

CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
AGENDA

January 2, 2024 - 3:30 PM
300 North Loraine
Midland, Texas
Council Chamber - City Hall



Notice is hereby given that a public meeting will be held by the Planning and Zoning Commission of the City of Midland, in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at or following the time specified, to consider the following:

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission meeting minutes for December 18, 2023.
3. Motion approving a Final Plat of Ortloff Addition, Section 8, being a Replat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, and an adjacent 0.068-acre portion of vacated Douglas Avenue right-of-way, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive.) **(DISTRICT 3) (DEVELOPMENT SERVICES)**

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

4. Hold a public hearing and consider a request by Justin Smith for a Specific Use Designation without Term for an automobile or other motorized vehicle sales and service on a Lot 8 less the north 30 feet and Lot 9, Block 4, Stockard Acres, City and County of Midland, Texas. (Generally located on the west side of Goode Street, approximately 315 feet north of Carter Avenue.) **(DISTRICT 2) (DEVELOPMENT SERVICES)**

MISCELLANEOUS

5. Motion approving, with staff's recommended conditions, a Preliminary Plat of Adobe

Meadows, Section 9, being a Replat of Lot 1, Block 1, and a 0.159-acre portion of previously vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas. (Generally located at the northeast corner of North State Highway 349 and East Mockingbird Lane.) **(DISTRICT 1) (DEVELOPMENT SERVICES)**



Cristina O. Burns
Department of Development Services

The City of Midland Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the Planning Division at 432-685-7400 or write to us at P.O. Box 1152, Midland, Texas 79702, at least 48 hours in advance of the meeting.

**CITY OF MIDLAND, TEXAS
PLANNING AND ZONING COMMISSION
MINUTES**

December 18, 2023

Council Chambers – City Hall



The Planning and Zoning Commission convened in regular session in the Council Chamber, City Hall, 300 N. Loraine, Midland, Texas, at 3:30pm, December 18, 2023.

Commissioners present: Lucy Sisniega, John Burkholder, Adrian Carrasco, Abraham Bejil, Steven Villela, Joshua Sparks

Commissioners absent: Brennan Berry, Emily Holeva, Sallie Vega

Staff members present: Landon Ochoa, Alexis M. Martinez, Andrew Meyers, Daniel Humbert, Cristina Odenborg Burns

OPENING ITEMS

1. Pledge of Allegiance

PUBLIC COMMENT

Receive comments from members of the public who desire to address the Planning and Zoning Commission regarding items on the present agenda for which public hearings will not be held. (Please limit comments to three minutes or less.)

CONSENT ITEMS

2. Motion approving the Planning and Zoning Commission meeting minutes for December 4, 2023 .

Adrian Carrasco moved to approve; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

3. Motion approving a Final Plat of Claydesta Plaza North, Section 6, being a Replat of the remainder of Lot 1, Block 14, Claydesta Plaza, Section 2; Lot 2B, Block 14, Claydesta Plaza, Section 14; and a 47.74-acre tract of land, located in Section 14, Block 39, T-1-S, T&P RY Co. Survey, City and County of Midland, Texas. (Generally located on the west side

of North Big Spring Street, approximately 300-feet north of Veterans Airpark Lane.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Joshua Sparks moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

4. Motion approving a request for a 30-Day Extension for a proposed Preliminary Plat of Longview Subdivision, Section 4, being a Replat of Longview Subdivision, Section 3, Midland County Texas. (Generally located on the southeast corner of the intersection of West County Road 50 and North County Road 1275.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

5. Motion approving a Final Plat of Mockingbird Ridge, Section 4, being a Plat of a 35.41-acre tract of land situated in Section 18, Block 38, T-1-S, A-734, T&P RY. Co. Survey, City and County of Midland, Texas. (Generally located on the north side of East Mockingbird Lane, approximately 1,000 feet east of North Fairgrounds Road.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega, Sparks

PUBLIC HEARINGS

The Planning and Zoning Commission will hold public hearings on the following items:

6. Hold a public hearing and consider a request by Midland Community Healthcare Services for an initial zoning of LR, Local Retail District for a 9.36-acre tract of land out of Tract 5, City View Acres, Midland County, Texas. (Generally located on the east side of South Jackson Street, approximately 170-feet south of Cloverdale Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Senior Planner Landon Ochoa gave an overview of this project. No letters of objection were

received; staff recommend approval.

The public hearing was opened at 3:39pm.

Applicant Michael Austin spoke on the project and clarified on what they planned on doing with the land.

Resident Ronald Huffman had concerns about the road not being up to par with city code.

Resident Martin Rangel was upset on what they were trying to do and raised concerns about the property.

The public hearing was closed at 3:51pm.

Abraham Bejil moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

7. Hold a public hearing and consider a motion denying with staff's recommended conditions, a proposed Preliminary Plat of 349 Ranch Estates, Section 25 being a replat of Lot 55, Block 8, 349 Ranch Estates, City and County of Midland, Texas. (Generally located immediately east of Tejas, approximately 190 feet south of Navajo.) (DEVELOPMENT SERVICES) (COUNCIL DISTRICT 1)

Planner Daniel Humbert gave an overview on this project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 3:57pm.

Applicant Lance Friday spoke on the project and what they are trying to accomplish.

The public hearing was closed at 4:02pm

Steven Villela moved to approve this request with conditions; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

8. Hold a public hearing and consider a motion approving a proposed Final Plat of Quail Ridge Addition, Section 9, being a replat of Lots 8 & 9, Block 12, Quail Ridge Addition, Section 8, City and County of Midland, Texas. (Generally located on the north side on

Starling Drive, approximately 170-feet west of Killdeer Court.) (DISTRICT 2)
(DEVELOPMENT SERVICES)

Planner Andrew Meyers gave an overview of the project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 4:04pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:05pm.

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

9. Hold a public hearing and consider a motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Sunset Acres, Section 10 being a 7.01-acre tract of land and a 0.25-acre portion of Sinclair Avenue right-of-way and a 0.08-acre portion of alley right-of-way, all out of Tract 2, Sunset Acres, City and County of Midland, Texas. (Generally located northeast of the intersection of Upland Street and W. Golf Course Road.) (DEVELOPMENT SERVICES) (DISTRICT 3)

Planner Daniel Humbert gave an overview of this project. No letters of objection were received; staff recommend approval.

The public hearing was opened at 4:07pm.

Commissioner Adrian Carrasco left the dias.

Resident Lloyd Webb questioned if the alley was going to be vacated on Sinclair St.

Applicant William Parson clarified what they were doing on this project.

The public hearing was closed at 4:10pm.

Steven Villela moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Bejil, Villela

NAY: None

ABSTAIN: Carrasco, Sparks

ABSENT: Berry, Holeva, Vega

10. Hold a public hearing and consider a motion approving with staff's recommended

conditions, a proposed Preliminary Plat of Urbandale Addition, Section 3 being a replat of the east 31 feet of Lot 15 and all of Lot 16, Block 1, A Replat of All of Tracts 1, 7, 9, 10 and the East Half of 8, Urbandale Addition, City and County of Midland, Texas. (Generally located southwest of the intersection of H Street and Princeton Avenue.) (DEVELOPMENT SERVICES) (DISTRICT 3)

Planner Daniel Humbert gave an overview of this project. No letters of objection were received; staff recommend approval.

The public hearing was open at 4:12pm.

There was no one wishing to speak on this item.

The public hearing was closed at 4:13pm.

Abraham Bejil moved to approve this request; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

MISCELLANEOUS

11. Motion approving, with staff's recommended conditions a Proposed Preliminary Plat of Carrollwood Addition, Section 3, being a plat of a 34.50-arces tract of land out of Section 24, Block 40, T-2-S, T & P, RR Co Survey, Midland County, Texas. (Generally located on the west side of South County Road 1232, approximately 385 feet north of West County Road 134.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Adrian Carrasco moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

12. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of Cloverdale East, Section 3, being a replat of Lots 3-6, Block 1, Correction Plat of Cloverdale East, Section 2, Midland County, Texas. (Generally located on the north side of East Interstate 20, approximately 2,380 feet east of East State Highway 158.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

13. Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Grasslands Estates West, Section 12, being a Plat of a 99.1985-acres tract of land located in Sections 35 and 36, Block 40, T-1-S, T&P, RR. Co. Survey, Midland County, Texas. (Generally located on the north side of W. State Highway 158, approximately 11 feet west of Brandy Hill Road.) (EXTRATERRITORIAL JURISDICTION) (DEVELOPMENT SERVICES)

Adrian Carrasco moved to approve this request; seconded by Steven Villela.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

14. Motion approving a request for a 30-Day Extension request for a proposed Final Plat of Grassland Estate West, Section 12, being a Plat of a 19.2636-acre tract of land located in Sections 35 & 36, Block 40, T-1-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located immediately north of Homeland Drive, approximately 250 feet north of Castlewood Drive) (DISTRICT 4) (DEVELOPMENT SERVICES)

Abraham Bejil moved to approve this request; seconded by Adrian Carrasco.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Sparks

NAY: None

ABSTAIN: Villela

ABSENT: Berry, Holeva, Vega

15. Motion approving, with staff's recommended conditions, a reinstatement of an approved Preliminary Plat of Hillcrest Acres, Section 14, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres, Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Steven Villela moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

16. Motion approving a proposed Final Plat of Hillcrest Acres, Section 16, being a Replat of the north half of Tracts 12, 13, and 14, Hillcrest Acres; and Lot 2, Block 3, Hillcrest Acres,

Section 10; City and County of Midland, Texas. (Generally located on the south side of Andrews Highway, approximately 170 feet east of Woodcrest Drive.) (DISTRICT 4) (DEVELOPMENT SERVICES)

Steven Villela moved to approve this request; seconded by Abraham Bejil.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

17. Motion approving, with staff's recommended conditions, a proposed Preliminary Plat of South 349 Acres, Section 7, being a 2.00-acre tract of land located in the Northwest Quarter of Section 10, Block 39, T-2-S, T&P, RR Co. Survey, City and County of Midland, Texas. (Generally located on the north side of West County Road 111, approximately 1,650-feet east of Cotton Flat Road.) (DEVELOPMENT SERVICES) (DISTRICT 2)

Abraham Bejil moved to approve this request; seconded by John Burkholder.

The motion passed by the following vote:

AYE: Sisniega, Burkholder, Carrasco, Bejil, Villela, Sparks

NAY: None

ABSTAIN: None

ABSENT: Berry, Holeva, Vega

With no further items or business to come before the Commission, Chair Sisniega adjourned the meeting at 4:36pm

Lucy Sisniega, Chair

Date

Cristina O. Burns
Director of Development
Services

Date



Planning and Zoning Commission

Approved for Agenda:
Cristina O. Burns

MEETING DATE: January 2, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving a Final Plat of Ortloff Addition, Section 8, being a Replat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, and an adjacent 0.068-acre portion of vacated Douglas Avenue right-of-way, City and County of Midland, Texas. (Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive.) (DISTRICT 3) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X Approve Deny Directional/Informational

Current Zoning:

MF-22, Multiple-Family Dwelling District.

Preliminary Plat Approval:

The preliminary plat was approved at the March 20, 2023, Planning and Zoning Commission meeting. The plat will combine the existing platted lot with a 0.068-acre portion of Douglas Avenue right-of-way that was vacated by City Council on May 23, 2023 (Ordinance 10409). The property owner is platting for ownership purposes.

Final Plat Requirements:

The official signed Mylar copy of the final plat, the original tax certificates from both Midland County and the Midland Central Appraisal District, and a title opinion have been received. All other conditions for final plat approval have been satisfied.

The final plat attached hereto has been circulated to all City departments for review.

Below are the departments' comments.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

ENGINEERING: (Approved)

IMPACT FEES: Ok as shown.[For the Applicant's information only.]

ROW: Ok as is. [For the Applicant's information only.]

PAVING: Deferral request for the timing of the paving improvements were administratively approved on 06/15/2023. [For Applicant's Information Only.]

WATER: 8" waterline exists in Woodcrest Dr. and, 6" inch through lot in an easement , okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For the Applicant's information only.]

PRO RATA: None.[For the Applicant's information only.]

SEWER: 8" sewer exists in Woodcrest Dr., 8" sewer exists in Douglas Ave. and a 6" inch through lot in an easement , okay as is. No public wastewater improvements are required. [For the Applicant's information only.]

DRAINAGE: Drainage report not needed with the plat at this time and will be reviewed with the building permit.[For the Applicant's information only.]

EASEMENTS: Show existing and proposed.[For the Applicant's information only.]

SIDEWALKS: Required with building permit. [For the Applicant's information only.]

DIMENSION: * * *

OTHER: * * *

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances.

CODE COMPLIANCE: (Approved)

No Oil & Gas well concerns. Informational: No Oil or Gas wells identified within 500 ft. permitted well radius or in the 135 ft. non-permitted well radius of location on plat. Please note if oil & gas wells are not identified or left off plat, this could prevent receiving city permits for structures. Any plugged and abandoned (P&A) well would need to be identified. No structure shall be built over an abandoned well.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

Staff recommends approval of the Final Plat of Ortloff Addition, Section 8, subject to condition A.

