

ORDINANCE NO. 652

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 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 18th day of May 2022.

PASSED AND APPROVED SECOND AND FINAL READING on this the 1st day of June 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Address:
15001 US Hwy 290 East, Manor, TX 78653

Property Legal Description:

10.945 ACRES

These notes describe that certain tract of land located in the **A. C. CALDWELL SURVEY, ABSTRACT NO. 154** situated in Travis County, Texas; said tract being a part of and out of a called "31.08 Acres" conveyed in a Warranty Deed from James V. Webb, et al to Eugene Juby, et ux dated 02-22-1982 and recorded in Volume 7689, Page 811 of the Deed Records of Travis County (DRTC) (title appears to now be vested in Shaunesse Louann Clark, independent executor of the estate of Frederick Eugene Juby, aka Gene Juby, deceased as trustee of the real estate testamentary trust created in the Last Will and Testament as recorded in Cause No. C-1-PB-19-000934, Probate Court No. 1, Travis County, Texas); subject tract being surveyed on the ground under the direct supervision of Bruce Lane Bryan, Registered Professional Land Surveyor No. 4249, on August 27, 2019 and being more fully described as follows:

COMMENCING at a found broken Texas Department of Transportation concrete monument being in the South right of way line of US Hwy 290 at station 382+05.28 (North = 10,102,877.330 feet, East = 3,196,156.152 feet) from which a found 3/4" iron pipe at the apparent Northeast corner of said "31.08 Acres" bears North 86° 50' 03" East a distance of 427.16 feet, same being the Northeast corner of a called "15.234 Acre" (Exhibit B) described in a Revocation of Special Warranty Deed from AAA Storage Hwy 290, LLC to JM Assets, LP dated 02-09-2017 and recorded in Document No. 2017023375, Official Public Records of Travis County (OPRTC); **THENCE South 86° 43' 52" West** along said right of way of US Hwy 290, also being the North line of said "15.234 Acres", passing a point for the Northeast corner of a called "5.091 Acres" (Exhibit A) described in a Revocation of Special Warranty Deed from AAA Storage Hwy 290, LLC to JM Assets, LP dated 02-09-2017 and recorded in Document No. 2017023375, at 299.13 feet (from which a found "Mag" Nail lies 0.58 feet left as measured in a perpendicular fashion) and continuing a total distance of **753.59 feet** to a found "Mag" Nail in concrete at the Northwest corner of a called "5.0 Acres" conveyed in a General warranty Deed from Eugene Juby, et ux to Centex Materials, LLC dated 10-06-2005 and recorded in Document No. 2005187180, OPRTC, same being the **PLACE OF BEGINNING** of this description;

THENCE South 03° 20' 05" East with the West line of said "5.0 Acres", generally along a chain link fence, passing a point at the said "5.0 Acres" approximate Southwest corner (not found) at 605.8', same being an exterior corner of aforementioned "5.091 Acres" and "15.234 Acres", and continuing with the lower West line of said "5.091 Acres" and "15.234 Acres" for a total distance of **833.24 feet** to a found iron rod (aluminum cap) at the Southwest corner of both "5.091 Acres" and "15.234 Acres" in the North line of a called "242.07 Acres" conveyed in a Warranty Deed from Don A. Stewart, et ux to Capital Area Youth soccer Association dated 01-27-2000 and recorded in Document no. 2000012678, OPRTC, same being the South line of aforementioned "31.08 Acres";

THENCE North 63° 22' 19" West with the common line of said "31.08 Acres" and "242.07 Acres", generally along a barbed wire fence (mostly lying on ground) a distance of **1015.48 feet** to a found ½" iron rod (capped) at an exterior corner of said "242.07 Acres", same being the Westernmost corner of said "31.08 Acres" in the East line of a called "22.78 Acres" conveyed in a General Warranty Deed from Mahnaz Bahrami to Krantz Properties, LLC dated 09-16-2008 of record in Document no. 2008155343, OPRTC;

THENCE North 26° 47' 08" East with the common line of said "31.08 Acres" and "22.78 Acres", a distance of **362.68 feet** to a set ½" iron rod (capped Bryan Tech Services) in the aforementioned South right of way line of U. S. Highway 290 at the Northeast corner of said "22.78 Acres" and the Northwest corner of said "31.08 acres"; found a "Mag" Nail in a creosote fence post for reference bearing South 26° 47' 08" West a distance of 3.23 feet; also, a found ½" iron rod (capped) in said South right of way line of U. S. Highway 290 (TXDOT Station 359+06.12) bears South 86° 46' 31" West a distance of 847.46 feet;

THENCE with said South right of way line of U. S. Highway 290, same being the North line of said "31.08 Acres" the following calls:

- **North 86° 46' 31" East 152.32 feet** to a found broken Texas Department of Transportation concrete monument (TXDOT Station 369+05.51),
- **North 79° 06' 42" East 100.17 feet** to a found broken Texas Department of Transportation concrete monument (TXDOT Station 370+06.50) and
- **North 86° 43' 52" East 446.13 feet** to the PLACE OF BEGINNING, containing according to the dimensions herein stated, an area of 10.945 Acres.