

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
TUESDAY, SEPTEMBER 5TH, 2017 6:00 P.M.  
FREEPORT MUNICIPAL COURT ROOM  
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BOULEVARD  
FREEPORT, TEXAS

AGENDA

1. Call to order.
2. **Second Tax Rate Public Hearing** of a proposed tax rate and that the property tax rate be increased by the adoption of a tax rate of .628005 which is effectively a 5.89 percent increase in the tax rate.
3. **Annoucement:** The adoption of the Tax Rate for fiscal year 2017-2018 will be conducted on Monday, September 18, 2017, 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas.
4. Adjourn

Items not necessarily 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 in the official glass case at the rear door of the City Hall, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, August 31, 2017 at or before 5:00 p.m.

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Delia Munoz, City Secretary  
City of Freeport, Texas

19

NOTICE OF PUBLIC HEARING  
THE FREEPORT CITY COUNCIL  
TUESDAY, SEPTEMBER 5TH, 2017 6:15 P.M.  
FREEPORT MUNICIPAL COURT ROOM  
430 NORTH BRAZOSPORT BOULEVARD  
FREEPORT, TEXAS

AGENDA

1. Call to order.
2. Invocation
3. Pledge of Allegiance.
4. Attending citizens and their business.  
Members of the public are allowed to address the City Council at this time. Note, specific factual information or a recitation of existing policy may be furnished in response to an inquiry made, but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a (4) minute time limit as approved by City Council on June 21, 2010.
5. Consideration of approving the August 7th, 15th, 16th, 17th, 2017 Council Minutes.  
Pg. 619-630
6. Consideration of approving a request from the Texas Department of Transportation and authorizing the Mayor and the City Secretary to sign a Memorandum of Agreement and a Temporary Construction Easement for staging equipment for repairing FM 1495 Bridge, on Block 30, Lot 2, of the Freeport Townsite, known locally as 207 East Second Street.  
Pg. 631-639
7. Consideration of authorizing the City Manager to make improvements on the City's parking lot located East of East Park Avenue, between the 100 Block of East Second Street and the 100 Block of East Broad Street.
8. Consideration of approving a request from Rodney S. Rhoades to purchase Block 3, Lot 26, Bridge Harbor Subdivision, Tax Id. No. 193466. Pg. 640-645
9. Consideration of approving a request to purchase and close and abandon a fifty (50) foot wide portion of Division Street Right-of-Way adjacent to Lot 13, Block 501 and Abstract 99 Eli Mitchell Tract F, Property Id. 158326. Pg. 646-650

**Work Session:**

- A. Hurricane Harvey Update.
- B. Mayor Troy T. Brimage announcements and comments.
- C. Councilman McDonald Ward A announcements and comments.
- D. Councilman Bass Ward B announcements and comments.
- E. Councilwoman Mireles Ward C announcements and comments.
- F. Councilman Yates Ward D announcements and comments.

**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:

- Velasco Drainage District

**Adjourn**

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Delia Munoz, City Secretary  
City of Freeport, Texas

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Delia Munoz, City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMERED, that the City Council of Freeport, Texas met on Monday, August 7th, 2017 at 6:00 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 Troy T. Brimage  
Councilman Larry L. McDonald  
Councilman Brooks Bass  
Councilwoman Nicole Mireles  
Councilman Roy E. Yates

Staff:

Jeff Pynes, City Manager/Interim Police Chief  
Gilbert Arispe, Assistant City Manager  
Wallace Shaw, City Attorney  
Delia Munoz, City Secretary  
Bob Welch, Finance Director  
Nat Hickey, Property Manger  
Billywayne Shoemaker, Building Department  
Chris Motley, Fire Chief  
David Hoelewyn, Street Supervisor  
Raymond Garivey, Police Captain

Visitors:

Gina Aguirre Adams	Lance Adams
Sabrina Brimage	Peggy Yates
Sandra Loeza	Edward T. Garcia
Ana Silbas	Margaret McMahan
Melanie Oldham	Ondra Waddy
Patsy Waddy	Larry Fansher
Ruth Renobato	Ruben Renobato
Angie Williams	Sam Reyna
Edmeryl Willams	Amber Newman
Ashley Ramos	Daniel Carreon
Christina Travis	Linda Matcheski

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

### Invocation

Dajon King, graduate of Brazosport High School and plays on the Exporters Basketball Team offered the invocation.

### Pledge of Allegiance.

Mayor Troy T. Brimage offered the Pledge of Allegiance.

### Attending citizens and their business.

Melanie Oldham of 922 W. 5th Street complained that the City of Freeport's Annual Financial reports are no longer presented by Kennemer, Masters & Lunford LLC. She believes an incorrect entry in the budget was done and failure to report grant revenues and expenditures on the Community Block Grant. She requested that Kennemer, Masters & Lunford be allowed to present the annual financial report again for an open discussion and to be able to ask questions.

Ruben Renobato of 1507 W. 2nd Street is interested in attending the Charter Review and Economic Development Corporation meetings. He requested the posting of upcoming meetings on the City's website.

### Consideration of approving the July 17th, 2017 Council Minutes.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved the July 17th, 2017 Council Minutes.

Presentation: Pastor Ondra Waddy and their youth from First United Missionary Baptist Church attended a program called Mission Lab in New Orleans, Louisiana.

Pastor Ondra Waddy and wife Pasty from the First Unite Missionary Baptist Church and 13 youth went on a mission trip to New Orleans, Louisiana. They attended a program called Mission Lab, where the students did yard work, helped the elderly, worked in the Food Pantry, fed the needy, passed out care packages to the homeless and simply shared the Love of Christ with others. They are ready and willing to do Mission Lab work in their own community.

Consideration of approving and awarding the contract for Disaster and/or Storm Monitoring Services to Rostan Solutions LLC as the primary contractor and True North Emergency Management as the secondary contractor.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved Fire Chief Chris Motley's recommendation to approve and award the contract for Disaster and/or Storm Monitoring Services to Rostan Solutions LLC as the primary contractor and True North Emergency Management as the secondary contractor.

Consideration of approving and signing a replat of the North Half of Lot 41, Block 8, Bastrop Bayou Acres, John Musquez Survey, A-332, Brazoria County.

