ORDINANCE NO. 1146-11-17

AN ORDINANCE APPROVING THE REZONING OF PART OF LOT 9 AND ALL OF LOT 10 AND PART OF AVENUE I, BLOCK 5, MOEUR ADDITION, A SUBDIVISION PLAT IN THE CITY OF HONDO, TEXAS FROM RESIDENTIAL TWO (R2) DISTRICT TO GOVERNMENT/ PUBLIC (GP); DECLARING COMPLIANCE WITH MUNICIPAL ZONING REGULATIONS, STATE LAW, PUBLIC NOTICE AND HEARING REQUIREMENTS, INCORPORATING RECITALS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE

WHEREAS, the City of Hondo as a subdivision of the State of Texas has the authority to pass law and the laws of the City are passed by Ordinance; and

WHEREAS, the Texas Local Government Code 211, subchapter A authorizes a city to establish zoning regulations for the purpose of promoting public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.; and

WHEREAS, the Texas Local Government Code 211.006 establishes procedures to for cities to amend zoning regulations and zoning district boundaries; and

WHEREAS, Sec. 25.2007 of the Code of Ordinance for the City of Hondo provides for amendments and changes to zoning regulations and zoning district boundaries; and

WHEREAS, Hondo Independent School District ("Hondo ISD") is owner of property located at 900 23rd Street, Hondo, Texas and being a 13,943.10 square foot tract of land described as part of Lot 9, all of Lot 10, and a portion of Avenue "I", Block 5, of the Moeur Addition, a subdivision as shown on plat recorded at Volume 25, Page 623, Deed Records, Medina County, Texas, being the same property called Lots 9 and 10 in a deed to Board of Trustee of Hondo ISD from Barbara F. Thompson, dated February 7, 2011, of record at Volume 806, Page 1242, Official Public Records, Medina County, Texas (the "Property"); and

WHEREAS, the City of Hondo Planning and Zoning Commission considered the application to rezone the Property at its meeting on November 14, 2017 and recommended approval.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS:

SECTION 1. AMENDMENT. The zoning district for the 13,943.10 square foot tract of land described as part of Lot 9, all of Lot 10, and a portion of Avenue "I", Block 5, of the Moeur Addition, a subdivision as shown on plat recorded at Volume 25, Page 623, Deed Records, Medina County, Texas, and described in EXHIBIT A (the "Property"), and incorporated herein by reference, is hereby amended from Residential Two District (R2) to Government/Public District (GP).
SECTION 2. DECLARATION OF COMPLIANCE. The City Council finds that all required public notices for the rezoning of the Property described in EXHIBIT A have been published and the public hearings as required by Municipal Code of Ordinances and state law have been held to consider the application to amend the zoning district boundary.

SECTION 4. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

SECTION 5. REPEALER. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

SECTION 6. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.


JAMES W. DANNER, SR., MAYOR

ATTEST:

MIGUEL CANTU
CITY SECRETARY

Ordinance No. 1146-11-17
EXHIBIT A
Description of 13,943.10 square foot tract of land
being part of Lot 9 and all of Lot 10, and a portion of Avenue “J”, Block 5, of the
Moeurs Addition, a subdivision plat located in Hondo, Medina County, Texas

THE STATE OF TEXAS
COUNTY OF MEDINA
PREPARED FOR: Hondo ISD

FIELD NOTES TO DESCRIBE
A survey of 0.320 acre (13,943.1 Sq. Ft.) of land situated within the Corporate Limits of
the City of Hondo, in Medina County, Texas, out of Survey No. 186, Abstract No. 56,
Allen C. Bullock, original Grantee, being a portion of Lot 9, all of Lot 10, and a portion of
Avenue “J”, Block 5, of the Moeurs Addition, a subdivision plat recorded in Volume 25 on
Page 623 of the Deed Records of Medina County, Texas, being the same property called Lots 9
and 10 in a Deed to the Board of Trustees of
Hondo Independent School District from Barbara P. Thompson, dated February 7, 2011,
as recorded in Volume 806 on Page 1242 of the Official Public Records of Medina
County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At a 5’8” iron pin set on the North line of 23rd Street (the recog-
nized North line of said Survey No. 184) and the South line of said Lot
9 (the recognized South line of said Survey No. 186) at the intersection
with the occupied East line of Avenue “J” for the Southwest corner of
this survey;

THENCE: Along the occupied East line of said Avenue “J”, N 01°00’56" W
102.20 feet to a 5’8” iron pin set on the North line of said Lot 9 and
the South line of Lot 16, Block 5, of said Moeur Addition, for the
Northwest corner of this survey;

THENCE: Along the North lines of said Lots 9 and 10 and the South lines of Lots
16 and 15, Block 5 of said Moeur Addition, N 88°06’31" E 131.82 feet
to a 5’8” iron pin set on the occupied West line of Avenue “J” for the
Northwest corner of this survey;

THENCE: Along the occupied West line of said Avenue “J”, S 01°21’30" E
106.03 feet to a 5’8” iron pin set 0.56 South of a found ½” iron pipe on
the recognized South line of said Survey No. 186 and the recognized
North line of said Survey No. 184 for the Southeast corner of this
survey;

THENCE: Along the recognized South line of said Survey No. 186, the recognized
North line of said Survey No. 184, the North line of said 23rd Street,
and the South lines of said Lots 19 and 8, S 89°42’40" W 136.15 feet to
the POINT OF BEGINNING.

The bearings are relative to Geodetic North WGS 84 as taken from GPS Observations.

I certify that the foregoing field note description was prepared from an actual survey
made under my supervision on the ground and that same is true and correct. Witness my
hand and seal this 29th day of September, 2013.

[Signature]
Charles W. Rother
Registered Professional Surveyor No. 2453
1705 Avenue K, P. O. Box 426
Hondo, Texas 78861
Ph. (830) 426-3005
FAX (830) 426-8160
Medina County, Texas

Block 5
Lot 16
Lot 15
Moenor Addition
Vol. 25, Pg. 623
Lot 9
Lot 10
Lot 2
Lot 1

Sur. 188
Lot 14
Lot 11
Lot 10
Lot 9
Lot 8
Lot 7
Lot 6
Lot 5
Lot 4
Lot 3
Lot 2
Lot 1

Block 4
Lot 1

John Wolfert
abst. 1029

Lot 8
Lot 7
Lot 6
Lot 5
Lot 4
Lot 3
Lot 2
Lot 1

Sur. 184
Lot 1

23rd Street

Lot 2
Lot 3
Lot 4
Lot 5
Lot 6
Lot 7
Lot 8
Lot 9

Lot 2
Lot 3
Lot 4
Lot 5
Lot 6
Lot 7
Lot 8
Lot 9

The survey is recorded outside the limits of any 100 year flood zone as shown on the Flood Insurance Program Flood Insurance Rate Map, City of Medina, Medina County, Texas. Community Flood Number: 413443-000000. Effective Date: April 3, 2012.

Prepared by:

Riverside & Associates, Inc.
Engineers & Surveyors
1706 Ave K, P.O. Box 529
Hallett City, TX 78008
Phone: (361)629-5430
Fax: (361)629-5160
email: info@riversideassoc.com
www.riversideassoc.com

The boundaries are relative to Quadrangle No. 78 as taken from SRS Observations.

I certify that the foregoing plat was prepared from an actual survey made under my direction and is true and correct.

[Signature]

[Date: September 2012]

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