

RESOLUTION NO. 2007-14

A RESOLUTION OF THE CITY COIUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING THE ESTABLISHMENT OF THE PUBLIC IMPROVEMENT DISTRICT NUMBER ONE IN THE CITY OF TOMBALL, TEXAS; AUTHORIZING PUBLICATION OF THIS RESOLUTION, PROVIDING FOR THE PREPARATION OF A SERVICE AND ASSESSMENT PLAN; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

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WHEREAS, the City of Tomball City Council is authorized to create a public improvement district pursuant to Ch. 372 of the Texas Local Government Code (the "Code") for the purpose described therein, and the City has received a petition from certain landowners within the City requesting the creation of a public improvement district; and

WHEREAS, the City Council held a public hearing on February 19, 2007, notice of which was published and mailed to property owners of the proposed district pursuant to Section 372.009 of the Code; and

WHEREAS, the City Council has made findings by resolution as to the advisability of the proposed improvement project, the nature of the improvements, the boundaries of the proposed public improvement district, the estimated cost, the method of assessment and the apportionment of cost between the improvement district and the City as a whole, as required by Chapter 372 of the Code; and

WHEREAS, the City Council has determined that it should proceed with the creation of the Public Improvement District Number One and the provision of public improvements proposed to be provided thereby; **NOW, THEREFORE**,

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

Section 1. The facts recited in the preamble hereto are hereby found to be true and correct.

Section 2. The Public Improvement District Number One (the "District") is authorized to be and is hereby established as a public improvement district under the provisions of Chapter 372 of the Code over the land currently included within the boundaries of the City of Tomball, Texas, as more fully described in Exhibit A attached hereto, all in accordance with the findings made by the City Council in Section 1 of Resolution No. 2007-12, passed and approved on February 19, 2007.

Section 3. The City Secretary is hereby directed to give notice of the authorization for establishment of the District by publishing the resolution once in at least one local newspaper

of general circulation in the City. The authorization and establishment of the District shall be deemed to be effective upon the publication of the notice directed by this section.

Section 4. The City Council hereby directs the District Administrator to prepare a service and assessment plan for review and approval of the City Council in accordance with Chapter 372 of the Code.

Section 5. The District shall not provide any improvements until at least 20 days after authorization of the District takes effect. Such services shall not begin if during such period a petition is filed pursuant to section 372.010(c) of the Code.

Section 6. This Resolution shall be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this 5th day of March, 2007.


H. G. "Hap" Harrington, Mayor

ATTEST:


DORIS SPEER, City Secretary

APPROVED AS TO FORM:


WILLIAM A. OLSON, Jr., City Attorney

EXHIBIT A

The boundaries of the proposed City of Tomball Public Improvement District Number One are the area contained in the Final Plat of Pine Country of Tomball, Section Two, A Subdivision of 55.7020 Acres Being a Replat of Pine Country of Tomball, Section Two, an Unrestricted Reserve of 55.7020 Acres as Recorded in H.C. Film Code #526187, and Being out of the John Edwards Survey, A-20 and the Chauncey Goodrich Survey, A-311 in the City of Tomball, Harris County Texas.