On a motion by Councilman Bass, seconded by Councilman McDonald, with all present voting 4 to 1, Council approved a replat of the North Half of Lot 41, Block 8, Bastrop Bayou Acres, John Musquez Survey, A-332, Brazoria County. Councilman Roy Yates opposed.

Consideration of approving a request from Gina Aguirre Adams, President & CEO of the Brazoria County Hispanic Chamber of Commerce for a lease agreement at City Hall, Suite 228 for three years.

This item was reagendaed.

Consideration of setting a date for a joint public hearing with the City Council and the Planning Commission of said City to consider a proposed amendment to the Comprehensive Zoning Ordinance of said City, adding a new zoning district, to be known as PUD-2, and changing the zoning classification for the real property in the attachment hereto from the present zoning classification of such property to a new zoning classification of PUD-2.

On a motion by Councilman Bass, seconded by Councilwoman Mireles, with all present voting "Aye", Council unanimously approved September 18, 2017 for a joint public hearing with the City Council and the Planning Commission of said City to consider a proposed amendment to the Comprehensive Zoning Ordinance of said City, adding a new zoning district to be known as PUD-2, and changing the zoning classification for the real property in the attachment hereto from the present zoning classification of such property to a new zoning classification of PUD-2.

Consideration of accepting the offer of \$3,150.00 by the Texas Department of Transportation for a temporary construction easement upon a part of Lot 2, Block 60 of the Freeport Townsite, known locally at 207 East Second Street, Freeport Texas, and authorizing the Mayor to sign and the City Secretary to attest any and all necessary grant documents.

This item was reagendaed.

Consideration of selling the City's interest on Block 626, Lot 12, Velasco Townsite, known as 702 North Ave. D, Tax Id. No. 8110-2236-000.

On a motion by Councilman Yates, seconded by Councilman McDonald, with all present voting "Aye", Council unanimously approved selling the City's interest on Block 626, Lot 12, Velasco Townsite, known as 702 North Ave. D, Tax Id. No. 8110-2236-000.

Non-Emergency Notice of Addendum

Propose a tax rate for the 2017-2018 tax year and announce the dates for two (2) public hearings, August 17th and August 24th, 2017 each to be held at 6:00 p.m.

On a motion by Councilwoman Mireles to propose a tax rate of \$.628005, which is a tax increase of 5.89% above the Effective Tax Rate, to be adopted at a future meeting, seconded by Councilman Bass. Announced two public hearings for the proposed tax rate; August 17<sup>th</sup> & 24<sup>th</sup>, 2017 @ 6:00 pm.

Record Vote:	Mayor Troy T. Brimage	<u>"Aye"</u>
	Councilman Larry L. McDonald	<u>"Nay"</u>
	Councilman Brooks Bass	<u>"Aye"</u>
	Councilman Nicole Mireles	<u>"Aye"</u>
	Councilman Roy E. Yates	<u>"Aye"</u>

Mayor Troy T. Brimage closed the Formal Session and opened the Work Session at 6:56 p.m.

Work Session:

Mayor T. Brimage attended the Park and Beautification Board meeting, talked about the lighting on Peppermint Park. The dual program with Brazosport ISD and Brazosport College has been a great success, 28 Freeport citizens attended and passed. The Summer Intern program ended today. They did a great job with KidFest Event on July 29, 2017. He has been meeting with department heads and the City Manager in reference to their needs on budget. Budget Work Shop is scheduled for August 15 & 16, 2017. City Wide Cleanup went well with 1000 tires picked up and 630 gallons of paint were removed from the City. Waste Connections and city employees helped pick up over 1,700 cubic yards of trash. He thanked Jerry Meeks and his crew for working through the night on a main water break. He asked if you observe drainage problems to send a pic to the City's website to address.

Announcements and comments from Council Member Ward A.

Councilman McDonald talked about the drainage issues. He drove during the rain and observed plastic bottles, styrofoam cups, grass, trees growing in the ditch blocking the water from drainage inlets. He requested Jerry Meeks look at 1530 W. 4<sup>th</sup> Street, a sewer that overflows needs to be addressed.

Announcements and comments from Council Member Ward B.

Councilman Bass has attended the Charter Review meeting twice. The 1300 Block of West 5<sup>th</sup> street looks like a lake when it rains. He has observed grass in the gutters. He announced his parents Odgen Bass and Nan Chambers 63<sup>rd</sup> Wedding Anniversary. He praised Mayor Troy T. Brimage on a good job.

Announcements and comments from Council Member Ward C.



Councilwoman Mireles talked about the flooding on Victoria Street and the RV Park. There are pot holes on Ave. G and hard to travel when there are cars parked on the street. She thanked Mayor Troy T. Brimage for the openness and the communication.

Announcements and comments from Council Member Ward D.

Councilman Yates is working on a Master Plan and encourages everyone email to him ideas, suggestions and what their priorities are. Meetings will be scheduled later. A new Domino's Pizza on Gulf Boulevard is being built. He reported to the Highway Department the bumpiness on Hwy. 288. He attended the Library meeting and they complained that when it rains the carpet gets wet. Karankawa Street has pot holes that need to be addressed.

Presentation on fiscal year 2017-2018 budget time line.

Mr. Pynes announced budget workshop on August 15th & 16th, 2017 and a Public Hearing on August 17th, 2017 for the propose tax rate.

Adjourn

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Mayor Troy T. Brimage adjourned the meeting at 7:16 p.m.

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Mayor Troy T. Brimage  
City of Freeport, Texas

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City Secretary, Delia Munoz  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met for a Budget Workshop on Tuesday, August 15, 2017 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the 2017-2018 budget proposals:

City Council

Mayor Troy T. Brimage  
Councilman Larry L. McDonald  
Councilman Brooks Bass  
Councilwoman Nicole Mireles  
Councilman Roy E. Yates

Staff:

Jeff Pynes, City Manager/Interim Chief of Police  
Gilbert Arispe, Assistant City Manager  
Delia Munoz, City Secretary  
Bob Welch, Finance Director  
David Hoelewyn, Street Supervisor  
Kim Townsend, Parks Supervisor  
Brian Dybala, Golf Director  
Chris Motley, Fire Chief  
Billywayne Shoemaker, Building Dept.  
Loni Kershaw, Human Resources  
Kari Perez, Recreation Dept.  
Danny Gillchriest, Police Captain

Visitors:

Sam Reyna	Ruben Renobato
Melanie Oldham	Larry Fansher
Donna Hayes	Kenny Hayes
Jerry Meeks	Sabrina Brimage

Call to order.

