

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 7.17 ACRES OF LAND FROM ‘A’ (AGRICULTURE) TO ‘CC’ (COMMUNITY COMMERCIAL) – FOR PROPERTY LOCATED ON LOT 2, BLOCK A OF THE FINDLEY SUBDIVISION IN HAYS COUNTY, TEXAS; AUTHORIZING THE CITY SECRETARY TO AMEND THE CITY OF KYLE CODE OF ORDINANCES 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 7.17 acres from ‘A’ (Agriculture) to ‘CC’ (Community Commercial) Zoning for property located on Lot 2, Block A of the Findley Subdivision, Hays County, Texas and the property location map and survey labeled ‘Exhibit A’.

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, as shown in ‘Exhibit A’ 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 _____, 2022, 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 _____, 2022, at which a quorum

was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

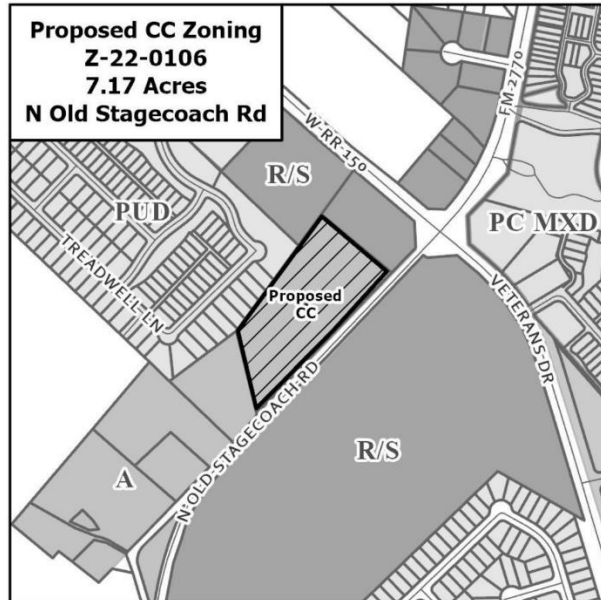
APPROVED this _____day of _____, 2022.

ATTEST:

Jennifer Holm, City Secretary

Travis Mitchell, Mayor

Exhibit A



PROPERTY DESCRIPTION

A 7.16 acres (311,950 square feet), tract of land, lying within the Samuel Pharass Survey, Abstract 360, Hays County, Texas, and being all of Lot 2, Block A of Findley Subdivision, a subdivision recorded in Document Number 21040053, Official Plat Records of Hays County, Texas, described as follows:

BEGINNING at a fence post found for the northwestern corner of said Lot 2, the easternmost corner of a called 2.62 acre tract conveyed to Alton E. Franke in Volume 245, Page 347, Deed Records of Hays County, Texas and being a southern corner of a 57.260 acre tract conveyed to Kyle Mortgage Investors, LLC, for the westernmost corner of the herein described tract;

THENCE, with the northwestern corner of said Lot 2 also being the southeastern line of said 57.260 acre tract, N35°54'59"E, a distance of 507.96 feet to an 1/2" iron rod found at the eastern said 57.260 acre and the southern corner of called 4.847 acre tract of conveyed to David Beseda in Document Number 17041944, Official Public Records of Hays County, Texas;

THENCE, with the northwestern line of said Lot 2 and also being the southeastern line of said 4.847 acre tract, N35°57'08"E, a distance of 184.73 feet to an called iron rod with cap stamped "ATWELL LLC" set for the northernmost corner of said Lot 2, the southeastern line of said 4.847 acre and the westernmost corner of Lot 1, Block A of said Findley;

THENCE, with the southwestern line of said Lot 1 and 2 and also being in the northwestern right of said Lot 2, S50°23'29"E, a distance of 438.51 feet to an iron rod with cap stamped "ATWELL LLC" set, for the easternmost corner of said Lot 2 and also being in the northwestern right-of-way of Old Stagecoach Road (right-of-way line);

THENCE, with the northwestern line of said Old Stagecoach Road and the southeastern line of said Lot 2, S43°46'53"W, a distance of 935.93 feet to an iron rod found with cap stamped "ATWELL LLC" set, for the southernmost corner of said Lot 2 and the easternmost corner of said southern 2.62 acre tract;

THENCE, with the southernmost of said Lot 2 and the northern line of said 2.62 acre tract, N13°46'30"W, a distance of 406.05 feet to the **POINT OF BEGINNING**.

Containing 7.16 acres or 311,950 square feet, more or less.

BEARING BASIS NOTE

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System NAD 83 (2011 adjustment), South Central Zone (4204). The Grid to Surface combined scale factor is 1.00013.

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