



CITY COUNCIL AGENDA

CITY OF PEARLAND

PUBLIC HEARING

MONDAY, OCTOBER 19, 2015, 6:30 P.M.

COUNCIL CHAMBERS | PEARLAND CITY HALL | 3519 LIBERTY DRIVE

281.652.1600

I A. Call to Order

II. Purpose of Public Hearing – Proposed Annexation (Area 1) The annexation of approximately two hundred and forty two (242) acres of land, generally located North of Bailey Road, South of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas.

III. Staff Review

IV. Citizen Comments

V. Council/Staff discussion

VI. Adjournment

I B. Call to Order

II. Purpose of Public Hearing – Proposed Annexation (Area 2) The annexation of approximately two hundred and forty two (242) acres of land, generally located South of Bailey Road, East of Manvel Road, and West of Veterans Road, in Pearland, Brazoria County, Texas.

III. Staff Review

IV. Citizen Comments

V. Council/Staff discussion

VI. Adjournment

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1840 prior to the meeting so that appropriate arrangements can be made.

All agenda supporting documents are available at pearlandtx.gov

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: October 19, 2015

ITEM NO.: Public Hearing

DATE SUBMITTED: September 30, 2015 DEPT. OF ORIGIN: Planning

PREPARED BY: Frankie Legaux

PRESENTOR: Frankie Legaux

REVIEWED BY: Lata Krishnarao

REVIEW DATE: October 6, 2015

SUBJECT: Public Hearing Annexation of Area 1 - The annexation of approximately two hundred and forty two (242) acres of land, generally located north of Bailey Road, south of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas.

EXHIBITS:

1. Vicinity Map
2. Feasibility Report
3. Service Plan
4. Annexation Frequently Asked Questions
5. Notification Letter to Property Owners
6. Notification List Property Owners
7. Metes and Bounds Description
8. Notice of Intent to Annex to Service Providers and Local, State and Federal Entities
9. Notification List
10. Agricultural Exemption Letter and Development Agreement
11. Current Land Uses
12. Thursday Packet – Annexation Update August
13. Article – Annexation is an important city tool

EXPENDITURE REQUIRED: N/A

AMOUNT BUDGETED: N/A

AMOUNT AVAILABLE: N/A

PROJECT NO.: N/A

ACCOUNT NO.: N/A

ADDITIONAL APPROPRIATION REQUIRED: N/A

ACCOUNT NO.: N/A

PROJECT NO.: N/A

To be completed by Department:

Finance

Legal

Ordinance

Resolution

EXECUTIVE SUMMARY

Tonight is the first of two public hearings for the possible Annexation of Area 1. This annexation area is located in Pearland Extraterritorial Jurisdiction (ETJ), generally located north of Bailey Road, south of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas. (Please see Exhibit 1.)

The City Council identified annexation as one of their goals in 2010 to accommodate future population and development growth. At a City Council meeting in July 2013, discussion was held about the significance of the areas along Bailey Road due to the Bailey Road expansion project. At that time the Council directed staff to process the annexation in conjunction with the Bailey Road project. The above mentioned area has been in the City's ETJ since 1960, and will eventually become a part of the City of Pearland.

The Bailey Road project was included in the 2013-2016 HGAC Transportation Improvement Program (TIP) and will receive 80% federal funding for the construction costs. As part of this project, 2.5 miles of Bailey Road will be improved, from a 2-lane undivided roadway with no shoulders and open ditches to a 4-lane divided curb and gutter roadway. As the property is currently in the city's ETJ, the city is not able to exercise the city's regulations on abutting properties. With this annexation, the City will benefit from being able to regulate land use and development in areas directly abutting the new major thoroughfare. The proposal was to start the annexation process after completion of the plans and environmental documentation process.

The environmental documentation was completed and the Planning Department initiated an extensive outreach program. First, an open house meeting was held on July 23, 2015 at the Pearland Recreation Center. Postcards were sent out to all property owners notifying them of the open house; signs were posted at various intersections of the annexation area; and notice was posted on the city website. One-on-One Meetings with property owners was held in August and early September. Property owners in Area 1 were sent letters notifying them of the dates of the two public hearings and the two readings of the ordinance. (Please see Exhibits 5 and 6.) Legal advertisements appeared in the September 24, October 1 and 8, 2015 editions of the Pearland Journal. The meeting information has been on the city website since August, 2015. The website also includes frequently asked questions, a copy of which has been included as Exhibit 4.

In accordance with Section 43.035 of the Local Government Code property owners with agricultural exemptions were sent certified letters offering development agreements. The development agreement guarantees the continuation of extraterritorial status of the area for five (5) years and authorizes the enforcement of all regulation and planning authority of the municipality that does not interfere with the use of the area for agriculture. (Please see Exhibit 10.)

The Notification of Intent to Annex, as required by Chapter 43 of the Local Government Code, has been sent to all Local, State and Federal Government entities. Notification of Intent to Annex has been sent to all service providers. (Please see Exhibits 8 and 9.)

Staff has discussed the benefits of annexation and recommends that the annexation be considered for the following reasons:

- Provide an opportunity to direct future growth and guide development along Bailey Road.
- Prevent additional encroachment and creation of non-conformities.
- Provisions of services in the area will have minimal additional burden on the City. Some departments are providing services to the area already. Other departments have indicated that they will be able to service the area with current resources.
- Provide an opportunity to zone the area. Appropriate zoning measures will allow current uses to exist, expand, and not be non-conforming.
- The residences will begin to receive city services from the time they are annexed. The property values will be assessed in January 2016 and annexed home/business owners will not receive a tax bill from the city until October 2016.

The City of Pearland has the ability to annex areas in the City's ETJ, as is the plan for all ETJ land. Annexing the area now, as opposed to annexing in the future, will ensure that future growth is guided by city's regulations and conforms to the long range plans for the area. This would eventually result in a fewer number of nonconformities that would have to be addressed in the future. The city will be in a better position to provide safeguards against unplanned and unregulated growth for the current and future residents.

Service Plan: A Service Plan for Annexation Area 1 is attached to this report. As indicated by the Service Plan, the City will be able to service the possible annexation area with existing resources. The City is already providing fire-fighting and EMS. However, Fire Marshal services would increase with annexation and Fire Inspection services will also be available in the area after annexation. The City would provide police services after annexation. Please see the Feasibility Report and Service Plan Exhibit 2 and 3.

Zoning: If the area is annexed, the area will initially be zoned Suburban Development (SD). The SD district is a default district for newly annexed land that has not been zoned for a particular intended use. The next step would be to start the zoning process, as indicated in the Annexation Plan. Regardless of the zoning alternative chosen, the service plan will not change. (Please see Exhibit 11, Current Land Uses.)

Additional comments generated after the open house: As with many municipal decisions, especially annexation, there are mixed interests among citizens, business owners, community leaders and others. We have heard several concerns about how the City's ordinances will affect individual homes and commercial properties but we have also heard that citizens were glad to see future development regulated to protect their investments.

Summary One on One Meeting with residents: Staff met with four residents regarding the Annexation of Area 1. In these meetings, residents reiterated that they are against the Annexation of Area 1. In their opinions, the services offered by the Volunteer Fire Department and Brazoria County Sheriff are satisfactory. Some mentioned that their properties currently have water well and a septic system that is more than adequate for their needs. They also voiced several concerns regarding the regulations for subdividing property and drainage issues. A common comment during these meeting was the fact that they located in these areas specifically because they were in the County and do not want to become part of the City.

Staff Recommendation: Staff recommends approval of the Annexation of Area 1 for the following reasons:

- 1) Ensure future development is in conformance with the 2015 Comprehensive Plan: Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with the Future Land Use Plan and Thoroughfare Plan, in a manner that is beneficial to everyone. If the land is not annexed, unregulated piecemeal development will continue to occur along future improved constructed Bailey Road corridor. The annexation will assist the City in developing this area along a major thoroughfare, which the city is in the process of expanding and improving, to encourage new investment in the area and allow for reinvestment that will meet city codes.
- 2) Ensure future development is in compliance with character of the area and adjoining uses: The above mentioned area has been in the City's ETJ since 1960, and will eventually become a part of the City of Pearland. By annexing this property now, the City is able to limit the amount of non-conforming issues that will occur if this property remains outside of the city limits. Currently there are no safeguards to buffer incompatible uses (single-family residential and manufacturing). The existing situation of incompatible uses located in close proximity to each other will be exacerbated by unplanned growth.
- 3) Service Provision: Development of appropriate infrastructure and services for expansion and growth of both residential and non-residential uses would be uncertain if the land is not annexed. Annexation will provide the ability to plan for adequate infrastructure and services.

- 4) Economic Development: Annexation will promote predictability and encourage investment and development in that area. Annexation will ensure that new investment will not be curtailed and impeded due to uncertainties of the surrounding area.
- 5) Ensure that future development is in compliance with the City regulations: Annexing the area now, as opposed to annexing in the future, will ensure that future growth is guided by the city's regulations and the conforms to the Unified Development Code. This unplanned and unregulated growth will have a negative effect on the development of surrounding land that is currently under the City's jurisdiction.

Recommended Action

Proceed with annexation of Area 1.

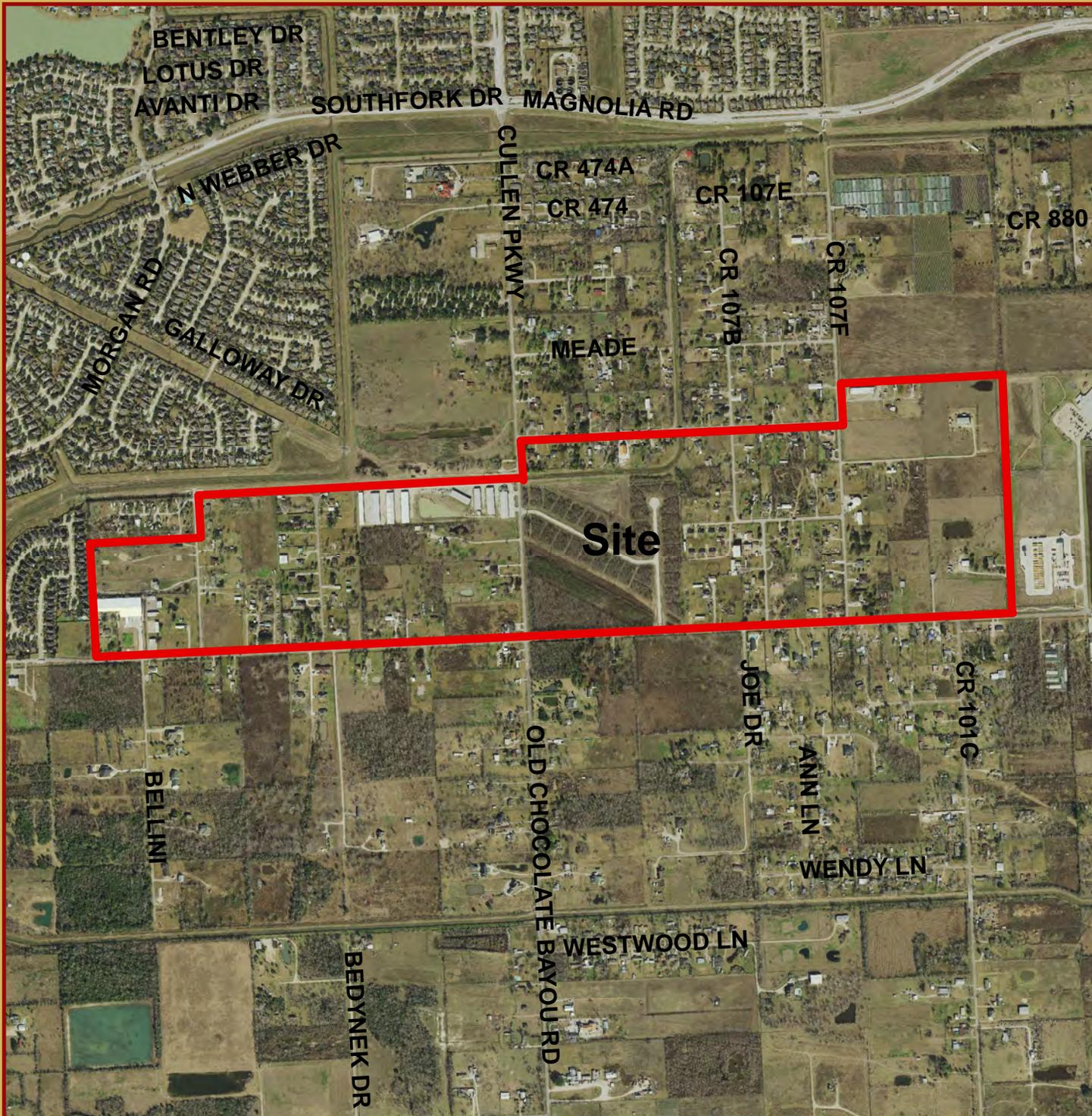


EXHIBIT 1

AERIAL MAP

Annexation Area 1

Silverlake to CR 101C
North of Bailey rd.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 1,180 feet

OCTOBER 2015
PLANNING DEPARTMENT



FEASIBILITY REPORT

CITY INITIATED ANNEXATION – Bailey Road Annexation Area 1- Approximately two hundred and forty two (242) acres of land, generally located North of Bailey Road, south of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas.

LOCATION:

The subject land is generally located in the south central part of the City. The subject land is bounded by Bailey Road on the south, privately owned land within the ETJ on the north, Silverlake on the west and Pearland ISD Bus Barn on the east. The subject land is in City of Pearland's ETJ in Brazoria County.

Refer to Attachment 1 for property location and boundaries.

DEMOGRAPHICS:

The area under consideration has a mix of single-family and mobile home residential along with commercial uses. A survey conducted by staff in June of 2015, indicated that eighty-three (93) single-family residences exist in the subject area.

CURRENT USE OF LAND:

The subject area has single-family residential uses, commercial uses, agricultural land and vacant and undeveloped tracts.

The subject area has 152 parcels totaling 242 acres in area. Total acreage of parcels being used for single family residential is approximately 169 acres with 15 acres used for commercial use and total acreage of undeveloped land being approximately 58 acres.

Refer to Attachment 1 for current land uses.

SURROUNDING LAND:

Surrounding land immediately to the north is similar in character to the subject land and consists of predominantly single-family residential and undeveloped land with some commercial uses.

To the south of the subject land is Bailey Road. South of Bailey Road, there are significant areas of large lot single family homesteads.

Surrounding land immediately to the west and east of the subject land consists of predominantly single family residential subdivisions, large lot single-family residential, and vacant land.

ACCESSIBILITY:

The subject land has access by the following major roadways:

1. Bailey Road, which runs along the southern boundary of the annexation area.
2. Cullen Parkway that runs north south through the center of the annexation area.

Attachment 1 shows the roads that are accessible currently.

DEVELOPMENT STATUS: (Percentage of land developed)

As mentioned earlier the subject land has a mix of Commercial, single-family residential, and undeveloped land.

Number of developed parcels = 110
Area of developed parcels = 184 Acres

Number of undeveloped parcels = 42
Area of undeveloped parcels = 58 Acres

Total number of parcels = 152
Total area = 242 Acres

Area of undeveloped land = 58 Acres (24 % of total land area)

VALUATION:

Brazoria County Assessor records indicate that the subject land consists of 152 parcels. The total acreage of land within these parcels is 242 acres. Total market value of all the properties amounts to **\$17,704,367.00.**

LOCATION WITHIN MUD:

The subject land is not located within any MUD.

COMPREHENSIVE PLAN RECOMMENADATIONS:

The 1999 Comprehensive Plan, updated in 2004 and 2010, designates Area 2 as low density residential, with 1 minor commercial node along Bailey Road at the intersection with Cullen Parkway. Lots of 8,800 square feet or larger in size are considered appropriate in Low Density residential Areas. This recommendation has not changed in the proposed 2015

Comprehensive Plan Update. Additionally, the 2015 Comprehensive Plan update recommends this to be included in short term annexation (1-5 years)), based on the fiscal, service provision, growth, community objectives, and strategic and statutory factors. .

THOROUGHFARE PLAN RECOMMENADATIONS:

The Thoroughfare Plan in designates Bailey Road as Major Thoroughfare to be developed with a 120 foot right of way. Cullen Parkway is designated as Secondary Thoroughfare to be developed with a 100 foot right of way.

POSSIBLE USES OF LAND IF IT IS NOT ANNEXED AND DEGREE OF CONFORMANCE TO THE COMPREHENSIVE PLAN OF THOSE LAND USES:

It is staff's opinion, that if the land is not annexed it will continue to grow in an unplanned manner. Currently there are no safeguards to buffer incompatible uses (single-family residential and manufacturing). The existing situation of incompatible uses located in close proximity to each other will be exacerbated by unplanned growth. Development of appropriate infrastructure and services for expansion and growth of both residential and non-residential uses would be uncertain if the land is not annexed.

This unplanned growth will have a negative effect on the development of surrounding land that is currently under the City's jurisdiction. New investment and development of land, adjacent to the subject land will be curtailed and impeded due to uncertainties of surrounding development.

City's efforts at Planning for the area as discussed earlier as per the Comprehensive Plan and Thoroughfare Plan will be negatively affected as the existing land uses, streets and general development pattern in the subject land are not in conformance with the recommendations in the City's Comprehensive Plan and Unified Development Code and the Unified Development Code.

IMPACT OF ANNEXATION – LONG TERM AND SHORT TERM:

Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with city and state codes in a manner that is beneficial to everyone. Annexation of the area by the City will also ensure that development occurs in a safe and orderly manner. The City is undertaking a major road and associated utility improvement of Bailey Road beginning summer 2015.

In the long term this annexation of the subject land will enable City of Pearland to plan for this area in accordance with the Comprehensive Plan and encourage diverse economically beneficial uses. The annexation will assist the City is developing this area along a major thoroughfare of which the city is in the process of expanding and improving greatly. In the short tem the annexation will encourage new investment in the area and allow for reinvestment that meet city codes. If the land is not annexed, unregulated piecemeal development will continue to occur along Bailey Road.

RECOMMENDATIONS:

It is staff's recommendation that the City should pursue annexation and prepare a service plan for the subject area.

EXHIBIT 3

CITY OF PEARLAND, TEXAS

SERVICE PLAN FOR AREA 1 – Two hundred and forty two (242) acres of land, generally located North of Bailey Road, south of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas.

I. INTRODUCTION

This Service Plan (“Plan”) is made by the City of Pearland, Texas (“City”) pursuant to Chapter 43 of the Local Government Code (“the Act”). This Plan relates to the annexation by the City of land located adjacent to the city limits and encompassing approximately 242 acres in Brazoria County, Texas. The Tract is described by metes and bounds in “Exhibit A-1”, and by map in “Exhibit A-2” which are attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. TERM: EFFECTIVE DATE

This Plan will be in effect for a term of ten years commencing on the effective date of the annexation of the Tract. Renewal of this Plan will be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

III. SERVICE PROGRAMS

- A. In General. This Plan includes two service programs: (I) the Early Action Program, described below, and (II) a Capital Improvement Program according to the Texas Local Government Code, Chapter 43, described below.
- B. Scope and Quality of Services. This Plan will provide a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance currently provided and available in other parts of the municipality with topography, land use, and population density similar to the Tract. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City (including the Tract) where differing characteristics of topography, land utilization and population density are considered as sufficient basis for providing differing service levels.
- C. Definitions.
 1. As used in this Plan, “providing services” includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services, in whole or part.
 2. As used in this Plan, the phrase “Standard Policies and Procedures” means those policies and procedures of the City applicable to a particular service which are in effect either at the time that the service is requested or at the time that the service is

made available or provided. The policies and procedures may require that a specific type of request be made, such as an application or a petition. They may require that fees or charges be paid, and they may include eligibility requirements and similar provisions.

D. Early Action Program

1. Statutory Services. The statutory services will be provided within the Tract within the period that meets or exceeds that required by State law. The following services will be provided in accordance with Standard Policies and Procedures immediately upon the effective date of the annexation:
 - a. Police Protection: The Police Department of the City will provide protection and law enforcement in the Tract. These activities will include normal patrols and responses, the handling of complaints and incident reports, and, as appropriate, support by special units of the Department.
 - b. Fire Protection: The Pearland Fire Department (PFD) of the City of Pearland will continue to serve the area.
 - c. Emergency Medical Service: Currently, the tract is service by the Pearland Emergency Medical Service (EMS) under an agreement with the county. Pearland Emergency Medical Service (EMS) will continue to provide emergency medical service to the Tract.
 - d. Solid Waste and Recycle Collection: Service will be provided to eligible property by private contractor, under contract with the City. To be eligible for City solid waste and recycled collection service, property must have frontage on a public street or other approved location and place solid waste in containers approved for the specific type of occupancy. Any person currently being serviced by a privately owned solid waste or recycling management service provider may continue to use that service for two years after the effective date of the annexation. Those who receive services from city's solid waste and recycling collection contractor will be billed for the service, in accordance with the contract between the city and the solid waste contractor.
 - e. Operation and Maintenance of Water and Wastewater Facilities: Existing public water and wastewater facilities, if any, will be operated and maintained by the City or by private contractor under contract to the City.
 - f. Operation and Maintenance of Road and Streets (including lighting): Existing public roads and streets (including county roads), and lighting and traffic control devices, if any, will be operated and maintained by the City, subject to the jurisdiction of other governmental entities. State highways and farm-to-market roads remain the primary responsibility of the Texas Department of Transportation, for instance. Existing roadside drainage ditches not maintained under the jurisdiction of another entity (such as Texas Department of Transportation) will be operated and maintained by the City.
 - g. Operation and Maintenance of Parks, Playgrounds and Swimming Pools: Existing public parks, playgrounds, and swimming pools, if any, will be

operated and maintained by the City. Facilities owned and operated by homeowner's associations (HOAs) will continue to be owned and operated by the respective HOAs.

