

ORDINANCE NO. 315

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 97.23 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHERN CORNER OF THE INTERSECTION OF COTTON GIN ROAD AND DAIRY ROAD, TO THE AGRICULTURAL DISTRICT (A); PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Umland, Texas (the “City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

WHEREAS, the City is empowered by Chapter 211 of the Texas Local Government Code to establish a zoning ordinance establishing zoning districts and permissible land uses within the incorporated limits of the City; and

WHEREAS, the City desires to zone approximately 97.23 acres of land located south of the intersection of Cotton Gin Road and Dairy Road, known as Hays County Appraisal District Property ID numbers R122319 and R11442, and as more particularly described and depicted in Exhibit “A”, with the exhibit being attached hereto and incorporated herein by reference (collectively, the “Property”) to Agricultural District (A); and

WHEREAS, on March 17, 2024 the Planning and Zoning Commission conducted a public hearing and after consideration offered a recommendation of approval of zoning the Property to Agricultural District (A); and

WHEREAS, on May 8, 2024 the City Council conducted a public hearing on zoning the Property to Agricultural District (A); and

WHEREAS, after conducting public hearings and consideration the City Council has determined that the Property be zoned Agricultural District (A) as provided herein; and

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS, AS FOLLOWS:

Section 1. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. The parcel of land as shown and more particularly described in the attached Exhibit “A” are hereby zoned Agricultural District (A).

Section 3. The Official Zoning Map of the City of Umland shall be amended to reflect the above amendment.

Section 4. If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 5. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

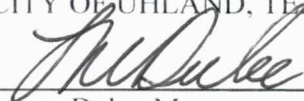
Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 8. This Ordinance will take effect upon its adoption by the City Council.

PASSED AND APPROVED this **20th day of June 2024.**

CITY OF UHLAND, TEXAS




Lacey Duke, Mayor

ATTEST:



Kimberly Weatherford, City Secretary

APPROVED AS TO FORM:



City Attorney
Denton, Navarro, Rodriguez, Bernal, Santee &
Zech, P.C.



METES AND BOUNDS

BEING ALL OF THAT CERTAIN 97.23 ACRE TRACT OF LAND, SITUATED IN THE JOHN STEWART SURVEY, ABSTRACT NUMBER 14, HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 101 ACRE TRACT OF LAND CONVEYED TO ALBERT F. AND HELENA F. BUSSE BY DEED RECORDED IN VOLUME 214, PAGE 285, DEED RECORDS HAYS COUNTY, TEXAS, SAID 97.23 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a capped 1/2 inch iron rod found stamped "BDG 10120600" on the southeast line of said 101 acre tract of land, being at the south corner of a called 0.169 acre (Part 2) right-of-way dedication to Hays County, Texas by deed recorded in Document Number 22049463, Official Public Records, Hays County, Texas, same being on the northwest line of a called 1.00 acre tract of land conveyed to Hays County, Texas by deed recorded in Volume P, Page 386, Deed Records, Hays County, Texas, also being on the southwest line of County Road 129, also known as Cotton Gin Road (R.O.W. varies), for the east corner and the **POINT OF BEGINNING** of the herein described tract of land,

THENCE, S46°17'49"W, with the common line of said 101 acre tract, said 1.00 acre tract, and a called 166.88 acre tract of land conveyed to Sun Creek Crossing, LLC by deed recorded in Document Number 19042425, Official Public Records, Hays County, Texas, a distance of 2,452.83 feet to a 5/8 inch iron rod found at the south corner of said 101 acre tract of land, being at the west corner of said 166.88 acre tract of land, same being on the northeast line of a called 78.85 acre tract of land conveyed to Sam O. Kimberlin, Jr. by deed recorded in Volume 1759, Page 672, Official Public Records, Hays County, Texas, and described in Volume 146, Page 378, Deed Records, Hays County, Texas, for the south corner of the herein described tract of land,

THENCE, N49°07'09"W, with the common line of said 101 acre tract and said 78.85 acre tract of land, a distance of 824.74 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, from which a 1/2 inch iron rod found at the south corner of a called 2.00 acre tract of land conveyed to Dana F. Izard by deed recorded in Volume 1632, Page 110, Official Public Records, Hays County, Texas, being on the northeast line of said 78.85 acre tract of land, bears N49°07'09"W, a distance of 509.89 feet,

THENCE, over and across said 101 acre tract of land, the following two (2) courses and distances, numbered 1 and 2,

