

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 1.02 ACRES OF LAND FROM AGRICULTURE 'AG' AND SINGLE FAMILY RESIDENTIAL 'R-1' TO SINGLE FAMILY RESIDENTIAL-3 'R-1-3' FOR PROPERTY LOCATED AT 701 SCOTT STREET, IN HAYS COUNTY, TEXAS. (GENEVIEVE VAUGHN – Z-19-0040); 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 1.02 acres of land from Agriculture 'AG' and Single Family Residential 'R-1' to Single Family Residential-3 'R-1-3' located at 701 Scott 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 _____, 2019, 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 _____, 2019, 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 _____, 2019.

Travis Mitchell, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

EXHIBIT "A"

DESCRIPTION OF 1.23 ACRES, MORE OR LESS, OF LAND AREA IN THE Z. HINTON SURVEY, ABSTRACT NO. 220, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT DESCRIBED AS 8 ACRES IN A DEED FROM J.D. SCOTT ET UX TO KURT H. LENGEFELD AND ESTHER A. LENGEFELD DATED MAY 7, 1946 AND RECORDED IN VOLUME 134, PAGE 632 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/4" iron rod set at fence corner in the southwest line of the Lengefeld 8 acre tract and northeast line of Lot 3 of Four Oaks Subdivision as recorded in Volume 1, Page 91 of the Hays County Plat Records for the southwest corner of this description and exterior southwest corner of that tract described as 2.54 acres in a deed from CCCO, Inc. to Ernest Kimbro dated April 11, 1997 and recorded in Volume 1311, Page 864 of the Hays County Official Public Records (said Kimbro 2.54 acre tract being a portion of the Lengefeld 8 acre tract), from which beginning point a 3/8" iron rod found for the east corner of Lot 3 and north corner of Lot 4 of Four Oaks Subdivision bears S 45° 35' 00" E 14.76 feet;

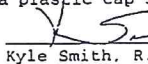
THENCE leaving the Kimbro 2.54 acre tract and the PLACE OF BEGINNING as shown on that plat numbered 25187-02-c dated January 23, 2002 as prepared for Genevieve Vaughan by Byrn & Associates, Inc. of San Marcos, Texas, with the common southwest line of the Lengefeld 8 acre tract and northeast line of Four Oaks Subdivision, N 45° 35' 00" W (this being the Bearing Basis for this description) 277.16 feet to a calculated point in the paved portion of Scott Street, a roadway used by the public with no record right-of-way dedication found, apparently being a portion of the Lengefeld 8 acre tract, for the west corner of the Lengefeld 8 acre tract and this description, pass at 85.15 feet a 3/8" iron rod found for the north corner of Lot 3 and east corner of Lot 2, pass at 185.12 feet a 1/4" iron rod found for the north corner of Lot 2 and east corner of Lot 1 and pass at 272.39 feet a 1/4" iron rod set for the north corner of Lot 1 of Four Oaks Subdivision;

THENCE with the northwest line of the Lengefeld 8 acre tract, N 44° 36' 14" E 193.88 feet to a calculated point northwest of the paved portion of Scott Street for the north corner of this description;

THENCE crossing the paved portion of Scott Street and partially with the west line of the Kimbro 2.54 acre tract, being generally along a wire fence, the following two courses:

1. S 45° 31' 58" E 274.84 feet to a 1/4" iron rod set near an 8" treated fence corner post found for the east corner of this description and interior west corner of the Kimbro 2.54 acre tract, pass at 40.00 feet a 1/4" iron rod set for reference, and
2. S 43° 55' 04" W 193.64 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 1.23 acres, more or less, of land area as prepared from public records and a survey made on the ground on January 23, 2002 by Byrn & Associates, Inc. of San Marcos, Texas. All 1/4" iron rods set are capped with a plastic cap stamped "Byrn Survey".


Kyle Smith, R.P.L.S. #5307

CLIENT: Vaughan, G.
DATE: January 23, 2002
SURVEY: Hinton, Z. A-220
COUNTY: Hays, Texas
JOB NO.: 25187-02
FND1.23

Exhibit B

Z-19-0040

701 Scott St

1.02 Acres