- h. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service: Existing publicly owned or operated facilities, buildings, or services, if any, will be operated and maintained by the City or by private contractor under contract to the City.
2. Additional Services. Certain services, in addition to the statutory services, will be provided in accordance with Standard Policies and Procedures within the Tract to the same extent they are provided to similar territories elsewhere in the City. These are as follows:
- a. Library Service will be provided from existing facilities and future facilities outside the Tract. Residents of the Tract will be eligible for borrowing privileges at City/County libraries on the same basis as current residents.
 - b. Health services will be provided by the City Health Department to area residents and businesses. Health services include City inspection of restaurants and groceries and Animal Control.
 - c. Code Enforcement personnel will enforce the City's housing code and ordinances against junk motor vehicles, high weeds, unsafe buildings, and illegal dumping of refuse.
 - d. Other City Services, to the extent applicable to persons or properties within the Tract, in accordance with standard policies and procedures will be provided.

E. Capital Improvement Program

As necessary, the City will initiate the construction of certain capital improvements necessary for providing municipal services for the Tract. Those improvements, which are necessary, are indicated below. Access to the improvements will be in accordance with Standard Policies and Procedures. The improvements shall be completed as soon as reasonably possible and shall be substantially completed within the time period indicated below.

- 1. Police Protection: Additional capital improvements are not necessary at this time to provide police protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
- 2. Fire Protection: Additional capital improvements are not necessary at this time to provide fire protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
- 3. Emergency Medical Service: Additional capital improvements are not necessary at this time to provide emergency medical service. The Tract will be included

with other territory in connection with planning for new, revised, or expanded public safety facilities.

4. **Solid Waste Collection:** No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other territory in connection with planning for new revised or expanded solid waste facilities.
5. **Water and Wastewater Facilities:** Additional capital improvements are not necessary at this time to service the tract. The cost of future connections to available water and sewer lines will be the responsibility of the Tract owners, as it is within the existing City utility system following standard policies and procedures. Impact fees also will be assessed at the time of future connections to the City's utility system or upon issuance of building permits for lots developed within the Tract.

The City will make wastewater treatment capacity in existing or future wastewater treatment plants built and operated by the City available for the Tract. Construction of facilities to collect and transmit wastewater to treatment plants will occur as development occurs in and around the tract. Facilities will be constructed by either the city or private developer.

The city will make potable water capacity available from existing or future sources built and operated by the City available to the Tract. The City currently operates its own ground water wells and purchases wholesale surface water via contract from third parties. Construction of facilities to collect and transmit water to the tract will occur as development occurs in and around the tract. Facilities will be constructed by either the city or private developer.

6. **Roads and Streets (including lighting):** Additional roads, streets, or related facilities are not necessary at this time to serve the tract. Future extensions or widening of roads or streets and future installation of related facilities, such as traffic control devices or street lights will be undertaken in accordance with Standard Policies and Procedures. The Tract will be included with other territory in connection with planning for new, revised, widened, or enlarged roads, streets, or related facilities.
7. **Parks, Playgrounds, and Swimming Pools:** Additional capital improvements are not necessary at this time to provide such services to the Tract. The Tract will be included with other territory in connection with planning for such facilities.
8. **Other Publicly-Owned Facilities, Building or Services:** All other City functions and services, and the additional services described above, can be provided for the Tract by using existing capital improvements. Additional capital improvements are not necessary to provide City services, but the Tract will be included with other territory in connection with planning for new, revised, or expanded facilities, buildings, or services.

II. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Act or other controlling law. Neither changes in the methods nor means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City will constitute amendments to this Plan and the City reserves the right to make such changes. This Plan is subject to and will be interpreted when in accordance with the Act, the Constitution and laws of the federal governments of the United States of America and the State of Texas, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

III. FORCE MAJEURE

Should a force majeure interrupt the service described herein, the City will resume services under this Plan within a reasonable time after the cessation of the force majeure. "Force Majeure," for the purpose of this Plan will include, but not be limited to, acts of God, acts of the public enemy, ware blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fire, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City.

IV. ENTIRE PLAN

This document contains the entire and integrated Service Plan relating to the Tract, and supersedes all other negotiations, representations, plans and agreements, whether written or oral.

EXHIBIT A-1

Metes and Bounds

AREA 1
METES AND BOUNDS DESCRIPTION
242 ACRES MORE OR LESS OUT OF
KANAWHA-TEXAS COMPANY SUBDIVISION
PARTS OF SECTIONS 18 AND 22
GEORGE C. SMITH SURVEY,
ABSTRACT 547 AND ABSTRACT 548
BRAZORIA COUNTY, TEXAS

The herein described 242 acres of land, more or less being generally located in Kanawha-Texas Company Subdivision of Parts of Sections 18 and 22, George C. Smith Survey according to the plat thereof as filed in Volume 02, Page 51 Brazoria County Plat Records, George C. Smith Surveys, Abstract 547 and 548 Brazoria County, Texas; the south line being the north line of City of Pearland Ordinance No. 31 and being 100' north of the south line of said Abstracts 547 and 548; the west line being the east line of Reserve "E", Sedgefield Section 3 at Silverlake according to the plat thereof as filed in Volume 20, Page 345-346 Brazoria County Plat Records; the east line being the west line of Lot 1, Block 1, Massey Ranch Elementary according to the plat thereof as filed in Volume 24, Page 353 Brazoria County Plat Records and the west line of City of Pearland Ordinance No. 1036;

All that certain 242 acres of land, more or less, to be annexed into the City of Pearland and being all or portion of Lots 27, 30, 32, 33, 41, 42, 43, Section 22, of said Kanawha-Texas Company Subdivision of Parts of Sections 18 and 22, Abstract 548 and Lot 44, Abstract 548 and all of or portion of Lots 3, 4, 7, 8, 11, 12, 19, 20 and 26 Section 18 of said Kanawha-Texas Company Subdivision of Parts of Section 18 and 22, Abstract 547 and all of Cullen Park Estates according to the plat thereof filed in Brazoria County Official Records Document No. 2009028809 and being more particularly described by metes and bounds as follows;

Commencing at the original southwest corner of said Massey Ranch Elementary and the southeast corner of said Lot 12, Section 18, George C. Smith Survey, Abstract 547; Thence northerly 100' with the east line of said Lot 12, Section 18 to the POINT OF BEGINNING of herein described tract and the southwest corner of City of Pearland Ordinance No. 1036;

1. Thence Westerly – 7,494', more or less, with the north line of City of Pearland Ordinance No. 31, said line being 100' north and parallel to the centerline of County Road 101 (Bailey Road) to a point for corner on the east line of said Reserve "E";
2. Thence Northerly – 850', more or less, with the east line of said Sedgefield Section 3 at Silverlake to a point for corner marking the northwest corner of that certain tract described in a deed dated 05-21-2013 from Al S. Jabouri to Alham Jumally as filed in the Official Records of Real Property of Brazoria County at Clerk's File Number 2013-023946;

Thence the following (3) courses with the north line of said Alham Jumally tract;

3. Thence Easterly – 677’, more or less, to a point for corner;
4. Thence Northerly - 30’, more or less, to a point for corner;
5. Thence Easterly - 203’, more or less, to a point for corner;
6. Thence Northerly – 339’, more or less, with the east line of that certain tract described in a deed dated 02-26-2002 from Robert G. Wittstruck, et al. to Al S. Jabouri as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2002012625 for corner;
7. Thence Easterly – 2,674’ more or less, with the south line of Reserve “D”, Ashford Cove at Silverlake according to the plat thereof filed in Volume 19, Page 519 Brazoria County Plat Records and with the north line of Lot 44, Section 22, George C. Smith Survey, Abstract No. 548 to a point for corner;
8. Thence Northerly – 312’, more or less with the existing east right-of-way line of County Road 89 (Old Chocolate Bayou) to a point for corner;
9. Thence Easterly – 2,621’ more or less, with the south right-of-way line of Arnold Drive to a point for corner;
10. Thence Northerly – 362’, more or less with the existing east right-of-way line of County Road 107F (Charles Avenue) to a point for corner;
11. Thence Easterly – 1,318’ more or less with the north line of said Lots 3 and 4 to a point for corner;
12. Thence Southerly – 1,892’ more or less with the west line of said Lot 1, Block 1, Massy Ranch Elementary and the west line of said City of Pearland Ordinance Number 1036 to the POINT OF BEGINNING and containing 242 acres of land more or less.

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

This metes and bounds description is accompanied by a separate plat, drawing or exhibit per Texas Board of Professional Land Surveyor’s “General Rules of Procedures and Practices” Section 663.19(9).

Compiled by:
C.L. Davis & Company
Firm No. 10082000
Job Number: 11-421-141-2015 Annexations Area 1 M&B
08-27-2015

EXHIBIT A-2

Map

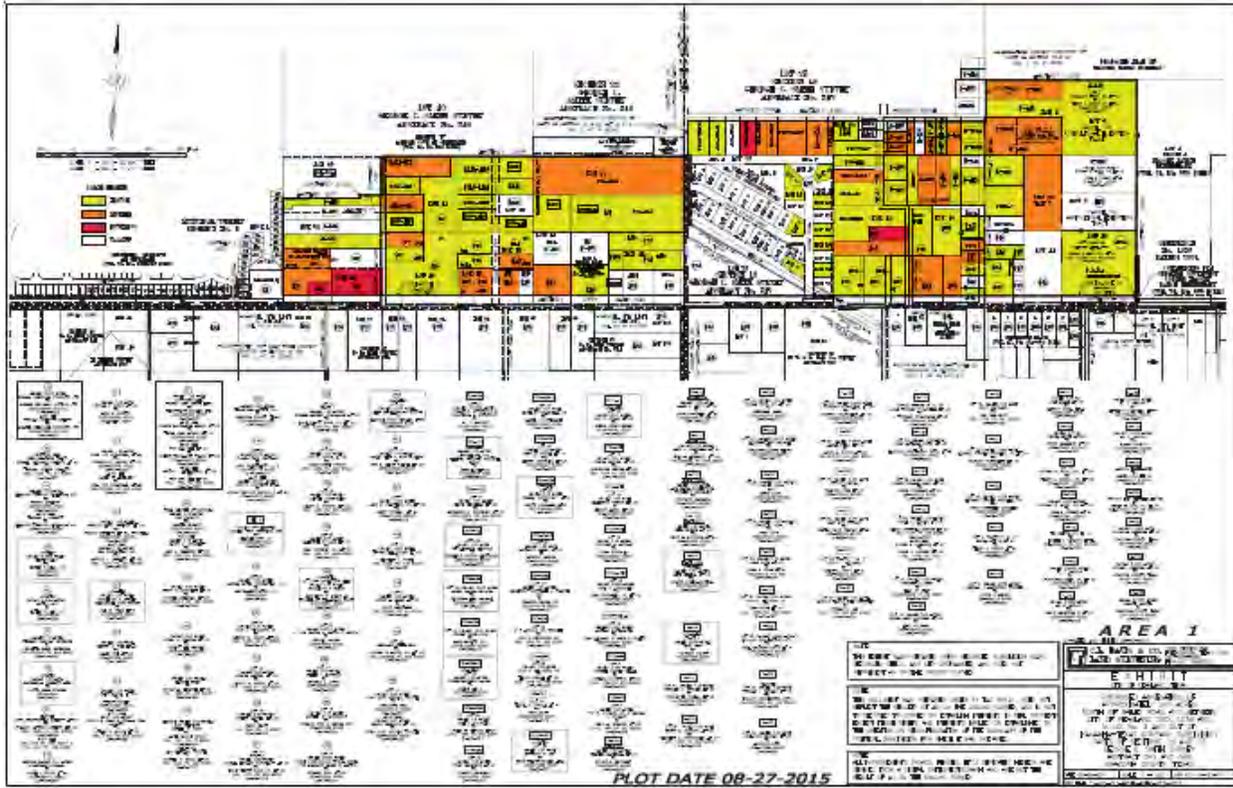


EXHIBIT 4



3519 Liberty Drive
Pearland, Texas 77581
Tel: 281.652.1768
pearlandtx.gov

Possible Bailey Road Annexation Areas 1 & 2

Frequently Asked Questions

1. Why is the City considering annexing my property?

Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with city and state codes in a manner that is beneficial to everyone. Annexation of the area by the City will also ensure that development occurs in a safe and orderly manner. The City is undertaking a major road and associated utility improvement of Bailey Road beginning summer 2015 (see question 23).

2. How will annexation affect my property values? Will my property value go down?

Property values, for tax purposes, are determined by the Brazoria County Appraisal District (BCAD). BCAD indicated to staff that annexation itself does not typically have an impact on property values. If the city were to make infrastructure improvements in the future, such as the Bailey Road improvement project, those improvements may increase property values. In most cases, annexation and subsequent zoning helps to stabilize and enhance property values. Please call the Brazoria County Appraisal District at 281.756-1388 with questions regarding to the valuation of your property.

3. What would be the benefits to being annexed?

Benefits to the residents:

The benefits of being annexed include services such as police protection, solid waste collection, operation and maintenance of drainage facilities, operation and maintenance of streets (including lighting), operation and maintenance of parks, playgrounds and swimming pools, health services, animal and code enforcement services. Fire department services, including ambulance, area already provided to the City's ETJ area in anticipation of annexation. Additionally, certain facilities and programs have a lesser fee for residents as compared to non-residents. For example, annual family membership to the Recreation/Natatorium facility is \$400 for residents and \$600 for non-residents.

Zoning of properties, subsequent to annexation, has several advantages such as orderly growth, and adjacency predictability. Zoning regulations address a number of issues that safeguard the quality of life for residents. For example, one of the issues addressed is buffer requirements between commercial and residential uses that assist in mitigating the undesirable impacts of adjacent non-compatible uses. Zoning also helps in maximizing development potential in a manner that is beneficial to all. Please see question 13 for more information about zoning.

Also, being annexed into the city will provide you with a say in how things are done, by voting in city elections and serving on city boards and commissions.

Benefits to existing taxpayers:

Annexation will benefit current residents by helping to keep the cost of services provided low, due to the expanded tax base with new property incorporated. Further, current Pearland residents will no longer be subsidizing services in this area, as the new residents will be paying their share for services and amenities (such as Fire and Emergency Medical Services) that are already available to them by inter-local agreements or otherwise.

Benefits to the City:

Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with city and state codes in a manner that is beneficial to everyone. Annexation of the area by the City will also ensure that development occurs in a safe and orderly manner. Some examples of regulations that will be possible due to annexation and beneficial to residents include restriction on curb cuts, zoning requirements, traffic regulations, signals at critical intersections, animal control, and code enforcement.

4. If annexed, how much property tax will I have to pay? How is the property tax calculated?

Contact the Brazoria County Appraisal District 281.756.1388 in order to determine the rate and exemptions for your specific property. The city tax rate (currently 71.21 cents per \$100 valuation) will be applied to that value. The City of Pearland has a variety of exemptions including Homestead, Over 65 Homestead, Disabled Persons and Disabled Veterans. In addition, persons with Over 65 Homestead exemption or Disabled Persons have the city taxes frozen at the amount of their first year's obligation. Typically, properties annexed into the city would need to pay city taxes in addition to other taxes. However, the property values will be assessed in January 2016 and annexed home/business owners will not receive a tax bill from the city until **October 2016**. The following chart shows some of the exemptions available.

Based on Appraised Value of \$100,000	
	City Tax (Yearly)
Appraised Value	\$712.10
With Homestead Only	\$676.50
With Over 65*	\$391.66
With Disabled Persons*	\$391.66
With Disabled Veteran (Min.)*	\$640.89
With Disabled Veteran (Max.)**	\$591.04
*Including Homestead	
**Max. of \$12,000	

City of Pearland's Exemptions	
Exemption	Exemption Amount
Homestead	2.5% of Appraised Value (min. \$5,000)
Over 65 Homestead*	\$40,000
Disabled Persons*	\$40,000
Disabled Veterans	\$5,000 to \$12,000
*Persons may not receive both a Disability and Over 65 exemption	
*Persons can receive both a Homestead and an Over 65 or Disabled exemption	
** Based on disability rating from the VA; 100% exemption of appraised value if 100% disabled	
Sources: Brazoria County Tax Appraisal District, City of Pearland	

5. How are the City of Pearland tax dollars utilized?

Of the 71.21 cents for each \$100 valuation of the property, 49 cents is utilized to pay debt service for capital improvements such as streets, drainage, public facilities, and parks. The other 22.21 cents is utilized for recurring costs to make available public safety services, community services (code enforcement, animal services, etc.) and to provide operation and maintenance of streets, drainage, and parks.

Debt Service Tax Rate for Appraised Value of \$100,000

Infrastructure, Streets & Drainage	\$367.50
Facilities & Parks	\$122.50
Total	\$490.00

Operation & Maintenance Tax Rate for Mean Appraised Value \$ 100,000

General Government	\$39.97
Public Safety	\$144.36
Public Works & Engineering	\$13.34
Parks & Recreation	\$24.43
Total	\$220.10

Note: These numbers are based on the City's 2015 Fiscal Year's budget

6. If annexed, will my address change?

No. The annexation process will not change any addresses.

7. If my property is annexed, when is the annexation effective?

If Pearland City Council proceeds with the current schedule and ultimately approves the annexation, the annexation would be effective 10 days following the signing of the ordinance on October 26, 2015. Prior to that, there will be two public hearings on September 14, 2015 and September 28, 2015.

8. If annexed, can I continue to have my home or business?

Yes. You can continue to have your home or business after annexation. If the use is in conformance with the zoning applied to the property, you may continue the current use of the property and expand in the future. If the single family residential use or structure and/or commercial use or structure does not conform to the zoning requirements, then the use may be continued in its current state, as a non-conforming use, unless abandoned for more than six months, or if the structure is destroyed by fire or storm.

Approval of a Conditional Use Permit (CUP) or a Special Exception (SE) will permit expansion of a non-conforming use, resumption of a use that is discontinued for more than 6 months, or rebuilding of a structure that is destroyed to an extent of more than 5 percent of its value. Similar processes are in place to address non-conformities related to the building code through the Building Official.

9. I bought this property with the intention of building a commercial use or house; will I still be able to do that if annexed?

You may be able to proceed with your plans under one of the following circumstances:

- a. If the building or use is in conformance with the zoning applied to the property after annexation, then you may be able to build with a valid building permit.
- b. If the use or building is not in conformance with zoning, then you may be able to use the property as intended by you, provided that an appropriate permit for the intended use has been obtained prior to annexation and is valid at the time of construction.
- c. If a permit has not been issued, and the property is not in conformance with zoning, approval of Conditional Use Permit (CUP), zone change, or a Special Exception (SE) may permit the use of the property as intended.

10. I bought this property and got a building permit from the county. Can I still move forward with my project if annexed?

Yes. If you have obtained a building permit from the county and you start construction prior to the expiration of the permit, you may proceed with your project as long as the permit is still valid.

11. If annexed, will all existing commercial and industrial businesses be asked to stop operating or to be torn down?

No. The uses will be able to continue to exist as they are upon annexation into the City of Pearland.

There may be the following possibilities:

- a. If the uses are permitted by the zoning applied to the property, the uses can expand and grow.
- b. If the uses are not in conformance with zoning, and are current and operating at the time of annexation, the uses can continue in their current state, unless discontinued for six months, or the building in which they operate is destroyed by fire or storm.
- c. Approval of a Conditional Use Permit (CUP) or a Special Exception (SE) will permit expansion of a non-conforming use, resumption of a use that is discontinued for more than 6 months, and rebuilding of a structure that is destroyed to an extent of more than 50 percent of its value.

Similar processes are in place to address non-conformities related to the building code through the Building Official.

12. If annexed, can I expand my industrial activity?

You may be able to expand your industrial activity, if it meets the requirements of the zoning category which is assigned to the property. If the existing activity is not in conformance, then a Conditional Use Permit (CUP) or a Special Exception (SE) may be requested, which will allow you to expand the activity in the future.

13. What will my property be zoned if annexed?

Zoning and annexation are two separate processes. The City of Pearland will meet with the property owners and gather input from the Pearland City Council and the Pearland Planning and Zoning Commission to determine the best way to zone the subject properties during the annexation process. However, the zoning process will not commence until after the annexation is completed.

The city will attempt to create a zoning scheme that will allow existing uses to continue (if desired by the residents), minimize non-conformities, but will allow the area to ultimately

transition to the uses recommended in the future Land Use Plan, that serves as a guide for future development and growth of the City.

If you have any zoning questions, please contact the Planning Division at 281.652.1768.

14. When will I get City water and sewer?

Water and sewer installation dates will be determined according to the current Capital Improvement Project (CIP) Schedule for each individual area. The current 5-year CIP shows 18" water lines being constructed along Veterans Drive and FM1128, south of Bailey Road. If future development creates a need, then, the services may be extended at that time. Please view the most current schedule on the CIP web-page. For further information please call Public Works at 281.652.1900. The City water and sewer are fee based services provided to the users of the water/sewer system. The Water and sewer system is **not** funded through property taxes.

