

**ORDINANCE NUMBER O-2015-009**

**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS LEVYING A SPECIAL ASSESSMENT ON CERTAIN PROPERTY IN PUBLIC IMPROVEMENT DISTRICT NUMBER ONE, (PAINTED MEADOWS SECTION III).**

**WHEREAS**, the City Council of the City of La Marque, Texas (the "Council") passed and approved Resolution Numbers 966 and 967 dated August 11, 2003, authorizing the establishment and creation of the City of La Marque Public Improvement District Number One (Painted Meadows); and

**WHEREAS**, by action on April 25, 2003, the Council approved a service and assessment plan for Public Improvement District Number One; and

**WHEREAS**, the total costs of an improvement project for Public Improvement District Number One have now been determined and reviewed by the City's auditors; and

**WHEREAS**, a proposed assessment roll incorporating the costs of the public improvement project has been prepared and is on file with the City; and

**WHEREAS**, the City Council called a public hearing to consider the proposed assessments, directed that the proposed assessment roll be filed with the City Clerk and made available for public inspection during ordinary business hours of that office; and

**WHEREAS**, notice by mail and publication of the public hearing having been given as required by law and the hearing having been held by the City Council on this 22nd day of June, 2015, at which time all objections were heard and passed on;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, THAT:**

**Section 1.** The Service and Assessment Plan containing the total cost of the improvements for Section Three Residential, attached hereto and by this reference made a part hereof, is hereby approved. The apportionment of the cost of the improvement shall be made on the basis of special benefits accruing to the property because of the improvement.

**Section 2.** A special assessment of \$97,500.00 (\$1,500 per annum) distributed evenly per lot is hereby levied on such property located in Public Improvement District Number One-Section III, consisting of 65 single family lots, all as described on the assessment roll, attached hereto and by this reference made a part hereof.

**Section 3.** The assessment will be paid annually in approximately equal installments over a 20 year period commencing no sooner than calendar year 2015 and no later than calendar year 2019

and will be delinquent if not paid by January 31 following each calendar year. The assessment shall bear interest at the rate of 0.331% per annum.

**Section 4.** An assessment, with interest, the expense of collection and reasonable attorney's fees, if incurred, is a first and prior lien against the property assessed, superior to all other liens and claims except liens or claims for state, county, school district, or municipality ad valorem taxes, and is a personal liability of and charge against the owners of the property regardless of whether the owners are named.

**Section 5.** The lien is effective from the date of this Ordinance until the assessment is paid and may be enforced in the same manner that an ad valorem tax lien against real property may be enforced by this governing body.

**Section 6.** The owner of assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment.

**Section 7.** The facts and opinions in the preamble of this ordinance are true and correct. The contents of the notice of public hearing, which hearing was held before the City Council immediately prior to consideration of this ordinance, and the publication and circulation of said notice is hereby ratified, approved and confirmed.

**Section 8.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 9.** It is hereby found, determined and declared that a sufficient written notice of the date, hour, place, and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and rapidly accessible at all times to the general public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Section 551, Texas Government Code, as amended, 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 hereof 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.

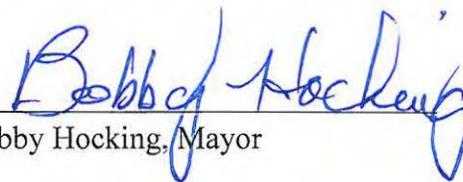
**Section 10.** Pursuant to the provisions of Article II, Section 21 of the City Charter, and in light of the adoption of this Ordinance by an affirmative vote of a four-fifth (4/5) majority of the Council members present, this Ordinance may be published by caption only.

**Section 11.** All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

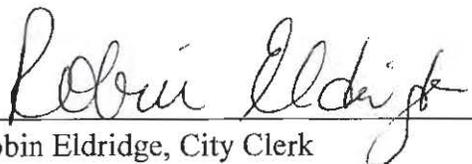
**PASSED AND APPROVED** on the first reading this the 8th day of June, 2015.

**PASSED AND ADOPTED** on the second and final reading this the 22nd day of June, 2015.

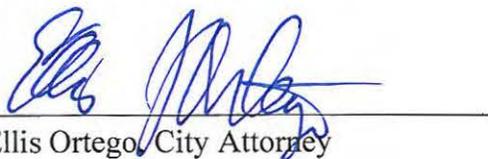
**CITY OF LA MARQUE, TEXAS**

  
Bobby Hocking, Mayor

**ATTEST:**

  
Robin Eldridge, City Clerk

**APPROVED AS TO FORM:**

  
Ellis Ortego, City Attorney

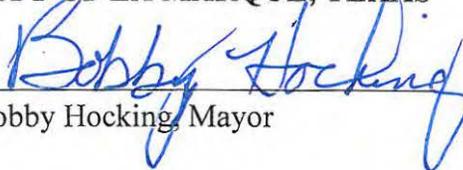
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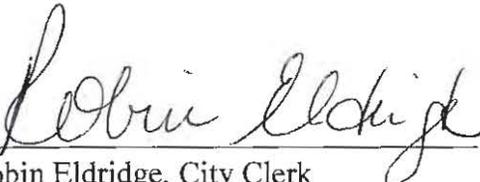
**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS LEVYING A SPECIAL ASSESSMENT ON CERTAIN PROPERTY IN PUBLIC IMPROVEMENT DISTRICT NUMBER ONE, PAINTED MEADOWS SECTION III.**

**PASSED AND APPROVED** on the first reading this the 8<sup>th</sup> day of June, 2015.

**A PUBLIC HEARING WILL BE HELD DURING THE CITY COUNCIL MEETING OF JUNE 22, 2015, AT 6:00 P.M. IN THE COUNCIL CHAMBERS, 1109-B BAYOU ROAD, LA MARQUE, TEXAS 77568.**

**CITY OF LA MARQUE, TEXAS**

  
Bobby Hocking, Mayor

  
Robin Eldridge, City Clerk

FFP  
ORD#O2015-009 Robin

**CITY OF LA MARQUE**  
**ORDINANCE**  
**NO. O-2015-009**

**Affidavit of Publication**

AN ORDINANCE OF THE  
CITY OF LA MARQUE,  
TEXAS LEVYING A SPECIAL  
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CITY OF LA MARQUE,  
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Bobby Hocking, Mayor  
Robin Eldridge, City Clerk

Published: June 10, 2015  
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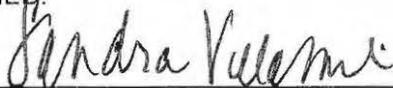
STATE OF TX }  
COUNTY OF GALVESTON } SS

Sandra Villmail, being duly sworn, says:

That she is Sandra Villamil of the The Galveston County  
Daily News, a daily newspaper of general circulation,  
printed and published in Galveston, Galveston County,  
TX; that the publication, a copy of which is attached  
hereto, was published in the said newspaper on the  
following dates:  
June 10, 2015

That said newspaper was regularly issued and circulated  
on those dates.

SIGNED:



Sandra Villamil

Subscribed to and sworn to me this 10th day of June  
2015.



Lynette Tisdale, Notary Public, State of Texas, Galveston  
County, TX

My commission expires: February 11, 2016

13103521 00388458 (409)935-0401

CITY OF LA MARQUE - Legals  
ACCOUNTS PAYABLE  
1111 BAYOU RD.  
LA MARQUE, TX 77568-

