

ORDINANCE NO. 2022-09

AN ORDINANCE OF THE CITY OF TEXAS CITY, TEXAS DESIGNATING A REINVESTMENT ZONE KNOWN AS THE "TEXAS CITY GULF COAST REINVESTMENT ZONE NO._2" FOR PURPOSES OF COMMERCIAL-INDUSTRIAL TAX ABATEMENT; MAKING NECESSARY FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of Texas City, Texas (the "City") desires to make available tax abatement relief in the area designated by this Ordinance to encourage the development of primary employment and to attract major investment;

WHEREAS, the City adopted Resolution 16-78 on October 19, 2016 whereby it elected to become eligible to participate in tax abatement pursuant to the Property Redevelopment and Tax Abatement Act, Tex. Tax. Code Chapter 312, Sec. 312.002;

WHEREAS, the City adopted Resolution 21-038 on May 19, 2021 whereby it adopted guidelines and criteria governing tax abatement agreements pursuant to the Tex. Tax. Code sec. 312.002;

WHEREAS, the City properly complied with the notice requirements pursuant to Section 312.201 (d) and conducted a public hearing during its duly noticed public meeting held on Wednesday, May 4, 2022 at 5:00 p.m., regarding the designation of the area identified in the attached Exhibit "A-I" and "A-2" as a reinvestment zone for commercial-industrial tax abatement purposes, the deeds and legal descriptions of which are a matter of public record in the Galveston County Real Property Records and in the office of the City Secretary of Texas City, Texas;

WHEREAS, the City Commission finds that the improvements sought within the designated reinvestment zone are feasible and practical and would be a benefit to the land to be included in the zone and to the City after the expiration of a tax abatement agreement entered under Tex. Tax. Code Sec. 312.204;

WHEREAS, the City Commission finds that the designation of the reinvestment zone is reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment in such reinvestment zone that will be a benefit to the property and will contribute to the economic development of the City of Texas City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

Section 1: Designation of Reinvestment Zone. That pursuant to Chapter 312 of Texas Tax Code, the City of Texas City hereby designates the following described real property as a

reinvestment zone for the purposes of commercial-industrial tax abatement which shall hereinafter be called "Texas City Gulf Coast Reinvestment Zone No. 2", to with:

CENTERLINE DESCRIPTION of the proposed breasting line for Oiltanking Texas City, marine terminal Dock #68, lying and situated in the H. B. Littlefield Survey, Abstract 143, Galveston County, Texas, being a portion of all that certain called 154.5039 acre tract of land conveyed by special warranty deed on July 1, 2004 from Union Carbide Corporation to Oiltanking Texas City, L.P., as recorded in Clerk's File No. 2004049770 of the Galveston County Official Records (G.C.O.R.), said centerline description hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.= 0.999862341) as follows:

COMMENCING at a 5/8" iron rod with survey cap found marking the western reentry corner in the eastern boundary line of aforementioned all that certain called 154.5039 acre tract of land conveyed by special warranty deed on July 1, 2004 from Union Carbide Corporation to Oiltanking Texas City, L.P., as recorded in Clerk's File No. 2004-049770 of the G.C.O.R., same being located in the western boundary line of the residual portion of all that certain called 200.00 acre tract of land conveyed by deed on May 21, 1962 from the Board of Regents of the University of Texas to Union Carbide Corporation, as recorded in Volume 1495, Page 496 of the Galveston County Deed Records (G.C.D.R.), from which a bridge spike found marking the eastern reentry corner in the eastern boundary line of said Oiltanking Texas City, L.P. called 154.5039 acre tract, bears North 88°01'09" East, a distance of 27.99 feet, said Point of Commencement being located at Texas State Plane coordinate position X=3270349.96 and Y=13700431.73;

THENCE North 1°58'51" West, coincident with the eastern boundary line of said Oiltanking Texas City, L.P. called 154.5039 acre tract, same being the western boundary line of residual portion of said Union Carbide Corporation called 200.00 acre tract, a distance of 753.40 feet to a point;

THENCE South 88°01'09" west, a distance of 251.08 feet to the POINT OF BEGINNING at the south end of proposed Dock #68 breasting line, for the south corner, at position X=3270073.03 and Y=13701175.90;

THENCE North 1°55'28" West, coincident with the centerline of proposed Dock #68 breasting line, a distance of 775.09 feet to the POINT OF TERMINUS at the north end of proposed Dock #68 breasting line, for the north corner, at position X=3270047.00 and Y=13701950.45.

Section 2: Declaration of Eligible Property. That the City of Texas City hereby declares eligible for property tax abatement all eligible real and tangible personal property for commercial-industrial development, now or thereafter located in the "Texas City Gulf Coast Reinvestment Zone No. 2" as authorized by the City of Texas City guidelines and criteria for granting tax abatements in reinvestment zones and Chapter 312 of the Texas Tax Code.

Section 3: Severability. If any section, sentence, clause or phrase of this Ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence; clause or phrase of this Ordinance.

Section 4: Effective date. This Ordinance shall be effective upon its adoption.

PASSED AND ADOPTED this 4th day of May 2022.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney

EXHIBIT "A-1"



Exhibit "A-2"

