

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
MONDAY, OCTOBER 5, 2015, 6:00 P.M.  
FREEPORT MUNICIPAL COURT ROOM  
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.  
FREEPORT, TEXAS  
AGENDA  
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Attending citizens and their business.
5. Consideration of approving September 28, 2015 Council Minutes. Pg. 745-747
6. Consideration of approving Ordinance No. 2015-2081 amending Chapter 71 of the Code of Ordinances of said City to delete from Section 71.71, the intersection of Avenue A and Velasco Boulevard as an intersection where traffic is regulated by green, yellow and red colored lights as defined in section 544.007 of the Transportation Code and adding such intersection to section 71.50 of said Code of Ordinances as a four-way stop intersection providing for the erection of appropriate signs and signals by or at the direction of the City Manager of said city. Pg. 748-750
7. Consideration of approving Ordinance No. 2015-2083 amending Chapter 71 of the Code of Ordinance of said City to delete from Section 71.71 of said Code the Intersection of Second Street and Cherry Street as an intersection where traffic is regulated by green, yellow and red colored lights as defined in Section 544.007 of the Transportation Code and adding such intersection to section 71.50 of said Code of Ordinance as a four-way stop intersection; providing for the erection of appropriate signs and signals by or at the direction of the City Manager of said city. Pg. 751-
8. Consideration of approving Ordinance No. 2015-2097 amending Ordinance No. 2014-2062 designating improvements to land located within the corporate limits of said City as a reinvestment zone, to be known as the BASF Corporation Reinvestment Zone, to add thereto a strip of land adjacent to such land inadvertently omitted from the description attached to such ordinance. Pg. 754-761
9. Consideration of approving Resolution No. 2015-2480 of the City of Freeport, Texas containing a preamble; making findings of fact; accepting the offer of the Jordan Family Trust and authorizing the Mayor and City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver a deed exchange with the Jordan Family Trust Whereby Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lot 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19,

Block 789 Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809 Lots 13 and 24, Block 810 Lots 2-5, 7, 9, 10, 11 and 12 of the Velasco Townsite of said City, now owned by said Trust, are exchanged for Block 729, Lots 11,15-17 and 19, Block 730, Lot 9, Block 731, Lots 1,2,7 18, 21, 23 and 24, Block 742 Lots 17 and 19 Block 743, Lots 7 and 14 Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lot 3, 9, 12, 12a and 16, Block 716, Lot 24 of the Velasco Townsite of said City now owned by said City; containing a severance clause; providing that this Resolution shall take effect and be in force from and after its passage and adoption; and providing that the original of this Resolution shall be maintained by the City Secretary in the permanent records of said and a certified copy hereof recorded with said deeds of exchange in the official records of Brazoria County, Texas. Pg. 762-767

10. Consideration of approving Resolution No. 2015-2481 appointing Roddy Mohler to the Board of Adjustment of said City. Pg. 768-769
11. Consideration of approving Resolution No. 2015-2482 nominating candidate(s) for a position on the Board of Directors of the Brazoria County Appraisal District. Pg. 770-771
12. Consideration of approving Resolution No. 2015-2483 readopting a tax abatement and reinvestment zone policy and adopting the guidelines and criteria. Pg. 772-795
13. Consideration of designating a representative and an alternate to the Houston –Galveston Area Council, 2016 General Assembly. Pg. 796-797
14. Consideration of approving and releasing the City’s interest in trust property; Block 36, Lot 9,10,12, Velasco Townsite, Tax Id. 8110-0394-000. Pg. 798-805
15. Consideration of setting a Joint Public Hearing with the Planning & Traffic Commission to consider a request from the Martin Luther King Committee to rename Cherry Street to Martin Luther King Boulevard.
16. Consideration of setting a Joint Public Hearing with the Planning & Traffic Commission to consider amending the zoning ordinance to add regulations for a non-regulated nightclub.
17. Consideration of approving a 380 agreement for RB Construction, LLC; 114 Paintbrush, Lake Jackson, Texas for housing development. Pg. 806-816
18. Consideration of taking action on any item discussed in Executive Session.
19. Adjourn

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Praxair
- Planning Commission
- Charter Review
- Theriot and Lomeli Properties
- Waste Management
- Port Freeport

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, October 2, 2015 at or before 5:00 p.m.

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Delia Munoz - City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the Freeport City Council met on Monday, September 28, 2015 at 6:07 p.m., at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas for the purpose of considering the following agenda items:

City Council:

Mayor Norma Moreno Garcia  
Councilman Larry L. McDonald – absent  
Councilman Fred Bolton  
Councilwoman Sandra Loeza  
Councilwoman Sandra Barbree

Staff:

Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Attorney  
Delia Munoz, City Secretary  
Wallace Shaw, City Attorney  
Nat Hickey, Property Director  
Bob Welch, Finance Director  
Brian Davis, Fire Chief  
Dan Pennington, Police Chief

Visitors:

Sam Reyna                      Nicole Mireles  
Jennifer Hawkins

Call to order.

Mayor Norma M. Garcia called the meeting to order at 6:07 p.m.

Invocation.

Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance.

Attending citizens and their business.

There were none.

Consideration of approving September 21, 2015 Council Minutes.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with all present voting "Aye", Council unanimously approved the September 21, Council Minutes.

Consideration of approving Ordinance No. 2015- 2096 accepting the certified appraisal roll from the Brazoria County Appraisal District for the 2015 Tax Year; establishing a tax rate for each \$100.00 valuation of taxable property within said City for such tax year; levying all taxes for said City for such tax year; allocating such taxes for certain municipal purposes therein enumerated; ordering that such taxes be assessed and collected; containing a severance clause; and providing an effective date for this ordinance.

On a motion by Councilwoman Barbree: " I move to adopt a tax rate of .645642 that represents .497578 for Maintenance & Operations and .148064 for Interest & Sinking, seconded by Councilman Bolton, with all present voting "Aye", Council unanimously approved Ordinance No. 20154-2096 accepting the certified appraisal roll from the Brazoria County Appraisal District for the 2015 Tax Year; establishing a tax rate for each \$100.00 valuation of taxable property within said City for such tax year; levying all taxes for said City for such tax year; allocating such taxes for certain municipal purposes therein enumerated; ordering that such taxes be assessed and collected; containing a severance clause; and providing an effective date for this ordinance.

Record Vote Being: Mayor Norma M. Garcia "Aye"  
Councilman Fred Bolton "Aye"  
Councilwoman Sandra Loeza "Aye"  
Councilwoman Sandra Barbree "Aye"

Absent: Councilman Larry L. McDonald

Consideration of approving Resolution No. 2015-2480 of the City of Freeport, Texas, containing a preamble; making findings of fact; accepting the offer of the Jordan Family Trust and authorizing the Mayor and City Secretary to execute and attest, respectively, and the Mayor to acknowledge and deliver a deed exchange with the Jordan Family Trust Whereby Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lot 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789 Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809 Lots 13 and 24, Block 810 Lots 2-5, 7, 9, 10, 11 and 12 of the Velasco Townsite of said City, now owned by said Trust, are exchanged for Block 729, Lots 11,15-17 and 19, Block 730, Lot 9, Block 731, Lots 1,2,7 18, 21, 23 and 24, Block 742 Lots 17 and 19 Block 743, Lots 7 and 14 Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lot 3, 9, 12, 12a and 16, Block 716, Lot 24 of the Velasco Townsite of said City now owned by said City; containing a severance clause; providing that this Resolution shall take effect and be in force from and after its passage and adoption; and providing that the original of this Resolution shall be maintained by the City Secretary in the permanent records of said and a certified copy hereof recorded with said deeds of exchange in the official records of Brazoria County, Texas.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to reagenda this item.

Consideration of approving Resolution No. 2015-2481 appointing Roddy Mohler to the Board of Adjustment of said City.

On a motion by Councilwoman Loeza, seconded by Councilwoman Barbree, with all present voting "Aye", Council unanimously approved to reagenda this item.

Consideration of taking action on any item discussed in Executive Session.

No action taken

Executive Session:

Section 551.071, Government Code

Consultation with City Attorney concerning pending or contemplated litigation, settlement offers or other matters in which his duty to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Government Code, to wit:

- Praxair
- Planning Commission
- Charter Review

Adjourn

On a motion by Councilwoman Loeza, seconded by Councilman Bolton, with all present voting "Aye", Mayor Norma M. Garcia adjourned the meeting at 6:10 p.m.

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Mayor Norma M. Garcia  
City of Freeport, Texas

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Delia Munoz, City Secretary  
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING CHAPTER 71 OF THE CODE OF ORDINANCES OF SAID CITY TO DELETE FROM SECTION 71.71, THE INTERSECTION OF AVENUE A AND VELASCO BOULEVARD AS AN INTERSECTION WHERE TRAFFIC IS REGULATED BY GREEN, YELLOW AND RED COLORED LIGHTS AS DEFINED IN SECTION 544.007 OF THE TRANSPORTATION CODE AND ADDING SUCH INTERSECTION TO SECTION 71.50 OF SAID CODE OF ORDINANCE AS A FOUR-WAY STOP INTERSECTION PROVIDING FOR THE ERECTION OF APPROPRIATE SIGNS AND SIGNALS BY OR AT THE DIRECTION OF THE CITY MANAGER OF SAID CITY; PROVIDING THAT ANY VIOLATION OF SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE A MISDEMEANOR AND UPON CONVICTION ASSESSED A FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES AND EACH PART OF ANY DAY ANY SUCH VIOLATION OCCURS SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, Item (1) of Subsection (a) of Section 542.202 of the Transportation Code authorizes a municipality, as a local authority, with respect to streets and highways under their jurisdiction, to regulate traffic by traffic-control devices; and,

WHEREAS, Subsection (b) of Section 544.002 of said Code authorizes a local authority to place and maintain any traffic-control device upon any street subject to its jurisdiction as may be deemed necessary to indicate and carry out the provisions of the Code or any local traffic ordinance but requires that all such traffic-control devices conform to the State Highway Department's Manual and specifications; and,

WHEREAS, the City Council of the City of Freeport, Texas, has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and the members of the general public traveling upon the streets hereinbelow named.

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

First, Section 71.62 of Chapter 71 of the Code of Ordinances of the City of Freeport, Texas is hereby amended to delete therefrom as an intersection where traffice is controlled by signals exhibiting green, yellow and red colored lights only as defined in V.T.C.A. Transportation Code, Sec. 544.007:

■(C) Velasco Boulevard and Avenue A.●

Second, Section 71.50 of Chapter 71 of the Code of Ordinances of the City of Freeport, Texas is hereby amended to add thereto the as a four-way stop intersection the following:

■Velasco Boulevard and Avenue A.●

Third, appropriate signs and signals conforming to the State Highway Department's Manual and specifications and giving notice of the regulations adopted by this ordinance shall be erected and posted by or at the direction of the City Manager as may be most appropriate conforming to the Texas Department of Transportation manual and specifications.

Fourth, any person violating the Code of Ordinances of the City of Freeport, Texas, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefore assessed a fine not to exceed Two Hundred (\$200.00) Dollars; and each day such violation continues and each part of any day any such violation occurs shall constitute a separate offense.

Fifth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance shall be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to such date shall take place as if this ordinance had not been adopted.



Sixth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Seventh, this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Norma Moreno Garscia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C\Freeport.Trf\4-WayStop@AveA&Velasco-Ord

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING CHAPTER 71 OF THE CODE OF ORDINANCES OF SAID CITY TO DELETE FROM SECTION 71.71 OF SAID CODE THE INTERSECTION OF SECOND STREET AND CHERRY STREET AS AN INTERSECTION WHERE TRAFFIC IS REGULATED BY GREEN, YELLOW AND RED COLORED LIGHTS AS DEFINED IN SECTION 544.007 OF THE TRANSPORTATION CODE AND ADDING SUCH INTERSECTION TO SECTION 71.50 OF SAID CODE OF ORDINANCE AS A FOUR-WAY STOP INTERSECTION; PROVIDING FOR THE ERECTION OF APPROPRIATE SIGNS AND SIGNALS BY OR AT THE DIRECTION OF THE CITY MANAGER OF SAID CITY; PROVIDING THAT ANY VIOLATION OF SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE A MISDEMEANOR AND UPON CONVICTION ASSESSED A FINE NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES AND EACH PART OF ANY DAY ANY SUCH VIOLATION OCCURS SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING A SAVINGS CLAUSE; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

WHEREAS, Item (1) of Subsection (a) of Section 542.202 of the Transportation Code authorizes a municipality, as a local authority, with respect to streets and highways under their jurisdiction, to regulate traffic by traffic-control devices; and,

WHEREAS, Subsection (b) of Section 544.002 of said Code authorizes a local authority to place and maintain any traffic-control device upon any street subject to its jurisdiction as may be deemed necessary to indicate and carry out the provisions of the Code or any local traffic ordinance but requires that all such traffic-control devices conform to the State Highway Department's Manual and specifications; and,

WHEREAS, the City Council of the City of Freeport, Texas, has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City and the members of the general public traveling upon the streets hereinbelow named.

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

First, Section 71.71 of Chapter 71 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to delete therefrom as an intersection where traffic is controlled by signals exhibiting green, yellow and red colored lights only as defined in V.T.C.A. Transportation Code, Sec. 544.007:

■(E) Second Street and Cherry Street..

Second, Section 71.50 of Chapter 71 of the Code of Ordinances of the City of Freeport, Texas, is hereby amended to add thereto the as a four-way stop intersection the following:

■Second Street and Cherry Street..

Third, appropriate signs and signals conforming to the State Highway Department's Manual and specifications and giving notice of the regulations adopted by this ordinance shall be erected and posted by or at the direction of the City Manager as may be most appropriate conforming to the Texas Department of Transportation manual and specifications.

Fourth, any person violating the Code of Ordinances of the City of Freeport, Texas, as amended by this ordinance, shall be guilty of a misdemeanor and upon conviction therefor assessed a fine not to exceed Two Hundred (\$200.00) Dollars; and each day such violation continues and each part of any day any such violation occurs shall constitute a separate offense.