Conditions:

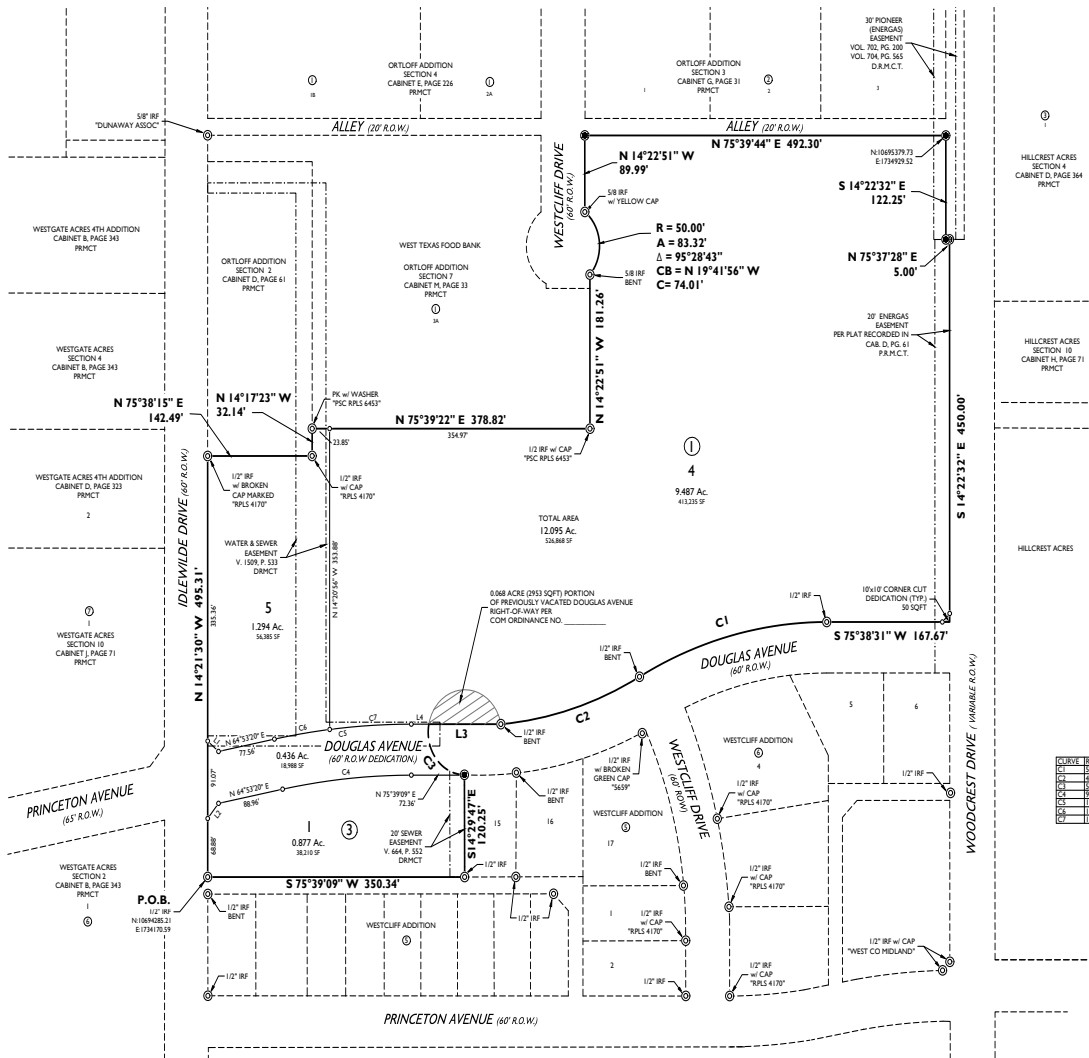
- A. All plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Final Plat
Application
Maps
Ordinance 10409

ORTLOFF ADDITION, SECTION 8

BEING A RE-PLAT OF A 12.095 ACRE TRACT OF LAND
OUT OF LOT 1, BLOCK 1, ORTLOFF ADDITION, SECTION 2, AND A 0.068 ACRE PORTION OF PREVIOUSLY VACATED
DOUGLAS AVENUE RIGHT OF WAY, CITY AND COUNTY OF MIDLAND, TEXAS



SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, GREGORY W. SHIGLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY LOCATED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MIDLAND, TEXAS.

GREGORY W. SHIGLEY
MIDLAND COUNTY ENGINEERING, INC. (FIRM #10194514)
1709 W. WALL STREET, SUITE K
MIDLAND, TX 79701



OWNER'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF MIDLAND

WHEREAS PRINCE VENTURES LP IS THE RECORD OWNER OF A TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, TRACT 18, CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PRINCE VENTURES LP, BEING OWNERS OF THE LAND SHOWN ON THIS PLAT DESIGNATED AS ORTLOFF ADDITION, SECTION 8, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS, AND WHOSE NAME IS SUBMITTED HEREON, DO HEREBY DEDICATE TO THE PUBLIC USE FOR THE STREETS, ALLEYS, AND EASEMENTS SHOWN THEREON, AND DO HEREBY GIVE AN EASEMENT OF INGRESS AND EGRESS TO THE CITY OF MIDLAND FOR GARBAGE COLLECTION, UTILITY FACILITY ACCESS, AND MAINTENANCE, LOCATION AND MAINTENANCE OF TRASH CONTAINERS AND ACCESS THEREON, AND CONVEYANCE OF SAID EASEMENT, THAT NO CONSTRUCTION SHALL COMMENCE ON SAID LOT OR LOTS UNTIL THE EXACT LOCATION OF SAID CONTAINERS THEREWITH HAS BEEN SELECTED AND APPROVED BY THE DIRECTOR OF UTILITIES.

WITNESS MY HAND AT _____, TX,
THIS _____ DAY OF _____, 2023.

BY: _____

ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBMITTED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE WAS ACTING AS OWNER, AND THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS

THIS _____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

UTILITY COMPANY'S CERTIFICATE

THIS PLAT HAS BEEN CHECKED FOR ACCESSIBILITY OF UTILITIES.

ATKINS ENERGY

BY: _____

ZAYAT

BY: _____

OFFICER

BY: _____

ASTOUND BROADCAST

BY: _____

ONCOR ELECTRIC DELIVERY

BY: _____

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	138.54'	156.86'	163.37'	S 81° 09' 11" W	28° 18' 25"
C2	423.91'	196.50'	175.08'	S 53° 21' 13" W	12° 56' 11"
C3	152.00'	87.28'	76.81'	S 53° 28' 11" E	100° 21' 44"
C4	146.00'	172.99'	176.31'	N 62° 18' 13" E	43° 43' 59"
C5	1000.00'	187.88'	187.89'	N 62° 18' 13" E	17° 43' 59"
C6	1000.00'	187.88'	187.89'	N 62° 18' 13" E	17° 43' 59"
C7	1000.00'	111.81'	111.81'	N 62° 18' 13" E	90° 00' 00"

LINE TABLE

LINE BEARING	DISTANCE
L1	S 81° 09' 11" W 138.54'
L2	S 53° 21' 13" W 423.91'
L3	S 53° 28' 11" E 152.00'
L4	N 62° 18' 13" E 146.00'
L5	N 62° 18' 13" E 1000.00'

FEMA NOTE

FLOOD STATEMENT: ACCORDING TO FEMA'S NFIP FLOOD INSURANCE RATE MAP 44829C0105E DATED SEPTEMBER 16, 2005, THIS PROPERTY AS SHOWN HEREON IS WITHIN THE UNSHADDED PORTION OF ZONE "X", DESIGNATED AS "AREAS OF MINIMAL FLOOD HAZARD DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN". THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES.

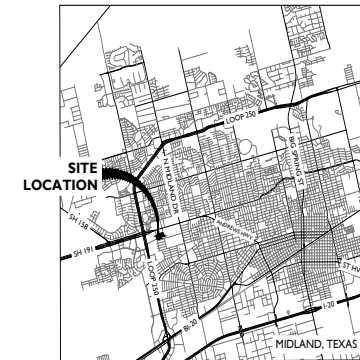
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF MAVERICK ENGINEERING & SURVEY, LLC.

DEVELOPMENT NOTES

1. SELLING A PORTION OF THIS ADDITION BY MEETS AND BOUNDS MAY BE A VIOLATION OF CITY ORDINANCE AND STATE LAW AND SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
2. APPROVAL OF A SITE PLAN BY THE CITY OF MIDLAND MAY BE REQUIRED BEFORE THE DEVELOPMENT OF ANY LOT AND BEFORE A BUILDING PERMIT MAY BE OBTAINED.
3. THE INSTALLATION OF IMPROVEMENTS MAY BE REQUIRED BY THE CITY OF MIDLAND AS SUCH TIME AS (1) THE REPRESENTED LOTS ARE REAPPLIED FOR SUBDIVISION INTO MORE THAN ONE LOT OR (2) THE PROPERTY IS REZONED FOR A MORE INTENSIVE USE.
4. IMPACT FEES WILL BE ASSESSED DURING THE FINAL PLATTING PROCESS. IMPLEMENTATION AND COLLECTION OF IMPACT FEES WILL TAKE PLACE DURING THE BUILDING PERMIT PROCESS. ADDITIONAL IMPACT FEES OR INCREASED IN FEES MAY NOT BE ASSESSED AGAINST THE TRACT UNLESS THE NUMBER OF SUBDIVISION UNITS TO BE DEVELOPED ON THE TRACT INCREASES.

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCE AND AREA ARE A LAMBERT CONIC PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, AND 83 U.S. SURVEY FOOT.
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS OR ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.



VICINITY MAP

N.T.S.



LEGEND

- SET 1/2 INCH IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514"
- FOUND MONUMENT AS NOTED
- BOUNDARY LINE
- EXISTING PROPERTY LINES
- EXISTING EASEMENT LINE
- O.P.A.M.C.T.
- OFFICIAL PUBLIC RECORDS, MIDLAND CO., TX
- P.A.M.C.T.
- PLAT RECORDS, MIDLAND CO., TX
- D.R.M.C.T.
- DEED RECORDS, MIDLAND CO., TX

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF ORTLOFF ADDITION, SECTION 8, WAS APPROVED BY PROPER ACTION OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF MIDLAND, TEXAS ON THIS

DATE OF _____, 2023.

LUCY SINEGA, CHAIRMAN

JEFFREY FISHER, SECRETARY



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING

1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # F-10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com

PROPERTY OWNER

PRINCE VENTURES LP
PO BOX 50820
MIDLAND, TX 79710
DEED INSTRUMENT: VOL 1452, PG. 665, DRINK

PLAT FILED FOR RECORD
MIDLAND COUNTY, TEXAS

NO. _____ CABINET

DATE _____ PAGE _____

ORTLOFF ADDITION,
January 2, 2024
SECTION 8



Final Plat Application

Project Number: _____

Case Number: _____

Proposed Subdivision Plat Name: Ortloff Addition, Section 8

Legal Description (attached sealed Metes and Bounds): Being a Re-Plat of a 12.095 Acre Tract of Land out of Lot 1, Block 1, Ortloff Addition, Section 2, and a 0.068 Acre Portion of Previously Vacated Douglas Avenue Right of Way, City and County of Midland, Texas

Property Owner
Printed Name: Pinon Ventures LP

Phone (432) 262-0999
Email bschwab@stone11c.net

Address PO Box 50820

City Midland

State TX

Zip 79710

Developer (if different than Owner)
Printed Name:

Phone ()
Email

Address

City

State

Zip

Representative (if acting as Agent, see affidavit on page 2)

Firm: Maverick Engineering

Printed Name: Paladin Huckaba

Phone (432) 262-0999

Email
phuckaba@maverick-eng.com

Address 1909 W Wall St Ste K

City Midland

State TX

Zip 79701

Current Zoning: MF22

Reason for Platting: Ownership Purposes

Plat Information

Total Acreage: 12.095

Type: ☐ Single-Family Residential☒ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)

Number of Lots: 3

Number of Multi-Family Dwelling Units:

Submittal Information: Standard Plats must be submitted at least 20 days and a Residential Replat must be submitted at least 25 days prior to the P&Z Commission meeting at which action is desired, unless Short Form or Administrative Procedure is applicable.

Items to be submitted with this application form:

- ✓ 2 FOLDED Copies of Dimensioned Plat
- ✓ 2 Signed Mylar (or more if applicant does not request a signed reproduction)
- ✓ 1 Extra Copy (11x17)
- ✓ Digital Files (JPEG & PDF) & CADD File
- ✓ Original Tax Certificates (Midland Central Appraisal District – MCAD)
- ✓ Title Opinion/Policy (dated less than 90 days)
- ✓ Application Fee – Payable to the 'City of Midland'
- ✓ Recording Fee – Payable to 'Midland County Clerk'

Mylar Reproductions

This application authorizes the City to file the approved plat and associated documents with the County Clerk for recording. This application also authorizes the City to reproduce 1 mylar copy of the approved plat at the expense of the engineering firm/applicant for the City's records if needed. (Applicant can submit additional signed mylar instead of reproduction.)

- ☐ Applicant would like a reproduction made for their records
☒ Applicant does not want a reproduction/will make their own

Recording Fee (Payable to 'Midland County Clerk')For plats 18" to 24" \$61.00For plats that exceed 24" \$81.00For related documents, \$26.00 for first page, \$4.00 for each additional page.**Signature (by property owner only – authorized agent must sign affidavit below)**

Property Owner (signature) Brandon Black Date: 12/5/2023

Property Owner (printed): Brandon Black - Pinon Ventures LP

The Final Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

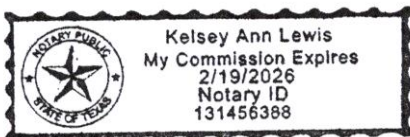
If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L Mellen who, being by me duly sworn, upon oath says: That (s)he is authorized by Pinon Ventures LP, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 5th day of December, 2023, to certify which witness my hand and seal of office.



