

ORDINANCE NO. 3132

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KATY, TEXAS, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KATY AND LANDMINDS 1322, LLC; AUTHORIZING THE MAYOR TO EXECUTE, AND THE CITY SECRETARY TO ATTEST, THE DEVELOPMENT AGREEMENT, WITH THE DEVELOPMENT AGREEMENT PROVIDING FOR THE TERMS OF ANNEXATION AND DEVELOPMENT STANDARDS ON APPROXIMATELY 3.053 ACRES OF LAND IN FORT BEND COUNTY, TEXAS AND IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KATY, TEXAS, AND GENERALLY LOCATED AT 1322 FM 1463, KATY, TEXAS 77494; AUTHORIZING THE FILING OF THE DEVELOPMENT AGREEMENT IN THE REAL PROPERTY RECORDS OF FORT BEND COUNTY, TEXAS; DIRECTING THE APPROPRIATE CITY STAFF TO AMEND THE CITY OF KATY BOUNDARIES ON THE OFFICIAL CITY MAP TO REFLECT THE INCLUSION OF THE ANNEXED PROPERTY; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Katy is a State of Texas home rule municipal corporation (the "City") organized under the laws of the State of Texas and operating under the City's Charter;

WHEREAS, Landminds 1322, LLC (the "Owner") is the owner of approximately 3.053 acres of land generally located at 1322 FM 1463 in Fort Bend County, Texas in the extraterritorial jurisdiction of the City (the "Property");

WHEREAS, Texas Local Government Code Chapter 212.172 allows the City and the Owner to enter into a Development Agreement that, among other things, will: provide for the annexation of the Property as a whole or in parts; provide for the terms of annexation, if annexation is agreed to by the parties; and, specify the uses and development of the Property before and after annexation (the "Agreement");

WHEREAS, the City and the Owner desire to enter into an Agreement for the annexation and use of the Property, a copy of which is attached to this Ordinance as "Exhibit A"; and

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

SECTION 1. THAT the Agreement between the City the Owner, a copy of which is attached hereto and made a part hereof as "Exhibit A", is hereby approved.

SECTION 2. THAT the Mayor is hereby authorized and directed to execute and deliver, and the City Secretary to attest and file, with Fort Bend County, the Agreement.

SECTION 3. THAT the appropriate City staff shall cause the official map of the City to be amended to reflect the inclusion of the property annexed by the Agreement upon the Agreement being filed with Fort Bend County.

SECTION 4. THAT the City Council of the City officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council of the City during which this Ordinance was considered was posted at a place convenient to the public at the City Hall for the time required by law preceding the meeting as required by Texas Government Code Chapter 551; and that the 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.

SECTION 5. THAT if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City in

adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

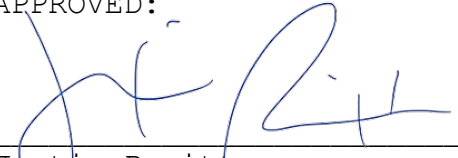
SECTION 6. THAT this Ordinance shall take effect be in force and effect after its approval.

CITY OF KATY, TEXAS

BY: _____
William H. Thiele, Mayor

ATTEST:

Becky L. McGrew
City Secretary

APPROVED:


Justin Pruitt
Acting City Attorney

STATE OF TEXAS §
§ COUNTY OF FORT BEND §

ACKNOWLEDGEMENT

CITY OF KATY – ORDINANCE No. 3132

This instrument was acknowledged before me on the 25th day of March, 2024 by William H. Thiele, Mayor of the City of Katy, Texas a municipal corporation situated in the Harris, Fort Bend and Waller Counties on behalf of said corporation.

[SEAL]

Notary Public, State of Texas

Sindira Guerrero
Notary's Printed Name

08-13-2027
Commission Expires:

After Filing, Please Return Copy to:
Becky L. McGrew, City Secretary
City of Katy
901 Avenue C.
Katy, Texas 77493

EXHIBIT A - Development Agreement