

NOTICE OF PUBLIC MEETING
THE FREEPORT CITY COUNCIL
MONDAY, JUNE 18TH, 2012, 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. Consideration on of approving the June 4th, 2012 Council Minutes.
Pg. 289-295
5. Attending citizens and their business.
6. Proclamation: "Proclaiming the month of July as "Adopt a Shelter Animal Month"
Pg. 296
7. Consideration of the approving Ordinance No. 2012-2311 amending the Comprehensive zoning ordinance of the City, now codified as Chapter 155 of the Code of Ordinances of the City to add to Section 155.02 new definitions of "Marina" and "Marina related Business", to add thereto a new section 155.048 establishing a new zoning district and classification to be known as W- 4 Marina District, specifying the boundary thereof providing regulations therefor, and amending said comprehensive zoning ordinance to change the current classification of all property located within the boundary of such new district from its present zoning classification to such new zoning classification of W- 4; ratifying and confirming all actions previously taken by the Planning Commission of said city or the City Council, or both.

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S. F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of the beginning. Pg. 297-302

8. Consideration of approving Ordinance No. 2012-2312 amending Chapter 110 of the Code of Ordinance of said city to add a new section 110.28 requiring the prominent display of the license required by section 110.25 of said chapter. Pg. 303-305
9. Consideration of approving Ordinance No. 2012-2313 amending the budget for fiscal year 2011-2012. (accidentally skip pages 306,307,308) Pg. 309-313
10. Consideration of approving Ordinance No. 2012-2314 closing and abandoning the public roadway known as the South Levee Road from 1495 to the Department of Energy; Bryan Mound Facility. Pg. 314-322
11. Consideration of advertising for the trade of lots located within the Urban Renewal Project which are not owned by the City of Freeport, for the following lots which are owned by the City of Freeport but which are located outside of the Urban Renewal Project: Block 623 Lot 5, Block 729 Lot 19, Block 731 Lot 1, 2, 7, & 18, Block 744 Lot 16, Block 766 Lot 20, Block 787 Lot 10 & 13, all located in the Velasco Townsite of said City, according to the map or plat recorded in Volume 32, Page 14 of the Deed of Records of Brazoria County, Texas. Pg. 323-327
12. Consideration of a request to close streets intersecting with East and West Park and Broad Street for the "Kids Festival 2012" from 11:00 a.m. to 4:00 p.m. on Saturday, June 23rd, 2012 at Memorial Park. Pg. 328
13. Consideration of rejecting the bids from Toyota Lift of Houston and Wiggins Marina Bull and authorizing the City Manager to purchase from the H-GAC Buy Board to purchase a forklift for the Freeport Marina located at 202 East Second Street. Pg. 329
14. Consideration of selling the City's interest in Block 663, Lots 13 thru 18, known as 901-911 North Ave. F., Velasco Townsite, Tx. Id No. 8110-2618-000. Pg. 330-338
15. Consideration of approving a Memo of Understanding with the Village of Surfside and the City of Freeport to jointly purchase a beach cleaning rake. Pg. 339
16. Requesting the City Council of the City of Freeport, Texas, ("the City") to authorize the City Manager to advertise for sealed bids or proposals, addressed to the City Council of the City of Freeport, Texas, ("the City") to be received by the City Manager at the City Hall, located therein at 200 West Second Street, Freeport, Texas 77541, for the demolition of "City in Trust" structure located on Lot 13, Block 48, Velasco Townsite, known as 523 South Ave. G., Velasco Townsite, of the City of Freeport, Brazoria County Official. Authorizing to waive informalities and to award the bid to the bidder who provides the best value for the City. Pg. 340-356

17. Appointing qualified person(s) to the following boards and commissions:

- Planning Commission
- Library Board
- Board of Adjustments
- Urban Renewal Board
- Beautification Parks & Recreation Committee
- Economic Development
- Freeport Historical Board & Main Street Advisory Board
- Charter Review Commission
- Senior Citizens Commission

18. Appointing City Council liaison(s) to the following Boards and Commissions:

- Planning Commission
- Library Board
- Board of Adjustments
- Urban Renewal Board
- Beautification Parks & Recreation Committee
- Economic Development
- Freeport Historical Board & Main Street Advisory Board
- Charter Review Commission
- Senior Citizens Commission

Work Session:

- A. Discussion regarding the Annual Financial Report ending September 30, 2011 by Kennemer, Masters & Lunsford.
- B. Discussion regarding the request of the Velasco Drainage District to abandoned and close the South Levee Road from FM 1495 to Department of Energy property.
- C. Discussion amending the ordinance limiting the number of dogs. Pg. 357
- D. Discussion implementing a new ordinance on limiting the number of cats.

Executive Session:

Section 551.71, Government Code:

Consultation with City Attorney concerning pending or contemplated litigations settlement offers or other matter 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:

- Pending contractual negotiations.

Adjourn

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, June 15th, 2012 at or before 5:00 p.m.

Delia Munoz - City Secretary
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport, Texas

BE IT REMEMBERED, that the City Council and the Planning Commission met for a Joint Public Meeting on Monday, June 4th, 2012 at 6:02 p.m. at the Freeport Police Department, Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: Norma M. Garcia
Michelle Kent
Fred Bolton
Sandra Loeza
Sandra Barbree

Planning Commission: Edward Garcia
Reuben Cuellar – absent
Jesse Aguilar
Tobey Davenport
Eddie Virgil

Staff: Jeff Pynes, City Manager
Gilbert Arispe-Asst. City Manager
Wallace Shaw, City Attorney
Delia Munoz, City Secretary
Nat Hickey, Property Manager
Larry Fansher, Parks Director
Angela Degetaire, Marina Director
Ty Morrow, Police Chief
Steve Epperley, Asst. Police Chief
Brian Davis, Fire Chief

Visitors:	Dorothy Pirrung	James Pirrung
	John Mercer	Nicolosa Mireles
	Lila Lloyd	Jerry Meeks
	Ravindra Patel	Mingo Marquez
	Sandra Barnett	James Barnett
	Juanita Cordozo	Scott Rodgers
	Shanna Doughtry	Wright Gore, Jr.
	Tom Sharon	Tim Feldman
	John Cone	Brian Wolf

Call to Order

Mayor Norma Garcia called the meeting to order at 6:02 p.m.

Invocation

Pastor Tom Sharon offered the invocation.

Pledge of Allegiance.

Mayor Norma M. Garcia led the Pledge of Allegiance. Members of Boy Scouts Troop 345 performed an open flag ceremony during City Council.

Consideration on of approving the May 21st, 2012 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved the May 21st, 2012 Council Minutes.

Attending citizens and their business.

Mayor Norma Garcia introduced Mario Muraira, he will intern this summer for City of Freeport.

Appreciation Plaque to Chaplain Tom Sharon for his dedicated service to the City of Freeport 2010-2012.

On behalf of the Freeport Police Department Chief Morrow thanked Chaplain Tom Sharon for his services and presented a plaque.

Appreciation Plaque to the City of Freeport from the Spring Fling Festival -2012.

Norm Odam from the Texas Mariners Cruising Association presented City Council an appreciation plaque for the second Spring Fling Festival-2012.

Consideration of advertising and setting a bid date for June 28th, 2012 for the Central Lift Station Rehabilitation.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council approved Mr. Gilbert Arispe's recommendation to reschedule the bid date from June 28th to July 12th, 2012, to allow more time to evaluate the bids.

Joint Public Hearing with the Planning Commission to consider a proposed amendment and to make a recommendation to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, amending said ordinance to create a new zoning district, to be known as W-4 Marina District and changing the zoning classification of all property within the hereinafter described area from its present classification to the new classification of W-4 Marina District, to-wit:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S. F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of the beginning.

There being a quorum with the Planning Commission, Mayor Norma Garcia opened the Joint Public Hearing at 6:20 p.m.

Edward Garcia Chairperson for the Planning Commission stated that the Planning Commission had discussed the new classification of W-4 Marina district. They had not received any negative comments. The Planning Commission recommended a new classification of W-4 Marina District to wit:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S. F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of the beginning.

Councilman Bolton asked for the advantages. Mr. Garcia stated that it would put them in a better position to promote the Freeport Marina. Businesses that are active would be grandfathered.

There being no more comments from audience or council, Mayor Garcia closed the Joint Public hearing at 6:25 p.m.

Joint Public Hearing with the Planning Commission to consider a proposed amendment and to make a recommendation to the City Council concerning whether or not the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinance of said City, should be amended to grant Ravin Patel a Specific Use Permit to operate a R/V Motor Recreation Site on Tract 6, Bridge Harbor Subdivision, within the corporate limits of said City.

Mayor Garcia opened the Joint Public Hearing at 6:25 p.m. to consider granting a Specific Use Permit to operate a R/V Motor Recreation Site on Tract 6, Bridge Harbor Subdivision, within the corporate limits of said City.

Edward Garcia stated to council that at this time, they could not make a recommendation because Mr. Patel had not complied with the Specific Use requirements.

Mr. Patel stated that he has lived in the area for 30 years and lives in Lake Jackson. He stated that he runs a good business and own condominiums at Bridge Harbor. He wants to invest in the city and operate a R/V Motor Recreation site if permitted. Hurricane Ike had done extensive damage to Bridge Harbor and they were still disputing damages with the insurance. He has spent \$37,000 on bathrooms.

Councilman Bolton stated that he had seen existing damage to Bridge Harbor. The docks had collapsed and needed attention. He wanted this done correctly and requested drawings and additional information.

Mayor Garcia had driven to Bridge Harbor and did concur with Councilman Bolton that Bridge Harbor was in dire need of attention.

Councilwoman Barbree said that Bridge Harbor was in her ward and would like him to get a permit for the R/V and get back to having a business.

Councilwoman Kent asked for the time frame in building the R/V. Mr. Patel answered 5 months.

John Cone an expert on real estate stated that it would devalue the property. It was not suitable for this location.

Tim Feldman owner of a condo unit # 115 feels the condos are not being operated correctly. He strongly opposes the R/V and feels it would be an eyesore. He mentioned that the Patel's owe \$15,000 to the Bridge Harbor Condo Association.

Debbie Collins leased from Mr. Patel but moved because of poor maintenance, swimming pool that was not in compliance. Her condo flooded, had plumbing problems, destroyed her furniture and they were suing her for moving out.

Sandra Krebs stated that she lives in unit 101 and maintenance is poor, unkempt grounds, swimming pool is not safe, no guards available, not a gated facility, tennis courts are deteriorating.

Judy Starnes in unit 103 stated that she had appeared before Council in 2003 and they had reassured her that it would not be zoned for a R/V nor a Specific User be granted.

Mingo Marquez stated that the Patel's had bought Bridge Harbor in 1992 and had been hit by several hurricanes. Their intention is to go after the tourists, attract people to this area, by building a resort type of business. Fuel prices are up and they were trying to survive.

Tobey Davenport agreed with Mr. Garcia that he is not for or against it, but more detail information is required before making a recommendation.

There being no more comments from audience or council, Mayor Norma Garcia closed the Joint Public Hearing at 7:00 p.m.

Consideration of approving Ordinance No. 2012-2310 amending the Comprehensive Zoning Ordinance of said City to permit the Specific Use of Tract 6, of the Bridge Harbor Subdivision in the City of Freeport, Brazoria County, Texas within the corporate limits of said City, as a RV/Motor Coach Recreation Site to be operated by Ravin Patel under certain conditions therein specified.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting 3 to 2, Council approved to reagenda this item. It was suggested that the Planning Commission review the proposal again. Councilwoman Barbree and Councilwoman Kent opposed.