15. Will I have to pay water and sewer impact fees if annexed?

Impact fees are due only when the property is connected to the city's water and sewer systems. Any new users need to pay these impact fees.

16. Will I have to abandon my water well and septic system upon annexation?

No. As long as you continue to use your current septic system and well, with no changes, you do not need to abandon these. If the system fails or if you plan an expansion that the current system cannot handle, then, you may be required to connect to the city's system if available.

17. I already have EMS, and Fire services. How will annexation enhance these services?

The services provided by the Fire Department will continue. Additionally, the Fire Marshal's office will provide the following services after annexation:

- Enforcement of city ordinance as applied to fire code, enforcement of 2012 Life Safety Code and 2012 International Fire Code as applied to new and existing business occupancies.
- Review of plans when submitted for new construction, tenant occupancies and installation of fire protection systems.
- Fire inspections of new construction, tenant occupancies and new fire protection systems.
- Routine fire inspections of all existing business occupancies including foster care homes.
- Perform fire inspections of residential homes, if requested by the owner.

- Investigations of all fires to determine origin and cause.
- Respond to all fire hazard complaints including enforcement of illegal burning and illegal fireworks.
- Respond to and enforce environmental crimes.
- Abatement of unsafe, dangerous, and dilapidated structures.
- Provide public awareness and education of fire prevention and emergency management.

18. Will annexation enhance the services provided by the Police Department to this area?

Yes. The response times to calls for police service should generally improve, especially in the highest priority calls where a life is in danger. The Pearland Police Department assigns its officers in small geographical districts where there are normally two or three officers assigned to each of these areas at any given time. The response time for an emergency call where life is in danger is well below the national average.

Annexation will also improve the safety of your neighborhood. Officers assigned to districts take responsibility for their areas and perform preventative patrols within their neighborhoods during their discretionary time. The Pearland Police Department also has a traffic unit that provides routine neighborhood traffic enforcement and responds to specific reported problems in the neighborhoods as well. Having a dedicated community services division of the Police Department will help you make your home more secure. Officers from the Community Services Division are trained to conduct home security surveys. These surveys, done at the request of the residents, identify security issues in and around the home and offer homeowner's tips to make their homes less vulnerable to crime. Homeowners that successfully pass these surveys are eligible to receive a discount from participating insurance providers. This service is available at no cost to homeowners.

After your home is secure, the Community Services Division can help to make your neighborhood safer. Officers from the Community Services Division can help communities set up Neighborhood Watches. Through citizen involvement, communities can successfully deter criminals from targeting their areas. The only expense related to starting a Neighborhood Watch is the cost of graffiti-resistant signs.

19. What other services are provided by Pearland Police Department's Criminal Investigations Division?

The Crime Victim's Services Unit also assists in coordinating services and benefits through the State Attorney General's Office. In addition, Victim Services provides resources for victims of Sexual Assault and other offenses. The benefits include court advocacy services.

The Pearland Police Department's Criminal Investigations Division also coordinates the registration of Sex Offenders within the City. The services include quarterly audits of every sex offender within the city to insure compliance with the registration requirement. CID also determines whether or not an offender is compliant with the City Ordinance restricting the locations where an offender may reside

20. If my property is annexed, how will it affect my garbage collection?

For the first two years after annexation, you will be able to use your current trash collection service. During this time, the city may not prohibit collection by a private trash collection company and cannot impose any fee for solid waste management services if there is a private trash collection contract. You can sign up for city's garbage collection service if there is no private contract for trash pickup or if you wish to switch service.

In order to receive collection services, an application must be made with the City to establish an account. City collection services are as follows: garbage is collected twice a week, and curbside cart recycling, green waste, and heavy pickup are once a week. The City's contractor also provides for curbside Household Hazardous Waste Collection, by appointment, free of charge. Residents will be billed for the services on a monthly basis in accordance with the current fees. Currently the monthly garbage fee is \$17.48 per month. Please contact Water Billing & Collections Department at 281.652.1603 or go online to make application under 'Utility Billing' at cityofpearland.com

The account requires a \$50 deposit and a \$30 new account fee, however if you make application for service within the next 6 months these fees will be waived.

21. I have animals on my property. How will annexation affect the keeping of animals?

The city ordinance allows you to have up to three dogs and/or cats. If you register all of your pets with the city prior to the effective annexation date, you are allowed to keep those animals, even if you have more than three dogs and/or cats. As the pet lives out its normal life span they cannot be replaced, if you have more than three at the time of annexation. If your pets are not registered by the effective annexation date, the city ordinance would still allow three pets.

Similarly, you can keep the livestock that you have until it passes. If you have more livestock than that permitted by the city, and the additional livestock is removed for more than 30 days, then only the number of animals permitted by the ordinance would be allowed. The City ordinance allows for one horse per half acre and cattle is limited to one per one acre of land. Goats require a permit. Poultry would be permitted with certain restrictions. Guineas, peafowl, and swine are not permitted within the city limits.

You would have to provide information on all animals on the property and maintain them according to city's ordinances and state law. The city will also enforce our leash law on all animals, similar to the county ordinance. Typically, the city will work with you and give newly annexed areas a minimum of thirty days to come in compliance, or longer if needed, if your animals are registered. Similar to county and state requirements, city will require that animals are vaccinated for rabies.

22. If I choose to repair/replace mechanical, electrical or plumbing systems or remodel/add to my existing buildings, will building permits be required if annexed by the City?

Yes. To ensure the health and safety of the City of Pearland's building occupants, the City Council has adopted the 2012 International Building Code family of codes to regulate repair/replacement, remodeling and new construction activity within the city's corporate limits. This is done through the use of building permits.

Please discuss your specific interest with an Inspection Services Division representative for detailed information.

23. When will Bailey Road be constructed? What will be the width of the road, and will there be sidewalks? Will sound walls be included as part of this project?

Construction will begin in fall of 2015 and is expected to last for 24 months. Bailey Road will be a major thoroughfare with a minimum 120' right of way, with 4 lane concrete curb and gutter boulevard section with raised medians and left turn lanes. There will be a 10-foot mixed use path on the north side of the project. Three sound walls will be installed along Lawrence Place and Park Village Estates subdivisions.

**EXHIBIT 5**

September 11, 2015

Re: **NOTICE OF INTENT TO ANNEXATION – AREA 1 BAILEY ROAD**

Dear Property Owner:

The City Council of the City of Pearland is considering the City-initiated annexation of your property into its corporate limits. The area being considered for annexation is located in Pearland's Extraterritorial Jurisdiction (ETJ), and is generally located North of Bailey Road, South of Arnold Drive, East of Kennedy Drive, and West of Manvel Road, in Pearland, Brazoria County, Texas. Please see the attached map.

On July 23, 2015, staff gathered input from property owners at the open house regarding the proposed annexation at the City of Pearland Recreation Center and Natatorium. The City Council will conduct two public hearings, in which there will be an opportunity to express your opinion regarding the proposed annexation. After the two public hearings, the Council will conduct two additional meetings known as Readings of the Annexation Ordinance, during which a decision regarding the proposed annexation will be made. The anticipated effective date of the annexation is December 3, 2015.

Please see the below schedule of upcoming meetings regarding the proposed annexation. You may also visit the Planning Department's website for additional information regarding the proposed annexation at www.pearlandtx.gov.

First Public Hearing:	October 12, 2015
Second Public Hearing:	October 19, 2015
First Reading of the Annexation Ordinance:	November 9, 2015
Second Reading of the Annexation Ordinance:	November 23, 2015



Each of the above meetings will begin at 6:30 PM, and will be held at the following location:

**Council Chambers, City Hall,
3519 Liberty Drive, Pearland, TX, 77581**

You may contact me should you have any questions or would like additional information regarding the annexation process. I can be reached by phone at 281-652-1740 or via email at flegaux@pearlandtx.gov.

Sincerely,

Frankie Legaux, AICP
City Planner

EXHIBIT 6

Notification List Area 1

Thomas J Doherty
3905 Bailey Ave
Manvel, TX 77578-2803

Thomas Joseph Doherty
3905 Bailey Ave
Manvel, TX 77578-2803

Apache Wellhead Systems Ltd
3909 Bailey Ave
Manvel, TX 77578-2803

Vester Ray Bell LLC
2314 N Austin Ave
Pearland, TX 77581-4004

Vester R Bell Estate
2314 N Austin Ave
Pearland, TX 77581-4004

Annette Marie Vavrecka
3415 Rivers Rd
Manvel, TX 77578-2807

Justin Wade Wiseman
3409 Rivers Rd
Manvel, TX 77578-2807

Frank Doherty
8735 W Broadway
Pearland, TX 77578

Bruce V & Debbie Kirby
3610 Curtiss Rd
Manvel, TX 77578-2808

Erik M Bristol
3614 Curtiss Ln
Manvel Texas 77578

Lorenzo Garcia
P O Box 418
Raymonville, TX 78580-0418

Harold Lewis Lafferty & Janet Josephine
Lafferty Revocable Living Trust
3630 Curtiss Lane
Manvel, TX 77578

Duc M and Sachiko T Pham
3607 Curtiss Ln
Manvel, TX 77578

James Roe and Jessica Lindsay-Roe
3611 Curtiss Rd
Manvel, TX 77578-2809

Thach Nguyen
3002 Broadmoor Dr
Sugar Land, TX 77478-4005

Hien Thanh Nguyen & Tuyen Dinh Tran
7235 Cabrina Lane
Houston, TX 77083-4841

Juanita Cavazos
4055 Bailey Ave
Manvel, TX 77578-2852

Russell D Drennan
4405A Bailey Ave
Manvel, TX 77578-2801

Robert Lee Ramirez
3620 Old Chocolate Bayou Rd
Pearland, TX 77584-9610

William A Venable
3636 Cullen Pkwy
Pearland, TX 77584

Janie Camille Wood
6827 Powell Lane
Manvel, TX 77578-1469

Brazoria County
Courthouse West Annex
451 N Velasco St Ste 230
Angleton, TX 77515-4442

JKWS Investments LLC
3702 Old Chocolate Bayou Rd
Manvel, TX 77578-2827

League Lots LLC
1215 Gessner Rd
Houston, TX 77055-6013

Jerry D and Ann G Debord
3629 Mona St
Pearland, TX 77584-8955

Clayton Dixon Craighead
8001 Cullen Estates Dr
Pearland, TX 77584

League Lots LLC
1215 Gessner Rd
Houston, TX 77055-6013

Michael Andrew Cummings
4001 Moray Dr
Pearland, TX 77584

Garcia's Fabricating Inc
3602 Mona St
Pearland, TX 77584-8991

Roger V and Elizabeth Hellman
3917 Skylark Way
Pearland, TX 77584-5085

Dennis M Moody
7837 Bailey Rd
Pearland, TX 77584-6603

David Leach
7829 Bailey Rd
Pearland, TX 77584-6603

E D Dunn Jr
3630 Mona St
Pearland, TX 77584-8954

William Archer Priddy
3611 Mona St
Pearland, TX 77584

John Gonzales Jr
4818 Loise Ln
Pearland Texas 77584-8950

David Max Adams
7713 Bailey Rd
Pearland, TX 77584

Maribel Garcia
3636 Charles Ave
Pearland, TX 77584-8962

Maribel Garcia
3636 Charles Ave
Pearland, TX 77584-8962

Randall and Julie Upton
3524 Dappled Ridge Way
Pearland, TX 77581-7566

Richard and Denise Rios
7633 Bailey Rd
Pearland, TX 77584-6611

Richard and Denise Rios
7633 Bailey Rd
Pearland, TX 77584-6611

Enrique Solis Mendez and Angelica Solis
5213 Blue Sage Dr
Pearland, TX 77584-5007

Juan and Magda A De La Fuente
3633 Charles Ave
Pearland, TX 77584-8963

Jose L and Iduvina Garcia
3635 Charles Ave
Pearland, TX 77584-8963

Larry Roswell and Christine Roswell
7621 Bailey Rd
Pearland Texas 77584-6699

Kenneth L Pylate
2224 Manchester Ln
Pearland Texas 77581-4638

Larry and Christine Roswell
7621 Bailey Rd
Pearland, TX 77584-6699

Kenneth L Pylate
2224 Manchester Ln
Pearland, TX 77581-4638

Ross Shurtleff
PO Box 738
Manvel Texas 77578-0738

Norman W Hicks Sr
7409 Bailey Rd
Pearland, TX 77584-6615

Charlie Vo
3643 Rivers Rd
Manvel, TX 77578

Fernando Gonzalez
3602 Curtiss Rd
Manvel, TX 77578-2802

Kimberly Glyndon Westbrook
3603 Curtiss Rd
Manvel, TX 77578-2809

Deborah Jean Wallace
3606 Old Chocolate Bayou Rd
Pearland, TX 77584

Hard Assets LLC
P O Box 992
South Houston, TX 77587

James Henry Reagan
4506 Arnold Dr
Pearland, TX 77584-8926

Ronald Edward and Mireya Kelley
4510 Arnold Dr
Pearland, TX 77584

Rolando Bejarano
4528 Arnold Dr
Pearland, TX 77584

Marie I Bustamente
7526 Red Robin Ln
Houston, TX 77075-2921

Benito Gonzalez and Maria Angeles
4536 Arnold Dr
Pearland, TX 77584-8926

Erasmus Medina
4614 Arnold Dr
Pearland, TX 77584-8928

Orlando Garza Jr
4634 Arnold Dr
Pearland, TX 77548-8928

Orlando Garza Jr
4634 Arnold Dr
Pearland, TX 77548-8928

Mark Silva
4714 Arnold Dr
Pearland, TX 77584-8930

Mark Silva
4714 Arnold Dr
Pearland, TX 77584-8930

Hung Thanh Nguyen and Ann Huynh
Tran
7214 Campbellton Dr
Houston, TX 77083

Gus Raymond Jones
3530 Helen Drive
Pearland, TX 77584

Mary C Garcia
3602 Mona St
Pearland, TX 77584-8991

Emilio and Maria Jasso
4814 Louise Ln
Pearland, TX 77584-8950

John Gonzales
4818 Louise Ln
Pearland, TX 77584-8950

John Jr and Anita Gonzales
4818 Louise Ln
Pearland, TX 77584-8950

Juan Delgado and Maria Prieto
3630 Charles Ave
Pearland, TX 77584

Enrique Solis Mendez and Angelica Solis
5213 Blue Sage Dr
Pearland, TX 77584-5007

Mary L Drager
109 ADA Dr
Trumann, AR 72472-1102

William A Haycraft
3635 Rivers Rd
Manvel, TX 77587-2856

Donald Huges and Karen Burrows
3645 Rivers Rd CR 905
Manvel, TX 77578

Fred A Edwards Etux
3603 Rivers Road
Manvel, TX 77578-2856

Pompeyo Saavedra
3510 Curtiss Rd
Manvel, TX 77578-2878

David Espinosa and Rebekah Wiggins
1646 Lincoln Smith Rd
Round Mountain, TX 78663-8512

Miladis Lopez-Noreiga
3502 Curtiss Rd
Manvel, TX 77578

Rolando Rocha
3615 Canterbury Park Dr
Pearland, TX 77584-1464

Douglas E & Karen L Powell
3501 Curtiss Rd
Manvel, TX 77578-2879

Kenneth C Bonnicksen
3507 Curtiss Rd
Manvel, TX 77578-2879

Debbie A Zajac
809 N Waldrip St
Grand Saline, TX 75140-1022

Deborah Jean Wallace
3603 Old Chocolate Bayou Rd
Pearland, TX 77584

John Silva
7125 Kopman Dr
Houston, TX 77061-2739

Edwin A Curry
4810 Arnold Dr
Pearland, TX 77584-8932

Eulogio Constantino Ortiz
3523 Helen Dr
Pearland, TX 77584-8947

Rolando & Claudia Villanueva
4804 Arnold Dr
Pearland, TX 77584-8932

Rolando and Inez C Soza
4806 Arnold Dr
Pearland, TX 77584-8932

Walter D and Mary Ann Draper
3243 Lee Circle Dr
Pearland, TX 77581

Robert D Byrd
4802 Arnold Dr
Pearland, TX 77584-8932

Ronald C May
4826 Arnold Dr
Pearland, TX 77584-8932

Trinidad J and Maria M Villanueva
3510 Charles Ave
Pearland, TX 77584

Jorge and Benita Gonzalez
4803 1/2 Louise Ln
Pearland, TX 77584

Pedro M and Mary Ybarro
4807 Louise Ln
Pearland, TX 77584-8951

Earl M Shaw
4811 Louise Ln
Pearland, TX 77584-8951

John Wesley Cochran
4819 Louis Ln
Pearland, TX 77584-8951

Rolando and Claudia Villanueva
4804 Arnold Dr
Pearland, TX 77584-8932

Nancy Kathleen Monsees
3524 Charles Ave
Pearland, TX 77584-8960

Victor and Raquel Regaldo
3505 Charles Ave
Pearland, TX 77584-8961

Doris S Freund
3535 Charles Ave
Pearland, TX 77584-8961

Terry G Sr and Salena L Woods
3525 Charles Ave
Pearland, TX 77584-8961

Jose Alberto and Lillian Lozano
2820 White Oak Ln
Pearland, TX 77584-7015

Al S Jabouri
P O Box 545
Manvel, TX 77578

Pablo III and Eva C De La Rosa
13109 Southern Way Ln
Pearland, TX 77584-1786

Jeffrey Pennell and Jon Kvello
3531 Deerbrook Ct
Pearland, TX 77548-9170

Alham Jumaily
602 County Road 905
Manvel, TX 77578

EXHIBIT 7

**EXHIBIT "A"
AREA 1
METES AND BOUNDS DESCRIPTION
242 ACRES MORE OR LESS OUT OF
KANAWHA-TEXAS COMPANY SUBDIVISION
PARTS OF SECTIONS 18 AND 22
GEORGE C. SMITH SURVEY,
ABSTRACT 547 AND ABSTRACT 548
BRAZORIA COUNTY, TEXAS**

The herein described 242 acres of land, more or less being generally located in Kanawha-Texas Company Subdivision of Parts of Sections 18 and 22, George C. Smith Survey according to the plat thereof as filed in Volume 02, Page 51 Brazoria County Plat Records, George C. Smith Surveys, Abstract 547 and 548 Brazoria County, Texas; the south line being the north line of City of Pearland Ordinance No. 31 and being 100' north of the south line of said Abstracts 547 and 548; the west line being the east line of Reserve "E", Sedgefield Section 3 at Silverlake according to the plat thereof as filed in Volume 20, Page 345-346 Brazoria County Plat Records; the east line being the west line of Lot 1, Block 1, Massey Ranch Elementary according to the plat thereof as filed in Volume 24, Page 353 Brazoria County Plat Records and the west line of City of Pearland Ordinance No. 1036;

All that certain 242 acres of land, more or less, to be annexed into the City of Pearland and being all or portion of Lots 27, 30, 32, 33, 41, 42, 43, Section 22, of said Kanawha-Texas Company Subdivision of Parts of Sections 18 and 22, Abstract 548 and Lot 44, Abstract 548 and all of or portion of Lots 3, 4, 7, 8, 11, 12, 19, 20 and 26 Section 18 of said Kanawha-Texas Company Subdivision of Parts of Section 18 and 22, Abstract 547 and all of Cullen Park Estates according to the plat thereof filed in Brazoria County Official Records Document No. 2009028809 and being more particularly described by metes and bounds as follows;

Commencing at the original southwest corner of said Massey Ranch Elementary and the southeast corner of said Lot 12, Section 18, George C. Smith Survey, Abstract 547; Thence northerly 100' with the east line of said Lot 12, Section 18 to the POINT OF BEGINNING of herein described tract and the southwest corner of City of Pearland Ordinance No. 1036;

1. Thence Westerly – 7,494', more or less, with the north line of City of Pearland Ordinance No. 31, said line being 100' north and parallel to the centerline of County Road 101 (Bailey Road) to a point for corner on the east line of said Reserve "E";
2. Thence Northerly – 850', more or less, with the east line of said Sedgefield Section 3 at Silverlake to a point for corner marking the northwest corner of that certain tract described in a deed dated 05-21-2013 from Al S. Jabouri to Alham Jumally as filed in the Official Records of Real Property of Brazoria County at Clerk's File Number 2013-023946;

Thence the following (3) courses with the north line of said Alham Jumally tract;

3. Thence Easterly – 677', more or less, to a point for corner;
4. Thence Northerly - 30', more or less, to a point for corner;

5. Thence Easterly - 203', more or less, to a point for corner;
6. Thence Northerly – 339', more or less, with the east line of that certain tract described in a deed dated 02-26-2002 from Robert G. Wittstruck, et al. to Al S. Jabouri as filed in the Official Records of Real Property of Brazoria County at Clerk's File Number 2002012625 for corner;
7. Thence Easterly – 2,674' more or less, with the south line of Reserve "D", Ashford Cove at Silverlake according to the plat thereof filed in Volume 19, Page 519 Brazoria County Plat Records and with the north line of Lot 44, Section 22, George C. Smith Survey, Abstract No. 548 to a point for corner;
8. Thence Northerly – 312', more or less with the existing east right-of-way line of County Road 89 (Old Chocolate Bayou) to a point for corner;
9. Thence Easterly – 2,621' more or less, with the south right-of-way line of Arnold Drive to a point for corner;
10. Thence Northerly – 362', more or less with the existing east right-of-way line of County Road 107F (Charles Avenue) to a point for corner;
11. Thence Easterly – 1,318' more or less with the north line of said Lots 3 and 4 to a point for corner;
12. Thence Southerly – 1,892' more or less with the west line of said Lot 1, Block 1, Massy Ranch Elementary and the west line of said City of Pearland Ordinance Number 1036 to the POINT OF BEGINNING and containing 242 acres of land more or less.