Fifth, no offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance shall be affected by the adoption of this ordinance but the punishment for any offense committed and the recovery of any fines or forfeitures incurred prior to

such date shall take place as if this ordinance had not been adopted.

Sixth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Seventh, this ordinance shall take effect and be in force from and after its descriptive caption has been published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C\Freeport.Trf\4-WayStop@Second St. & Cherry St.-Ord



Norma Moreno Garcia  
Mayor

Larry McDonald  
Councilmember  
Ward A

Fred Bolton  
Councilmember  
Mayor Pro Tem  
Ward B

Sandra Loeza  
Councilmember  
Ward C

Sandra Barbree  
Councilmember  
Ward D

Jeff Pynes  
Chief Executive Officer  
City Manager

Gilbert Arispe  
Assistant City Manager

October 2, 2015

Mayor Norma Moreno Garcia  
Freeport City Council Representatives

Re: Agenda item # 8

In 2014 we approved a reinvestment zone for BASF. Recently, they realized there was a 10' strip that was omitted in their original request that completes their intended reinvestment zone making the reinvestment zone area contiguous.

They are asking us to approve the addendum on the above referenced agenda item so they may begin their capital investment in the zone.

Note: the new capital investment area is already covered within an existing IDA. The approval of this addendum has not negative financial impact upon the City.



*Jeff Pynes*  
Jeff Pynes  
City Manager



## Jeff Pynes

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**From:** Cindy S Suggs <cindy.suggs@basf.com>  
**Sent:** Monday, September 28, 2015 12:29 PM  
**To:** Pynes, Jeff  
**Subject:** Modification to Freeport RZ 7  
**Attachments:** Modification to Freeport RZ #7 (00000002).jpg

Jeff,

As discussed, BASF has discovered an error in how we connected our contiguous zone for the County Reinvestment Zone that was granted for our Ammonia Plant.

There is a "strip" of land of about 10-feet wide that cuts across our 50 acres that we overlooked in Freeport City limits, which we are requesting be included (as part of proposed modification to) Freeport's RZ 7.

Here is a basic layout of what we're talking about – although the strip designated by the red line is more likely to be more "centered" than shown here.

We will not be developing anything on it, and we are not looking for an abatement of taxes on it; we simply need to "connect" the geographical areas so that there is one contiguous zone, per County/state regs.

Of course, the County must first have YOUR/the City's RZ or they can't proceed.

So, based on the info above and the map included, do you think you have enough information to join Chris and our tax experts on a call this afternoon?

THANKS so much – and I personally want to apologize for this error. I'm not sure HOW it occurred or whose watch it was under, but regardless, I want to say how sorry I am that we're having to ask something else of you and the City. That said, this request is not material in nature in terms of financial impact, but nonetheless, it will require effort, time, etc.

Please get back with me ASAP re: the possibility of a call today – or tomorrow morning.

THANKS!

Regards,  
**Cindy Suggs**  
Manager, Community and Government Affairs

Phone: +1 979 415-6273 Mobile: 979-230-8609 Fax: +1 979 415-8482 E-Mail: [cindy.suggs@basf.com](mailto:cindy.suggs@basf.com)  
Postal Address: BASF Corporation, Freeport, 77541 Freeport, USA

**150 years**  
**BASF - We create chemistry**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDS OF FACT; AMENDING ORDINANCE NO. 2014-2062 DESIGNATING IMPROVEMENTS TO LAND LOCATED WITHIN THE CORPORATE LIMITS OF SAID CITY AS A REINVESTMENT ZONE, TO BE KNOWN AS THE BASF CORPORATION REINVESTMENT ZONE, TO ADD THERETO A STRIP OF LAND ADJACENT TO SUCH LAND INADVERTENTLY OMITTED FROM THE DESCRIPTION ATTACHED TO SUCH ORDINANCE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City of Freeport, Texas, is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Sections 51.072 and 54.004 of the Local Government, Subchapter B of Chapter 312 of the Property Tax Code and Sections 2.01, 2.02 and 9.18 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City of Freeport has determined and does here now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of said City.

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

First, the City Council of the City of Freeport, Texas, ("the City") makes the following findings of fact and conclusions of law:

(1) On the 17<sup>th</sup> day of March, 2014, Ordinance No. 2014-2062 designating the improvements to certain land located within the corporate limits of the City, described by a metes and bounds description attached thereto, as a reinvestment zone, to be known as the BASF Corporation Reinvestment Zone, was read, passed and adopted by the City Council of the City.

(2) Through inadvertence, a strip of land, described by the metes and bounds description attached hereto and made a part hereof by reference, lying adjacent to the land described in said Ordinance No.2014-2062, was not attached thereto and such ordinance should be and is here now corrected by adopting this ordinance.

Second, Ordinance No.2014-2062 is here by amended by adding thereto the land in the meets and bound description attached hereto and the reinvestment zone created by said ordinance shall hereafter be deemed to have included such land as if such description had been attached to said ordinance when it was adopted On the 17<sup>th</sup> day of March, 2014.

Third, nothing contained in this ordinance shall cause any rights vested after the adoption of said Ordinance No. 2014-2062 to be altered, affected or impaired in any way.

Fourth, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fifth, this ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

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**BASF CORPORATION REINVESTMENT ZONE  
CITY OF FREEPORT TRACT 7 – 4.159 ACRE TRACT  
S. F. AUSTIN SURVEY, ABSTRACT 28  
T. F. MCKINNEY SURVEY, ABSTRACT 87  
J.G. McNEEL SURVEY, ABSTRACT 335  
BRAZORIA COUNTY, TEXAS  
PAGE 1 OF 4**

**ALL THAT CERTAIN 4.159 ACRE TRACT**, situated in the S. F. Austin Survey, Abstract 28, the T. F. McKinney Survey, Abstract 87 and the J.G. McNeel Survey, Abstract 335, Brazoria County, Texas, the herein described 4.159 acre tract being more particularly described by metes and bounds as follows:

**COMMENCING** at the northeast corner of all that certain called 213.28691 acre tract conveyed by deed recorded on June 22, 1966 from the Dow Chemical Company to Dow Badische Company as recorded in Volume 944, Page 402 of the Brazoria County Deed Records;

**THENCE** North 87°11'09" East, a distance of 3147.7 feet to a point located in the eastern boundary line of Dow Corridor "A", for an angle point;

**THENCE** South 32°13'52" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 672.6 feet to an angle point;

**THENCE** South 38°34'56" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 726.9 feet to an angle point;

**THENCE** South 44°56'20" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 1191.6 feet to an angle point;

**THENCE** South 38°35'38" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 353.6 feet to an angle point;

**THENCE** North 71°55'12" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 107.0 feet to an angle point;

**THENCE** South 87°03'30" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 285.4 feet to an angle point;

**THENCE** South 84°04'38" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 200.9 feet to an angle point;

**THENCE** South 76°36'11" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 232.2 feet to an angle point;

**THENCE** South 70°47'07" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 230.7 feet to an angle point;

**THENCE** South 65°01'56" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 252.1 feet to an angle point;

**THENCE** South 59°18'13" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 661.1 feet to an angle point;

**THENCE** South 59°14'54" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 514.6 feet to an angle point;

**THENCE** South 51°09'59" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 274.3 feet to an angle point;

**THENCE** South 39°16'42" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 5760.6 feet to an angle point;

**THENCE** North 87°15'54" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 209.3 feet to an angle point;

**BASF CORPORATION REINVESTMENT ZONE  
CITY OF FREEPORT TRACT 7 – 4.159 ACRE TRACT  
S. F. AUSTIN SURVEY, ABSTRACT 28  
T. F. MCKINNEY SURVEY, ABSTRACT 87  
J.G. McNEEL SURVEY, ABSTRACT 335  
BRAZORIA COUNTY, TEXAS  
PAGE 2 OF 4**

**THENCE** South 39°31'51" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 111.6 feet to an angle point;

**THENCE** South 48°08'56" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 420.4 feet to an angle point;

**THENCE** South 52°12'36" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 439.9 feet to an angle point;

**THENCE** South 52°40'18" East, coincident with the northeastern boundary line of Dow Corridor "A", a distance of 1825.5 feet to an angle point;

**THENCE** South 53°11'13" East, coincident with eastern boundary line of Dow Corridor "A", at a distance of 101.5 feet pass the northwestern right-of-way boundary line of State Highway 523, at a distance of 226.6 feet pass the southeastern right-of-way boundary line of State Highway 523, continuing for a total distance of 231.6 feet to an angle point at the intersection of the northeastern boundary line of said Dow Corridor "A" with the western boundary line of Dow Corridor "R", for an angle point for corner;

**THENCE** South 34°03'48" West, a distance of 283.4 feet to an angle point;

**THENCE** South 56°07'52" East, a distance of 36.7 feet to an angle point;

**THENCE** South 33°51'59" West, a distance of 1318.4 feet to an angle point;

**THENCE** South 28°53'18" East, a distance of 448.1 feet to an angle point;

**THENCE** South 62°21'09" East, coincident with the southwestern boundary line of Dow Corridor "B" a distance of 301.2 feet to an angle point;

**THENCE** South 55°34'31" East, coincident with the southwestern boundary line of Dow Corridor "B", a distance of 247.0 feet to an angle point;

**THENCE** South 52°40'27" East, coincident with the southwestern boundary line of Dow Corridor "B", a distance of 4946.3 feet to an angle point;

**THENCE** South 51°40'14" East, coincident with the southwestern boundary line of Dow Corridor "B", a distance of 382.3 feet to an angle point;

**THENCE** South 2°25'52" East, coincident with the western boundary line of Dow Corridor "B", a distance of 299.4 feet to an angle point;

**THENCE** South 2°27'59" West, a distance of 1495.8 feet to a point located in the northern boundary line of Dow Corridor "C", for an angle corner;

**THENCE** North 87°36'15" West, coincident with northern boundary line of Dow Corridor "C", a distance of 1225.1 feet to an angle corner;;

**THENCE** South 2°20'13" West, coincident with northern boundary line of Dow Corridor "C", a distance of 17.7 feet to an angle corner;

**THENCE** North 87°52'48" West, coincident with northern boundary line of Dow Corridor "C", a distance of 448.9 feet to an angle corner;

**THENCE** South 12°53'11" East, coincident with western boundary line of Dow Corridor "C", a distance of 618.7 feet to point in the northern boundary line of the City of Freeport city limits, for the **POINT OF BEGINNING** and the northeast corner of the herein described 4.159 acre tract;

**THENCE** South 12°53'11" East, a distance of 424.9 feet to a point for an angle corner of the herein described 4.159 acre tract;

**BASF CORPORATION REINVESTMENT ZONE  
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BRAZORIA COUNTY, TEXAS  
PAGE 3 OF 4**

**THENCE** South 82°11'47" West, a distance of 190.8 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 15°13'55" West, a distance of 3070.1 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 74°48'35" West, a distance of 1936.5 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 15°12'06" West, a distance of 564.0 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 39°46'32" East, a distance of 97.8 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 15°11'39" West, a distance of 908.5 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 74°38'40" West, a distance of 20.0 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 15°16'02" West, a distance of 445.1 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 74°48'26" West, a distance of 25.0 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 15°11'25" West, a distance of 397.0 feet to point of curvature to the left, having a radius of 1562.0 feet;

**THENCE**, along said curve to the left, having a radius of 1535.6 feet, a central angle of 10°50'15", an arc length of 290.46 feet, a chord bearing and distance of S 9°45'40" West – 290.03 feet to a point for corner in the northern boundary line of all that certain BASF Corporation called 75.00 acre Reinvestment Zone, for an angle corner of the herein described tract;

**THENCE** South 83°33'24" East, coincident with the North boundary line of said BASF Corporation called 75.00 acre tract, a distance of 2197.41 feet to an angle corner of the herein described tract;

**THENCE** North 51°26'36" East for a distance of 553.5 feet to an angle corner of the herein described tract;

**THENCE** South 2° 45'58" East, a distance of 30.8 feet to an angle corner of the herein described tract;

**THENCE** South 51°26'36" West, a distance of 545.8 feet to an angle corner of the herein described tract;

**THENCE** North 83°33'24" West, a distance of 2226.8 feet to a point located in the eastern right-of-way boundary line of Farm-to Market Highway 1459, for the southwest corner of the herein described tract, located on a curve to the right, having a radius of 1628.07 feet;

**THENCE**, coincident with the eastern right-of-way boundary line of said Farm-to-Market Highway 1459, along said curve to the right, having a radius of 1628.07 feet, a central angle of 11°15'05", an arc length of 319.72 feet, a chord bearing and distance of North 9°27'26" East – 319.20 feet to a point for corner in the northern boundary line of all that certain BASF Corporation called 75.00 acre Reinvestment Zone, for an angle corner of the herein described tract;

**THENCE** North 15°11'27" East, coincident with eastern right-of-way boundary line of Farm-to Market Highway 1459, a distance of 409.4 feet to an angle point for corner;

**THENCE** South 77°54'25" East, coincident with western boundary line of Dow Corridor "C", a distance of 25.0 feet to a point for an angle corner of the herein described 4.159 acre tract;

**BASF CORPORATION REINVESTMENT ZONE  
CITY OF FREEPORT TRACT 7 – 4.159 ACRE TRACT  
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BRAZORIA COUNTY, TEXAS  
PAGE 4 OF 4**

**THENCE** North 15°11'29" East, coincident with western boundary line of Dow Corridor "C", a distance of 450.1 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 74°43'12" East, coincident with western boundary line of Dow Corridor "C", a distance of 20.1 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 15°11'19" East, coincident with western boundary line of Dow Corridor "C", a distance of 877.9 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 39°46'32" West, coincident with western boundary line of Dow Corridor "C", a distance of 97.8 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 15°12'34" East, coincident with western boundary line of Dow Corridor "C", a distance of 594.6 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** South 74°48'22" East, coincident with northern boundary line of Dow Corridor "C", a distance of 1951.4 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 15°13'55" East, a distance of 3053.4 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 82°11'47" East, coincident with northern boundary line of Dow Corridor "C", a distance of 188.7 feet to a point for an angle corner of the herein described 4.159 acre tract;

**THENCE** North 12°53'11" West, coincident with western boundary line of Dow Corridor "C", a distance of 419.7 feet to a point located in the northern boundary line of the City of Freeport city limits for the northwest corner of the herein described tract:

**THENCE** North 80°33'01" East, with northern boundary line of the City of Freeport city limits, a distance of 5.0 feet to the **POINT OF BEGINNING**, containing 4.159 acres of land, more or less.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

V:\Pat\BASF\BASF - City of Freeport RZ Tract 7 Rev1.doc

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; MAKING FINDINGS OF FACT; ACCEPTING THE OFFER OF THE JORDAN FAMILY TRUST AND AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE AND ATTEST, RESPECTIVELY, AND THE MAYOR TO ACKNOWLEDGE AND DELIVER A DEED EXCHANGE WITH THE JORDAN FAMILY TRUST WHEREBY Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789 Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809 Lots 13 and 24, Block 810 lots 2-5, 7, 9, 10, 11 and 12 OF THE VELASCO TOWNSITE OF SAID CITY, NOW OWNED BY SAID TRUST, ARE EXCHANGED FOR Block 729, Lots 11, 15-17 and 19, Block 730, Lot 9, Block 731, Lots 1, 2, 7, 18, 21, 23 and 24 Block 742, Lots 17 and 19, Block 743, Lots 7 and 14, Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16, Block 716, Lot 24 OF THE VELASCO TOWNSITE OF SAID CITY NOW OWNED BY SAID CITY; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY AND A CERTIFIED COPY HEREOF RECORDED WITH SAID DEEDS OF EXCHANGE IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.