Consideration of approving the bids and awarding the contract to purchase a forklift for the Freeport Marina located at 202 East Second Street.

Two bids were submitted to purchase a forklift for the Freeport Marina located at 202 E. Second Street:

Wiggins Marina Bull	\$356,208.00
Toyota Lift of Houston	\$405,153.00

On a motion by Councilman Bolton, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved to reagenda this item for more study.

Consideration of selling the City's interest in Block 663, Lots 13 thru 18, known as 901-911 North Ave. F., Velasco Townsite, Tax Id. No. 8110-2618-000.

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

Consideration of selling the City's interest in Block 7, Lot 15, Freeport Townsite, known as 514 East 8th Street, Tx. Id No. 4200-0129-000.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved selling the City's interest in Block 7, Lot 15, Freeport Townsite, known as 514 East 8th Street, Tx. Id. No. 4200-0129-000.

Consideration of approving and signing a replat for Garfield and Shoup, Block 80, Lot 8 thru 9, Freeport Townsite, known as 502 West First Street.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved signing a replat for Garfield and Shoup, Block 80, Lot 8 thru 9, Freeport Townsite, known as 502 West First Street.

Consideration of authorizing the City Manager to advertise for developers proposals for the Urban Renewal Tract(s) for commercial, residential and/or mixed uses.

Lila Lloyd would like to see affordable homes, better home for residences.

Councilman Bolton said that advertising for development needs to be done if we are to attract developers. He will try every effort to get home builders.

Jim Barnett suggested having a Joint Meeting with the Urban Renewal Board. The Urban Renewal board had adopted a plan for residential use.

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council unanimously approved the City Manager to advertise for developer's proposals for the Urban Renewal tract(s) for commercial, residential and/or mixed uses.

Work Session:

Mayor Garcia opened the Work Session at 7:30 p.m.

Discussion regarding amending the alcohol permitting ordinance to require to all issued city permits to be promptly displayed at the permitted establishment.

Mr. Pynes discussed the city permits to be promptly displayed at the permitted establishments. City officials and Police Department could view the required permits of the establishment. He asked Mr. Shaw to amend the ordinance.

Discussion the City's Centennial Celebration.

Mr. Pynes asked Council for direction on the event. The City's Centennial Celebration is scheduled for November 11, 2012 and asked if they wanted a three day event. He asked

for a budget plan and if he should plan a dance, fireworks, music, and food. A suggestion of \$25,000, thru \$50,000 was mentioned for expenditures.

Mayor Garcia closed the Work Session and Opened the Executive Session at 7:40 p.m.

Executive Session:

Section 551.074, Government Code:

Deliberations concerning the duties of a public officer or employee, to wit:

- City Manager

(no action)

Mayor Norma Garcia closed the Executive Session and reconvened the Open Session at 8:10 p.m. to adjourn.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilman Bolton, with all present voting "aye", Council adjourned at 8:10 p.m.

Mayor Norma Moreno Garcia
City of Freeport, Texas

City Secretary Delia Munoz
City of Freeport, Texas

PROCLAMATION

The City of Freeport, Texas

WHEREAS, tens of millions of homeless animals are housed in shelters across America each year due to overpopulation; and

WHEREAS, local governments across America, spend close to \$2 billion tax dollars annually for animal shelters to care for these animals; and

WHEREAS, shelters have many more pets up for adoption than there are people adopting pets, which forces many area animal shelters to resort to euthanizing; and

WHEREAS, educating our community is essential to overcoming the costly, devastating cause and effect of pet overpopulation; and

WHEREAS, the number of euthanized animals, in Brazoria County, could be dramatically reduced if more people adopted pets from animal shelters; and

WHEREAS, animal shelters all across Brazoria County house all shapes and sizes of lovable pets, willing to match all types of lifestyles, age groups, and families.

NOW, THEREFORE BE IT RESOLVED, that I, Norma M. Garcia, Mayor of the City of Freeport, Texas, on behalf of the entire City Council, and by the authority of the laws of Freeport, Texas, do hereby proclaim the month of July 2012 as

ADOPT A SHELTER ANIMAL MONTH

in Freeport, Texas and call upon the people of Freeport, Texas to observe July 2012 with appropriate programs, activities, and ceremonies in support.

IN WITNESS THEREOF, We have hereunto set our hands and caused the Great Seal of the City of Freeport, Texas, to be affixed this _____ day of _____, 2012.

Mayor Norma Moreno Garcia
Mayor of Freeport, Texas

ORDINANCE NO. 2012-2311

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT AND CONCLUSIONS OF LAW; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, NOW CODIFIED AS CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY, TO ADD TO SECTION 155.02 NEW DEFINITIONS OF "MARINA" AND "MARINA RELATED BUSINESS", TO ADD THERETO A NEW SECTION 155.048 ESTABLISHING A NEW ZONING DISTRICT AND CLASSIFICATION TO BE KNOWN AS W-4 MARINA DISTRICT, SPECIFYING THE BOUNDARY THEREOF AND PEROXIDING REGULATIONS THEREFOR, AND AMENDING SAID COMPREHENSIVE ZONING ORDINANCE TO CHANGE THE CURRENT CLASSIFICATION OF ALL PROPERTY LOCATED WITHIN THE BOUNDARY OF SUCH NEW DISTRICT FROM ITS PRESENT ZONING CLASSIFICATION TO SUCH NEW ZONING CLASSIFICATION OF W-4; RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE PLANNING COMMISSION OF SAID CITY OR THE CITY COUNCIL, OR BOTH; PROVIDING THAT ANY PERSON VIOLATING SAID CODE OF ORDINANCES, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 155.999 OF SAID CODE OF ORDINANCE AND THAT EACH DAY ANY SUCH VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER THIS DESCRIPTIVE CAPTION HAS BEEN PUBLISHED TWICE IN THE BRAZOSPORT FACTS.

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, Subchapter A of Chapter 211 of the Local Government Code of Texas and Item (g) of Section 3.07 of the Home Rule Charter of the City authorizes the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined to here now declare that it is necessary to the health, safety and general welfare of the inhabitants of the City for there to be established a new zoning classification to be known as W-4 Marina District, to specify the boundaries thereof and regulations therefor, and to change the zoning classifications of all land within such new zoning district from its present zoning classification to the new zoning classification of W-4 Marina District.

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

SECTION ONE--Findings of Fact and Conclusions of Law.

he City Council of the City makes the following findings of fact and conclusions of law, viz:

First, that the public hearings required by the Zoning Enabling Act of the State of Texas, codified as Chapter 211 of the Texas Local Government Code, and the present Comprehensive Zoning Ordinance of the City, codified as Chapter 155 of the Code of Ordinances of the City, have been conducted in the manner and at the time required.

Second, that not less than fifteen (15) days prior to the date of such hearings, public notice thereof was published once in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City, stating the date, time and place of such hearings.

Third, that after considering evidence submitted at such hearings, the City Council of the City is of the opinion and finds that the health, safety, morals and general welfare of the inhabitants of the City will best be served by the creation of the new zoning classification and district to be known as W-4 Marina District, within the boundaries and with the regulations hereinafter set forth.

Fourth, the conditions which warranted the classification of the property included within the boundaries hereinafter set forth at the time of such classification have substantially changed and conditions now exist which indicate that the present zoning classification of such property is no longer appropriate; and, Fifth, considering the community as a whole and the present Comprehensive Zoning Plan of the City, such property should be reclassified for purposes of zoning and the zoning of such property changed to W-4 Marina District.

Sixth, the health, safety, morals and general welfare of the inhabitants of the City will best be served by changing the zoning classification of all property located within such boundaries from the present zoning classification thereof to the new W-4 classification.

SECTION TWO--Comprehensive Zoning Ordinance Amended

The Comprehensive Zoning Ordinance of the City of Freeport, Texas, read, passed and approved as Ordinance No. 1100 on the 3rd day of April, 1964, now codified as Chapter 155 of the Code of Ordinances thereof and hereinafter called "the Zoning Ordinance," is hereby amended as follows:

First, Section 155.002 of the Code of Ordinances is amended to add, in its alphabetical sequence, the following definitions:

■**MARINA.** A dock or basin providing secure moorings for pleasure boats and often offering supplies, repair and other facilities.

■**MARINA RELATED BUSINESS.** Any business which primarily provides goods and services to any customer of any marina located in the W-4 Marina Zoning District.

Second, a new Section 155.048 is hereby added to the Code of Ordinance which would read as follows:

■**SECTION 155.048-W-4 MARINA DISTRICT**

This district includes all of the land within the City which is located within the following boundary:

Beginning at the intersection of the north ROW line of West Second Street, at its intersection with the east ROW line of Cherry Street; thence north to the northern ROW line of the Freeport Townsite Levee; thence east to the extension of the eastern property line of Tract 1A, Thomas McKinney Survey, Abstract 87, Brazoria County, Texas; thence north along that extended line to the centerline of the Old Brazos River Channel; thence along the center line of that Channel east to the extension of the western property line of Tract B1A, S.F. Austin Survey, Abstract 28, Brazoria County, Texas; thence south along that extended line to the west ROW line of Spruce Street, and continuing along that line to its intersection with the north ROW line of East Second Street; then west along that line to the place of beginning.

- (A) Minimum requirements for lot area, width and setback shall be the same as provided elsewhere within the zoning ordinance for the particular use or uses specified in the W-4 District.
- (B) See Section 155.023 for supplementary district regulations, exceptions and parking requirements applying to the W-4 District.
- (C) See section 155.060 (D) and (E) for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the City Planning Commission within the W-4 District under certain circumstances and conditions

(D) Permitted uses.

Any use permitted in R-1, R-2, R-2A, R-3, C-1, W-1 or W-1R, and

Bait Store

Clothing

Convenience Store

Eating Establishment (Restaurant), Closed or Open

Food or Grocery Store (Retail)

Hotel

Ice(Manufactured or Vending)

Jewelry

Laundry-Pickup of self service

Lounges-Serving alcoholic beverages

Offices-Any Type

Physical culture & Health Studies

Post Office

Sporting Goods Store

Taxidermist

Toy Store

All others by Specific-Use Permit.

- (E) **Parking Requirements and site plans as provided elsewhere in the zoning ordinance for the particular use or uses specified in W-4**
- (F) **Building Height- In Marina W-4 District, building height shall be allowed up to 100 ft., plus additional height of 1-ft. for every 4 ft. setback from yard line..**

SECTION THREE--Ratification and Confirmation.

The City Council of the City of Freeport, Texas, hereby ratifies and confirms any and all action taken by the Planning Commission of said City or the City Council of said City, or both, in connection with the change in zoning classification evidenced by this ordinance, including but not limited to the calling of a public hearing required by said Zoning Enabling Act and the Zoning Ordinance, the giving of public notice of such hearings, the giving of written notice to the owners of property which is the subject of such and to the adjoining property owners, the making of preliminary and final reports with respect to such change and the conducting of the public hearings required by said Act and the Zoning Ordinance.

SECTION FOUR--Penalty

Any person violating the Zoning Ordinance, as amended by this ordinance, shall be guilty of a

misdemeanor and upon conviction therefor assessed a fine as prescribed in Section 155.999 of said ordinance; and each day such violation continues shall constitute a separate offense.