Mayor Troy T. Brimage called the budget workshop to order at 6:00 p.m.

Work Session:

Discuss and review proposed fiscal year budget 2017-2018.

City Manager Jeff Pynes and Mayor Troy T. Brimage met with administrative staff to prepare and forecast revenues and expenditures, working with directors and supervisors related to their needs for fiscal year 2017-2018. He presented an overall budget expenses summary by fund of each department showing increases and decreases for the following:

Mayor & Council, Administration, Service Center, Municipal Court, Police Department, Fire Department, Code Department, Building Department, Garbage Collection, Street Department, Historical Museum, Senior Citizens Commission, Library, Parks Department, Recreation Center, Golf Course Enterprise Account, Beach Fund, EMS Enterprise Account, Water & Sewer Fund.

Presented a budget summary for infrastructure/capital expenses.

Recommends the current tax rate of .628005 per \$100 of valuation. Water, Sewer & Garbage recommends no rate increase for the proposed budget year. The proposed budget will show an excess of revenues over expenditures of \$2,533,115.

Mayor Troy T. Brimage asked if there were any questions from audience or staff.

Melanie Oldham asked if we were providing water to FLNG and water lines to Vernor Material. Mr. Pynes said yes that the City Council had approved that request but was on hold, because of new business park coming into the area. She asked if the Code Department had new employees. Mr. Pynes said they had one. She asked if the Brazoria County still was assisting the city in repairing the streets. Mr. Pynes said yes and repairing 2 miles a year. Also asked if the City had future plans to purchase property. Mr. Pynes said no.

Councilwoman Mireles asked where the splash pad would be located. Mayor Troy T. Brimage said it would be behind the Freeport Community House. She asked how many employees were at the Street Department. David Hoelewyn Street Supervisor said he had 11 but 3 short. She asked who was in charge of "Riverfest". Mr. Pynes answered that it was the Parks & Recreation Department.

Mayor Troy T. Brimage announced the Freeport Host Lions Club was donating \$75,000 for a splash pad for their 75<sup>th</sup> Anniversary.

A visitor asked if any of the street improvements were on the east end of town. Mr. Pynes said yes, on East Broad and Sycamore. Because of the Port's activities, the East End will not be excluded from improvements.

Larry Fansher asked for the cost of gas and the wear and tear of city vehicles driven home. Mr. Pynes said he would get an answer for him.

There being no more comments or questions, Mayor Troy T. Brimage closed the Budget Workshop.

Adjourn.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Mayor T. Brimage adjourned the meeting at 6:50 p.m.

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Mayor Troy T. Brimage  
City of Freeport Texas

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City Secretary, Delia Munoz  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met for a Budget Workshop on Wednesday, August 16, 2017 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the 2017-2018 budget proposals:

City Council

Mayor Troy T. Brimage  
Councilman Larry L. McDonald  
Councilman Brooks Bass  
Councilwoman Nicole Mireles  
Councilman Roy E. Yates

Staff:

Jeff Pynes, City Manager  
Gilbert Arispe, Assistant City Manager  
Delia Munoz, City Secretary  
Lonie Kershaw, Human Resources  
Nat Hickey, Property Manager  
Bob Welch, Finance Director  
Kim Townsend, Parks Supervisor

Visitors:

Sam Reyna                      Sabrina Brimage  
Desiree Pearson              Ruben Renobato

Call to order.

Mayor Troy T. Brimage called the meeting to order at 6:00 p.m.

Work Session:

Discuss and review proposed fiscal year budget 2017-2018.

City Manager Jeff Pynes announced the Tax Rate hearing scheduled for tomorrow; August 17, 2017 and the second Tax Rate hearing August 24, 2017. The approval of Budget and the Tax Rate on September 5, 2017.

The proposed 2017-2018 Capital is \$1,238,505.00 and the infrastructure is \$2,256,000.00. Recommending the current rate of .628005 per \$100 of valuation.

Proposing a 3% Cost of Living Adjustment flat amount to be distributed late in December to employees.

Councilman Yates asked if there were a lot of employees that worked over time. Mr. Pynes said no, Police Department at times, but not an exorbitant amount.

Mr. Pynes proposed changes are contracting an engineer - \$50,000 and modifying the splash pad and adding Arrington Park where there are more houses and duplexes. Capital items are removing museum floor replacement - \$28,500 and floating ceiling - \$30,000.

Reviewed the 2017-2018 Infrastructure Summary list.

Mr. Pynes did announce that the City did have a Take Home policy in place for the Police Department and City. A 10 miles radius from the City limits. He will get back with Larry Fansher on the gas and wear & tear of the vehicles.

Larry Fansher asked for the last 3 years of pay increases. Mr. Pynes said he would get that information to him.

There being no further comments or questions, Mayor Troy T. Brimage closed the Budget Workshop.

Adjourn.

On a motion by Councilman McDonald, seconded by Councilwoman Mireles, with all present voting "Aye", Mayor Troy T. Brimage adjourned the meeting at 6:12 p.m.

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Mayor Troy T. Brimage  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport met for a Tax Rate Hearing on Thursday, August 17, 2017 at 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the 2017-2018 proposed tax rate:

City Council	Mayor Troy T. Brimage – Absent Councilman Larry L. McDonald Councilman Brooks Bass Councilwoman Nicole Mireles Councilman Roy E. Yates
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Staff:	Gilbert Arispe, Assistant City Manger Delia Munoz, City Secretary Nat Hickey, Property Manager Bob Welch, Finance Director
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Visitors:	Larry Fansher                      Ruben Renobato Doug Domingues                  Ty Morrow Melanie Oldham
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Call to order.

Mayor Pro Tem Larry McDonald called the meeting to order at 6:00 p.m.

First Tax Rate Public Hearing on the adoption of a proposed tax rate and consider a motion that the property tax rate be increased by the adoption of a tax rate of .628005 which is effectively a 5.89 percent increase in the tax rate.

Mayor Pro Tem Larry McDonald opened the First Tax Rate Public Hearing at 6:01 p.m.

Gilbert Arispe Assistant City Manager reviewed the Tax Rate Analysis:

	2016-2017	2017-2018
Tax Rate:	0.628005	0.628005
Taxable Value	\$407,085,943	\$427,819,975
Tax Levy	\$2,556, 521	\$2,686,731

For additional information to contact the City Manager. Councilman Roy Yates asked if anybody had send emails. If there were any comments or questions. Delia Munoz City Secretary answered no.

