

ORDINANCE NO. 22-0901-2

**AN ORDINANCE OF THE CITY OF CHINA GROVE, TEXAS
AMENDING THE OFFICIAL ZONING MAP BY ZONING
APPROXIMATELY 0.714 ACRES OF LAND SITUATED IN THE JOHN
H. LUCAS SURVEY NO. 54, ABSTRACT NO. 430, COUNTY BLOCK
5134, CITY OF CHINA GROVE, BEXAR COUNTY TO CLASS 1
DISTRICT**

WHEREAS, the City of China Grove (“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 Council has previously adopted zoning regulations with the approval of Ordinance #960711 as amended; and

WHEREAS, the City Council may from time to time choose to amend, supplement, change or modify the City’s zoning regulations, boundaries, or classifications; and

WHEREAS, an application has been filed with the City to zone approximately 0.714 acres of land situated in the John H. Lucas Survey No. 54, Abstract No. 430, County Block 5134, Bexar County, Texas and more specifically described in Exhibit “A” (“Property”), to Class 1 District; and

WHEREAS, on July 27, 2022 notice of a public hearing was published in the Wilson County News newspaper; and

WHEREAS, the City Council has duly held public hearings and given proper notice, as necessary, pertaining to changing zoning classifications; and

WHEREAS, on September 1, 2022 the City Council conducted a public hearing and after consideration determined that the requested zoning be approved as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHINA GROVE, TEXAS:

Section 1. The Property as shown and more particularly described in the attached Exhibit “A”, is hereby zoned Class 1 District.

Section 2. The Official Zoning Map of the City of China Grove, shall be revised to reflect the above amendment.

Section 3. The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

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 1st day of September, 2022.

CITY OF CHINA GROVE, TEXAS

By: Mary Ann Hajek
Mary Ann Hajek, Mayor

ATTEST:

Susan Conaway
Susan Conaway, City Secretary

Exhibit A
Metes and Bound Description
0.714 ACRES

THE STATE OF TEXAS}
THE COUNTY OF BEXAR}

BEING a 0.714 acre tract of land situated in the John H. Lucas Survey No. 54, Abstract No. 430, County Block (C.B.) 5134, Bexar County, Texas and being a portion of a called 7.002 acre tract of land described by General Warranty Deed dated February 28, 2020 conveyed from Charlotte's Concrete, Inc. to James Rice as recorded in Instrument No. 20200050761 of the Official Public Records, Bexar County, Texas, said 0.714 acre tract being particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" steel rebar marking the north most corner of the aforesaid 7.002 acre tract, being along the southeasterly line of a called 3.00 acre tract of land described by Instrument to William V. Gillespie and wife, Sieglinde R. Kehres Gillespie as recorded in Volume 4032, Page 38 of the Official Public Records, Bexar County, Texas and being an exterior corner of a called 3.42 acre tract of land described by Instrument to John Vrzalik, Jr. and Lori Vrzalik as recorded in Instrument No. 20190017336 of the Official Public Records, Bexar County, Texas for the north corner of the herein described tract;

THENCE, South 76°03'11" East (South 76°00'17" East), along the northeasterly line of the aforesaid 7.002 acre tract, with the southwesterly line of the aforesaid 3.42 acre tract, a distance of 168.35 (168.51) feet to a found 1" pipe marking the northeasterly corner of said 7.002 acre tract, same being the south most corner of said 3.42 acre tract, and being along the northwesterly line of a called 270.4 acre tract of land described by Instrument to Intertex Enterprises, Inc. as recorded in Volume 17248, Page 648 of the Official Public Records, Bexar County, Texas for the northeasterly corner of the herein described tract;

THENCE, South 13°51'56" West (South 13°56'00" West), along the common line between said 7.002 acre tract and the aforesaid Intertex Tract, a distance of 186.99 feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." along the common line of said 7.002 acre tract and said Intertex Tract for the southeasterly corner of the herein described tract;

THENCE, North 73°49'07" West, over and across said 7.002 acre tract, a distance of 170.22 feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." along the common line between said 7.002 acre tract and the aforementioned 3.00 acre tract for the southwesterly corner of the herein described tract, from which a found 1" pipe marking an interior corner of said 7.002 acre tract and being the south most corner of said 3.00 acre tract bears South 14°24'54" West, a distance of 45.00 feet;

THENCE, North 14°24'54" East (North 14°23'03" East), along the common line between said 7.002 acre tract and said 3.00 acre tract, a distance of 180.36 feet to the **POINT OF BEGINNING, CONTAINING** within these metes and bounds a 0.714 acre tract of land, more or less.

Basis of bearing is based on the Texas State Plane Coordinate System (NAD 83), South Central Zone (4204). This survey was adjusted using a combined scale factor of 1.00016267368622 (GEOID12A).

The foregoing legal description and accompanying survey plat were prepared from an actual survey made on the ground under my supervision in April, 2021 and are true and correct to the best of my knowledge and belief.