SECTION FIVE--Savings Clauses

(a) Nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

(b) This ordinance is cumulative of and in addition to all other ordinances of the City on the same subject and all such ordinances are hereby expressly saved from repeal. Provided, however, where this ordinance and another ordinance conflict or overlap, this ordinance shall prevail.

(c) No offense committed and no fine, forfeiture or penalty incurred prior to the effective date of this ordinance is to 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.

SECTION SIX--Severance Clause.

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.

SECTION FIVE--Effective Date.

This ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2012.

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.Zon\Marina Zoning-Ord

ORDINANCE NO. 2012-2312

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF SAID CITY TO ADD A NEW SECTION 110.28 REQUIRING THE PROMINENT DISPLAY OF THE LICENSE REQUIRED BY SECTION 110.25 OF SAID CHAPTER; PROVIDING THAT ANY PERSON VIOLATING SAID CODE, AS AMENDED BY THIS ORDINANCE, SHALL BE GUILTY OF A MISDEMEANOR AND ASSESSED A FINE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10.99 OF SAID CODE OF ORDINANCES; PROVIDING THAT EACH DAY ANY SUCH VIOLATION CONTINUES AND EACH PART OF ANY DAY ANY SUCH VIOLATION OCCURS SHALL CONSTITUTE A SEPARATE OFFENSE; CONTAINING SAVINGS CLAUSES; 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, 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, Sections 51.072, 54.001 and 54.004 of the Local Government Code of Texas, Chapter 105 of the Alcoholic Beverage Code of Texas and Section 2.01 and 2.02 of the Home Rule Charter of the City authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, the City Council of the City has determined and do 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 customers of persons required to obtain a license from the City by the provisions of said chapter.

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

First, Chapter 110 of the Code of Ordinances of the City is hereby amended to add thereto a new Section 110.28, which shall read as follows:

Section 110.28 DISPLAY OF LICENSE

The license required by Section 110.25 shall be prominently displayed alongside the state required license or permit issued to a licensee or permittee selling alcoholic beverages within the city.

Second, 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 as prescribed in Section 10.99 of said Code; and each day such violation continues and each part of any day any such violation occurs shall constitute a separate offense.

Third, 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.

Fourth, this ordinance shall take effect and be in force from and after the descriptive caption of this ordinance has been published twice in the Brazosport Facts, the official newspaper of the City.

READ, PASSED AND ADOPTED this _____ day of _____, 2012.

**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.Ord\Alcohol Sales-License-Display-Ord

ORDINANCE NO. 2012-2313

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACTS; AMENDING THE BUDGET FOR THE FISCAL YEAR 2011-2012; 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, pursuant to the provisions of Subsection (a) of Section 102.007 of Chapter 102 of the Local Government Code and the provisions of Article 9 of the Home Rule Charter of the City of Freeport (hereinafter sometimes "the City"), the budget for the 2011-2012 fiscal year of the City was finally approved by the City Council, being the governing body thereof, by its Ordinance No. 2011-2286, read, passed and adopted on the 12th day of September, 2011, (hereinafter sometimes "the Budget"); and,

WHEREAS, Subsection (b) of Section 102.009 of the Local Government Code provides that, after final approval of the budget, the governing body of a municipality may spend municipal funds only in strict compliance with the budget, except in an emergency, but Section 102.010 of said Code provides that the provisions of Chapter 102 thereof do not prevent the governing body of such municipality from making changes in the budget for municipal purposes; and

WHEREAS, Subsection (c) of Section 102.009 of said Code provides that the governing body of a municipality may authorize an expenditure as an amendment to the original budget only in the case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent thought and attention; and,

WHEREAS, Section 9.16 of the City's Home Rule Charter provides that the budget may be amended and appropriations altered in accordance therewith in cases of public necessity, the actual fact of which shall have been declared by the City Council; and,

WHEREAS, the adoption of this ordinance and the amendment of the Budget is necessary for and in the best interest of the health, safety and general welfare of the inhabitants of the City.

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

SECTION ONE (1): FINDINGS OF FACT

In connection with the amendment and revision of the Budget, the City Council of the City makes the following findings:

(1) The amendments and revisions set forth in the Budget were the result of numerous public workshop meetings called and conducted in the manner required by the Texas Open Meetings Act, codified as Chapter 551, Government Code.

(2) A public hearing was held on the Budget on September 12, 2011, and conducted in the manner required by Section 102.006 of the Local Government Code and the City's Home Rule Charter.

(3) Notice of such public hearing was published in the Brazosport Facts, a newspaper of general circulation in and the official newspaper of the City in the manner and time required by Chapter 102 of said Code and the City's Home Rule Charter.

(4) A grave public necessity exists and to meet an unusual and unforeseen conditions that could not have been included in the original budget through the use of reasonably diligent thought and attention and the Budget must be amended and revised with respect of the new or additional expenditures set forth in Exhibit "A" attached hereto and made a part hereof, such unusual and unforeseen conditions also being set forth in said Exhibit "A".

(5) The proposed changes are set forth in Exhibit "A" attached hereto and made a part hereof.

(6) All of the changes set forth in Exhibit "A" are for municipal purposes.

(7) The several amounts stated in Exhibit "A" as the amended or revised expenditures are hereby appropriated to and for the objects and purposes therein named.

(8) The contingent appropriations, as amended and revised in said Exhibit "A", do not exceed three (3%) percent of the total amended and revised budget appropriations reflected therein.

(9) The amended and revised expenditures of the general fund and the debt service fund contained in the Budget, as amended by said Exhibit "A", do not exceed the resources of each fund, as amended and revised.

SECTION ONE (2):

The existing budget of the City of Freeport, Texas, for the fiscal year 2011-2012 is hereby amended and revised as reflected in said Exhibit "A".

SECTION THREE (3):

As required by Subsections (c) and (d) of Section 102.009 of the Local Government Code, upon the passage and adoption of this ordinance, the amended and revised budget adopted hereby shall be filed with the City Secretary of the City to be maintained in the official records of the City, and a certified copy of this ordinance, with Exhibit "A" attached thereto, shall be filed by the City Secretary with the County Clerk of Brazoria County, Texas, and the State Comptroller of Public Accounts for the State of Texas.

SECTION FOUR (4):

nothing contained in this ordinance shall cause any rights heretofore vested to be altered, affected or impaired in any way and all such rights may be hereafter enforced as if this ordinance had not been adopted.

SECTION FIVE (5):

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.

SECTION SIX (6):

This ordinance shall take effect and be in force from and after its passage and adoption.

READ, PASSED AND ADOPTED this _____ day of June, 2012.

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.Bud\2011-2012 Bud 5Amnd-Ord



200 West 2nd Street
 Freeport, TX 77541
 PH: (979) 233-3526
 FX: (979) 373-0113

Council

MEMORANDUM

To: Mayor and Council
 From: Bob Welch
 Re: Request for Amendment of Budgeted Funds # 5
 Date: June 18, 2012

We are requesting the following amendments to the 2011-2012 Budget:

BUDGET AMENDMENTS	ACCT#	ACCOUNT DESCRIPTION	BUDGET AMENDMENTS	
			DEBITS	CREDITS
1 MUSEUM DONATIONS-CHILDREN'S EXHIBIT MUSEUM FUNDRAISER RECORD MUSEUM DONATION FROM UNITED WAY OF BRAZORIA COUNTY	10-360-801 10-578-483	MUSEUM DONATIONS CHILDREN'S EXHIBIT MUSEUM FUNDRAISER	10,000	10,000
4 POLICE-OVERTIME INTERGOVERNMENTAL REVENUES INCREASE POLICE OVERTIME FOR OVERTIME BILLED TO BISD FOR POLICE SRO OFFICER	10-525-190 10-360-450	POLICE-OVERTIME INTERGOVERNMENTAL REVENUES	14,165	14,165
5 POLICE SELL OF SEIZED EQUIP. POLICE NARCOTICS/K-9 RECORD SELL OF VEHICLES POLICE DEPARTMENT	10-361-525 10-525-620	POLICE SELL OF SEIZED EQUIP. POLICE NARCOTICS/K-9	1,425	1,425

SUMMARY EFFECT ON GOVERNMENTAL FUNDS:

BUDGET ADJUSTMENTS	ACCT#	CURRENT BUDGET	BUDGET AMEND	AMENDED BUDGET
MUSEUM DONATIONS-CHILDREN'S EXHIBIT	10-360-801	0	-10,000	-10,000
MUSEUM FUNDRAISER	10-578-483	54,462	10,000	64,462
POLICE-OVERTIME	10-525-190	90,000	14,165	104,165
INTERGOVERNMENTAL REVENUES	10-360-450	-80,000	-14,165	-94,165
POLICE SELL OF SEIZED EQUIPMENT	10-361-525	-14,209	-1,425	-15,634
POLICE NARCOTICS/K-9	10-525-620	41,286	1,425	42,711
		91,639	0	91,639
Net effect on Fund Balance:				\$0

ORDINANCE NO. 2012-2314

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, CONTAINING A PREAMBLE; CLOSING AND ABANDONING THE PUBLIC ROADWAY KNOWN AS THE SOUTH LEVEE ROAD FROM FM 1495 TO THE DEPARTMENT OF ENERGY BRYAN MOUND FACILITY; FINDING THAT SUCH CLOSING AND ABANDONMENT IS IN THE PUBLIC INTEREST AND THAT IT WILL BENEFIT THE PUBLIC; CONTAINING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, there is located within the City of Freeport, Texas, hereinafter ~~the~~ the City, a public road, known as the South Levee Road, running across Brazos River Harbor Navigation District Tracts 1, 1A, 2A, 4 and 5, from F.M. Highway 1495 to the Department of Energy Bryan Mound Facility; and,

WHEREAS, the VELASCO DRAINAGE DISTRICT of Brazoria County, Texas, has requested that such public roadway be closed and abandoned; and,

WHEREAS, the closing and abandoning of such public roadway will be of benefit to the City because it will eliminate the need for the City to expend the funds of the City for the maintenance needed for such roadway and the need for such roadway to be patrolled by the City's Police Department; and

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, Item (p) of Article 3.07 of the Home Rule Charter of the City of Freeport authorize the City Council thereof to adopt the provisions of this Ordinance; and,

WHEREAS, PORT FREEPORT, formerly known as the Brazos River Harbor Navigation District, is the owner of the underlying fee simple title to the land included in such road and of all of the land adjoining such roadway, does not oppose the closing of such road; and,

WHEREAS, the closing and abandoning of such public roadway would be in the public interest for the reasons aforesaid and is, for such reasons, in the best interest of the inhabitants of the 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, finds and declares that the findings of fact and conclusions of law set forth in the preamble to this ordinance are true and correct.

Second, the public road within the City, known as the South Levee Road, running across Brazos River Harbor Navigation District Tracts 1, 1A, 2A, 4 and 5, from F.M. Highway 1495 to the Department of Energy Bryan Mound Facility, described by metes and bounds in the field notes attached hereto as Exhibit ~~A~~, is hereby closed and abandoned.

Third, 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 June, 2012.

