



ORDINANCE NO. 193

AN ORDINANCE FOR ZONING CHANGE FROM AGRICULTURE TO RESIDENTIAL THE INCORPORATED CITY LIMITS OF CITY OF UHLAND, FIELD NOTE DESCRIPTION FOR 50.9829 ACRES (2,220,815 SQUARE FEET) OF LAND BEING OUT OF AND SITUATED IN THE ALBERT PACE SURVEY, ABSTRACT-367, AS CONVEYED TO JOHN KARNSTADT AND BETTY MAIER IN DOCUMENT NO #90023798 VOLUME 3730, PAGE 653, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS (O.P.R.H.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS. COMPLETE DESCRIPTIONS ARE AVAILABEL AT CITY HALL.

WHEREAS, a petition has been presented to the Board of Aldermen of the City of Umland, Texas, requesting a zoning change of a tract of land within City Limits of the City of Umland, Texas' and;

WHEREAS, no voters reside on said land; no person reside on said land and;

WHEREAS, a public hearing was held, July 20, 2017, for all interested persons to speak;

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

Section 1. That the tract of land described in said petition which is attached as "Exhibit A", and which is hereby in the city limits

Section 2. That the City Council finds that all prerequisites have been satisfied, and that no legal impediment exists to prevent said Zoning changes.

Section 3. That the legal description of all annexed property shall be filed with this Ordinance, as a part hereof.

PASSED AND APPROVED this 2nd day of August 2017

Ayes 5 Nays 0 Abstain 0



Bryan Geiger, Mayor

ATTEST:



Karen Gallaher, City Administrator

STATE OF TEXAS

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§
§

COUNTY OF HAYS

**REQUEST AND PETITION TO THE CITY COUNCIL
OF THE CITY OF UHLAND FOR ANNEXATION**

WHEREAS, the undersigned is the owner of a certain tract of land located within Hays County, Texas, such property being more particularly described hereinafter by true and correct legal description (referred to herein as the "Subject Property");

WHEREAS, the undersigned has sought the annexation of the Subject Property by the City of Uhlend, Texas, (the "City") in order to obtain the benefits of City services to the Subject Property by the City;

WHEREAS, the Subject Property is contiguous and adjacent to the corporate limits of the City; and,

WHEREAS, the undersigned agrees and consents to the annexation of the Subject Property by the City in accordance with the terms hereof and further agrees to be bound upon annexation by all lawful acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

NOW THEREFORE, the undersigned by this Request and Petition:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Uhlend, Texas, the Subject Property being described as follows:

All that certain 50.9829 acre tract or parcel of land, more or less, situated in Hays County, Texas, being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including general governmental services.

SECTION THREE: Acknowledges and represents that it has received, read and understands the "draft" Service Plan proposed to be applicable to and adopted for the Subject Property, and that such "draft" Service Plan is wholly adequate and acceptable to the undersigned, who hereby requests the City Council to proceed with the annexation, the preparation of a final Service Plan, and the zoning of the Subject Property to an SF-1 Single Family Dwelling District zoning classification with appropriate variances to permit ½ acre lot sizes and other resulting reductions of lot dimensions, and to publish notice and hold the requisite public hearings thereon, all in accordance with the applicable laws of the State of Texas.

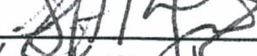
SECTION FOUR: Acknowledges that the undersigned understands and agrees that all City services to the Subject Property will be provided by the City on the same terms and conditions as provided to other areas of the City and as provided in the Service Plan.

SECTION FIVE: Agrees that a copy of this Request and Petition may be filed of record in the offices of the City of Umland and in the real property records of Hays County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the Subject Property, but subject to the right of the undersigned to withdraw this Request and Petition in the event that (i) the final Service Plan is materially different from the draft Service Plan, or (ii) in the event it is determined by the undersigned that the requested SF-1 Single Family Dwelling District zoning classification with appropriate variances to permit ½ acre lot sizes and other resulting reductions of lot dimensions are not likely to be granted..

FILED, this 5th day of May 2017 with the City of Umland, Hays County, Texas.

Petitioner:

Covey Capital Partners, LLC,
a Texas limited liability company

By: 
Name: Karin Krasner
Title: General Partner

STATE OF TEXAS
HAYS COUNTY

Exhibit "A"

Field Note Description for **50.9829 acres, (2,220,815 square feet)** of land being out of and situated in the Albert Pace Survey, Abstract – 367, as conveyed to John Karnstadt and Betty Maier in Document No. #90023798, Volume 3730, Page 653, Official Public Records Hays County, Texas (O.P.R.H.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a COTTON SPINDLE found in the center of Gristmill Road (C.R. 153) for the south property corner of a called 32.81 acre tract, as conveyed to Walt Schmeltekopf in Volume 219, Page 285, Deed Records Hays County, Texas (D.R.H.C.T.), same point being the west corner of the of the herein described 50.9829 acre tract for the **"POINT OF BEGINNING"** of the herein described **50.9829 acre tract**;

