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**CITY OF SEABROOK
ORDINANCE NO. 2020-03**

**DISANNEXATION OF 7.45 ACRE TRACT OWNED BY INEOS STYROLUTION
AMERICA LLC**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS
CONSENTING TO DISANNEXATION, UPON PETITION OF INEOS STYROLUTION
AMERICA LLC (“INEOS”), OWNER OF A 7.45 ACRE TRACT BEING OUT OF THE
RITSON MORRIS LEAGUE, ABSTRACT NO. 52 HARRIS COUNTY, TEXAS, BEING
A PORTION OF ALL THAT CERTAIN CALLED 42.249 ACRE TRACT CONVEYED
BY DEED ON SEPTEMBER 28, 2007 FROM NOVA CHEMICALS INC. TO INEOS
NOVA LLC, (AKA STYROLUTION AMERICA LLC) AS RECORDED IN CLERKS
FILE NO. 20070671675 OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY,
TEXAS, MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS IN THE
PETITION ATTACHED HERETO AS EXHIBIT “1”, AND INCORPORATED BY
REFERENCE, FOR CREATION OF THE “SEABROOK INDUSTRIAL DISTRICT 3”;
AND APPROVAL OF THE INDUSTRIAL DISTRICT AGREEMENT WITH INEOS
STYROLUTION AMERICA LLC 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 **INEOS STYROLUTION AMERICA LLC**, (“INEOS”) and tendered to the City Council of the City of Seabrook, Texas for its consent for disannexation for property it owns consisting of a 7.45 acre tract being out of the Ritson Morris League, Abstract No. 52 Harris County, Texas, being a portion of all that certain called 42.249 acre tract conveyed by deed on September 28, 2007 from Nova Chemicals Inc. to INEOS Nova LLC, (aka Styrolution America LLC) as recorded in Clerks File No. 20070671675 of the Real Property Records of Harris County, Texas and more particularly described by metes and bounds in Exhibits “A” and “A-1” 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 entire Property and approval of an Industrial District Agreement for such Property, by and between the City of Seabrook, Texas, a home rule municipality, (“Seabrook” or “City”) and INEOS, the owner of the Property; and

WHEREAS, the City Council desires to consent to the requested disannexation to incorporate the Industrial District Property requested by owner INEOS under the designation “**Seabrook Industrial District 3**”, specifically subject to the terms and conditions contained in the subject **Industrial District Agreement** executed by INEOS as attached hereto and incorporated by reference as **Exhibit 2**;

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

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

52
53 **Section 2.** The City Council officially finds, determines, recites and declares that a
54 sufficient written notice of the date, hour, place and subject of this meeting of the City Council
55 was posted at a place convenient to the public at the City Hall of the City for the time required by
56 law preceding this meeting, as required by the Open Meetings Law, Texas Government Code,
57 Chapter 551 and that this meeting has been open to the public as required by law at all times
58 during which this Ordinance and the subject matter thereof has been discussed, considered and
59 formally acted upon. The City Council further ratifies, approves and confirms such written
60 notice and the contents and posting thereof.

61
62 **Section 3.** The City Council of the City hereby specifically gives its written consent, as
63 provided by Chapters 42 and 43, Texas Local Government Code, and Section 1.09 of the City
64 Charter of Seabrook, to the disannexation of the Property owned by INEOS Styrolution America
65 LLC, encompassing the land described in Exhibits “A” and “A-1” specifically referenced in the
66 Petition, Exhibit 1 attached hereto, to be known as the Seabrook Industrial District 3, expressly
67 subject to the terms and conditions set forth in the in Industrial District Agreement, attached
68 hereto as Exhibit 2, which is incorporated by reference, as specifically provided by Section
69 42.044, Texas Local Government Code, and approved by the City Council on final reading of
70 this Ordinance,.

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72
73 **PASSED AND APPROVED** on first reading with a quorum present, by an affirmative
74 vote of a majority of Councilmembers present, in accordance with Seabrook City Charter Section
75 2.10 on this 7th day of January, 2020.

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77
78 **PASSED, APPROVED, AND ADOPTED** on final reading with a quorum present, by
79 an affirmative vote of a majority of Councilmembers present, in accordance with Seabrook City
80 Charter Section 2.10 on this _____ day of _____, 2020.

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84 **[EXECUTION PAGE FOLLOWS]**
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By: _____
Thomas G. Kolupski
Mayor

ATTEST:

By: _____
Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

By: _____
Steven L. Weathered
City Attorney