Larry Fansher of 1630 W. 10<sup>th</sup> asked for clarification on the amount of increased salaries. He asked if that included the pension benefits as well as the social security matching portion that the city is obligated to pay and how much additional and the percentage.

Mr. Arispe said he would get him clarification.

Councilman Yates said he did not understand the pay scale matrix and would like to see some research and comparisons on wages.

Melanie Oldham said that the budget never has the salaries broken down. She feels that for the size of the City those department supervisors are getting paid very well. The City and the EDC budget are blended and asked why the City is paying Kennemer, Masters & Lunford \$15,000 and EDC pays them \$9,000.00 and have not done an audit. She suggested getting a 3<sup>rd</sup> party audit and report back to council. She has water monitor reports from Dow on the Golf Course that could have been negotiated for more than \$8,000,000. About 2 years ago Mr. Pynes announced a 3.8 million for infrastructure, in the budget there is less than a million. She commented that she is not a CPA and hard to understand where the funds went to.

Ruben Renobato stated that the Council needs a better understanding of the financial picture.

Councilwoman Mireles stated that in the past during the budget they were able to carry a dialogue with the department heads on their needs.

Gilbert Arispe stated that emails were welcomed to the City Manager on questions and comments.

Announcement: Second Tax Rate Public Hearing on a proposed tax rate will be conducted on August 24<sup>th</sup>, 2017, 6:00 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, Freeport Texas and the adoption of the Tax Rate for fiscal year 2017-2018 on Tuesday, September 5, 2017.

Mayor Pro Tem Larry McDonald made the above announcement.

#### Adjourn

On a motion by Councilman Mireles, seconded by Councilman Yates, with all present voting "Aye", Mayor Pro Tem Larry McDonald closed the meeting at 6:27 pm.

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Mayor Troy T. Brimage  
City of Freeport, Texas

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City Secretary Delia Munoz  
City of Freeport, Texas



Memorandum of Agreement  
August 4, 2017

The City of Freeport  
200 W. 2<sup>nd</sup> Street  
Freeport, Texas 77541-5773  
(Brazoria County)

County: Brazoria  
Highway No.: FM 1495  
Location: From: At Old Brazos  
River/ E. 2<sup>nd</sup>/ RR  
Project No.: N/A  
ROW CSJ No.: 0587-01-062  
District: Houston  
Parcel No.: 2TE

Dear Property Owner(s),

Our negotiations for highway right of way across your property have progressed to the point that you have indicated a willingness to sign a Temporary Easement in return for payment as agreed to in our previous discussions. It is thought to be in the best interests of both you and the Texas Department of Transportation to confirm this agreement in order to avoid any possible misunderstanding as to the details of the purchase or the process by which the Department will make payment.

Your property consists of 0.1607 acres located at 207 E. 2<sup>nd</sup> Street, Freeport, Brazoria County, Texas. The right of way being purchased by the Texas Department of Transportation has been thoroughly explained. The payment of the amount of \$3,150.00 as herein agreed to will constitute full payment to be made by the Texas Department of Transportation for the property to be conveyed to the State.

The State and Owner(s) have agreed to the following provisions:

Until payment is made by the State, title and possession of the property to be conveyed remain with you. You shall bear all risk of loss to any and all such property prior to such payment. Either you or the State shall have the right to terminate this agreement.

After the date of payment of the purchase price, you will be reimbursed for any fair and reasonable incidental expenses necessarily incurred in transferring title to the property for use by the Texas Department of Transportation. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes and similar expenses incidental to conveying the real property to the Department and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the Department failed to properly determine the eligibility for or the amount of incidental expenses to be reimbursed. There is no standard form on which to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the Department's determination on any claim for reimbursement.

The payment of the amount herein stated and the terms provided constitute the only promises, consideration and conditions of this purchase; and, no other promises, consideration or conditions have been signified or implied, save and except any benefits which may accrue to you under the State's Relocation Assistance Program and the mutual benefits to be derived by you and the Texas Department of Transportation from the signing of this agreement.

The State, without cost to you as the owner, will pay the cost of recording all instruments conveying title to the State.

\*NMOA\*

It is suggested that you carefully review the proposed Deed and satisfy yourself (-selves) as to its (their) provisions. With your signing of this agreement and execution of the Deed, the State will proceed with the issuance of a State warrant, which will be made out jointly to you and to Charter Title Company, agent for Fidelity National Title Insurance Company. This company has been designated as the State's closing agent and is responsible to see that the Texas Department of Transportation obtains clear title. They will not endorse the warrant and make payment until clear title is secured. At the same time, you have the right not to endorse the warrant and accept payment until you are fully satisfied on all details of the transaction.

Sincerely,

**Texas Land Professionals, Inc.**

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Larry Montenegro, SR/WA, RW-RAC  
Right of Way Specialist

I (We) fully understand the Texas Department of Transportation's proposal as contained in this agreement and hereby acknowledge receipt of the brochure entitled "*Relocation Assistance.*"

I (We) understand that relocation assistance benefits are handled entirely separate from and in addition to this transaction and agree that my (our) execution of the Right of Way Deed is based on this understanding.

By: The City of Freeport

By: \_\_\_\_\_  
Troy T. Brimage, Mayor

Attest: \_\_\_\_\_  
Delia Munoz, City Secretary



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**Corporate Acknowledgment**

State of Texas  
County of

This instrument was acknowledged before me on \_\_\_\_\_ by

\_\_\_\_\_ ,  
of \_\_\_\_\_ , a \_\_\_\_\_

corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public's Signature

**EXHIBIT A**

**County:** Brazoria  
**Highway:** FM 1495  
**Project Limits:** At Old Brazos River/E 2nd/RR  
**RCSJ No.:** 0587-01-062

**PROPERTY DESCRIPTION FOR PARCEL 2TE**

Being a 0.1607 of one acre (7,000 square feet) parcel of land situated in the Thomas F. McKinney Labor, Abstract No. 87, located in Brazoria County, Texas and being all of Lot 2, Block 30 in the Freeport Town Site, according to the map or plat recorded in Volume 2, Page 95 of the Brazoria County Plat Records (BCPR), all of said Lot 2 being conveyed by deed dated January 2, 2008 from Charles S. Wagner, Sheriff, Brazoria County, Texas to City of Freeport as recorded under Brazoria County Clerk's File (BCCF) No. 2008000313 of the Official Records of Brazoria County, Texas (ORBCT), said 0.1607 of one acre parcel being more particularly described by metes and bounds as follows:

