

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.

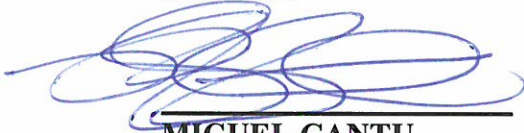
SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, THIS 20th DAY OF NOVEMBER, 2017.



JAMES W. DANNER, SR., MAYOR

ATTEST:



**MIGUEL CANTU
CITY SECRETARY**



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 "I", 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. Bulack, original Grantee, being a portion of Lot 9, all of Lot 10, and a portion of Avenue "I", Block 5, of the Moeur Addition, a subdivision as shown on a plat thereof recorded in Volume 25 on Page 623 of the Deed Records of Medina County, Texas, being that same property called Lots 9 and 10 in a Deed to the Board of Trustees of Hondo Independent School District from Barbara F. 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 recognized 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 01-00-36 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;

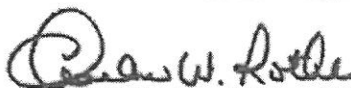
THENCE: Along the North lines of said Lots 9 and 10 and the South lines of Lots 16 and 15, Block 5 of said Moeur Addition, N 88-06-31 E 131.82 feet to a 5/8" iron pin set on the occupied West line of Avenue "I" for the Northeast corner of this survey;

THENCE: Along the occupied West line of said Avenue "I", S 03-21-40 E 106.03 feet to a 5/8" iron pin set 0.56 South of a found 1/2" 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;

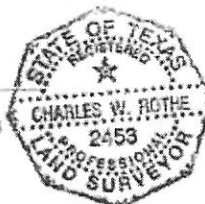
THENCE: Along the recognized South line of said Survey No. 186, the recognized North line of said Survey No. 184, the North line of said 23rd Street, and the South lines of said Lots 10 and 9, S 89-42-40 W 136.15 feet to the POINT OF BEGINNING.

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

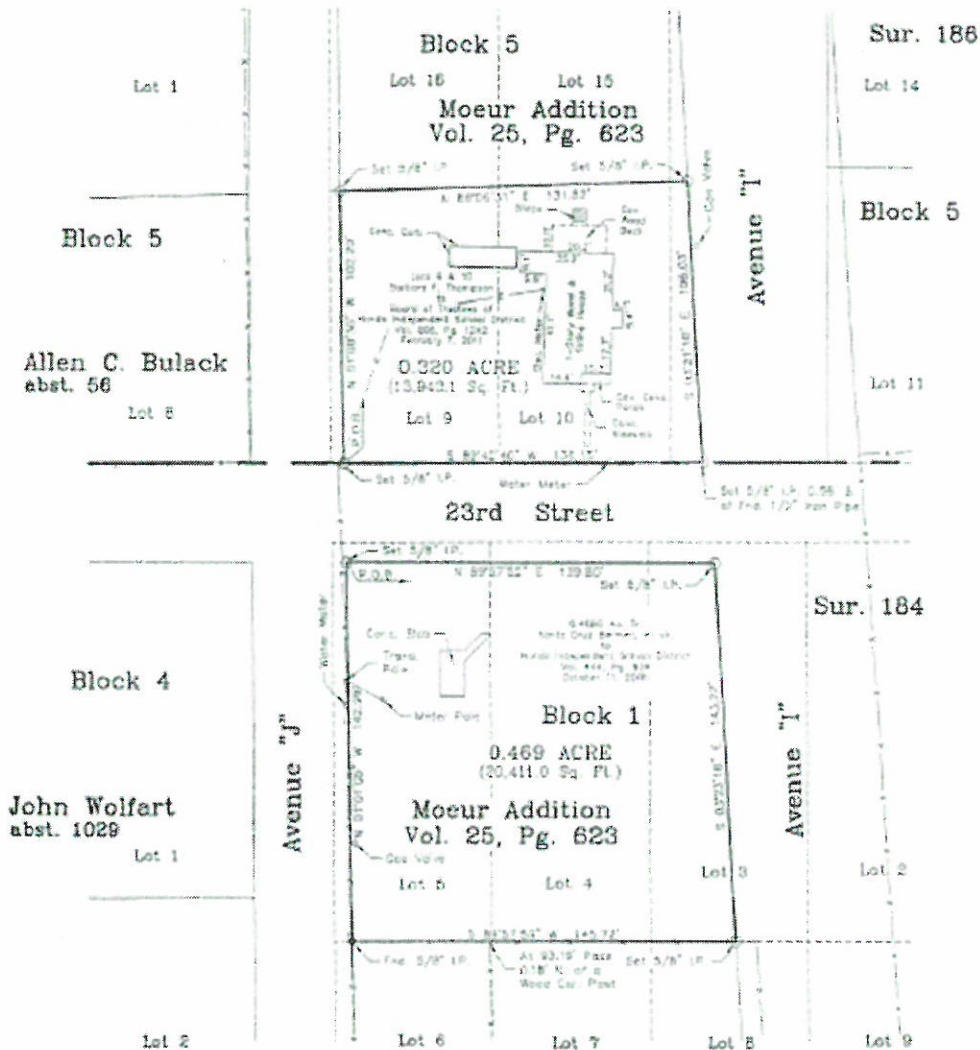
I certify that the foregoing field note description was prepared from an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 25th day of September, 2013.



Charles W. Rothe
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



The subject property is located outside the limits of any 100 year flood zone as shown on the National Flood Insurance Program Flood Insurance Rate Map, City of Harco, Madison County, Texas. Community Panel Number 490474 0480 C, Effective Date: April 2, 2012

Prepared For: 6000110

Parcel of 0.129 acre (34,044.10 Sq. Ft.) of land situated within the Corporate Limits of the City of Hondo, in Medina County, Texas, being 0.459 acre (20,410.50 Sq. Ft.) out of Survey No. 184, Abstract No. 1529, John Wadell, et al., Grantor, and 0.330 acre (13,431.50 Sq. Ft.) out of Survey No. 186, John Wadell, et al., Grantor, being a portion of Block 1, and a portion of Lot 8, of Lot 10, and a portion of Avenue "D", Block 5, Manor Addition, a subdivision shown on a plat thereof recorded in Volume 35 on Page 623 of the Deed Records of Medina County, Texas, said 0.459 acre tract being that same property called 0.4586 acre described in a Deed to Hondo Independent School District from Santa Cruz Bernard, et al., dated October 11, 2006, as recorded in Volume 844 on Page 928 of the Official Public Records of Medina County, Texas, and said 0.330 acre tract being that same property called Lots 9 and 10 in a Deed to the Board of Trustees of Hondo Independent School District from Barbara F. Thompson, dated February 7, 2011, as recorded in Volume 1067 on Page 1242 of the aforementioned Official Public Records.

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

I certify that the foregoing plat 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 the 25th day of September, 2013.

Charles Rothel & Assoc., Inc.
Engineers & Surveyors
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Firm No. 10122200