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

This metes and bounds description is accompanied by a separate plat, drawing or exhibit per Texas Board of Professional Land Surveyor's "General Rules of Procedures and Practices" Section 663.19(9).

Compiled by:

C.L. Davis & Company

Firm No. 10082000

Job Number: 11-421-141-2015 Annexations Area 1 M&B

08-27-2015

**EXHIBIT 8**

September 11, 2015

NOTICE OF INTENT TO ANNEX – AREA 1 BAILEY ROAD

Re: Required Notice of Annexation of Land into Pearland City Limits

«Company»
«Title» «FirstName» «LastName»
«JobTitle»
«Address1»
«Address2»
«City», «State» «PostalCode»

Dear «Title» «LastName»:

The City Council of the City of Pearland is considering the annexation of property into its corporate limits. In accordance with the requirements of Local Government Code 43.062 (b) (2) and 43.905 (a), notice is being provided to you of the City of Pearland's intent to annex the property outlined in red on the attached map. The area being considered for annexation is located in Pearland's Extraterritorial Jurisdiction (ETJ), generally located North of Bailey Road, South of Arnold Drive, East of Kennedy Drive and West of Manvel Road. See the attached map.

The City Council will conduct two public hearings, in which there will be an opportunity to express your opinion regarding the proposed annexation. After the two public hearings, the Council will conduct two additional meetings during which they will make a decision regarding the proposed annexation. The anticipated effective date of the annexation is December 3, 2015. .As required by Texas State Law, this is your notification of the possible Annexation from the City of Pearland.

Please see the below schedule of upcoming meetings regarding the proposed annexation. You may also visit the Planning Department's website for additional information regarding the proposed annexation at www.pearlandtx.gov.



First Public Hearing:	October 12, 2015
Second Public Hearing:	October 19, 2015
First Reading of the Annexation Ordinance:	November 9, 2015
Second Reading of the Annexation Ordinance:	November 23, 2015

**Each of the above meetings will begin at 6:30 PM,
and will be held at the following location:
Council Chambers, City Hall,
3519 Liberty Drive, Pearland, TX, 77581**

You may contact me should you have any questions or would like additional information regarding the annexation process. I can be reached by phone at 281-652-1740 or via email at flegaux@pearlandtx.gov.

Sincerely,

Frankie Legaux, AICP
City Planner

EXHIBIT 9

Notification Mailing Labels 2015 (Local, State, Federal and Service Providers)

CHIEF, VOTING SECTION

Thomas E. Perez
Civil Rights Division/DOJ
Room 7254-NWB
950 Pennsylvania Ave., N.W.
Washington, DC 20530

TEXAS DEPARTMENT OF INSURANCE

Ike Williams, P.E. Asst. Chief
Engineer
P.O. Box 149104
Austin, TX 78714-9104

TX-DOT

Amadeo Saenz, Jr. P.E.
P.O. Box 1386
Houston, TX 77251-1386

BRAZORIA COUNTY TAX ASSESSOR/COLLECTOR

Ro'Vin Garret, RTA
111 E. Locust, Ste 100 A
Angleton, TX 77515

DISTRICT BRAZORIA COUNTY COURTHOUSE

Voter Registration
111 E. Locust, Ste. 100 A
Angleton, TX 77515

ALVIN INDEPENDENT SCHOOL DISTRICT

Tommy King
Interim Superintendent
301 East House St.
Alvin, TX 77511

BRAZORIA COUNTY**Fire Marshall**

Robert Owens
1215 Velasco
Angleton TX 77155

FORT BEND APPRAISAL DISTRICT

Glenn Whitehead
2801 B.F. Terry Blvd. (FM 2218)
Rosenberg, TX 77471

BRAZORIA COUNTY CITY OF ANGLETON

Fire Chief, Eric Smith
221 N. Chenango
Angleton TX 77155

BRAZORIA COUNTY LIBRARY PEARLAND BRANCH

Andrew Fearn, Librarian
3522 Liberty Drive
Pearland, TX 77581

SECRETARY OF STATE STATUTORY DOCUMENTS DIVISION

Attn: Nina Weston
P.O. Box 13550
Austin, TX 78711-3550

PROPERTY TAX

Nelda Wells Spears
PO Box 1748
Austin, TX 78767

BRAZORIA COUNTY COURTHOUSE

Joyce Hudman, County Clerk
111 E. Locust, Suite 200
Angleton, TX 77515-4654

BRAZORIA DRAINAGE DISTRICT #4

Mike Yost
4805 Broadway
Pearland, TX 77581-3934

ALVIN COMMUNITY COLLEGE

A. Albright, President
3110 Mustang Rd.
Alvin, TX 77511

ANNEXATIONS & MUNICIPAL FEES

Cathy Candelario or Current
175 E. Houston #4J4
San Antonio, TX 78205

BRAZORIA COUNTY EMS Coordinator, Doc Adams
111 E Locust, Suite 502 A
Angleton, TX 77155

FORT BEND VOTERS REGISTRATION

4520 Reading Road
Rosenberg, TX 77471

FT BEND MUD 34

BOB LEARED
1111 Katy Fwy
Suite 725
Houston, TX 77079-2175

BRAZORIA COUNTY LIBRARY PEARLAND WESTSIDE BRANCH

2150 Country Place Pkwy
Pearland, TX 77584

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Susan Combs
P.O. Box 13528
Austin, TX 78711-3528

TEXAS DEPT. OF TRANSPORTATION

Attn: Travel Publications
Kathy Murphy
P.O. Box 149248
Austin, TX 78704

UNITED STATES POSTAL SERVICE

Karen Parsons, Postmaster
3519 East Walnut
Pearland, TX 77581

BRAZORIA COUNTY APPRAISAL DISTRICT

Cheryl Evans, Chief Appraiser
500 N. Chenango
Angleton, TX 77515

BRAZORIA COUNTY ENGINEERING DEPT

Gerald Roberts, P.E.
451 N. Velasco, Suite 230
Angleton, TX 77515

PEARLAND INDEPENDENT SCHOOL DISTRICT

Bonny Cain, Superintendent
1928 N. Main
Pearland, TX 77581

BRAZORIA COUNTY DRAINAGE DISTRICT 4

LENTZ ENGINEERING
Attn: Alfred Lentz
4710 Bellaire Blvd, Suite 250
Bellaire, TX 77401

FORT BEND INDEPENDENT SCHOOL DISTRICT

Timothy R. Jenney, Ph.D.
16431 Lexington Blvd.
Sugar Land, TX 77479

FORT BEND COUNTY

Fort Bend County Courthouse
Dianne Wilson, County Clerk
301 Jackson St.
Richmond, TX 77469

BRAZORIA COUNTY LIBRARY ALVIN BRANCH

Danna Wilson, Librarian
105 South Gordon
Alvin, TX 77511

Annexation Notification Mailing Labels 2015

AT&T

Roy Zermeno or Current Position
6500 West Loop South
Zone 4.2
Bellaire, TX 77401

AT&T

Nawal Malek or Current Position
5252 Hollister, #110
Houston, TX 77040

RELIANT ENERGY

Joe R. Gillespie or Current Position
P.O. Box 1655
Pasadena, TX 77501

CENTERPOINT ENERGY ENTEX

Ron Minich or Current Position
4420 Mustang Rd.
Alvin, TX 77511

COMCAST

Ginger Owens, District Secretary
Or Current Position
1010 Lawrence Rd.
Kemah, TX 77565

**WASTE MANAGEMENT OF
SOUTHEAST TEXAS**

Don Richards
10701 Todd Road
Houston, TX 77055

CENTERPOINT ENTEX

Sandra Goodall
1111 Louisiana
Houston TX 77002

COMCAST

Craig D-Agostini or Current
8590 W. Tidwell 4th Floor
Houston, TX 77040

COMCAST

Mohammed Woheidy or Current
8590 W. Tidwell 3rd Floor
Houston, TX 77040

AT&T

Adrian Jones
510 Arkansas St
#200
South Houston, TX 77587

AT&T

Jan Sweeton
510 Arkansas St
#200
South Houston, TX 77587

AT&T

Rosenbelt Dillanueva
510 Arkansas St
#200
South Houston, TX 77587

AT&T – EXTERNAL AFFAIRS

Angela Thornton/Bob Garza
275 N. Greenville Ave, Ste 200
Richardson, TX 75081

AT&T

Victor Castillo
112 Westway
1st Floor
Lake Jackson, TX 77566

AT&T

Frank Gracely
6500 West Loop South
Zone 5.1
Bellaire, TX 77041

EXHIBIT 10

**City of Pearland**

3519 Liberty Drive
Pearland, Texas 77581
Tel: 281-652-1765
pearlandtx.gov

September 14, 2015

Greetings:

The records of the Brazoria County Appraisal District indicate that you are the owner of the real property labeled "Subject Property" on the enclosed map. Those records also show that the referenced real property is appraised for ad valorem tax purposes as land used for agriculture, wildlife management, or timber.

The Subject Property is located in the extraterritorial jurisdiction (ETJ) of the City of Pearland (the "City"). The City intends to exercise its right to annex certain land currently located in its ETJ within the next six months, and the Subject Property is located within the proposed annexation. Pursuant to Section 43.035 of the Texas Local Government Code, the City offers to you as the owner of the Subject Property the enclosed development agreement (the "Agreement").

Please carefully review the Agreement, as it is a legal contract to which you would be bound if you agree to it. As such, if you choose to accept it the Agreement would affect your legal rights. You may contact the City Planner, Frankie Legaux, with general questions about this process, but please consult your own attorney if you need legal advice or answers to specific legal questions. Ms. Legaux may be reached by phone at (281) 652-1740 or via email to flegaux@pearlandtx.gov.

If you would like the Subject Property to be covered by the Agreement, please have all owners sign the Agreement on the owner line(s) and print each name below the signature. After signing, the Agreement will need to be acknowledged before a notary public, after which you may return it to us using the enclosed envelope. You may also take it to City Hall after signing and acknowledge it before one of the City's notaries. The City requests that you make a decision regarding whether you will accept the Agreement within 33 calendar days from the date shown on this letter. If you do not

return the executed Agreement to the City by that deadline, we will consider your inaction as a rejection of the Agreement.

If you are NOT an owner of the Subject Property, or if the Subject Property is NOT appraised for agriculture, wildlife management, or timber use, please notify Ms. Legaux at your earliest convenience so that she can update our information to ensure that you are not erroneously affected by the City's proposed annexation.

Regards,

Frankie Legaux, AICP

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of Pearland, Texas (the “City”) and the undersigned property owner(s) (the “Owner”). The term “Owner” includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the “Property”) in Brazoria County, Texas, which is more particularly and separately described in the attached Exhibit “A”; and

WHEREAS, the City has begun the process to institute annexation proceedings on all or portions of Owner’s Property; and

WHEREAS, the Owner desires to have the Property remain in the City’s extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, in order to address the desires of the Owner and the procedures of the City; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Section 1. The City guarantees the continuation of the extraterritorial status of the Owner’s Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the provisions of this Agreement. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code.

Section 2. The Owner covenants and agrees not to use the Property for any use other than for agriculture, wildlife management, and/or timber land consistent with Chapter 23 of the Texas Tax Code, except for existing single-family residential use of the property, without the prior written consent of the City. The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Brazoria County or the City until the Property has been annexed into, and zoned by, the City. The Owner

covenants and agrees not to construct, or allow to be constructed, any buildings on the Property that would require a building permit if the Property were in the city limits, until the Property has been annexed into, and zoned by, the City. The Owner also covenants and agrees that the City's Suburban Development (SD) District zoning requirements apply to the Property, and that the Property shall be used only for Suburban Development (SD) District zoning uses, as described in the City's Unified Development Code, that exist on that Property at the time of the execution of this Agreement, unless otherwise provided in this Agreement. However, the Owner may construct an accessory structure to an existing single family dwelling in compliance with all applicable City ordinances and codes. The Owner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severably, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

Section 3. The Owner acknowledges that if any plat or related development document is filed in violation of this Agreement, or if the Owner commences development of the Property in violation of this Agreement, then in addition to the City's other remedies, such act will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents to such annexation as though a petition for such annexation had been tendered by the Owner. If annexation proceedings begin pursuant to this Section, the Owner acknowledges that this Agreement serves as an exception to Local Government Code Section 43.052, requiring a municipality to use certain statutory procedures under an annexation plan. Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

Section 4. Pursuant to Sections 43.035(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The City states and specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. The term of this Agreement (the "Term") is five (5) years from the date that the City Manager's signature to this Agreement is acknowledged by a public notary. The Owner, and all of the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation before the end of the Term, for annexation of the Property to be completed on or after the end of the Term. Prior to the end of the Term, the City may commence the voluntary annexation of the Property. In connection with annexation pursuant to this section, the Owners hereby waive any vested rights they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any plat or construction any of the owners may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

Section 6. Property annexed pursuant to this Agreement will initially be zoned AO – Agricultural Open pursuant to the City’s Code of Ordinances, pending determination of the property’s permanent zoning in accordance with the provisions of applicable law and the City’s Code of Ordinances.

Section 7. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City. Furthermore, the Owner and the Owner’s heirs, successor, and assigns shall give the City written notice within 14 days of any change in the agricultural exemption status of the Property. A copy of either notice required by this section shall be forwarded to the City at the following address:

City of Pearland
Attn: City Manager
3519 Liberty Drive
Pearland, Texas 77584

Section 8. This Agreement shall be binding upon the City and the Owner and their respective successors and assigns for the Term and run with the Property and be recorded in the real property records of Brazoria County, Texas.

Section 9. If a court of competent jurisdiction determines that any covenant of this Agreement is void or unenforceable, including the covenants regarding involuntary annexation, then the remainder of this Agreement shall remain in full force and effect. Section 10. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 11. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City’s ability to annex the properties covered herein pursuant to the terms of this Agreement.

Section 12. Venue for this Agreement shall be in Brazoria County, Texas.

Section 13. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

Section 14. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 3, 4, and 5 herein.

Entered into this ____ day of _____, 2015.

Owner

Printed Name: _____

Clay Pearson
City Manager, City of Pearland, Texas

THE STATE OF TEXAS §
 §
COUNTY OF §

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____,

2015, by Clay Pearson, City Manager, City of Pearland, Texas.

Notary Public, State of Texas

EXHIBIT 11

LOT 40
GEORGE C. SMITH SURVEY
ABSTRACT No. 548

SECTION 22
GEORGE C. SMITH SURVEY
ABSTRACT No. 548

LOT 25
SECTION 18
GEORGE C. SMITH SURVEY
ABSTRACT No. 547

KANAWHA-TEXAS COMPANY SUBDIVISION OF
PARTS OF SECTIONS 18 & 22
(VOL. 2, PG. 51 BCPR)

PROPOSED PLAT OF
MASSEY LAKES ESTATES

300 0 300 600 900 Feet

SCALE: 1" = 300 - 22"x34" SHEET
SCALE: 1" = 600 - 11"x17" SHEET

COLOR LEGEND

- HOUSE
- MOBILE
- BUSINESS
- VACANT

MUNICIPAL UTILITY DISTRICT No. 3

SEDGEFIELD SECTION 3
AT SILVERLAKE
(VOL. 20, PG. 345-346 BCPR)

BLOCK 1

NORTHERLY 850'

RESERVE E

RESERVE D

RESERVE C

RESERVE B

RESERVE A

RESERVE

EXHIBIT 12 - Thursday Packet

Memo



To: Clay Pearson, City Manager
 Matt Buchanan, Executive Director of Development Services

From: Lata Krishnarao, Director of Community Development

Date: August 4, 2015

Re: Bailey Road Annexation Update

Staff conducted an open house on July 23, 2015, at the Recreation Center, located at 4141 Bailey Road, Pearland. There were 66 citizens that signed in and over 70 were in attendance. Attendees included residents of the annexation areas along with a few other interested individuals, including the Houston Chronicle, and P&Z Chairperson Henry Fuentes. There were 14 tables set up with staff representatives from the following divisions: City Secretary, Planning, Inspection Services, Communications, Fire Marshal, Code Enforcement, Police, Municipal Courts, Parks & Recreation, Animal Control, Utility Billing, Projects, Engineering and Finance. Director of Community Development Lata Krishnarao presented a brief overview of the areas, process, and information regarding services and taxes. Each division had maps and other relevant information at their tables. Communication Manager Sparkle Anderson and her team took photos and Deputy City Manager Jon Branson and other staff assisted with questions. Citizens were directed to the city departments that would best address their questions.

During conversations with staff, it appeared that there were some residents in favor (regulation of uses) and some opposed (primarily taxes) to the annexation. Staff received one Public Comment Card, and three families signed up for One-on-One meetings. One email has been received to date inquiring about the annexation.

Staff has modified the schedule for future steps, as follows, to prevent conflicts with the hearings for 2016 budget adoption.

Staff Actions	
Open House	July 23, 2015
Individual Meetings with residents	July - August 2015
Council Action	
Council Workshop & Formal Directive to Prepare Service Plan	September 14, 2015
Public Hearings	
First Public Hearing	October 12, 2015
Second Public Hearing	October 19, 2015

Readings

First Reading of the Annexation Ordinance
Second Reading of the Annexation Ordinance

November 9, 2015
November 23, 2015

Based on the requirements of the Texas Local Government Code, and previous maps of the Pearland's municipal boundaries, the eastern part of Bailey Road annexation area has been eligible to be incorporated into the City limits since 1960, and the western part since 1997.

Six areas, including the subject areas along Baily Road, were identified in 2010 as being appropriate for annexation, as part of the 2010 Comprehensive Plan update. Annexation proceedings commenced at that time. However, at the second reading, the Council directed staff to postpone the proceedings to coincide with Bailey Avenue road widening project. The residents were notified of the 2010 proceedings and the postponement, as part of the proceedings at that time.

The modified schedule, the presentation at the open house, and other information has been posted on the web site.

Annexation is an important city tool

We have all heard quite a bit about annexation recently. It is an important topic on our City Council agenda, and a number of public meetings have been held for citizen input. From a policy perspective; it becomes clear that a city's ability to use annexation to protect its varied interests makes sense.

Examples include protecting economic resources, such as military bases, from encroachment; preserving ecologically sensitive land; ensuring that development is undertaken in a smart way; and protecting public health and safety.

Annexation guides development by controlling the quality of growth through the extension of zoning and providing certainty of what can be developed. In unincorporated areas, there is no zoning requirement, meaning you can build a factory that operates 24/7 next to a neighborhood.

We have seen large apartment complexes constructed behind densely developed neighborhoods, adding to traffic issues, school capacities and possibly affecting property values. Through annexation, the city would help prevent such problematic growth.

Cities use annexation to help plan more efficiently for population growth, including the need to serve areas with core city services and utilities. We no longer have to build infrastructure to attract growth. The fact is, the growth is coming and we need to have the tools to adequately prepare for it.

One only needs to look at Dallas, now, for all intents and purposes landlocked by a ring of suburbs, as an example of a city that would have benefited from continued annexation. By 2004, Dallas had to start building more density within its boundaries. Increased density often comes with its own problems, including gentrification issues and difficulty attracting large corporate campuses due to space limitations.

With a good annexation plan in San Antonio, we can adequately prepare, design and implement infrastructure projects. We can do this with SAWS, CPS Energy and major thoroughfares to avoid problems created by multijurisdictions. Without control in high-growth areas, we could see density that is undesirable and even more road congestion. Annexation helps mitigate uncontrolled growth by directing higher density developments to growth centers on major corridors and providing buffers to low-density neighborhoods through zoning.

Annexation also enhances a city's economic development. Business grows where predictable market conditions are known. Annexation of growth centers and growth corridors enhance a city's regional economic position in bringing new jobs and investment.

Annexation helps drive commercial and retail growth where it makes the most sense, and create sales tax revenue to help fund street repairs and other infrastructure.

Through annexation, cities recoup costs of services to residents of unincorporated areas as well as to those within the city limits. More important, it ensures all areas have access to essential services such as police and fire emergency response.

I understand why some folks are dead-set against being annexed. I just ask that you consider what could happen to your home and quality of life if unregulated developers could buy land next to you and build anything they desire.

We have seen individuals rise up to fight annexation, fearing higher taxes and changes in services. This is where limited-purpose annexation can be a helpful first step. When a city uses a limited-purpose annexation, it imposes some regulations but does not provide city services (police, fire, garbage) and does not collect city taxes. Limited-purpose annexation lasts up to three years; at the end of that time, the city can decide to annex for full purposes or not. The window allows the city and the area time to determine the best steps for the community.

Annexation is an important tool to help cities plan, grow and prosper. It allows cities to protect themselves from incompatible development, plan for growth and expand economic development opportunities. Annexation should remain an option for the benefit of the overall community.

City Councilman Mike Gallagher represents District 10.

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: October 19, 2015

ITEM NO.: Public Hearing

DATE SUBMITTED: September 30, 2015 DEPT. OF ORIGIN: Planning

PREPARED BY: Frankie Legaux

PRESENTOR: Frankie Legaux

REVIEWED BY: Lata Krishnarao

REVIEW DATE: October 6, 2015

SUBJECT: Public Hearing Annexation of Area 2 - The annexation of approximately two hundred and forty two (242) acres of land, generally located south of Bailey Road, east of Manvel Road, and west of Veterans Road.