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.Ord\Close South Levee Rd-Ord

G. L. KIDWELL
Chairman
Area 1
Lake Jackson, Texas

L. H. JONES
Vice Chairman
Area 3
Freeport, Texas

F. R. Hamlet
Secretary
Area 2
Clute, Texas

Velasco Drainage District

Phone (979) 265-4251 Fax (979) 265-7602
E-mail: vdd@velascodrainage.com

4.34 Acre Road Easement
Out of the Port Freeport Property
Out of the Velasco Drainage District Levee Right-of-Way Easment
Out of the City of Freeport
Out of the County of Brazoria
Out of the State of Texas
May 3, 2012

4.34 Acre Road Easement out of the Port of Freeport Property (Brazos River Harbor Navigation District), out of the Velasco Drainage District Levee Right-of-Way Easement, out of the City of Freeport, out of the County of Brazoria, out of the State of Texas, said tract more specifically being out of Brazos River Harbor Navigation District Tract 1 as recorded in Volume 1663, Page 22 and Volume 1764, Page 126 of the Deed Records, Tract 2A as recorded in Volume 967, Page 504 of the Deed Records, Tract 1A as recorded in Volume 1340, Page 80 of the Deed Records, Tract 4 and Tract 5 as recorded in Volume 1663, Page 22 of the Deed Records and Clerk File 1992-0239839 of the Official Records, Abstract 335, Brazoria County, being described as follows using bearings and distances related to the Texas State Plane Coordinates System, South Central Zone with distances being shown in ground level lengths with a scale factor of 0.999889, said 4.34 Acre Road Easement being described as follows:

Beginning at a point at the easterly property line of the Department of Energy, Bryan Mound Tract and the northerly line of said 4.34 Acre Road Easement for the POINT OF BEGINNING. Said Point of Beginning is South 25 degrees 18 minutes 52 seconds East, a distance of 1636.73 feet from a found monument, being a stainless steel rod labeled "SMS 41" at the position of $x=3,128,665.68'$, $y=13,537,687.44'$. Said point of beginning is at the position of $x=3,129,365.45'$, $y=13,536,208.04'$;

Thence North 64 degrees 12 minutes 21 seconds East, a distance of 300.74 feet to the position of $x=3,129,636.19'$, $y=13,536,338.89'$;

Thence North 63 degrees 56 minutes 34 seconds East, a distance of 605.62 feet to the position of $x=3,130,180.19'$, $y=13,536,604.89'$;

Thence North 64 degrees 12 minutes 33 seconds East, a distance of 496.52 feet to the position of $x=3,130,627.21'$, $y=13,536,820.90'$;

Thence North 64 degrees 09 minutes 51 seconds East, a distance of 562.23 feet to the position of $x=3,131,133.19'$, $y=13,537,065.89'$;

Thence North 63 degrees 56 minutes 55 seconds East, a distance of 548.82 feet to the position of $x=3,131,626.19'$, $y=13,537,306.89'$;

Thence North 64 degrees 11 minutes 56 seconds East, a distance of 503.24 feet to the position of $x=3,132,079.21'$, $y=13,537,525.90'$;

Thence North 64 degrees 10 minutes 44 seconds East, a distance of 447.74 feet to the position of $x=3,132,482.20'$, $y=13,537,720.90'$;

Thence North 64 degrees 06 minutes 20 seconds East, a distance of 611.44 feet to the position of $x=3,133,032.19'$, $y=13,537,987.88'$;

Thence North 64 degrees 04 minutes 12 seconds East, a distance of 564.93 feet to the position of $x=3,133,540.20'$, $y=13,538,234.90'$;

Thence North 64 degrees 10 minutes 51 seconds East, a distance of 962.18 feet to the position of $x=3,134,406.23'$, $y=13,538,653.91'$;

Thence North 64 degrees 22 minutes 08 seconds East, a distance of 631.24 feet to the position of $x=3,134,975.28'$, $y=13,538,926.94'$;

Thence North 64 degrees 51 seconds 03 seconds East, a distance of 235.46 feet to the position of $x=3,135,188.39'$, $y=13,539,026.99'$;

Thence North 65 degrees 36 minutes 35 seconds East, a distance of 176.87 feet to the position of $x=3,135,349.46'$, $y=13,539,100.02'$;

Thence North 69 degrees 06 minutes 57 seconds East, a distance of 196.31 feet to the position of $x=3,135,532.85'$, $y=13,539,169.99'$;

Thence North 69 degrees 27 minutes 07 seconds East, a distance of 1642.29 feet to the position of $x=3,137,070.49'$, $y=13,539,746.36'$;

Thence continuing North 69 degrees 27 minutes 07 East, a distance o 108.38 feet to the westerly right-of-way of FM1495 at the position of $x=3,137,171.96'$, $y=13,539,784.40'$;

Thence South 30 degrees 07 minutes 44 seconds East, a distance of 22.31 feet along the westerly right-of-way of FM 1495 at the position $x=3,137,183.16'$, $y=13,539,765.10'$;

Thence South 69 degrees 27 minutes 07 seconds W, a distance 112.09 feet to a set 5/8 inch iron rod with cap stamped "RPLS 4679" at the position of $x=3,137,078.21'$, $y=13,539,725.76'$;

Thence continuing South 69 degrees 27 minutes 07 seconds W, a distance of 1642.29 feet to a set 5/8 inch iron rod with cap stamped "RPLS 4679" at the position of $x=3,135,540.57'$, $y=13,539,149.39'$;

Thence South 69 degrees 07 minutes 40 seconds West, a distance of 194.83 feet to the position of $x=3,135,358.54'$, $y=13,539,079.98'$;

Thence South 65 degrees 36 minutes 35 seconds West, a distance of 176.72 feet to the position of $x=3,135,197.61'$, $y=13,539,007.01'$;

Thence South 64 degrees 51 minutes 03 seconds West, a distance of 235.22 feet to the position of $x=3,134,984.72'$, $y=13,538,907.06'$;

Thence South 64 degrees 22 minutes 08 seconds West, a distance of 631.11 feet to the position of $x=3,134,415.77'$, $y=13,538,634.09'$;

Thence South 64 degrees 10 minutes 51 seconds West, a distance of 962.12 feet to the position of $x=3,133,549.80'$, $y=13,538,215.10'$;

Thence South 64 degrees 04 minutes 12 seconds West, a distance of 564.92 feet to the position of $x=3,133,041.81'$, $y=13,537,968.11'$;

Thence South 64 degrees 06 minutes 20 seconds West, a distance of 611.45 feet to the position of $x=3,132,491.80'$, $y=13,537,701.10'$;

Thence South 64 degrees 10 minutes 44 seconds West, a distance of 447.76 feet to the position of $x=3,132,088.79'$, $y=13,537,506.10'$;

Thence South 64 degrees 11 minutes 56 seconds West, a distance of 503.20 feet to the position of $x=3,131,635.81'$, $y=13,537,287.11'$;

Thence South 63 degrees 56 minutes 55 seconds West, a distance of 548.81 feet to the position of $x=3,131,142.81'$, $y=13,537,046.11'$;

Thence South 64 degrees 09 minutes 51 seconds West, a distance of 562.28 feet to the position of $x=3,130,636.79'$, $y=13,536,801.10'$;

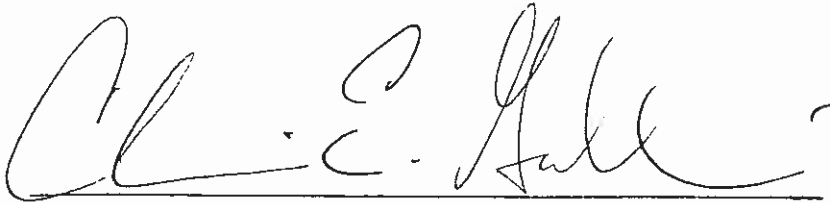
Thence South 64 degrees 12 minutes 33 seconds West, a distance of 496.48 feet to the position of $x=3,130,189.81'$, $y=13,536,585.11'$;

Thence South 63 degrees 56 minutes 34 seconds West, a distance of 605.62 feet to the position of $x=3,129,645.81'$, $y=13,536,319.11'$;

Thence South 64 degrees 12 minutes 21 seconds West, a distance of 309.86 feet to the easterly of the Department of Energy Property Line at the position of $x=3,129,366.85'$, $y=13,536,184.29'$;

Thence North 03 degrees 23 minutes 22 seconds West, a distance of 23.80 feet to the position of $x=3,129,365.45'$, $y=13,536,208.04'$ at the POINT OF BEGINNING, said tract being 4.34 acres more or less as shown on the attached map.

Note: Basis of bearing for this description is the bearing between the two found subsidence monuments found within the Department of Energy, Bryan Mound Tract, being SMS 29 ($x=3,128,474.20'$ and $y=13,535,683.61'$) and SMS 41 ($x=3,128,665.68'$ and $y=13,537,687.44'$) with a computed bearing of North 05 degrees 27 minutes 30 seconds West, distance of 2013.19 feet.

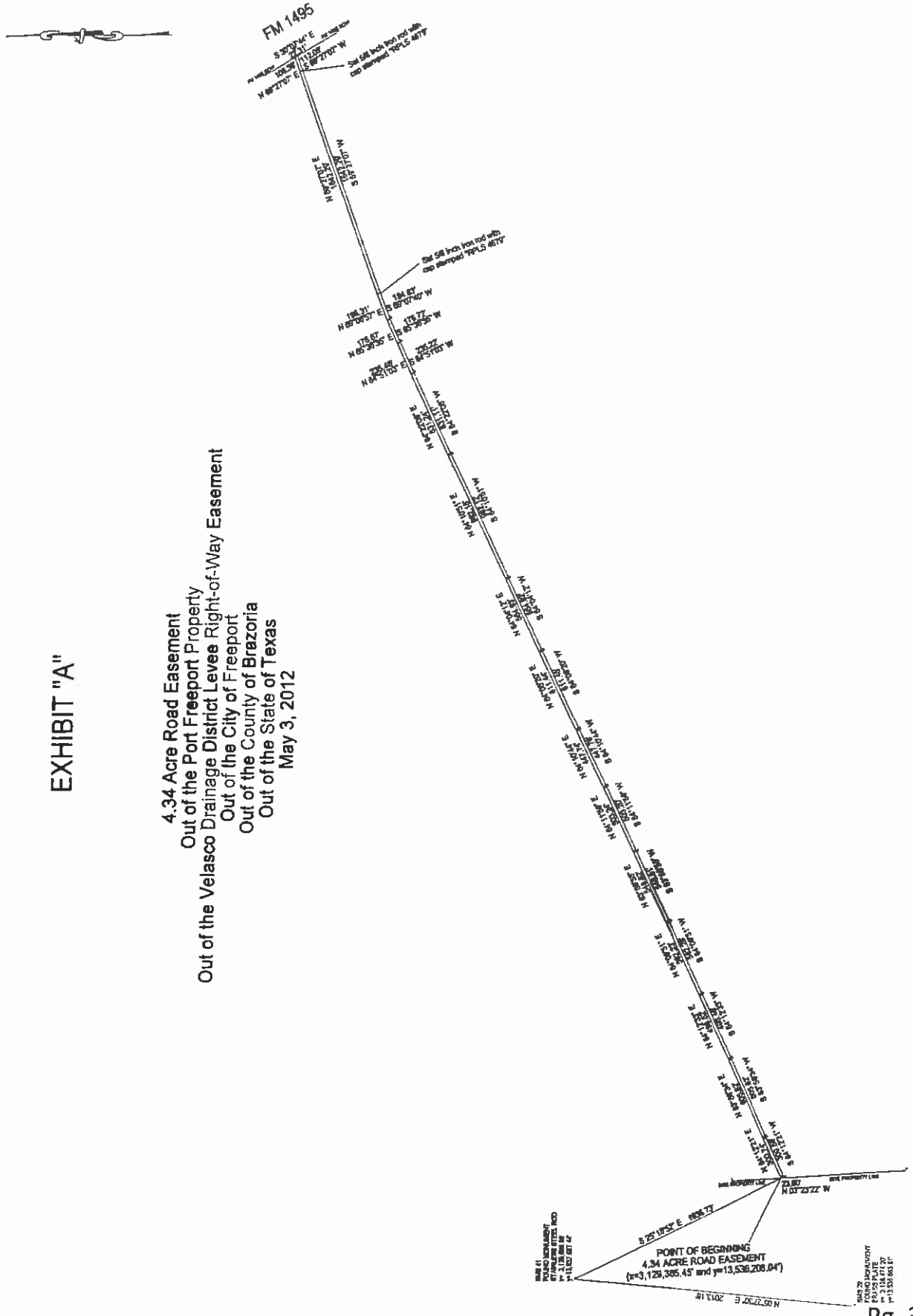


Chris E. Gallion
Registered Professional Land Surveyor
Registration Number 4679



EXHIBIT "A"