Kelsey Ann Lewis

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

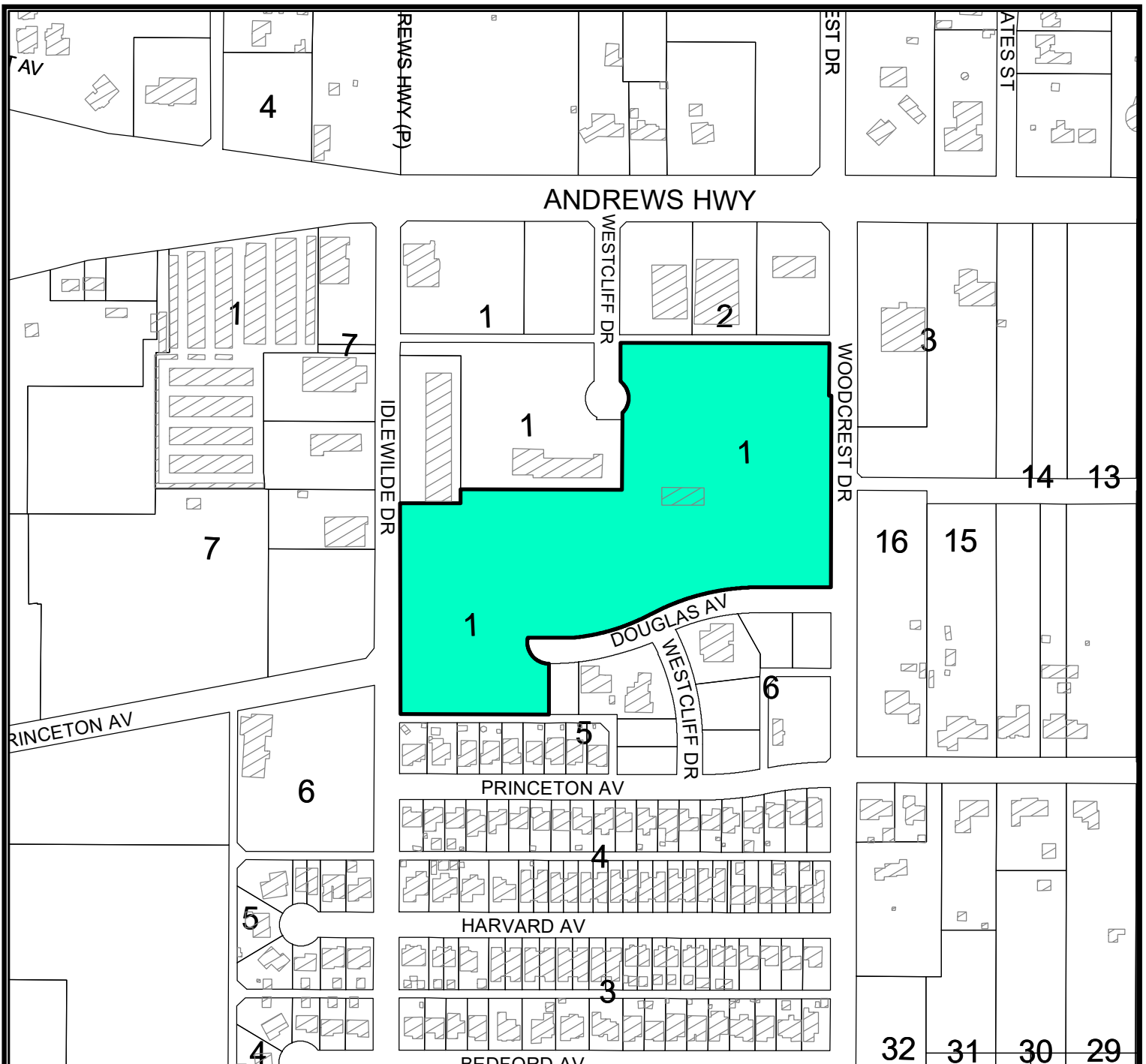
FOR OFFICE USE ONLY

- | | | |
|--|--|---|
| ☒ Property Owner Authorization | ☒ 1 Copy of Dimensioned Plat | ☒ Plat in Digital Format (PDF/JPEG) |
| ☒ Mylar | ☒ 1 Copy of Plat (11x17) | ☒ CADD File |
| ☒ Application Fee | ☒ Title Opinion | ☒ Public Improvement |
| Check # <u>4598</u> | ☒ Tax Certificates | ☒ Recording Fee |
| | | Check # <u>4599</u> |

Received By: Brandon Black

Date: DEC 06 2023

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

P-23-1872

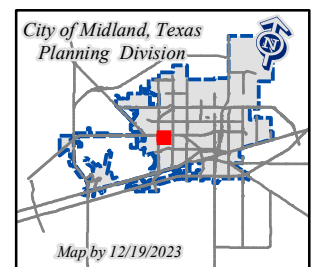
Scale: 1" = 200'

Final Plat of Ortloff Addition, Section 8, being a Residential Replat of a 12.095-acre tract of land out of Lot 1, Block 1, Ortloff Addition, Section 2, and an adjacent 0.068-acre portion of vacated Douglas Avenue right-of-way, City and County of Midland, Texas.

Generally located on the northwest corner of the intersection of Douglas Avenue and Woodcrest Drive. (Council District 3)

LEGEND

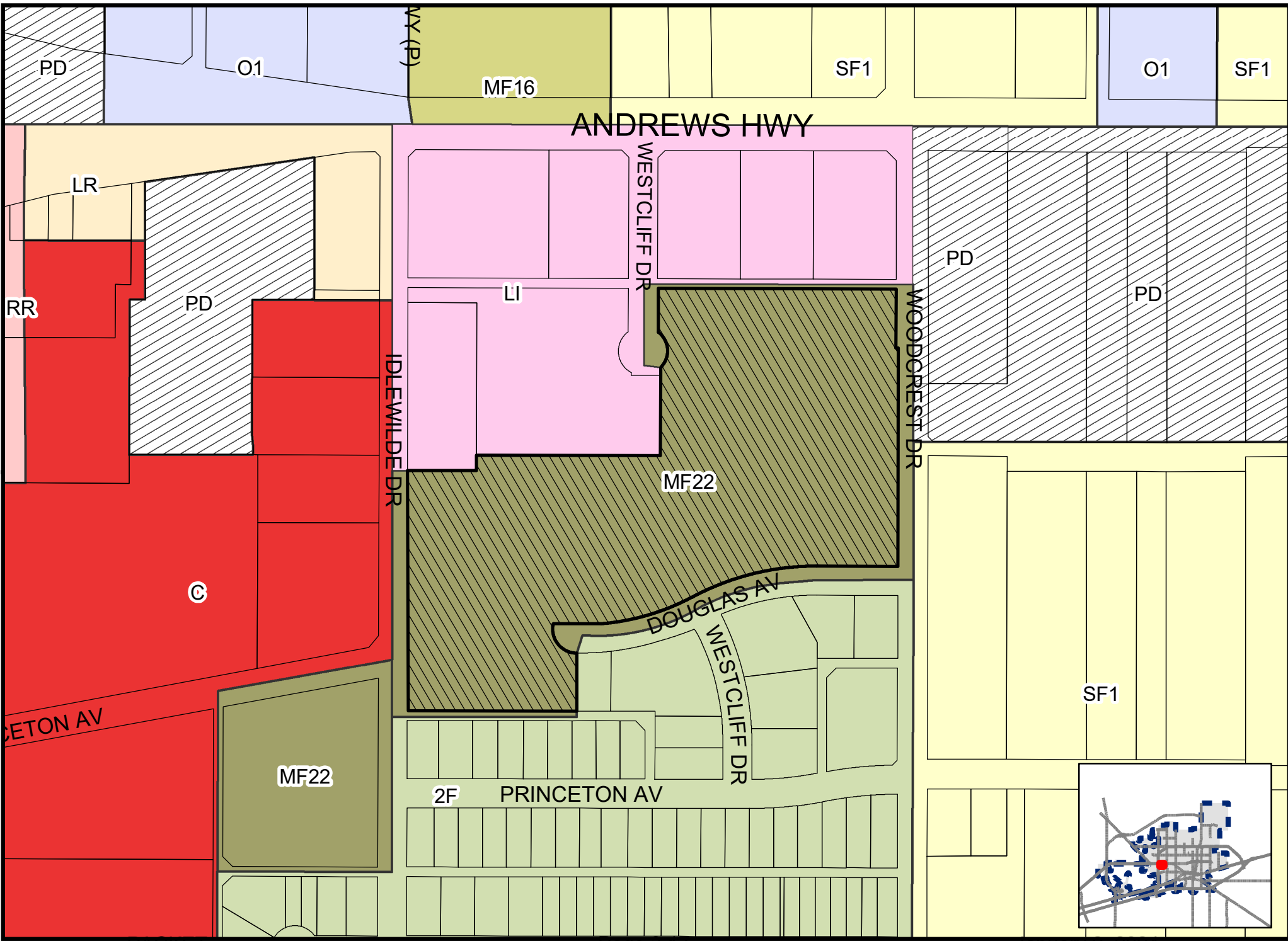
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



©THE CITY OF MIDLAND - 2021

THIS DATA IS NOT A SUBSTITUTION FOR A SURVEY PRODUCT. NOR IS IT DESIGNED TO BE USED AS A PRIMARY TOOL IN PERMITTING OR OTHER DECISIONS BASED SOLELY ON THE INFORMATION CONTAINED HEREIN.

THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



ORDINANCE NO. 10409

AN ORDINANCE VACATING AND ABANDONING A 0.068-ACRE PORTION OF DOUGLAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1 BLOCK 1, ORTLOFF ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 220 FEET WEST OF THE INTERSECTION OF WESTCLIFF DRIVE AND DOUGLAS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,924.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 0.068-acre portion of Douglas Avenue right-of-way located adjacent to Lot 1 Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas, as described in Exhibit "A" attached hereto and made a part hereof for all legal purposes (the "Property"), is no longer needed for public use; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides that a political subdivision may not convey, sell, or exchange its interest in land without observing notice and bid requirements, unless the conveyance is to one or more abutting property owners; and

WHEREAS, an application for vacating the Property has been received by the City from the abutting property owner; and

WHEREAS, the City Manager has appraised the value of the City's property interest in the Property at \$5,924.00, as shown in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the Council finds it to be in the public interest to abandon and vacate the Property;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public purposes. Provided, however, that the City is hereby abandoning only the public interest in

the Property, and this ordinance in no way affects any private easement or access easement which abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until a replat of the Property, which shall include a dedication to the City of land having a value equal to or greater than \$5,924.00, is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City Secretary is hereby authorized and directed to file a certified copy of this ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of May, A.D., 2023; and passed to second reading on motion of Council member Ladd, seconded by Council member Norman, by the following vote:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

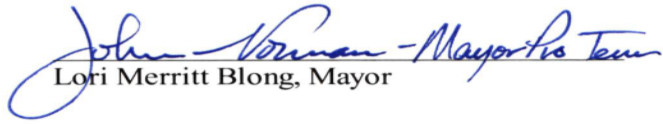
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Poole, on the 13th day of June, A.D., 2023, at a regular meeting of the City Council:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Dufford, Ladd, Norman

Council members voting "NAY": None

PASSED AND APPROVED THIS 13th day of June, A.D., 2023.


Lori Merritt Blong, Mayor

ATTEST:


Marcia Bentley-German, 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"

OF A 0.068 ACRE TRACT OF LAND, SITUATED IN SECTION 30, BLOCK 39, T-1-S, R-1-E, T&P RY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE VACATION OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LEGAL DESCRIPTION

FIELD NOTES DESCRIPTION OF A 0.068 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, TEXAS AND PACIFIC RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE ABANDONMENT OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS RECORDED IN CABINET D, PAGE 61, PRMCT, MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT N (y) 10694558 48 E(x) 1734513 26 A ONE HALF INCH IRON ROD FOUND BENT AT THE NORTHEAST TERMINUS OF SAID CUL-DE-SAC,

THENCE SOUTH 75°39'09" WEST, A DISTANCE OF 98.14 FEET TO A CORNER,

THENCE WITH THE ARC OF THE CUL-DE-SAC TO THE RIGHT WITH A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 157°52'57", AN ARC LENGTH OF 137.78 FEET, A CHORD BEARING OF NORTH 75°39'09" EAST, AND A CHORD DISTANCE OF 98.14 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.068 ACRES

BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT



I, GREGORY W. SHOULTZ DO HEREBY CERTIFY THAT THIS PLAT IS BASED UPON FIELD NOTES OR ELECTRONIC DATA OF AN ACTUAL ON THE GROUND SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

Gregory W. Shoultz
GREGORY W. SHOULTZ RPLS #5356

MARCH 21, 2023

LEGEND

FOUND 1/2" IRON ROD UNLESS MARKED
SET 1/2" IRON ROD w/ RED PLASTIC CAP
MARKED "MAVERICK FIRM # 10194514"

TRACT BOUNDARY

EXISTING LOTS

DRMCT: DEED RECORDS MIDLAND CO. TX

PRMCT: PLAT RECORDS MIDLAND CO. TX



MAVERICK

CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701

ENGINEER FIRM # F-15089
SURVEY FIRM # 10194514

Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com



R = 50.00'
A = 137.78'
Δ = 157°52'57"
CB = N 75°39'09" E
C = 98.14'

ORTLOFF ADDITION
SECTION 2
CABINET D, PAGE 61
PRMCT

P.O.B.

