

ORDINANCE NO. 604

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM AGRICULTURAL (A) TO MEDIUM COMMERCIAL (C-2); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Whereas, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

Whereas, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

Whereas, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Agricultural (A) to zoning district Medium Commercial (C-2). The Property is accordingly hereby rezoned to Medium Commercial (C-2).

Section 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed 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 Open Meetings Act, Chapt. 551, Texas Gov't. Code.

PASSED AND APPROVED FIRST READING on this the 17th day of February 2021.

PASSED AND APPROVED SECOND AND FINAL READING on this the 3rd day of March 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Address:
13300 US Hwy 290 East, Manor, Texas 78653

Property Legal Description:

12.67 acers of land, more or less, out of the A.C Caldwell survey in Travis County, Texas and being the same property as conveyed to Carpenter Development Company in that Warranty Deed dated June 29, 1984, recorded in Volume 8676, Page 107, Real Property Records of Travis County, Texas SAVE AND EXCEPT that 3.862 acres of land as described in that Award of Commissioners entered on April 30, 1991, in Condemnation Proceedings filed in Probate Court Number One, Travis County, Texas, No. 1866, styled The State of Texas – V – Carpenter Development Company, a general partnership, et al.

Field notes for 12.67 acres of land out of the A.C. Caldwell Survey in Travis County, Texas; said 12.67 acres of land in a deed conveyed to Francis L. Jones and wife Augusta E. Jones of record Volume 3819 at Page 2165 of the Deed Records of Travis County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete R.O.W. marker found in the north R.O.W. line of Highway 290 E, said concrete maker being the east R.O.W. line of Bois D'Arc Lane, for the southwest corner of the herein described tract and the POINT OF BEGINNING hereof;

THENCE, with a tin fence and the east R.O.W. line of Bois D'Arc Lane the following two (2) courses and distances;

- 1) N2° 23' 55" W 157.22 feet to a concrete R.O.W. marker for an angle point hereof;
- 2) N30° 00' 00" E 644.03 feet to an iron pin found at the most westerly southwest corner of a tract of land conveyed to J.A. and C.T. Jackson at record in Volume 829 at Page 340 of the Deed Records of Travis County, Texas for a the most northerly corner hereof;

THENCE, with the fenced south line of said J.A. and C.T. Jackson tract the following two (2) courses and distances;

- 1) S60° 33' 52" E 1192.45 feet to a nail found in a wood fence post for an angle point hereof;
- 2) S63° 53' 24" E 170.97 feet to a nail found in a wood fence post on the north R.O.W. line of U.S. Highway 290 E at an angle point in the above said J.A. and C.T. Jackson tract for the southeast corner hereof;

THENCE, along the north R.O.W. line of U.S. Highway 290 E the following two (2) courses and distances;

- 1) S87° 52' 20" W 187.31 feet to a concrete R.O.W. marker for an angle point hereof;
- 2) S87° 57' 55" W 1321.11 feet to a the POINT OF BEGINNING and containing 12.67 acres of land.

Field notes for 3.862 acres of land being a part of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County, Texas, and being part of that certain 12.67 acre tract of land described in a deed to Carpenter Development Corporation recorded in Vol. 8676, Pg. 107, Deed Records of Travis County, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way monument at the southwest corner of said Carpenter Development Co. 12.67 acre tract, said point being the intersection of the existing north right-of-way line of U.S. Highway 290 and the east right-of-way line of Bois D'Arc Lane, and from which Engineers Survey Line Station 263+84.85 bears S4° 26' 04" E a distance of 39.00 feet;

THENCE N4° 26' 4" W a distance of 120.00 feet with the east right-of-way line of Bois D'Arc Lane to an iron rod, from which a concrete monument bears N4° 26' 04" W a distance of 38.02';

THENCE N85° 57' 54" E a distance of 1297.36 feet to an iron rod on the northeasterly line of said Carpenter Development Co. tract, from which the most northerly corner of said tract bears N62° 38' 39" W a distance of 1121.03';

THENCE S62° 38' 39" E a distance of 71.79 feet to an angle point in the northeasterly line of said tract;

THENCE S65° 57' 35" E a distance of 175.52 feet to the southeast corner of said Carpenter Development Co. tract;

THENCE S85° 57' 54" W a distance of 1512.68 feet with the existing north right-of-way of U.S. Highway 290 to the Place of Beginning, containing 3.862 acres of land.