF AND ALL OTHER TAXING UNITS THAT ESTABLISHED TAX LIENS IN CAUSE NO. 2000-62916 have caused these presents to be executed this _____ day of _____ 2017.

CITY OF TOMBALL, TRUSTEE, FOR THE USE AND BENEFIT OF ITSELF AND ALL OTHER TAXING UNITS THAT ESTABLISHED TAX LIENS IN CAUSE NO. 2000-62916

GRETCHEN FAGAN, MAYOR

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan, Mayor of City of Tomball, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2017.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

AFTER RECORDING, RETURN TO:
Perdue, Brandon, Fielder, Collins & Mott, L.L.P.
1235 North Loop West, Suite 600
Houston, Texas 77008

Grantee: Maricsa Villaseñor
 12518 Lacey Crest Dr.
 Houston, TX 77070

PRIVATE RESALE BID ANALYSIS

Cause Number:	2000-62916	Strike Off Date:	3/6/2001
Style:	City of Tomball vs. Guyton Jeanean F	Property Value:	\$ 5,300.00
Account Number(s):	035-264-036-0044	Minimum Bid at first sale:	\$ 3,748.61
Bid Amount:	\$ 3,749.47	Redemption Expired:	3/6/2003
Bidder Name:	Maricsa Villaseñor	Amount Accompanying Offer:	\$ 605.14
Total collected:	\$ 4,354.61		

Judgment Information

Tax Entity	Tax Years	Amount Due
City of Tomball	1987-1999	\$ 611.18
Tomball ISD	1987-1999	\$ 1,681.65
Harris County	1986-1999	\$ 999.78
Total:		\$ 3,292.61

Costs

Publication Fee (Tax Sale): (Payable to Daily Court Review)	\$ 175.00
Court Costs: (Payable to Chris Daniel include Constable sale fee)	\$ 235.00
Original Deed Fee: (Payable to PBFCM)	\$ 11.00
Abstract Fee: (Payable to PBFCM)	\$ 35.00
Total:	\$ 456.00

Other Costs (paid seperately)

Resale Deed Fee: (Payable to PBFCM)	\$ 20.00
Total	\$ 20.00

Post Judgment Taxes (paid seperately)

Tax Entity	Tax Years	Amount Due
City of Tomball	2000-2001	\$ 64.00
Tomball	2000-2001	\$ 356.93
Harris County	2000-2001	\$ 164.21
Total:		\$ 585.14

Proposed Distribution

Bid Amount:	\$ 3,749.47	Costs:	\$ 456.00
Net Distribute:	\$ 3,293.47		

Tax Entity	%	Amount to Disburse	Apply to:
City of Tomball	19%	\$ 611.34	amount for 1987-1999 based on 3/2001 p/i
Tomball ISD	51%	\$ 1,682.09	amount for 1987-1999 based on 3/2001 p/i
HC	30%	\$ 1,000.04	amount for 1987-1999 based on 3/2001 p/i
Costs		\$ 476.00	Judgment costs/tax sale/ tax resale
City of Tomball	2000-2001	\$ 64.00	p/j taxes based on nov 2016 p/i
Tomball ISD	2000-2001	\$ 356.93	p/j taxes based on nov 2016 p/i
Harris County	2000-2001	\$ 164.21	p/j taxes based on nov 2016 p/i
Total:		\$ 4,354.61	

TAX DISTRIBUTION BREAKDOWN - PRIVATE RESALE -035-264-036-0044

<u>Amount in Judgmt</u>			<u>%</u>	<u>Amt to Distr.</u>	<u>Pro-Rated Amt</u> s	<u>over/ under</u>
City of Tomball	\$ 611.18		18.562174		\$ 611.34	\$ 0.16
		\$ 3,292.61		\$3,293.47		
Tomball ISD	\$ 1,681.65		51.073465		\$ 1,682.09	\$ 0.44
Harris County	\$ 999.78		30.364361		\$ 1,000.04	\$ 0.26
TOTAL BID	\$ 3,749.47					
<u>COSTS</u>						
Publication Fee - Tax Sale	\$175.00					
Publication Fee - Tax Resale	\$0.00					
Advertising Fee - Tax Sale	\$0.00					
Advertising Fee - Resale	\$0.00					
Ad-Litem Fee	\$0.00					
District Clerk	\$235.00					
Constable Fee - Resale	\$0.00					
Deed Fee - Tax Sale	\$11.00					
Deed Fee - Resale	\$0.00					
Tax Master	\$0.00					
Research Fee	\$35.00					
Out of County Service Fees	\$0.00					
Recording Fee	\$0.00					
TOTAL COSTS	\$456.00					

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
0352640360044

Tax Year: 2016



Owner and Property Information						
Owner Name & Mailing Address:			Legal Description:			
CITY OF TOMBALL CAUSE #2000-62916 401 MARKET ST STE C TOMBALL TX 77375-4671			LT 44 BLK 36 TOMBALL 0 CLARENCE ST TOMBALL TX 77375			
Property Address:						
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Map Facet	Key Map®
XV -- Other Exempt (Government)	1000 -- Residential Vacant	3,500 SF	0 SF	2593.04	4771D	288H

Value Status Information		
Value Status	Notice Date	Shared CAD
Noticed	04/22/2016	No

Exemptions and Jurisdictions						
Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2015 Rate	2016 Rate
Total	026	TOMBALL ISD	13,650	Certified: 08/12/2016	1.340000	1.340000
	040	HARRIS COUNTY	13,650	Certified: 08/12/2016	0.419230	0.416560
	041	HARRIS CO FLOOD CNTRL	13,650	Certified: 08/12/2016	0.027330	0.028290
	042	PORT OF HOUSTON AUTHY	13,650	Certified: 08/12/2016	0.013420	0.013340
	043	HARRIS CO HOSP DIST	13,650	Certified: 08/12/2016	0.170000	0.171790
	044	HARRIS CO EDUC DEPT	13,650	Certified: 08/12/2016	0.005422	0.005200
	045	LONE STAR COLLEGE SYS	13,650	Certified: 08/12/2016	0.107900	0.107800
	083	CITY OF TOMBALL	13,650	Certified: 08/12/2016	0.341455	0.341455
	679	HC EMERG SERV DIST 8	13,650	Certified: 08/12/2016	0.100000	0.095470

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at [HCAD's information center at 13013 NW Freeway.](#)

Valuations					
Value as of January 1, 2015			Value as of January 1, 2016		
	Market	Appraised		Market	Appraised
Land	0		Land	0	
Improvement	0		Improvement	0	
Total	0	0	Total	0	0

Land												
Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	1000 -- Res Vacant Table Value	SF5	SF	3,500	1.50	1.00	0.65	Shape or Size	0.98	0	0	0

Building
Vacant (No Building Data)

Regular City Council
Agenda Item
Data Sheet

Meeting Date: January 3, 2017

Topic:

Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property

Background:

Origination:

City Manager

Recommendation:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other