WHEREAS, the City of Freeport, Texas, ("the City") is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Section 272.001(a) of the Local Government Code provides that, before land owned by the City may be sold or exchanged for other land, notice must be published in a newspaper of general circulation in the county in which the land is located; and

WHEREAS, Section 272.001(a) of the Local Government Code requires that such notice be published on two separate dates and provides that the sale or exchange may not be made until after the 14<sup>th</sup> day after the date of the second publication; and,

WHEREAS, on the 24<sup>th</sup> day of June, 2015, and the 31<sup>st</sup> day of June, 2015, an invitation for an exchange of the hereinafter described land owned by the City and located outside the Urban Renewal Project for other land not owned by the City and the Agency and located within the Urban Renewal Project was published in the Brazosport Facts, a newspaper of general circulation in Brazoria County, Texas, the county where such land is located; and,

WHEREAS, at its meeting held on the 14<sup>th</sup> day of September, 2015, the City Council received the bid of the Jordan Family Trust to exchange the hereinafter described land owned by it for the hereinafter described land owned by the City, such bid being the only bid therefor; and,

WHEREAS, at such meeting, the City Council determined that the value of the lots owned by the City and the value of the lots being offered in exchange by the said Jordan Family Trust are equivalent and, therefore, such exchange is a fair exchange and will benefit the City and accepted such bid.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, the City Council of the City of Freeport, Texas, finds that the facts recited in the preamble hereof are true.

Second, having accepted the bid of the said Jordan Family Trust offering lots located within the City for other lots owned by the City, the City Council hereby authorizes the Mayor and City Secretary thereof to execute and attest, respectively, and the Mayor to acknowledge a deed of exchange whereby Block 35, Lots 9, 10, 11, 12 and 15, Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752 Lots 13, 16, 19, 22, 24 and 24A, Block 755 Lot 11, Block 764, Lots 18 and 19, Block 789, Lot 3, Block 790, Lots 14, 15, 19, 21, Block 809, Lots 13 and 24, Block 810, Lots 2-5, 7, 9, 10, 11 and 12, now owned by the City, are exchanged for Block 729, Lots 11, 15-17 and 19, Block 730, Lot 9, Block 731, Lots 1, 2, 7, 18, 21, 23 and 24, Block 742, Lots 17 and 19, Block 743, Lots 7 and 14 Block 760, Lots 4-6, 8-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16, Block 716, Lot 24 of the Velasco Townsite, now owned by the said Jordan Family Trust.

Third, in the event any section or provision of this resolution is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

Fourth, this resolution shall take effect and be in force from and after its passage and adoption.

Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City and a certified copy hereof recorded with said Deeds of Exchange in the Official Records of Brazoria County, Texas.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C:\Freeport.Buy\JORDAN-EXCHANGE DEED-RSL#2

DEED OF EXCHANGE

This Indenture between the CITY OF FREEPORT, TEXAS, a municipal corporation located in Brazoria County, Texas, organized and existing under the Constitution and Laws of the State of Texas and its Home Rule Charter as a Home Rule City and a Home Rule Municipality, hereinafter "the City", hereinafter being collectively called "First Party", and the JORDAN FAMILY TRUST, a private trust with offices in Brazoria County, Texas, hereafter called "Second Party";

W I T N E S S E T H:

First Party has granted, and by these presents, does grant, convey and assign unto Second Party the following described real property lying and situated in Brazoria County, Texas, to-wit:

Block 35, Lots 9-12 and 15 , Block 71, Lot 2, Block 507, Lot 6, Block 661, Lots 1-24, Block 676, Lots 14 and 15, Block 720, Lots 5, 11 and 12, Block 752, Lots 13, 16, 19, 22, 24 and 24A, Block 755, Lot 11, Block 764, Lots 18 and 19, Block 789, Lot 3, Block 790, Lots 14, 15, 19 and 21, Block 809, Lots 13 and 24, Block 810, Lots 2-5, 7 and 9-12 of the VELASCO TOWNSITE in the City of Freeport, in Brazoria County, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Plat Records of said county.

TO HAVE AND TO HOLD unto Second Party and the successors and assigns of Second Party, forever, in exchange for the conveyance to First Party of the real property described below, and First Party does hereby bind First Party and the successors and assigns of First Party to Warrant and Forever Defend, all land singular, the said premises unto Second Party and the successors and assigns of Second Party, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under First Party but not otherwise.

Second Party has granted, conveyed and assigned and by these presents, does grant, convey and assign unto First Party the following described real property lying and situated in Brazoria County, Texas, to-wit:

Block 729, Lots 11, 15, 16, 17 and 19, Block 730, Lot 9, Block 739, Lots 1, 2, 7, 18, 21, 23 and 24, Block 742, Lots 17 and 19, Block 743, Lots 7 and 14, Block 760, Lots 4-6, 8-10, 12-15, 17, 19 and 23, Block 773, Lots 3, 9, 12, 12a and 16 Block 716, Lot 24 of the Velasco Townsite in the City of Freeport, Brazoria County, Texas, according to the map or plat of said townsite recorded in Volume 32, page 14 of the Plat Records of said county.

TO HAVE AND TO HOLD unto First Parties and the successors and assigns of First Parties, forever, in exchange for the conveyance to Second Party of the real property first described above, and Second Party does hereby bind Second Party and the successors and assigns of Second Party to Warrant and Forever Defend, all and singular, the said premises unto First Parties and the successors and assigns of First Parties, against every person whosoever lawfully claiming or to claim the same or any part thereof, by, through and under Second Party but not otherwise.



This exchange is made and accepted by the parties subject to any and all valid and subsisting easements, rights-of-way, conditions, exceptions, reservations, restrictions, covenants and other encumbrances properly of record affecting the title to the above described property; all visible and apparent easements, including but not being limited to any existing utility lines

Each party acknowledges that heretofore Notice that SEALED BIDS OR PROPOSALS addressed to the City Manager labeled "Real Property Bid" by any person, firm or corporation desiring to trade for the real property first described above would be received at the office of the City Manager located at 200 W. 2nd St., Freeport, Brazoria County, Texas 77541, during normal business hours until 2:00 o'clock, p.m., on the 14<sup>th</sup> day of September, 2015, on which day, beginning at 2:00 o'clock, p.m., all such bids or proposals will be opened and publicly read aloud was published once per week for two consecutive weeks, in the Brazosport Facts, a newspaper having general circulating within the City and its environs and that the first publication was more than 15 days before the date last mentioned above on which bids were opened and read aloud; and that the bid of the Second Party was the only bid received.

This Deed of Exchange is being executed by the parties hereto on the date of the taking of the acknowledgments of each such party as set forth below but the effective date of this Deed of Exchange for all purposes shall be deemed to be the date of the last acknowledgment to be affixed and it shall be effective as of that date.

"FIRST PARTY"

The City of Freeport, Texas

By \_\_\_\_\_  
Norma Moreno Garcia, Mayor

ATTEST:

\_\_\_\_\_  
City Secretary  
City of Freeport, Texas

"SECOND PARTY"

THE JORDAN FAMILY TRUST

By \_\_\_\_\_  
Jesse Lee Jordan, Trustee

THE STATE OF TEXAS X  
COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by NORMA MORENO GARCIA as Mayor of the City of Freeport, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS X  
COUNTY OF BRAZORIA X

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by JESSIE LEE JORDAN as Trustee of the JORDAN FAMILY TRUST.

\_\_\_\_\_  
Notary Public, State of Texas

MAILING ADDRESSES OF PARTIES:

First Party:

200 West Second Street  
Freeport, TX 77541

Second Party:

P.O. Box 1650  
Lake Jackson, TX 77566

AFTER RECORDING, RETURN TO:

Property Manager  
City of Freeport  
200 West Second Street  
Freeport, TX 77541

C:\Freeport.Buy\Jordan Family Trust-Deed #2

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS, NOMINATING, CONSTITUTING AND APPOINTING QUALIFIED PERSONS TO BOARD OF ADJUSTMENTS OF THE CITY; PROVIDING FOR THE DUTIES OF OFFICE; AND PROVIDING FOR THE TAKING OF THE OATH OF OFFICE REQUIRED BY LAW.

WHEREAS, the terms of office of a member of the Board of Adjustments of the City of Freeport, Texas ("the City") has expired; and,

WHEREAS, the City Council of the City desires to appoint the below named qualified persons as members of said Boar of Adjustments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

SECTION ONE (1): APPOINTMENT

The City Council of the City hereby nominates, constitutes and appoints the following named qualified persons to the Board of Adjustments of the City for a full term and until a successor for such persons shall have been appointed and qualified, to-wit: RODDY MOHLER.

SECTION TWO (2): DUTIES

The above named appointees shall perform all of the duties imposed on members of the Board of Adjustments of the City by law and the ordinances and resolutions of the City.

SECTION THREE (3): OATH OF OFFICE

Before engaging in the performance of the duties of office, each of such appointees shall take the Constitution Oath of Office as required by law.

READ, PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Larry McDonald, Sr., Mayor  
City of Freeport, Texas

ATTEST: \_\_\_\_\_  
Delia Munoz, City Secretary  
City of Freeport, Texas



Please return to the  
City Secretary:

200 West 2nd St  
Freeport, TX 77541  
Phone: 979.233.3526  
Fax: 979.233.8867  
dmunoz@freeport.tx.us

# Boards and Commissions Application

Name: Roddy Mohler

Address: 201 North Ave. B

Home Phone: (979) 233-1438 Alternate Phone (979) 373-8600

Email (optional): roddy.mohler@yahoo.com

Do you live inside the City Limits? Yes  No  If yes, for how long? \_\_\_\_\_

Do you live in the Extra Territorial Jurisdiction? Yes  No

Are you registered to vote in Brazoria County? Yes  No

Please indicate by rank which Board or Commission you wish to serve on by placing your 1st through 3rd choice in the appropriate box.

|                                     |                           |
|-------------------------------------|---------------------------|
| <input type="checkbox"/>            | Planning Commission       |
| <input type="checkbox"/>            | Main Street Board         |
| <input checked="" type="checkbox"/> | Board of Adjustments      |
| <input type="checkbox"/>            | Urban Renewal Board       |
| <input type="checkbox"/>            | Senior Citizens Committee |

|                          |                                   |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Library Board                     |
| <input type="checkbox"/> | Beautification/Parks & Recreation |
| <input type="checkbox"/> | Historical Commission             |
| <input type="checkbox"/> | Economic Development              |
| <input type="checkbox"/> | Charter Review                    |

The City Council will make appointments to the Boards and Commissions. This application will be given to them for review. Please explain why you wish to serve, and what you consider to be your qualifications.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature [Signature] Date: 9-24-15

- Step 1: Fill Out this Application.
- Step 2: Attach a cover letter or resume if you would like.
- Step 3: Mail the application and any other related information to the City Secretary, or fax: (979) 233-8867.

If you have any questions about the process or about a particular board or commission, please call Delia Munoz at (979) 233-3526.

Last revised: 03/31/07

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE \_\_\_\_\_  
OF THE \_\_\_\_\_**

**NOMINATING CANDIDATE(S) FOR A POSITION ON THE BOARD OF DIRECTORS OF  
THE BRAZORIA COUNTY APPRAISAL DISTRICT**

**WHEREAS**, those eligible taxing units participating in the Brazoria County Appraisal District have the right and responsibility to nominate from one to five candidate(s) to fill the five (5) positions of the Board of Directors of the Brazoria County Appraisal District for a term of office commencing on January 1, 2016 and extending through December 31, 2017; and

**WHEREAS**, this governing body desires to exercise its right to nominate the said candidate(s) for such position on said board of directors; now, therefore

**BE IT RESOLVED BY THE \_\_\_\_\_  
OF THE \_\_\_\_\_ :**

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That the following individuals be, and are hereby, nominated as candidate(s) for positions on the board of directors of the Brazoria County Appraisal District to be filled by those eligible taxing units participating in the Brazoria County Appraisal District for a two year term of office commencing on January 1, 2016.

- Name & Address: \_\_\_\_\_
- Name & Address: \_\_\_\_\_
- Name & Address: \_\_\_\_\_
- Name & Address: \_\_\_\_\_
- Name & Address: \_\_\_\_\_

Section 3. That the presiding officer of the governing body of this taxing unit be, and that he or she is hereby, authorized and directed to deliver or cause to be delivered a certified copy of this resolution to the chief appraiser of the Brazoria County Appraisal District on or before October 15, 2015.