EXHIBITS:

1. Vicinity Map
2. Feasibility Report
3. Service Plan
4. Annexation Frequently Asked Questions
5. Notification Letter to Property Owners
6. Notification List Property Owners
7. Metes and Bounds Description
8. Notice of Intent to Annex to Service Providers and Local, State and Federal Entities
9. Notification List
10. Agricultural Exemption Letter and Development Agreement
11. Current Land Uses
12. Thursday Packet – Annexation Update August
13. Article – Annexation is an important city tool

EXPENDITURE REQUIRED: N/A

AMOUNT BUDGETED: N/A

AMOUNT AVAILABLE: N/A

PROJECT NO.: N/A

ACCOUNT NO.: N/A

ADDITIONAL APPROPRIATION REQUIRED: N/A

ACCOUNT NO.: N/A

PROJECT NO.: N/A

To be completed by Department:

Finance

Legal

Ordinance

Resolution

EXECUTIVE SUMMARY

Tonight is the first of two public hearings for the consideration of Annexation of Area 2. This annexation area is located in Pearland Extraterritorial Jurisdiction (ETJ), generally located approximately two hundred and forty two (242) acres of land, generally located south of Bailey Road, east of Manvel Road, and west of Veterans Road. (Please see Exhibit 1.)

The City Council identified annexation as one of their goals in 2010 to accommodate future population and development growth. At a City Council meeting in July 2013, discussion was held about the significance of the areas along Bailey Road due to the Bailey Road expansion project. At that time the Council directed staff to process the annexation in conjunction with the Bailey Road project. The above mentioned area has been in the City's ETJ since 1960, and will eventually become a part of the City of Pearland.

The Bailey Road project was included in the 2013-2016 HGAC Transportation Improvement Program (TIP) and will receive 80% federal funding for the construction costs. As part of this project, 2.5 miles of Bailey Road will be improved, from a 2-lane undivided roadway with no shoulders and open ditches to a 4-lane divided curb and gutter roadway. As the property is currently in the city's ETJ, the city is not able to exercise the city's regulations on abutting properties. With this annexation, the City will benefit from being able to regulate land use and development in areas directly abutting the new major thoroughfare. The proposal was to start the annexation process after completion of the plans and environmental documentation process.

The environmental documentation was completed and the Planning Department initiated an extensive outreach program. First, an open house meeting was held on July 23, 2015 at the Pearland Recreation Center. Postcards were sent out to all property owners notifying them of the open house; signs were posted at various intersections of the annexation area; and notice was posted on the city website. One-on-One Meetings with property owners was held in August and early September. Property owners in Area 2 were sent letters notifying them of the dates of the two public hearings and the two readings of the ordinance. (Please see Exhibits 5 and 6.) Legal advertisements appeared in the September 24, October 1 and 8, 2015 editions of the Pearland Journal. The meeting information has been on the city website since August, 2015. The website also includes frequently asked questions, a copy of which has been included as Exhibit 4.

In accordance with Section 43.035 of the Local Government Code property owners with agricultural exemptions were sent certified letters offering development agreements. The development agreement guarantees the continuation of extraterritorial status of the area for five (5) years and authorizes the enforcement of all regulation and planning authority of the municipality that does not interfere with the use of the area for agriculture. (Please see Exhibit 10.)

The Notification of Intent to Annex, as required by Chapter 43 of the Local Government Code, has been sent to all local, State and Federal Government entities. Notification of Intent to Annex has been sent to all service providers. (Please see Exhibits 8 and 9.)

Staff has discussed the benefits of annexation and recommends that the annexation be considered for the following reasons:

- Provide an opportunity to direct future growth and guide development along Bailey Road.
- Prevent additional encroachment and creation of non-conformities.
- Provisions of services in the area will have minimal additional burden on the City. Some departments are providing services to the area already. Other departments have indicated that they will be able to service the area with current resources.
- Provide an opportunity to zone the area. Appropriate zoning measures will allow current uses to exist, expand, and not be non-conforming.
- The residences will begin to receive city services from the time they are annexed. The property values will be assessed in January 2016 and annexed home/business owners will not receive a tax bill from the city until October 2016.

The City of Pearland has the ability to annex areas in the City's ETJ, as is the plan for all ETJ land. Annexing the area now, as opposed to annexing in the future, will ensure that future growth is guided by city's regulations and conforms to the long range plans for the area. This would eventually result in a fewer number of nonconformities that would have to be addressed in the future. The city will be in a better position to provide safeguards against unplanned and unregulated growth for the current and future residents.

Service Plan: A Service Plan for Annexation Area 2 is attached to this report. As indicated by the Service Plan, the City will be able to service the possible annexation area with existing resources. The City is already providing fire-fighting and EMS. However, Fire Marshal services would increase with annexation and Fire Inspection services will also be available in the area after annexation. The City would provide police services after annexation. Please see the Feasibility Report and Service Plan attached as Exhibits 2 and 3.

Zoning: If the area is annexed, the area will initially be zoned Suburban Development (SD). The SD district is a default district for newly annexed land that has not been zoned for a particular intended use. The next step would be to start the zoning process, as indicated in the Annexation Plan. Regardless of the zoning alternative chosen, the service plan will not change. (Please see Exhibit 11, Current Land Use.)

Additional comments generated after the open house: As with many municipal decisions, especially annexation, there are mixed interests among citizens, business owners, community leaders and others. We have heard several concerns about how the City's ordinances will affect individual homes and commercial properties but we have also heard that citizens were glad to see future development regulated to protect their investments. Several were concerned about how their agricultural exemption status may be affected.

Summary One on One Meeting with residents: Staff met with nine residents regarding the Annexation of Area 2. In these meetings, residents reiterated that they are against the Annexation of Area 2. In their opinions, the services offered by the Volunteer Fire Department and Brazoria County Sheriff are satisfactory. Some mentioned that their properties currently have water well and a septic system that is more than adequate for their needs. They also voiced several concerns regarding the expansion of existing businesses and agricultural exemptions. A common comment during these meeting was the fact that they located in these areas specifically because they were in the County and do not want to become part of the City.

Staff Recommendation: Staff recommends approval of the Annexation of Area 2 for the following reasons:

- 1) Ensure future development is in conformance with the 2015 Comprehensive Plan: Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with the Future Land Use Plan and Thoroughfare Plan, in a manner that is beneficial to everyone. If the land is not annexed, unregulated piecemeal development will continue to occur along future improved constructed Bailey Road corridor. The annexation will assist the City in developing this area along a major thoroughfare, which the city is in the process of expanding and improving, to encourage new investment in the area and allow for reinvestment that will meet city codes.
- 2) Ensure future development is in compliance with character of the area and adjoining uses: The above mentioned area has been in the City's ETJ since 1960, and will eventually become a part of the City of Pearland. By annexing this property now, the City is able to limit the amount of non-conforming issues that will occur if this property remains outside of the city limits. Currently there are no safeguards to buffer incompatible uses (single-family residential and manufacturing). The existing situation of incompatible uses located in close proximity to each other will be exacerbated by unplanned growth.
- 3) Service Provision: Development of appropriate infrastructure and services for expansion and growth of both residential and non-residential uses would be uncertain if the land is not annexed. Annexation will provide the ability to plan for adequate infrastructure and services.

- 4) Economic Development: Annexation will promote predictability and encourage investment and development in that area. Annexation will ensure that new investment will not be curtailed and impeded due to uncertainties of the surrounding area.
- 5) Ensure that future development is in compliance with the City regulations: Annexing the area now, as opposed to annexing in the future, will ensure that future growth is guided by the city's regulations and the conforms to the Unified Development Code. This unplanned and unregulated growth will have a negative effect on the development of surrounding land that is currently under the City's jurisdiction.

Recommended Action

Proceed with annexation of Area 2.

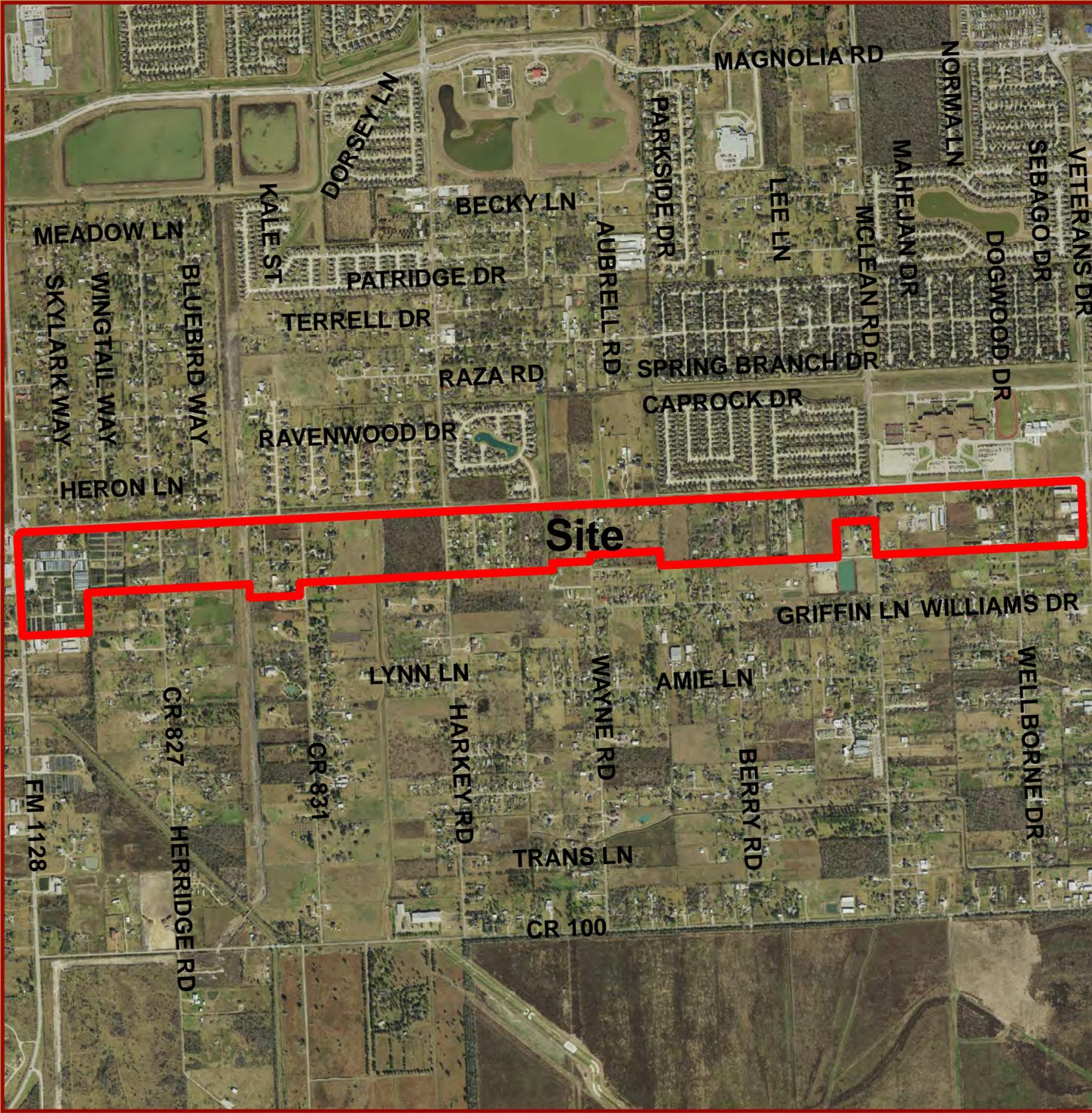


EXHIBIT 1

**AERIAL (VICINITY)
MAP**

Annexation Area 2

**Manvel Rd. to
Veterans Rd.
South of Bailey Rd.**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 1,770 feet

OCTOBER 2015
PLANNING DEPARTMENT



FEASIBILITY REPORT

CITY INITIATED ANNEXATION –

Bailey Road Annexation Area 2- Approximately two hundred and forty two (242) acres of land, generally located south of Bailey Road, east of Manvel Road, and west of Veterans Road.

LOCATION:

The subject land is generally located in the south central part of the City. The subject land is bounded by Bailey Road on the north, privately owned land within the ETJ on the south, Manvel Road on the west and Veterans Drive on the east. The subject land is in City of Pearland's ETJ in Brazoria County.

Refer to Attachment 1 for property location and boundaries.

DEMOGRAPHICS:

The area under consideration has a mix of single-family and mobile home residential along with commercial uses. A survey conducted by staff in June of 2015, indicated that eighty-three (83) single-family residences exist in the subject area.

CURRENT USE OF LAND:

The subject area has single-family residential uses, commercial uses, agricultural land, and vacant and undeveloped tracts.

The subject area has 139 parcels totaling 242 acres in area. Total acreage of parcels being used for single family residential is approximately 158 acres with 32 acres used for commercial use and total acreage of undeveloped land being approximately 51 acres.

Refer to Exhibit 11 for current land uses.

SURROUNDING LAND:

Surrounding land immediately to the south is similar in character to the subject land and consists of predominantly single-family residential and undeveloped land with some commercial uses.

To the north of the subject land is Bailey Road. North of Bailey Road there are a number of single family residential developments along with areas of large lot single family homesteads, all within the city limits.

Surrounding land immediately to the west and east of the subject land consists of predominantly large lot single-family residential and vacant land.

ACCESSIBILITY:

The subject land has access by the following major roadways:

1. Bailey Road, which runs along the northern boundary of the annexation area.
2. Veterans Drive that runs north south along the eastern edge of the annexation area.
3. Manvel Road that runs north and south along the western edge of the annexation area.
4. McLean Road that runs north and south west of Veterans Drive.

DEVELOPMENT STATUS: (Percentage of land developed)

As mentioned earlier the subject land has a mix of Commercial, single-family residential, and undeveloped land.

Number of developed parcels	= 116
Area of developed parcels	= 182 Acres
Number of undeveloped parcels	= 23
Area of undeveloped parcels	= 51 Acres
Total number of parcels	= 139
Total area	= 242 Acres
Area of undeveloped land area)	= 51 Acres (21 % of total land area)

VALUATION:

Brazoria County Assessor records indicate that the subject land consists of 136 parcels. The total acreage of land within these parcels is 242 acres. Total market value of all the properties amounts to **\$14,791,640.00.**

LOCATION WITHIN MUD:

The subject land is not located within any MUD.

COMPREHENSIVE PLAN RECOMMENDATIONS:

The 1999 Comprehensive Plan, updated in 2004 and 2010, designates Area 2 as Low Density Residential, with 3 minor commercial nodes along Bailey Road at the intersections with Veterans Drive, Harkey Road, and Manvel Road. Lots of 8,800 square feet or larger in size are considered appropriate in Low Density Residential Areas. These recommendations are carried over in the proposed 2015 Comprehensive Plan. The 2015 Plan also identifies this area as being appropriate for short term annexation (1-5 years) based on value added relative to cost to serve the area; service provision; growth and economic development potential; and statutory and strategic considerations.

THOROUGHFARE PLAN RECOMMENDATIONS:

The Thoroughfare Plan in the 1999 Comprehensive Plan designated Bailey Road and Manvel Road as Major Thoroughfares to be developed with a 120 foot right of way. Harkey Road and Veterans Drive are designated as Secondary Thoroughfares to be developed with a 100 foot right of way. McLean Road, which runs north and south through the annexation area, is designated as a Major Collector to be developed with an 80 foot right of way.

POSSIBLE USES OF LAND IF IT IS NOT ANNEXED AND DEGREE OF CONFORMANCE TO THE COMPREHENSIVE PLAN OF THOSE LAND USES:

It is staff's opinion, that if the land is not annexed it will continue to grow in an unplanned manner. Currently there are no safeguards to buffer incompatible uses (single-family residential and manufacturing). The existing situation of incompatible uses located in close proximity to each other will be exacerbated by unplanned growth. Development of appropriate infrastructure and services for expansion and growth of both residential and non-residential uses would be uncertain if the land is not annexed.

This unplanned growth will have a negative effect on the development of surrounding land that is currently under the City's jurisdiction. New investment and development of land, adjacent to the subject land will be curtailed and impeded due to uncertainties of surrounding development.

City's efforts at Planning for the area as discussed earlier as per the Comprehensive Plan and Thoroughfare Plan will be negatively affected as the existing land uses, streets and general development pattern in the subject land are not in conformance with the recommendations in the City's Comprehensive Plan and Unified Development Code and the Unified Development Code.

IMPACT OF ANNEXATION – LONG TERM AND SHORT TERM:

In the long term this annexation of the subject land will enable City of Pearland to plan for this area in accordance with the Comprehensive Plan and encourage diverse economically beneficial uses. The annexation will assist the City is developing this area along a major thoroughfare of which the city is in the process of expanding and improving greatly.

In the short term the annexation will encourage new investment in the area and allow for reinvestment that meet city zoning codes.

If the land is not annexed, unregulated piecemeal development will continue to occur along Bailey Road.

RECOMMENDATIONS:

It is staff's recommendation that the City should pursue annexation and prepare a service plan for the subject area.

EXHIBIT 3

CITY OF PEARLAND, TEXAS

SERVICE PLAN FOR AREA 2 – Two hundred and forty two (242) acres of land, generally located South of Bailey Road, East of Manvel Road, and West of Veterans Road, in Pearland, Brazoria County, Texas.

I. INTRODUCTION

This Service Plan (“Plan”) is made by the City of Pearland, Texas (“City”) pursuant to Chapter 43 of the Local Government Code (“the Act”). This Plan relates to the annexation by the City, by petition of the owner, of land located adjacent to the city limits and encompassing approximately 242 acres in Brazoria County, Texas. The Tract is described by metes and bounds in “Exhibit 7”, and by map in “Exhibit 11” which are attached to this Plan and to the annexation ordinance of which this Plan is a part.

II. TERM: EFFECTIVE DATE

This Plan will be in effect for a term of ten years commencing on the effective date of the annexation of the Tract. Renewal of this Plan will be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

III. SERVICE PROGRAMS

- A. In General. This Plan includes two service programs: (I) the Early Action Program, described below, and (II) a Capital Improvement Program according to the Texas Local Government Code, Chapter 43, described below.
- B. Scope and Quality of Services. This Plan will provide a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance currently provided and available in other parts of the municipality with topography, land use, and population density similar to the Tract. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City (including the Tract) where differing characteristics of topography, land utilization and population density are considered as sufficient basis for providing differing service levels.
- C. Definitions.
 - 1. As used in this Plan, “providing services” includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services, in whole or part.
 - 2. As used in this Plan, the phrase “Standard Policies and Procedures” means those policies and procedures of the City applicable to a particular service which are in effect either at the time that the service is requested or at the time that the service is made available or provided. The policies and procedures may require that a specific

type of request be made, such as an application or a petition. They may require that fees or charges be paid, and they may include eligibility requirements and similar provisions.

D. Early Action Program

1. Statutory Services. The statutory services will be provided within the Tract within the period that meets or exceeds that required by State law. The following services will be provided in accordance with Standard Policies and Procedures immediately upon the effective date of the annexation:
 - a. Police Protection: The Police Department of the City will provide protection and law enforcement in the Tract. These activities will include normal patrols and responses, the handling of complaints and incident reports, and, as appropriate, support by special units of the Department.
 - b. Fire Protection: The Pearland Fire Department (PFD) of the City of Pearland will continue to serve the area.
 - c. Emergency Medical Service: Currently, the tract is service by the Pearland Emergency Medical Service (EMS) under an agreement with the county. Pearland Emergency Medical Service (EMS) will continue to provide emergency medical service to the Tract.
 - d. Solid Waste and Recycle Collection: Service will be provided to eligible property by private contractor, under contract with the City. To be eligible for City solid waste and recycled collection service, property must have frontage on a public street or other approved location and place solid waste in containers approved for the specific type of occupancy. Any person currently being serviced by a privately owned solid waste or recycling management service provider may continue to use that service for two years after the effective date of the annexation. Those who receive services from city's solid waste and recycling collection contractor will be billed for the service, in accordance with the contract between the city and the solid waste contractor.
 - e. Operation and Maintenance of Water and Wastewater Facilities: Existing public water and wastewater facilities, if any, will be operated and maintained by the City or by private contractor under contract to the City.
 - f. Operation and Maintenance of Road and Streets (including lighting): Existing public roads and streets (including county roads), and lighting and traffic control devices, if any, will be operated and maintained by the City, subject to the jurisdiction of other governmental entities. State highways and farm-to-market roads remain the primary responsibility of the Texas Department of Transportation, for instance. Existing roadside drainage ditches not maintained under the jurisdiction of another entity (such as Texas Department of Transportation) will be operated and maintained by the City.
 - g. Operation and Maintenance of Parks, Playgrounds and Swimming Pools: Existing public parks, playgrounds, and swimming pools, if any, will be operated and maintained by the City. Facilities owned and operated by

homeowner's associations (HOAs) will continue to be owned and operated by the respective HOAs.

