

ORDINANCE NO. _____

An Ordinance of the City Council of the City of Georgetown, Texas, amending part of the Official Zoning Map to rezone Lot 5B, Block B, Replat of Lot 5B, Block B, The Rivery Phase One Subdivision, generally located 708 South Interstate Highway 35, from the Local Commercial (C-1) zoning district to General Commercial (C-3) zoning district; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Whereas, an application has been made to the City for the purpose of amending the Official Zoning Map, adopted on the 12th day of June, 2012, for the specific Zoning District classification of the following described real property ("The Property"):

Lot 5B, Block B Replat of Lot 5B, Block B, The Rivery Phase One Subdivision, generally located at 708 South Interstate Highway 35, as recorded in Document Number 2002062825 of the Official Public Records of Williamson County, Texas, hereinafter referred to as "The Property"; and

Whereas, public notice of such hearing was accomplished in accordance with State Law and the City's Unified Development Code through newspaper publication, signs posted on the Property, and mailed notice to nearby property owners; and

Whereas, the Planning and Zoning Commission, at a meeting on August 16, 2022, held the required public hearing and submitted a recommendation of approval to the City Council for the requested rezoning of the Property; and

Whereas, the City Council, at a meeting on September 13, 2022 held an additional public hearing prior to taking action on the requested rezoning of the Property.

Now, therefore, be it ordained by the City Council of the City of Georgetown, Texas, that:

Section 1. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals, and policies of the Georgetown 2030 Comprehensive Plan and further finds that the enactment of this Ordinance is not inconsistent or in conflict with any other policies or provisions of the 2030 Comprehensive Plan and the City's Unified Development Code.

Section 2. The Official Zoning Map, as well as the Zoning District classification for the Property is hereby amended from the Local Commercial (C-1) zoning district to the General Commercial (C-3) zoning district, in accordance with the attached *Exhibit A* (Location Map) and *Exhibit B* (Legal Description) and incorporated herein by reference.

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Description: 708 South Interstate Highway 35

Case File Number: 2022-6-REZ

Date Approved: September 27, 2022

Exhibits A-B Attached

Section 3. All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer of any force and effect.

Section 4. If any provision of this Ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 5. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective in accordance with the provisions of state law and the City Charter of the City of Georgetown.

APPROVED on First Reading on the 13th day of September 2022.

APPROVED AND ADOPTED on Second Reading on the 27th day of September 2022.

THE CITY OF GEORGETOWN:

ATTEST:

Josh Schroeder
Mayor

Robyn Densmore, TRMC
City Secretary

APPROVED AS TO FORM:

Skye Masson
City Attorney

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Exhibits A-B Attached



Location

2022-6-REZ

Exhibit A

-  Site
-  Parcels
-  City Limits
-  Georgetown ETJ

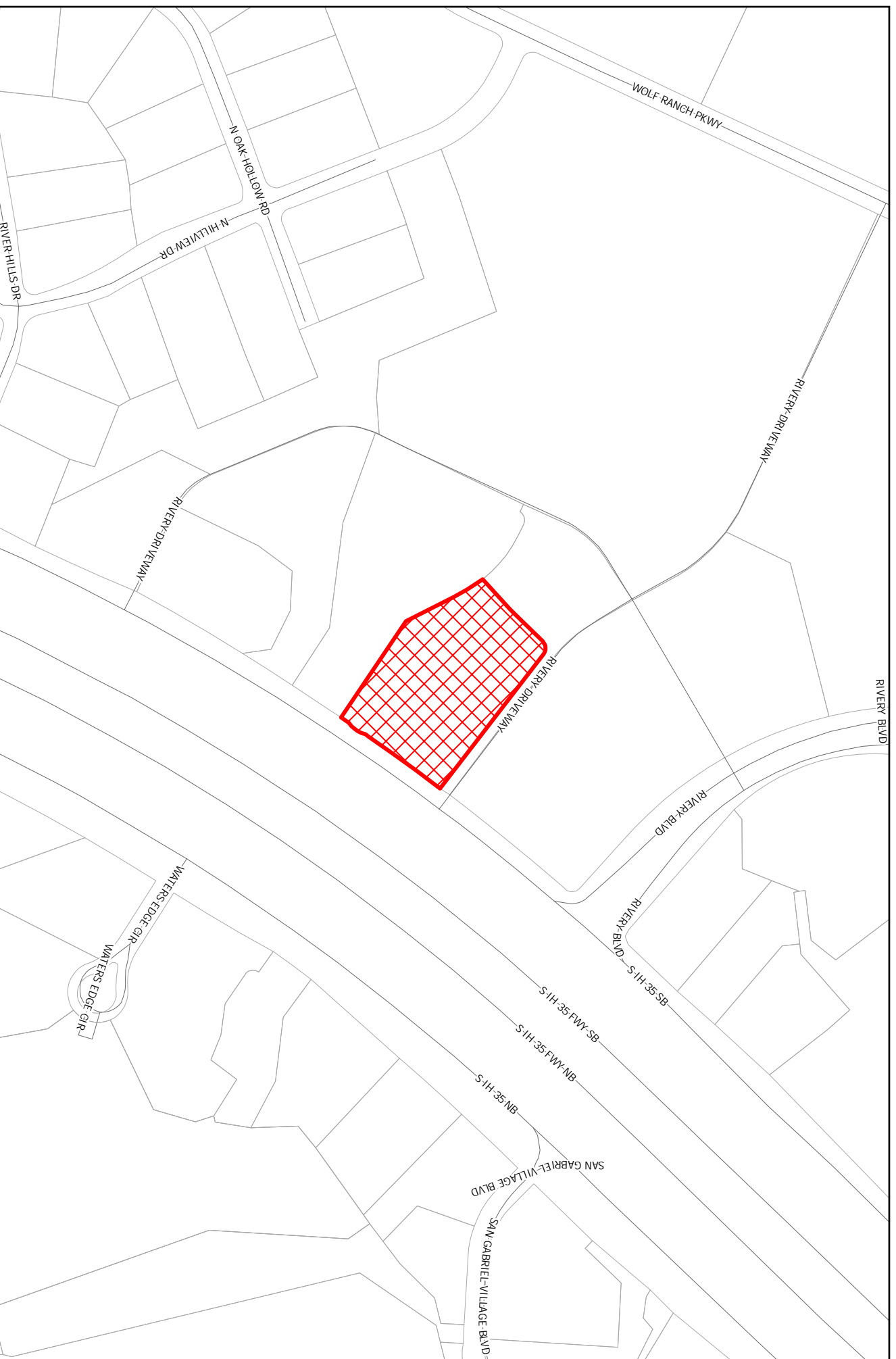
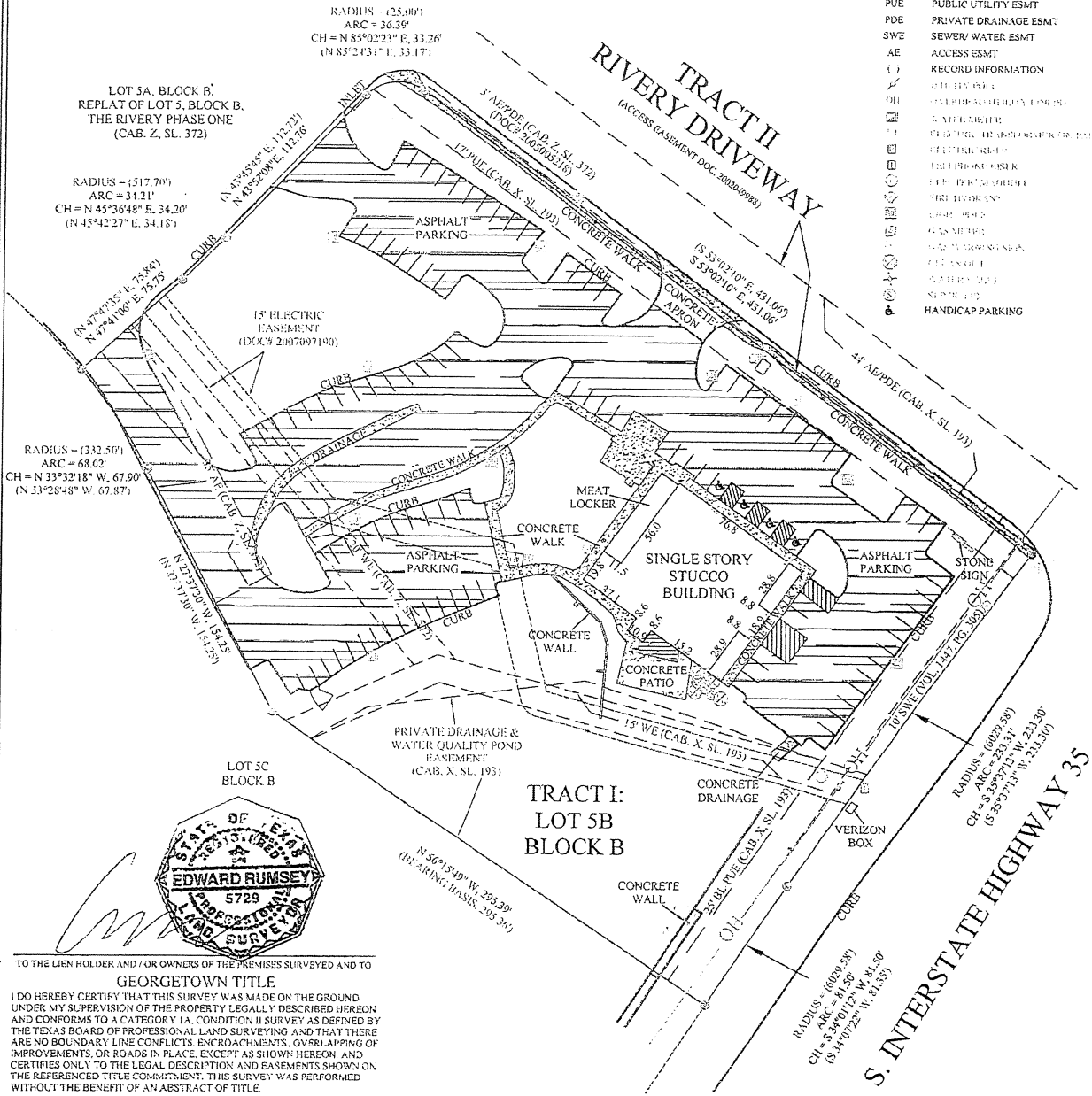


