

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 6.278 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL "R-1" TO SINGLE FAMILY DETACHED RESIDENTIAL "R-1-A" FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF ZAPATA STREET AND W. HAYS STREET, IN HAYS COUNTY, TEXAS. (THOMAS KAMINSKI – Z-16-011); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

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

SECTION 1. That the zoning district map of the City of Kyle adopted in Chapter 53 (Zoning) be and the same is hereby amended to rezone approximately 6.278 acres from Single Family Residential "R-1" to Single Family Detached Residential "R-1-A" for property located on the southwest corner of Zapata Street and W. Hays Street, as shown on the property location map labeled Exhibit B.

SECTION 2. That the City Secretary is hereby authorized and directed to designate the tract of land zoned herein as such on the zoning district map of the City of Kyle and by proper endorsement indicate the authority for said notation.

SECTION 3. If any provision, section, 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 (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.



READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
R. Todd Webster, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Vetrano, City Secretary



## **“EXHIBIT A”**



FIELD NOTES

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE JOHN PHARASS SURVEY NUMBER 13, ABSTRACT NUMBER 361, SITUATED IN HAYS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PART OF THAT CERTAIN CALLED REMAINDER OF 8.26 ACRE TRACT OF LAND, CONVEYED TO THOMAS L. KAMINSKI IN VOLUME 1311, PAGE 20, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 6.278 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a ½" iron pipe found, being a western corner of said Remainder of 8.26 acre tract, being also a point on an eastern boundary line of a called 3.27 acre tract of land conveyed to Christian and Diana Espiritu in Volume 5034, Page 689 (O.P.R.H.C.TX.), and being also a northern corner of a called 74.487 acre tract of land conveyed to The Blanton Family Partnership in Volume 2728, Page 242 (O.P.R.H.C.TX.), for the **POINT OF BEGINNING** of the herein described tract,

**THENCE**, with the common boundary of said Remainder of 8.26 acre tract and said 3.27 acre tract, N43°37'12"W, a distance of 159.20 feet to a calculated point, being a western corner of said Remainder of 8.26 acre tract, being also a point on an eastern boundary line of said 3.27 acre tract of land, and being also a southern corner of a called 0.25 acre tract of land conveyed to Andres Romero as described in Volume 64, Page 401 of the Deed Records of Hays County, Texas (D.R.H.C.TX.), , for the westernmost corner of the herein described tract, from which a capped 5/8" iron rod found stamped "LEO'S SURVEYING", being a northern corner of said 3.27 acre tract, being also a western corner of said 0.25 acre tract, and being also a point on an eastern right-of-way line of Old Stagecoach Road (R.O.W. Varies),

**THENCE**, with the common boundary of said Remainder of 8.26 acre tract and said 0.25 acre tract, N07°23'48"E, a distance of 130.63 feet to a calculated point, being a northern corner of said Remainder of 8.26 acre tract, being also an eastern corner of said 0.25 acre tract, and being also a point on a southern boundary line of a called 0.338 acre tract of land conveyed to Daniel Ortega in Volume 3355, Page 877 (O.P.R.H.C.TX.), for the northernmost corner of the herein described tract,

**THENCE**, with the common boundary line of said Remainder of 8.26 acre tract, said 0.338 acre tract, a tract of land conveyed to Carlos Romero in Volume 50, Page 521 (D.R.H.C.TX.), a called 0.3971 acre tract of land conveyed to Andrew Romero in Volume 1393, Page 849 (O.P.R.H.C.TX.), a called 1/8 acre tract of land conveyed to Julian and Maria Romero in Volume 392, Page 263 (O.P.R.H.C.TX.), and the Blas M. Tenorio Subdivision, a subdivision recorded in Volume 1, Pages 69-70 in the Plat Records of Hays County, Texas (P.R.H.C.TX.), S82°20'04"E, a distance of 1,179.12 feet to a capped ½" iron rod found stamped "LINDSAY", being an eastern corner of said Remainder of 8.26 acre tract, being also a point on a southern boundary line of said Blas M. Tenorio Subdivision, and being also the northernmost corner of a called 1.00 acre tract of land conveyed to Lindsay G. Veretta and described in said Volume 1311, Page 20 (O.P.R.H.C.TX.), for the easternmost corner of the herein described tract, from which a ½" iron pipe found being a southern corner of said Blas M. Tenorio Subdivision and being also the easternmost corner of said 1.00 acre tract, bears S82°20'04"E, a distance of 174.56 feet,

**THENCE**, with the common boundary of said Remainder of 8.26 acre tract and said 1.00 acre tract, S09°32'30"W, a distance of 247.93 feet to a capped ½" iron rod stamped "LINDSAY", being a southern corner of said Remainder of 8.26 acre tract, and being also a western corner of said 1.00 acre tract, and being also a point on a northern boundary line of said 74.487 acre tract, for the southernmost corner of the herein described tract,

**THENCE**, with the common boundary line of said Remainder of 8.26 acre tract and said 74.487 acre tract, N81°22'15"W, a distance of 1,046.32 feet to the **POINT OF BEGINNING** and containing 6.278 acres of land.

Surveyed by:

 26 Oct 2016

Aaron V. Thomason, R.P.L.S. #6214  
Carlson, Brigrance & Doering, Inc.  
5501 West William Cannon Drive  
Austin, TX 78749  
Phone: (512) 280-5160  
aaron@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204)

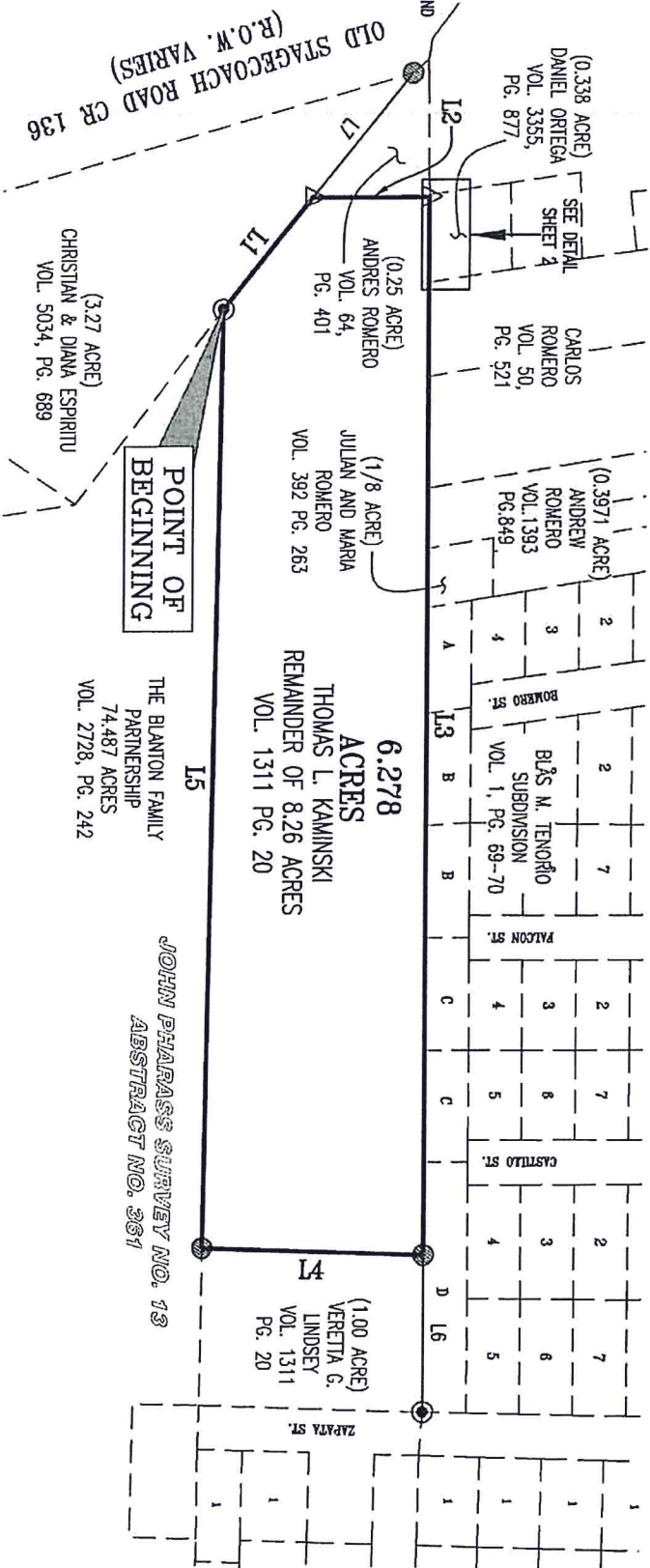


# SKETCH TO ACCOMPANY FIELD NOTES

SCALE: 1" = 200'

## LEGEND

- CAPPED 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- IRON PIPE FOUND
- △ CALCULATED POINT



Line Table	
Line #	Direction
L1	159.20 N43°37'12"W
L2	130.63 N07°23'48"E
L3	1179.12 S82°20'04"E
L4	247.93 S09°32'30"W
L5	1046.32 N81°22'15"W
L6	174.56 S82°20'04"E
L7	178.37 N43°37'12"W



**CBD**

Carlson, Brigrance & Doering, Inc.