1/2" IRF BENT
N 10694558 48
E 1734513 26

AREA OF
CUL-DE-SAC
TO BE VACATED
0.068 AC.
2,974 SF

S 75°39'09" W
98.14'

DOUGLAS AVENUE
(60' R.O.W.)

PINON VENTURES LP
V. 1452, P. 665
DRMCT

BRAD BISHOP
INST. # 2019-5488
OPRMCT

KAYLA WILSON
INST. # 2021-34226
OPRMCT

20' SEWER
EASEMENT
V. 664, P. 552
DRMCT

WESTCLIFF ADDITION

1/2" IRF

1/2" IRF

1/2" IRF

WESTCLIFF ADDITION

1/2" IRF

1/2" IRF



Office of the City Manager

May 15, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.068-acre portion of Douglas Avenue right-of-way located adjacent to Lot 1 Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas

Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$5,924.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Morris Williams, Jr.
Interim City Manager

EXHIBIT "B"



APPROVED

10409



City Council Meeting

Item Number: 18
Meeting Date: May 23, 2023, June 13, 2023
To: City Council / City Manager
From: Landon Ochoa, Planner
Subject: AN ORDINANCE VACATING AND ABANDONING A 0.068-ACRE PORTION OF DOUGLAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1 BLOCK 1, ORTLOFF ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 220 FEET WEST OF THE INTERSECTION OF WESTCLIFF DRIVE AND DOUGLAS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,924.00; AND ORDERING RECORDATION BY THE CITY SECRETARY (DISTRICT 3) (DEVELOPMENT SERVICES)

Purpose:

Mike Black is requesting to vacate a 0.068-acre portion of the Douglas Avenue cul-de-sac, located adjacent to Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas, to extend Douglas Avenue.

Recommended City Council Action:

Approve

Fiscal Impact:

The 2023 appraised value of the right-of-way is \$2.00 per square foot, for a total value of \$5,924.

Discussion:

The approximated area that will be vacated is 2,974 square feet (0.068-acres).

This request is related to the replat of Ortloff Addition, Section 8 which is currently in the preliminary phase and was approved on March 20, 2023 by the Planning & Zoning Commission.

PACKET

18.1

June 13, 2023

This request has been circulated and reviewed by all pertinent City departments and franchise utility companies. Their comments, conditions, and requests are as follows:

Code Compliance: (Approved)

No oil and gas issues.

Building Code: (Approved)

No objections.

Engineering: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

Fire: (Approved)

No objections.

Transportation: (Approved)

No objections to vacation. Applicant shall be responsible for relocating any utilities, if existing, or providing easements as needed.

GIS: (Approved)

No comments.

AT&T: (Approved)

AT&T is clear of conflict and has no facilities at this location. AT&T will relinquish the utility easement to Cornerstone Housing Group.

Atmos: (Approved)

Atmos Energy has no objection to the proposed vacate of Douglas Ave. west of Westcliff Drive as referenced above. We currently have no gas lines or facilities located within this section of right of way.

Astound: (Approved)

After looking at our maps, it seems that we do not have any communications going through that section.

PACKET

18.2

June 13, 2023

Oncor:

No comments received.

Suddenlink: (Approved)

We do not have any plant in this area, as the cul-de-sac was never built. We are okay with vacating this portion of the cul-de-sac.

Planning:

Pertinent City departments and franchise utility companies have reviewed this vacation request and have approved the request.

Therefore, staff recommends approval of the vacation of a 0.068-acre portion of the Douglas Avenue right-of-way, located adjacent to Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas, to extend Douglas Avenue subject to conditions A through C.

Conditions:

A. That the value of the property shall be \$5,924.

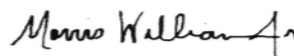
B. That a replat of the subject property is approved by the City of Midland and filed and recorded with the County Clerk of Midland County.

Letters of Objection:

As of May 22, 2023, staff has not received any letters of objection to this request.

Attachments:

Vacation Survey (Exhibit A)
Application
Maps
Responses from Franchise Utility Companies



City Manager's Office

PACKET

18.3

June 13, 2023

"EXHIBIT A"

OF A 0.068 ACRE TRACT OF LAND, SITUATED IN SECTION 30, BLOCK 39, T-1-S, T-8-P, RY Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE VACATION OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LEGAL DESCRIPTION

FIELD NOTES DESCRIPTION OF A 0.068 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, TEXAS AND PACIFIC RAILWAY CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE ABANDONMENT OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS RECORDED IN CABINET D, PAGE 61, PRMCT, MORE PARTICULARLY DESCRIBED AS FOLLOWS

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THENCE SOUTH 75°39'09" WEST, A DISTANCE OF 98.14 FEET TO A CORNER,

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BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT



MARCH 21, 2023

Gregory W. Shoults
GREGORY W. SHOULTS R.P.L.S. #5356

LEGEND

FOUND 1/2" IRON ROD UNLESS MARKED
SET 1/2" IRON ROD w/ RED PLASTIC CAP
MARKED "MAVERICK FIRM # 10194514"

TRACT BOUNDARY

EXISTING LOTS

DEED RECORDS MIDLAND CO. TX

18.7 PLAT RECORDS MIDLAND CO. TX



MAVERICK
CIVIL ENGINEERING / LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # 10194514
Tel: (409) 488-2023
www.Maverick-Eng.com



R = 50.00'
A = 137.78'
Δ = 157°52'57"
CB = N 75°39'09" E
C = 98.14'

ORTLOFF ADDITION
SECTION 2
CABINET D, PAGE 61
PRMCT

P.O.B.
1/2" IRF BENT
N 10694558 48
E 1734513 26

S 75°39'09" W
98.14'
DOUGLAS AVENUE
(60' R.O.W.)

PINON VENTURES LP
V 1452, P. 665
DRMCT

BRAD BISHOP
INST. # 2019-5488
OPRMCT

KAYLA WILSON
INST. # 2021-34226
OPRMCT

WESTCLIFF ADDITION
15
16

20' SEWER
EASEMENT
V 664, P. 552
DRMCT

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

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PACKET



Office of the City Manager

May 15, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.068-acre portion of Douglas Avenue right-of-way located adjacent to Lot 1 Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas

Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$5,924.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Morris Williams, Jr.
Interim City Manager

PACKET

18.8

EXHIBIT "B"
June 13, 2023



**Vacate Right-of-Way/Public Utility
Easement/Land/Street Application**

Project Number: V-23-0050

Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2)

Printed Name: Mike Black - Cornerstone Housing Group

Phone ()

Email

Address 209 S 19th St Ste 100

City Omaha

State NE

Zip 68102

Application is hereby made to the City Council to vacate the following:

- ☒ Right-of-Way
- ☐ Public Utility Easement
- ☐ Land
- ☐ Street

Description of Address: Request 0.068 acre Douglas Ave R-O-W vacation adjoining 4805 Andrews Hwy, Midland, TX TX 79703. The requested R-O-W is unimproved and is not needed when Douglas Ave extends to Idlewilde Dr as planned.

Reason for Request: The applicant requests 0.068 acres of surplus cul-de-sac area shown on Exhibit A in exchange of 0.436 acres needed to extend Douglas Ave west. The applicant will use the vacated property to develop affordable senior housing.

This request complies with Sec. 272.001.(a) and Sec. 272.001.(g) of the Texas Local Government Code.

Reasons, in applicant's opinion, why the requested vacation will not adversely affect the

public welfare or will contribute to it in a positive way: The vacated area will not serve a public purpose when R-O-W needed to extend Douglas Ave is dedicated. The vacation area does not provide nor is it needed to provide vehicular access to any adjacent property. The applicant will maintain the vacated area.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Sealed metes and bounds description of the property to be vacated (included on the map) and total square feet of vacation. Include ownership, legal and deed information for adjacent property owners
- Digital Copies of Site Plan (PDF/JPEG)

Utility Company Approval

Clearance is needed from the following utility companies:

- City of Midland
- Atmos Energy
- Sharyland Utilities
- Oncor Electric
- AT&T
- Suddenlink Cable TV Co.
- Grande Communications

The City will route the request to these companies, but it is the applicant's responsibility to ensure clearance has been obtained to resolve any issues that may arise.

PACKET

18.9

June 13, 2023

Policies

1. If the vacation request involves only a portion of a section right-of-way, such that approval would not affect the public's ability to travel along said right-of-way, then the request will be scheduled for consideration by the City Council. No public hearing will be needed.
2. If the vacation request involves an entire section of right-of-way, such that approval would cause the public to lose all rights to use it, then the following procedures apply:
 - a. Nearby land owners who have a reasonable expectation to use said right-of-way, as determined by the Transportation Division, must first agree to the proposed vacation. It is the applicant's responsibility to obtain a letter of concurrence signed by the affected landowners.
 - b. If all letters are received indicating that the affected landowners agree to the request, then a public hearing before the City Council will be scheduled. The Transportation Division will mail public notice of the hearing to landowners within 400 feet of the affected right-of-way.
 - c. If a request is approved, the right-of-way shall be divided into two equal parts, with each half becoming the property of the respective abutting owner. If the applicant desires to own the entire width, he or she must negotiate with the opposite landowner.

Signatures

Applicant (signature): Mike Black Date: 4/3/2023

Affected Property Owners:

Signature:	Print:	Date:

The Vacation of right-of-way/public utility easement/land/street shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

FOR OFFICE USE ONLY

☒ 1 FOLDED Copy of Survey Plat

☒ Plans in Digital Format (PDF/JPEG)

☒ Application Fee

Check # 4108 \$400

Received By: Alexandra Walling

Date: APR 05 2023

BY: AW

PACKET **Application will not be considered for scheduling until reviewed by a planner 13, 2023

Special Exception Application

2

Revised 12/6/16

OF A 0.068 ACRE TRACT OF LAND, SITUATED IN SECTION 30, BLOCK 39, T-1-S, T&P, RY Co
SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE VACATION OF A PORTION OF
50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AND
ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LEGAL DESCRIPTION

FIELD NOTES DESCRIPTION OF A 0.068 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-11N, R-10E, S-10E, MIDLAND COUNTY, TEXAS, FOR THE TEXAS AND PACIFIC RAILWAY CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE ABANDONMENT OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS RECORDED IN CABINET D, PAGE 61, PROMCT. MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT N (y) 10694558 E(x) 1734513 26 A ONE HALF INCH IRON ROD FOUND BENT AT THE NORTHEAST TERMINUS OF SAID CUL-DE-SAC,

THENCE SOUTH 75°39'09" WEST, A DISTANCE OF 98.14 FEET TO A CORNER;

THENCE WITH THE ARC OF THE CUL-DE-SAC TO THE RIGHT WITH A RADIUS OF 50.00 FEET, A DELTA ANGLE OF $157^{\circ}52'57''$, AN ARC LENGTH OF 137.78 FEET, A CHORD BEARING OF NORTH $75^{\circ}39'09''$ EAST, AND A CHORD DISTANCE OF 98.14 FEET TO THE POINT OF BEGINNING, CONTAINING 0.068 ACRES.

BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT

I, GREGORY W. SHOULTS DO HEREBY CERTIFY THAT THIS PLAN IS BASED UPON FIELD NOTES OR ELECTRONIC DATA OF AN ACTUAL ON THE GROUND SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

GREGORY W. SHOWETS RPLS#5356

MARCH 21, 2023



PACKET

MAVERICK

CIVIL ENGINEERING / LAND SURVEYING

West Wall Street Suite "K"

Midland, Texas 79701

ENGINEER FIRM #: F-15089

SURVEY FIRM #: I0194514

Tel: (432) 262-0999 Fax: (432) 262-0989

www.Maverick-Eng.com



LEGEND

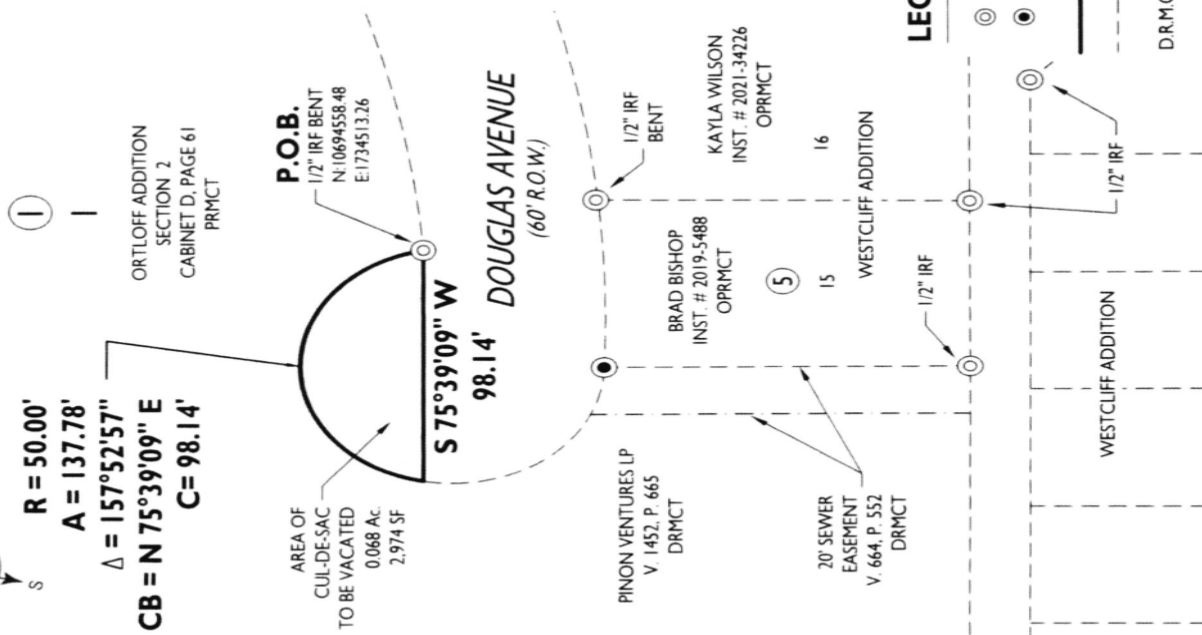
FOUND 1/2" IRON ROD UNLESS MARKED
SET 1/2" IRON ROD w/ RED PLASTIC CAP
MARKED "MAVERICK FIRM # 10194514"

