

ORDINANCE NO. 1126-05-17

AN ORDINANCE OF THE CITY OF HONDO AMENDING THE HONDO ZONING ORDINANCE AND ZONING DISTRICT MAP BY REZONING A 1.908 ACRE TRACT LOCATED AT INTERSECTION OF 22ND STREET AND AVENUE D AND OUT OF BLOCK O, ORIGINAL TOWN OF HONDO, CITY OF HONDO, TEXAS FROM PLANNED DEVELOPMENT ("PD") TO RESIDENTIAL 3 ("R3") DISTRICT; DECLARING COMPLIANCE WITH MUNICIPAL ZONING REGULATIONS, STATE LAW, PUBLIC NOTICE AND HEARING REQUIREMENTS, INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY AND SETTING 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, Philip P. Bakke is owner of the 1.908 acre tract located at the southeast corner of 22nd Street and Avenue "D", situated within the corporate limits of City of Hondo, Medina County, Texas; and

WHEREAS, the City of Hondo Planning and Zoning Commission considered the application to rezone the Property at its meeting on May 15, 2017, and has recommended approval; and

WHEREAS, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has concluded that approval of the applicant's requested zone from Planned Development ("PD") to Residential 3 ("R3") District for the Property would be in the best interest of the citizens of City of Hondo.

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

SECTION 1. REZONE AND AMENDMENT TO ZONING DISTRICT MAP. The Zoning Ordinance and Zoning District Map of the City of Hondo, Texas, be hereby amended to reflect a zone change from Planned Development ("PD") to Residential 3 ("R3") District for the following real property:

1.908 acre tract situated within the corporate limits of City of Hondo, Medina County, Texas, out of Survey No. 104, Abstract No. 362, Fidele Enderle, original Grantee, being a portion of Block "O" of the original Town of Hondo, as shown in plat of record at Volume 1, Page 127, Plat Records, Medina County, Texas and being a portion of that certain 106.513 acre tract of land described in a Deed to Hondo Community Partners, Ltd. from Robert W. Bader and Cindy S. Bader, dated February 25, 2014, recorded as Instrument No. 2014030078, Official Public Records, Medina County, Texas, said tract being more particularly described by metes and bounds by the survey attached as **EXHIBIT "A"**.

SECTION 2. All other provisions of the Zoning Ordinance and Zoning District Map, except those expressly amended by this ordinance, shall remain in full force and effect.

SECTION 3. DECLARATION OF COMPLIANCE. The City Council finds that all required public notices for the rezoning of the Property 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. SEVERABILITY. Should any word, sentence, clause, paragraph, or provision of this ordinance be held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of the Zoning Ordinance, the Zoning District Map, or any other provision of the City's Code of Ordinances.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED, THIS 22nd DAY OF MAY, 2017.

ATTEST:



Elsa T. Robles, Interim City Secretary



JAMES W. DANNER, SR., MAYOR

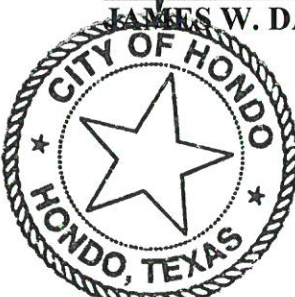

The seal of the City of Hondo, Texas, is circular with a five-pointed star in the center. The words "CITY OF HONDO" are written in a circle around the star, and "HONDO, TEXAS" is written in a smaller circle at the bottom. There are small stars on either side of the bottom circle.

EXHIBIT "A"
DESCRIPTION OF 1.908 ACRE TRACT/SURVEY

THE STATE OF TEXAS
COUNTY OF MEDINA

PREPARED FOR: Keith Lutz

FIELD NOTES TO DESCRIBE

A survey of 1.908 acres of land situated within the Corporate Limits of the City of Hondo, in Medina County, Texas, out of Survey No. 194, Abstract No. 362, Fidele Enderle, original Grantee, being a portion of Block "O" of the original Town of Hondo, as shown on a plat thereof recorded in Volume 1 on Page 127 of the Plat Records of Medina County, Texas, and being a portion of that certain 106.513 acre tract of land described in a Deed to Hondo Community Partners, Ltd. from Robert W. Bader and Cindy S. Bader, dated February 25, 2014, as recorded in Instrument No. 2014030078 of the Official Public Records of Medina County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: At an 8" diameter cedar corner post at the point-of-intersection of the South line of 22nd Street and the East line of Avenue "D" for the Northwest corner of said 106.513 acre tract of land and the Northwest corner of this survey;

