

**ORDINANCE NO. 2010- 54**

**AN ORDINANCE GRANTING A TAX RELIEF TO THE OWNER OF THE DESIGNATED HISTORIC LANDMARK LOCATED AT 193 W. SAN ANTONIO STREET, KNOWN AS THE SCHMIDT STORE, FOR A PERIOD OF FIVE YEARS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the State of Texas has enacted legislation empowering municipalities to preserve and protect historic places, structures, buildings, and sites of historic and cultural importance and significance; and

**WHEREAS**, the City Council is aware of the numerous places, structures, buildings and sites having historic and cultural importance and significance which reflect the heritage of the City, State and its people, and is committed to promote and protect the heritage of New Braunfels for the future and;

**WHEREAS**, the City Council, on September 14, 1998, adopted an ordinance to provide a tax relief/incentive for the stabilization, rehabilitation and renovation of properties and/or structures designated as historic landmarks, by the City of New Braunfels;

**WHEREAS**, the property owner has met all the requirements set forth in the ordinance adopted September 14, 1998, and the application has been approved by the Historic Landmark Commission of the City of New Braunfels; now, therefore;

**WHEREAS**, the City Council approved the initial tax relief per Ordinance 2003-11 on February 24, 2003,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS:**

**SECTION 1**

**THAT** the property owner of the designated historic structure located at 193 W. San Antonio Street, and known as the Schmidt Store, be granted the tax relief as outlined in Section 66-57.1, Historic Preservation, of the New Braunfels Code of Ordinances, City of New Braunfels, Texas.

**SECTION 2**

**THAT** should any paragraph, sentence, clause, phrase or word of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of this ordinance, and any portions in conflict are hereby repealed.

**SECTION 3**

**THAT** the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Ordinance as an alternative means of publication provided by law.

**SECTION 4**

This ordinance will take effect upon the second and final reading of same.

**PASSED AND APPROVED:** First reading this the 9<sup>th</sup> day of August, 2010.

**PASSED AND APPROVED:** Second reading this the 23<sup>rd</sup> day of August, 2010.



*Ann Smith*  
Ann Smith, Interim City Secretary

**CITY OF NEW BRAUNFELS**

BY: *R. Bruce Boyer*  
R. BRUCE BOYER, Mayor

**APPROVED AS TO FORM:**

*Alan Wayland*  
ALAN WAYLAND, City Attorney

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