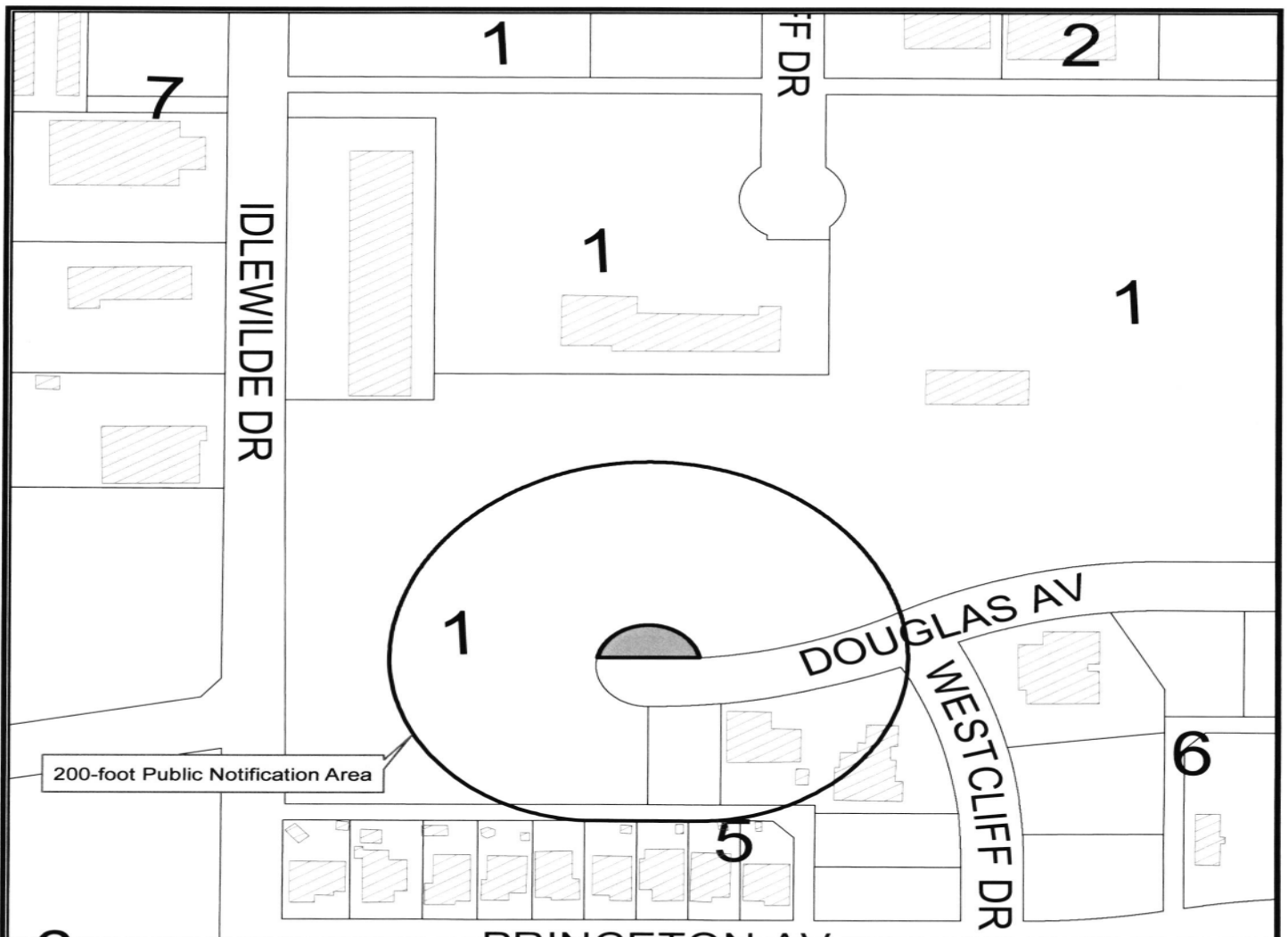
TRACT BOUNDARY

EXISTING LOTS

D.R.M.C.T. DEED RECORDS MIDLAND CO. TX

P.R.M.C.T. PLAT RECORDS MIDLAND CO. TX





LOCATION MAP

V-23-0050

Scale: 1" = 1,862'

Consider a request by Mike Black for a vacation of a 0.068-acre portion of the Douglas Avenue cul-de-sac, located adjacent to Lot 1, Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas.

Generally located 220 feet west of the intersection of Westcliff Drive and Douglas Avenue, (Council District 3)

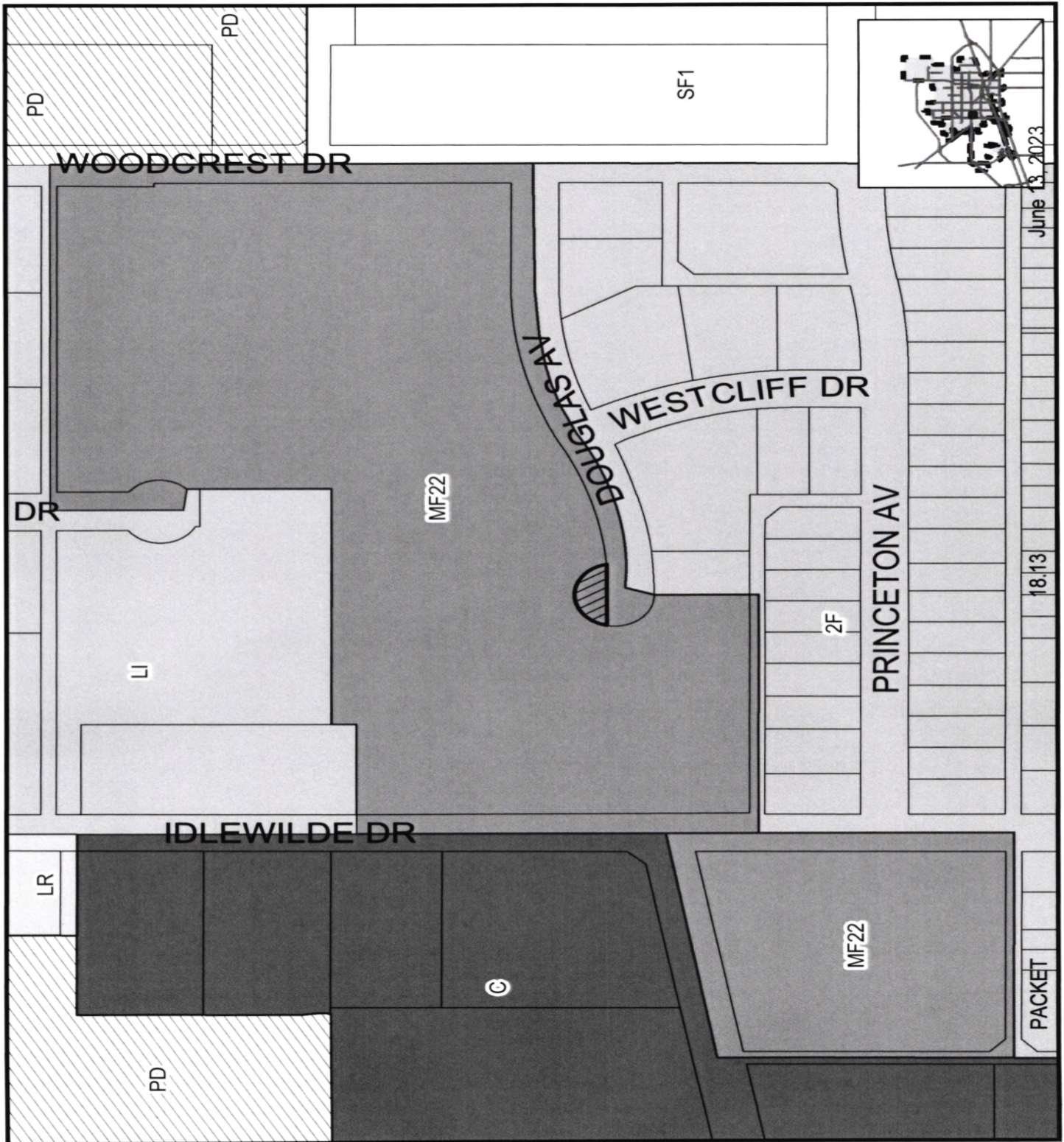
LEGEND

- - CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



June 13, 2023

©THE CITY OF MIDLAND - 2021
THIS DATA IS NOT A SUBSTITUTE FOR A
PROFESSIONAL ENGINEER'S DESIGN OR
FOR THE CITY OF MIDLAND'S LIABILITY. THE
INFORMATION CONTAINED HEREIN
THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR
ANY DECISIONS BASED UPON THE USE OF THIS DATA.



THE CITY OF HOUSTON, TEXAS, HAS ADOPTED THIS ZONING MAP AS A POLICY AND A GUIDE TO THE CITY'S LAND-USE AND DEVELOPMENT. THE CITY OF HOUSTON, TEXAS, HAS ADOPTED THIS ZONING MAP AS A POLICY AND A GUIDE TO THE CITY'S LAND-USE AND DEVELOPMENT.



ZONING MAP

Scale: 1" = 2,058'

V-23-0050

Map By: L.O. 4/19/2023

June 13, 2023

18.13

PACKET



April 19, 2023

Mr. Mark Lieb
Atmos Energy
P.O. Box 1111
Midland, Texas 79702

CUL-DE-SAC PORTION: Please see attached Exhibit A and map.

CASE NO.: V-23-0050
CASE NAME: Ortloff Addition, Section 8

Dear Mr. Lieb,

Mike Black has submitted a request to vacate the above described portion of a cul-de-sac (see attached exhibit). Please advise if your company has utilities within this portion of the cul-de-sac. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to ljochoa@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Landon Ochoa

Landon Ochoa
Planner
Planning Division

Attachment:
Exhibit A
Map

PACKET

18.14

June 13, 2023



April 19, 2023

Mr. Jerry Underwood
AT&T Manager Outside Plant Planning & Engineering Design
410 W. Missouri Avenue, Second Floor
Midland, Texas 79701

CUL-DE-SAC PORTION: Please see attached Exhibit A and map.

CASE NO.: V-23-0050
CASE NAME: Ortloff Addition, Section 8

Dear Mr. Underwood,

Mike Black has submitted a request to vacate the above described portion of a cul-de-sac (see attached exhibit). Please advise if your company has utilities within this portion of the cul-de-sac. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to ljochoa@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Landon Ochoa

Landon Ochoa
Planner
Planning Division

Attachment:
Exhibit A
Map

PACKET

18.15

June 13, 2023



April 19, 2023

Mr. Gustavo Ortega, Mr. Chad Blankenship, & Mr. Martin Arguello
Oncor Electric Delivery Company
2401 W. Industrial Ave.
Midland, Texas 79701

CUL-DE-SAC PORTION: Please see attached Exhibit A and map.

CASE NO.: V-23-0050
CASE NAME: Ortloff Addition, Section 8

Dear all,

Mike Black has submitted a request to vacate the above described portion of a cul-de-sac (see attached exhibit). Please advise if your company has utilities within this portion of the cul-de-sac. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to ljochoa@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Landon Ochoa

Landon Ochoa
Planner
Planning Division

Attachment:
Exhibit A
Map

PACKET

18.16

June 13, 2023



April 19, 2023

Mr. Montez, Mr. Zapata, & Mr. Revilla
Altice USA
2530 S. Midkiff
Midland, Texas 79701

CUL-DE-SAC PORTION: Please see attached Exhibit A and map.

CASE NO.: V-23-0050
CASE NAME: Ortloff Addition, Section 8

Dear all,

Mike Black has submitted a request to vacate the above described portion of a cul-de-sac (see attached exhibit). Please advise if your company has utilities within this portion of the cul-de-sac. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to ljochoa@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Landon Ochoa

Landon Ochoa
Planner
Planning Division

Attachment:
Exhibit A
Map

PACKET

18.17

June 13, 2023



April 19, 2023

Mr. Ruben Guerra
Grande Communication
2401 E. I-20
Odessa, Texas 79766

CUL-DE-SAC PORTION: Please see attached Exhibit A and map.

CASE NO.: V-23-0050
CASE NAME: Ortloff Addition, Section 8

Dear Mr. Guerra,

Mike Black has submitted a request to vacate the above described portion of a cul-de-sac (see attached exhibit). Please advise if your company has utilities within this portion of the cul-de-sac. We would appreciate any comments you may have concerning this requested vacation returned to us within 5-7 days. You may reach me at (432) 685-7405 if you have any questions. You can send your response via email to ljochoa@midlandtexas.gov.

Thank you for your assistance.