**BEGINNING** at the common north corner of said Lot 2 and Lot 3, Block 30 of said Freeport Town Site, all of said Lot 3 being conveyed by deed dated November 24, 2010 from Mary A. Berroth to Carolyn Marie Garcia et al. as recorded under BCCF No. 2010050391 of said ORBCT, said common north corner lying on the existing south right-of-way line of Second Street (70 feet wide) as dedicated by said map or plat of the Freeport Town Site, for the northeast corner of the herein described parcel, having surface coordinates of N=13,549,290.27, E=3,137,913.25;

1. **THENCE**, South 15 degrees 13 minutes 00 seconds West, along the common line of said Lots 2 and 3, and the east line of the herein described parcel, a distance of 140.00 feet to the common south corner of said Lots 2 and 3 for the southeast corner of the herein described parcel, and lying on the existing north line of an alley (20 feet wide) as dedicated by said map or plat of the Freeport Town Site;
2. **THENCE**, North 74 degrees 47 minutes 00 seconds West, along the common line of said Lot 2 and said alley, and the south line of the herein described parcel, a distance of 50.00 feet to the common south corner of said Lot 2 and Lot 1, Block 30 of said Freeport Town Site, all of said Lot 1 being conveyed by deed dated May 29, 2007 from Brazoria County, Texas to City of Freeport as recorded under BCCF No. 2007030373 of said ORBCT, for the southwest corner of the herein described parcel;

EXHIBIT A

- THENCE, North 15 degrees 13 minutes 00 seconds East, along the common line of said Lots 2 and 1, and the west line of the herein described parcel, a distance of 140.00 feet to the common north corner of said Lots 2 and 1 for the northwest corner of the herein described parcel, and lying on said existing south right-of-way line of Second Street;
3. THENCE, South 74 degrees 47 minutes 00 seconds East, along the common line of said Lot 2 and said Second Street, and the north line of the herein described parcel, a distance of 50.00 feet to the POINT OF BEGINNING, and containing 0.1607 of one acre (7,000 square feet) of land.

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone (NAD 83), 1993 adjustment. All distances and coordinates shown are surface values and may be converted to grid by dividing by a combined adjustment factor of 1.00013.

A parcel plat of even date was prepared in conjunction with this property description.

Access will be permitted to the remainder property abutting the highway facility.

*Robert L. Davis* 6/22/2015  
Robert L. Davis, RPLS  
Texas Registration No. 4299



Baseline Corporation  
1750 Seamist Drive, Suite 160  
Houston, TX 77008  
(713) 869-0155  
TBPLS Firm No. 10030200

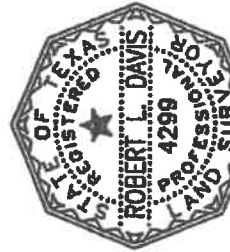
**LEGEND**

- CALCULATED PROPERTY CORNER AND MONUMENT SET
- SET OR FOUND MONUMENT (SIZE & MATERIAL AS NOTED)
- FOUND T-DOT TYPE 1 CONCRETE R.O.W. MONUMENT
- EXISTING R.O.W. LINE
- PROPOSED R.O.W. LINE
- OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
- PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
- BRAZORIA COUNTY DEED RECORDS
- MEAN HIGHER HIGH WATER
- BRAZORIA COUNTY CLERK'S FILE
- FOUND
- SET 5/8" IR & T-DOT ALUMINUM R.O.W. CAP
- APPROXIMATE SURVEY LINE
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT LINE
- PROPERTY LINE
- BASELINE STATION
- RIGHT-OF-WAY
- CONTROL POINT

ORBCT  
BCPR  
BCDR  
MHRW  
BOCF  
FND  
SET  
STA.  
R.O.W.  
CP

**NOTES**

- 1) THIS R.O.W. MAP IS A RETRACEMENT OF THE ORIGINAL R.O.W. ACQUIRED FOR FM 1495 AS SHOWN ON T-DOT R.O.W. PLANS APPROVED 5-12-1986 (RCSJ NO. 0587-01-015). OWNERSHIP DATA HAS BEEN UPDATED.
- 2) ALL LOTS, STREETS, AND ALLEYS SHOWN HEREON LYING SOUTH OF THE BRADLEY STREET CHANNEL WERE DEDICATED BY THE MAP OF THE CANAL AS RECORDED IN VOL. 2, PG. 95 OF THE BRAZORIA COUNTY PLAT RECORDS.
- 3) THE MEAN HIGHER HIGH WATER (MHHW) LINE SHOWN HEREON WAS SURVEYED ON THE GROUND ON AUGUST 20th, 2010 BY WILLIAM E. MERTEN TRPLS No. 5014, LELS1 OF COBB, FENDLEY, AND ASSOCIATES.
- 4) CURVE LENGTHS SHOWN ARE ARC LENGTHS.
- 5) ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NAD 83). BEING ADJUSTED, ALL DISTANCES AND COORDINATES SHOWN ARE APPROXIMATE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.000015.
- 6) T-DOT MONUMENTS H-1, H-4, AND H-5 WERE RECOVERED BY BASELINE CORPORATION AND HELD FOR HORIZONTAL CONTROL.
- 7) SURVEY LINE LOCATIONS ARE APPROXIMATE AND BASED UPON THE BEST AVAILABLE EVIDENCE.
- 8) "H" MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A T-DOT TYPE B RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY T-DOT.
- 9) ABSTRACTING, PERFORMED IN JAN, 2015 BY BASELINE CORPORATION, EASEMENTS OR OTHER MATTERS OF RECORD MAY EXIST THAT ARE NOT SHOWN.
- 10) A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.



