

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 98.106 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL ATTACHED 'R-1-A' AND SINGLE FAMILY RESIDENTIAL-2 'R-1-2' TO SINGLE FAMILY RESIDENTIAL-3 'R-1-3' FOR PROPERTY LOCATED OFF OF BUNTON LANE APPROXIMATELY 2000 FEET EAST OF TWIN ESTATES DRIVE , IN HAYS COUNTY, TEXAS. (MAGNOLIA RESERVE, LLC – Z-17-009); 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 98.106 acres of land from Single Family Residential Attached 'R-1-A' and Single Family Residential-2 'R-1-2' to Single Family Residential-3 'R-1-3' for property located off of Bunton Lane approximately 2000 feet east of Twin Estates Drive, 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"

	Bk	Vol	Pg
06014478	DPR	2926	43

98.109 acres of land, more or less, out of the Robert Carson Survey, Abstract No. 135 in Hays County, Texas, comprised of that tract conveyed as 100.58 acres to Walter A. Schmeltekopf, Jr. by deed recorded in Volume 1131, Page 335, Official Public Records of Hays County, Texas and more particularly described by metes and bounds as follows:

Beginning at an iron rod found for the north corner hereof and of said 100.58 acres, the east corner of that tract conveyed as 97.266 acres to D4D-I, Ltd. by deed recorded in Volume 2552, Page 402 of said Official Public Records and a point on the southwest line of Bunton Lane (County Road No. 151)

Thence S 45° 04' 20" E, 993.27 feet along the southwest line of said Bunton Lane to an iron rod set at a fence corner post for the east corner hereof and of said 100.58 acres and the north corner of that tract conveyed as 99.97 acres to Alfred J. Haberer, Jr. by deed recorded in Volume 680, Page 588, Real Property Records of Hays County;

Thence S 45° 01' 31" W, 4247.03 feet along the common line of said 100.58 acres and said 99.97 acres, generally as fenced to an iron rod found for the south corner hereof, the west corner of said 99.97 acres and a point on the north line of that tract conveyed as 174.65 acres to KB Homes Lone Star, LP by deed recorded in Volume 2137, Page 179 of said Official Public Records;

Thence N 51° 56' 06" W, 998.71 feet along the common line of said 100.58 acres and said 174.65 acres to an iron rod found for the west corner hereof and the south corner of said 97.266 acres;

Thence N 45° 00' 00" E, (bearing basis from said Volume 1131, Page 355 for this survey) 4366.36 feet along the common line of said 100.58 acres and said 97.266 acres to the point of beginning, containing 98.109 acres of land, more or less.

Filed for Record in:
Hays County
On: May 19, 2006 at 11:05A
Document Number: 06014478
Amount: 24.00
Receipt Number - 148005
By:
Terry Kleen, Deputy
Lee Carlisle, County Clerk
Hays County

Exhibit B

Z-17-009 98.1 Acres on Bunton Ln

