

**ORDINANCE NO. 2026-07**

**AN ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES OF THE CITY OF TEXAS CITY, GALVESTON COUNTY, TEXAS, ALSO KNOWN AS THE ZONING ORDDINANCE, TO PERMANENTLY REZONE PROPERTY FOR TEXAS CITY ECONOMIC DEVELOPMENT CORP., MAE BUDWINE, AND BAY AREA HABITATE FOR HUMANITY FROM DISTRICT “D-1” (LIMITED SERVICE) TO DISTRICT “A” (SINGLE-FAMILY RESIDENTIAL) BEING 0.82 ACRES, LOCATED IN THE 135 BLOCK OF TEXAS CITY SECOND DIVISION, A SUBDVISION IN GALVESTON COUNTY, TEXAS WITH MUNICIPAL ADDRESSES 601 4<sup>TH</sup> STREET NORTH, 607 4<sup>TH</sup> STREET NORTH, 410 6<sup>TH</sup> AVENUE NORTH, AND 416 6<sup>TH</sup> AVENUE NORTH; ORDERING SAID CHANGES MADE ON THE CITY ZONING MAP; CONTAINING A SAVINGS CALUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH ORDINANCE; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.**

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**WHEREAS**, Kristin Edwards, Economic Development Director, on behalf of the Owner, Texas City Economic Development Corporation, applied for a zoning change for the 0.82-acre lots located at 601 4<sup>th</sup> St North, 607 4<sup>th</sup> St North, 410 6<sup>th</sup> Ave North, and 416 6<sup>th</sup> Ave North from District “D-1” (Limited Service) to District “A” (Single-Family Residential) to create four compliant residential lots for the construction of new single-family residences. Since that time, the EDC has deeded one piece of property to Bay Area Habitat for Humanity and one piece to a land-swap recipient, Mae Budwine; and

**WHEREAS**, the Planning Board approved the proposed Site Plan for the zoning change request to District “A” (Single-Family Residential) at its meeting on March 18, 2024; and

**WHEREAS**, proper notice was given and public hearing was held and the zoning change request was recorded for preliminary zoning approval by the Zoning Commission on October 21, 2025; and

**WHEREAS**, proper notice was given and public hearing was held and the zoning change request was given unanimous preliminary approval by the City Commission on November 19, 2025; and

**WHEREAS**, in accordance with the Section 160.106(D)(3) the Building Official hereby provides notice that the applicant completed and application for a building permit for the requested uses on October 2, 2025, Permit No. 2025-1268, and January 13, 2026, Permit No. 2025-427, so the preliminary zoning approval is ready to be made permanent; and

**WHEREAS**, it is the considered opinion of the City Commission that said Zoning Ordinance be amended and changed to permanently rezone said property.

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

**SECTION 1:** That certain properties described as being a total of 0.82 acres, located in the 135 block of Texas City Second Division, a subdivision in Galveston County, Texas with municipal addresses 601 4<sup>th</sup> St North, 607 4<sup>th</sup> St North 410 6<sup>th</sup> Ave North, and 416 6<sup>th</sup> Ave North, currently zoned as District “D-1” (Limited Service), is hereby rezoned and classified as District “A” (Single-Family Residential) to allow Texas City Economic Development Corp. to create four compliant residential lots for the construction of new single-family residences.

**SECTION 2:** The certain property to be rezoned is more fully described in the legal description attached hereto as Exhibit A.

**SECTION 3:** The approved replat is attached hereto as Exhibit B.

**SECTION 4:** That the City Engineer shall designate said changes from District “D-1” (Limited Service) to District “A” (Single-Family Residential), as hereinabove provided, on the original zoning map, as amended, and on the duplicate copy thereof kept in the Office of the City Planning Board.

**SECTION 5:** That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. In the event any section, clause, sentence, paragraph, or part of this Ordinance shall be for any reason adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, invalidate, or impair the remainder of this Ordinance.

**SECTION 6:** That the Charter requirement for reading this Ordinance on three (3) separate days is hereby dispensed by a majority vote of the City Commission.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2026.**

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Secretary, Rhomari D. Leigh

\_\_\_\_\_  
City Attorney, Kyle Dickson

**ATTACH EXHIBIT A**  
**LEGAL DESCRIPTION**

## **LEGAL DESCRIPTION**

MINOR REPLAT OF BLOCK 135 TEXAS CITY SECOND DIVISION PART OF LOTS 6 AND 7  
AND ALL OF LOTS 8 THRU 16 AND ABANDONED 15 FT ALLEY WAY.