Sincerely,

Landon Ochoa

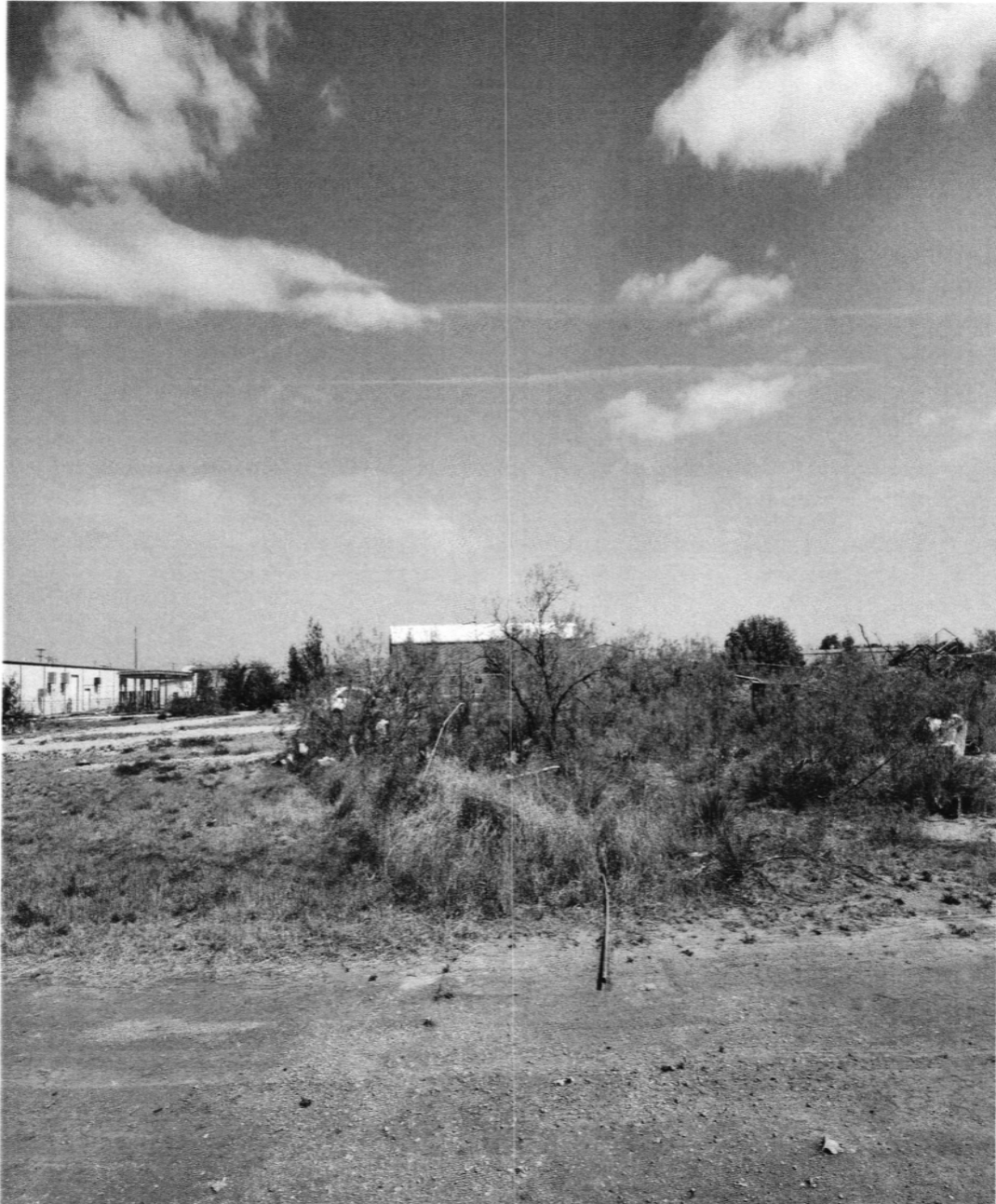
Landon Ochoa
Planner
Planning Division

Attachment:
Exhibit A
Map

PACKET

18.18

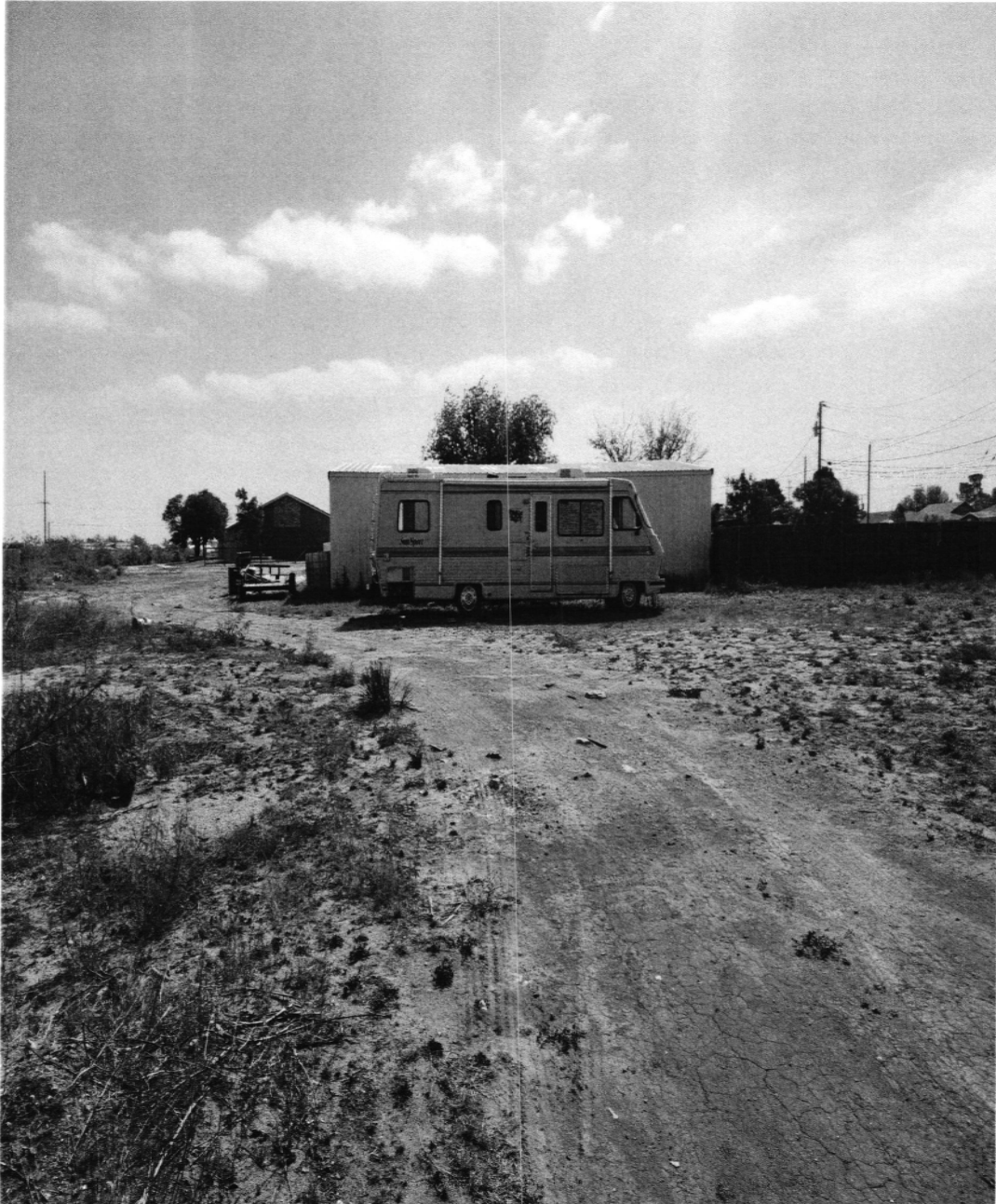
June 13, 2023



PACKET

18.19

June 13, 2023



PACKET

18.20

June 13, 2023



PACKET

18.21

June 13, 2023



PACKET

18.22

June 13, 2023



VG-66-2023-14398

Midland County
Alison Haley
Midland County Clerk

Instrument Number: 14398

Real Property Recordings

Recorded On: June 15, 2023 08:42 AM

Number of Pages: 7

" Examined and Charged as Follows: "

Total Recording: \$46.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 14398
Receipt Number: 20230615000021
Recorded Date/Time: June 15, 2023 08:42 AM
User: Abarrane C
Station: cc10299

Record and Return To:

CITY OF MIDLAND
PO BOX 1152
ATTN: VANESSA WHITE
MIDLAND TX 79701



STATE OF TEXAS
Midland County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Midland County, Texas

Alison Haley
Midland County Clerk
Midland County, TX

CERTIFICATION

THE STATE OF TEXAS
COUNTY OF MIDLAND

I, **Marcia Bentley-German, City Governance Officer/ City Secretary** of the City of Midland, Midland County, Texas, do hereby certify that the following is a true and correct copy of an Ordinance styled:

ORDINANCE NO. 10409
AN ORDINANCE VACATING AND ABANDONING A 0.068-ACRE PORTION OF DOUGLAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1 BLOCK 1, ORTLOFF ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 220 FEET WEST OF THE INTERSECTION OF WESTCLIFF DRIVE AND DOUGLAS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,924.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

which was duly passed and approved at a regular meeting of the City Council of said City on the **13th** day of **June 2023** showing those present, the motions made, and votes taken in connection with said Ordinance.

THIS certification makes no representation regarding possible modification or repeal of said Ordinance, which may have taken place since its adoption.

WITNESS my hand and seal of said City this the **14th** day of June **2023**.


Marcia Bentley-German,
City Governance Officer/ City Secretary

SEAL:





ORDINANCE NO. 10409

AN ORDINANCE VACATING AND ABANDONING A 0.068-ACRE PORTION OF DOUGLAS AVENUE RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1 BLOCK 1, ORTLOFF ADDITION, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS (GENERALLY LOCATED 220 FEET WEST OF THE INTERSECTION OF WESTCLIFF DRIVE AND DOUGLAS AVENUE); ADOPTING THE APPRAISAL BY THE CITY MANAGER OF \$5,924.00; AND ORDERING RECORDATION BY THE CITY SECRETARY

WHEREAS, it has been determined by the Midland City Council that a 0.068-acre portion of Douglas Avenue right-of-way located adjacent to Lot 1 Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas, as described in Exhibit "A" attached hereto and made a part hereof for all legal purposes (the "Property"), is no longer needed for public use; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides that a political subdivision may not convey, sell, or exchange its interest in land without observing notice and bid requirements, unless the conveyance is to one or more abutting property owners; and

WHEREAS, an application for vacating the Property has been received by the City from the abutting property owner; and

WHEREAS, the City Manager has appraised the value of the City's property interest in the Property at \$5,924.00, as shown in Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, the Council finds it to be in the public interest to abandon and vacate the Property;

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

SECTION ONE. That the Property is hereby vacated and abandoned for all public purposes. Provided, however, that the City is hereby abandoning only the public interest in

the Property, and this ordinance in no way affects any private easement or access easement which abutting property owners may have in the Property.

SECTION TWO. That this ordinance shall not be effective until a replat of the Property, which shall include a dedication to the City of land having a value equal to or greater than \$5,924.00, is approved by the City of Midland and filed and recorded with the County Clerk of Midland County, Texas.

SECTION THREE. That the City Secretary is hereby authorized and directed to file a certified copy of this ordinance with the County Clerk of Midland County, Texas, for purposes of recording in the Official Records of Midland County, Texas.

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the 23rd day of May, A.D., 2023; and passed to second reading on motion of Council member Ladd, seconded by Council member Norman, by the following vote:

Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Blong, Dufford, Ladd, Norman

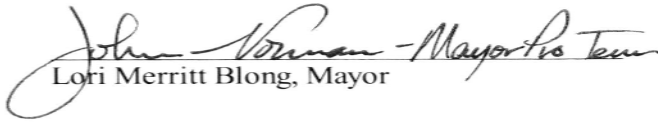
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Ladd, seconded by Council member Poole, on the 13th day of June, A.D., 2023, at a regular meeting of the City Council:

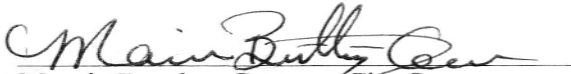
Council members voting "AYE": Stretcher Burkes, Corrales, Poole, Dufford, Ladd, Norman

Council members voting "NAY": None

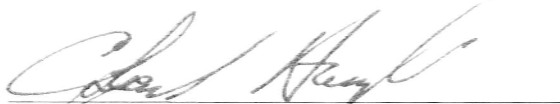
PASSED AND APPROVED THIS 13th day of June, A.D., 2023.