*Robert L. Davis*  
6/24/2015

1 (SHERIFF'S DEED)  
LOT 2, BLOCK 30, FREEPORT TOWN SITE  
CHARLES WAGNER, SHERIFF,  
BRAZORIA COUNTY, TEXAS  
TO  
CITY OF FREEPORT  
BCCF No. 2009000313, ORBCT  
(1/2/2008)

2  
LOT 3, BLOCK 30, FREEPORT TOWNSITE  
MARY A. BERROTH  
TO  
CAROLYN MARIE GARCIA, ET AL  
BCCF No. 2010050391, ORBCT  
(11/24/2010)

EXISTING (AC.)	TAKING AC./S.F.	REMAINDER (AC.)	
		LEFT	RIGHT
0.1907 (CALC.)	0.1907 / 7,000	0.0000	0.1907



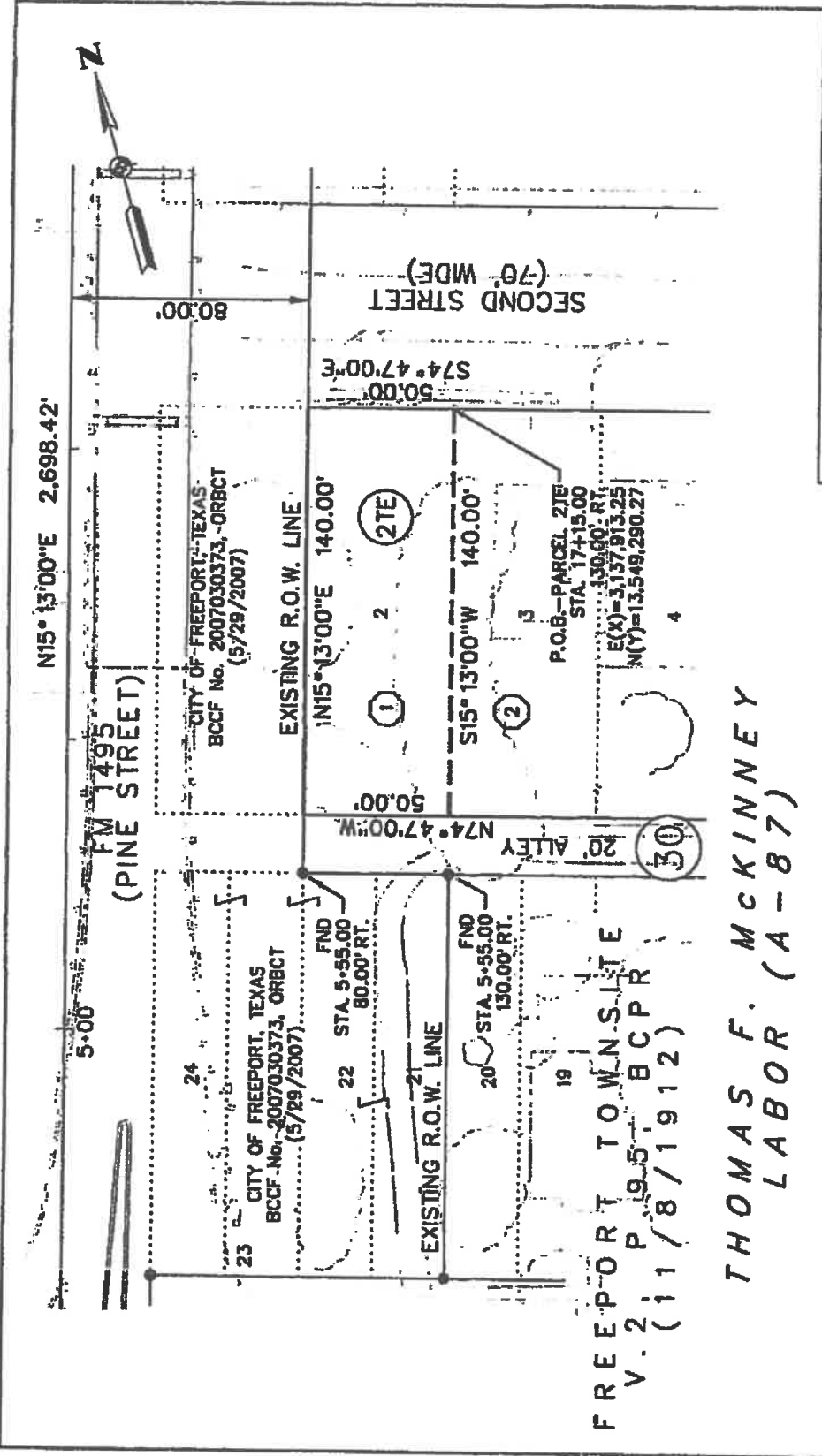
**BASELINE CORPORATION**  
Professional Surveyors


1700 BEAUMONT DRIVE • SUITE 5700 HOUSTON, TX 77056  
PHONE (713) 889-0158 TOLL FREE Registration No. 00020000

**PARCEL PLAT SHOWING**

**PARCEL 2TE**

BRAZORIA COUNTY JUNE, 2015  
RCSJ: 0587-01-082 FM 1495  
SHEET 3 OF 4 SCALE: NOT TO SCALE



  
**BASELINE**  
 BASELINE CORPORATION  
 Professional Surveyors  
 1150 DECAUST DRIVE • SUITE 680 HOUSTON, TX 77059  
 PHONE (713) 866-5135 TOLL FREE (800) 442-2229

**PARCEL PLAT SHOWING**  
**PARCEL 2TE**  
 BRAZORIA COUNTY  
 JUNE, 2015  
 RCS# 0587-01-062 FM 1495  
 SHEET 4 OF 4 SCALE: 1" = 50'





map: Mosaic Dates: All 01/22/2017 - 03/30/2017

# PROPERTY MANAGEMENT MEMO

August 30, 2017

To: City Manager Jeff Pynes  
City Council

Re: Block 3, Lot 26, BCIC 8 Bridge Harbor Subdivision  
Tax Id. No. 193466

Mr. Rodney S. Rhoaders of Spring Texas has made a request to purchase the above noted lot, adjacent to the lot which he owns on Marlin Drive. See Attached request.

Should I request an appraisal to determine value?

