

ORDINANCE NO. 2005-373

AN ORDINANCE PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF MAGNOLIA, TEXAS, FOR THE YEAR 2005-2006 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

WHEREAS, Section 26.05 of the Texas Property Tax Code provides that by September 1, or as soon thereafter as practicable, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

WHEREAS, such Section further provides that where the tax rate consists of two components (one which will impose the amount of taxes needed to pay the unit's debt service and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures of the unit for the next year), each of such two components must be approved separately; and

WHEREAS, the proposed tax rate for the current tax year of the City of Magnolia, Texas, consists of two such components, a tax rate of **forty-three and fifty hundredths (\$0.4350)** for debt service and a tax rate of **six and thirteen hundredths cents (\$0.0613)** to fund maintenance and operation expenditures; and

WHEREAS, by separate motions heretofore adopted by the City Council of the City of Magnolia, Texas, at a meeting of said City Council held on this 27<sup>TH</sup> day of **August 2005**, said City Council has approved separately the tax rate heretofore specified for each of said components; and

WHEREAS, having thus separately approved the tax rate for each of such components, it is necessary and appropriate for the City Council to now formally pass, approve, and adopt a 2005-2006 tax rate ordinance for the City of Magnolia, Texas; and

WHEREAS, all notices and hearings required by law as a prerequisite to the passage, approval and adoption of said tax rate ordinance have been timely and properly given and held; now, therefore

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

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified, and confirmed.

**Section 2.** All property subject to ad valorem taxation by the City of Magnolia, Texas, shall be equally and uniformly assessed for such purposes at One Hundred Percent (100%) of the fair market value of such property.

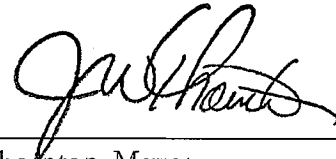
**Section 3.** There is hereby levied for general purposes and use by the City of Magnolia, Texas, for the year 2005-2006, and for each year thereafter until otherwise provided, an ad valorem tax at the rate of **Forty-One and Seventy-Nine Hundredths Cents (\$0.4179)** on each One Hundred Dollars (\$100) of assessed valuation on all property, real, personal, and mixed, within the corporate limits upon which an ad valorem tax is authorized by law to be levied by the City of Magnolia, Texas. The proceeds from such tax shall be applied to the payment of the general and current expenses of the government of the City. All such taxes shall be assessed and collected in current money of the United States of America.

**Section 4.** For the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City of Magnolia, Texas, including the various installments of principal due on the serial bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City as such installments shall respectively mature, and for the purpose of repaying any sums borrowed in anticipation of current revenues for use in the payment of bonds and certificates of obligation and interest thereon maturing in the fiscal year 2005-2006, and for the purpose of paying interest and making provisions for the sinking fund on such other bond issues, warrants, certificates of obligation, or other lawfully authorized evidences of indebtedness as may be authorized, there is hereby levied for the year 2005-2006 and for each year thereafter until otherwise provided, to be assessed and collected upon all property described in Section 3 of this Ordinance, an annual ad valorem tax at the rate of **Seven and Fifty-Six Hundredths Cents (\$0.0756)** on each One Hundred Dollars (\$100) of assessed valuation.

**Section 5.** All ad valorem taxes levied hereby, in the total amount of **Forty-Nine and Thirty-Five Hundredths Cents (\$0.4935)** on each One Hundred Dollars (\$100) of assessed valuation, as reflected by Sections 3 and 4 hereof, shall be due and payable on or before January 31, 2006. All ad valorem taxes due the City of Magnolia, Texas, and not paid on or before January 31 following the year for which they were levied shall bear penalty and interest as prescribed in the Property Tax Code of the State of Texas.

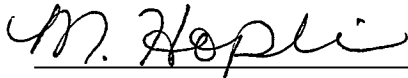
**Section 6.** All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED this 27<sup>TH</sup> day of August 2005.

A handwritten signature in cursive script, appearing to read "Jimmy Thornton", written over a horizontal line.

Jimmy Thornton, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "M. Hopkins", written over a horizontal line.

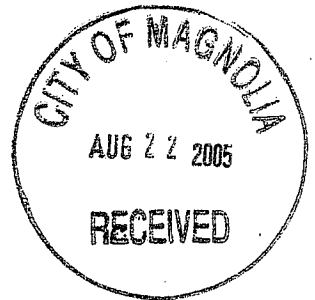
Melonie M. Hopkins, Acting City Secretary

## AFFIDAVIT OF PUBLICATION

Before me, the undersigned authority, on this day personally appeared Denny O'Brien who on his oath stated:

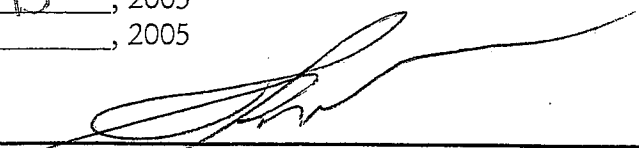
### CITY OF MAGNOLIA TAXING UNIT NOTICE

The City of Magnolia will hold a meeting at 9:00 a.m. on August 27, 2005 at 16835 FM 1488, Bld 3, Magnolia, Texas 77354, to consider adopting a proposed tax rate for tax year 2005. The proposed tax rate is .4935 per \$100 of value.



I am the Editor of the Tomball Magnolia Tribune, a newspaper published in Montgomery County, Texas and now the facts stated in this affidavit. The attached matter is a true and correct copy of the publication of the citation of which it purports to be a copy, as the same appeared in such newspaper in the respective issues of:

Aug 15, 2005  
          , 2005

  
\_\_\_\_\_  
Denny O'Brien, Editor

Subscribed and sworn to this 18th day of August, 2005