THENCE North 47°27'00" East, along and with the common boundary of the said 32.81 acres (Schmeltekopf tract), and the therein described tract, a distance of 1550.06 feet to a ½" iron rod found with blue plastic cap stamped "G.E.C." for an interior corner of a called 38.59 acre tract, as conveyed to Samuel Kimberlin Jr. in Volume 833, Page 847, D.R.H.C.T., same point being an interior corner of the said 32.81 acre (Schmeltekopf tract), for the north corner of the herein described 50.9829 acre tract;


THENCE South 45°56'05" East, along and with the common boundary of the said 38.59 acres (Kimberlin tract), and the herein described tract, a distance of 663.84 feet to a ½" iron rod found with blue plastic cap stamped "G.E.C." for an interior corner of the said 38.59 acres (Kimberlin tract), for a corner of the herein described 50.9829 acre tract;

THENCE South 44°50'50" East, along and with the common boundary of the said 38.59 acres (Kimberlin tract), and the herein described tract, a distance of 739.97 feet to a ½" iron rod found with blue plastic cap stamped "G.E.C." for the north corner of a called 40.487 acres as conveyed to Myrtle Heideman in Volume 680, Page 639, D.R.H.C.T., same point being an interior corner of the said Kimberlin tract, for the east corner of the herein described 50.9829 acre tract;

THENCE South 47°52'32" West, along and with the common boundary of the said 40.487 acres (Heideman tract) and the herein described tract, a distance of 1625.22 feet to a cotton spindle found in the center of the said Gristmill Road (C.R.153), for the west corner of the said 40.487 acres (Heideman tract), same point being the south corner of the herein described 50.9829 acre tract;

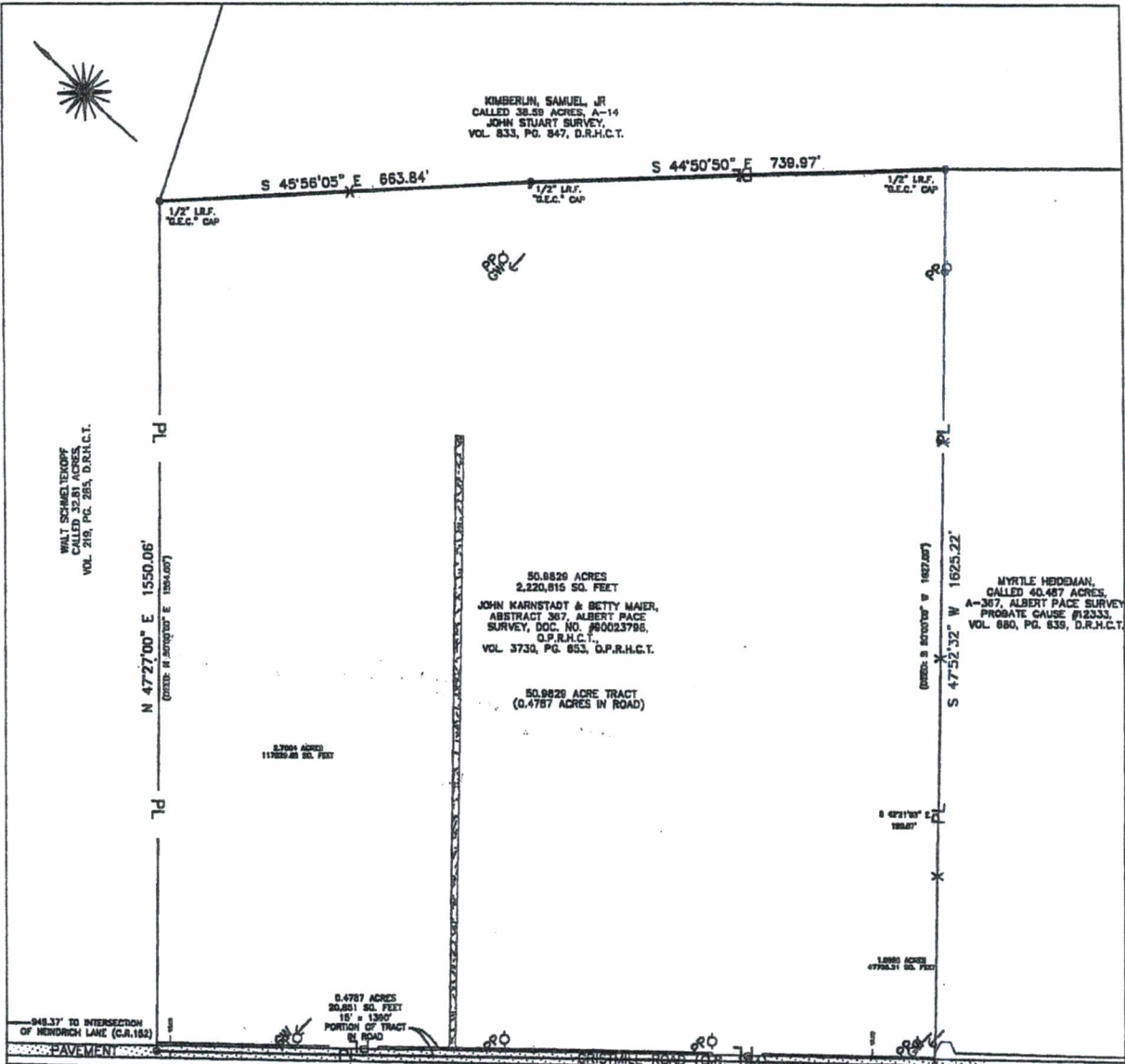
THENCE North 42°17'31" West, along and west boundary of the herein described tract, a distance of 1390.00 feet to the **"POINT OF BEGINNING"** and containing within these metes & bounds **50.9829 acres (2,220,815 square feet)** of land, more or less. (All bearings are based on The Texas State Plane Coordinate System, South Central Zone 4204, NAD83).