Documents attached:

- a. Request to purchase
- b. CAD Report
- c. Plat showing location

Property Manager

  
\_\_\_\_\_  
Nat Hickey

To

City of Freeport

RECEIVED

AUG - 1 2017

PROPERTY MGMT

FROM

Rodney S Rhoades

2530 Marble Falls Dr

• Spring TX 77373

281-435-1933

I own a lot in bridge Harbor in Surtside  
Account 2190 0219 000 cad 193465. I would

like to buy the lot next to mine so

I can build a house. The lot say its  
owned by city of Freeport

Account 21900220000 Lot 26. See the

next page. please contact me if I  
can make a offer. I would like  
to get started

THANK YOU

Rodney Rhoades

# Brazoria CAD

## Property Search Results > 193465 RHOADES RODNEY S for Year 2017

### Property

#### Account

Property ID: 193465      Legal Description: BRIDGE HARBOR NO 2 (A0051 DIV 8 (B C I C)) (FREEPORT) BLK 3 LOT 25 (CAUSE #91T5260)

Geographic ID: 2190-0219-000      Agent Code:

Type: Real

Property Use Code:

Property Use Description:

#### Location

Address: MARLIN DR      Mapsco:  
FREEPORT,

Neighborhood: CITY OF FREEPORT T/S      Map ID:

Neighborhood CD: CFP

#### Owner

Name: RHOADES RODNEY S      Owner ID: 1137658

Mailing Address: 2530 MARBLE FALLS DR      % Ownership: 100.0000000000%  
SPRING, TX 77373-6264

Exemptions: EX-XV

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$460	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$460	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$460	
(-) HS Cap:	-	\$0	
-----			

(=) Assessed Value: = \$460

### Taxing Jurisdiction

Owner: RHOADES RODNEY S  
 % Ownership: 100.000000000000%  
 Total Value: \$460

Entity Description	Tax Rate	Appraised Value	Taxable V
CAD BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$460	
CFP CITY OF FREEPORT	0.628005	\$460	
DR2 VELASCO DRAINAGE DISTRICT	0.091501	\$460	
GBC BRAZORIA COUNTY	0.397405	\$460	
JBR BRAZOSPORT COLLEGE	0.285040	\$460	
NAV PORT FREEPORT	0.040100	\$460	
RDB ROAD & BRIDGE FUND	0.060000	\$460	
SBR BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.255300	\$460	
Total Tax Rate:	2.757351		

Taxes w/Current Exempt  
 Taxes w/o Exemptions:

### Improvement / Building

No improvements exist for this property.

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	SO	MISC-WETLAND	0.1749	7620.00	0.00	0.00	\$460	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	\$0	\$460	0	460	\$0	\$460
2016	\$0	\$460	0	460	\$0	\$460
2015	\$0	\$460	0	460	\$0	\$460
2014	\$0	\$460	0	460	\$0	\$460
2013	\$0	\$460	0	460	\$0	\$460
2012	\$0	\$460	0	460	\$0	\$460
2011	\$0	\$460	0	460	\$0	\$460
2010	\$0	\$460	0	460	\$0	\$460
2009	\$0	\$460	0	460	\$0	\$460
2008	\$0	\$460	0	460	\$0	\$460
2007	\$0	\$460	0	460	\$0	\$460

2006	\$0	\$460	0	460	\$0	\$460
2005	\$0	\$460	0	460	\$0	\$460
2004	\$0	\$460	0	460	\$0	\$460
2003	\$0	\$460	0	460	\$0	\$460
2002	\$0	\$460	0	460	\$0	\$460
2001	\$0	\$460	0	460	\$0	\$460

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

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Numt
1	2/9/2017	DM	MISCELLANEOUS DEED	BRAZOSPORT ISD IN TRUST	RHOADES RODNEY S	2017	012495	
2	4/20/2004	SD	SHERIFF'S DEED	OWEN PAUL D JR	BRAZOSPORT ISD IN TRUST	04	022950	0

**Questions Please Call (979) 849-7792**

Website version: 1.2.2.14

Database last updated on: 7/31/2017 9:16 PM

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August 23, 2017

PROPERTY MANAGEMENT  
MEMO

Jeff Pynes  
City Manager

re: Closure, portion of Division Street  
right of way

Please place the following item on the City Council Agenda:

Discuss / consider closing and abandoning a fifty (50)  
foot wide portion of Division Street right of way  
adjacent to lot 13, block 501 and Abstract 99,  
Eli Mitchell , Tract F, Property ID 158326.

Mr. Gerardo Mejia purchased Tract F in the Eli Mitchell Survey on 6-23-2016, deed number 2016029300, and has inquired as to the purchase of the above portion of Division Street ROW.

A check with Damian & Associates determined a survey of the property has been ordered and a copy of same should be available on or before the first week of September 2017.

I have been advised a revised copy of the appraisal has been ordered and provided to the City, however, do not have a copy of same in the file as if this date.

Find attached the following documents:

- a) Brazoria County CAD sheet 8-23-2017,
- b) Plat showing location of requested closure.

N C Hickey  
Proprty

Attach

//h





# Brazoria CAD

## Property Search Results > 158326 MEJIA GERARDO for Year 2017

### Property

#### Account

Property ID: 158326

Legal Description: A0099 ELI  
MITCHELL TRACT  
F ACRES 0.14

Geographic ID: 0099-0017-000

Type: Real

Agent Code: *Dec 16 - 029 300*  
*4-23-2012*

Property Use Code:

Property Use Description:

#### Location

Address: MYSTERY HARBOR LN - OFF  
TX

Mapsc0:

Neighborhood: BRAZOSPORT ABSTRACTS (RESIDENTIAL ONLY) Map ID:

Neighborhood CD: SBR.ABST

#### Owner

Name: MEJIA GERARDO

Owner ID: 1129054

Mailing Address: 5212 HUMBLE CAMP RD  
DICKINSON, TX 77539-7556

% Ownership: 100.0000000000%

Exemptions:

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$13,720	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$13,720	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$13,720	
(-) HS Cap:	-	\$0	
<hr/>			

(=) Assessed Value: = \$13,720

**Taxing Jurisdiction**

Owner: MEJIA GERARDO  
 % Ownership: 100.0000000000%  
 Total Value: \$13,720

Entity Description	Tax Rate	Appraised Value	Taxable V
CAD BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$13,720	\$1E
CFP CITY OF FREEPORT	0.628005	\$13,720	\$1E
DR2 VELASCO DRAINAGE DISTRICT	0.091501	\$13,720	\$1E
GBC BRAZORIA COUNTY	0.397405	\$13,720	\$1E
JBR BRAZOSPORT COLLEGE	0.285040	\$13,720	\$1E
NAV PORT FREEPORT	0.040100	\$13,720	\$1E
RDB ROAD & BRIDGE FUND	0.060000	\$13,720	\$1E
SBR BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.255300	\$13,720	\$1E
Total Tax Rate:	2.757351		

Taxes w/Current Exempt  
 Taxes w/o Exemptions:

**Improvement / Building**

No improvements exist for this property.