- h. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service: Existing publicly owned or operated facilities, buildings, or services, if any, will be operated and maintained by the City or by private contractor under contract to the City.
2. Additional Services. Certain services, in addition to the statutory services, will be provided in accordance with Standard Policies and Procedures within the Tract to the same extent they are provided to similar territories elsewhere in the City. These are as follows:
- a. Library Service will be provided from existing facilities and future facilities outside the Tract. Residents of the Tract will be eligible for borrowing privileges at City/County libraries on the same basis as current residents.
 - b. Health services will be provided by the City Health Department to area residents and businesses. Health services include City inspection of restaurants and groceries and Animal Control.
 - c. Code Enforcement personnel will enforce the City's housing code and ordinances against junk motor vehicles, high weeds, unsafe buildings, and illegal dumping of refuse.
 - d. Other City Services, to the extent applicable to persons or properties within the Tract, in accordance with standard policies and procedures will be provided.

E. Capital Improvement Program

As necessary, the City will initiate the construction of certain capital improvements necessary for providing municipal services for the Tract. Those improvements, which are necessary, are indicated below. Access to the improvements will be in accordance with Standard Policies and Procedures. The improvements shall be completed as soon as reasonably possible and shall be substantially completed within the time period indicated below.

- 1. Police Protection: Additional capital improvements are not necessary at this time to provide police protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
- 2. Fire Protection: Additional capital improvements are not necessary at this time to provide fire protection. The Tract will be included with other territory in connection with planning for new, revised, or expanded public safety facilities.
- 3. Emergency Medical Service: Additional capital improvements are not necessary at this time to provide emergency medical service. The Tract will be included

with other territory in connection with planning for new, revised, or expanded public safety facilities.

4. **Solid Waste Collection:** No capital improvements are necessary at this time to provide solid waste collection services within the Tract. The Tract will be included with other territory in connection with planning for new revised or expanded solid waste facilities.
5. **Water and Wastewater Facilities:** Additional capital improvements are not necessary at this time to service the tract. The cost of future connections to available water and sewer lines will be the responsibility of the Tract owners, as it is within the existing City utility system following standard policies and procedures. Impact fees also will be assessed at the time of future connections to the City's utility system or upon issuance of building permits for lots developed within the Tract.

The City will make wastewater treatment capacity in existing or future wastewater treatment plants built and operated by the City available for the Tract. Construction of facilities to collect and transmit wastewater to treatment plants will occur as development occurs in and around the tract. Facilities will be constructed by either the city or private developer.

The city will make potable water capacity available from existing or future sources built and operated by the City available to the Tract. The City currently operates its own ground water wells and purchases wholesale surface water via contract from third parties. Construction of facilities to collect and transmit water to the tract will occur as development occurs in and around the tract. Facilities will be constructed by either the city or private developer.

6. **Roads and Streets (including lighting):** Additional roads, streets, or related facilities are not necessary at this time to serve the tract. Future extensions or widening of roads or streets and future installation of related facilities, such as traffic control devices or street lights will be undertaken in accordance with Standard Policies and Procedures. The Tract will be included with other territory in connection with planning for new, revised, widened, or enlarged roads, streets, or related facilities.
7. **Parks, Playgrounds, and Swimming Pools:** Additional capital improvements are not necessary at this time to provide such services to the Tract. The Tract will be included with other territory in connection with planning for such facilities.
8. **Other Publicly-Owned Facilities, Building or Services:** All other City functions and services, and the additional services described above, can be provided for the Tract by using existing capital improvements. Additional capital improvements are not necessary to provide City services, but the Tract will be included with other territory in connection with planning for new, revised, or expanded facilities, buildings, or services.

II. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Act or other controlling law. Neither changes in the methods nor means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City will constitute amendments to this Plan and the City reserves the right to make such changes. This Plan is subject to and will be interpreted when in accordance with the Act, the Constitution and laws of the federal governments of the United States of America and the State of Texas, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

III. FORCE MAJEURE

Should a force majeure interrupt the service described herein, the City will resume services under this Plan within a reasonable time after the cessation of the force majeure. "Force Majeure," for the purpose of this Plan will include, but not be limited to, acts of God, acts of the public enemy, ware blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fire, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City.

IV. ENTIRE PLAN

This document contains the entire and integrated Service Plan relating to the Tract, and supersedes all other negotiations, representations, plans and agreements, whether written or oral.

EXHIBIT 4

3519 Liberty Drive
Pearland, Texas 77581
Tel: 281.652.1768
pearlandtx.gov

**Possible Bailey Road Annexation
Areas 1 & 2****Frequently Asked Questions****1. Why is the City considering annexing my property?**

Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with city and state codes in a manner that is beneficial to everyone. Annexation of the area by the City will also ensure that development occurs in a safe and orderly manner. The City is undertaking a major road and associated utility improvement of Bailey Road beginning summer 2015 (see question 23).

2. How will annexation affect my property values? Will my property value go down?

Property values, for tax purposes, are determined by the Brazoria County Appraisal District (BCAD). BCAD indicated to staff that annexation itself does not typically have an impact on property values. If the city were to make infrastructure improvements in the future, such as the Bailey Road improvement project, those improvements may increase property values. In most cases, annexation and subsequent zoning helps to stabilize and enhance property values. Please call the Brazoria County Appraisal District at 281.756-1388 with questions regarding to the valuation of your property.

3. What would be the benefits to being annexed?**Benefits to the residents:**

The benefits of being annexed include services such as police protection, solid waste collection, operation and maintenance of drainage facilities, operation and maintenance of streets (including lighting), operation and maintenance of parks, playgrounds and swimming pools, health services, animal and code enforcement services. Fire department services, including ambulance, area already provided to the City's ETJ area in anticipation of annexation. Additionally, certain facilities and programs have a lesser fee for residents as compared to non-residents. For example, annual family membership to the Recreation/Natatorium facility is \$400 for residents and \$600 for non-residents.

Zoning of properties, subsequent to annexation, has several advantages such as orderly growth, and adjacency predictability. Zoning regulations address a number of issues that safeguard the quality of life for residents. For example, one of the issues addressed is buffer requirements between commercial and residential uses that assist in mitigating the undesirable impacts of adjacent non-compatible uses. Zoning also helps in maximizing development potential in a manner that is beneficial to all. Please see question 13 for more information about zoning.

Also, being annexed into the city will provide you with a say in how things are done, by voting in city elections and serving on city boards and commissions.

Benefits to existing taxpayers:

Annexation will benefit current residents by helping to keep the cost of services provided low, due to the expanded tax base with new property incorporated. Further, current Pearland residents will no longer be subsidizing services in this area, as the new residents will be paying their share for services and amenities (such as Fire and Emergency Medical Services) that are already available to them by inter-local agreements or otherwise.

Benefits to the City:

Through annexation, the City will be better able to manage the anticipated growth in the area and ensure future development happens in accordance with city and state codes in a manner that is beneficial to everyone. Annexation of the area by the City will also ensure that development occurs in a safe and orderly manner. Some examples of regulations that will be possible due to annexation and beneficial to residents include restriction on curb cuts, zoning requirements, traffic regulations, signals at critical intersections, animal control, and code enforcement.

4. If annexed, how much property tax will I have to pay? How is the property tax calculated?

Contact the Brazoria County Appraisal District 281.756.1388 in order to determine the rate and exemptions for your specific property. The city tax rate (currently 71.21 cents per \$100 valuation) will be applied to that value. The City of Pearland has a variety of exemptions including Homestead, Over 65 Homestead, Disabled Persons and Disabled Veterans. In addition, persons with Over 65 Homestead exemption or Disabled Persons have the city taxes frozen at the amount of their first year's obligation. Typically, properties annexed into the city would need to pay city taxes in addition to other taxes. However, the property values will be assessed in January 2016 and annexed home/business owners will not receive a tax bill from the city until **October 2016**. The following chart shows some of the exemptions available.

Based on Appraised Value of \$100,000	
	City Tax (Yearly)
Appraised Value	\$712.10
With Homestead Only	\$676.50
With Over 65*	\$391.66
With Disabled Persons*	\$391.66
With Disabled Veteran (Min.)*	\$640.89
With Disabled Veteran (Max.)**	\$591.04
*Including Homestead	
**Max. of \$12,000	

City of Pearland's Exemptions	
Exemption	Exemption Amount
Homestead	2.5% of Appraised Value (min. \$5,000)
Over 65 Homestead*	\$40,000
Disabled Persons*	\$40,000
Disabled Veterans	\$5,000 to \$12,000
*Persons may not receive both a Disability and Over 65 exemption	
*Persons can receive both a Homestead and an Over 65 or Disabled exemption	
** Based on disability rating from the VA; 100% exemption of appraised value if 100% disabled	
Sources: Brazoria County Tax Appraisal District, City of Pearland	

5. How are the City of Pearland tax dollars utilized?

Of the 71.21 cents for each \$100 valuation of the property, 49 cents is utilized to pay debt service for capital improvements such as streets, drainage, public facilities, and parks. The other 22.21 cents is utilized for recurring costs to make available public safety services, community services (code enforcement, animal services, etc.) and to provide operation and maintenance of streets, drainage, and parks.

Debt Service Tax Rate for Appraised Value of \$100,000

Infrastructure, Streets & Drainage	\$367.50
Facilities & Parks	\$122.50
Total	\$490.00

Operation & Maintenance Tax Rate for Mean Appraised Value \$ 100,000

General Government	\$39.97
Public Safety	\$144.36
Public Works & Engineering	\$13.34
Parks & Recreation	\$24.43
Total	\$220.10

Note: These numbers are based on the City's 2015 Fiscal Year's budget

6. If annexed, will my address change?

No. The annexation process will not change any addresses.

7. If my property is annexed, when is the annexation effective?

If Pearland City Council proceeds with the current schedule and ultimately approves the annexation, the annexation would be effective 10 days following the signing of the ordinance on October 26, 2015. Prior to that, there will be two public hearings on September 14, 2015 and September 28, 2015.

8. If annexed, can I continue to have my home or business?

Yes. You can continue to have your home or business after annexation. If the use is in conformance with the zoning applied to the property, you may continue the current use of the property and expand in the future. If the single family residential use or structure and/or commercial use or structure does not conform to the zoning requirements, then the use may be continued in its current state, as a non-conforming use, unless abandoned for more than six months, or if the structure is destroyed by fire or storm.

Approval of a Conditional Use Permit (CUP) or a Special Exception (SE) will permit expansion of a non-conforming use, resumption of a use that is discontinued for more than 6 months, or rebuilding of a structure that is destroyed to an extent of more than 5 percent of its value. Similar processes are in place to address non-conformities related to the building code through the Building Official.

9. I bought this property with the intention of building a commercial use or house; will I still be able to do that if annexed?

You may be able to proceed with your plans under one of the following circumstances:

- a. If the building or use is in conformance with the zoning applied to the property after annexation, then you may be able to build with a valid building permit.
- b. If the use or building is not in conformance with zoning, then you may be able to use the property as intended by you, provided that an appropriate permit for the intended use has been obtained prior to annexation and is valid at the time of construction.
- c. If a permit has not been issued, and the property is not in conformance with zoning, approval of Conditional Use Permit (CUP), zone change, or a Special Exception (SE) may permit the use of the property as intended.

10. I bought this property and got a building permit from the county. Can I still move forward with my project if annexed?

Yes. If you have obtained a building permit from the county and you start construction prior to the expiration of the permit, you may proceed with your project as long as the permit is still valid.

11. If annexed, will all existing commercial and industrial businesses be asked to stop operating or to be torn down?

No. The uses will be able to continue to exist as they are upon annexation into the City of Pearland.

There may be the following possibilities:

- a. If the uses are permitted by the zoning applied to the property, the uses can expand and grow.
- b. If the uses are not in conformance with zoning, and are current and operating at the time of annexation, the uses can continue in their current state, unless discontinued for six months, or the building in which they operate is destroyed by fire or storm.
- c. Approval of a Conditional Use Permit (CUP) or a Special Exception (SE) will permit expansion of a non-conforming use, resumption of a use that is discontinued for more than 6 months, and rebuilding of a structure that is destroyed to an extent of more than 50 percent of its value.

Similar processes are in place to address non-conformities related to the building code through the Building Official.

12. If annexed, can I expand my industrial activity?

You may be able to expand your industrial activity, if it meets the requirements of the zoning category which is assigned to the property. If the existing activity is not in conformance, then a Conditional Use Permit (CUP) or a Special Exception (SE) may be requested, which will allow you to expand the activity in the future.

13. What will my property be zoned if annexed?

Zoning and annexation are two separate processes. The City of Pearland will meet with the property owners and gather input from the Pearland City Council and the Pearland Planning and Zoning Commission to determine the best way to zone the subject properties during the annexation process. However, the zoning process will not commence until after the annexation is completed.

The city will attempt to create a zoning scheme that will allow existing uses to continue (if desired by the residents), minimize non-conformities, but will allow the area to ultimately

transition to the uses recommended in the future Land Use Plan, that serves as a guide for future development and growth of the City.

If you have any zoning questions, please contact the Planning Division at 281.652.1768.

14. When will I get City water and sewer?

Water and sewer installation dates will be determined according to the current Capital Improvement Project (CIP) Schedule for each individual area. The current 5-year CIP shows 18" water lines being constructed along Veterans Drive and FM1128, south of Bailey Road. If future development creates a need, then, the services may be extended at that time. Please view the most current schedule on the CIP web-page. For further information please call Public Works at 281.652.1900. The City water and sewer are fee based services provided to the users of the water/sewer system. The Water and sewer system is **not** funded through property taxes.

15. Will I have to pay water and sewer impact fees if annexed?

Impact fees are due only when the property is connected to the city's water and sewer systems. Any new users need to pay these impact fees.

16. Will I have to abandon my water well and septic system upon annexation?

No. As long as you continue to use your current septic system and well, with no changes, you do not need to abandon these. If the system fails or if you plan an expansion that the current system cannot handle, then, you may be required to connect to the city's system if available.

17. I already have EMS, and Fire services. How will annexation enhance these services?

The services provided by the Fire Department will continue. Additionally, the Fire Marshal's office will provide the following services after annexation:

- Enforcement of city ordinance as applied to fire code, enforcement of 2012 Life Safety Code and 2012 International Fire Code as applied to new and existing business occupancies.
- Review of plans when submitted for new construction, tenant occupancies and installation of fire protection systems.
- Fire inspections of new construction, tenant occupancies and new fire protection systems.
- Routine fire inspections of all existing business occupancies including foster care homes.
- Perform fire inspections of residential homes, if requested by the owner.

- Investigations of all fires to determine origin and cause.
- Respond to all fire hazard complaints including enforcement of illegal burning and illegal fireworks.
- Respond to and enforce environmental crimes.
- Abatement of unsafe, dangerous, and dilapidated structures.
- Provide public awareness and education of fire prevention and emergency management.

18. Will annexation enhance the services provided by the Police Department to this area?

Yes. The response times to calls for police service should generally improve, especially in the highest priority calls where a life is in danger. The Pearland Police Department assigns its officers in small geographical districts where there are normally two or three officers assigned to each of these areas at any given time. The response time for an emergency call where life is in danger is well below the national average.

Annexation will also improve the safety of your neighborhood. Officers assigned to districts take responsibility for their areas and perform preventative patrols within their neighborhoods during their discretionary time. The Pearland Police Department also has a traffic unit that provides routine neighborhood traffic enforcement and responds to specific reported problems in the neighborhoods as well. Having a dedicated community services division of the Police Department will help you make your home more secure. Officers from the Community Services Division are trained to conduct home security surveys. These surveys, done at the request of the residents, identify security issues in and around the home and offer homeowner's tips to make their homes less vulnerable to crime. Homeowners that successfully pass these surveys are eligible to receive a discount from participating insurance providers. This service is available at no cost to homeowners.

After your home is secure, the Community Services Division can help to make your neighborhood safer. Officers from the Community Services Division can help communities set up Neighborhood Watches. Through citizen involvement, communities can successfully deter criminals from targeting their areas. The only expense related to starting a Neighborhood Watch is the cost of graffiti-resistant signs.

19. What other services are provided by Pearland Police Department's Criminal Investigations Division?

The Crime Victim's Services Unit also assists in coordinating services and benefits through the State Attorney General's Office. In addition, Victim Services provides resources for victims of Sexual Assault and other offenses. The benefits include court advocacy services.

The Pearland Police Department's Criminal Investigations Division also coordinates the registration of Sex Offenders within the City. The services include quarterly audits of every sex offender within the city to insure compliance with the registration requirement. CID also determines whether or not an offender is compliant with the City Ordinance restricting the locations where an offender may reside

20. If my property is annexed, how will it affect my garbage collection?

For the first two years after annexation, you will be able to use your current trash collection service. During this time, the city may not prohibit collection by a private trash collection company and cannot impose any fee for solid waste management services if there is a private trash collection contract. You can sign up for city's garbage collection service if there is no private contract for trash pickup or if you wish to switch service.

In order to receive collection services, an application must be made with the City to establish an account. City collection services are as follows: garbage is collected twice a week, and curbside cart recycling, green waste, and heavy pickup are once a week. The City's contractor also provides for curbside Household Hazardous Waste Collection, by appointment, free of charge. Residents will be billed for the services on a monthly basis in accordance with the current fees. Currently the monthly garbage fee is \$17.48 per month. Please contact Water Billing & Collections Department at 281.652.1603 or go online to make application under 'Utility Billing' at cityofpearland.com

The account requires a \$50 deposit and a \$30 new account fee, however if you make application for service within the next 6 months these fees will be waived.

21. I have animals on my property. How will annexation affect the keeping of animals?

The city ordinance allows you to have up to three dogs and/or cats. If you register all of your pets with the city prior to the effective annexation date, you are allowed to keep those animals, even if you have more than three dogs and/or cats. As the pet lives out its normal life span they cannot be replaced, if you have more than three at the time of annexation. If your pets are not registered by the effective annexation date, the city ordinance would still allow three pets.

Similarly, you can keep the livestock that you have until it passes. If you have more livestock than that permitted by the city, and the additional livestock is removed for more than 30 days, then only the number of animals permitted by the ordinance would be allowed. The City ordinance allows for one horse per half acre and cattle is limited to one per one acre of land. Goats require a permit. Poultry would be permitted with certain restrictions. Guineas, peafowl, and swine are not permitted within the city limits.

You would have to provide information on all animals on the property and maintain them according to city's ordinances and state law. The city will also enforce our leash law on all animals, similar to the county ordinance. Typically, the city will work with you and give newly annexed areas a minimum of thirty days to come in compliance, or longer if needed, if your animals are registered. Similar to county and state requirements, city will require that animals are vaccinated for rabies.

22. If I choose to repair/replace mechanical, electrical or plumbing systems or remodel/add to my existing buildings, will building permits be required if annexed by the City?

Yes. To ensure the health and safety of the City of Pearland's building occupants, the City Council has adopted the 2012 International Building Code family of codes to regulate repair/replacement, remodeling and new construction activity within the city's corporate limits. This is done through the use of building permits.

Please discuss your specific interest with an Inspection Services Division representative for detailed information.

23. When will Bailey Road be constructed? What will be the width of the road, and will there be sidewalks? Will sound walls be included as part of this project?

Construction will begin in fall of 2015 and is expected to last for 24 months. Bailey Road will be a major thoroughfare with a minimum 120' right of way, with 4 lane concrete curb and gutter boulevard section with raised medians and left turn lanes. There will be a 10-foot mixed use path on the north side of the project. Three sound walls will be installed along Lawrence Place and Park Village Estates subdivisions.



EXHIBIT 5 Notice of Intent

September 11, 2015

Re: **NOTICE OF ANNEXATION – AREA 2 BAILEY ROAD**

Dear Property Owner:

The City Council of the City of Pearland is considering the City-initiated annexation of your property into its corporate limits. The area being considered for annexation is located in Pearland's Extraterritorial Jurisdiction (ETJ), and is generally located south of Bailey Road, east of Manvel Road, and west of Veterans Road. See the attached map.

On July 23, 2015, staff gathered input from property owners at the open house regarding the proposed annexation at the City of Pearland Recreation Center and Natatorium. The City Council will conduct two public hearings, in which there will be an opportunity to express your opinion regarding the proposed annexation. After the two public hearings, the Council will conduct two additional meetings known as Readings of the Annexation Ordinance, during which a decision regarding the proposed annexation will be made. The anticipated effective date of the annexation is December 3, 2015.

Please see the below schedule of upcoming meetings regarding the proposed annexation. You may also visit the Planning Department's website for additional information regarding the proposed annexation at www.pearlandtx.gov.

First Public Hearing:	October 12, 2015
Second Public Hearing:	October 19, 2015
First Reading of the Annexation Ordinance:	November 9, 2015
Second Reading of the Annexation Ordinance:	November 23, 2015

Each of the above meetings will begin at 6:30 PM, and will be held at the following location:



**Council Chambers, City Hall,
3519 Liberty Drive, Pearland, TX, 77581**

You may contact me should you have any questions or would like additional information regarding the annexation process. I can be reached by phone at 281-652-1740 or via email at flegaux@pearlandtx.gov.

