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RP-2016-429712  
09/23/2016 RP1 \$20.00

**ORDINANCE NO. 2016-16**

**AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL,  
TEXAS, APPROVING THE SERVICE AND ASSESSMENT  
PLAN FOR THE CITY OF TOMBALL PUBLIC  
IMPROVEMENT DISTRICT NUMBER FIVE**

\* \* \* \* \*

**WHEREAS**, the City of Tomball (the "City") is authorized pursuant to TEX. LOCAL GOV'T CODE, ch. 372, as amended ("Chapter 372") to create public improvement districts for the purposes described therein; and

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**WHEREAS**, the City has received a petition (the "Petition") requesting the creation of the City of Tomball Public Improvement District Number Five (the "PID"), held a public hearing, and created the PID in accordance with the applicable provisions of Chapter 372; and

**WHEREAS**, the City passed and adopted Resolution No. Resolution 2015-05 establishing the City of Tomball Public Improvement District Number Five; and

**WHEREAS**, the City Council wishes to adopt the Service and Assessment Plan with respect to the PID; **NOW THEREFORE**,

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

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

**Section 2.** The Service and Assessment Plan attached to this Ordinance as Exhibit A is hereby approved and adopted on behalf of the PID, and the Mayor, City Secretary and any other appropriate officials of the City are hereby authorized to take all necessary actions on behalf of the City to implement the terms thereof in accordance therewith.

**Section 3.** It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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 15TH DAY OF AUGUST 2016.

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>ABSENT</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 6TH DAY OF SEPTEMBER 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>



  
 \_\_\_\_\_  
 Gretchen Fagan, Mayor

AFTER RECORDING, PLEASE RETURN TO:

City of Tomball  
 401 Market Street  
 Tomball, Texas 77375



Attn: Betsy Gates, Assistant City Secretary  
 Phone: 281-290-1019

FILED

2016 SEP 23 AM 10:57

*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW. THE STATE OF TEXAS COUNTY OF HARRIS

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

SEP 23 2016



*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS