

**ORDINANCE NO. 2009-0-11A**

**AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, CREATING REINVESTMENT ZONE NO. 6; DESCRIBING THE BOUNDARIES OF SAID REINVESTMENT ZONE AS KIBER STREET ON THE SOUTH, BUCHTA ROAD ON THE EAST, DOWNING ROAD ON THE WEST AND FROM THE INTERSECTION OF STATE HIGHWAY 35 AND DOWNING ROAD NORTH TO A LINE PERPENDICULAR TO SAN FELIPE STREET TO BUCHTA ROAD, LOCATED IN THE CITY OF ANGLETON, TEXAS; MAKING RELATED FINDINGS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Angleton has passed and approved Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones Created in the City of Angleton, Texas; and

**WHEREAS**, pursuant to the Guidelines, the City has received a request for creation of a reinvestment zone and tax abatement; and

**WHEREAS**, after proper notice, the City held a public hearing where all interested persons were given an opportunity to speak and present evidence for and against the creation of Reinvestment Zone No. 6; and

**WHEREAS**, written notice of the hearing was given to all taxing entities where the proposed zone is to be located; and

**WHEREAS**, the City Council has determined, based on evidence presented, that the improvements sought to be located in proposed Reinvestment Zone No. 6 are feasible and practical and would be a benefit to the land to be included in the Zone and to the City after the expiration of the tax abatement agreement; and

**WHEREAS**, the creation of Reinvestment Zone No. 6 will be reasonably likely, as a result of its creation, to contribute to the retention or expansion of primary employment or to attract major investment into the Zone that would be a benefit to the property located therein and that will contribute to the economic development of the City of Angleton.

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

**SECTION 1.** That the facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct, and are made a part of this Ordinance for all purposes.

**SECTION 2.** That Reinvestment Zone No. 6 is hereby created for the purpose of encouraging economic development through tax abatement and the boundaries of the zone shall be Kiber Street on the south, Buchta Road on the east, Downing Road on the west and from the intersection of State Highway 35 and Downing Road north to a line perpendicular to San Felipe Street to Buchta Road.

**SECTION 3.** This designation shall be effective for five (5) years from the date of final passage of this Ordinance and may be renewed for periods not to exceed five (5) years.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict only.

**SECTION 5.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**SECTION 6.** This Ordinance shall be effective from and after its passage and approval on this 10<sup>th</sup> day of November, 2009.

THE CITY OF ANGLETON, TEXAS

BY: \_\_\_\_\_  
J. PATRICK HENRY, MAYOR

ATTEST:

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SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

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MARY KAY FISCHER, CITY ATTORNEY