4.34 Acre Road Easement
 Out of the Port Freeport Property
 Out of the Velasco Drainage District Levee Right-of-Way Easement
 Out of the City of Freeport
 Out of the County of Brazoria
 Out of the State of Texas
 May 3, 2012



- Notes
1. Road easement is described using bearings and distances related to the Texas State Plane Coordinate System, South Central Zone (NAD83).
 2. Scale factor is equal to 0.999893.
 3. Distances are given in ground level lengths.
 4. Basis of bearing for this survey is from DCE Monuments SMS 29 (pcys) and SMS 41 (pcys).
 5. Head bearing between SMS 29 and SMS 41, being

DEPARTMENT OF ENERGY
 BRYAN MOUND

Scale: 1" = 100'

Drawn by CEG - Velasco Drainage District
 Reference - South Levee Road Easement Drawing



INVITATION TO BID

NOTICE IS HEREBY GIVEN that the City of Freeport, Texas, is interested in trading, according to the below mentioned specifications, for lots located within the Urban Renewal Project of the City and presently owned by prospective bidders, the following described lots located outside the Urban Renewal Project of the City and presently owned by the City:

Lot 5, Block 623; Lot 19, Block 729; Lots 1, 2, 7 & 18, Block 731; Lot 16, Block 744; Lot 20, Block 776: and Lots 10 & 13, Block 787, all located in the Velasco Townsite of said City, according to the map or plat recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas.

SEALED BIDS OR PROPOSALS addressed to the City Manager labeled "Real Property Bid" by any person, firm or corporation desiring to trade for the same will 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 _____ day of _____, 2011, on which day, beginning at 2:00 o'clock, p.m., all such bids or proposals will be opened and publicly read aloud. Any bid received after 2:00 p.m. on such date will be returned unopened. Bids proposing a trade for less than all of the above described lots or lots located outside of the Urban Renewal Project will not be accepted.

COPIES OF THE SPECIFICATIONS for such trade are available for public inspection at the above office of the City Manager during normal business hours. A set of such documents may be obtained from such office upon payment of the customary copy charge.

The City **RESERVES** the right to **REJECT ANY AND ALL BIDS**, to **WAIVE** any **INFORMALITIES** in bidding and, in the case of any **AMBIGUITY OR LACK OF CLEARNESS**, the City reserves the right to construe the same in a manner most advantageous to the City, or to reject the bid.

BY ORDER OF THE CITY COUNCIL of the City of Freeport, Texas, this ____ day of _____, 2012.

Delia Munoz, City Secretary
City of Freeport, Texas

NOTE: Publish once per week for two consecutive weeks, first publication to be more than 14 days before date of meeting at which bids are to be opened and read aloud.

BID SPECIFICATIONS FOR TRADE OF VELASCO LOTS

1. The Bid shall contain the legal description of the property offered in trade by lot and block and townsite, addition or subdivision, whether the Bidder will convey by general or special warranty and the reservations from and exceptions to conveyance and warranty Bidder will expect to be in the Deed of Exchange.

2. The Deed of Exchange will contain a "special warranty" on behalf of the City, by means of which it will bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the title of said premises unto the Bidder, its, her, his or their heirs or successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof by, through and under the City but not otherwise.

3. The Deed of Exchange shall be prepared by the City Attorney (at the expense of the City) or, at Bidder's option, prepared by legal counsel for the Bidder (at the expense of the Bidder) and approved by the City Attorney. If the Bidder desires to exercise this option, the Bid should give the name and address of the attorney the Bidder will retain to prepare the deed.

4. The Deed of Exchange shall further provide that, notwithstanding any provision therein to the contrary, the City makes no warranty of any nature or kind, whether statutory, express or implied, with respect to the physical condition of the property being conveyed by the City, and by the acceptance of such deed, the Bidder accepts the property conveyed by the City "AS IS", "WHERE IS", "WITH ALL FAULTS and without any representations or warranties by the City
Pg. 324
(except its special warranty of title expressly set forth above).

5. The Deed of Exchange will further provide that BIDDER ACKNOWLEDGES THAT THE CITY HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES (OTHER THAN WARRANTY OF TITLE AS PROVIDED ABOVE), PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESSED OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY BEING CONVEYED, INCLUDING WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED THEREFROM, (C) THE SUITABILITY THEREOF FOR ANY AND ALL ACTIVITIES AND USES WHICH BIDDER MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY SUCH PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS, OR ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS OF SUCH PROPERTY FOR A PARTICULAR PURPOSE, (F) THE MANNER OR QUALITY OF CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO SUCH PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF SUCH PROPERTY, (H) ANY OTHER MATTER WITH RESPECT TO SUCH PROPERTY, AND SPECIFICALLY, THAT THE CITY HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS,

ORDERS OR REQUIREMENTS, OR THE DISPOSAL OR EXISTENCE IN OR ON SUCH PROPERTY OF ANY HAZARDOUS SUBSTANCE, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. 6. The Deed of Exchange shall further provide that BIDDER FURTHER ACKNOWLEDGES AND AGREES THAT, HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT SUCH PROPERTY, BIDDER IS RELYING SOLELY ON THE BIDDER'S OWN INVESTIGATION OF SUCH PROPERTY, AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY THE CITY; that BIDDER FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED BY OR ON BEHALF OF THE CITY WITH RESPECT TO SUCH PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT THE CITY HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF COMPLETENESS OF SUCH INFORMATION; that THE CITY IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY ORAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO SUCH PROPERTY OR THE OPERATION THEREOF FURNISHED BY ANY REAL ESTATE BROKER, OR ANY AGENT, EMPLOYEE OR SERVANT OF THE CITY OR OTHER PERSON; and that BIDDER FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF SUCH PROPERTY AS PROVIDED FOR THEREIN IS MADE ON AN "AS IS", "WHERE IS" AND "WITH ALL FAULTS" CONDITION AND BASIS.

7. The Deed of Exchange shall specify that the conveyance by the City of Freeport is 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 property and to all visible and apparent easements, including but not being limited to any existing utility lines.

8. The City of Freeport and the Bidder shall each pay their own attorney's fees but all other closing costs shall be paid one-half by the Bidder and one-half by the City.

9. Taxes, if any, will be prorated to the date of execution of the Deed of Exchange.

10. Bids proposing a trade for less than all of the above described lots or for lots not located in the Urban Renewal Project will not be accepted.



200 WEST SECOND STREET / FREEPORT, TEXAS 77541 / PHONE (979) 233-3526 / FAX (979) 233-8867 / www.freeport.tx.us

MEMO

To: Mayor & City Council

Date: City Council – June 18th, 2012

From: Mario Muraira

I am requesting the closure of East and West Park, intersecting with Broad Street, and West Second Street for “Kids Festival 2012” event on Saturday, June 23rd, 2012 from 11:00 a.m. to 4:00 p.m.

Mario Muraira
Summer Intern for the City of Freeport

Forklift for Freeport Marina

6/4/2012

Construction Name:	Bid Amount	Comments
Wiggins Marina Bull	\$356,208.00	Reagendaed
Toyota Lift of Houston	\$405,153.00	Reagendaed



PROPERTY MANAGEMENT

Jeff Pynes
Chief Executive Officer
City Manager

May 7, 2012

– Jeff Pynes
City Manager

Request the following item be placed on the May 21, 2012, City Council agenda:

Discuss / consider the sale of City interest in lots 13 thru 18, Block 663,
known as 901 thru 911 North Avenue F, Velasco Townsite
Tax ID 8110-2618-000

This property is located across the street (North Avenue F) from the Post Office.

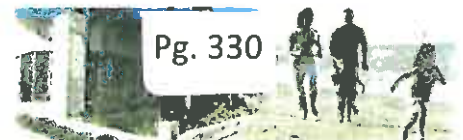
Find attached the following documents:

- a. Property Management data sheet
- b. Comments
- c. Bid Analysis
- d. Outstanding care of premises liens
- e. Delinquent tax statement thru July 2012
- f. CAD sheet
- g. Plat

N C Hickey
Property

attach

/s



PROPERTY MANAGEMENT

Council Agenda Date:

May 7, 2012

Agenda Item: _____

Legal Description:

Lot 13 thru 18, Block 663, Velasco Townsite

Street Address:

901-911 North Avenue F

Tax ID Numbr:

8110-2618-000

Type of Property

Trust

Sheriff Sale Date:

Sept 16, 2011

Sheriff Deed Number:

2011-038125

Years Delinquent:

4

Taxes Extinguished by Sheiff Sale

\$6,595.22

Appraisal District Value:

\$77,950.00

Offer by: Leo Schmitt

\$12,500.00 (2nd offer)

Court Cost & Post Judgment:

\$6959.77

Amount left to distribute:

\$5,540.23

Distribution amount to Freeport:

\$1,485.05

Zoning

C2 - Commercial

Action:

Accept

Reject

Re-agenda

COMMENTS:

See Attached

Motion by _____ Second by _____ Vote _____

Trust Sale - Council action

Offer by:

Lee Schmitt (2nd offer)
PO Box 865
Lancaster Tx 75146

re: Lots 13 thru 18, Block 663
901-911 North Avenue F
Across street from Post Office

Mr Schmitt appears to be either an investor or promoter - has purchased 21 tracts of land in Brazoria County from Pearland to Velasco - 15 of these purchased at Tax Foreclosure sales.

Made initial offer on lots 13 thru 18, block 663 (8110-2618-000) in February 2012 in the amount of \$8500.00 with the City to receive \$412.86 of the sale. **Offer rejected by Council on April 2, 2012 by vote of 3 to 1.**

Made 2nd offer on lots 13 thru 18, block 663 in April 2012 in the amount of \$14,060 with the City to receive \$1,485.05. **Requested to be on May 21, 2012 agenda.**

Comments:

Property extends 7 ft into Avenue F rights-of-way

Taxes extinguished by Sheriff Sale (1987-2009)	\$6,595.22
Outstanding care of premises liens thru May 2012	2,131.42

BID ANALYSIS

Cause Number: 56393 Account Number: 8110-2618-000
 Offer Amount: \$12,500.00 Value \$: \$77,950.00
 Person Offering: LEE SCHMITT Adjudged Value\$: \$76,390.00

Judgement Information

Taxing Entity	Tax Years	Amount Due
BC	1987-2009	\$1,024.73
Brazosport ISD		\$3,038.82
BRHND		\$134.33
Brazosport College		\$417.09
Velasco Drainage		\$212.41
City of Freeport		\$1,767.84
	Total	\$6,595.22

4715-10-10-11

Costs

Court Costs	\$484.00	Sheriff Fees	\$318.19
Publication Fees	\$165.00	Research Fees	\$301.00
Ad Litem		Recording fee's	\$24.00
	Liens	815.26	
Cost of Deed		Deed file date	
	Total		\$2,107.45

Post Judgement Information

Taxing Entity	Tax Year's	
BC	2010-2011	\$820.40
Brazosport ISD		\$2,183.56
BRHND		\$94.10
Brazosport College		\$363.39
Velasco Drainage		\$161.84
City of Freeport		\$1,229.03
	Post Judgment Total	\$4,852.32

Proposed Distribution

Offer Amount: \$12,500.00 Costs + P & J: \$6,959.77
 Net to Distribute \$: \$5,540.23

BC	15.54%	\$860.81
Brazosport ISD	46.08%	\$2,552.72
BRHND	2.04%	\$112.84
Brazosport College	6.32%	\$350.37
Velasco Drainage	3.22%	\$178.43
City of Freeport	26.80%	\$1,485.05

RECEIVED
 MAY - 3 2012

PROPERTY MGMT
 Pg. 333

Lien Payoff Calculation

	A	B	C	D	E	F	G	H	I	J
1	Owner				Block	Lot(s)	Situs Address			Account No
2	Berkana LLC				663	13-28	901-13	North Ave F		8110-2618-000
3										
4	Cause No		N/A							
5	Judgment date		N/A							
6	Sheriff Deed		N/A							
7	Deed Date		N/A							
8										
9		Amt of	Interest	No.	Per Mo.	Total		Adm		
10	Lien	Lien	From	#Mo	Interest	P&I	File	Fee	Total	
11										
12	10-003956	\$232.47	1/29/2010	26	\$ 1.94	\$ 50.44	\$16.00	\$35.00	\$333.91	
13	10-025185	\$ 232.47	6/4/2010	22	\$ 1.94	\$ 42.68	16	\$35.00	\$ 326.15	
14	10-025175	\$ 197.47	6/4/2010	22	\$ 1.65	\$ 36.30	16	\$35.00	\$ 284.77	
15	10-049507	\$ 232.47	9-28-10	18	\$ 1.94	\$ 34.92	16	\$35.00	\$ 318.39	
16	11-020090	\$ 343.06	5/2/2011	10	\$ 2.86	\$ 28.60	16	\$35.00	\$ 422.66	
17	11-016531	\$ 343.06	10/1/2010	18	\$ 2.86	\$ 51.48	16	\$35.00	\$ 445.54	
18	12-015339	343.06	2-14-11	10	2.86	28.60	16	35.00	422.66	
19									\$2,131.42	
20									2554.08	
21										
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Monday, May 7, 2012

Taxes Due Detail by Year

[Begin a New Search](#) [Go to Your Portfolio](#)
[Return to the Previous Page](#) [Taxes Due by Jurisdiction](#)

Account No.: 81102618000
Delinquency Date: 02/01/2012

* Additional Collection Costs

Year	Base Tax Due	by end of May 2012		by end of June 2012		by end of July 2012	
		Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due	Penalty, Interest, and ACC* Due	Total Due
2008	\$1,806.62	\$1,488.67	\$3,295.29	\$1,510.35	\$3,316.97	\$1,532.01	\$3,338.63
2009	\$2,046.82	\$1,391.83	\$3,438.65	\$1,416.40	\$3,463.22	\$1,440.99	\$3,487.81
2010	\$2,141.63	\$1,147.93	\$3,289.56	\$1,173.62	\$3,315.25	\$1,199.32	\$3,340.95
2011	\$1,532.58	\$199.24	\$1,731.82	\$229.89	\$1,762.47	\$637.55	\$2,170.13
Total Amount Due:	\$7,527.65	\$4,227.67	\$11,755.32	\$4,330.26	\$11,857.91	\$4,809.87	\$12,337.52

Tax Office:

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[Courthouse History](#)

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

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Brazoria CAD

Property Search Results > 261061 CITY OF FREEPORT IN TRUST for Year 2012

Property

Account
 Property ID: 261061 Legal Description: VELASCO (FREEPORT), BLOCK 663, LOT 13TO18
 Geographic ID: 8110-2618-000 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:
Location
 Address: 909 N AVE F FREEPORT, TX Mapsco:
 Neighborhood: COMM ACCTS Map ID: 911P
 Neighborhood CD: COMM
Owner
 Name: CITY OF FREEPORT IN TRUST Owner ID: 114250
 Mailing Address: 200 W 2ND ST FREEPORT, TX 77541-5773 % Ownership: 100.0000000000%
 Exemptions: EX

Subjunct 10/4/2011

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$63,890	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$14,060	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$77,950	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$77,950	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$77,950	

Taxing Jurisdiction

Owner: CITY OF FREEPORT IN TRUST
 % Ownership: 100.0000000000%
 Total Value: \$77,950

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$77,950	\$0	\$0.00
CFP	CITY OF FREEPORT	0.680000	\$77,950	\$0	\$0.00
DR2	VELASCO DRAINAGE DISTRICT	0.094214	\$77,950	\$0	\$0.00
GBC	BRAZORIA COUNTY	0.413101	\$77,950	\$0	\$0.00
JBR	BRAZOSPORT COLLEGE	0.239198	\$77,950	\$0	\$0.00
NAV	PORT FREEPORT	0.053500	\$77,950	\$0	\$0.00
RDB	ROAD & BRIDGE FUND	0.060000	\$77,950	\$0	\$0.00
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.241500	\$77,950	\$0	\$0.00
Total Tax Rate:		2.781513			

Taxes w/Current Exemptions: \$0.00
 Taxes w/o Exemptions: \$2,168.19

Improvement / Building

Improvement #1: Commercial State Code: F1 Living Area: 7554.0 sqft Value: \$62,032 Pg. 336

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
406	STORAGE WAREHOUSE	C		1975	7554.0
Improvement #2:	Misc Imp	State Code:	F1	Living Area:	sqft
				Value:	\$1,858
Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE *			1975	2197.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	0.4304	18750.00	0.00	0.00	\$14,060	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2012		\$63,890	\$14,060	0	77,950	\$0 \$77,950
2011		\$63,890	\$14,060	0	77,950	\$0 \$77,950
2010		\$63,890	\$14,060	0	77,950	\$0 \$77,950
2009		\$62,330	\$14,060	0	76,390	\$0 \$76,390
2008		\$58,930	\$11,250	0	70,180	\$0 \$70,180
2007		\$58,930	\$11,250	0	70,180	\$0 \$70,180
2006		\$52,720	\$11,250	0	63,970	\$0 \$63,970
2005		\$36,510	\$11,250	0	47,760	\$0 \$47,760
2004		\$35,570	\$11,250	0	46,820	\$0 \$46,820
2003		\$34,970	\$9,000	0	43,970	\$0 \$43,970
2002		\$30,990	\$9,000	0	39,990	\$0 \$39,990
2001		\$30,990	\$9,000	0	39,990	\$0 \$39,990

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/16/2011 12:00:00 AM	SD	SHERIFFS DEED	BERKANA LLC	CITY OF FREEPOR	11	038125	
2	12/29/2005 12:00:00 AM	DV	DEED RETAINING VENDORS LIE	CEC TECHNOLOGI	BERKANA LLC	06	000938	0
3	4/14/1998 12:00:00 AM	WD	WARRANTY DEED	BRAZOS VALLEY E	CEC TECHNOLOGI	98	013703	0

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 4/23/2012 5:33 AM

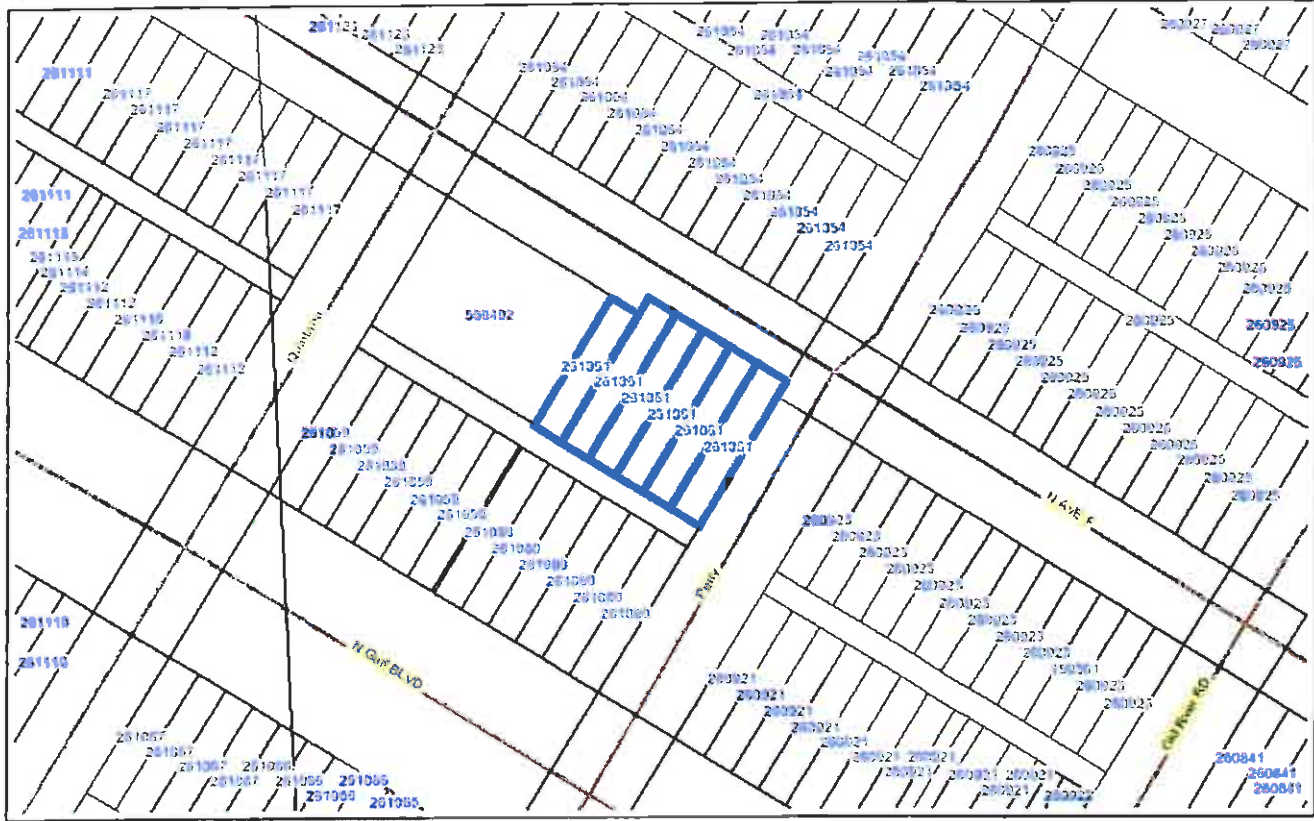
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Erazoria CAD

Property Search Results > Property ID 261061 CITY OF FREEPORT IN TRUST for Year 2012

1: Zoom



Website version: 1.2.2.0

Database last updated on 4/23/2012 5:33 AM

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Clean and groom to *PERFECTION!* Upgrade your SURF RAKE® with the

HYDRAULIC FINISHER ATTACHMENT

The grooming finisher is attached to the rear of the SURF RAKE® to smooth the clean sand and eliminate tire marks left by the tractor and beach cleaner, creating a **perfectly groomed** finish on your beach.



The nine foot wide, UV protected polyurethane groomer is attached to the SURF RAKE® with corrosion resistant, hot dip galvanized and stainless steel connecting hardware. The SURF RAKE® Finisher provides supreme value to any beach cleaning operation with appreciation from beach patrons to beach maintenance staff.

Beautiful,
Gorgeous,
PERFECT!

Let the SURF RAKE®
Finisher help you create
the perfect beach.



Available on all SURF RAKE® Models. ^{Pg. 239}

H. Barber & Sons, Inc.
www.hbarber.com

BARBER

HYDRAULIC FINISHER ATTACHMENT

530AS01

MEMO

September 17, 2010

Carmen
Steve

The following properties will be on Sheriff Sale, Tuesday, October 5, 2010:

4200-1638-000	Vernal A. Lodrigue, et ux
8110-0465-000	Michael Strambler, et al
8110-2236-000	Lizzie Evans

Nat

Lien Payoff Calculation

	A	B	C	D	E	F	G	H	I	J
1	Owner				Block	Lot(s)	Situs Address			Account No
2	City of Freeport Trust				48	13	523 S Avenue G			8110-0465-000
3	(Strambler property)									
4										
5										
6	Cause No		47660							
7	Judgment date		3/10/2010							
8	Sheriff Deed		2010043821							
9	Deed Date		10/11/2010							
10										B+F+G+H
11		Amt of	Interest	No.	Per Mo.	Total		Adm		
12	Lien	Lien	From	#Mo	Interest	P&I	File	Fee	Total	
13										
14	10-003693	\$131.06	1/29/2010	29	\$ 1.09	\$ 31.61	\$16.00	\$35.00	\$213.67	
15	10-049506	\$ 131.06	10/11/2010	20	\$ 1.09	\$ 21.80	\$16.00	\$35.00	\$ 203.86	
16										
17								Total	\$417.53	
18										
19										Calculated thru 6-30-12
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25		For:								
26		Code Enforcement								
27		6-13-2012								
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Brazoria CAD

Property Search Results > 259954 CITY OF FREEPORT for Year 2012

Property

Account
 Property ID: 259954 Legal Description: VELASCO (FREEPORT), BLOCK 48, LOT 13
 Geographic ID: 8110-0465-000 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location
 Address: S AVE G Mapsco:
 FREEPORT,
 Neighborhood: VELASCO Map ID:
 Neighborhood CD: S8110

Owner
 Name: CITY OF FREEPORT Owner ID: 304919
 Mailing Address: % ROVIN GARRETT RTA % Ownership: 100.0000000000%
 111 E LOCUST ST STE 100A
 ANGLETON, TX 77515-4682
 Exemptions: EX

Values

(+) Improvement Homesite Value:	+	\$1,000	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$1,520	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
		<hr/>	
(=) Market Value:	=	\$2,520	
(-) Ag or Timber Use Value Reduction:	-	\$0	
		<hr/>	
(=) Appraised Value:	=	\$2,520	
(-) HS Cap:	-	\$0	
		<hr/>	
(=) Assessed Value:	=	\$2,520	

Taxing Jurisdiction

Owner: CITY OF FREEPORT
 % Ownership: 100.0000000000%
 Total Value: \$2,520

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$2,520	\$0	\$0.00
CFP	CITY OF FREEPORT	0.680000	\$2,520	\$0	\$0.00
DR2	VELASCO DRAINAGE DISTRICT	0.094214	\$2,520	\$0	\$0.00
GBC	BRAZORIA COUNTY	0.413101	\$2,520	\$0	\$0.00
JBR	BRAZOSPORT COLLEGE	0.239198	\$2,520	\$0	\$0.00
NAV	PORT FREEPORT	0.053500	\$2,520	\$0	\$0.00
RDB	ROAD & BRIDGE FUND	0.060000	\$2,520	\$0	\$0.00
SBR	BRAZOSPORT INDEPENDENT SCHOOL DISTRICT	1.241500	\$2,520	\$0	\$0.00
Total Tax Rate:		2.781513			

PG. 342

Taxes w/Current Exemptions: \$0.00
 Taxes w/o Exemptions: \$70.09

Improvement / Building

Improvement #1:	Residential	State Code:	X3	Living Area:	1022.0 sqft	Value:	\$1,000
	Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
	MA	MAIN AREA	2-	R5	1960	1022.0	

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	EXEMPT	EXEMPT	0.0775	3375.00	0.00	0.00	\$1,520	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2012	\$1,000	\$1,520		0	2,520	\$2,520
2011	\$1,000	\$1,520		0	2,520	\$2,520
2010	\$12,790	\$1,520		0	14,310	\$14,310
2009	\$10,400	\$1,520		0	11,920	\$11,920
2008	\$11,540	\$2,190		0	13,730	\$13,730
2007	\$14,420	\$2,190		0	16,610	\$16,610
2006	\$15,300	\$2,190		0	17,490	\$16,850
2005	\$14,690	\$2,190		0	16,880	\$15,320
2004	\$13,440	\$1,520		0	14,960	\$13,930
2003	\$12,660	\$1,520		0	14,180	\$12,660
2002	\$9,990	\$1,520		0	11,510	\$11,510
2001	\$9,990	\$1,520		0	11,510	\$11,510

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	10/11/2010 12:00:00 AM	SD	SHERIFF'S DEED	STRAMBLER MICHA	CITY OF FREEPOR	10	043821	
2	2/1/1999 12:00:00 AM	WD	WARRANTY DEED	SECOND BAPTIST (STRAMBLER MICHA			0

Questions Please Call (979) 849-7792

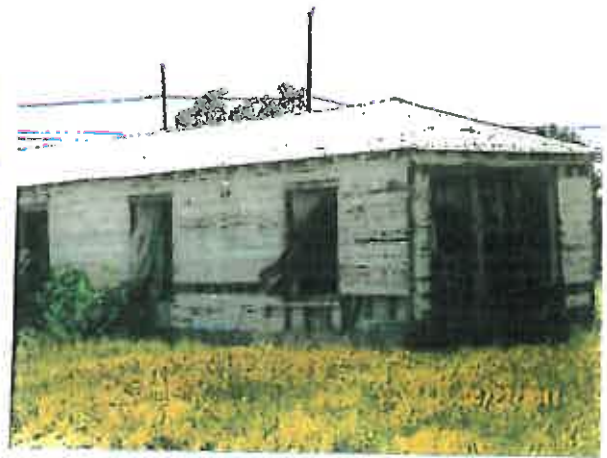
Website version: 1.2.2.2

Database last updated on: 6/1/2012 5:57 AM

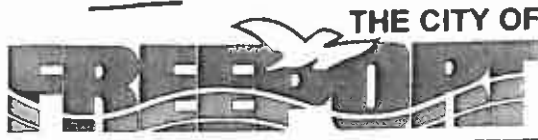
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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.





PIC # 1118, 1119, 1120,



200 West 2nd Street • Freeport, TX 77541-5773
 (979) 233-3526 • Fax: (979) 233-8867 • www.freeport.tx.us

PROPERTY MANAGEMENT

August 23, 2011

Mr Chris Gallion
 Velasco Drainage District
 915 Stratton Ridge Road
 Clute Tx 77515

re: Lot 13, Block 48, Velasco Townsite
 523 South Avenue G
 Tax ID 8110-0465-000

Dear Chris:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the District has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the District would be agreeable to the removal of the subject structure, and return same to Property Mangement, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
 N C Hickey
 Property Manager

encl.

xc: Code Enforcement

/s

RECEIVED

AUG 27 2011

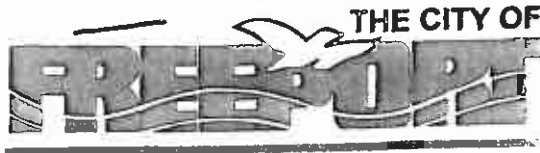
Yes, the Velasco Drainage District is agreeable to removing the structure

Signed *Chris Gallion* Title *Operator*, Date *8-29-11*, 2011

Superintendent

PROPERTY MGMT

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PROPERTY MANAGEMENT

August 23, 2011

— Brazoria County Engineers Office
 Brazoria County Road & Bridge Dept
 Brazoria County Courthouse
 Angleton Tx 77515

RECEIVED
 JAN 27 2012
 PROPERTY MGMT

re: Lot 13, Block 48, Velasco Townsite
 523 South Avenue G
 Tax ID 8110-0465-000

Gentlemen:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the Road & Bridge Fund has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the Engineer's Office would be agreeable to the removal of the subject structure, and return same to Property Management, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
 N C Hickey
 Property Manager

encl.

xc: Code Enforcement

/s

Yes, the Engineer's Office is agreeable to removing the structure.

Signed *Janet Adams*, Title County Engineer, Date 1-25, 2012

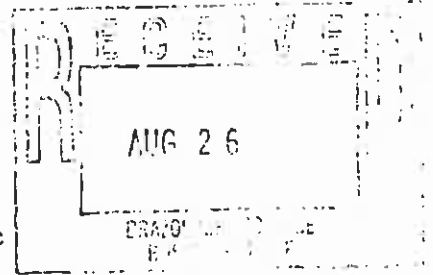


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PROPERTY MANAGEMENT

August 23, 2011

- Brazosport College
 500 College Drive
 Lake Jackson Tx 77566



re: Lot 13, Block 48, Velasco Townsite
 523 South Avenue G
 Tax ID 8110-0465-000

Gentlemen:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the College has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the College would be agreeable to the removal of the subject structure, and return same to Property Management, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
 N C Hickey
 Property Manager

encl.

xc: Code Enforcement

/s

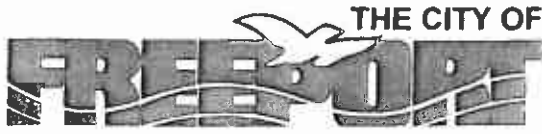
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OCT - 9 2011

PROPERTY MGMT

[Yes, Brazosport College is agreeable to removing the structure.

Signed *Fred Scott*, Title *Dean, Admin & Ops*, Date *10/5*, 2011
JCF



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PROPERTY MANAGEMENT

August 23, 2011

Ms Phyllis Saathoff
Port Freeport
200 West 2nd Street
Freeport Tx 77541

RECEIVED
AUG 25 2011
PORT FREEPORT

re: Lot 13, Block 48, Velasco Townsite
523 South Avenue G
Tax ID 8110-0465-000

Ms Saathoff:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the Port has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the Port would be agreeable to the removal of the subject structure, and return same to Property Mangement, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
N C Hickey
Property Manager

encl.

xc: Code Enforcement

/s

[] Yes, the Port is agreeable to removing the structure.