**ATTACH EXHIBIT B – REPLAT**



**METES AND BOUNDS DESCRIPTION**

Being a 0.733 acre (31,945 Sq. Ft.) tract of land and being out of Lots 6 and 7 and all of Lots 8, 9, 10, 11, 12, 13, 14, 15 and 16, and 15 foot Alleyway of BLOCK 135 OF TEXAS CITY SECOND DIVISION, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 10, Page 33, of the Map Records of Galveston County, Texas, said 0.733 acre tract being more fully described by metes and bounds as follows;

BEGINNING at a 5/8" iron rod found for the northeast corner of said Block 135 being in the west right of way of 4th Street North (100' Right-of-Way) also being in the south line of a 20 foot Alley Way;

THENCE S 87°32'35" W along and with the south right of way line of said 20 foot Alley Way, and the north line of said Block 135 a distance of 275.00 feet to a 3/8" iron rod found for the northeast corner of Lot 5 of said Block 135 OF TEXAS CITY SECOND DIVISION, and being the northwest corner of the herein described tract;

THENCE S 02°27'26" E along and with the east line of said Lot 5, a distance of 61.40 feet to a point for corner";

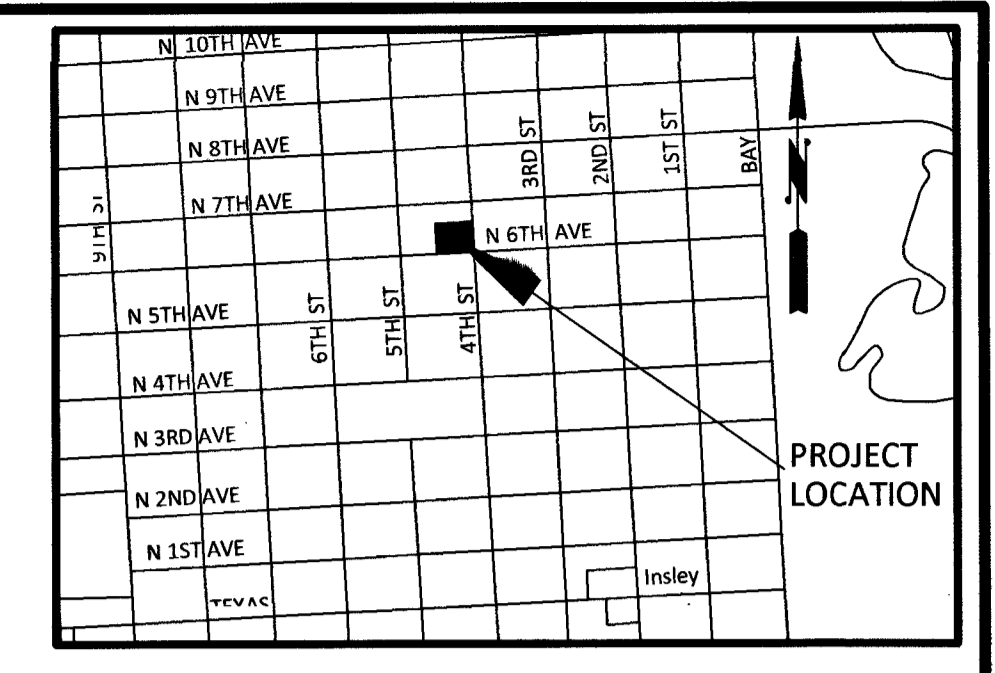
THENCE N 87°32'36" E a distance of 38.20 feet to a point for corner;

THENCE S 02°27'26" E a distance of 63.60 feet to a set 5/8" iron rod with orange cap stamped "SCOTT D ELLIS 6261" in the north right of way of 6th Avenue North (80' Right-of-Way);

THENCE N 87°32'35" E along and with said north right of way of 6th Avenue North (80' Right-of-Way) a distance of 236.80 feet to a set 5/8" iron rod with orange cap stamped "SCOTT D ELLIS 6261" in the said east right of way of 4th Street North (100' Right-of-Way) for the southeast corner of the herein described tract;

THENCE N 02°27'26" W along and with the said east right of way line of said 4th Street North (100' Right-of-Way), a distance of 125.00' to the POINT OF BEGINNING of the tract herein described.

Basis of Bearing: Grid North, Texas State Coordinate System NAD83, Texas South Central Zone.



**GENERAL NOTES:**

- 1) By graphical plotting only this subdivision lies within Flood Zone Horizontally Hatched Shaded "X", as shown on Flood Insurance Rate Map (FIRM) No. 48167C0269G dated 8-15-2019.
- 2) Purpose of this Replat it to combine 11 lots and 15 foot Alley way into 4 lots.
- 3) Selling a portion of any lot within this addition by metes and bounds is a violation of state law and city ordinance and is subject to fines and withholding of utilities and building permits.
- 4) The Surveyor did not abstract the property. Easements and other matters of record mentioned or shown hereon are strictly based from the City Planning Letter issued by American Title Company (Effective Date: June 15, 2023) GF No. 2791023-04187
- 5) Owner of Record, TEXAS CITY ECONOMIC DEVELOPMENT CORPORATION, a Texas non-profit corporation G.C.C.F. No. 2021030128.
- 6) All of the property subdivided in the foregoing plat is within the incorporated boundary of the City of Texas City, Texas
- 7) 15 foot Alley way abandoning was approved at the April 3, 2024 City of Texas City Commission Meeting under Ordinance No 2024-12, and filed under Galveston County Clerk File No. 2024017541.