EXHIBIT B

LEGEND

- CALCULATED POINT
- 1-2' ROD FOUND
- WOOD FENCE
- BUILDING LINE
- PUBLIC UTILITY ESMT
- PRIVATE DRAINAGE ESMT
- SEWER/WATER ESMT
- ACCESS ESMT
- RECORD INFORMATION
- UTILITY POLE
- TELEPHONE POLE
- ELECTRIC POLE
- GAS POLE
- HANDICAP PARKING



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO
GEORGETOWN TITLE

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION OF THE PROPERTY LEGALLY DESCRIBED HEREON AND CONFORMS TO A CATEGORY "A" CONDITION "H" SURVEY AS DEFINED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

RESTRICTIONS

SUBJECT TO RESTRICTIONS IN DOC. NO. 200204998S RE-RECORDED IN 2002062823, AND AS PER PLAT 'A' IN CAB. H, SLIDES 231-232, CAB. X, SLIDES 193-196, CAB. Z, SLIDES 372-373, CAB. CC, SLIDES 140-141. (BOTH TRACTS)

SCENIC EASEMENT FOR HIGHWAY PURPOSES GRANTED TO THE STATE OF TEXAS IN VOL. 1871, PG. 651, DOES NOT AFFECT. (BOTH TRACTS)

SUBJECT TO AN AVIGATION EASEMENT AS PER PLAT IN CAB. H, SLIDES 231-232, CAB. X, SLIDES 193-196, CAB. Z, SLIDES 372-373, NOT PLOTTABLE. (BOTH TRACTS)

SUBJECT TO AN AVIGATION, APPROACH ZONE, TRANSITION ZONE, HORIZONTAL ZONE, AND CONICAL ZONE EASEMENT AS PER PLAT IN CAB. CC, SLIDES 140-141, NOT PLOTTABLE. (BOTH TRACTS)

SUBJECT TO RECIPROCAL EASEMENTS AND RESTRICTIVE COVENANTS AGREEMENT PER DOC.#S 200204998 AND 2002062823, NOT PLOTTABLE. (BOTH TRACTS)

SUBJECT TO RECIPROCAL ACCESS AND SIGN EASEMENT PER DOC. 2005031496, NOT PLOTTABLE. (BOTH TRACTS)

SUBJECT TO UTILITY EASEMENT PER DOC. 2007097190

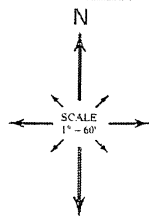
ELECTRIC EASEMENT PER VOL. 3143, PG. 607, DOES NOT AFFECT.

SIGN EASEMENT PER DOC. 2006023705, DOES NOT AFFECT

LEGAL DESCRIPTION

TRACT I: LOT 5B, BLOCK B, OF REPLAT OF LOT 5B, BLOCK B, OF THE REPLAT OF LOT 5, BLOCK B, THE RIVERY PHASE ONE, AN ADDITION IN AND TO THE CITY OF GEORGETOWN, WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET CC, SLIDES 140-141, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS.

TRACT II: EASEMENT TRACT CREATED BY RECIPROCAL ACCESS EASEMENT DATED JUNE 21, 2002, BY AND BETWEEN WAL-MART REAL ESTATE BUSINESS TRUST, HOME DEPOT U.S.A., INC. AND RIVERY TOWNE CROSSING, L.P., RECORDED UNDER DOCUMENT NO. 200204998S AND CORRECTED UNDER DOCUMENT NO. 2002062823, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS.



ALLSTAR
Land Surveying

9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729

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(512) 331-5217 FAX

WWW.ALLSTARLANDSURVEYING.COM

F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48491C0290E PANEL. 0290E

DATED: 9-26-2008

THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD CONTACT YOUR LOCAL FLOOD PLAN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

ADDRESS

TBD
708 S. INTERSTATE HIGHWAY 35
GEORGETOWN, WILLIAMSON COUNTY, TEXAS

SLRVEY DATE:	SEPTEMBER 31, 2013	FIELD BY:	DERICK SOLOMON	09/24/2013
TITLE CO.:	GEORGETOWN TITLE	CALC. BY:	CHRIS ZOTTER	09/25/2013
G.F. NO.:	130668345 P	DRAWN BY:	DALGAN SMITH	09/27/2013
JOB NO.:	A0907913	RPLS CHECK:	EDWARD RUMSEY	09/31/2013