Sincerely,

Frankie Legaux, AICP
City Planner

Richard C. Boulmay
1524 W 63rd Street
Grove, OK 74344-4206

Nair Somara Jan
2804 Green Mountain Dr Pearland TX
77584-3438

EXHIBIT 6

NOTIFICATION LIST

Phuc Mai
16645 Holland
Pearland Texas 77584

Thang Mai & Xuan Mai
3807 N Masters
Pearland Texas 77584

Domingo L Villamiel
16502 Herridge Rd
Pearland Texas 77584-7544

Leon & Molly White
1813 W Sedan Rd
Weimar TX 78962-5029

Ricky A Henry
16638 Herridge Rd
Pearland Texas 77584-7546

TMTB Inc.
3723 FM 1128 Rd
Pearland, TX 77584-7517

Saul Castillo
16704 Herridge Rd
Pearland, TX 77584-7548

Kenneth D Wood Jr
16505 Herridge Rd.
Pearland, TX 77584-7545

Lynn Faciane Nixon
16509 Herridge Rd
Pearland, TX 77584-7545

Donald B MacAskie
16705 Herridge Rd
Pearland, TX 77584-7549

Keith A and Zana Gilliam
16703 Herridge Rd
Pearland, TX 77584-7549

R William Porter
6630 Bailey Rd
Pearland, TX 77584-2683

Michael K and Schon Sellars
6610 Bailey Rd
Pearland, TX 77584-2683

CenterPoint Energy Inc
P O Box 1475
Houston, TX 77251-1475

Thanh Tran and Duc Thi Tran
P O Box 841631
Pearland, TX 77584-0019

Angel and Andrea Mendoza
5003 Falvey St
Houston, TX 77017-4931

C A Stevens
P O Box 280
Pearland, TX 77588-0280

Joseph Hunganh Hoang
16675 County Rd 831
Pearland, TX 77584-5079

Binh D Mai
5920 Bailey Rd
Pearland, TX 77584-5044

Mitchell Mai
3807 Masters Rd
Pearland, TX 77584

Doan Nguyen Thi
16645 County Rd 831
Pearland, TX 77584

Mai Thi Xuan
16675 County Rd 831
Pearland, TX 77584

Jorge Alberto Garcia
16601 Harkey Rd
Pearland, TX 77584

Marian S Warren
4823 Lewis Dr
Pearland, TX 77584-6084

Leocadio Hernandez
16613 Harkey Rd
Pearland, TX 77584

Carlos and Bertha R Castillo
16619 Harkey Rd
Pearland, TX 77584-7663

St Botros
11103 Aldine Westfield Rd
Houston, TX 77093-3136

Michael and Ruth Saenz
16707 Harkey Rd
Pearland, TX 77584-9615

John E and Rose M Rizzo
16723 Harkey Rd
Pearland, TX 77584-9615

Walker Water Works Inc
1106 Clayton Ln Ste 400W
Austin, TX 78723-2476

Noe Nery Hernandez
6619 Grace Ln
Pearland, TX 77584-2641

Hector Javier Villalon
16614 Glenn Ln
Pearland, TX 77584-7664

Carlos L and Bertha R Castillo
16619 Harkey Rd
Pearland, TX 77584-7663

Emma Jean Groves Estate
C/O Patsy Mills
7010 Heron LN
Pearland, TX 77584

Maria Del Rosario Gonzalez
16708 Glenn Lane County Rd 479
Pearland, TX 77584

Frankie J Massey
16714 Glen Ln
Pearland, TX 77584-9616

Noe Nery Hernandez
6619 Grace Ln
Pearland, TX 77584-2641

Alfred Pina
16607 Glenn Ln
Pearland, TX 77584-7665

Juan and Elizabeth Vazquez
1938 Garden Rd Trlr 13
Pearland, TX 77581-8765

Albert Earl Greene
16701 Glenn Ln
Pearland, TX 77584-9617

Donna Morgan
16707 Glenn Ln
Pearland TX 77584

Rafael Araujo
16713 Glenn Ln
Pearland, TX 77584

Domingo S Cornejo
16608 Ewing Ln
Pearland, TX 77584-9618

Isidro Moreno and Angelica Hernandez
16614 Ewing Ln
Pearland, TX 77584-9618

Sam Suniga
16620 Ewing Ln
Pearland, TX 77584-9618

Jose Aguilera Mendoza
16702 Ewing Ln
Pearland, TX 77584

Robert L Earnest
16708 Ewing Ln
Pearland, TX 77584-9627

Amador N and Alicia F Arredondo
818 Globe St
Houston, TX 77034-1208

Noe Nery Hernandez
6619 Grace Ln
Pearland, TX 77584-2641

Tereso Aleman
16607 Ewing Ln
Pearland, TX 77584-9619

Mark L Stegall
16613 Ewing Ln
Pearland, TX 77584-9619

Kenneth and Christine Olsen
109 E Kennedy St
Chrisney, IN 47611-9467

Larry G and Marilyn Anderson
16701 Ewing Ln
Pearland, TX 77584-8628

Jose Garcia
16707 Ewing Ln
Pearland, TX 77584-9628

Celia Garcia
16707 Ewing Ln
Pearland, TX 77584-9628

Raymond A Hill
5806 Bailey Rd
Pearland, TX 77584-5068

Sharif Ali and Nafisha Momin
14203 Fair Knoll Way
Houston, TX 77062-2031

Margaret Paul
16714 N Wayne Ln
Pearland, TX 77584-4601

Joel H Saenz
2914 Keagan Falls Dr
Manvel, TX 77578-4965

Milton F Meyer
16625 N Wayne Ln
Pearland, TX 77584-4638

Manuel Jr and Sharla Cortinas
16617 N Wayne Ln
Pearland, TX 77584-4638

Aaron and Dawn Freedkin
5522 Bailey Rd
Pearland, TX 77584-5028

Carlos Alfaro
307 Winona Dr
Pasadena, TX 77506-1143

Refugio and Dolores Bravo
7618 Bailey Rd
Pearland, TX 77584-6610

H Boyd and Billie Christman
12546 Midland Dr
Pearland, TX 77581-7200

H Boyd and Billie Christman
12546 Midland Dr
Pearland, TX 77581-7200

Keith Thomas Coen
16622 Berry Rd
Pearland, TX 77584-2616

Frank Trevino Sr
4022 Skylark Way
Pearland, TX 77584-5086

Frank Trevino Sr
4022 Skylark Way
Pearland, TX 77584-5086

Dennis M Ayotte
16615 Berry Rd
Pearland, TX 77584

Mark A Hadley
P O Box 1973
Pearland, TX 77588-1973

Swaminathan R and Gayathri Bhattar
847 Canyon Crest Dr
Irving, TX 75063

Jeffrey L and Kimberly A Girouard
309 Charleston St
Friendswood, TX 77546-4923

Beverly J Childs
P O Box 3054
Pearland, TX 77588-3054

Mickey and John B Frazier
16801 Berry Rd
Pearland, TX 77584-2621

Hermilo Morales
5018 Bailey Rd
Pearland, TX 77584

Garnell C and Margaret A Burkett
2922 Hatfield Rd
Pearland, TX 77584-8040

Oak Valley Mobile Home Park LLC
4909 Mahejan Ct.
Pearland, TX 77584-5500

Billy E Griffin,
P. O. Box 996
Pearland, TX 77588-0996

Dominica Griffin
P O Box 1381
Pearland, TX 77588-1381

Perry J Brizendine
4710 Bailey Rd
Pearland, TX 77584-6022

Felipe and Exie Rosas
P O Box 976
Pearland, TX 77588-0976

Charles Gibson
16810 Wellborne Rd
Pearland, TX 77584-2650

Margot Gisela Goff
2207 W Mercers Lndg
Bryan, TX 77808

Margot Gisela Goff
2207 W Mercers Lndg
Bryan, TX 77808

MMSN Enterprise of Texas #2 LLC
14311 Harvest Glen Ct
Houston, TX 77062-2304

MMSN Enterprise of Texas #1
14311 Harvest Glen Ct
Houston, TX 77062-2304

Matz Enterprises LLC
382 Bridgelanding
Onalaska, TX 77360-7583

James Randy Brashier
16808 County Road 831
Pearland, TX 77584-5059

James Randy Brashier
16808 County Road 831
Pearland, TX 77584-5059

Clarence Wayne Brashier
16720 County Road 831
Pearland, TX 77584-5060

Van Dinh Mai and Thi Phan Vinh
16702 County Road 831
Pearland, TX 77584-506

Tuyet Tiffany Vu
11915 Bogey Way
Houston, TX 77089-5631

Jesus Garcia
6506 Bailey Rd
Pearland, TX 77584-3496

Mark W and Charon A Stolz
16710 N Wayne Ln
Pearland, TX 77584-4601

Laura F Ansel
519 Redwood Cir
Berthoud, CO 80513

Reynaldo Jr and Rosa Soliz
16708 N Wayne
Pearland, TX 77584

Artemio and Rafaela Garcia
6201 Terrell Dr
Pearland, TX 77584-6647

Ineos O&P USA LLC
2600 South Shore Blvd Ste 500
League City, TX 77573

Mary Burch Spencer
16654 Berry Rd
Pearland, TX 77584-2616

Mary Burch Spencer
16654 Berry Rd
Pearland, TX 77584-2616

Eulalio Moreno
7510 Fir St
Houston, TX 77012-3039

Wiscom LLC
3331 Harbour Breeze
Pearland, TX 77584

Michael J Kruvalis Et ux
16629 Berry Rd
Pearland, TX 77584-2617

Martin Avila Benetiz
C/O Tina Layne
2710 Maple Ln
Pearland, TX 77584-1074

Lorraine Medina
16631 Berry Rd
Pearland, TX 77584-2617

William Thomas
16701 County Road 104
Pearland, TX 77584

Angel Munoz
12430 Pacoima Rd
Victorville, CA 92392-9408

Maria B Middleton and Josefina B Baron
P O Box 193
Pearland, TX 77588-0193

Van Dinh Mai
16903 Wellborne Rd
Pearland, TX 77584-2653

Melinh Mai
16903 Wellborne Rd
Pearland, TX 77584-2653

Rock of Power
4118 Veterans Dr
Pearland, TX 77584-2950

Kim Huong Thi Nguyen
16909 Wellborne Rd
Pearland, TX 77584

Lau Van Tran
16911 Wellborne Rd
Pearland, TX 77584

Albert Gonzales
4911 Silsbee Dr
Pearland, TX 77584-1327

EXHIBIT 7

EXHIBIT "A"
AREA 2
METES AND BOUNDS DESCRIPTION
242 ACRES MORE OR LESS OUT OF
LOTS 1, 2, 11, 21, 31, 32, 41 AND 51
SECTION 24, GEORGE C. SMITH SURVEY
ABSTRACT 549 AND
LOTS 1, 11, 21, 31, 41 AND 51, SECTION 25
H.T. & B. R.R. COMPANY SURVEY, ABSTRACT 245
AND LOTS 1, 11 AND 21, SECTION 26
GEORGE C. SMITH SURVEY, ABSTRACT 550
BRAZORIA COUNTY, TEXAS

The above described 242 acres of land, more or less being generally located in Lots 1, 2, 11, 21, 31, 32, 41 and 51, Allison Richey Gulf Coast Home Company Subdivision, Section 24, according to the plat thereof as recorded in Volume 2, Page 89 Brazoria County Plat Records, George C. Smith Survey, Abstract 549 and Lots 1, 11, 21, 31, 41 and 51, Allison Richey Gulf Coast Home Company Subdivision, Section 25, according to the plat thereof as filed in Volume 2, Page 10 Brazoria County Plat Records, H.T. & B. R.R. Company Survey, Abstract 245 and Lots 1, 11 and 21, Allison Richey Gulf Coast Home Company Subdivision, Section 26, according to the plat thereof as filed in Volume 12, Page 129 Brazoria County Plat Records, George C. Smith Survey, Abstract 550, Brazoria County, Texas; the north line being the south line of City of Pearland Ordinance No. 826 which is parallel with and 30' south of the north line of Abstracts 549, 245 and 550; the west line being parallel with and 100' east of the west line of said Abstract 549 and being common with City of Pearland Ordinance No. 31 and the east line being common with City of Pearland Ordinance No. 826 (called to be the west right-of-way line of Pearland Sites Road (Veterans Drive) based on 60' width);

All that certain 242 acres of land, to be annexed into the City of Pearland and being all or portion of Lots 1, 2, 11, 21, 31, 32, 41 and 51, Section 24, George C. Smith Survey, Abstract 549, and being all of or part of Lots 1, 11, 21, 31, 41 and 51, Section 25, H.T. & B. R.R. Company Survey, Abstract 245 and all of or part of Lots 1, 11 and 21, Section 26, George C. Smith Survey, Abstract 550, Brazoria County, Texas and being more particularly described by metes and bounds as follows;

Commencing at a point marking the common northwest corner of said Section 24, Abstract 549 and the northeast corner of Section 23, Abstract 290; Thence Easterly – 100', more or less, with the north line of said Abstract 549 to a point for corner; Thence Southerly – 30', more or less, with City of Pearland Ordinance No. 31 and a line 100' east of the west line of said Abstract 549 to the POINT OF BEGINNING of herein described tract;

1. Thence Easterly – 13,070', more or less, with the south line of City of Pearland Ordinance No. 826 which is parallel with and 30' south of the north line of Abstracts 549, 245 and 550 to a point for corner;
2. Thence Southerly – 796', more or less, with the common line of City of Pearland Ordinance No. 826 to a point for corner;

3. Thence Westerly – 2,629’, more or less, with the south line of the following tracts as filed in Clerk’s File Numbers 2014-054242, 95-010836, 2002-031974 and 2006-06144 as filed in the Official Records of Real Property of Brazoria County to a point for corner marking the southwest corner of that certain tract as described in a deed dated 12-10-2014 from Elbert Eugene Thomas, Jr. to William E. Thomas and Sandra Sheffield as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2014-054242 said point also being located on the west line of said Section 26, George C. Smith Survey, Abstract 550;
4. Thence Northerly – 414’, more or less, with the west line of said Abstract 550 to a point for corner marking the southeast corner of that certain tract as described in a deed dated 11-06-2014 from Hai Xuan Tran to Oak Valley Mobile Home Park, LLC. as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2014-048224;
5. Thence Westerly – 420’, more or less, with the south line of said Oak Valley Mobile Home Park, LLC. tract to a point for corner marking the southwest corner of said Oak Valley Mobile Home Park, LLC. tract;
6. Thence Southerly – 414’, more or less, with the east line of that certain tract as described in a deed dated 03-31-1989 from Kathleen O’Connell Scott to John Frazier, et al. as filed in Volume (89) 663, Page 307 Brazoria County Official Records to a point for corner marking the southeast corner of said Frazier tract;
7. Thence Westerly – 2,207’, more or less, with the south line of said Frazier tract and the south line of said Lots 31, 41 and 51, Section 25, Abstract 245 to a point marking the southwest corner of that certain tract as described in a deed dated 06-09-2004 from Pete Raymond Garcia to Carlos Alfaro as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2004-034290 to a point for corner marking the southeast corner of said Alfaro tract;
8. Thence Northerly – 171’, more or less, with the west line of said Alfaro tract to a point marking the southeast corner of that certain tract as described in a deed dated 12-14-2004 from Bennice A. Meyer to Milton F. Meyer as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2004-074655;
9. Thence Westerly – 880’, more or less, with the south line of said Milton F. Meyer tract to a point on the west line of said Lot 21, Section 25, Abstract 245;
10. Thence Southerly – 70’, more or less, with the west line of said Lot 21, Section 25, Abstract 245 to a point for corner;
11. Thence Westerly – 436’, more or less, with the south line of that certain tract as described in a deed dated 02-25-2015 from Estello Soliz to Reynaldo D. Soliz, Jr. et ux. as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2015-008265 to a point for corner marking the southwest corner of said Reynaldo D. Soliz, Jr. et ux. tract;
12. The Southerly – 101’, more or less, with the east line of that certain tract as described in a deed dated 03-23-2007 from Jackie Ann Hill to Raymond Allen Hill as filed in the Official Records of Real Property of Brazoria County at Clerk’s File Number 2007-025890 to a point for corner marking the southeast corner of said Hill tract;

13. Thence Westerly – 1,333’, more or less, with the south line of said Lots 11 and 1, Section 25, Abstract 245 to a point for corner;
14. Thence Southerly – 5’, more or less, with the east line of said Lot 51, Section 24, Abstract 549 to a point for corner marking the southeast corner of said Lot 51;
15. Thence Westerly – 1,745’, more or less, with the south line of said Lot 51 and said Lot 41 to a point for corner marking the southwest corner of said Lot 41;
16. Thence Southerly – 165’, more or less, with the east line of that certain tract as described in a deed from Elo Mitchel, Jr. et al. to James R. Brashier, et ux. as filed in the Volume (86)263, Page 188 Brazoria County Official Records to a point for corner;
17. Thence Westerly – 655’, more or less, with the south line of said Brashier tract to a point for corner marking the southwest corner of said Brashier tract;
18. Thence Northerly – 165’, more or less, with the west line of said Brashier tract, to a point for corner;
19. Thence Westerly – 1,104’, more or less, with the south line of said Lot 21, Section 24, Abstract 549 to a point marking the southwest corner of said Lot 21;
20. Thence Westerly – 880’, more or less, with the south line of said Lot 11, Section 24, Abstract 549 to a point for corner marking the southwest corner of said Lot 11;
21. Thence Southerly – 495’, more or less, with the east line of said Lot 2, Section 24, Abstract 549 to a point for corner marking the southeast corner of said Lot 2;
22. Thence Westerly – 780’, more or less, with the south line of said Lot 2 to the east line of City of Pearland Ordinance No. 31 and said point being 100’ east of the southwest corner of said Lot 2;
23. Thence Northerly – 1,295’, more or less, with City of Pearland Ordinance No. 31 and a line 100’ east of the west line of said Abstract 549 to the POINT OF BEGINNING and containing 242 acres of land more or less.

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

This metes and bounds description is accompanied by a separate plat, drawing or exhibit per Texas Board of Professional Land Surveyor’s “General Rules of Procedures and Practices” Section 663.19(9).

Compiled by: C.L. Davis & Company

Job Number: 11-421-141-2015 Annexation Area 2 M&B (R2) - 08-27-2015

06-22-2010

REVISED: 06-28-2010

REVISED: 08-27-2015

**EXHIBIT 8** Notice of Intent

September 11, 2015

NOTICE OF INTENT TO ANNEX – AREA 2 BAILEY ROAD

Re: Required Notice of Annexation of Land into Pearland City Limits

«Company»
«Title» «FirstName» «LastName»
«JobTitle»
«Address1»
«Address2»
«City», «State» «PostalCode»

Dear «Title» «LastName»:

The City Council of the City of Pearland is considering the annexation of property into its corporate limits. In accordance with the requirements of Local Government Code 43.062 (b) (2) and 43.905 (a), notice is being provided to you of the City of Pearland's intent to annex the property outlined in red on the attached map. The area being considered for annexation is located in Pearland's Extraterritorial Jurisdiction (ETJ), generally located North of Bailey Road, South of Arnold Drive, East of Kennedy Drive and West of Manvel Road. See the attached map.

The City Council will conduct two public hearings, in which there will be an opportunity to express your opinion regarding the proposed annexation. After the two public hearings, the Council will conduct two additional meetings during which they will make a decision regarding the proposed annexation. The anticipated effective date of the annexation is December 3, 2015. As required by Texas State Law, this is your notification of the possible Annexation from the City of Pearland.

Please see the below schedule of upcoming meetings regarding the proposed annexation. You may also visit the Planning Department's website for additional information regarding the proposed annexation at www.pearlandtx.gov.



First Public Hearing:	October 12, 2015
Second Public Hearing:	October 19, 2015
First Reading of the Annexation Ordinance:	November 9, 2015
Second Reading of the Annexation Ordinance:	November 23, 2015

**Each of the above meetings will begin at 6:30 PM,
and will be held at the following location:
Council Chambers, City Hall,
3519 Liberty Drive, Pearland, TX, 77581**

You may contact me should you have any questions or would like additional information regarding the annexation process. I can be reached by phone at 281-652-1740 or via email at flegaux@pearlandtx.gov.