Signed *Phyllis Saathoff*, Title *Managing Director*, Date *Aug. 29*, 2011

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AUG 30 2011

PROPERTY MGMT

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200 West 2nd Street • Freeport, TX 77541-5773

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PROPERTY MANAGEMENT

August 23, 2011

Ms Lacey Powell
Brazoria County Tax Office
111 East Locust
Angleton Tx 77515

8/30/2011 -
Checked with Lacey/
today - OK -
A Leo

re: Lot 13, Block 48, Velasco Townsite
523 South Avenue G
Tax ID 8110-0465-000

Dear Lacey:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the County has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the County would be agreeable to the removal of the subject structure, and return same to Property Mangement, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
N C Hickey
Property Manager

encl.

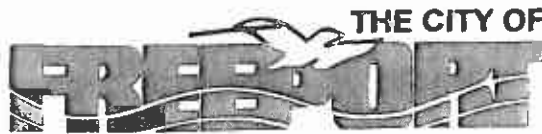
xc: Code Enforcement

/s

Yes, Brazoria County is agreeable to removing the structure.

OK for Lacey
8/30/11

Signed _____, Title _____, Date _____, 2011



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PROPERTY MANAGEMENT

August 23, 2011

- Brazosport Independent School District
301 Brazoswood Drive
Clute Tx 77531

re: Lot 13, Block 48, Velasco Townsite
523 South Avenue G
Tax ID 8110-0465-000

Gentlemen:

On October 10, 2010, the above referenced property, cause number 47660 by virtue of an order of sale out of the 239th District Court, was struck-off to the City of Freeport in trust for the use and benefit of itself and Brazoria County, Port Freeport, Special Road & Bridge District, Brazosport Independent School District, Brazosport College and Velasco Drainage District.

Inasmuch as the building on the property is in violation of the City's safety, health, and care of premises ordinance, as trustee of the property in which the BISD has an interest, the City of Freeport requests your approval to remove the structure from the above referenced property. A series of photographs of the current condition of the property is attached.

Would you please indicate on one copy of the enclosed letter if the BISD would be agreeable to the removal of the subject structure, and return same to Property Mangement, City of Freeport, 200 West 2nd Street, Freeport Tx 77541.

N C Hickey
N C Hickey
Property Manager

encl.

xc: Code Enforcement

/s

*OK Per ISO
Phone call*

*No answer
at 7 10-10-11*

[] Yes, the Engineer's Office is agreeable to removing the structure.

Signed _____, Title _____, Date _____, 2011

ADVERTISEMENT FOR BIDS

Notice is hereby given that sealed bids or proposals, addressed to the City Council of the City of Freeport, Texas, ("the City") will be received by the City Manager at the City Hall, located therein at 200 West Second Street, Freeport, TX 77541, until 2:00 o'clock, p.m., on , the _____ day of _____, 2012, for the demolition of a held by the City in trust for itself and the other taxing entities under the provisions of the Property Tax Code, all of such entities having consented to such demolition. On such last mentioned day, all bids received will be opened and tabulated by the City Manager and, thereafter, presented to the City Council at its next or a subsequent meeting which will be held in the Municipal Courtroom of the Police Department Building, located at 430 North Brazosport Boulevard, Freeport, TX 77541. All bids received after closing time will be unopened. A copy of the bid specifications and the contract which the successful bidder will be expected to sign, are available for inspection at the office of the Building Official in the City Hall. A copy thereof may be obtained from the Building Official for the cost of copying. A cashier's or certified check, payable to the order of the City, or an acceptable proposal bond with good and sufficient corporate surety licensed to do business in Texas, in an amount not less than ten (10%) percent of the total bid or \$500.00, whichever is greater, must accompany the bid as a guarantee that, if awarded the bid, the bidder will sign such contract within ten (10) day from the date the bid is awarded. The City reserves the right to reject any and all bids, to waive informalities and to award the bid to the bidder who provides the best value for the city.

By Order of the City Council of the City of Freeport, Texas, this _____ day of _____, 2012.

Delia Munoz, City Secretary
City of Freeport, Texas

NOTE: Publish once per week for two consecutive weeks, first publication to be more than 14 days before date of meeting at which bids are to be opened.

DEMOLITION SPECIFICATIONS AND BID DOCUMENT

1. The bidder will execute the attached contract, hereinafter "the contract", (all the terms and conditions of which form a part of these specifications and are incorporated herein by reference) within ten (10) days after the bid is awarded to the bidder.

 2. The bidder will begin the demolition and removal of the structures to be demolished by such bidder within ten (10) days after the date that the City approves the contract.

3. The bidder will complete the demolition and removal of all structures from each lot bid by the bidder on the form attached hereto within three (3) days, weather permitting. The demolition and removal of all structures from all lots bid by the bidder must be completed before payment will me made.

4. Before signing the contract, the bidder must provide proof of insurance acceptable to the Building Official, and such insurance shall include state required workers compensation and vehicular liability insurance on all vehicles to be used by the bidder as well as comprehensive general public liability and property damage insurance of at least \$250,000.00 for each person, \$500,000.00 for each single occurrence for bodily injury or death and \$100,000.00 for each single occurrence for injury to or destruction of property.

5. The bidder is responsible for removal of all debris from each lot and the proper disposal of all such debris. A copy of a receipt from a landfill authorized to receive such debris for each lot shall be delivered to the Building Official before payment will be made.

6. After the demolition and removal of all structures, the bidder must bring all lots to grade level for easy maintenance by the City before payment will be made.

COPY RECEIVED this _____ day of _____, 20__.

Demolisher

By _____

(Title)

DEMOLITION AGREEMENT

This Agreement for the demolition of the structure on Lot 12,Block 48, Velasco Townsite, City of Freeport, Brazoria County, Texas, by and between the CITY OF FREEPORT, TEXAS, a municipal corporation lying and situated in Brazoria County, Texas, hereinafter "the City", and the other undersigned, hereinafter called "the Demolisher" (whether one or more), viz.:

W I T N E S S E T H:

1. All work will be completed in a good and workmanlike manner and according to the terms hereof and the specifications and bid document signed by or on behalf of the Demolisher and attached hereto.

2. All materials, appliances, fixtures, equipment, supplies, machinery, tools, supervision of work, labor, insurance, services and any other commodity, item or expense necessary to complete the demolition and removal of such structures and the cleaning of the premises shall be furnished at Demolisher's expense and Demolisher shall for all purposes be regarded as an independent contractor.

3. Demolisher agrees to indemnify the City and the officers, agents and employees of the City from any and all claims for personal injury or property damage made by or for any compensation for labor or materials furnished by any third party, including but not being limited to the claims of any officer, partner, agent or employee of Demolisher, arising out of or resulting from the demolition of such structures, the removal of such structures from the premises and the cleaning of all debris from the premises and from all interest, costs of court, attorney's fees and other expenses incurred by the City or any officer, agent or employee of the City in connection therewith.

4. At the time the work is completed and as a condition to its acceptance by the Building Official of the City, the Demolisher will execute, have notarized and furnish to the Building Official of the City an affidavit stating that the claims of all subcontractors, suppliers, materialmen, mechanics and laborers have been paid; and that if Demolisher is mistaken in this regard, upon notice of the existence of any such claims, the Demolisher will immediately pay off and discharge all such claims as have not been paid and obtain a release thereof.

5. The parties intend that Contractor, in performing such services, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. Contractor shall be free to contract for similar services to be performed for other persons, firms or corporations and Contractor is not to be considered an agent or employee of the City and is not entitled to participate in any employee benefits of the City.

6. Whenever the context so requires, the masculine shall include the feminine and neuter genders and the singular shall include the plural, and conversely.

7. IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT THIS CONTRACT CONTAINS ALL AGREEMENTS, REPRESENTATIONS, COVENANTS AND WARRANTIES, EXPRESSED OR IMPLIED, RELATIVE TO THE OPERATION AND SALE OF THE ABOVE DESCRIBED PROPERTY, AND THE PRICE THEREFOR, AND NO PRIOR AGREEMENT, IF ANY, SHALL BE BINDING UPON THE PARTIES HERETO UNLESS CONTAINED HEREIN.

8. In the event any provision of this contract is declared invalid for any reason by the final judgment of a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this contract but effect shall be given to the intent manifested by the portion held invalid or inoperative.

9. This contract shall be performable in Brazoria County, Texas, shall be governed by the law of the State of Texas and shall be binding upon the parties hereto as well as their respective heirs, executors, administrators, successors and assigns.

EXECUTED this ____ day of _____, 2012.

THE CITY OF FREEPORT, TEXAS

By _____
Its Mayor

ATTEST: _____
Its City Secretary

Demolisher

By _____

(Title)

C\Freeport.BidInv\Lt12B48VTS-Demo-Contract

(B) Any dog seized pursuant to division (A) of this section shall be confined in the Southern Brazoria County Animal Shelter at Lake Jackson, Texas, for 72 hours in the case of an animal not wearing a collar to which a current license tag is attached and 120 hours in the case of an animal wearing a collar to which a current license tag is attached.

(Ord. 445, passed 8-15-55; Am. Ord. 2003-2015, passed 5-19-03)

§ 90.44 TREATMENT AND CARE OF IMPOUNDED DOGS.

All dogs impounded under the provisions of this chapter shall, during confinement, be treated humanely and properly fed and cared for. An impounded dog which shall display symptoms of illness or disease or which is ferocious, vicious, or dangerous shall be kept separate and apart from all other impounded dogs.

('68 Code, § 6-86) (Ord. 445, passed 8-15-55)

§ 90.45 REDEMPTION OF IMPOUNDED DOGS.

The person entitled to the possession of a dog impounded under § 90.43, upon proper application within the specified time limits after the impounding of such dog, shall be entitled to have the impounded dog released to such person, provided such animal is not infected or thought to be infected with rabies, upon displaying proof of a current rabies vaccination, proof of a current license and payment of current pickup and shelter fees.

('68 Code, § 6-92) (Ord. 445, passed 8-15-55; Am. Ord. 443B, passed 3-7-77; Am. Ord. 1568, passed 9-12-83; Am. Ord. 2003-2015, passed 5-19-03)

§ 90.46 REDEMPTION FEES.

Reasonable fees will be charged for the redemption of dogs impounded under § 90.43 and for all costs and services rendered by the Animal Control

Officer and the Southern Brazoria County Animal Shelter. The Animal Control Officer and the Southern Brazoria County Animal Shelter shall keep a current schedule of fees to be charged and such fees shall be approved by the City Council and the Board of Directors of the Southern Brazoria County Animal Shelter. All fees and monies for pickup and daily fees will be collected by the Southern Brazoria County Animal Shelter and are to be used to defray operational costs of the Southern Brazoria County Animal Shelter facility.

('68 Code, § 6-95) (Ord. 445, passed 8-15-55; Am. Ord. 2003-2015, passed 5-19-2003)

§ 90.47 OWNER LIABILITY FOR COSTS.

Every owner of any dog impounded, whether by the city or voluntarily by the owner, shall be liable for all costs and fees incurred by such impoundment.

('68 Code, § 6-96) Penalty, see § 10.99

§ 90.48 LIMITATION ON NUMBER OF DOGS.

(A) **RESIDENTIAL PREMISES** means any premises improved with a structure which is used, in whole or in part, as a dwelling; and **HAVING CONTROL** of a premises means that the utilities furnished to such premises by the city are in the name of such person in the utility records of the city or the ownership of such premises is listed on the current tax roll of the city in the name of such person.

(B) It shall be unlawful for any person having control of any residential premises in the city to keep, possess, harbor, or allow to remain upon such premises more than three dogs.