I hereby certify that the foregoing legal description was prepared from an on the ground survey performed on May 3, 2017, under my supervision and it correctly represents the facts found at the time of the survey.



Xavier Sandoval
Registered Professional Land Surveyor
License No. 5886 State of Texas





KIMBERLIN, SAMUEL JR
 CALLED 38.59 ACRES, A-14
 JOHN STUART SURVEY,
 VOL. 833, PG. 847, D.R.H.C.T.

WALT SCHMELTZOFF
 CALLED 32.81 ACRES
 VOL. 218, PG. 285, D.R.H.C.T.

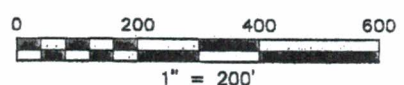
50.9829 ACRES
 2,220,815 SQ. FEET
 JOHN KARNSTADT & BETTY MAIER,
 ABSTRACT 367, ALBERT PACE
 SURVEY, DOC. NO. #90023798,
 O.P.R.H.C.T.,
 VOL. 3730, PG. 653, O.P.R.H.C.T.

MYRTLE HEIDEMAN,
 CALLED 40.487 ACRES,
 A-367, ALBERT PACE SURVEY
 PRIVATE CAUSE #12333,
 VOL. 680, PG. 639, D.R.H.C.T.

949.37' TO INTERSECTION
 OF HENDRICH LAKE (C.R.152)

0.4787 ACRES
 20,851 SQ. FEET
 15' x 1380'
 PORTION OF TRACT
 BY ROAD

N 42°17'31" W 1390.00'



Xavier Sandoval

REGISTERED PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 5886, STATE OF TEXAS

I, XAVIER SANDOVAL, REGISTERED PROFESSIONAL LAND SURVEYOR OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY, PERFORMED UNDER MY SUPERVISION THIS THE 11TH DAY OF NOVEMBER, 2016.

NOTES:

- THE SUBJECT PROPERTY IS SITUATED WITHIN FLOOD ZONE "X", KNOWN AS AN AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS INDICATED ON FEMA FIRM COMMUNITY PANEL NUMBER: 48209C0405F, MAP REVISED DATE: SEPTEMBER 2, 2005, FOR HAYS COUNTY, TEXAS.
- *SURVEYOR DOES NOT GUARANTEE OR WARRANT THE ACCURACY OR CORRECTNESS OF FEMA FIRM MAPS.
- GRID BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD83, XX ZONE 420X.
- A METES & BOUNDS DESCRIPTION ACCOMPANIES THIS BOUNDARY EXHIBIT.
- O.P.R.H.C.T. = OFFICIAL PUBLIC RECORDS OF HAY COUNTY, TEXAS.
- M.R.H.C.T. = MAP RECORDS OF HAYS COUNTY, TEXAS.
- D.R.H.C.T. = DEED RECORDS HAYS COUNTY TEXAS.
- R = DENOTES PROPERTY LINE.
- ALL RIGHTS RESERVED © UCC1-2.7.

A 50.9829 ACRE (2,220,815 SQ. FEET) OUT OF ABSTRACT 367, ALBERT PACE SURVEY, HAYS COUNTY, TEXAS AS RECORDED IN VOL. 3730, PG. 653, DOC. NO. #90023798 O.P.R.H.C.T.		
DRAWN XDS	DATE 11.10.2016	XDS SURVEYING & MAPPING
APPROVED XDS	DATE 05.03.2017	
SCALE 3" = 60'	PROJECT NO. 170501	XDS LAND SURVEYING, LLC. PHONE: 210.718.7189 xaviersandoval@gmail.com FIRM REGISTRATION 10194170