Sincerely,

Frankie Legaux, AICP
City Planner

EXHIBIT 9 Annexation Notification Mailing Labels 2015 (Local, State, Federal and Service Providers)

CHIEF, VOTING SECTION

Thomas E. Perez
Civil Rights Division/DOJ
Room 7254-NWB
950 Pennsylvania Ave., N.W.
Washington, DC 20530

TEXAS DEPARTMENT OF INSURANCE

Ike Williams, P.E. Asst. Chief
Engineer
P.O. Box 149104
Austin, TX 78714-9104

TX-DOT

Amadeo Saenz, Jr. P.E.
P.O. Box 1386
Houston, TX 77251-1386

BRAZORIA COUNTY TAX ASSESSOR/COLLECTOR

Ro'Vin Garret, RTA
111 E. Locust, Ste 100 A
Angleton, TX 77515

DISTRICT BRAZORIA COUNTY COURTHOUSE

Voter Registration
111 E. Locust, Ste. 100 A
Angleton, TX 77515

ALVIN INDEPENDENT SCHOOL DISTRICT

Tommy King
Interim Superintendent
301 East House St.
Alvin, TX 77511

BRAZORIA COUNTY

Fire Marshall

Robert Owens
1215 Velasco
Angleton TX 77155

FORT BEND APPRAISAL DISTRICT

Glenn Whitehead
2801 B.F. Terry Blvd. (FM 2218)
Rosenberg, TX 77471

BRAZORIA COUNTY CITY OF ANGLETON

Fire Chief, Eric Smith
221 N. Chenango
Angleton TX 77155

BRAZORIA COUNTY LIBRARY PEARLAND BRANCH

Andrew Fearn, Librarian
3522 Liberty Drive
Pearland, TX 77581

SECRETARY OF STATE STATUTORY DOCUMENTS DIVISION

Attn: Nina Weston
P.O. Box 13550
Austin, TX 78711-3550

PROPERTY TAX

Nelda Wells Spears
PO Box 1748
Austin, TX 78767

BRAZORIA COUNTY COURTHOUSE

Joyce Hudman, County Clerk
111 E. Locust, Suite 200
Angleton, TX 77515-4654

BRAZORIA DRAINAGE DISTRICT #4

Mike Yost
4805 Broadway
Pearland, TX 77581-3934

ALVIN COMMUNITY COLLEGE

A. Albright, President
3110 Mustang Rd.
Alvin, TX 77511

ANNEXATIONS & MUNICIPAL FEES

Cathy Candelario or Current
175 E. Houston #4J4
San Antonio, TX 78205

BRAZORIA COUNTY

EMS Coordinator, Doc Adams

111 E Locust, Suite 502 A
Angleton, TX 77155

FORT BEND VOTERS REGISTRATION

4520 Reading Road
Rosenberg, TX 77471

FT BEND MUD 34

BOB LEARED

1111 Katy Fwy
Suite 725
Houston, TX 77079-2175

BRAZORIA COUNTY LIBRARY PEARLAND WESTSIDE BRANCH

2150 Country Place Pkwy
Pearland, TX 77584

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Susan Combs
P.O. Box 13528
Austin, TX 78711-3528

TEXAS DEPT. OF TRANSPORTATION

Attn: Travel Publications
Kathy Murphy
P.O. Box 149248
Austin, TX 78704

UNITED STATES POSTAL SERVICE

Karen Parsons, Postmaster
3519 East Walnut
Pearland, TX 77581

BRAZORIA COUNTY APPRAISAL DISTRICT

Cheryl Evans, Chief Appraiser
500 N. Chenango
Angleton, TX 77515

BRAZORIA COUNTY ENGINEERING

DEPT
Gerald Roberts, P.E.
451 N. Velasco, Suite 230
Angleton, TX 77515

PEARLAND INDEPENDENT SCHOOL DISTRICT

Bonny Cain, Superintendent
1928 N. Main
Pearland, TX 77581

BRAZORIA COUNTY DRAINAGE DISTRICT 4

LENTZ ENGINEERING

Attn: Alfred Lentz
4710 Bellaire Blvd, Suite 250
Bellaire, TX 77401

FORT BEND INDEPENDENT SCHOOL DISTRICT

Timothy R. Jenney, Ph.D.
16431 Lexington Blvd.
Sugar Land, TX 77479

FORT BEND COUNTY

Fort Bend County Courthouse
Dianne Wilson, County Clerk
301 Jackson St.
Richmond, TX 77469

BRAZORIA COUNTY LIBRARY ALVIN BRANCH

Danna Wilson, Librarian
105 South Gordon
Alvin, TX 77511

Annexation Notification Mailing Labels 2015

AT&T

Roy Zermeno or Current Position
6500 West Loop South
Zone 4.2
Bellaire, TX 77401

AT&T

Nawal Malek or Current Position
5252 Hollister, #110
Houston, TX 77040

RELIANT ENERGY

Joe R. Gillespie or Current Position
P.O. Box 1655
Pasadena, TX 77501

CENTERPOINT ENERGY ENTEX

Ron Minich or Current Position
4420 Mustang Rd.
Alvin, TX 77511

COMCAST

Ginger Owens, District Secretary
Or Current Position
1010 Lawrence Rd.
Kemah, TX 77565

**WASTE MANAGEMENT OF
SOUTHEAST TEXAS**

Don Richards
10701 Todd Road
Houston, TX 77055

CENTERPOINT ENTEX

Sandra Goodall
1111 Louisiana
Houston TX 77002

COMCAST

Craig D-Agostini or Current
8590 W. Tidwell 4th Floor
Houston, TX 77040

COMCAST

Mohammed Woheidy or Current
8590 W. Tidwell 3rd Floor
Houston, TX 77040

AT&T

Adrian Jones
510 Arkansas St
#200
South Houston, TX 77587

AT&T

Jan Sweeton
510 Arkansas St
#200
South Houston, TX 77587

AT&T

Rosenbelt Dillanueva
510 Arkansas St
#200
South Houston, TX 77587

AT&T – EXTERNAL AFFAIRS

Angela Thornton/Bob Garza
275 N. Greenville Ave, Ste 200
Richardson, TX 75081

AT&T

Victor Castillo
112 Westway
1st Floor
Lake Jackson, TX 77566

AT&T

Frank Gracely
6500 West Loop South
Zone 5.1
Bellaire, TX 77041

EXHIBIT 10

**City of Pearland**

3519 Liberty Drive
Pearland, Texas 77581
Tel: 281-652-1765
pearlandtx.gov

September 14, 2015

Greetings:

The records of the Brazoria County Appraisal District indicate that you are the owner of the real property labeled "Subject Property" on the enclosed map. Those records also show that the referenced real property is appraised for ad valorem tax purposes as land used for agriculture, wildlife management, or timber.

The Subject Property is located in the extraterritorial jurisdiction (ETJ) of the City of Pearland (the "City"). The City intends to exercise its right to annex certain land currently located in its ETJ within the next six months, and the Subject Property is located within the proposed annexation. Pursuant to Section 43.035 of the Texas Local Government Code, the City offers to you as the owner of the Subject Property the enclosed development agreement (the "Agreement").

Please carefully review the Agreement, as it is a legal contract to which you would be bound if you agree to it. As such, if you choose to accept it the Agreement would affect your legal rights. You may contact the City Planner, Frankie Legaux, with general questions about this process, but please consult your own attorney if you need legal advice or answers to specific legal questions. Ms. Legaux may be reached by phone at (281) 652-1740 or via email to flegaux@pearlandtx.gov.

If you would like the Subject Property to be covered by the Agreement, please have all owners sign the Agreement on the owner line(s) and print each name below the signature. After signing, the Agreement will need to be acknowledged before a notary public, after which you may return it to us using the enclosed envelope. You may also take it to City Hall after signing and acknowledge it before one of the City's notaries. The City requests that you make a decision regarding whether you will accept the Agreement within 33 calendar days from the date shown on this letter. If you do not

return the executed Agreement to the City by that deadline, we will consider your inaction as a rejection of the Agreement.

If you are NOT an owner of the Subject Property, or if the Subject Property is NOT appraised for agriculture, wildlife management, or timber use, please notify Ms. Legaux at your earliest convenience so that she can update our information to ensure that you are not erroneously affected by the City's proposed annexation.

Regards,

Frankie Legaux, AICP

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of Pearland, Texas (the “City”) and the undersigned property owner(s) (the “Owner”). The term “Owner” includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the “Property”) in Brazoria County, Texas, which is more particularly and separately described in the attached Exhibit “A”; and

WHEREAS, the City has begun the process to institute annexation proceedings on all or portions of Owner’s Property; and

WHEREAS, the Owner desires to have the Property remain in the City’s extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, in order to address the desires of the Owner and the procedures of the City; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Section 1. The City guarantees the continuation of the extraterritorial status of the Owner’s Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the provisions of this Agreement. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code.

Section 2. The Owner covenants and agrees not to use the Property for any use other than for agriculture, wildlife management, and/or timber land consistent with Chapter 23 of the Texas Tax Code, except for existing single-family residential use of the property, without the prior written consent of the City. The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Brazoria County or the City until the Property has been annexed into, and zoned by, the City. The Owner

covenants and agrees not to construct, or allow to be constructed, any buildings on the Property that would require a building permit if the Property were in the city limits, until the Property has been annexed into, and zoned by, the City. The Owner also covenants and agrees that the City's Suburban Development (SD) District zoning requirements apply to the Property, and that the Property shall be used only for Suburban Development (SD) District zoning uses, as described in the City's Unified Development Code, that exist on that Property at the time of the execution of this Agreement, unless otherwise provided in this Agreement. However, the Owner may construct an accessory structure to an existing single family dwelling in compliance with all applicable City ordinances and codes. The Owner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severably, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

Section 3. The Owner acknowledges that if any plat or related development document is filed in violation of this Agreement, or if the Owner commences development of the Property in violation of this Agreement, then in addition to the City's other remedies, such act will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents to such annexation as though a petition for such annexation had been tendered by the Owner. If annexation proceedings begin pursuant to this Section, the Owner acknowledges that this Agreement serves as an exception to Local Government Code Section 43.052, requiring a municipality to use certain statutory procedures under an annexation plan. Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

Section 4. Pursuant to Sections 43.035(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The City states and specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. The term of this Agreement (the "Term") is five (5) years from the date that the City Manager's signature to this Agreement is acknowledged by a public notary. The Owner, and all of the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation before the end of the Term, for annexation of the Property to be completed on or after the end of the Term. Prior to the end of the Term, the City may commence the voluntary annexation of the Property. In connection with annexation pursuant to this section, the Owners hereby waive any vested rights they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code that would otherwise exist by virtue of any plat or construction any of the owners may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

Section 6. Property annexed pursuant to this Agreement will initially be zoned AO – Agricultural Open pursuant to the City’s Code of Ordinances, pending determination of the property’s permanent zoning in accordance with the provisions of applicable law and the City’s Code of Ordinances.

Section 7. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City. Furthermore, the Owner and the Owner’s heirs, successor, and assigns shall give the City written notice within 14 days of any change in the agricultural exemption status of the Property. A copy of either notice required by this section shall be forwarded to the City at the following address:

City of Pearland
Attn: City Manager
3519 Liberty Drive
Pearland, Texas 77584

Section 8. This Agreement shall be binding upon the City and the Owner and their respective successors and assigns for the Term and run with the Property and be recorded in the real property records of Brazoria County, Texas.

Section 9. If a court of competent jurisdiction determines that any covenant of this Agreement is void or unenforceable, including the covenants regarding involuntary annexation, then the remainder of this Agreement shall remain in full force and effect. Section 10. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 11. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City’s ability to annex the properties covered herein pursuant to the terms of this Agreement.

Section 12. Venue for this Agreement shall be in Brazoria County, Texas.

Section 13. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

Section 14. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 3, 4, and 5 herein.

Entered into this ____ day of _____, 2015.

Owner

Printed Name: _____

Clay Pearson
City Manager, City of Pearland, Texas

THE STATE OF TEXAS §
 §
COUNTY OF §

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF

This instrument was acknowledged before me on the _____ day of _____,
2015, by _____, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS

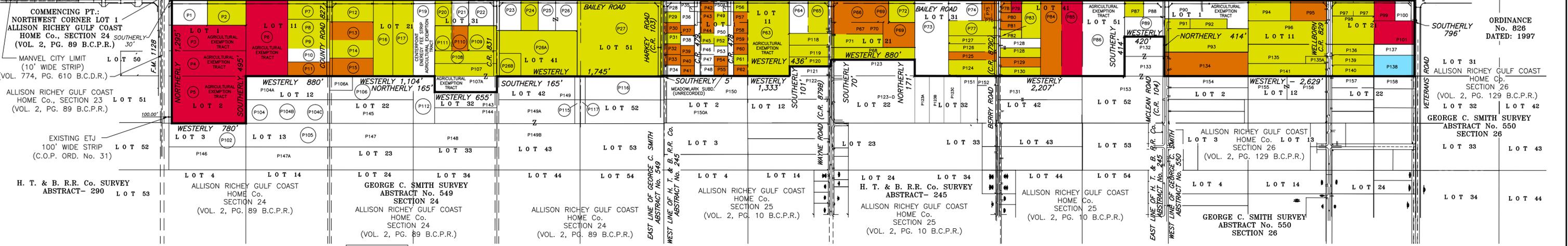
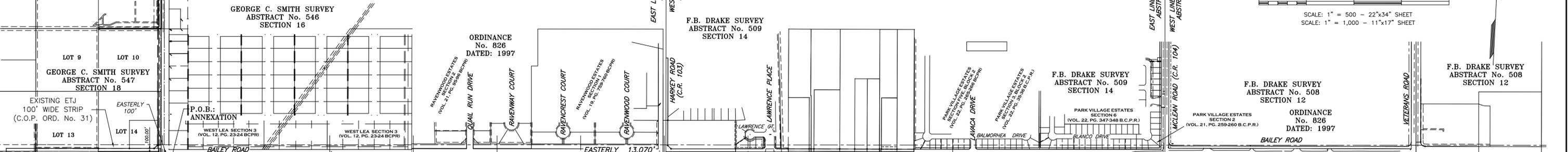
COUNTY OF }

This instrument was acknowledged before me on the _____ day of _____,

2015, by Clay Pearson, City Manager, City of Pearland, Texas.

Notary Public, State of Texas

EXHIBIT 11



- LOT 1** DEED OF DISTRIBUTION RICHARD CECIL BOULMAY & THOMAS MATHW BOULMAY CO-EXECUTORS OF THE ESTATE OF FRANCES H. BOULMAY TO RICHARD CECIL BOULMAY & THOMAS MATHW BOULMAY (2006003554 BCOR) 12-30-2005 ALSO SEE S.G. LIPIC CO.
- LOT 2** SIDNEY C. BOULMAY ET UX (VOL. 786, PG. 683 BCOR) 02-17-1961
- LOT 3** CALLED 4.95 ACRES ALVIS G. BAKER, ET UX. (VOL. 902747, PG. 871 BCOR) 12-23-1989
- LOT 4** H. T. & B. R. R. Co. SURVEY ABSTRACT- 290
- LOT 5** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 6** CALLED 3.609 ACRES BEN A. RIDWAY, ET UX. (VOL. 00-020273 BCOR) 05-10-2000
- LOT 7** CALLED 2.00 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 8** CALLED 2.30 ACRES PAM PROPERTIES, INC. TO DOMINGO L. VILAMAL ET UX (VOL. 1680, PG. 416 BCOR) 11-23-1982
- LOT 9** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 10** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 11** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 12** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 13** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 14** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 15** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 16** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 17** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 18** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 19** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 20** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 21** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 22** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 23** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 24** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 25** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 26** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 27** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 28** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 29** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 30** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 31** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 32** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 33** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 34** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 35** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 36** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 37** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 38** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 39** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 40** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 41** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 42** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 43** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 44** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 45** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 46** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
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- LOT 49** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 50** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 51** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 52** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 53** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 54** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 55** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 56** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
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- LOT 58** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 59** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 60** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 61** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 62** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 63** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 64** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 65** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 66** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 67** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 68** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 69** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 70** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
- LOT 71** CALLED 1.50 ACRES LINDA C. KRONIN (VOL. 01-019770 BCOR) 05-08-2001
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COLOR LEGEND

- HOUSE
- MOBILE
- BUSINESS
- VACANT
- CHURCH

NOTE: THIS EXHIBIT WAS PREPARED USING RECORDED SUBDIVISION MAPS, RECORDED DEEDS, AND CITY ORDINANCES, AND DOES NOT REPRESENT AN ON THE GROUND SURVEY.

NOTE: THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

NOTE: ALL IMPROVEMENTS (ROADS, FENCES, ETC.) DEPICTED HEREON ARE DERIVED FROM A DIGITAL ORTHOPHOGRAPH, AND ARE NOT THE RESULT OF AN ON THE GROUND SURVEY.

AREA 2 PLOT DATE 08-27-2015

UP-DATED AND REVISED 08-27-2015

C.L. DAVIS & CO.
LAND SURVEYING

1500 WINDING WAY
FRIENDSWOOD, TEXAS 77546
281-482-9490
FIRM NO. 10082000

EXHIBIT
CITY OF PEARLAND, TEXAS

PROPOSED ANNEXATION OF
APPROXIMATELY 242 ACRES SOUTH OF
BAILEY ROAD BETWEEN
F.M. 1128 AND VETERANS ROAD
BRAZORIA COUNTY, TEXAS

DATE: 06-28-2010 SCALE: 1" = 500' JOB NO: 11-421-141
DWG FILE: 11-421-141-ANNEX-AREA2-2010-2015

EXHIBIT 12 - Thursday Packet

Memo



To: Clay Pearson, City Manager
 Matt Buchanan, Executive Director of Development Services

From: Lata Krishnarao, Director of Community Development

Date: August 4, 2015

Re: Bailey Road Annexation Update

Staff conducted an open house on July 23, 2015, at the Recreation Center, located at 4141 Bailey Road, Pearland. There were 66 citizens that signed in and over 70 were in attendance. Attendees included residents of the annexation areas along with a few other interested individuals, including the Houston Chronicle, and P&Z Chairperson Henry Fuentes. There were 14 tables set up with staff representatives from the following divisions: City Secretary, Planning, Inspection Services, Communications, Fire Marshal, Code Enforcement, Police, Municipal Courts, Parks & Recreation, Animal Control, Utility Billing, Projects, Engineering and Finance. Director of Community Development Lata Krishnarao presented a brief overview of the areas, process, and information regarding services and taxes. Each division had maps and other relevant information at their tables. Communication Manager Sparkle Anderson and her team took photos and Deputy City Manager Jon Branson and other staff assisted with questions. Citizens were directed to the city departments that would best address their questions.

During conversations with staff, it appeared that there were some residents in favor (regulation of uses) and some opposed (primarily taxes) to the annexation. Staff received one Public Comment Card, and three families signed up for One-on-One meetings. One email has been received to date inquiring about the annexation.

Staff has modified the schedule for future steps, as follows, to prevent conflicts with the hearings for 2016 budget adoption.

Staff Actions	
Open House	July 23, 2015
Individual Meetings with residents	July - August 2015
Council Action	
Council Workshop & Formal Directive to Prepare Service Plan	September 14, 2015
Public Hearings	
First Public Hearing	October 12, 2015
Second Public Hearing	October 19, 2015

Readings

First Reading of the Annexation Ordinance
Second Reading of the Annexation Ordinance

November 9, 2015
November 23, 2015

Based on the requirements of the Texas Local Government Code, and previous maps of the Pearland's municipal boundaries, the eastern part of Bailey Road annexation area has been eligible to be incorporated into the City limits since 1960, and the western part since 1997.

Six areas, including the subject areas along Baily Road, were identified in 2010 as being appropriate for annexation, as part of the 2010 Comprehensive Plan update. Annexation proceedings commenced at that time. However, at the second reading, the Council directed staff to postpone the proceedings to coincide with Bailey Avenue road widening project. The residents were notified of the 2010 proceedings and the postponement, as part of the proceedings at that time.

The modified schedule, the presentation at the open house, and other information has been posted on the web site.

Annexation is an important city tool

Mike Gallagher, For the Express-News | September 13, 2015



Photo: Kin Man Hui /San Antonio Express-News

City of San Antonio senior planner Margaret Pahl points at a map while attempting to field questions at an “open house” as the city considered annexing five large sections of unincorporated Bexar County last month.

Annexation is an important city tool

We have all heard quite a bit about annexation recently. It is an important topic on our City Council agenda, and a number of public meetings have been held for citizen input. From a policy perspective; it becomes clear that a city's ability to use annexation to protect its varied interests makes sense.

Examples include protecting economic resources, such as military bases, from encroachment; preserving ecologically sensitive land; ensuring that development is undertaken in a smart way; and protecting public health and safety.

Annexation guides development by controlling the quality of growth through the extension of zoning and providing certainty of what can be developed. In unincorporated areas, there is no zoning requirement, meaning you can build a factory that operates 24/7 next to a neighborhood.

We have seen large apartment complexes constructed behind densely developed neighborhoods, adding to traffic issues, school capacities and possibly affecting property values. Through annexation, the city would help prevent such problematic growth.

Cities use annexation to help plan more efficiently for population growth, including the need to serve areas with core city services and utilities. We no longer have to build infrastructure to attract growth. The fact is, the growth is coming and we need to have the tools to adequately prepare for it.

One only needs to look at Dallas, now, for all intents and purposes landlocked by a ring of suburbs, as an example of a city that would have benefited from continued annexation. By 2004, Dallas had to start building more density within its boundaries. Increased density often comes with its own problems, including gentrification issues and difficulty attracting large corporate campuses due to space limitations.

With a good annexation plan in San Antonio, we can adequately prepare, design and implement infrastructure projects. We can do this with SAWS, CPS Energy and major thoroughfares to avoid problems created by multijurisdictions. Without control in high-growth areas, we could see density that is undesirable and even more road congestion. Annexation helps mitigate uncontrolled growth by directing higher density developments to growth centers on major corridors and providing buffers to low-density neighborhoods through zoning.

Annexation also enhances a city's economic development. Business grows where predictable market conditions are known. Annexation of growth centers and growth corridors enhance a city's regional economic position in bringing new jobs and investment.

Annexation helps drive commercial and retail growth where it makes the most sense, and create sales tax revenue to help fund street repairs and other infrastructure.

Through annexation, cities recoup costs of services to residents of unincorporated areas as well as to those within the city limits. More important, it ensures all areas have access to essential services such as police and fire emergency response.

I understand why some folks are dead-set against being annexed. I just ask that you consider what could happen to your home and quality of life if unregulated developers could buy land next to you and build anything they desire.

We have seen individuals rise up to fight annexation, fearing higher taxes and changes in services. This is where limited-purpose annexation can be a helpful first step. When a city uses a limited-purpose annexation, it imposes some regulations but does not provide city services (police, fire, garbage) and does not collect city taxes. Limited-purpose annexation lasts up to three years; at the end of that time, the city can decide to annex for full purposes or not. The window allows the city and the area time to determine the best steps for the community.

Annexation is an important tool to help cities plan, grow and prosper. It allows cities to protect themselves from incompatible development, plan for growth and expand economic development opportunities. Annexation should remain an option for the benefit of the overall community.

City Councilman Mike Gallagher represents District 10.