

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 7.23 ACRES OUT OF THE J. THOMPSON SURVEY NO. 21, ABSTRACT NO. 608 ADDRESSED AT 144 RUECKLE ROAD, FROM “C-1B” GENERAL BUSINESS DISTRICT TO “M-2A” HEAVY INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the “M-2A” Heavy Industrial District, the City Council has given due consideration to all components of said district; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by rezoning 7.23 acres out of the J. Thompson Survey No. 21, Abstract No. 608, addressed at 144 Rueckle Road, from “C-1B” General Business District to “M-2A” Heavy Industrial District; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following described tract of land from “C-1B” to “M-2A” Heavy Industrial District:

7.23 acres out of the J. Thompson Survey No. 21, Abstract No. 608, addressed at 144 Rueckle Road, as described in Exhibit “A” and delineated on Exhibit “B” attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 23rd day of September, 2019.

PASSED AND APPROVED: Second reading this 14th day of October, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



**METES AND BOUNDS DESCRIPTION
FOR A 7.231 ACRE TRACT OF LAND**

Being a 7.231 acre tract of land located in the J. Thompson Survey No. 21, Abstract No. 608, Comal County, Texas, being out of a called 15.20 acre tract of land, recorded in Document No. 200806044547, Official Public Records, Comal County, Texas, said 7.231 acre tract of land being more particularly described as follows:

BEGINNING at a found $\frac{1}{2}$ " iron pin with cap stamped "DAM" in the Southwest Right of Way line of Ruckle Road for an East corner of a called 2.84 acre tract recorded in Document No. 200506022180, Official Public Records, Comal County, Texas, a Northern corner of the aforementioned 15.20 acre tract, and a corner of the herein described tract;

THENCE with the Southwest Right of Way line of Ruckle Road, S $36^{\circ}16'49''$ E a distance of 125.06 to a found $\frac{1}{2}$ " iron pin with cap stamped "DAM" for the Northwest corner of a called 1.008 acre tract of land known as Lot 1, Unit One, Reininger Subdivision, recorded in Volume 5, Page 254, Map and Plat Records, Comal County, Texas, the Northeast corner of said 15.20 acre tract, and the Northeast corner of the herein described tract;

THENCE departing the Southwest Right of Way line of Ruckle Road, with the Northwest line of said Lot 1, Reininger Subdivision, S $48^{\circ}42'18''$ W passing a a found $\frac{1}{2}$ " iron pin with cap stamped "KSC" at 258.96 feet for the Southwest corner of said Lot one, Reininger Subdivision, continuing across and through said 15.20 acre tract a total distance of 1066.57 feet to a point for a corner of the herein described tract;

THENCE continuing across and through said 15.20 acre tract, N $35^{\circ}34'21''$ W a distance of 413.64 feet to a found $\frac{1}{2}$ " iron pin for the South corner of Lot 1A-R, the Northeast corner of Lot 1B-R, Greenway Plaza, recorded in Document No. 200806036614, Official Public Records, Comal County, Texas, and the Southwest corner of the herein described tract;

THENCE with the Southeast line of said Lot 1A-R, the following two (2) calls:

1. N $48^{\circ}49'11''$ E a distance of 171.87 feet to a found $\frac{1}{2}$ " iron pin;
2. N $48^{\circ}36'18''$ E a distance of 403.76 feet to a found mag nail in concrete for a Southwest corner of the aforementioned 2.84 acre tract, and a West corner of the herein described tract;

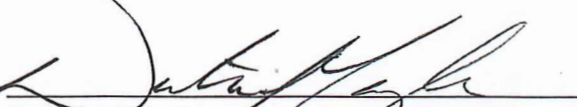
THENCE with the South and East line of said 2.84 acre tract, the following two (2) calls:

1. S $31^{\circ}16'31''$ E a distance of 211.68 feet to a 3" metal fence post for a corner;
2. N $57^{\circ}43'08''$ E a distance of 503.67 feet to the POINT OF BEGINNING, containing 7.231 acres of land in Comal County, Texas.