- 1) N40°52'51"E, a distance of 250.00 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" for corner, and
- 2) N49°07'09"W, a distance of 992.89 feet to a capped 1/2 inch iron rod set stamped "CBD SETSTONE" on the fenced and apparent south right-of-way line of County Road 151, also known as Dairy Road (R.O.W. varies), for the west corner of the herein described tract of land, from which a 1/2 inch iron rod found at the north corner of said 2.00 acre tract of land, being on the south line of said County Road 151, bears S70°10'01"W, a distance of 113.75 feet,


THENCE, over and across said 101 acre tract of land, and with the monumented apparent south line of said County Road 151, , the following three (3) courses and distances, numbered 1 through 3,

- 1) N70°10'01"E, a distance of 171.60 feet to a 5/8 inch iron rod found for corner,
- 2) N51°24'12"E, a distance of 116.91 feet to a 3/4 inch iron rod found for corner, and

- 3) N44°25'13"E, a distance of 2,024.96 feet to a capped 1/2 inch iron rod found stamped "BDG 10120600" at the west corner of a called 0.280 acre (Part 1) right-of-way dedication to Hays County, Texas by deed recorded in Document Number 22049463, Official Public Records, of Hays County, Texas, being on the southwest line of said County Road 129, for the north corner of the herein described tract of land, from which a capped 1/2 inch iron rod found stamped "BDG 10120600" on the southwest line of said County Road 129, being at the south corner of a called 0.3587 acre right-of-way dedication to Hays County, Texas by deed recorded in Document Number 22051304, Official Public Records, Hays County, Texas, bears N36°49'54"W, a distance of 123.14 feet,

THENCE, over and across said 101 acre tract of land, with the southwest line of said 0.280 acre tract of land, the southwest line of a called 0.0396 acre right-of-way dedication to Hays County, Texas by deed recorded in Document Number 22049464, Official Public Records, Hays County, Texas, and the southwest line of said 0.169 acre tract of land, the following four (4) courses and distances, numbered 1 through 4,

- 1) S45°29'58"E, a distance of 53.63 feet to a "BDG 10120600" for corner,
- 2) N44°30'02"E, a distance of 16.81 feet to a "BDG 10120600" for corner,
- 3) S45°30'19"E, a distance of 1,047.87 feet to a "BDG 10120600" for corner,
- 4) S45°50'22"E, a distance of 719.65 feet to the **POINT OF BEGINNING** and containing 97.23 acres of land.

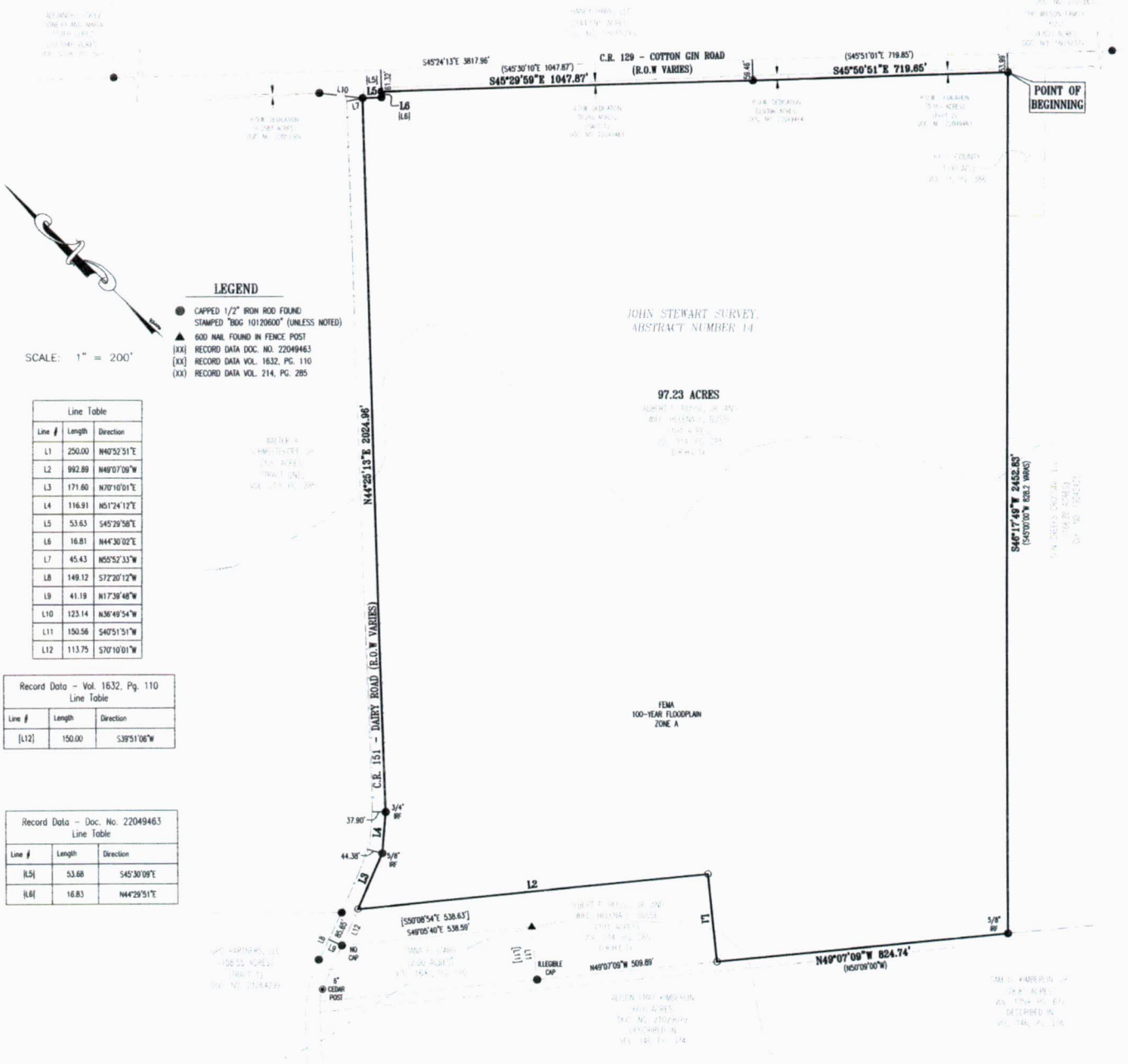
Surveyed by:  6/13/24
Eric J. Dannheim, R.P.L.S. NO. 6075
Carlson, Brigance and Doering, Inc.
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160
Edannheim@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83
DATE OF SURVEY: JUNE 11, 2024

