

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF THE AREA INDICATED AS BEING A 21.91-ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 21, GRASSLAND ESTATES, SECTION 16, MIDLAND COUNTY, TEXAS, AS AN AE, AGRICULTURAL ESTATE DISTRICT; SAID TRACT BEING GENERALLY LOCATED APPROXIMATELY 266 FEET EAST OF THE INTERSECTION OF HOMELAND DRIVE AND APPROXIMATELY 258 FEET EAST OF HOMESTEAD BOULEVARD; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2,000.00); AND ORDERING PUBLICATION

WHEREAS, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise of a hearing to be held before the City Council on April 27, 2021 (the “Hearing Date”), to consider an amendment to the Zoning District Map of the City of Midland, Texas, so as to establish the initial zoning classification of the property described in Section One hereof as an AE, Agricultural Estate District, as set out in Title XI, Chapter 1 of the City Code of Midland, Texas; and

WHEREAS, such a public hearing was held in the Council Chambers on the Hearing Date, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after considering among other things, the character of the property involved and the surrounding area and its peculiar suitability for particular uses; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality, the Council finds it to be in the best interest of the health, safety, morals and general welfare of the City of Midland to amend the Zoning District Map accordingly;

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

SECTION ONE. That the initial zoning classification of the area indicated on Exhibit “A”, attached hereto and incorporated herein by reference, is hereby established as

an AE, Agricultural Estate District, and the Zoning District Map of the City of Midland, Texas, is hereby amended to reflect the establishment of this initial zoning classification.

SECTION TWO. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION THREE. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Midland hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FOUR. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

SECTION FIVE. The City Secretary is hereby authorized and directed to publish the descriptive caption of this ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the ____ day of _____, A.D., 2021; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the ____ day of _____, A.D., 2021, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2021.

Patrick N. Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

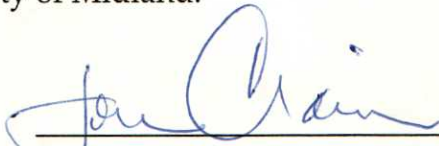
John Ohnemiller, City Attorney

EXHIBIT "A"

PETITION FOR ANNEXATION

Dear City of Midland:

As current owner of the tract of land described in Exhibit A (the "Property"), said Exhibit being attached hereto and incorporated herein, Midland-Odessa Golf Corporation ("Owner") submits this petition for annexation and hereby requests that the Property be added to and annexed to the City of Midland.



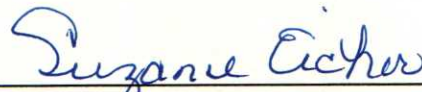
Jon Crain, President

THE STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

This instrument was acknowledged before me on the 4th day of February, 2021,
by Jon Crain in the capacity herein stated.

MY COMMISSION EXPIRES

8/22/2024



Notary Public, State of TX

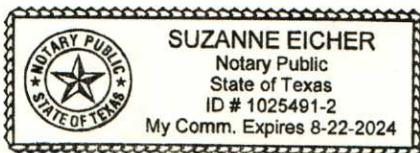
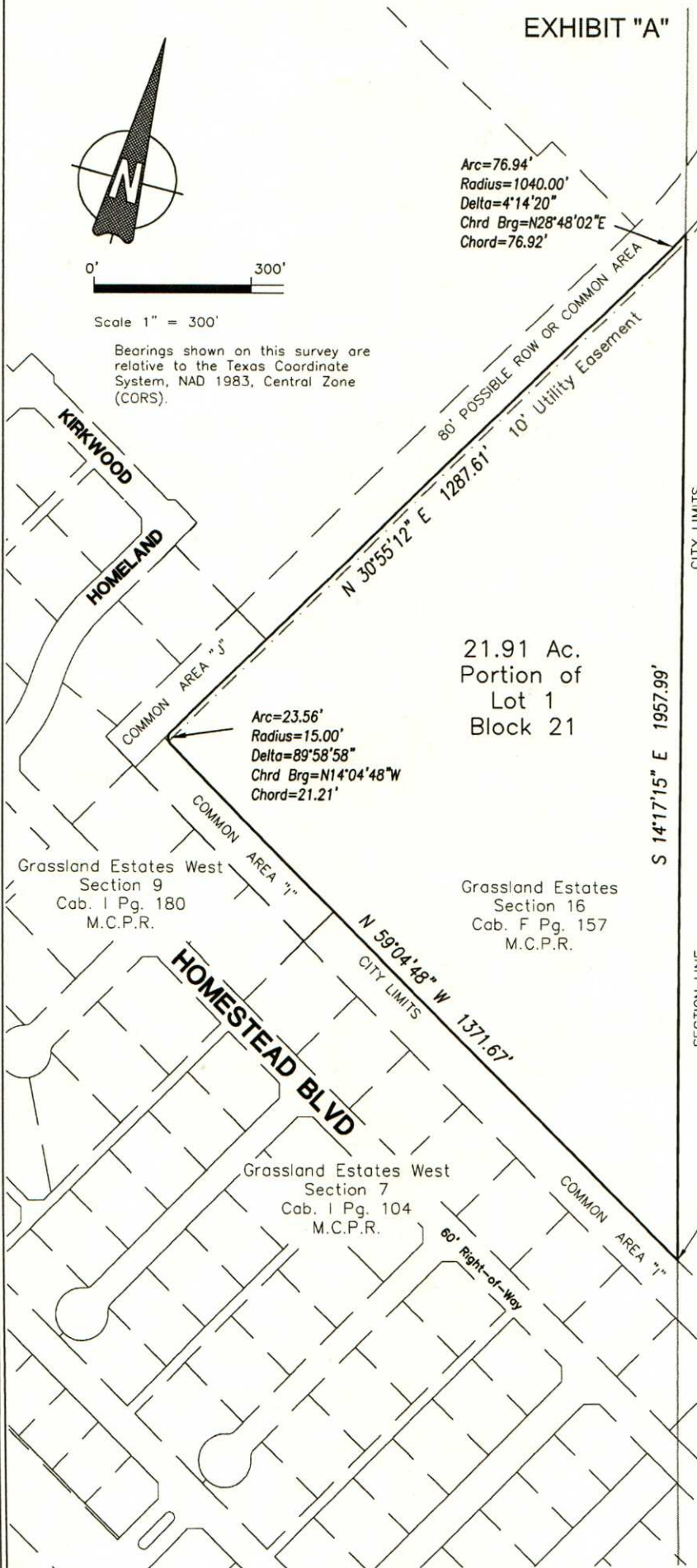