**PASSED, ADOPTED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Secretary

# BRAZORIA COUNTY APPRAISAL DISTRICT

## MEMBERS OF THE BOARD

Ro'Vin Garrett  
William Hasse  
Ruby Jo Knight  
Gail Robinson  
Glenn Salyer  
Susan Spoor

## CHIEF APPRAISER

Cheryl Evans  
500 N. Chenango  
Angleton, Texas 77515  
979-849-7792  
Fax 979-849-7984

August 28, 2015

Honorable Norma Garcia  
Mayor of Freeport  
200 W. 2nd  
Freeport, TX 77541

Dear Honorable Norma Garcia,

In reference to the selection of the Appraisal District Board of Directors, your 2014 total tax levy was \$ 2,287,673. This tax levy has entitled you to 21 votes for the five (5) directors to be elected to the Brazoria County Appraisal District.

Each voting taxing unit nominates **by resolution**, one to five candidate(s) to fill the five (5) positions of the Board of Directors. These nominations must be submitted to the Chief Appraiser before **October 15, 2015**.

Please address all submissions to Cheryl Evans, Chief Appraiser, at the above address.

Sincerely,



Cheryl Evans  
Chief Appraiser

CE/td

RESOLUTION NO. \_\_\_\_\_

AN RESOLUTION OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; ESTABLISHING A TAX ABATEMENT AND REINVESTMENT ZONE POLICY AND ADOPTING GUIDELINES AND CRITERIA FOR THE SAME; PROVIDING AN EFFECTIVE DATE AND FOR EXPIRATION AFTER TWO (2) YEARS; PROVIDING FOR AMENDMENT AND RECISION PRIOR TO EXPIRATION; PROVIDING FOR THE CONTINUATION FOR ITS DURATION OF ANY ABATEMENT CONTRACT ENTERED INTO PRIOR TO ANY SUCH AMENDMENT, RECISION OR EXPIRATION; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY.

WHEREAS, the City of Freeport, Texas, hereinafter sometimes "the City," is a "Home Rule City" and a "Home Rule Municipality" lying and situated in Brazoria County, Texas, as described in and defined by Section 5, Article XI of the Constitution of Texas and Section 1.005 of the Local Government Code of Texas, respectively; and,

WHEREAS, Sections 51.072 and 54.004 of the Local Government Code, Subchapter B of Chapter 312 of the Property Tax Code and Sections 2.01, 2.02 and 9.18 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Resolution; and,

WHEREAS, the City Council of the City has determined to here now declare that the adoption of this resolution is necessary to the health, safety and general welfare of the inhabitants of the City and the economic development of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, TEXAS:

First, the City Council of the City hereby establishes a Tax Abatement and Reinvestment Zone Policy and adopts the guidelines and criteria for commercial and residential projects which are marked, respectively, "Exhibit A" and "Exhibit B", and hereto and made a part hereof as if set forth herein in full.

Second, this resolution, the Tax Abatement and Reinvestment Zone Policy hereby established and the guidelines and criteria therefor hereby adopted shall take effect upon the passage and adoption of this resolution and may be amended or rescinded by the City Council of the City at any time thereafter. Provided, however, unless rescinded prior thereto, this resolution and the guidelines and criteria adopted hereby shall expire two (2) years after the effective date hereof.

Third, any abatement agreement entered into prior to such expiration or prior to any such amendment or recession shall, for the duration of such agreement, remain in full force and effect, subject to the guidelines and criteria in effect on the date of the execution of such agreement.

Fourth, in the event any section or provision of this resolution or the guidelines and criteria hereby adopted are found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions thereof and such remaining sections and provisions shall remain in full force and effect.



Fifth, the original of this resolution, after execution and attestation, shall be maintained by the City Secretary in the permanent records of the City.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

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Delia Munoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

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Wallace Shaw, City Attorney,  
City of Freeport, Texas

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**RESIDENTIAL TAX ABATEMENT  
GUIDELINES AND CRITERIA**

**PROCEDURES**

**AND**

**APPLICATION**

**CITY OF FREEPORT, TEXAS**

OUTLINE OF ACTIVITIES  
RESIDENTIAL TAX ABATEMENT

- I. Application for Building Permit - No Developer
  - A. Building official delivers statement of right to abatement to applicant for building permit
  - B. Owner has Ninety (90) days to file application (with City Secretary)
  - C. No response/no abatement
  - D. Application filed with City Secretary who:
    - 1. Collects Seventy-Five Dollars (75.00) application fee
    - 2. Determines if in reinvestment zone
    - 3. If not, refers to City Council for creation with recommendation
    - 4. Reviews for Completeness (with Legal)
    - 5. Determines if satisfies guidelines and criteria (with Legal)
    - 6. Reviews fiscal impact - Improvements on tax rolls vs. utility construction by City (with City Manager)
    - 7. Reviews Community impact - consistency with comprehensive plan/any adverse impact (with City Manager)
    - 8. Reviews Economic feasibility (with City Manager)
    - 9. Reviews legal description (with legal)
    - 10. Obtains any needed additional information
    - 11. Meets with applicant to discuss project
  - E. Contents of Documents
    - 1. Estimated value of modernization or new construction
    - 2. Percent of value to be abated each year
    - 3. Commencement/termination date of abatement
    - 4. Use of facility, construction schedule and plans, legal description

II. If Developer, refer to Planning and City Council

RESIDENTIAL TAX ABATEMENT

The City of Freeport may offer residential tax abatement as a stimulus for economic development in Freeport. The policy of the City is to consider residential tax abatement for new structures, the modernization of existing structures, and the development of new subdivisions within the City. The guidelines and criteria herein adopted shall expire Two (2) years from and after adoption. Nothing herein shall imply or suggest that the City be under any obligation to provide tax abatement to any applicant. All applicants shall be considered on a case-by-case basis.

A. Definitions

1. *Base Year Value* means the assessed value of eligible property on January 1 Preceding the date of execution of the agreement.
2. *Developer* means a person, firm or corporation constructing one or more new structures in a subdivision for resale to third parties.
3. *Economic Life* means the replacement and upgrading of residential structures for Purposes of reconditioning or refurbishing.
4. *Modernization* means the replacement and upgrading of residential structures for purposes of reconditioning or refurbishing.
5. *New structure* means residential improvements made to a previously unimproved property that is placed into use by means other than modernization.
6. *Reinvestment Zone* means an area designated in accordance with the Act by the City of Freeport and may include all residentially zoned property in the City. Only property in a reinvestment zone may receive tax abatement.
7. *Residential improvements* means the construction of residential buildings(s), and all the appurtenances thereto, whether single-family, duplex or multi-family in purpose, and includes modernization and new structures.
8. *Subdivision* means the division of any tract into lots.

9. *Subdivision improvements* mean all improvements to real property required of the developer by City policy.
10. *Total facility* means all buildings and structures along with the appurtenances thereto.

**B. ELIGIBILITY**

Residential improvements anywhere within the corporate limits of a value in excess of Five Thousand (\$5,000) may receive abatement. Abatements may only be granted for the value of eligible property subsequent to and listed in an abatement agreement between the City and the property owner. Abatements will be granted for residential improvements only. However, the enhancement of real estate value resulting from residential subdivision improvements constructed within the corporate limits of the City is eligible for tax abatement.

1. Upon determination that a tax abatement should be offered to the applicant, an abatement for residential improvement shall be for three (3) years only with Ninety Percent (90%) of the value of such improvement being abated the first year, Eighty-Five Percent (85%) of such value the second year and Eighty Percent (80%) of such value the third year.

2. For developer tax abatement, an abatement may be extended to the value of subdivision improvements and the enhanced value of the real estate resulting therefrom.

3. An abatement for residential improvements may not be offered or granted to a developer for a longer term or a different percent than that specified in 1 above.

**C. CRITERIA**

1. Any request for tax abatement shall be reviewed by City staff, which may consider a request for abatement for property not presently located in a Reinvestment Zone. In such case the City staff will make a recommendation to the City Council concerning designation of the area as a Reinvestment Zone.

2. Any request for tax abatement shall be reviewed for Completeness. The City staff shall determine whether the application satisfies the guidelines and criteria and whether economic development incentives should be offered in each case. Tax abatement shall be based upon a objective evaluation of the following criteria which each applicant will be requested to address in narrative format:

A. *Fiscal Impact* Addition of real property improvement to the tax rolls. No utility construction by the City would be required other than routine.

B. *Community Impact* The project is comparable with the City's comprehensive plan. No adverse environmental impact will be created by the project.

D. PROCEDURES

Any person, partnership, organization, corporation or other entity desiring that the City consider providing tax abatement to encourage location of residential improvements with the City limits of Freeport shall be required to comply with the following guidelines.

1. Preliminary Application Steps:

A. If the owner of real estate for which a building permit for residential improvements having a value in excess of \$5,000.00 is sought is not a developer, then the Building Official shall furnish to the applicant for such permit a written statement advising the owner of such real estate of such owner's right to apply for a residential tax abatement; and no building permit shall be issued unless and until such statement, signed and dated by the owner, is returned to the Building Official. Such owner shall, for a period of ninety (90) days from such date, have the right to apply to the City for a residential tax abatement.

B. The failure of such owner to apply for a residential tax abatement for such improvements within such period shall constitute a waiver of such right as to such owner and all subsequent owners of such real property.

C. The right to a residential tax abatement for individuals who purchase a new structure from a developer and the procedure for applying for the same shall be applying for the same shall be determined by the City Council at the time a plat of the subdivision in which such improvements are to located is presented for final approval.

D. An applicant for a residential tax abatement may be required to provide substantiation of economic feasibility of the overall project to assist in determining the long term benefit to the City.

E. A complete legal description shall be provided to the City by the applicant.

2. The applicant shall complete all forms and furnish all information required by these guidelines before any applications for a residential tax abatement will be considered by the City Council.

3. All information in the application package detailed above will reviewed for completeness and accuracy. Additional information may be requested as needed.

4. The application shall include the total capital investment for real property improvements and type of project.

5. Proposed use of the facility, is in the City's corporate limits and is not a reinvestment zone, the City Council may propose an ordinance designating the Tax Reinvestment Zone and approving the terms for a percentage and duration of tax abatement.

6. The City will be responsible for drafting the proposed agreement pursuant to the approved Tax Abatement, as well as all associated documentation. All expenses, including legal fees, associated with the drafting of the document are to be paid by the applicant. The legal document is to include the following:

- A. Estimated value of modernization or new construction to be abated.
- B. Percent of value to be abated each year.
- C. Commencement date and the termination date of the abatement.
- D. Proposed use of the facility, nature of construction, time schedule, map, property description and improvements list as provided in the application.
- D. Contractual obligations in the event of default, violation of terms or conditions, delinquent taxes, recapture and administration.

TAX REINVESTMENT ZONE  
RESIDENTIAL APPLICATION

SECTION I

Property Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Property Owner's Representative: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Property Address (physical): \_\_\_\_\_

Property Legal Description: \_\_\_\_\_  
include an attachment if described by metes and bounds)

Located within: City of Freeport \_\_\_\_\_ Freeport ET \_\_\_\_\_

Description of Project: \_\_\_\_\_

\_\_\_\_\_

Date of projected occupation/initiation of operations: \_\_\_\_\_

SECTION II

Fiscal Impact:

What is the value of real property improvements added to the tax rolls? \$ \_\_\_\_\_

What utility construction is required:

\_\_\_\_\_

\_\_\_\_\_



Community Impact:

Is the project compatible with the City's comprehensive plan?

Yes ( ) No ( )

Describe any possible adverse environment impact created by project:

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Date: \_\_\_\_\_

Applicant(s) Signature(s)

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**COMMERCIAL TAX ABATEMENT  
GUIDELINES AND CRITERIA**

**PROCEDURES  
AND  
APPLICATION**

**CITY OF FREEPORT, TEXAS**

**ECONOMIC DEVELOPMENT INCENTIVES  
CITY OF FREEPORT**

**I. Introduction**

The City of Freeport is committed to desirable economic development. A successful economic development program depends on a viable working relationship between all aspects of the public and private sector. In addition to insuring the protection of the environment and other natural resources as high priority, any attempts to stimulate the economy should be relatively assured of eventful positive economic effects on the City of Freeport's revenue raising capabilities.

This document describes guidelines and criteria to opportunities that the City may consider in attempts to assert positive economic development. Nothing herein shall imply or suggest that the City of Freeport is under obligation to afford these opportunities to any applicant.

All applicants shall be reviewed on a case by case basis. The customized design of a total incentives package is intended to allow maximum flexibility in addressing the unique concerns of each applicant while enabling the City to respond to the changing needs of the community. Consideration will be given to applicants according to the criteria listed in this document.

**II. TAX ABATEMENT**

**A. Definitions**

1. *Abatement* means the full or partial exemption from ad valorem taxes on certain real property in a reinvestment zone designated by the city council for economic development purposes.

2. *Affected jurisdiction* means Brazoria County and any school district, the majority of which is located in the county and levies ad valorem taxes upon and provides services to property located within the proposed or any existing reinvestment zone designated by the city council.

3. *Agreement* means a contractual agreement between a property owner and/or lessee and an affected jurisdiction for the purposes of tax abatement.

4. *Base year value* means the assessed value of eligible property January 1 preceding the execution of the agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the agreement.

5. *City* means Freeport, Texas.
6. *Deferred maintenance* means improvements necessary for continued operations which do not improve productivity or alter the process technology.
7. *Distribution Center Facility* means buildings and structures, including machinery and equipment, used or to be used primarily to receive, store, service, or distribute goods or materials owned by the facility operator, where a majority of the goods or services are distributed to points at least 50 miles from its location in Brazoria County, Texas.
8. *Expansion* means the addition of buildings, structures, machinery or equipment purposes of increasing production capacity.
9. *Facility* means property improvements completed or in the process of construction which together compromise an integral whole.
10. *Manufacturing facility* means buildings and structures, including machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
11. *Modernization* means the replacement and upgrading of existing facilities which increases the productive input or output, updates the technology or substantially lowers the unit cost of the operation. Modernization may result from the construction, alteration or installation of buildings, structures, fixed machinery or equipment. It shall not be for the purpose of reconditioning, refurbishing or repairing.
12. *New facility* means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.
13. *Other basic industry* means buildings and structures, including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services, which serve a market primarily outside the Brazoria Primary Metropolitan Statistical Area (PMSA) and result in the creation of new permanent jobs and create new wealth in the PSMA.
14. *Personal property* means tangible personal property located on the real property, excluding that personal property located on the real property prior to the period covered by the abatement agreement with the City, and other than inventory or supplies.
15. *Productive life* means the number of years a property improvement is expected to be in service.