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S16	RIVER LOT	0.1400	6098.00	0.00	0.00	\$13,720	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	N/A	N/A	N/A	N/A	N/A	N/A
2017	\$0	\$13,720	0	13,720	\$0	\$13,720
2016	\$0	\$13,720	0	13,720	\$0	\$13,720
2015	\$0	\$13,720	0	13,720	\$0	\$13,720
2014	\$0	\$13,720	0	13,720	\$0	\$13,720
2013	\$0	\$13,720	0	13,720	\$0	\$13,720
2012	\$0	\$13,720	0	13,720	\$0	\$13,720
2011	\$0	\$13,720	0	13,720	\$0	\$13,720
2010	\$0	\$23,170	0	23,170	\$0	\$23,170
2009	\$0	\$23,170	0	23,170	\$0	\$23,170
2008	\$0	\$9,150	0	9,150	\$0	\$9,150
2007	\$0	\$9,150	0	9,150	\$0	\$9,150

2006	\$0	\$9,150	0	9,150	\$0	\$9,150
2005	\$0	\$9,150	0	9,150	\$0	\$9,150
2004	\$0	\$9,150	0	9,150	\$0	\$9,150
2003	\$0	\$9,150	0	9,150	\$0	\$9,150
2002	\$0	\$2,520	0	2,520	\$0	\$2,520
2001	\$0	\$2,520	0	2,520	\$0	\$2,520

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

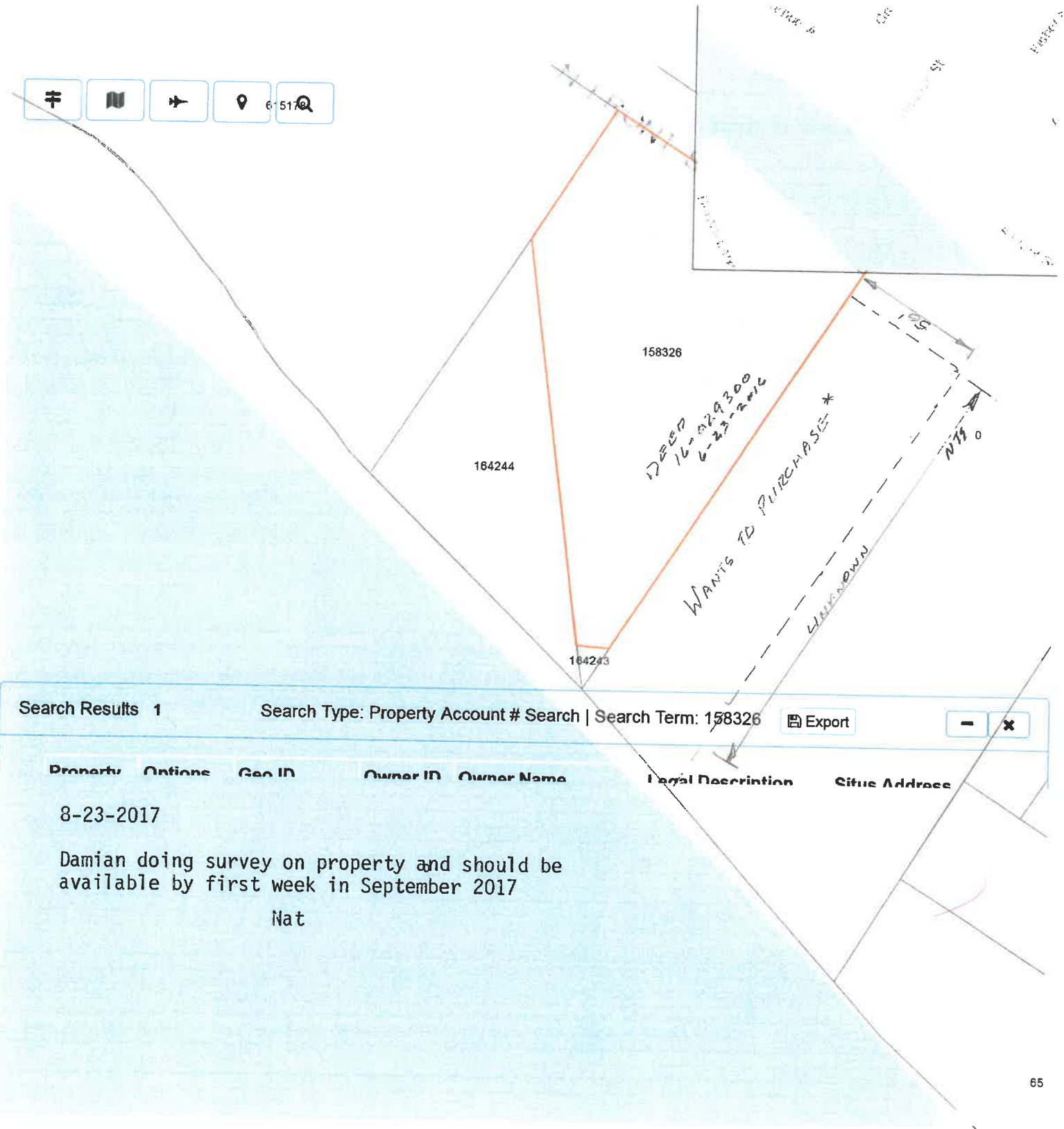
#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	6/23/2016	WD	WARRANTY DEED	ISACKS ANTHONY & DEBORAH	MEJIA GERARDO	16	029300
2	7/6/2006	DV	DEED RETAINING VENDORS LIE	HINES MELVIN N & PATRICIA A	ISACKS ANTHONY & DEBORAH	06	040737
3	10/10/2002	WD	WARRANTY DEED	MCMURREY LEONIDAS L JR	HINES MELVIN N & PATRICIA A	02	052772

**Questions Please Call (979) 849-7792**

Website version: 1.2.2.14

Database last updated on: 8/22/2017 9:23 PM

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Search Results 1      Search Type: Property Account # Search | Search Term: 158326      Export

Property	Options	Geo ID	Owner ID	Owner Name	Legal Description	Situs Address
8-23-2017						
Damian doing survey on property and should be available by first week in September 2017						
Nat						

