

## **ORDINANCE NO. 2019-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING APPROXIMATELY 8.534 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, HAYS COUNTY, TEXAS, LOCATED IN THE 1600 BLOCK OF REDWOOD ROAD, FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “CD-4” CHARACTER DISTRICT 4; AND INCLUDING PROCEDURAL PROVISIONS.**

### **RECITALS:**

1. On September 10, 2019, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from “FD” Future Development District to “CD-4” Character District 4 for approximately 8.534 acres of land out of the Barnette O. Kane Survey, Abstract No. 281, Hays County, Texas, located in the 1600 Block of Redwood Road.

2. Subsequent to the public hearing on that date, the Planning and Zoning Commission voted to recommend that the request be approved by the City Council.

3. The City Council held a public hearing on October 15, 2019 regarding the request.

4. All requirements pertaining to Zoning Map amendments have been met.

5. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

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

**SECTION 1.** The Official Zoning Map of the City is amended to rezone the tract of land described in Exhibit A, attached hereto and made a part hereof, from “FD” Future Development District to “CD-4” Character District 4.

**SECTION 2.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 4.** This ordinance will take effect after its passage, approval and adoption on second reading.

**PASSED AND APPROVED** on first reading on October 15, 2019.

**PASSED, APPROVED AND ADOPTED** on second reading on November 6, 2019.

Jane Hughson  
Mayor

Attest:

Jamie Lee Case  
City Clerk

Approved:

Michael Cosentino  
City Attorney

## EXHIBIT A



METES AND BOUNDS DESCRIPTION  
FOR A  
8.534 ACRE TRACT OF LAND  
"ZONING"

Being an 8.534 acre tract of land out of the Barnette O. Kane Survey, Abstract No. 281, in Hays County, Texas, being a portion out of the remaining portion of a called 156.35 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Volume 4514, Page 304, of the Official Public Records of Hays County, Texas, and being a portion of the Right-of-Way of Redwood Road (also known as C.R. 232) (a variable width R.O.W.), and said 8.534 acre tract of land being more particularly described as follows:

BEGINNING at a ½" iron pin with cap stamped "CA RPLS 2988" found in the Northeasterly Right-of-Way (R.O.W.) line of said Redwood Road, being the most Southerly corner of Lot 1, Block "A", La Vista Foundation Subdivision, as recorded in Book 8, Pages 277-278, of the Map and Plat Records of Hays County, Texas, being the most Westerly corner of the remaining portion of said 156.35 acre tract of land, and being a Northwesterly corner of this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Redwood Road, and with the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, N 44° 12' 01" E, a distance of 606.38 feet to a point in the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, and being the most Northerly corner of this herein described tract of land;

THENCE departing the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, and across and through the remaining portion of said 156.35 acre tract of land, the following courses:

S 41° 40' 53" E, a distance of 176.53 feet to a point for a Northerly corner;

S 78° 24' 49" W, a distance of 93.10 feet to a point for a Northerly corner, and being at the beginning of a curve to the left;

With said curve to the left, having an arc length of 105.76 feet, a radius of 180.00 feet, a delta angle of 33° 39' 56", a tangent length of 54.46 feet, and a chord bearing and distance of S 61° 34' 51" W, 104.25 feet to a point for a Northerly corner;

S 44° 44' 53" W, a distance of 189.30 feet to a point for a Northwesterly interior corner;

S 41° 40' 53" E, a distance of 1,000.04 feet to a point for the most Easterly Southeast corner;

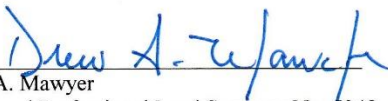
THENCE continuing across and through the remaining portion of said 156.35 acre tract of land, S 60° 38' 29" W, at a distance of 246.94 feet passing the Northeasterly R.O.W. line of said Redwood Road, same being the Southwesterly line of the remaining portion of said 156.35 acre tract of land, and continuing across and through the R.O.W. of said Redwood Road for a total distance of 328.70 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being the most Southerly corner of this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said Redwood Road, N 41° 16' 01" W, a distance of 998.32 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being the most Westerly corner of this herein described tract of land;

THENCE departing the Southwesterly R.O.W. line of said Redwood Road, and across and through the R.O.W. of said Redwood Road, N 14° 12' 01" E, a distance of 80.25 feet to the POINT OF BEGINNING, and containing 8.534 acres of land, more or less.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.

  
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TBPLS Firm Registration #10191500  
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MOE307-REDWOOD- 8.534 AC- 052819