16. *Regional entertainment facility* means buildings and structures, including machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside at least 50 miles from its location in Brazoria County.

17. *Research facility buildings* means buildings and structures, including machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

18. *Reinvestment zone* means any area of the City which has been designated a reinvestment zone for tax purposes and which is located within the taxing jurisdiction of the City. It is the intent of the City to designate reinvestment zones on case by case basis in order to maximize the potential incentives for eligible enterprises to locate or expand within the City.

19. *Regional Service facility* means buildings and structures, including machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate at least 50 miles from the facilities location in Brazoria County.

20. *Value of property* means the assessed value of eligible property for purposes of ad valorem taxation.

B. General Criteria - All applicants should meet the following criteria before being considered for abatement.

1. The project expands the local tax base.

2. The project creates permanent full time employment opportunities.

3. The project in all likelihood would not otherwise be developed.

4. The project makes a contribution to enhancing further economic development.

5. The project must remain in good standing to all reasonable aesthetic and environmental concerns.

6. The project has not begun and no construction has commenced at time of application approval.

7. Companies seeking to qualify for tax abatement on the basis of job retention shall document that without the creation of a reinvestment zone and/or tax abatement, it will either reduce or increase operations.

8. The project should not have any of the following objections:

a. There would be substantial adverse affect on the provision of government service or tax base.

b. Insufficient financial capacity.

c. Planned or potential use of the property would constitute a hazard to public safety.

d. Planned or potential use of the property would give adverse impacts to adjacent properties; or,

e. Any violation of laws of the U.S. or State of Texas or ordinances of the City would occur.

f. Property owned or used by the State of Texas or its political subdivisions.

g. Property owned by an organization owned, operated or directed by a state political subdivision.

C. Specific Criteria - If the project in the application meets the general criteria, is a facility of a targeted enterprise and has a capital cost that exceeds \$50,000.00, then abatement of any or all of the increased value will be considered. In no case would tax abatement exceed the maximum allowed by state law, presently 100% for 10 years.

| <u>Total Investment</u>  | <u>Abatement Per Year</u>      |
|--------------------------|--------------------------------|
| \$50,000 to \$100,000    | 90% 85%                        |
| \$100,000 to \$1,000,000 | 90% 85% 80%                    |
| Over \$1,000,000         | 100% 100% 100% 75% 50% 25% 25% |

#### DESIGNATION OF A REINVESTMENT ZONE

The City Council by ordinance must designate an area as a reinvestment zone. Prior to adopting such an ordinance the City Council must conduct a public hearing on the designation that entitles all interested persons to speak and present evidence for or against the designation. Not later than the seventh day before the date of the hearing, notice of the hearing must be:

1. Published in a newspaper having general circulation in the City.

2. Delivered in writing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone.

3. Should any affected jurisdiction be able to show cause in the public hearing why the grant of abatement will have a substantial adverse effect on its bonds, tax revenue, service capacity or the provision of services, that showing shall be reason for the City to deny any designation of the reinvestment zone, the granting of the abatement or both.

TAX ABATEMENT AGREEMENT

The City by resolution may enter into a tax abatement agreement in accordance with the criteria contained in this document. At least seven days before entering into the agreement, the City will deliver written notice of its intent to each taxing unit that is included in the reinvestment zone.

1. Any agreement will include, but not be limited to, the following specific Items.

a. All appropriate stipulations included in the application as outlined by this document for a reinvestment zone and tax abatement agreement; and

b. The amount and duration of the tax abatement; and

c. A method for determining the qualifications of meeting the criteria and applicant's promise to meet and maintain these qualifications over the term of the agreement; the City will be allowed, upon written request and reasonable notice, to inspect and audit such records of the applicant as are necessary to substantiate that the applicant is meeting criteria agreed upon during the term of the abatement; and

d. A provision that in the event the agreement is not kept, the tax abatement agreement will be determined null and void and all abated taxes will be paid immediately to the City and all other taxing units participating in the agreement; and

e. Any and all other statutory requirements pertaining to municipal tax abatements agreements, including but not limited to those requirements set forth in Section 312.205 of the State Tax Code (Vernon's 1992 with 1976 supplement), as amended.

2. Eligible Property. Abatement may be extended to the value of buildings, structures, fixed machinery, equipment, site improvements plus that office space and related fixed improvements necessary to the operation and administration of the facility. The economic life of the property and improvements must exceed the life of the abatement agreement.

a. Abatement may be granted to new facilities;

b. Abatement may be granted for improvements to existing facilities for purposes of modernization and expansion.

### 3. Recapture

a. In the event that the facility is completed and begins producing goods and/or services, but subsequently discontinues such production for any reason excepting fire, explosion or other casualty or natural disaster for a period of one year during the abatement period, then the agreement shall terminate and so shall the abatement of taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for the calendar year shall be paid to the City within (60) days from the termination.

b. Should the City determine that the company or individual is in default according to the terms and conditions of the abatement agreement, the City shall notify the company or individual, in writing, at the address stated in the agreement, and if such non-compliance is not resolved within (60) days from the date of such notice, then the agreement shall be terminated.

c. In the event that the company or individual:

(1). allows its ad valorem taxes owed the City or affected jurisdiction to become delinquent and fails to timely and properly follow legal procedures for their protest and/or contest, or

(2). violates any of the terms and conditions of the abatement agreement and fails to resolve such violations with sixty (60) days from the date of written notice of such violations, the agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within (60) days of the termination.

4. Upon completion of construction, the City shall annually evaluate each facility receiving abatement to ensure compliance with the agreement and report possible violations to the City Council and the City Attorney.

5. The City must deliver a report to the Texas Comptroller's Office describing the guidelines and criteria, reinvestment zone, terms of any abatement agreements, and any other information required by the Comptroller. The reports will be submitted by March 31 of the year following the designation of a zone or the execution of a tax abatement.

#### APPLICATION FOR TAX ABATEMENT INSTRUCTIONS

1. Attach additional pages if there is not enough space allotted to answer questions on the application.

2. Applicants and projects must meet the requirements established by the City of Freeport Guidelines and Criteria in order to receive positive consideration.

3. Applicants must submit an application processing fee in the amount of Five Hundred Dollars (\$500) or one percent (1%) of the value of the proposed improvement(s), whichever is less, to cover cost to the City of attorney's fees and legal notices to be published.



4. Applicants must submit an adequately definitive legal description that sufficiently describe the tract(s) of land comprising the proposed reinvestment zone (tax abatement area) upon which the new facility, expansion or modernization project will be located. Applications with insufficient or indefinite legal descriptions will be returned to the applicant for amendment such applications will not be considered for hearing until corrected.

5. Applicant must submit the attached *Certification of Appraised Value of Properties* form which is part of this application. This certification should cover the proposed tax abatement area and it is the responsibility of the applicant to obtain this information from the Brazoria County Appraisal District.

#### APPLICANT INFORMATION

The taxing unit may consider applicant's financial capacity in determining whether to enter into an abatement agreement. Established companies for which public information is available, or the wholly owned businesses of such companies, should include with the new application a copy of their latest annual report to the stockholders. Other applicants and new companies should attach a statement showing:

- (1). when the company was established
- (2). business references (name, contact person, accountant, attorney)
- (3). may be required to submit an audit financial statement and business plan.

#### PROJECT INFORMATION

Only facilities listed in the General Criteria of the Guidelines may receive abatement. Check guidelines definitions to see if project qualifies.

If the project is a Regional Entertainment Facility, Regional Service Facility, Regional Distribution Center Facility or other basic industry, include the following items;

- (1). market studies
- (2). business plans
- (3). agreements or other materials demonstrating that the facility is intended to serve a market of which the majority is substantially outside the City of Freeport.

#### ECONOMIC MARKET

##### Permanent Employment Estimates

In estimating the permanent employment, include the total number of jobs retained or created at this site by your firm as well as known permanent jobs of service contractors required for operation.

**Estimated Appraised Value on Site**

The value on January 1 preceding abatement should be the value established by the Brazoria County Appraisal District. If the applicant must estimate value because taxable value is not known or is combined with other properties under a single tax account, please so state. To qualify, the abated properties must be expected to result in an addition to the tax base of at least fifty thousand dollars (\$50,000) after the period of abatement expires. Projections of value should be a best estimate" based on taxability in Texas. The projection of project values not abated should include personal property and ineligible project related improvements such as an office in excess of that used for plant administration, housing, etc.

**APPLICATION FOR TAX ABATEMENT**  
**COMMERCIAL/INDUSTRIAL**

This application should be filed at least ninety (90) days prior to the beginning of construction or the installation of equipment. This application will become part of any later agreement or contract and knowingly false representations thereon will be grounds for the voiding of any later agreement or contract.

Original copy of this application and attachments should be submitted to:

City Manager  
City of Freeport  
200 West Second Street  
Freeport, TX 77541

APPLICANT INFORMATION

Company Name: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

Sole Proprietor ( ) Partnership ( ) Corporation ( ) Other: \_\_\_\_\_ ( )

Address: \_\_\_\_\_

Name/Title/Address/Telephone of Company contact on this project:

\_\_\_\_\_  
\_\_\_\_\_

PROJECT INFORMATION

Check type of facility to be abated:

|                  |     |                               |     |
|------------------|-----|-------------------------------|-----|
| Manufacturing    | ( ) | Regional Distribution         | ( ) |
| Regional Service | ( ) | Regional Entertainment Center | ( ) |
| Research         | ( ) | Other Basic Industry          | ( ) |

Proposed facility address and legal description: (attach exhibit if necessary):

\_\_\_\_\_

Attach a map showing the site. (Attach as Exhibit)

Proposed facility located in the following taxing jurisdictions:

|                   |                                       |
|-------------------|---------------------------------------|
| School District   | Brazosprt Independent School District |
| Drainage District | Velasco Drainage District             |
| City              | City of Freeport                      |

Other Taxing Jurisdictions: Brazoria County; Port Freeport

Describe product or service to be provided: \_\_\_\_\_

\_\_\_\_\_

Application is for: New Facility ( ) Expansion ( ) Modernization ( )

PROJECT DESCRIPTION

Please attach a statement which:

1. fully explains the project;
2. describes the site and existing improvements;
3. describes all proposed improvements; and,
4. provides a list of improvements and fixed equipment for which abatement is requested.

ECONOMIC IMPACT INFORMATION

A. Estimated cost of improvements:

Real Estate Added: \$ \_\_\_\_\_

Personal Property Added: \$ \_\_\_\_\_

B. Permanent employment estimates:

If existing facility, current plant employment: \_\_\_\_\_

Estimated number of jobs retained: \_\_\_\_\_ jobs created: \_\_\_\_\_

Number of employees anticipated at start up: \_\_\_\_\_ within  
1 year \_\_\_\_\_

C. Construction employment estimates:

Construction to start: Month: \_\_\_\_\_ Year: \_\_\_\_\_

Construction to be completed: Month: \_\_\_\_\_ Year: \_\_\_\_\_

Number of construction jobs anticipated: At start: \_\_\_\_\_

Peak \_\_\_\_\_ Finish: \_\_\_\_\_

D. School District impact estimates: (for projects over \$5,000,000)

Number of families transferred to area: \_\_\_\_\_

Number of students added to ISD: \_\_\_\_\_

E. City Impact estimates:

Gallons of treated water required from city: \_\_\_\_\_

Gallons of effluent water to be treated by city: \_\_\_\_\_

Project Started? Yes ( ) No ( ) Finished Yes ( ) No ( )

F. Estimated appraised value on site:

|   | LAND     | IMPROVEMENTS | PERSONAL<br>PROPERTY |
|---|----------|--------------|----------------------|
| Valuation of existing property as of<br>January 1, preceding this abatement<br>Application  | \$ _____ | \$ _____     | \$ _____             |
| Valuation of Personal Property<br>and Improvements, not subject to<br>abatement, excluding exempt pollution<br>control equipment, upon completion of<br>project subject to this application | \$ _____ | \$ _____     | \$ _____             |
| Estimated value, upon completion of<br>project of exempt pollution control<br>equipment.  | \$ _____ | \$ _____     | \$ _____             |
| Estimated value of abated improvements<br>after abatement agreement expires   | \$ _____ | \$ _____     | \$ _____             |

G. Statement of planned efforts to use Vendors and Services located in the City of Freeport:

Please attach a statement describing willingness and planned efforts to use qualified vendors and services located in the City of Freeport where applicable in the construction and operation of the facility.

DECLARATION

To the best of my knowledge, the above information is an accurate description of project details.

\_\_\_\_\_  
Company Official Signature

\_\_\_\_\_  
Printed Name and Title of  
Company Official

\_\_\_\_\_  
Date Signed

CERTIFICATION OF APPRAISED VALUE OF PROPERTIES  
AS OF JANUARY 1, 20\_\_\_\_\_

To: City of Freeport  
Fm: Brazoria County Appraisal District  
Date: \_\_\_\_\_, 20\_\_\_\_\_

The Brazoria County Appraisal District hereby certifies that the following appraised values as of January 1, 20\_\_\_\_\_ for property of \_\_\_\_\_ Described in Exhibit "A" attached hereto are listed in the records of Brazoria County Appraisal District and indicated by the following Account Numbers:

| <u>PERSONAL PROPERTY</u> | <u>APPRAISAL VALUE</u> |
|--------------------------|------------------------|
| Account No. _____        | \$ _____               |
| Account No. _____        | \$ _____               |
| <u>LAND</u>              |                        |
| Account No. _____        | \$ _____               |
| Account No. _____        | \$ _____               |
| Account No. _____        | \$ _____               |
| <u>IMPROVEMENTS</u>      |                        |
| Account No. _____        | \$ _____               |
| Account No. _____        | \$ _____               |
| Account No. _____        | \$ _____               |

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Chief Appraiser  
Brazoria County Appraisal District

By: \_\_\_\_\_



September 17, 2015

The Honorable Norma Moreno Garcia  
Mayor, City of Freeport  
200 W 2nd St  
Freeport, TX 77541

Dear Mayor Garcia:

I am writing regarding the appointment of your city's representative to H-GAC's 2016 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2016.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email [rick.guerrero@h-gac.com](mailto:rick.guerrero@h-gac.com).