Lori Merritt Blong, Mayor

ATTEST:


Marcia Bentley-German, 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"

OF A 0.068 ACRE TRACT OF LAND, SITUATED IN SECTION 30, BLOCK 39, T-1-S, T&P RY Co. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE VACATION OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS

LEGAL DESCRIPTION

FIELD NOTES DESCRIPTION OF A 0.068 ACRE TRACT OF LAND SITUATED IN SECTION 30, BLOCK 39, T-1-S, TEXAS AND PACIFIC RAILWAY CO SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FOR THE ABANDONMENT OF A PORTION OF 50 FOOT CUL-DE-SAC AS DEPICTED ON THE PLAT OF ORTLOFF ADDITION, SECTION 2, AN ADDITION TO THE CITY OF MIDLAND, MIDLAND COUNTY, TEXAS RECORDED IN CABINET D, PAGE 61, PRMCT, MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT N (p) 10694558 48 E (x) 1734513 26 A ONE HALF INCH IRON ROD FOUND BENT AT THE NORTHEAST TERMINUS OF SAID CUL-DE-SAC,

THENCE SOUTH 75°39'09" WEST, A DISTANCE OF 98.14 FEET TO A CORNER,

THENCE WITH THE ARC OF THE CUL-DE-SAC TO THE RIGHT WITH A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 157°52'57", AN ARC LENGTH OF 137.78 FEET, A CHORD BEARING OF NORTH 75°39'09" EAST, AND A CHORD DISTANCE OF 98.14 FEET TO THE POINT OF BEGINNING, CONTAINING 0.068 ACRES

BASES OF BEARING, COORDINATES, DISTANCES AND ALCREAGE IS A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT

I, GREGORY W. SHOULTS DO HEREBY CERTIFY THAT THIS PLAT IS BASED UPON FIELD NOTES OR ELECTRONIC DATA OF AN ACTUAL ON THE GROUND SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

Gregory W. Shoults
GREGORY W. SHOULTS R.P.L.S. #5356

MARCH 21, 2023



LEGEND

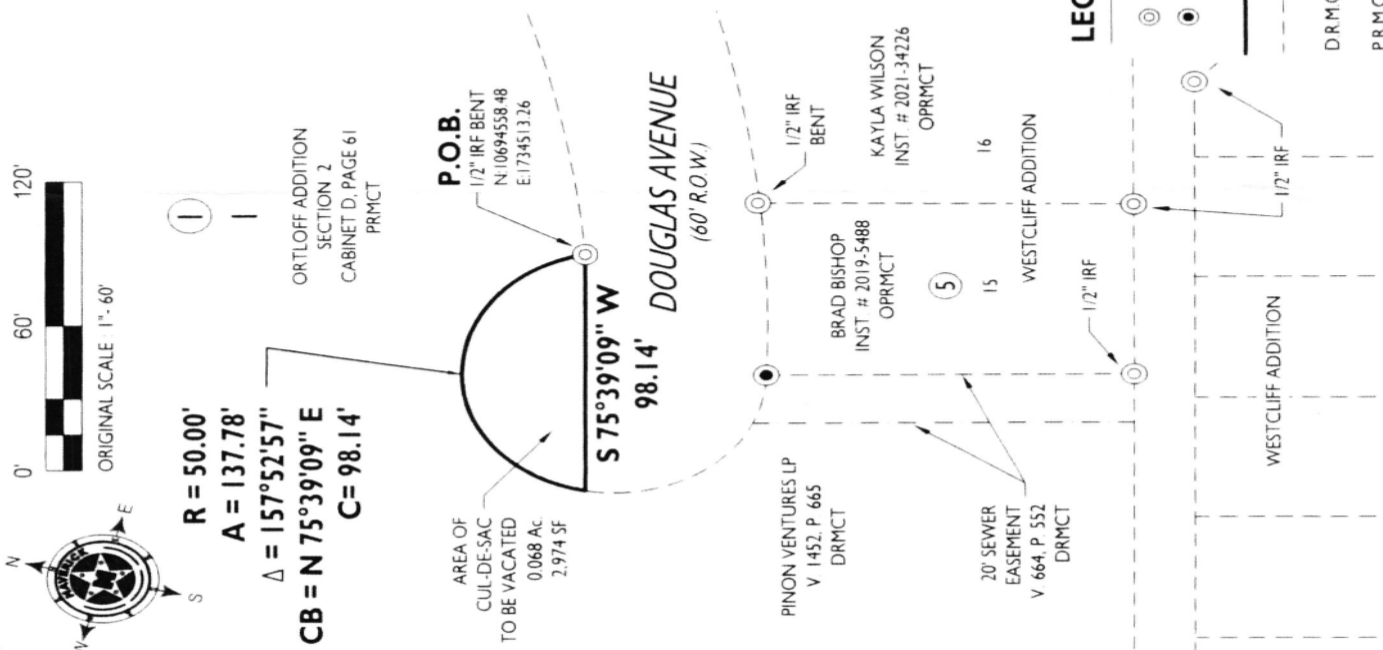
FOUND 1/2" IRON ROD UNLESS MARKED
SET 1/2" IRON ROD w/ RED PLASTIC CAP
MARKED "MAVERICK FIRM # 10194514"

TRACT BOUNDARY
EXISTING LOTS

DRMCT DEED RECORDS MIDLAND CO TX
PRMCT PLAT RECORDS MIDLAND CO TX



MAVERICK
CIVIL ENGINEERING LAND SURVEYING
1909 West Wall Street, Suite "K"
Midland, Texas 79701
ENGINEER FIRM # F-15089
SURVEY FIRM # 10194514
Tel: (432) 262-0999 Fax: (432) 262-0989
www.Maverick-Eng.com





Office of the City Manager

May 15, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.068-acre portion of Douglas Avenue right-of-way located adjacent to Lot 1 Block 1, Ortloff Addition, Section 2, City and County of Midland, Texas

Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$5,924.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Morris Williams, Jr.
Interim City Manager

EXHIBIT "B"



Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: January 2, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Andrew Meyers, Planner

SUBJECT: Hold a public hearing and consider a request by Justin Smith for a Specific Use Designation without Term for an automobile or other motorized vehicle sales and service on a Lot 8 less the north 30 feet and Lot 9, Block 4, Stockard Acres, City and County of Midland, Texas. (Generally located on the west side of Goode Street, approximately 315 feet north of Carter Avenue.) (Council District 2)

Recommended Planning and Zoning Commission Action:

☒ Approve

☐ Deny

☐ Direction/Informational

Details of Request:

The applicant, Justin Smith, is requesting a Specific Use Designation without Term to operate a Car Dealership, at 1016 Goode Street, City and County of Midland, Texas.

Current Zoning:

C, Commercial District.

Surrounding Zoning and Land Use:

This property is currently zoned C, Commercial District. All of the surrounding properties are zoned C, Commercial District. These properties are used as industrial shops and an auto parts store.

Analysis:

The applicant is proposing to use the former Pleasures Detail and Mobile Wash as a Car Dealership. The property is currently vacant and is zoned C, Commercial District. Per section 4.03 Use Chart of the zoning ordinance, an automobile or other motorized vehicle sales and service use is allowed in the C, Commercial District, with a Specific Use Designation without Term.

The site plan (Exhibit A) provided shows an overview of the property that will be used for car sales. There will be no outside display of cars and six (6) parking spots will be available for patrons. There is an existing 5,000 square feet of building space. Of the 5,000 square feet, 4,633 will be showroom space; this would be classified as a Commercial Use (Not Listed) and thus will require one space for each two employees per maximum shift or one space per each 1,000 square feet of floor area, whichever is greater. 367 square feet will be classified as Office Space which will require one space for each 400 square feet of Floor Area, minimum of five spaces. This property will require six (6) spaces and provides six (6) spaces.

The proposed hours of operation are the following:

Monday through Friday from 9:00 a.m. through 4:00 p.m.

The Automobile or Other Motorized Vehicle Sales and Services will need to comply with the standards as listed in Section 4.04.A.6 of the Zoning Ordinances.

6. Automobile or Other Motorized Vehicle Sales and Service Standards

- a. Allowed by Specific Use Designation, according to the permitted Use Chart.
- b. All exterior light sources shall be of a down-light type, indirect, diffused, or shielded type luminaries and so installed as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets.
- c. No intermittent or flashing lights shall be permitted.
- d. Luminaries shall be mounted at a height not to exceed 30 feet as measured vertically from the horizontal surface of the nearest parking pavement.
- e. All building façades shall be constructed with the same masonry materials that meet the masonry regulations for the zoning district in which the property is located.
- f. No exterior auditory devices shall be permitted.

This project has been circulated to all City departments for review. Below are the department comments.

Engineering: (Approved)

No objection. [For Applicant's Information Only.]

Transportation: (Approved)

No objections. [For the Applicant's information only.]

Building Code: (Approved)

No objection.

Fire: (Approved)

All future development shall meet the requirements of IFC 2015 ed. and local ordinances. I recommend the applicant contact the Fire Marshal's office for code requirements specific to auto sales and repair.

Planning: (Approved)

No objections.

This area is already an established commercial district with a plethora of current commercial uses, so this fits well.

This request meets all requirements; therefore, staff recommends approval of the request of the Specific Use Designation without Term for an Automobile or other Motorized Vehicle Sales and Services, subject to Condition A through C.

Conditions:

- A. That the use and development of this property shall significantly conform to the Site Plan (Exhibit A) which is attached hereto and incorporated herein for all purposes.**
- B. That the development of the automobile or other motorized vehicle sales and services shall comply with the standards listed in Section 4.04. A.6 of the Zoning Ordinance.**
- C. That the days and hours of the automobile or other motorized vehicle sales and services shall be limited to: Monday through Friday from 9:00 a.m. to 4:00 p.m.**

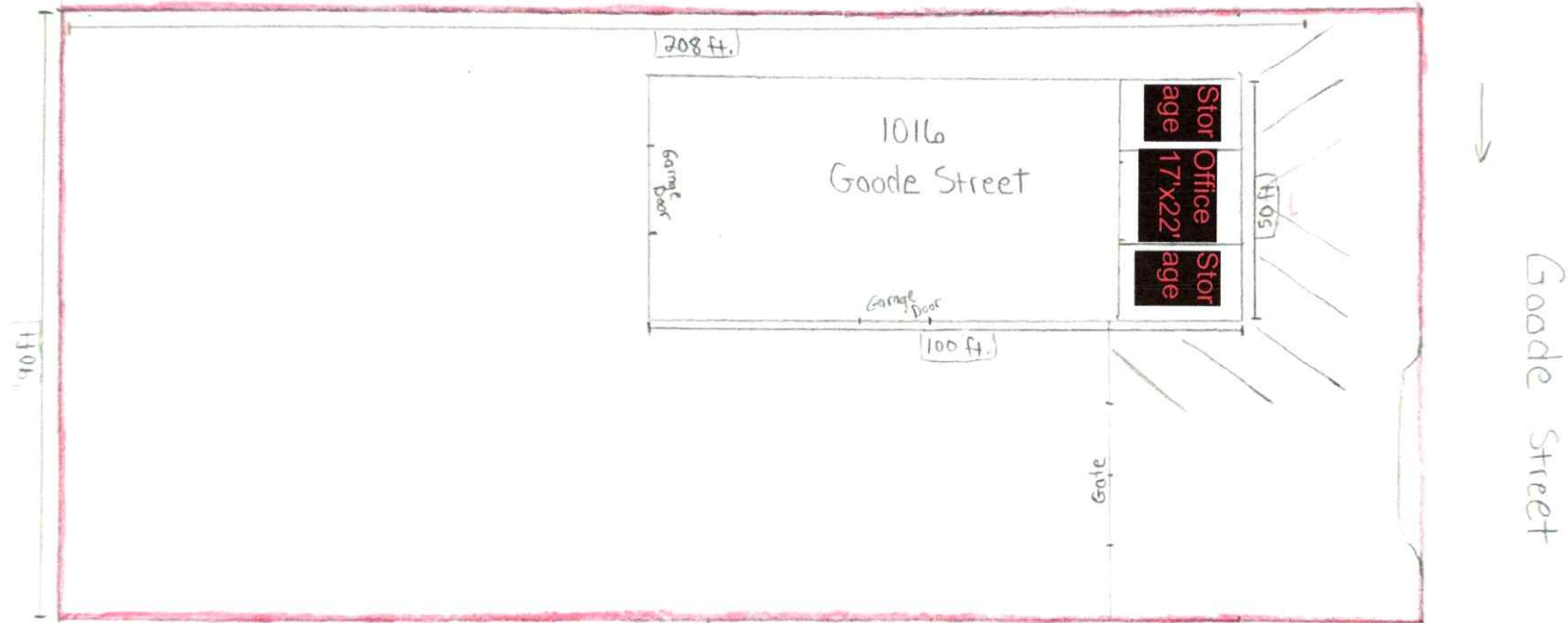
D. That the applicant shall obtain a Certificate of Occupancy prior to the commencement of the use to ensure that the conditions of this permit are satisfied

Letters of Objection:

As of December 27, 2023, staff has not received any letters of objection.

Attachments:

Site Plan (Exhibit A)
Application
Maps



*
Site Plan
1016 Goode St.
Justin Smith - SUD Application



**Specific Use Designation
Application (Non-Alcohol)**

Case Number: _____

Ord. Number: _____

Applicant (if acting as Agent, see affidavit on page 2)

Printed Name: Justin Smith

Phone ()

Email jdsbiz2@gmail.com

Address 6709 Cactus Trail

City Midland

State TX

Zip 79707

Property Owner

Printed Name: Renee Runkel

Phone ()

Email jdsbiz2@gmail.com

Address 1104 Silverton

City Midland

State TX

Zip 79705

Representative (if different from Applicant or Property Owner)

Firm: _____

Printed Name: Justin Smith

Phone ()

Email

jdsbiz2@gmail.com

Address 6709 Cactus Trail

City Midland

State TX

Zip 79707

Type of Permit: Special Use (Auto Dealer)

For Office Use Only

☐ with Term

☐ without Term

Is there any Code Enforcement action pending on property? ☐ Yes ☐ No

Street Address: 1016 Goode St.

Legal Description

Lot: 9 part of 8 Block: 4 Subdivision: Stockard Acres

Current Zoning: C, Commercial

Maximum Floor Area: 5,000

Maximum Occupancy: N/A

Proposed hours and days of use or operation: 9 AM to 4 PM. Monday through Friday

Reason for request: Want to open an indoor Classic Car dealership. Need approval for this specific use in order to obtain dealers license.

