

**CITY OF SEABROOK
ORDINANCE NO. 2019-18**

**DISANNEXATION OF 22.32 ACRE TRACT OWNED BY TOTAL PETROCHEMICALS
& REFINING USA, INC.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS CONSENTING TO DISANNEXATION, UPON PETITION OF TOTAL PETROCHEMICALS & REFINING USA, INC., OWNER OF A 22.32 ACRE TRACT BEING OUT OF THE RITSON MORRIS LEAGUE, ABSTRACT NO. 52 HARRIS COUNTY, TEXAS, BEING PART OF A (CALLED 179.336) ACRE TRACT OF LAND, RECORDED AS TRACT II, OF SEVERAL TRACTS OF LAND IN A DEED TO FINA OIL & CHEMICAL COMPANY, RECORDED IN FILE NO. N835531 AND FILM CODE 108-46-0518, HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, ATTACHED HERETO AS EXHIBIT "1", AS MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "B", ATTACHED THERETO AND INCORPORATED BY REFERENCE, FOR CREATION OF THE "SEABROOK INDUSTRIAL DISTRICT 2"; AND APPROVAL OF THE INDUSTRIAL DISTRICT AGREEMENT WITH TOTAL PETROCHEMICALS & REFINING USA, INC., JOINED BY THE LESSEE OF THE PROPERTY, BAYPORT POLYMERS LLC, (JOINTLY "BAYPORT"), ATTACHED HERETO AS EXHIBIT "2" AND INCORPORATED BY REFERENCE.

WHEREAS, under the provisions of Chapter 43.142, Texas Local Government Code, as amended, and pursuant to the provisions of Section 1.09 of the City Charter of Seabrook, a Petition, attached hereto as Exhibit I has been received from Total Petrochemicals & Refining USA, Inc. ("TPRI") and tendered to the City Council of the City of Seabrook, Texas for its consent for disannexation for property it owns consisting of a 22.32 acre tract of land being out of the Ritson Morris League, Abstract No. 52, Harris County, Texas, being part of a (Called 179.336) acre tract of land, recorded as Tract II, of several tracts of land in a deed to Fina Oil & Chemical Company, recorded in File No. N835531 and Film Code 108-46-0518, Harris County Official Public Records of Real Property; being part of more and more particularly described by metes and bounds in Exhibits "A" and "B" attached to the Petition, all of which are incorporated by reference herein, ("Property"); and

WHEREAS, the requested disannexation is conditioned upon creation of an Industrial District for the Property and approval of an Industrial District Agreement by and between the City of Seabrook, Texas, a home rule municipality, ("Seabrook" or "City") and TPRI, the owner of the Property, and joined by the Lessee of the Property, Bayport Polymers LLC, ("Bayport"); and

WHEREAS, the City Council desires to consent to the requested disannexation to incorporate the Industrial District Property requested by owner TPRI and joined by its Lessee, Bayport under the designation “Seabrook Industrial District “2”, specifically subject to the terms and conditions contained in the subject Industrial District Agreement executed by TPRI and Bayport (both parties jointly and severally referenced therein under the name “Baystar”) attached hereto and incorporated by reference as Exhibit 2;

NOW, THEREFORE, BE IT ORDAINED THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, THAT:

Section 1. All of the matters and facts set out in the preamble hereof are being relied upon as true and correct.

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Texas Government Code, Chapter 551 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 thereof 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.

Section 3. The City Council of the City hereby specifically gives its written consent, as provided by Chapters 42 and 43, Texas Local Government Code, and Section 1.09 of the City Charter of Seabrook, to the disannexation of the property owned by Total Petrochemicals & Refining USA, Inc., encompassing the land described in Exhibits “A” and “B” specifically referenced in the Petition, Exhibit 1 attached hereto, to be known as the Seabrook Industrial District 2, expressly subject to the terms and conditions set forth in the petition, and those terms and conditions set out in Industrial District Agreement, **attached hereto as Exhibit 2, which is incorporated by reference**, as specifically provided by Section 42.044, Texas Local Government Code, **and approved by the City Council on final reading of this Ordinance.**

PASSED AND APPROVED on first reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this _____ day of _____, 2019.

PASSED, APPROVED, AND ADOPTED on final reading with a quorum present, by an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section 2.10 on this _____ day of _____, 2019.

By:

Thomas G. Kolupski
Mayor

ATTEST:

By: _____
Robin Hicks, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Steven L. Weathered
City Attorney