A dinner meeting of Home Rule city representatives will be scheduled for November. At that meeting, your 2015 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2016.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 10. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Jack Steele

JS/dw

Enclosure

cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE  
HOUSTON-GALVESTON AREA COUNCIL  
2016 GENERAL ASSEMBLY**

\*\*\*\*\*

**BE IT RESOLVED**, by the Mayor and City Council of \_\_\_\_\_, Texas,  
that \_\_\_\_\_ be, and is hereby designated as its Representative  
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2016.

**FURTHER**, that the Official Alternate authorized to serve as the voting representative should  
the hereinabove named representative become ineligible, or should he/she resign, is  
\_\_\_\_\_.

**THAT** the Executive Director of the Houston-Galveston Area Council be notified of the  
designation of the hereinabove named representative and alternate.

**PASSED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

By: \_\_\_\_\_



PROPERTY MANAGEMENT

MEMO

TRUST PROPERTY SALE - COUNCIL ACTION

Council Agenda Date: \_\_\_\_\_

Agenda Item: No. \_\_\_\_\_

Legal Description: Lot 9, 10 12, block 36, Velasco Townsite

Street Address: \_\_\_\_\_

Tax ID: 8110-0394-000

Type of property: Trust

Sheriff Sale Date: 8-6-2002

Sheriff Deed Number: 2002041227

Years Taxes Delinquent: 7

Judgment information:  
Court cost: \$175.88

Previous owner: Benjamin Hardy Carlton III  
Appraisal District Value: (Land) \$4220.00\$

**Offer by: Clyan Hall \$225.00**

Court Cost & Post Judgment: \$191.84  
Amount left to distribute: \$ 33.16  
Distribution amount to Freeport: \$ -0-

Improvements:  Yes  No

Zoning: R-2

Action:  Accept  
 Reject  
 Re-agenda

COMMENTS:

Motion by \_\_\_\_\_ Second by \_\_\_\_\_ Vote \_\_\_\_\_

Trust sale - Council action - 2015

**BID ANALYSIS**

|                         |               |                          |               |
|-------------------------|---------------|--------------------------|---------------|
| <b>Cause Number:</b>    | 19020*T02     | <b>Account Number:</b>   | 8110-0394-000 |
| <b>Offer Amount:</b>    | \$225 00      | <b>Value \$:</b>         | \$4,220.00    |
| <b>Person Offering:</b> | CLYAN H. HALL | <b>Adjudged Value\$:</b> | \$150 00      |

**Judgement Information**

| Taxing Entity      | Tax Years | Amount Due      |
|--------------------|-----------|-----------------|
| BC                 | 1991-2001 | \$23 59         |
| Brazosport ISD     | 1991-2001 | \$87 43         |
| BRHND              | 1991-2001 | \$5 01          |
| Brazosport College | 1991-2001 | \$4 91          |
| Velasco Drainage   | 1991-2001 | \$5 37          |
| City of Freeport   | 1991-2001 | \$49 57         |
|                    |           |                 |
|                    |           |                 |
|                    |           |                 |
| <b>Total</b>       |           | <b>\$175.88</b> |

**Costs**

|                  |        |                 |               |
|------------------|--------|-----------------|---------------|
| Court Costs      | \$0 00 | Sheriff Fees    |               |
| Publication Fees |        | Research Fees   |               |
| Ad Litem         |        | Recording fee's |               |
|                  | Liens  |                 |               |
| Cost of Deed     |        | Deed file date  |               |
|                  |        |                 |               |
| <b>Total</b>     |        |                 | <b>\$0.00</b> |

**Post Judgement Information**

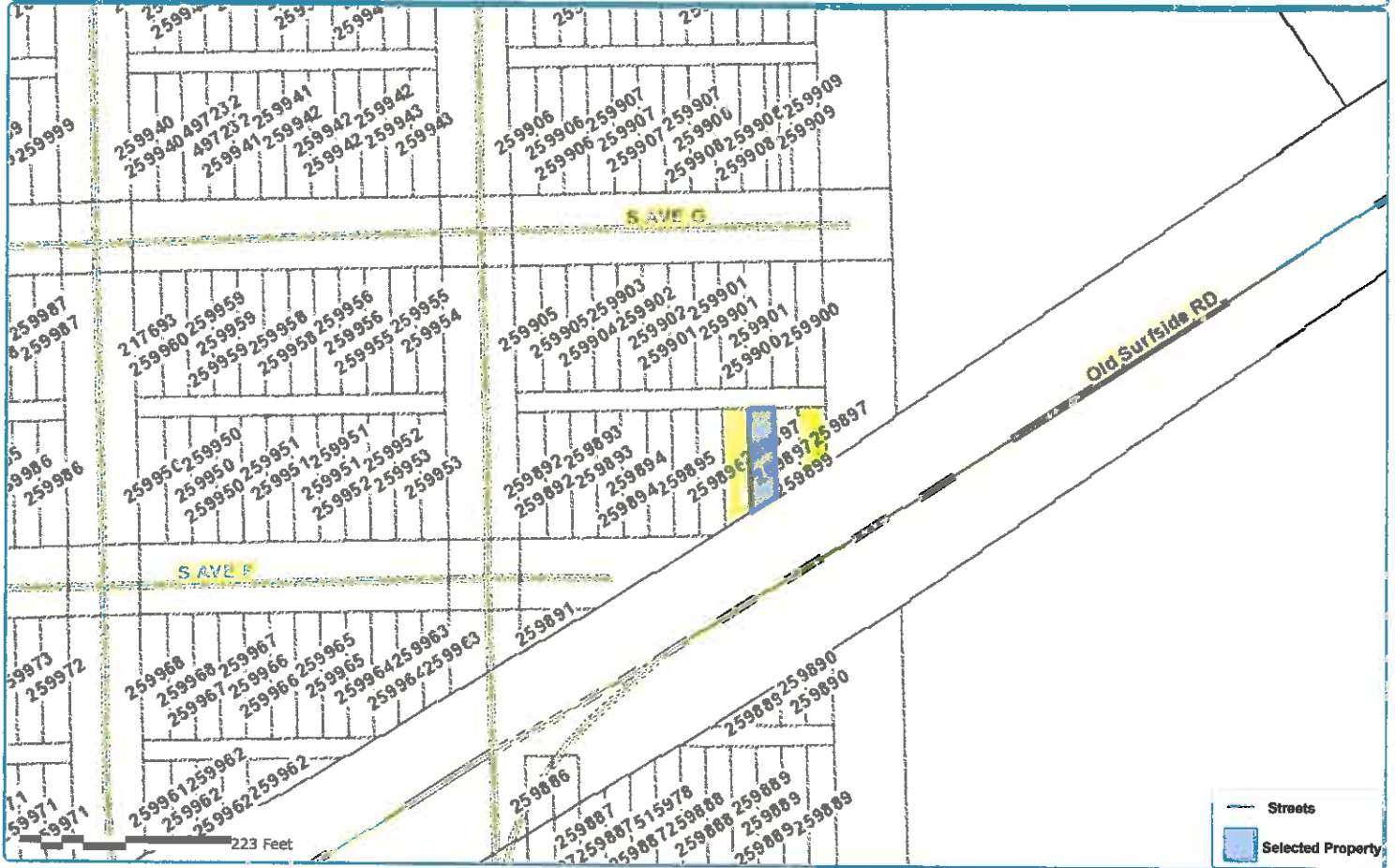
| Taxing Entity              | Tax Year's |                |
|----------------------------|------------|----------------|
| BC                         | 2002       | \$2 27         |
| Brazosport ISD             | 2002       | \$7 74         |
| BRHND                      | 2002       | \$0 39         |
| Brazosport College         | 2002       | \$0 46         |
| Velasco Drainage           | 2002       | \$0 39         |
| City of Freeport           | 2002       | \$4 34         |
|                            |            |                |
|                            |            |                |
| <b>Post Judgment Total</b> |            | <b>\$15.59</b> |

**Proposed Distribution**

|                             |          |              |                 |
|-----------------------------|----------|--------------|-----------------|
| <b>Offer Amount</b>         | \$225 00 | <b>Costs</b> | \$0.00          |
| <b>Net to Distribute \$</b> |          |              | <b>\$225.00</b> |

|                    |        |        |
|--------------------|--------|--------|
| BC                 | 13.41% | \$0 00 |
| Brazosport ISD     | 49.71% | \$0 00 |
| BRHND              | 2.85%  | \$0 00 |
| Brazosport College | 2.79%  | \$0 00 |
| Velasco Drainage   | 3.05%  | \$0 00 |
| City of Freeport   | 28.18% | \$0 00 |
|                    |        |        |
|                    |        |        |
|                    |        |        |

## Brazoria CAD - Map of Property ID 259897 for Year 2016



### Property Details

#### Account

Property ID: 259897  
 Geo ID: 8110-0394-000  
 Type: Real

Legal Description: VELASCO (FREEPORT), BLOCK 36, LOT 9-10-12 (CAUSE NO 19020\*T02)

#### Location

Situs Address: S GULF BLVD FREEPORT,  
 Neighborhood: VELASCO

Mapsc0:

Jurisdictions: NAV, CFP, CAD, RDB, SBR, DR2, JBR, GBC

#### Owner

Owner Name: CITY OF FREEPORT IN TRUST  
 Mailing Address: , 200 W 2ND ST, , FREEPORT, TX 77541-5773

#### Property

Appraised Value: N/A

<https://propaccess.trueautomation.com/Map/View/Map/51/259897/2016>

PropertyACCESS  
 www.trueautomation.com

Map Disclaimer: If you experience issues with Silverlight, please use this link to troubleshoot: <http://www.brazoriacad.org/uploads/1/2/9/0/12902727/silverlight.pdf>

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Brazoria County Appraisal District expressly disclaims any and all liability in connection herewith.

Enter an Address, Landmark, or other Location:

Address

Bookmarks

Na



Search Results

Bookmark Hide Features Export

Results By Layer

|              |   |   |
|--------------|---|---|
| US Parcels   | 1 |   |
| SUBDIVISIONS | 1 | ^ |
| ABSTRACTS    | 1 | v |

Your search returned 10 result(s) total.

US Parcels (1)

No details available.



Enter an Address, Landmark, or other Location

Address

Bookmarks

Print

Search Results

GEO ID: 81100394000

Bookmark Hide Features Export

Results By Layer

|              |   |   |
|--------------|---|---|
| US Parcels   | 1 |   |
| SUBDIVISIONS | 1 | ^ |
| ABSTRACTS    | 1 | v |

Your search returned 10 result(s) total.

Parcels (1)

[GEO ID: 81100394000](#)

GEO ID: 81100394000  
PID: 259897  
TRACT NAME: 12  
OWNER: CITY OF FREEPORT IN TRUST  
MAILING: 200 W 2ND ST  
MAILING CITY: FREEPORT  
MAILING STATE: TX  
MAILING ZIP: 77541-5773  
DEED REF: 2002-035781  
LEGAL DESC: SUBD - Velasco - B1-95,501-526 BLK  
- 36 Lot - 12  
LEGAL TYPE: LOT  
NBHD: SB110  
ABST SUB CD: SB110  
IMP HS VAL: 0  
IMP NONHS VAL: 0  
LVNG AREA: 0  
EFF YR BLT: 0  
PPSQFT: 0  
LND TYPE: S1  
LND HS VAL: 0  
LND NON HS VAL: 4220  
AG MKT VAL: 0  
AG USE VAL: 0  
TOTAL MKT VAL: 4220  
APPR VAL: 4220  
ASSESSED VAL: 4220  
CALC. ACREAGE: 0.040 ac  
CALC. SQFT: 1752.313 sq ft  
CALC. PRIMTR: 188.172 ft  
X COORDINATE: -95.3518086254  
Y COORDINATE: 28.96006265  
TRACT TYPE: 0



**Brazoria CAD**

**Property Search Results > 259897 CITY OF FREEPORT IN TRUST for Year 2016**

**Property**

**Account**

Property ID: 259897 Legal Description: VELASCO (FREEPORT), BLOCK 36, LOT 9-10-12 (CAUSE NO 19020\*T02)  
 Geographic ID: 8110-0394-000 Agent Code:  
 Type: Real  
 Property Use Code:  
 Property Use Description:

**Location**

Address: S GULF BLVD Mapsco:  
 FREEPORT,  
 Neighborhood: VELASCO Map ID:  
 Neighborhood CD: S8110

**Owner**

Name: CITY OF FREEPORT IN TRUST Owner ID: 114250  
 Mailing Address: 200 W 2ND ST % Ownership: 100.0000000000%  
 FREEPORT, TX 77541-5773  
 Exemptions: EX-XV

**Values**

|                                       |   |     |                       |
|---------------------------------------|---|-----|-----------------------|
| (+) Improvement Homesite Value:       | + | N/A |                       |
| (+) Improvement Non-Homesite Value:   | + | N/A |                       |
| (+) Land Homesite Value:              | + | N/A |                       |
| (+) Land Non-Homesite Value:          | + | N/A | Ag / Timber Use Value |
| (+) Agricultural Market Valuation:    | + | N/A | N/A                   |
| (+) Timber Market Valuation:          | + | N/A | N/A                   |
| <hr/>                                 |   |     |                       |
| (=) Market Value:                     | = | N/A |                       |
| (-) Ag or Timber Use Value Reduction: | - | N/A |                       |
| <hr/>                                 |   |     |                       |
| (=) Appraised Value:                  | = | N/A |                       |
| (-) HS Cap:                           | - | N/A |                       |
| <hr/>                                 |   |     |                       |
| (=) Assessed Value:                   | = | N/A |                       |

**Taxing Jurisdiction**

Owner: CITY OF FREEPORT IN TRUST  
 % Ownership: 100.0000000000%  
 Total Value: N/A

| Entity | Description                        | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|--------|------------------------------------|----------|-----------------|---------------|---------------|
| CAD    | BRAZORIA COUNTY APPRAISAL DISTRICT | N/A      | N/A             | N/A           | N/A           |
| CFP    | CITY OF FREEPORT                   | N/A      | N/A             | N/A           | N/A           |
| DR2    | VELASCO DRAINAGE DISTRICT          | N/A      | N/A             | N/A           | N/A           |
| GBC    | BRAZORIA COUNTY                    | N/A      | N/A             | N/A           | N/A           |
| JBR    | BRAZOSPORT COLLEGE                 | N/A      | N/A             | N/A           | N/A           |
| NAV    | PORT FREEPORT                      | N/A      | N/A             | N/A           | N/A           |
| RDB    | ROAD & BRIDGE FUND                 | N/A      | N/A             | N/A           | N/A           |

|     |  |     |                             |     |     |
|-----|--|-----|-----------------------------|-----|-----|
| SBR | BRAZOSPORT INDEPENDENT SCHOOL DISTRICT | N/A | N/A                         | N/A | N/A |
|     | Total Tax Rate:                        | N/A |                             |     |     |
|     |  |     | Taxes w/Current Exemptions: | N/A |     |
|     |  |     | Taxes w/o Exemptions:       | N/A |     |

**Improvement / Building**

No improvements exist for this property.

