

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF ASSIGNING ORIGINAL ZONING TO APPROXIMATELY 1.12 ACRES OF LAND FROM AGRICULTURE 'AG' TO SINGLE FAMILY RESIDENTIAL 2 'R-1-2' FOR PROPERTY LOCATED AT 503 N. OLD STAGECOACH ROAD, IN HAYS COUNTY, TEXAS. (FELDER CND, LLC. – Z-18-0024); 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 assign original zoning to approximately 1.12 acres of land from Agriculture 'AG' to Single Family Residential 2 'R-1-2' for property located at 503 N. Old Stagecoach Road, 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 _____, 2018, 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 _____, 2018, 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 _____, 2018.

Travis Mitchell, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

EXHIBIT A

1.12 ACRES
SAMUEL PHARASS SURVEY NO. 14
ABSTRACT NO. 360
HAYS COUNTY, TEXAS

1 of 2

DESCRIPTION OF A 1.12 ACRE TRACT, PREPARED BY DELTA SURVEY GROUP INC. IN DECEMBER 2017, LOCATED IN THE SAMUEL PHARASS SURVEY NUMBER 14, ABSTRACT NUMBER 360, HAYS COUNTY, TEXAS, BEING ALL OF THAT CALLED 1.00 ACRE TRACT CONVEYED TO CLIFTON L. OSWALT, DESCRIBED IN VOLUME 398, PAGE 265, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS, AND ALL OF THAT 0.12 ACRE TRACT CONVEYED TO CLIFTON L. OSWALT, DESCRIBED IN VOLUME 592, PAGE 807, REAL PROPERTY RECORDS, HAYS COUNTY, TEXAS, SAID 1.12 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found in the west right-of-way (ROW) line of County Road 136 (Old Stagecoach Road) (ROW varies), same being the northeast corner of said 1.00 acre tract, and also being a southeast corner of a remainder of a called 132.59 acres tract conveyed to Felder CND, LLC., described in Volume 5224, Page 246, Official Public Records, Hays County, Texas, for the **POINT OF BEGINNING**

THENCE with east lines of said 1.00 and 0.12 acres tract, same being the west ROW of Old Stagecoach Road the following two (2) courses and distances:

1. S16°45'08"E a distance of 124.46 feet to a ½ inch iron rod found, and
2. S08°02'21"E a distance of 15.18 feet to a ½ inch iron rod with "Delta Survey" cap found;

THENCE with a south line of said 0.12 acre tract same being a north line of said remainder of 132.59 acres tract, S73°14'49"W a distance of 347.70 feet to a ½ inch iron rod with "Delta Survey" cap found;

THENCE with a west line of said 0.12 acre and 1.00 acre tract, same being an east line of said remainder of 132.59 acres tract, N16°45'09"W a distance of 139.46 feet to a ½ inch iron rod with "Delta Survey" cap found;

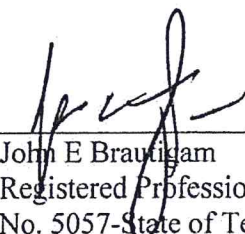
1.12 ACRES
SAMUEL PHARASS SURVEY NO. 14
ABSTRACT NO. 360
HAYS COUNTY, TEXAS

2 of 2

THENCE with the north line of said 1.00 acre tract, same being a south line of said remainder of 132.59 acres tract, N73°14'47"E a distance of 350.00 feet to the **POINT OF BEGINNING** and containing 1.12 acres of land, more or less.

BEARING BASIS: TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE, NAD 83/CORS

Date: 12-14-17



John E Brautigam
Registered Professional Land Surveyor
No. 5057-State of Texas

Delta Survey Group, Inc.
8213 Brodie Lane, Suite 102
Austin, Texas 78745
TBPLS Firm No. 10004700

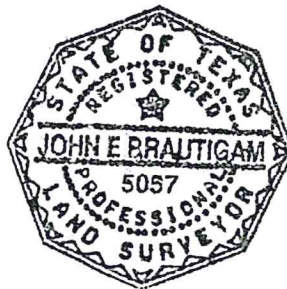


Exhibit B

Z-18-0024

503 N Old Stagecoach Rd

1.12 Acres

