

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 192.951 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, HAYS COUNTY, TEXAS, LOCATED AT 2357 REDWOOD ROAD, FROM “FD” FUTURE DEVELOPMENT DISTRICT AND “CD-4” CHARACTER DISTRICT 4 TO “CD-3” CHARACTER DISTRICT 3; 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 and “CD-4” Character District 4 to “CD-3” Character District 3 for approximately 192.951 acres of land out of the Barnette O. Kane Survey, Abstract No. 281, Hays County, Texas, located at 2357 Redwood Road.

2. On September 24, 2019, 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 and “CD-4” Character District 4 to “CD-3” Character District 3.

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 192.951 ACRE TRACT OF LAND "ZONING"

Being a 192.951 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, being all of a called 99.36 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 18017502, 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 192.951 acre tract of land being more particularly described as follows:

COMMENCING at a ½" iron pin with cap stamped "Eagle Surveying" found in the Northeasterly Right-of-Way (R.O.W.) line of Redwood Road, being the most Westerly corner of said 99.36 acre tract of land, and same being the most Southerly corner of the remaining portion of said 156.35 acre tract of land;

THENCE with 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, N 41° 16' 01" W, a distance of 49.30 feet to a point in the Northeasterly R.O.W. line of said Redwood Road, being in the Southwesterly line of the remaining portion of said 156.35 acre tract of land and being a Westerly corner of this herein described tract of land and the POINT OF BEGINNING;

THENCE departing the Northeasterly R.O.W. line of said Redwood Road, and across and through the remaining portion of said 156.35 acre tract of land, the following two courses:

N 60° 38' 29" E, a distance of 626.64 feet to a point for a Westerly interior corner;

N 41° 40' 53" W, a distance of 1,198.79 feet to a point in the Northwesterly line of the remaining portion of said 156.35 acre tract of land, same being the Southeasterly line of Lot 1, Block "A", of La Vista Foundation Subdivision, as recorded in Volume 8, Page 277-278, of the Map and Plat Records of Hays County, Texas, and being a Westerly corner of this herein described tract of land;

THENCE 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 1,583.17 feet to a point for the most Easterly Northeast corner of said Lot 1, and being a Northwesterly interior corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, N 42° 04' 11" W, a distance of 1,391.97 feet to a point for the most Northerly corner of said Lot 1, being in the Southeasterly line of a called 58.94 acre tract of land, as conveyed to Enos Gary, executor of the estate of Eloise Crawford, and recorded in Volume 990, Page 795, of the Official Public Records of Hays County, Texas, and being the most Westerly Northwest corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the common line between said 58.94 acre tract of land and the remaining portion of said 156.35 acre tract of land, N 44° 05' 24" E, a distance of 521.18 feet to a point for the most Easterly corner of said 58.94 acre tract of land, being in the Southwesterly line of Lot 17, Block 6, of the Hills of Hays Subdivision, Phase 2, as recorded in Volume 4, Page 337, of the Map and Plat Records of Hays County, Texas, and being the most Northerly corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the Southwesterly line of the said Hills of Hays Subdivision, Phase 2, same being the Northeasterly line of the remaining portion of said 156.35 acre tract of land, S 40° 59' 56" E, a distance of 591.72 feet to a point for the most Southerly corner of Lots 24 and 25, of said Hills of Hays Subdivision, Phase 2, same being the most Westerly corner of the remaining portion of a called 195.677 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 12036811, of the Official Public Records of Hays County, Texas, and being a Northerly Northeast corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the common line between the remaining portion of said 156.35 acre tract of land and the remaining portion of said 195.677 acre tract of land, S 41° 06' 18" E, a distance of 2,654.16 feet to a point in the Southwesterly line of the remaining portion of said 195.677 acre tract of land, being the most Northerly corner of the aforementioned 99.36 acre tract of land, being the most Easterly corner of the remaining portion of said 156.35 acre tract of land, and being a Northeasterly corner of this herein described tract of land;

THENCE with the Northeasterly line of said 99.36 acre tract of land, with the Southwesterly line of the remaining portion of said 195.677 acre tract of land, and with the Southwesterly line of a called 125.0 acre tract of land, as conveyed to James S. Lane, and recorded in Volume 878, Page 325, of the Official Public Records of Hays County, Texas, S 41° 15' 44" E, a distance of 1,615.62 feet to a point in the Southwesterly line of said 125.0 acre tract of land, being the most Northerly corner of a called 99.56 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 12036811, of the Official Public Records of Hays County, Texas, and being the most Easterly corner of said 99.36 acre tract of land and this herein described tract of land;

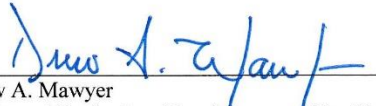
THENCE departing the Southwesterly line of said 125.0 acre tract of land, and with the common line between said 99.56 acre tract of land and said 99.36 acre tract of land, S 60° 21' 36" W, at a distance of 2,714.98 feet passing the most Southerly corner of said 99.36 acre tract of land, same being the most Westerly corner of said 99.56 acre tract of land, and being in the Northeasterly R.O.W. line of aforementioned Redwood Road, and continuing across and through the R.O.W. of said Redwood Road, for a total distance of 2,796.79 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° 42' 16" W, a distance of 1,686.14 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being a 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 60° 38' 29" E, a distance of 81.76 feet to the POINT OF BEGINNING, and containing 192.951 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.



Drew A. Mawyer
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TBPLS Firm Registration #10191500
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MOE307- REDWOOD- 192.951 AC- 052819

