

CITY OF BEEVILLE
ORDINANCE NO. 1597

AN ORDINANCE OF THE CITY OF BEEVILLE, TEXAS, AMENDING ORDINANCE NO. 1571 EXTENDING THE ESTABLISHED BOUNDARIES OF THE BEEVILLE REINVESTMENT ZONE NO. 1 AND RESCINDING ORDINANCE NO. 1595 IN ORDER TO INCLUDE ANNEXATION OF LOT 3 AS WELL AS LOTS 1 AND 2 OUT OF BLOCK 29 OF THE ORIGINAL TOWN OF BEEVILLE INTO SAID ZONE.

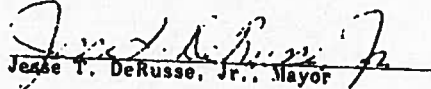
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEEVILLE, TEXAS:

SECTION I: The City of Beeville, Texas does hereby exercise its duly authorized powers given to it by the Texas Tax Increment Act of 1981, Section 5 and therefore hereby amends Ordinance No. 1571, Section II, B and its related Exhibit "A" to include Lots 1, 2, and 3 out of Block 29 of the Original Town of Beeville into the Zone's boundaries.

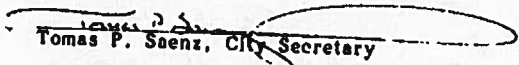
SECTION II: This ordinance hereby rescinds City of Beeville Ordinance No. 1595 in order to include the annexation of Lot 3 inadvertently left off said annexation by said Ordinance.

PASSED AND APPROVED this the 8th day of December, A.D., 1987.

CITY OF BEEVILLE


Jesse T. DeRusse, Jr., Mayor

ATTES:


Tomas P. Saenz, City Secretary

APPROVED AS TO FORM:


Robert D. Nogueira, City Attorney

ORDINANCE NO. 1571

AN ORDINANCE DESIGNATING AND CREATING REINVESTMENT ZONE NUMBER ONE, CITY OF BEEVILLE, TEXAS; ESTABLISHING A BOARD OF DIRECTORS FOR SUCH ZONE; PROVIDING FOR THE COMMENCEMENT AND TERMINATION OF OPERATION OF SUCH ZONE; DESIGNATING THE TAX INCREMENT BASE AND ESTABLISHING A TAX INCREMENT FUND FOR SUCH ZONE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

- WHEREAS, the City Council of the City of Beeville, Texas, desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone, as authorized by Article 1066e, Vernon's Texas Civil Statutes, as amended (hereinafter "the Act"); and
- WHEREAS, a public hearing before the City Council was set for 6:00 p.m. on December 9, 1986, such date being at least seven (7) days after the date of publication of the notice of such public hearing; and
- WHEREAS, upon such hearing being convened there was presented proper proof and evidence that notice of such hearing had been published as described above; and
- WHEREAS, the City at such hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone, the boundaries of the reinvestment zone as described by the attached Exhibit "A", and the concept of tax increment financing; and
- WHEREAS, a Preliminary Reinvestment Zone Feasibility and Financing Plan has been prepared at the direction of the City Council, and copies of such plan have been distributed to all taxing units that levy real property taxes in the proposed reinvestment zone; and
- WHEREAS, owners of property located within the reinvestment zone were provided a reasonable opportunity to protest the inclusion of their property in such reinvestment zone; and
- WHEREAS, evidence was presented relating to the suitability for designation as a reinvestment zone of the area described by the attached Exhibit "A".

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

1.

That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

2.

The City Council, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations:

(a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted, and that notice of such hearing has been published as required by law, and given to all taxing units that levy real property taxes in the proposed reinvestment zone; and

(b) That the proposed reinvestment zone with boundaries as described in Exhibit "A", meets the criteria for designation of a reinvestment zone as set forth in of the Act in that:

- (1) It is a contiguous geographic area located wholly within the corporate limits of the City;
 - (2) The present condition and use of the area within the reinvestment zone substantially impairs the sound growth of the City, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare by reason of the presence of a substantial number of substandard, deteriorated or deteriorating structures, a predominance of defective or inadequate sidewalks and street layout, unsanitary or unsafe conditions, and the existence of conditions that endanger life or property by fire or other cause;
 - (3) Not more than 10 percent of the property in the zone, excluding that dedicated to public use, is used for residential purposes, as defined in the Act;
 - (4) The total appraised value of all taxable real property in the zone according to the most recent appraisal rolls of the City does not exceed 15 percent of the current total appraised value of taxable real property in the City; and
 - (5) Development and redevelopment within the zone will not occur solely through private investment in the reasonably foreseeable future.
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- (6) Improvements in the reinvestment zone will enhance significantly the value of all taxable real property in the reinvestment zone and will be of general benefit to the City.

3.

That the City hereby designates and approves a reinvestment zone within the area described by metes and bounds in Exhibit "A" attached hereto, and such reinvestment zone shall hereafter be identified as Reinvestment Zone Number One, City of Beeville, Texas (hereinafter "the Zone").

4.

That there is hereby established a board of directors for the Zone which shall consist of seven (7) members. Three (3) members shall be appointed by the governing body of the City, one (1) member shall be appointed by the governing body of the Beeville Independent School District, one (1) member shall be appointed by the governing body of the County of Bee, and one (1) member shall be appointed by the governing body of the Bee County College District, and one (1) member by the Beeville Water Supply District. Appointments to the board of directors shall be for two year terms.

