

ORDINANCE NO. 746-2021-12

AN ORDINANCE OF THE CITY OF VENUS, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND CHANGING THE ZONING FROM AGRICULTURAL (A) TO COMMERCIAL (C-2) ON 12.655 ACRES OF LAND, GENERALLY LOCATED AT THE INTERSECTION WEST OF FM 157 AND NORTH OF HIGHWAY 67; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY UP TO \$2,000 PER DAY FOR A VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission considered and made recommendations on a certain request for a change of zoning on the above captioned property; and

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Venus; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, and general welfare of the City of Venus.

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

SECTION 1. That the above findings are hereby found to be true and correct and are incorporated as if fully set forth herein.

SECTION 2. That the 12.655 acre site generally located at the intersection located to the west of FM 157 and north of Highway 67 and more specifically described in the attached Exhibits A and B and with a legal description of: 12.655 acres (551,260 square feet) of land in the Radford Berry Survey, Abstract No. 26, Johnson County, Texas; said 12.655 acres (551,260 square feet) of land being a portion of that certain tract of land described in a Assumption Special Warranty Deed to Saldena Properties, L.P. (hereinafter referred to Saldena Properties tract), as recorded in Book 3570, Page 136, Deed Records, Johnson County, Texas (D.R.J.C.T.), is hereby zoned Commercial, specifically, the "C-2" zoning district, and shall be developed and used in accordance with all applicable regulations of the "C-2" Commercial District and the Comprehensive Zoning Ordinance, as amended.

SECTION 3. That any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as by a fine not to exceed two thousand dollars

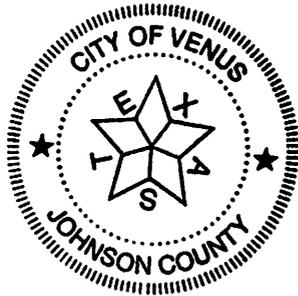
(\$2,000.00) upon conviction in municipal court. Each day the violation continues is a separate violation of this Ordinance.

SECTION 4. That the Zoning Ordinance of the City of Venus, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

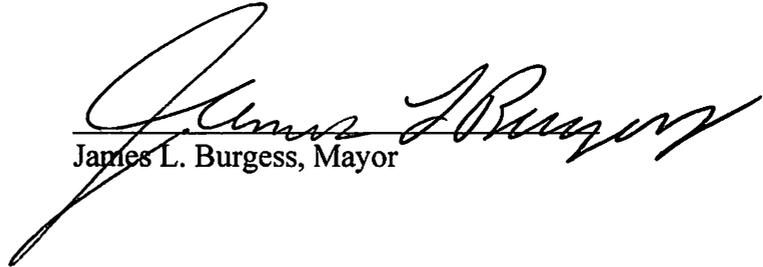
SECTION 5. That if any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or its application to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of this Ordinance, and the remaining portions shall remain in full force and effect.

SECTION 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS on this 13th day of December, 2021.



APPROVED:


James L. Burgess, Mayor

ATTEST:

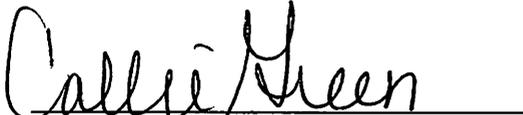

Callie Green, City Secretary

EXHIBIT A

EXHIBIT A

LEGAL LAND DESCRIPTION:

BEING 12.655 acres (551,260 square feet) of land in the Radford Berry Survey, Abstract No. 26, Johnson County, Texas; said 12.655 acres (551,260 square feet) of land being a portion of that certain tract of land described in a Assumption Special Warranty Deed to Saldena Properties, L.P. (hereinafter referred to Saldena Properties tract), as recorded in Book 3570, Page 136, Deed Records, Johnson County, Texas (D.R.J.C.T.); said 12.655 acres (551,260 square feet) of land being more particularly described, by metes and bounds, as follows:

BEGINNING at a Texas Department of Transportation monument found for the Southerly Southeast corner of said Saldena Properties tract, same being the intersection of the existing Southwesterly right-of-way line of F. M. Road 157 (80' right-of-way), as recorded in Book 360, Page 5, D.R.J.C.T., with the existing Northerly right-of-way line of West Highway 67 (variable width right-of-way), as recorded in Book 2379, Page 367, D.R.J.C.T.;

THENCE South 84 degrees 20 minutes 13 seconds West with the common lien between said Saldena Properties tract and the existing Northerly right-of-way line of said West Highway 67, a distance of 293.62 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 30 degrees 13 minutes 18 seconds East, continue with the common lien between said Saldena Properties tract and the existing Northerly right-of-way line of said West Highway 67, a distance of 39.95 feet to a Texas Department of Transportation monument found for corner;

THENCE South 83 degrees 55 minutes 02 seconds West, continue with the common lien between said Saldena Properties tract and the existing Northerly right-of-way line of said West Highway 67, a distance of 693.42 feet to a Texas Department of Transportation monument found for corner;

THENCE North 79 degrees 17 minutes 54 seconds West, continue with the common lien between said Saldena Properties tract and the existing Northerly right-of-way line of said West Highway 67, a distance of 34.25 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 84 degrees 00 minutes 09 seconds West, continue with the common lien between said Saldena Properties tract and the existing Northerly right-of-way line of said West Highway 67, a distance of 241.08 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE North 21 degrees 14 minutes 35 seconds East, departing the existing Northerly right-of-way line of said West Highway 67, crossing said Saldena Properties tract, a distance of 229.65 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE North 19 degrees 04 minutes 09 seconds East, continue crossing said Saldena Properties tract, a distance of 187.25 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE North 27 degrees 51 minutes 31 seconds East, continue crossing said Saldena Properties tract, a distance of 288.09 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner in the Northeasterly line of said Saldena Properties tract, same being the Southwesterly line of that certain tract of land described in a Special Warranty Deed to Palladium Venus, Ltd. (hereinafter referred to as Palladium Venus tract), as recorded in Instrument Number 2020-15351, Official Public Records, Johnson County, Texas;

THENCE South 29 degrees 12 minutes 45 seconds East with the common line between said Saldena Properties tract and said Palladium Venus tract, a distance of 233.71 feet to a one-half inch iron rod found for corner, same being the Southwesterly corner of said Palladium Venus tract;

THENCE North 60 degrees 48 minutes 47 seconds East, continue with the common line between said Saldena Properties tract and said Palladium Venus tract, a distance of 632.00 feet to the Northeasterly corner of said Saldena Properties tract, same being the Southeasterly corner of said Palladium Venus tract, same also being the existing Southwesterly right-of-way line of the aforesaid F. M. Road 157, from which a one-half inch iron rod with plastic cap stamped "RPLS 4701" found bears North 60 degrees 48 minutes 47 seconds East, a distance of 1.22 feet;

THENCE South 30 degrees 35 minutes 57 seconds East with the common line between said Saldena Properties tract and the existing Southwesterly right-of-way line of said F. M. Road 157, a distance of 374.21 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 24 degrees 12 minutes 03 seconds East, continue with the common line between said Saldena Properties tract and the existing Southwesterly right-of-way line of said F. M. Road 157, a distance of 185.34 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 30 degrees 28 minutes 46 seconds East, continue with the common line between said Saldena Properties tract and the existing Southwesterly right-of-way line of said F. M. Road 157, a distance of 80.48 feet to a five-eighths inch iron rod with red plastic cap stamped "RPLS 4838" set for corner;

THENCE South 26 degrees 56 minutes 16 seconds West, continue with the common line between said Saldena Properties tract and the existing Southwesterly right-of-way line of said F. M. Road 157, a distance of 37.72 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 12.655 acres (551,260 square feet) of land.

EXHIBIT B