BOUNDARY SURVEY OF 97.23 ACRES OF LAND, SITUATED IN THE JOHN STEWART SURVEY, ABSTRACT NUMBER 14, HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 101 ACRE TRACT OF LAND CONVEYED TO ALBERT F. AND HELENA F. BUSSE BY DEED RECORDED IN VOLUME 214, PAGE 285, DEED RECORDS HAYS COUNTY, TEXAS.

Exhibit A
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LEGEND

- CAPPED 1/2" IRON ROD FOUND STAMPED "B0G 10120600" (UNLESS NOTED)
- ▲ 600 NAIL FOUND IN FENCE POST
- [XX] RECORD DATA DOC. NO. 22049463
- [XX] RECORD DATA VOL. 1632, PG. 110
- [XX] RECORD DATA VOL. 214, PG. 285

SCALE: 1" = 200'

Line #	Length	Direction
L1	250.00	N40°52'51"E
L2	992.89	N49°07'00"W
L3	171.60	N70°10'01"E
L4	116.91	N51°24'12"E
L5	53.63	S45°29'50"E
L6	16.81	N44°30'02"E
L7	45.43	N55°52'33"W
L8	149.12	S72°20'12"W
L9	41.19	N17°38'48"W
L10	123.14	N36°49'54"W
L11	150.56	S40°51'54"W
L12	113.75	S70°10'01"W

Record Data - Vol. 1632, Pg. 110
Line Table

Line #	Length	Direction
[L12]	150.00	S39°51'06"W

Record Data - Doc. No. 22049463
Line Table

Line #	Length	Direction
[L5]	53.68	S45°30'09"E
[L6]	16.83	N44°29'51"E

STATE OF TEXAS:
COUNTY OF HAYS:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, OR BOUNDARY LINE CONFLICTS, EXCEPT AS SHOWN HEREON AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY EXCEPT AS SHOWN HEREON. THE LEGALLY DESCRIBED PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP NUMBER 48209C0405F AND 48209C0410F, HAYS COUNTY, TEXAS, DATED SEPTEMBER 2, 2005.

DATED, THIS THE 13TH DAY OF JUNE, 2024.

Eric J. Dannheim
6/13/24
ERIC J. DANNHEIM, RPLS# 6075
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON
AUSTIN, TEXAS 78749
(512) 280-5160 (512)
EDANNHEIM@CBDENG.COM



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

Carlson, Brigance & Doering, Inc.

FIRM ID #13791 REG. # 1002990

Civil Engineering	Surveying
5501 West William Cannon	Austin, Texas 78749
Phone No. (512) 280-5160	Fax No. (512) 280-5163