

**ORDINANCE NO. 2004 – 350**

**AN ORDINANCE CALLING A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS TO BE HELD ON THE 28TH DAY OF SEPTEMBER 2004, AT SEVEN O'CLOCK P.M. AT THE CITY COUNCIL CHAMBERS OF THE CITY OF MAGNOLIA, 16835 FM 1488, MAGNOLIA, TEXAS, TO HEAR ANY AND ALL PERSONS DESIRING TO BE HEARD ON OR IN CONNECTION WITH ANY MATTER OR QUESTION INVOLVING THE ESTABLISHMENT OF A PROPOSED PUBLIC IMPROVEMENT DISTRICT; AND DIRECTING THAT SAID NOTICE BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY OF MAGNOLIA, TEXAS AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MAGNOLIA, TEXAS.**

**WHEREAS**, a petition has been filed with the City seeking the establishment of a public improvement district on property in the extra-territorial jurisdiction and to be annexed into the city limits of the City of Magnolia, Texas; **NOW, THEREFORE,**

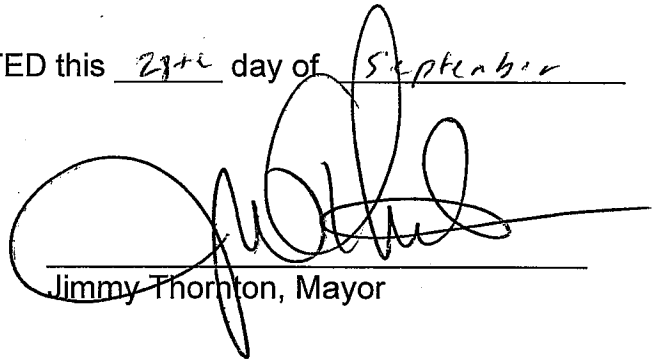
**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF MAGNOLIA, TEXAS:**

**Section 1.** That the City Council of the City of Magnolia, Texas does hereby call a public hearing to be held before the City Council of the City of Magnolia on the 28th day of September, 2004 at seven o'clock p.m. in the City Council Chambers of the City of Magnolia, 16835 FM 1488, Magnolia, Texas, at which time and place all persons desiring to be heard will be heard on in connection with any matter or question involving the advisability of the establishment of a proposed public improvement district on property in the extra-territorial jurisdiction ("ETJ") and to be annexed into the City limits of Magnolia, Texas, under the provisions of Chapter 372, Texas Local Government Code.

**Section 2.** The City Council finds, determines and declares that a sufficient written notice of the date, hour, place of the public hearing to be held before the City

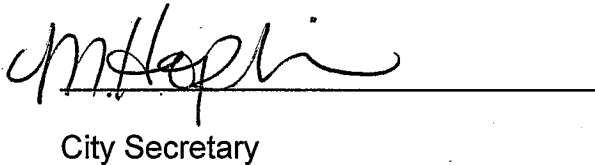
Council of the City of Magnolia was published in a newspaper of general circulation in the City and the ETJ of the City as required by Section 572.009(c) of the Texas Local Government Code, and said notice is attached hereto and marked Exhibit "A." The City Council further ratifies, approves and confirms such written notice and the content and posting thereof.

PASSED, APPROVED, AND ADOPTED this 29<sup>th</sup> day of September  
2004.



Jimmy Thornton, Mayor

ATTEST:



City Secretary

## EXHIBIT "A"

### Notice of Public Hearing on the Creation of a Proposed Public Improvement District by City of Magnolia, Texas

A public hearing will be held on September 28, 2004 at 7 o'clock PM in the City Council Chambers of the City of Magnolia, 16835 FM 1488, Magnolia, Texas, 77355, on the advisability of the establishment of a proposed public improvement district (the "District") on property in the extra-territorial jurisdiction and to be annexed into the City limits of Magnolia, Texas, under the provisions of Chapter 372, Texas Local Government Code.

The public improvements will consist of the design, engineering, construction, operation and maintenance of the following public improvements to serve the District:

1. Water production, treatment and distribution system;
2. Sanitary sewer collection and treatment system;
3. Stormwater drainage and detention system;
4. Open space, parks, landscaping;
5. Public streets; and
6. Special supplemental services including engineering, planning, landscape architecture, legal services, PID creation and administration costs.


The estimated total cost of the public improvements is approximately \$6.3 million.

The boundaries of the proposed Public Improvement District are described in the legal description and shown on the map. The area of the proposed Public Improvement District is approximately 580 acres.

The proposed method of assessment is to assess property owners on an annual basis, a fixed amount based on the improved value of each single family property. The annual assessment is anticipated to be approximately \$.85 per \$100 of assessed valuation for twenty (20) years.

The proposed apportionment of costs between the public improvement district and the municipality as a whole is that the district would pay 100% of the costs of the public improvements and the City of Magnolia would not bear any costs.

Persons wishing to speak for or against the establishment of the District should contact the City Manager at (281) 356-2266 on or before 4:30 PM, September 28, 2004.

  
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Jerry Dowse, Interim City Manager  
City of Magnolia, Texas