STATE OF TEXAS }  
COUNTY OF GALVESTON }

That Texas City Economic Development Corporation a Texas non-profit corporation action herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as MINOR REPLAT OF BLOCK 135 TEXAS CITY SECOND DIVISION PART OF LOTS 6 AND 7 AND ALL OF LOTS 8 THRU 16 AND ABANDONED 15 FT ALLEY WAY, an addition to the City of Texas City, Texas and does hereby dedicate, in fee simple, to the public use forever, the streets, alley, and public use areas, shown hereon, and does hereby dedicate the easements shown on the plat for the purpose indicated to the public use forever, said dedications being free and clear of all liens and encumbrances except as shown herein. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over, or across the easements on said plat. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to a particular utility or utilities, said use by public utilities being subordinate to the public's and City of Texas City's use thereof. The City of Texas City and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easements. The City of Texas City and any public utility shall at all times have the right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all of part of its respective system without the necessity at any time of procuring the permission of anyone.

Texas City Economic Development Corporation a Texas non-profit corporation does hereby bind itself, its successors and assigns to forever warrant and defend all and singular the above described streets, alleys, easements and rights unto the public against every person whomsoever lawfully claiming or to claim the same or any part thereof. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Texas City.

WITNESS MY HAND THIS 7<sup>TH</sup> DAY OF MAY, 2024

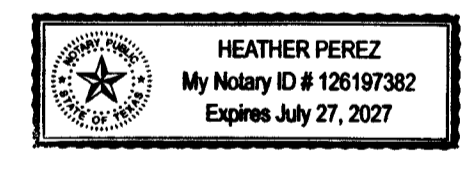
*Mark Clavaglia*  
Mark Clavaglia, Chairman  
Texas City Economic Development Corporation

STATE OF TEXAS  
COUNTY OF GALVESTON

BEFORE ME, the undersigned authority, on this day personally appeared Mark Clavaglia, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein described.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 7<sup>TH</sup> day of MAY, 2024.

*Heather Perez*  
Notary Public for  
the State of Texas  
My Commission Expires July 19, 2027



**ABBREVIATIONS**  
GCCF - GALVESTON COUNTY CLERK'S FILE  
GCMR - GALVESTON COUNTY MAP RECORD  
GCDR - GALVESTON COUNTY DEED RECORD  
CCF NO. - CLERK'S FILE NUMBER  
CIR - CAPPED IRON ROD  
IP - IRON PIPE  
IR - IRON ROD  
ROW - RIGHT OF WAY  
POB - POINT OF BEGINNING

Surveyor  
Ellis Surveying Services, LLC.  
2805 25th Ave N Texas City, TX 77590  
Tel: (409) 938-8700 Fax (866) 678-7685  
Texas Firm Reg. No. 100340-00

Owner / Developer:  
Texas City Economic Development Corp.  
1801 Palmer Hwy.  
Texas City, Tx. 77590

I, Dwight Sullivan, County Clerk, Galveston County, Texas, do hereby certify that the written instrument was filed for record in my office on JUN 25, 2024 AT 1:32 O'Clock P.M., and duly recorded on JUN 25, 2024 AT 1:32 O'Clock P.M., under Galveston County Clerk's File No. 2024018571, Galveston County Map Records.

WITNESS my hand and seal of office, at Galveston, Texas, the day and date last above written.

Dwight Sullivan, County Clerk  
Galveston County, Texas.

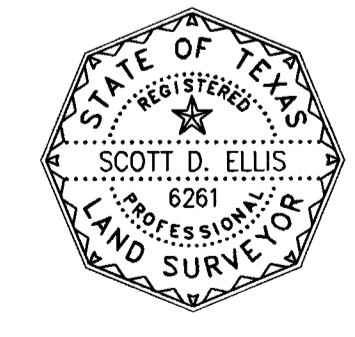
By *Neddy Miller*  
Deputy

On this 27<sup>th</sup> day of June, 2024, this Minor Replat was approved by the City Engineer of the City of Texas City.

*Kim O. Golden*  
Kim O. Golden, P.E.

KNOW ALL MEN BY THESE PRESENTS: I, the undersigned Scott D. Ellis, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correctly made under my supervision and in compliance with the City and State regulations and laws and made on the ground and that the corner monuments were properly placed under my supervision.

*Scott D. Ellis*  
Scott D. Ellis, RPLS  
Tex. Reg. No. 6261



**MINOR REPLAT OF  
BLOCK 135 TEXAS CITY SECOND DIVISION  
PART OF LOTS 6 AND 7 AND ALL OF LOTS 8 THRU 16  
AND ABANDONED 15 FT ALLEY WAY**  
CONTAINING  
0.733 ACRES (31,945 SQ. FT.)  
AND BEING  
4 LOTS, 1 BLOCK, 0 RESERVES  
LOCATED IN THE  
CITY OF TEXAS CITY  
GALVESTON COUNTY TEXAS  
May, 2024

PROJECT NO. 3152

2024028571