**Land**

| # | Type | Description  | Acres  | Sqft    | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|------|--------------|--------|---------|-----------|-----------|--------------|-------------|
| 1 | S1   | PRIMARY SITE | 0.2152 | 9374.00 | 0.00      | 0.00      | N/A          | N/A         |

**Roll Value History**

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|------|--------------|-------------|--------------|-----------|--------|----------|
| 2016 | N/A          | N/A         | N/A          | N/A       | N/A    | N/A      |
| 2015 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2014 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2013 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2012 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2011 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2010 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2009 | \$0          | \$4,220     | 0            | 4,220     | \$0    | \$4,220  |
| 2008 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2007 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2006 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2005 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2004 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2003 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2002 | \$0          | \$300       | 0            | 300       | \$0    | \$300    |
| 2001 | \$0          | \$150       | 0            | 150       | \$0    | \$150    |

**Deed History - (Last 3 Deed Transactions)**

| # | Deed Date | Type | Description    | Grantor                           | Grantee                           | Volume | Page   | Deed Number |
|---|-----------|------|----------------|-----------------------------------|-----------------------------------|--------|--------|-------------|
| 1 | 8/6/2002  | SD   | SHERIFF'S DEED | CARLTON BENJAMIN HARDY III ESTATE | CITY OF FREEPORT IN TRUST         | 02     | 041227 | 0           |
| 2 |           | OT   | OTHER          | CARLTON B H JR DR EST             | CARLTON BENJAMIN HARDY III ESTATE |        |        | 0           |

Questions Please Call (979) 849-7792

This year is not certified and ALL values will be represented with "N/A".

WebSite version: 1.2.2.10

Database last updated on: 9/14/2015 9:17 PM

© N. Harris Computer Corporation

Tuesday, September 29, 2015

[Shopping Cart](#)

**Taxes Due Detail by Year**

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Taxes Due as of Tue Sep 29 10:21:10 CDT 2015

Account No.: 81100394000

Active Lawsuits None

\* Additional Collection Costs

| Year                     | Base Tax Due   | by end of September 2015        |                 | by end of October 2015          |                 | by end of November 2015         |                 |
|--------------------------|----------------|---------------------------------|-----------------|---------------------------------|-----------------|---------------------------------|-----------------|
|                          |                | Penalty, Interest, and ACC* Due | Total Due       | Penalty, Interest, and ACC* Due | Total Due       | Penalty, Interest, and ACC* Due | Total Due       |
| 1996                     | \$8.44         | \$24.16                         | \$32.60         | \$24.25                         | \$32.69         | \$24.36                         | \$32.80         |
| 1997                     | \$8.28         | \$22.59                         | \$30.87         | \$22.70                         | \$30.98         | \$22.76                         | \$31.04         |
| 1998                     | \$8.22         | \$21.27                         | \$29.49         | \$21.36                         | \$29.58         | \$21.46                         | \$29.68         |
| 1999                     | \$8.20         | \$20.09                         | \$28.29         | \$20.18                         | \$28.38         | \$20.27                         | \$28.47         |
| 2000                     | \$8.34         | \$19.29                         | \$27.63         | \$19.39                         | \$27.73         | \$19.48                         | \$27.82         |
| 2001                     | \$8.50         | \$18.50                         | \$27.00         | \$18.58                         | \$27.08         | \$18.69                         | \$27.19         |
| 2002                     | \$5.08         | \$10.51                         | \$15.59         | \$10.58                         | \$15.66         | \$10.64                         | \$15.72         |
| <b>Total Amount Due:</b> | <b>\$55.06</b> | <b>\$136.41</b>                 | <b>\$191.47</b> | <b>\$137.04</b>                 | <b>\$192.10</b> | <b>\$137.66</b>                 | <b>\$192.72</b> |

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E-mail: [roving@brazoria-county.com](mailto:roving@brazoria-county.com)  
 111 E. Locust Suite  
 Angleton, TX 77515  
 (979) 864-1320

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**Norma Moreno Garcia**  
Mayor

**Jeff Pynes**  
Chief Executive Officer  
City Manager

**Larry McDonald**  
Councilmember  
Ward A

**Gilbert Arspe**  
Assistant City Manager

**Fred Bolton**  
Councilmember  
Mayor Pro Tem  
Ward B

October 2, 2015

**Sandra Loeza**  
Councilmember  
Ward C

Mayor Norma Moreno Garcia  
Freeport City Council Representatives

**Sandra Barbree**  
Councilmember  
Ward D

Re: Agenda item # 17

In the recent past, we discussed a housing initiative to entice and induce developers to build new single family homes in Freeport. During the development of the proposed plan, I spoke with many developers regarding the details of the plan and the viability of participation in the same. We had several public meetings regarding the plan and how it was to be managed. In the plan we were trying to create an expedited approval process with an empaneled three person board that had binding authority for the housing initiative. Although expediency within this plan is important, I felt that no written plan could fit all of our opportunities and that each proposal should be approved by City Council individually to ensure our fiduciary responsibility to our community is met.

So, using the tenets of the proposed plan for this individual housing development opportunity I present the following for consideration and approval.

The basics of individual housing development considerations:

- The developer has to purchase a lot at fair market value. Once the value it deemed reasonable it would be used as the baseline rebate for the housing plan initiative.
- In order for the developer to receive the rebate he/she would have to first have approval of their initiative within the plan and its values, then purchase the land, build the approved house by plans/specifications and be completed within 180 days of the effective date of the plan.
- Upon the issuance of a Certificate of Occupancy and the sale of the new house the pre-negotiated rebate would be paid in full.

This developer is starting with one home, but has an interest to build many homes in Freeport.

The financial impact of this project is \$7,000.00 upon the completion of the new house development which will be placed on the City of Freeport tax rolls without abatement at a value of \$130,000.00.

I recommend approval and feel this creative housing plan if done consistently and quickly will entice and induce more housing developments in Freeport.

  
Jeff Pynes  
City Manager



# AGREEMENT

THE STATE OF TEXAS

COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS:

This agreement (the "Agreement") is made and entered into by and between the City of Freeport, a Texas home rule municipal corporation created and located in Brazoria County, Texas (the "City"), and RB Construction, LLC (the "Company"), 114 Paintbrush Lake Jackson, Texas 77566

WITNESSETH:

WHEREAS, it is the established policy of the City to adopt such reasonable measures from time to time as are permitted by law to endeavor to attract industry, create and retain primary jobs, expand the growth of the City of Freeport (the "City"), and thereby enhance the economic stability and growth of the City; and

WHEREAS, the Company owns or will own land within the City, legal description: WINDSOR TERRACE (FREEPORT), BLOCK 3, LOT 17 SEC 1 [PROPERTY ID 266979] and [GEOGRAPHIC ID 8400-0065-000] in Freeport, Texas hereafter known as ("the "Property"), and more particularly described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, the company proposes to construct a single family home at "the property", and as part of the process, (the "Improvements"), more particularly described in Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, the taxable value of the Improvements to be added to the tax base will be an estimated value of \$130,000.00; and

WHEREAS, the annual economic benefit to the City upon the completion of construction of the entire project will provide an additional ad valorem taxes, an increase in City water and sewer revenues along with other sales and use tax revenues; and

WHEREAS, the construction of the improvements, new single family home in the City will make the City more attractive to business, commerce and industry in the City's competition for new private investment by existing businesses and relocation by new businesses and industry to the City; and

WHEREAS, the Company will create new jobs in the City at the Property in conjunction with the construction of the Improvements at the Property and the Company will make reasonable efforts to promote to develop City employment within the project; and

WHEREAS, the City agrees to provide to the company the sum of \$7,000 in the form of a rebate of new revenue values created from the new housing Improvements. The rebate will be reimbursed completely upon the completion of the project, issuance of a certificate of occupancy and the sale of the new single family home; and

WHEREAS, the Company has agreed, in exchange and as consideration for the herein listed rebate to satisfy and comply with all the terms, building plans and conditions herein listed; and

WHEREAS, this rebate expenditure is found by the City Council to be suitable for the expansion of the City and the creation and retention of primary jobs in the City through the provision of new single family homes to encourage relocation of industry and population to the City;

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth herein, including the recitals set forth above, the City and the Company agree as follows:

1. The Company covenants and agrees that it will commence construction on the Improvements on the Property within a term of not more than 60 days from the effective date of the Agreement.
2. The Company also covenants and agrees the total completion of the Improvements will occur within 180 days from the effective date of this Agreement. Extensions of these deadlines, due to extenuating circumstances or uncontrollable delays may be granted by the City Manager up to six months. Any extensions beyond six months must be approved by the City Council of Freeport. Failure to complete the Improvement during the term or any authorized extension(s) will nullify any rebate or assistance granted within this Agreement.
3. The Company further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States, or (b) authorized by law to be employed in that manner in the United States.
4. In consideration of the Company's representations, promises, and covenants, the City agrees to rebate to the Company the total sum of \$7,000.00. The City agrees to provide to the company the sum of \$7,000.00 in the form of a rebate of new revenue values created by the improvement. The City agrees to distribute the total rebate value upon the completion of the project, the issuance of a certificate of occupancy and the sale of the new single family home improvement; and
5. It is understood and agreed that either person responsible for a default of this Agreement shall reimburse the other party for any and all reasonable attorney's fees and cost incurred by the other party as a result of any default.
6. This Agreement shall inure to the benefit of and be binding upon the City and the Company, and upon the Company's successors and assigns, affiliates, and subsidiaries, and shall remain in force whether the Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the Property and the agreements herein contained shall be held to be covenants running with the Property for as long as this Agreement, or any extension thereof, remains in effect.
7. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, with a return receipt requested.

If to City:                      City of Freeport  
   Attn: City Manager  
   200 West Second Street  
   Freeport, Texas 77541

If to the Company:      RB Construction, LLC  
   Attn: Mr. Ryan Birdsong  
   114 Paintbrush  
   Lake Jackson, Texas 77566

8. This Agreement shall be performable and enforceable in Brazoria County, Texas and shall be construed in accordance with the laws of the State of Texas.
9. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the parties.
10. The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.
11. This Agreement shall bind and benefit the respective parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.
12. In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, or any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this \_\_\_\_ day of \_\_\_\_\_, 2015 (the "Effective Date")

RB Construction, LLC

CITY OF FREEPORT, TEXAS

BY: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: Mr. Ryan Birdsong

Name: Mayor Norma Moreno Garcia

TITLE: President

TITLE: Mayor City of Freeport

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_

Name: Jeff Pynes, City Manager

BY: \_\_\_\_\_

# *Exhibit A*

# Brazoria CAD

## Property Search Results > 266979 HOLLIS PATRICK for Year 2015

### Property

#### Account

Property ID: 266979      Legal Description: WINDSOR TERRACE (FREEPORT), BLOCK 3, LOT 17 SEC 1  
 Geographic ID: 8400-0065-000      Agent Code:  
 Type: Real  
 Property Use Code:  
 Property Use Description:

#### Location

Address: W 9TH ST      Mapsco:  
 FREEPORT,  
 Neighborhood: CITY OF FREEPORT T/S      Map ID:  
 Neighborhood CD: CFP

#### Owner

Name: HOLLIS PATRICK      Owner ID: 364054  
 Mailing Address: 1300 W 10TH ST      % Ownership: 100.0000000000%  
 FREEPORT, TX 77541-5344  
 Exemptions:

### Values

|                                       |   |         |                       |
|---------------------------------------|---|---------|-----------------------|
| (+) Improvement Homesite Value:       | + | \$0     |                       |
| (+) Improvement Non-Homesite Value:   | + | \$0     |                       |
| (+) Land Homesite Value:              | + | \$0     |                       |
| (+) Land Non-Homesite Value:          | + | \$6,750 | Ag / Timber Use Value |
| (+) Agricultural Market Valuation:    | + | \$0     | \$0                   |
| (+) Timber Market Valuation:          | + | \$0     | \$0                   |
| <hr/>                                 |   |         |                       |
| (=) Market Value:                     | = | \$6,750 |                       |
| (-) Ag or Timber Use Value Reduction: | - | \$0     |                       |
| <hr/>                                 |   |         |                       |
| (=) Appraised Value:                  | = | \$6,750 |                       |
| (-) HS Cap:                           | - | \$0     |                       |
| <hr/>                                 |   |         |                       |
| (=) Assessed Value:                   | = | \$6,750 |                       |

### Taxing Jurisdiction

Owner: HOLLIS PATRICK  
 % Ownership: 100.0000000000%  
 Total Value: \$6,750

| Entity | Description                            | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|--------|--|----------|-----------------|---------------|---------------|
| CAD    | BRAZORIA COUNTY APPRAISAL DISTRICT     | 0.000000 | \$6,750         | \$6,750       | \$0.00        |
| CFP    | CITY OF FREEPORT                       | 0.675586 | \$6,750         | \$6,750       | \$45.61       |
| DR2    | VELASCO DRAINAGE DISTRICT              | 0.098018 | \$6,750         | \$6,750       | \$6.62        |
| GBC    | BRAZORIA COUNTY                        | 0.438500 | \$6,750         | \$6,750       | \$29.60       |
| JBR    | BRAZOSPORT COLLEGE                     | 0.280878 | \$6,750         | \$6,750       | \$18.96       |
| NAV    | PORT FREEPORT                          | 0.045000 | \$6,750         | \$6,750       | \$3.04        |
| RDB    | ROAD & BRIDGE FUND                     | 0.060000 | \$6,750         | \$6,750       | \$4.05        |
| SBR    | BRAZOSPORT INDEPENDENT SCHOOL DISTRICT | 1.255300 | \$6,750         | \$6,750       | \$84.73       |

|                 |          |                             |          |
|-----------------|----------|-----------------------------|----------|
| Total Tax Rate: | 2.853282 | Taxes w/Current Exemptions: | \$192.61 |
|                 |          | Taxes w/o Exemptions:       | \$192.60 |

**Improvement / Building**

No improvements exist for this property.