EXHIBIT "A"

ANNEXATION & ZONING EXHIBIT & DESCRIPTION FOR A 21.91 ACRE TRACT IN LOT 1, BLOCK 21, GRASSLAND ESTATES, SECTION 16, MIDLAND COUNTY, TEXAS.



Remainder
Lot 1
Block 21

Metes and Bounds Description for Annexation and Zoning:

Being a 21.91 Acre Tract of Land located in Lot 1, Block 21, Grassland Estates, Section 16, Midland County, Texas.

Beginning at a point (N:10695776.55, E:1726484.76') on the existing City of Midland "City Limits" line, the east line of Section 35, Block 40, T-2-S, T&P RR Co Survey and in the southwest line of Lot 1, Block 21, Grassland Estates, Section 16 recorded in Cabinet F, Page 157, Midland County Plat Records, being the southwest corner of this tract, whence the original most westerly corner of said Lot 1 bears North 59°04'48" West, a distance of 1371.67 feet;

Thence North 59°04'48" West, a distance of 1371.67 feet along a southwest line of said Lot 1 to a point of curvature;

Thence with a curve turning to the right with an arc length of 23.56', with a radius of 15.00', with a chord bearing of N 14°04'48" W, with a chord length of 21.21';

Thence N 30°55'12" E, a distance of 1287.61' along a northwest line of said Lot 1 to a point of curvature;

Thence with a curve turning to the left with an arc length of 76.94', with a radius of 1040.00', with a chord bearing of N 28°48'02" E, with a chord length of 76.92' to the north corner of this tract;

Thence S 14°17'15" E a distance of 1957.99' along a said east line of Section 35 and said "City Limits" line to the Point of Beginning.

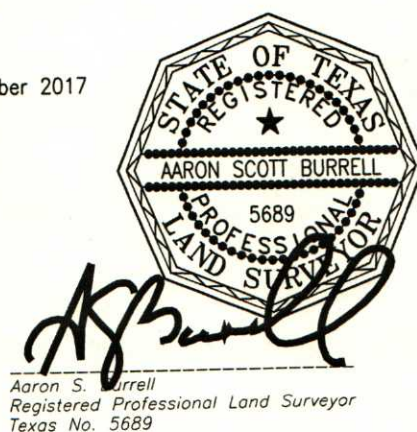
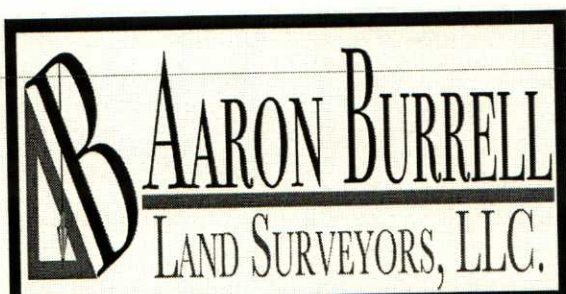
Containing 21.91 surface acres of land.

Bearings, Distances and coordinates are GRID, based on the Texas Coordinate System, NAD83, Central Zone (CORS).

POB
N:10695776.55
E:1726484.76

This Exhibit & Description were prepared from record information for a political subdivision (zoning) and do not represent an actual on the ground survey. This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

15 December 2017



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 432-848-4439
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