The board of directors shall make recommendations to the City Council concerning the administration of the Zone. It shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval.

5.

That the operation of the Zone shall commence on January 1, 1987, and shall terminate at such time as all project costs and tax increment bonds and notes, and the interest thereon, have been paid in full, or on January 1, 2007, whichever event occurs first. Tax increment payment for the Zone shall be made by all taxing units within the Zone for the tax years 1987 through 2006 inclusive.

6.

That the Tax Increment Base for the Zone, which is the total appraised value of all taxable real property in the zone for the year in which the Zone was designated a reinvestment zone, is to be determined as of January 1, 1986.

7.

That there is hereby established a Tax Increment Fund for the Zone which shall consist of the real property taxes levied by all taxing units for the tax years 1987 through 2006 on the captured appraised value of all taxable real property located in the Zone, less any amounts which are to be allocated from the tax increments under contracts executed pursuant to the Act. Such fund may be divided into such subaccounts as may be authorized by subsequent ordinances. The Tax Increment Fund and any subaccounts are to be maintained at the depository bank of the City and shall be secured in the manner prescribed by law for Texas cities. All revenues from the sale of any tax increment finance bonds and notes hereafter issued by the City may be deposited into such fund or subaccount from which money will be disbursed to pay project costs for the Zone or to satisfy the claims of holders of tax increment bonds or notes issued for the Zone.

8.

That if any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability in such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

9.

That it is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law, preceding this meeting, as required by the Open Meeting Law, Article 6252-17 Vernon's Texas Civil Statutes, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

10.

That the contents of the notice of public hearing, which hearing was held before the City Council on December 9, 1986, and the publication of said notice are hereby ratified, approved and confirmed.

11.


The necessity for designation and approval of the reinvestment zone during 1986 in order to promote badly needed development without delay creates an emergency, and shall become effective immediately upon passage by this City Council and signature of the Mayor, pursuant to Article III, Section 15 of the City Charter.

PASSED AND APPROVED this the 9th day of December, 1986, A.D.

CITY OF BEEVILLE, TEXAS


Jesse T. DeRusse, Jr., Mayor

ATTEST:


Tomas P. Saenz, City Secretary

APPROVED AS TO FORM:

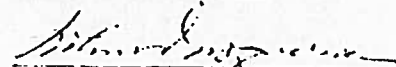

Robert D. Nogueira, City Attorney

EXHIBIT "A"

Boundaries of the Zone

Commencing at the Southwest corner of the Intersection of Cleveland Street and North Washington (His & Hers Hair Designs) Westward to North Monroe Street;

THENCE, Southward on Monroe Street across West Corpus Christi to its intersection with the most Northern boundary of the Poosta Creek.

THENCE, along the most Northern boundary of the Poosta Creek in an Eastern direction to its intersection with West Crockett Street (going behind the old Coca-Cola Bottling Company Building).

THENCE, on West Crockett in an Eastern direction to its intersection with South Jefferson Street.

Amended > THENCE, North on Jefferson Street to East Hefferman Street.

THENCE, on Hefferman Street in a Westward direction approximately 152' to a point being the most Southeastern corner of the State Bank & Trust Motor Bank.

THENCE, in a Northward direction parallel to North St. Mary's Street a distance of approximately 202' to a point being the most Northeastern corner of the State Bank & Trust Motor Bank property.

THENCE, along the most Northern boundary of the said Motor Bank property westward parallel to Cleveland St. to its intersection with the most Eastern boundary of North St. Mary's Street.

THENCE, along the most Eastern boundary of North St. Mary's Street Westward to the most Northern boundary of Cleveland Street.

THENCE, along the most Northern boundary of Cleveland Street Eastward a distance of approximately 100'.

THENCE, in a Northern direction and parallel to North St. Mary's Street a distance of approximately 205'.

THENCE, in an Eastern direction and parallel to Cleveland Street and Kennedy Street the distance of approximately 350' to its intersection with the most Western boundary of North Jefferson Street.

THENCE, Northward along the most Western boundary of North Jefferson Street to its intersection with East Kennedy Street.

THENCE, Westward along the most Southern Boundary of Kennedy Street to North St. Mary's Street.

THENCE, North on North St. Mary's Street a distance of approximately 115' to a point within the Street right-of-way of East Kennedy Street.

THENCE, in a Westward direction and parallel to the boundaries of Kennedy Street Westward a distance of approximately 210'.

THENCE, Northward parallel to Washington Street a distance of approximately 410' to its intersection with the most Southern Boundary of Carter Street.

THENCE, Westward along the most Southern Boundary of Carter Street a distance of approximately 310' intersecting North Washington Street and to a point being the most Northwestern corner of Church's Fried Chicken property.

THENCE, Southward parallel to North Washington Street to the most Southern boundary of Block 9 West one third of the Jones Addition.

THENCE, Westward parallel to East Kennedy Street to the most Western boundary of North Madison Street,

THENCE, Southward along the most Western boundary of Madison Street to the most Southern Boundary of East Cleveland Street the point of beginning.