

ORDINANCE NO. 20170213-D

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NIEDERWALD, TEXAS TO REZONE PROPERTY CURRENTLY ZONED AS A, AGRICULTURAL DISTRICT AND SF-1, SINGLE-FAMILY RURAL RESIDENTIAL DISTRICT TO MH, MANUFACTURED HOME DISTRICT WITH THE DESCRIPTION BEING A TRACT OR PARCEL OF LAND CONTAINING 17.30 ACRES, BEING OUT OF THE OTIS G. EELS LEAGUE AND LABOR NUMBER 170, ABSTRACT NO. 167, LOACTED IN HAYS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO NIEDERWALD PROPERTIES LLC BY DEED RECORDED IN DOCUMENT NO. 16029445, H.C.O.P.R.; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Niederwald Properties, LLC, the owner of 17.30 acres of land, being out of the Otis G. Eels League and Labor Number 170, Abstract No. 167, located in Hays County, Texas, and being the same tract of land conveyed to Niederwald Properties, LLC by deed recorded in Document No. 16029445 of the Hays County Official Public Records, and being more fully described and depicted in Exhibit "A" which is attached hereto and incorporated herein for all pertinent purposes (the "Property"), filed a petition requesting the rezoning of said Property from A, Agricultural District and SF-1, Single-Family Rural Residential to MH, Manufactured Home District; and

WHEREAS, on the 13th day of February, 2017, after notice as required by law, a public hearing was held before the City Council of the City of Niederwald, a quorum being present for the hearing and said matter of rezoning, said Property being part of the agenda for said City Council meeting, an opportunity to present arguments for and against the proposed rezoning was held; and

WHEREAS, after a public hearing on the proposed rezoning as required by law, the City Council hereby finds that it is in the best interest and benefit of the residents of the City of Niederwald, and in accordance with the City's zoning regulations, the said Property should be rezoned; Now Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIEDERWALD, TEXAS, THAT THE OFFICIAL ZONING MAP BE AMENDED IN THE FOLLOWING MANNER:

SECTION 1.

That the existing City of Niederwald Official Zoning Map is hereby amended to change the Property currently zoned as A, Agricultural District and SF-1, Single-Family Rural Residential to MH, Manufactured Home District. The Property has a description of 17.30 acres of land, being out of the Otis G. Eels League and Labor Number 170, Abstract No. 167, located in Hays County, Texas, and being the same tract of land conveyed to Niederwald Properties, LLC by deed recorded in Document No. 16029445 of the Hays

County Official Public Records and being more fully described and depicted in Exhibit "A".

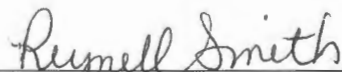
SECTION 2.

Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair, or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

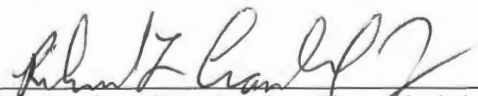
SECTION 3.

That this Ordinance shall take effect and be in full force and effect from and after its passage and publication as may be required by law.

PASSED and APPROVED on this the 13th day of February, 2017.


Hon. Reynell Smith, Mayor

ATTEST:


Richard L. Crandal, Jr., City Administrator/Secretary