Bearings shown hereon are based on the Texas Coordinate System, South Central Zone (4204), NAD 83.

Written this the 19th day of July, 2019.

Reference survey of said 7.231 acre tract of land prepared this same date.


Dorothy J. Taylor
Registered Professional Land Surveyor No. 6295

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EXHIBIT "A"

7.231 ACRES OF LAND OUT OF THE JOHN THOMPSON SURVEY NO. 21, A-608, COMAL COUNTY, TEXAS, BEING OUT OF A CALLED 15.20 ACRE TRACT, RECORDED IN DOCUMENT NO. 200806044547, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

LOT 1B-R
GREENWAY PLAZA
DOC#200806036614
O.P.R.C.C.T.

LOT 1A-R
(N48°34'38"E) (403.66')
N48°36'18"E 403.76'

N48°49'11"E 171.87'

N35°34'21"W 413.64'

7.231 AC

CALLED 2.84 AC
(NO DESCRIPTION)
DOC#200506022180
O.P.R.C.C.T.

S31°16'31"E 211.68'
(S31°14'06"E) (212.16')

(N57°42'31"E) (526.04')
N57°43'08"E 503.67'

POINT OF BEGINNING
W/ CAP
"DAM"

S36°16'49"E 125.06'
(S35°54'51"E) (122.21')

0.060 AC. TO THE
CITY OF NEW BRAUNFELS
DOC#201806010602

S. RUECKLE RD.
(ROW VARIES)

0.073 AC. TO THE
CITY OF NEW BRAUNFELS
DOC#201806010606

CALLLED 1.008 AC
LOT 1, UNIT ONE
REININGER SUBDIVISION
VOL. 5, PG. 254
M.P.R.C.C.T.

W/ CAP
"KSC"

S48°42'18"W 1066.57'

REMAINDER OF A CALLED
15.20 AC TRACT
DOC#200806044547
O.P.R.C.C.T.

LOT 200
DRAINAGE/DETENTION LOT
HERITAGE PARK AT MORNINGSIDE
DOC#201606041161
O.P.R.C.C.T.

CALLLED 13.324 AC
DOC#201606043448
O.P.R.C.C.T.

CALLLED 2.36 AC
DOC#201606006972
O.P.R.C.C.T.

CALLLED 6.20 AC
DOC#201406043445
O.P.R.C.C.T.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.

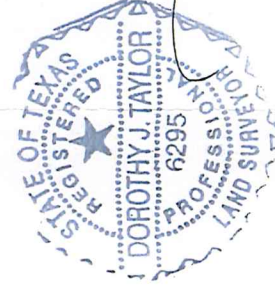
NO ATTEMPT HAS BEEN MADE TO LOCATE ANY IMPROVEMENTS, EASEMENTS, OR RIGHTS OF WAY NOT SHOWN HEREON.

BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.

A METES & BOUNDS DESCRIPTION OF THIS TRACT WAS CREATED IN CONJUNCTION WITH THIS EXHIBIT.

290 S. CASTELL AVE., STE. 100
NEW BRAUNFELS, TX 78130
TBPE FIRM F-10961
TBPLS FIRM 10153600

HMT
ENGINEERING & SURVEYING



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION

THIS 19TH DAY OF JULY 2019

DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

068.003

LEGEND:

- = FND 1/2" IRON PIN
- = BUILDING SETBACK LINE
- = UTILITY EASEMENT
- = DRAINAGE EASEMENT
- = RIGHT-OF-WAY
- () = RECORD CALLS
- X— = WIRE FENCE
- = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
- = MAP & PLAT RECORDS OF COMAL COUNTY, TEXAS



SCALE: 1"=100'



144 RUCKLE ROAD
NEW BRAUNFELS, TEXAS

THIS SURVEY IS CERTIFIED TO:
MAURICE FISHER

EXHIBIT "B"