**Land**

| # | Type | Description  | Acres  | Sqft    | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|------|--------------|--------|---------|-----------|-----------|--------------|-------------|
| 1 | S1   | PRIMARY SITE | 0.2066 | 9000.00 | 0.00      | 0.00      | \$6,750      | \$0         |

**Roll Value History**

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|------|--------------|-------------|--------------|-----------|--------|----------|
| 2015 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2014 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2013 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2012 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2011 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2010 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2009 | \$0          | \$6,750     | 0            | 6,750     | \$0    | \$6,750  |
| 2008 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2007 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2006 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2005 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2004 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2003 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2002 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |
| 2001 | \$0          | \$3,600     | 0            | 3,600     | \$0    | \$3,600  |

**Deed History - (Last 3 Deed Transactions)**

| # | Deed Date | Type | Description   | Grantor              | Grantee           | Volume | Page   | Deed Number |
|---|-----------|------|---------------|----------------------|-------------------|--------|--------|-------------|
| 1 | 7/14/2006 | WD   | WARRANTY DEED | LENAMOND<br>FARRIS I | HOLLIS<br>PATRICK | 06     | 043346 | 0           |

Questions Please Call (979) 849-7792

# *Exhibit B*



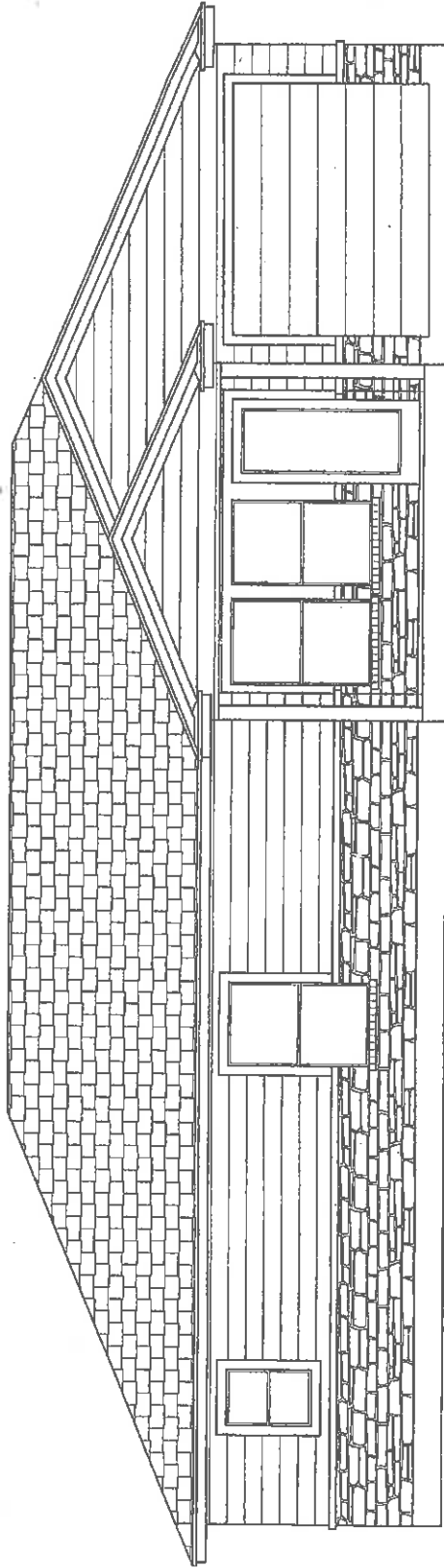
\$ 130,000.00



# MOONLIGHT HOUSE PLANS

324 AZALEA, LAKE JACKSON, TX. 77566

979-482-1967



## RYAN BIRDSONG

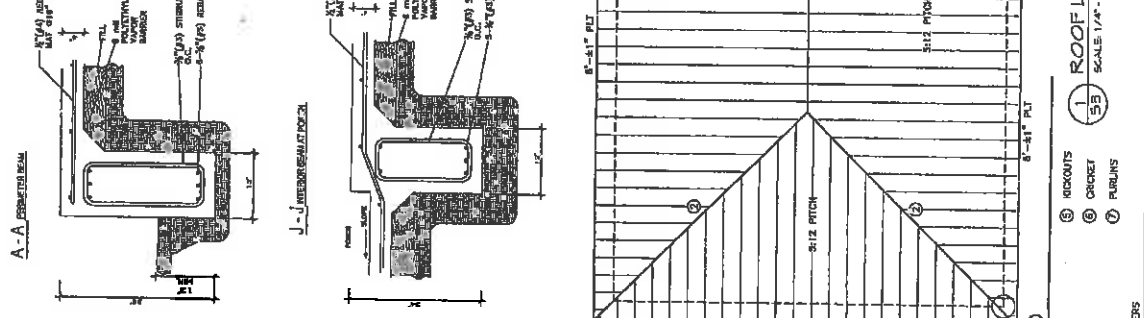
|                    |             |
|--------------------|-------------|
| PLAN#: 20152294    |             |
| LIVING:            | 1258 SQ.FT. |
| GARAGE:            | 264 SQ.FT.  |
| PORCH:             | 52 SQ.FT.   |
| COV PATIO:         | 24 SQ.FT.   |
| TOTAL: 1598 SQ.FT. |             |

MOONLIGHT HOUSE PLANS IS A SERVICE FIRM, NOT AN ENGINEERING OR ARCHITECTURAL FIRM. THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION WITHOUT THE SIGNATURE AND SEAL OF A LICENSED ARCHITECT. MOONLIGHT HOUSE PLANS IS NOT RESPONSIBLE FOR ANY STRUCTURAL OR DESIGN DEFECTS, OMISSIONS, OR ERRORS IN ALL DIMENSIONS, DETAILS & SPECIFICATIONS. ENGINEERS WILL NOT BE LIABLE FOR HUMAN ERROR AFTER CONSTRUCTION IS STARTED. THESE DRAWINGS, SPECIFICATIONS AND NOTES ARE THE PROPERTY OF MOONLIGHT HOUSE PLANS, AND SHALL NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM.

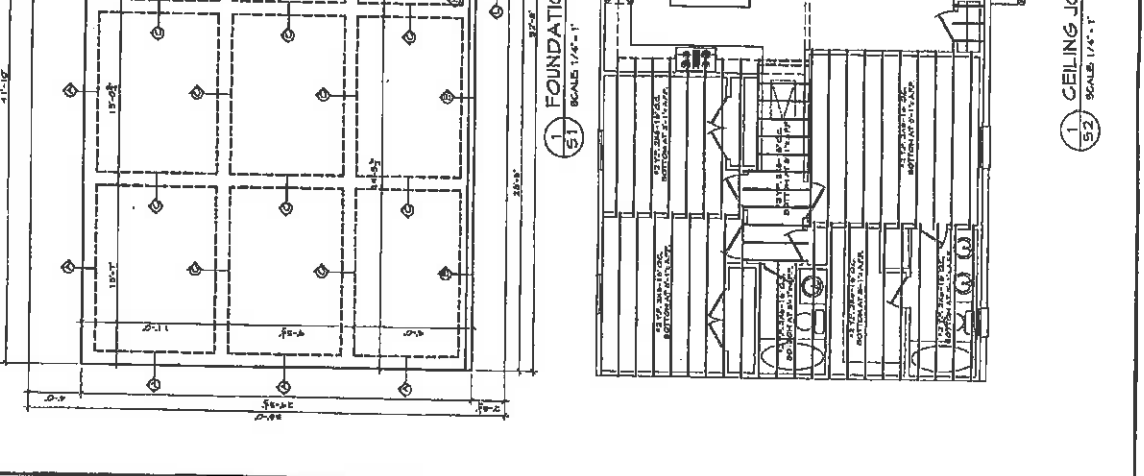
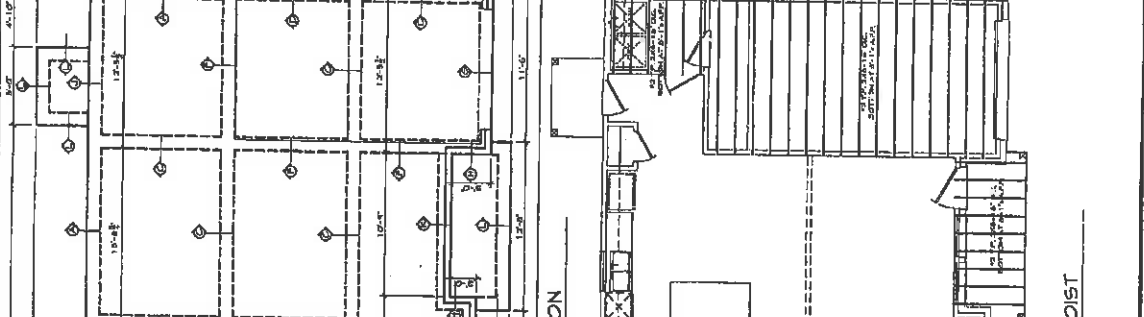
REVISION HISTORY  
 NUMBER DATE  
 DIMS SCALED  
 1/4" = 1'-0"

UNLESS NOTED OTHERWISE (U.N.C.)  
 01. 8:12 PITCH  
 02. 8:21" PITCH  
 03. CONCRETE SIMILES  
 04. 18" OCCURRING FROM OUTSIDE OF STUD WALL

**1 ROOF LAYOUT**  
 SCALE 1/4" = 1'-0"



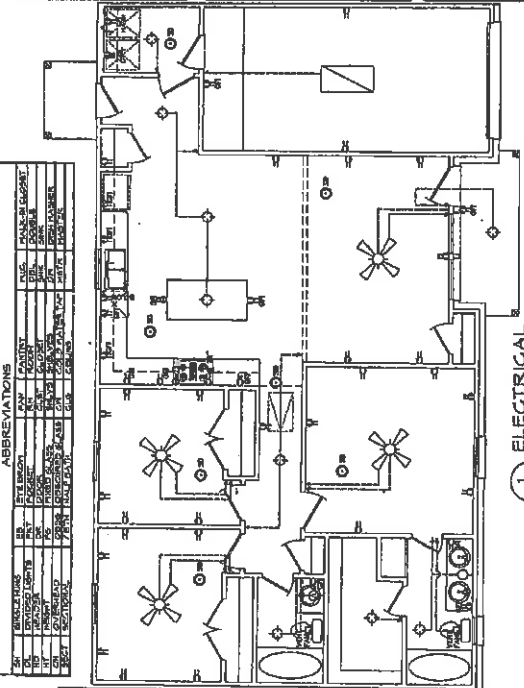
**LEGEND**  
 ① RIDGE  
 ② HP  
 ③ VALLEY  
 ④ OUTLOOKS  
 ⑤ RIDGENTS  
 ⑥ CONCRETE  
 ⑦ FURBINS



**C - C INTERIOR ELEVATION**  
**A - A EXTERIOR ELEVATION**  
**J - J INTERIOR ELEVATION**

8:12 PITCH  
 8:21" PITCH  
 8:12 PITCH  
 8:21" PITCH  
 8:12 PITCH  
 8:21" PITCH

**REVISION HISTORY:** NUMBER, DATE, REVISION  
**DATE:**  
**NUMBER:**  
**REVISION:**  
**SCALE:** 1/4" = 1'-0"  
**DWG. SCALE:** 1/4" = 1'-0"  
**JOB #:** 20122314  
**CUSTOMER:** ATLOOM BROS  
**PROJECT:** ATLOOM BROS TY Z  
**ST-1-15**  
**09-21-15**  
**AB**



**ABBREVIATIONS**

| SYMBOL   | DESCRIPTION                  |
|----------|------------------------------|
| (Symbol) | RECESSED LIGHT FIXTURE       |
| (Symbol) | CILING MOUNTED LIGHT FIXTURE |
| (Symbol) | FALL MOUNT LIGHT FIXTURE     |
| (Symbol) | VENT FAN                     |
| (Symbol) | SMOKE DETECTOR               |
| (Symbol) | 110 V. DIELER RECEPT OUTLET  |
| (Symbol) | 110 V. FLOOR OUTLET          |
| (Symbol) | GROUND FAULT INTERRUPTER     |
| (Symbol) | WATER PROOF OUTLET           |
| (Symbol) | SINGLE POLE SWITCH           |
| (Symbol) | 2 WAY SWITCH                 |
| (Symbol) | 3 WAY SWITCH WITH DIMMER     |
| (Symbol) | GAS LINE CONNECTION          |
| (Symbol) | GARAGE DOOR OPENER           |
| (Symbol) | FLOOD LIGHTS                 |

**1 ELECTRICAL**  
SCALE: 1/4" = 1'-0"