THENCE: Along the South line of said 22nd Street and the North line of said 106.513 acre tract of land, N 86-07-07 E 76.70 feet to a 6" diameter treated post for an angle point, S 71-48-18 E 53.97 feet to a 4" diameter treated post for an angle point, and N 86-13-25 E 133.30 feet to a 5/8" iron pin set for the Northeast corner of this survey;

THENCE: S 02-48-43 W at 13.11 feet pass a 4" diameter treated post and continuing generally along fence a total distance of 295.31 feet to a 4" diameter cedar post for an angle point and S 18-50-21 W 24.51 feet to a 5/8" iron pin set on the North line of a certain 0.285 acre utility easement for the Southeast corner of this survey;

THENCE: Along the North line of said 0.285 acre utility easement, N 85-39-54 W 272.39 feet to a 5/8" iron pin set in fence on the East line of said Avenue "D" and the West line of said 106.513 acre tract of land for the Southwest corner of this survey;

THENCE: Generally along fence, the East line of said Avenue "D", and the West line of said 106.513 acre tract of land, N 06-18-28 E 302.27 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 by an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 18th day of April, 2017.



Charles W. Rothe
Registered Professional Land Surveyor No. 2453
1705 Avenue K, P.O. Box 426
Hondo, Texas 78861



Medina County, Texas

A SUBDIVISION PLAT
OF
Three Little Bir
Subdivision

The Journal of American Studies, vol. 36, no. 1, March 2002, pp. 1–17.
doi:10.1017/S0021871802000009
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Best, B. B. 1963. The Biology of the Mosquitoes of the Genus *Culex* in the United States. *U.S. Department of Agriculture, Agricultural Research Service, Technical Bulletin 1471*.

STAFF OF THE
COMPTROLLER GENERAL

STATE OF TEXAS
COUNTY OF MICHIGAN

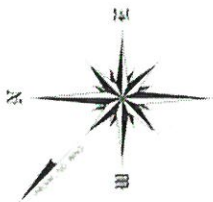
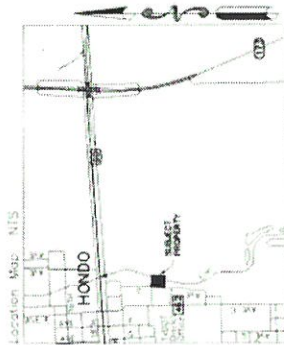
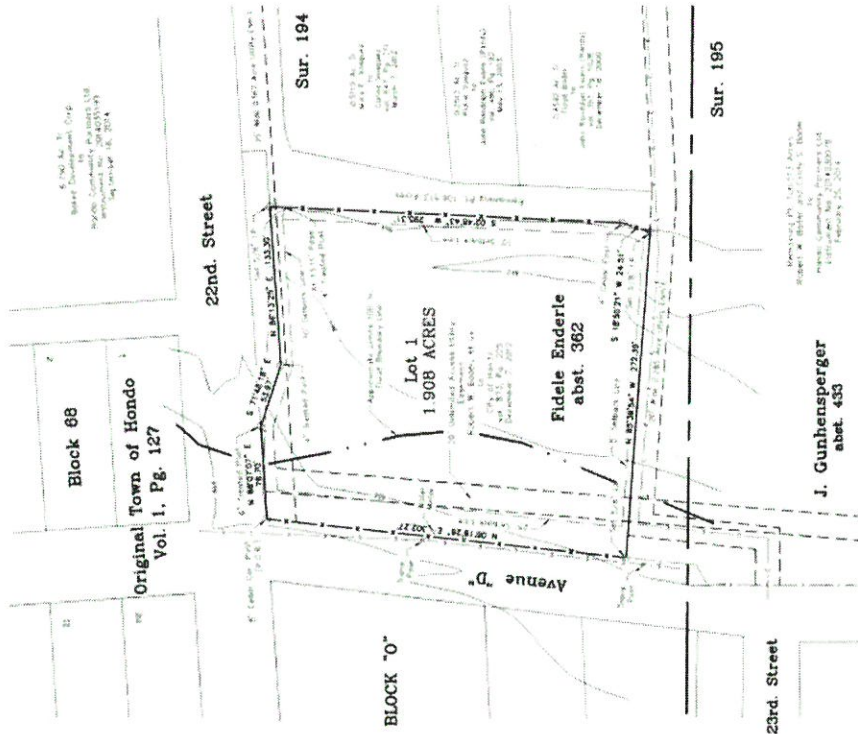
NOTARY PUBLIC

[illegible]

54. SUBMITTER MUST HAVE BEEN CONSIDERED AND APPROVED BY THE IS MARKING AND 2 MIN. EXAMINATION AT THE CITY OF HOUSTON.

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J. Gunhensperger
abt. 433

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