

ORDINANCE NO. 1145-11-17

AN ORDINANCE APPROVING THE REZONING OF PART OF LOT 3 AND ALL OF LOTS 4 AND 5, BLOCK 1, 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 20,411 square foot tract of land described as part of Lot 3, and all of Lots 4 and 5, Block 1, 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 described in a deed to Hondo ISD from Santa Cruz Bermea, et vir, dated October 11, 2006, of record at Volume 644, Page 928, 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 20,411 square foot tract of land being part of Lot 3, and all of Lots 4 and 5, Block 1, 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.

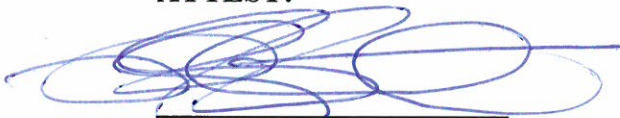
SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

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 20,411 square foot of land being
part of Lot 3 and Lots 4 and 5, Block 1
Moeurs Addition, a subdivision plat located in Hondo, Medina County, Texas

THE STATE OF TEXAS
COUNTY OF MEDINA

PREPARED FOR: Hondo I.S.D.

FIELD NOTES TO DESCRIBE

A survey of 0.469 acre (20,411.00 Sq. Ft.) of land situated within the Corporate Limits of the City of Hondo, in Medina County, Texas, out of Survey No. 184, Abstract No. 1029, John Wolfart, original Grantee, being portions of Lots 3, 4, and 5, Block 1, 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 described in a Deed to Hondo Independent School District from Santa Cruz Bermea, et vir, dated October 11, 2006, as recorded in Volume 644 on Page 928 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 at the point-of-intersection of the occupied East line of Avenue "J" and the occupied South line of 23rd Street for the Northwest corner of this survey;

THENCE: Along the occupied South line of said 23rd Street, N 89-57-52 E 139.80 feet to a 5/8" iron pin set at the point-of-intersection with 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 03-23-18 E 143.22 feet to a 5/8" iron pin set in fence on the South line of said Lot 3 and the North line of Lot 8, Block 1, of said Moeur Addition for the Southeast corner of this survey;

THENCE: Generally along fence, the South line of said Lots 3, 4, and 5, and the North lines of Lots 8, 7, and 6, Block 1, of said Moeur Addition, S 89-57-59 W at 93.19 feet pass 0.18 feet North of a wood corner post, leaving fence and continuing a total distance of 145.72 feet to a 5/8" iron pin found on the occupied East line of said Avenue "J" for the Southwest corner of this survey;

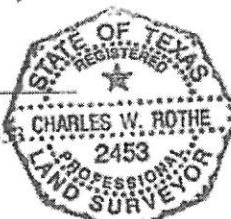
THENCE: Along the occupied East line of said Avenue "J", N 01-01-05 W 142.99 feet to the POINT OF BEGINNING.

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

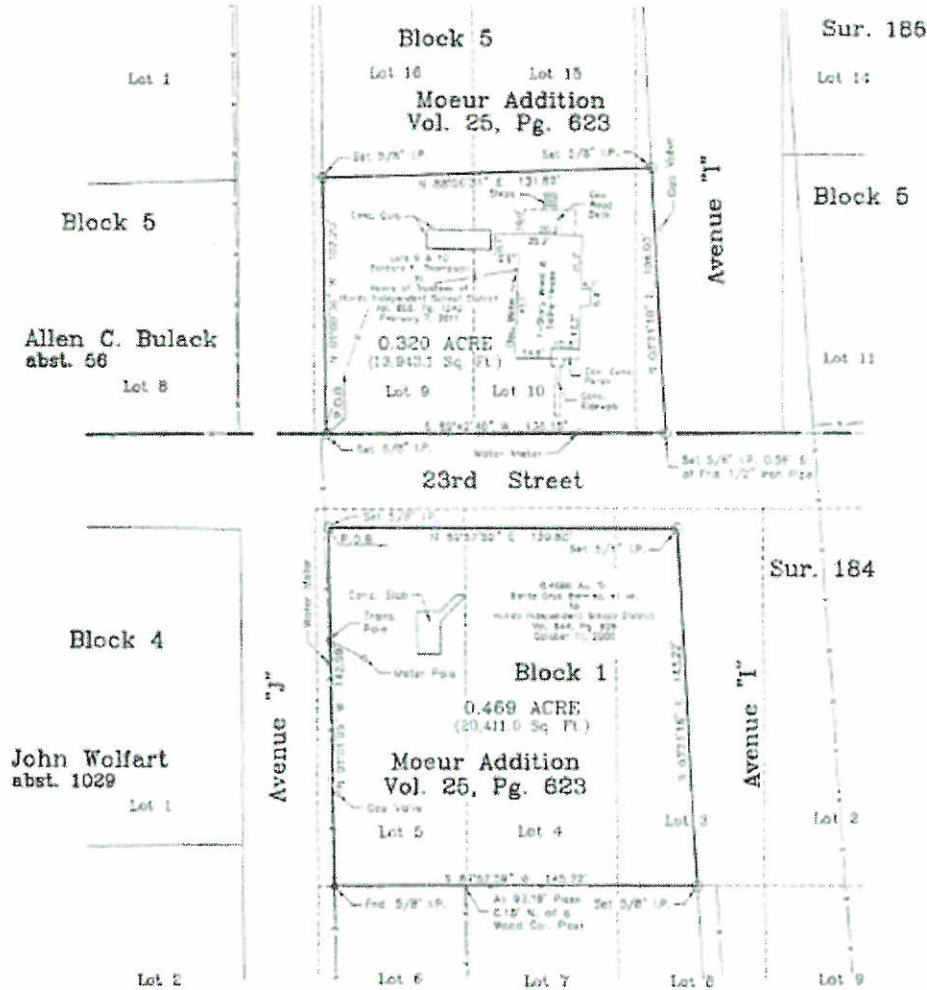
I certify that the foregoing field note description was prepared from an actual survey made under my supervision on the ground and that same is true and correct. Witness my hand and seal this the 25th day of September, 2013.



Charles W. Rothe
Registered Professional Surveyor No. 2453
1705 Avenue K, P. O. Box 426
Hondo, Texas 78861
Ph (830) 426-3005



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 Hondo, Medina County, Texas. Community Panel Number 480474 5480 C, Effective Date: April 3, 2012.

Prepared For: House L.S.D.

[illegible]

The bearings are relative to Geodetic North AUS 84 as taken from GPS observations.

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

Charles Rott & Assoc., Inc.
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Exp. No. 10122200