REG. # 10024900

Chil Engineering 5501 West William Cannon Phone No. (512) 280-5160

Surveying 78749 Austin, Texas Fax No. (512) 280-5165

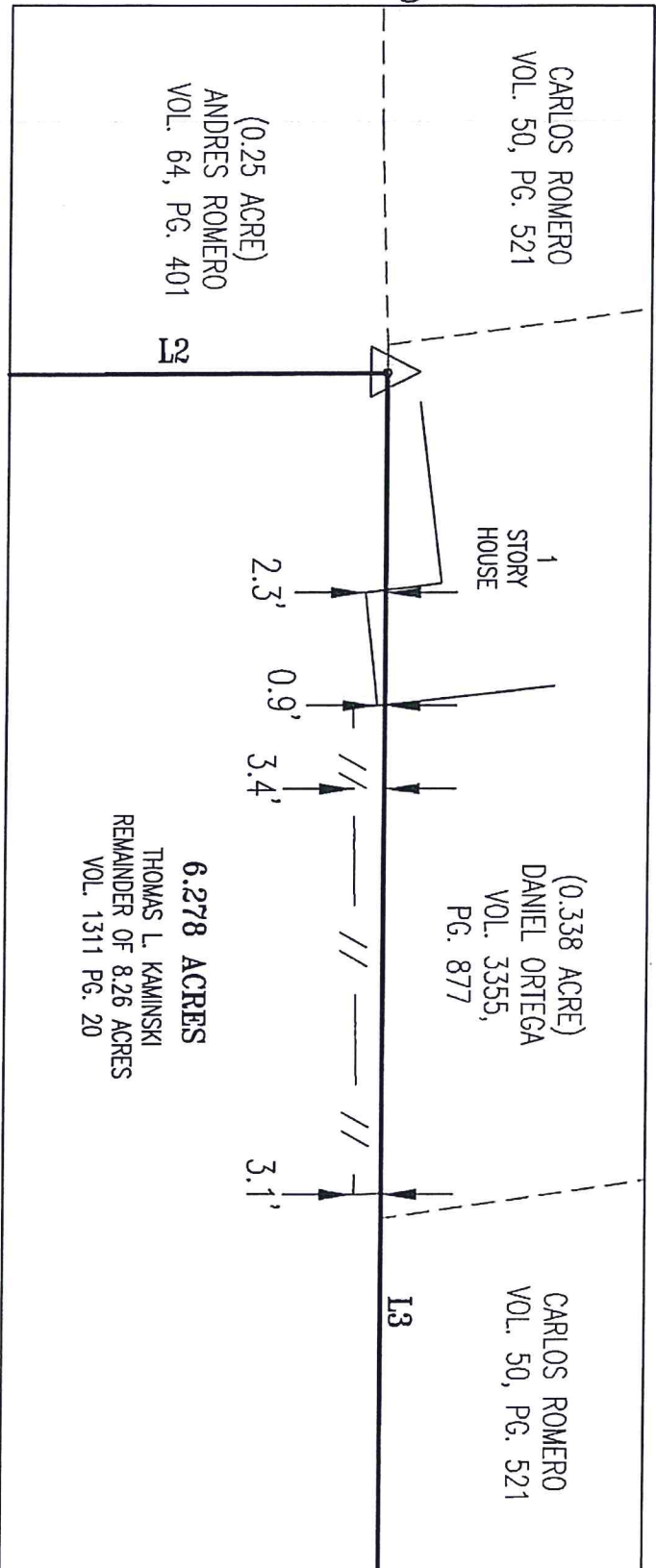


# SKETCH TO ACCOMPANY FIELD NOTES

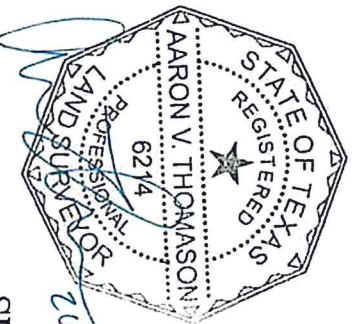
SCALE: 1" = 20'

## LEGEND

- 1/2" IRON ROD FOUND  
(UNLESS OTHERWISE NOTED)
- IRON PIPE FOUND
- △ CALCULATED POINT
- WOOD FENCE



DETAIL  
SCALE 1" = 20'



SHEET 2 OF 2

BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204)

Carlson, Brigrance & Doering, Inc.

PRM ID #83791 REG. # 10024900

Civil Engineering  
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PATH:- J:\4811-010\DWG\FN - 6.278 AC.dwg



# Exhibit B

(Z-16-011)