04/20/2021

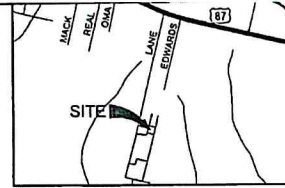
Urban Surveying, Inc.
By: Michael K. Williams
Registered Professional Land Surveyor
Texas No. 6616



SA0400.00

DIVISION SURVEY

BEING A 0.714 ACRE TRACT OF LAND SITUATED IN THE JOHN H. LUCAS SURVEY NO. 54, ABSTRACT NO. 430, COUNTY BLOCK (C.B.) 5134, BEXAR COUNTY, TEXAS AND BEING A PORTION OF A CALLED 7.002 ACRE TRACT OF LAND DESCRIBED BY GENERAL WARRANTY DEED DATED FEBRUARY 28, 2020 CONVEYED FROM CHARLOTTE'S CONCRETE, INC. TO JAMES RICE AS RECORDED IN INSTRUMENT NO. 20200050761 OF THE OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.



VICINITY MAP

LEGEND

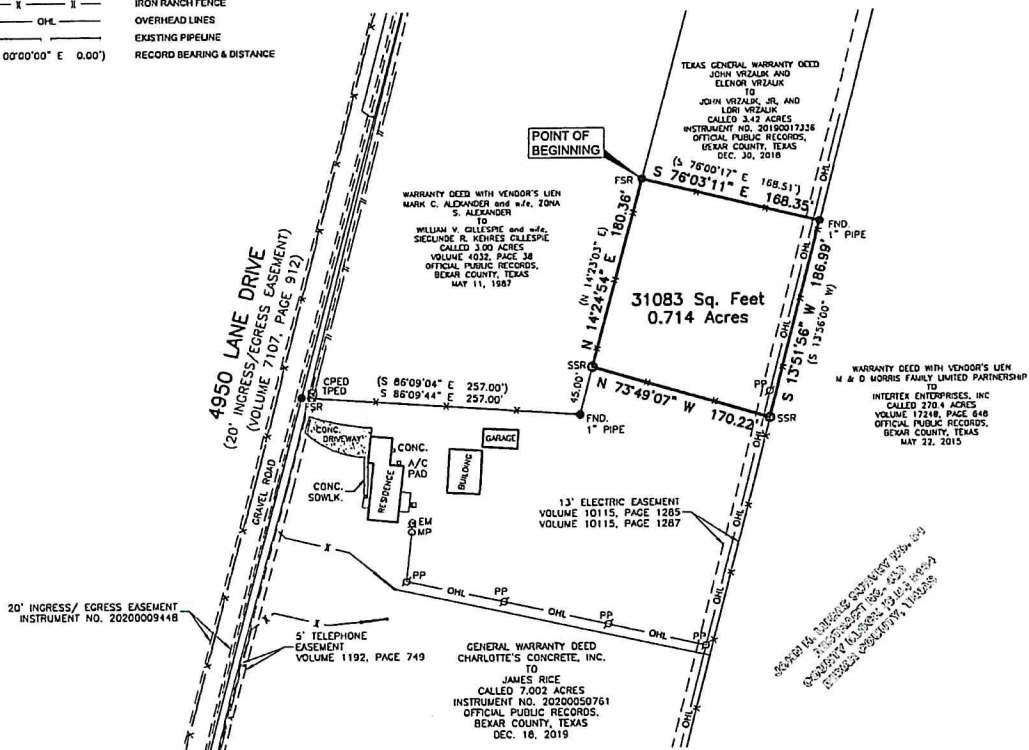
These standard symbols will be found in the drawing

- SET 5/8" STEEL REBAR WITH "USP" CAP
- FOUND 1/2" STEEL REBAR (UNLESS OTHERWISE DESCRIBED)
- ⊗ CABLE PEDESTAL
- ⊙ TELEPHONE PEDESTAL
- ⌒ POWER POLE
- ⊖ METER POLE
- ⊕ SEPTIC SYSTEM
- ⊙ ELECTRIC METER
- EASEMENT LINE
- X- EXISTING WIRE FENCE
- O- CHAIN LINK FENCE
- H- WOOD FENCE
- I- WROUGHT IRON FENCE
- II- IRON RANCH FENCE
- OHL- OVERHEAD LINES
- PP- EXISTING PIPELINE
- (N 00°00'00" E 0.00')
- RECORD BEARING & DISTANCE

NOTE: THE PROPERTY DESCRIBED HEREON MAY OR MAY NOT BE IN COMPLIANCE WITH CITY, COUNTY OR STATE SUBDIVISION ORDINANCES.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

BASIS OF BEARING IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD 83), SOUTH CENTRAL ZONE (4204). THIS SURVEY WAS ADJUSTED USING A COMBINED SCALE FACTOR OF 1.00016207366822 (GGC01124)

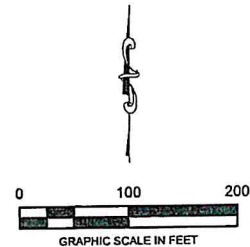


TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE COMPANY:

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON ON 04/12/21, AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF _____ BEXAR COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48029C 0440 G MAP REVISED SEPT. 23, 2010, THE SUBJECT PROPERTY IS LOCATED IN ZONE X WHICH IS NOT A SPECIAL FLOOD HAZARD AREA.

SIGNED: [Signature] 04/20/2021
 URBAN SURVEYING, INC.
 BY: MICHAEL K. WILLIAMS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS No. 6616



VICTORIA, TEXAS (361) 578-9837 FIRM # 10021100
 CUERO, TEXAS (361) 277-0061 FIRM # 10021101
 SAN ANTONIO, TEXAS (210) 267-8054 FIRM # 10193643

DRAWN BY: MKW
 JOB NO.: SA0400.00