Applicant's opinion as to why the request will not adversely affect the public safety, health, morals, general welfare, and convenience: Business will be conducted inside the building, with little to no impact on traffic, parking, neighborhood, surrounding businesses, etc. I want to bring a new and exciting purchasing option to the local community who like owning classic cars.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan showing
 - Parking (if applicable)
 - Building Footprint
- Digital Copies of Site Plan (PDF/JPEG)

Signatures	
Applicant (signature):	Date:
Applicant (printed): Justin Smith	
Property Owner (signature):	Date:
Property Owner (printed) : Renee Runkel	
<i>The Specific Use Designation shall be considered officially received in the Planning office <u>only</u> when it has been submitted in <u>full compliance</u> with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.</i> <i>All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.</i>	

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below.

STATE OF TEXAS
COUNTY OF MIDLAND

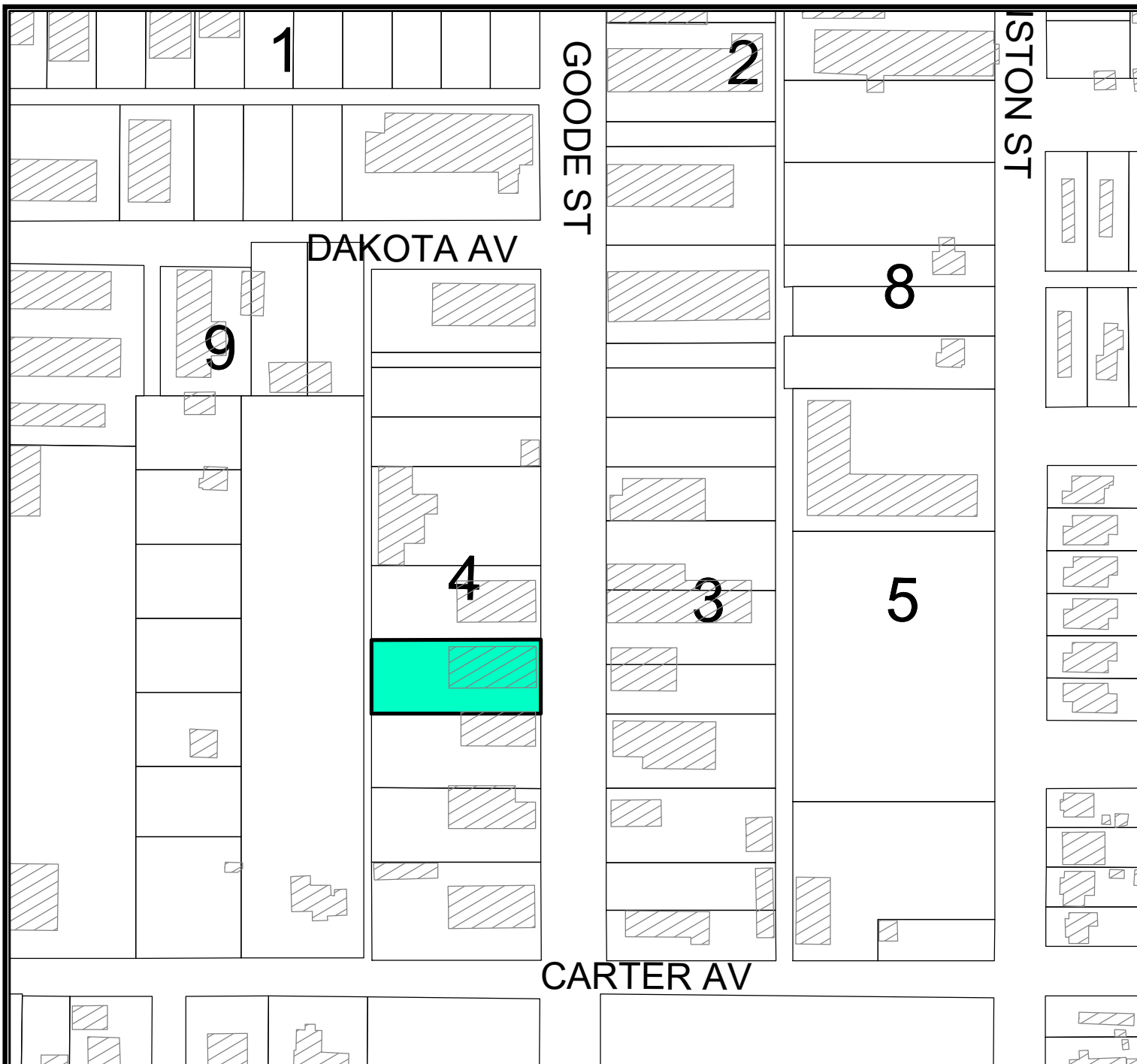
Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is authorized by _____, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (*signature*)

Subscribed and sworn to before me, this ____ day of _____, 20 ____, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY	
☐ Property Owner Authorization ☐ Application Fee Check # _____	☐ Dimensioned Site Plan ☐ Site Plan in Digital Format (PDF/JPEG)
Received By:	Date:



LOCATION MAP

SUDwo-23-0040

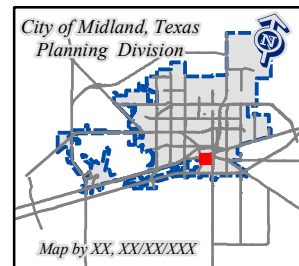
Scale: 1" = 175'

Consider a request by Justin Smith for a Specific Use Designation without Term for an automobile or other motorized vehicle sales and service on Lot 8 less the north 30 feet and Lot 9, Block 4, Stockard Acres, City and County of Midland, Texas.

Generally located on the west side of Goode Street, approximately 315 feet north of Carter Avenue.
(District 2)

LEGEND

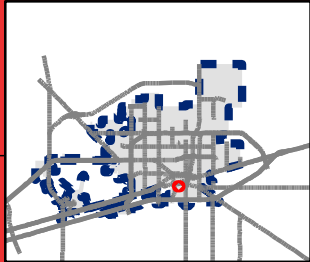
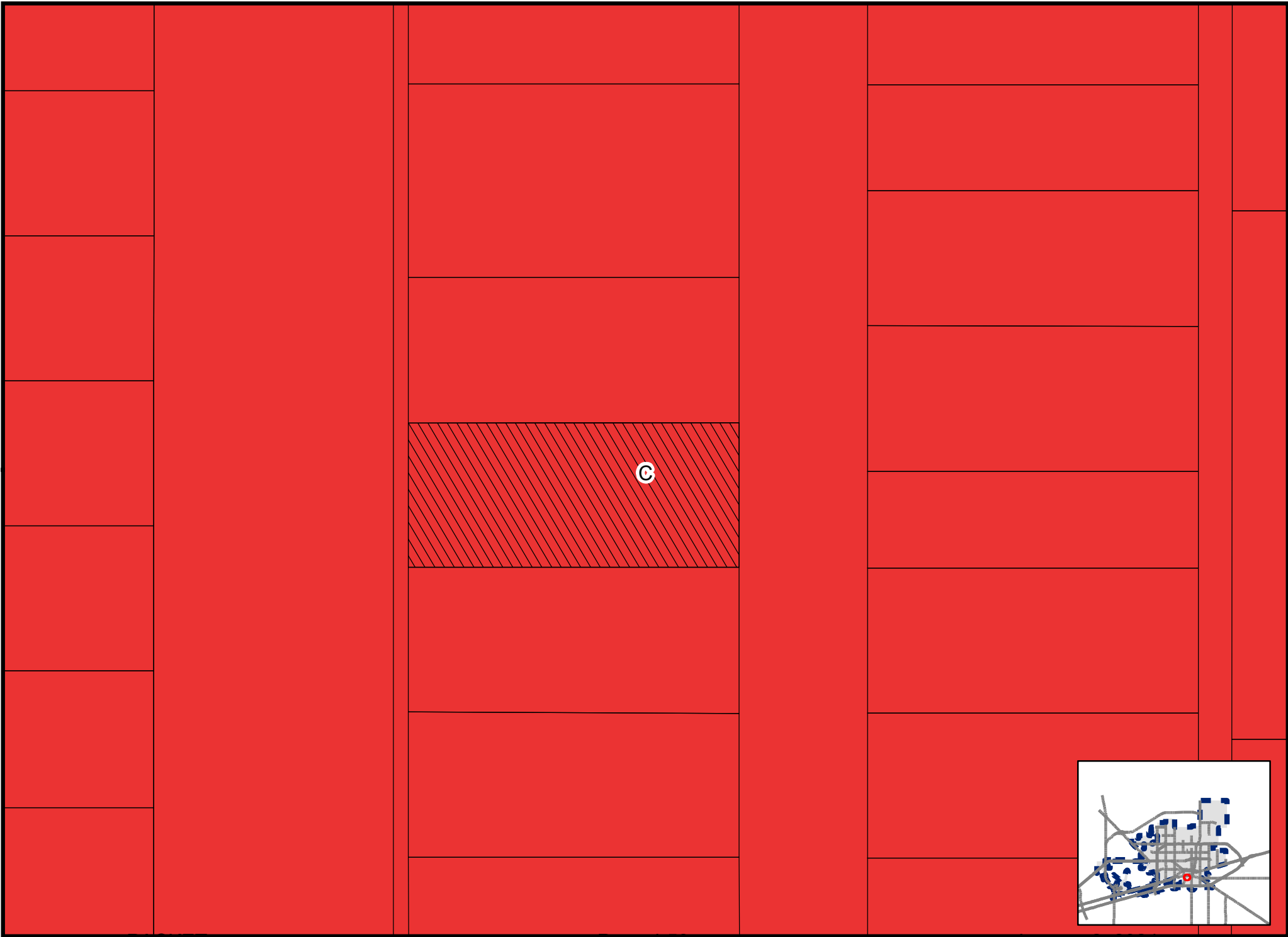
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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PACKET

Page 4.59

January 2, 2024

Map By AM, 12/11/23

SUDwo-23-0040

Scale: 1" = 75'

ZONING MAP



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Planning and Zoning Commission

Approved for
Agenda:
Cristina O. Burns

MEETING DATE: January 2, 2024

TO: PLANNING AND ZONING COMMISSION

FROM: Landon Ochoa, Senior Planner

SUBJECT: Motion approving, with staff's recommended conditions, a Preliminary Plat of Adobe Meadows, Section 9, being a Replat of Lot 1, Block 1, and a 0.159-acre portion of previously vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas. (Generally located at the northeast corner of North State Highway 349 and East Mockingbird Lane.) (DISTRICT 1) (DEVELOPMENT SERVICES)

Recommended Planning and Zoning Commission Action:

 X **Approve** **Deny** **Directional/Informational**

Details of Request:

The applicant, Cross Texas land Services is requesting to re-plat Lot 1, Block 1, and a 0.159-acre portion of vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas to include the vacated portion of Rope Street.

City Council approved the vacation of the portion of Rope Street on December 12, 2023 (Ordinance 10462).

Current Zoning:

PD, Planned District for Housing Development (Ordinance 9788)

This request has been routed to all respective departments for internal review. The comments are below.

BUILDING CODE: (Approved)

No issues. All future structures must adhere to the 2018 International Building Codes, the 2015 International Energy Code, the 2020 NEC requirements, the 2015 International Fire Codes, local city ordinances, zoning requirements, established setbacks, oil and gas considerations, and floodplain requirements if necessary. Code versions are subject to change depending on time of new code edition adoption in the City of Midland and date of permit application.

SURVEYOR: (Received)

No comments

ENGINEERING: (Approved with Conditions)

IMPACT FEES: Okay as show. [For Applicant's Information Only.]

ROW: Okay as shown. [For Applicant's Information Only.]

PAVING: E. Mockingbird roadway okay as is. Rope roadway okay as is. SH 349 Frontage Road is TxDOT facility, built and maintained by TxDOT, no improvements required. [For Applicant's Information Only.]

WATER: 12" water exists in SH 349, okay as is. 12" water exist in E. Mockingbird, okay as is. No public water improvements required. [For Applicant's Information Only.]

FIRE HYDRANTS: Required as needed to meet NFPA, IFC & City Fire Code; and/or comply with directives of City Fire Marshal. After January 14, 2020 - Fire hydrants shall be spaced no more than 500' apart, Pressure Indicator Rings are to be installed and will require the developers/contractors to pay for the flow test. [For Applicant's Information Only.]

PRO RATA: None. [For Applicant's Information Only.]

SEWER: 12" sewer exists in E. Mockingbird Street, okay as is. 6" sewer exists in Rope Street N of Tract, okay as is. 15" sewer exists in SH 349, okay as is. No public wastewater improvements required. [For Applicant's Information Only.]

DRAINAGE: Existing site is developed; If proposing to re-develop site drainage can be reviewed with building permit. [For Applicant's Information Only.]

EASEMENTS: Show existing and proposed. [For Applicant's Information Only.]

OTHER: Due to the delineated of the floodplain on the plat, label what the hatching represents on the proposed plat.

TRANSPORTATION: (Approved)

No additions or changes to site access are approved with plat or zoning review. Driveways or other access points are approved only with construction drawing review. [For the Applicant's information only.]

No objections to plat. [For the Applicant's information only.]

FIRE: (Approved)

No objections

OIL AND GAS: (Approved)

No Oil & Gas concerns. Two permitted wells that are to the South across Mockingbird Lane have been to be identified on the plat -currently radius circle of 500 ft. denotes 500' oil well offset. Any occupied residence or commercial building within the 500-ft. radius will require a variance from City Council for a building permit. The wells are the Nickel 101D and Nickel 102D.

GIS: (Approved)

No comments.

PLANNING: (Approved with Conditions)

The name of the Secretary will change in the month of January. [Informational]

Change the year of the dates to 2024. [Informational]

The ordinance number for the vacation needs to be on the plat face. [Informational]

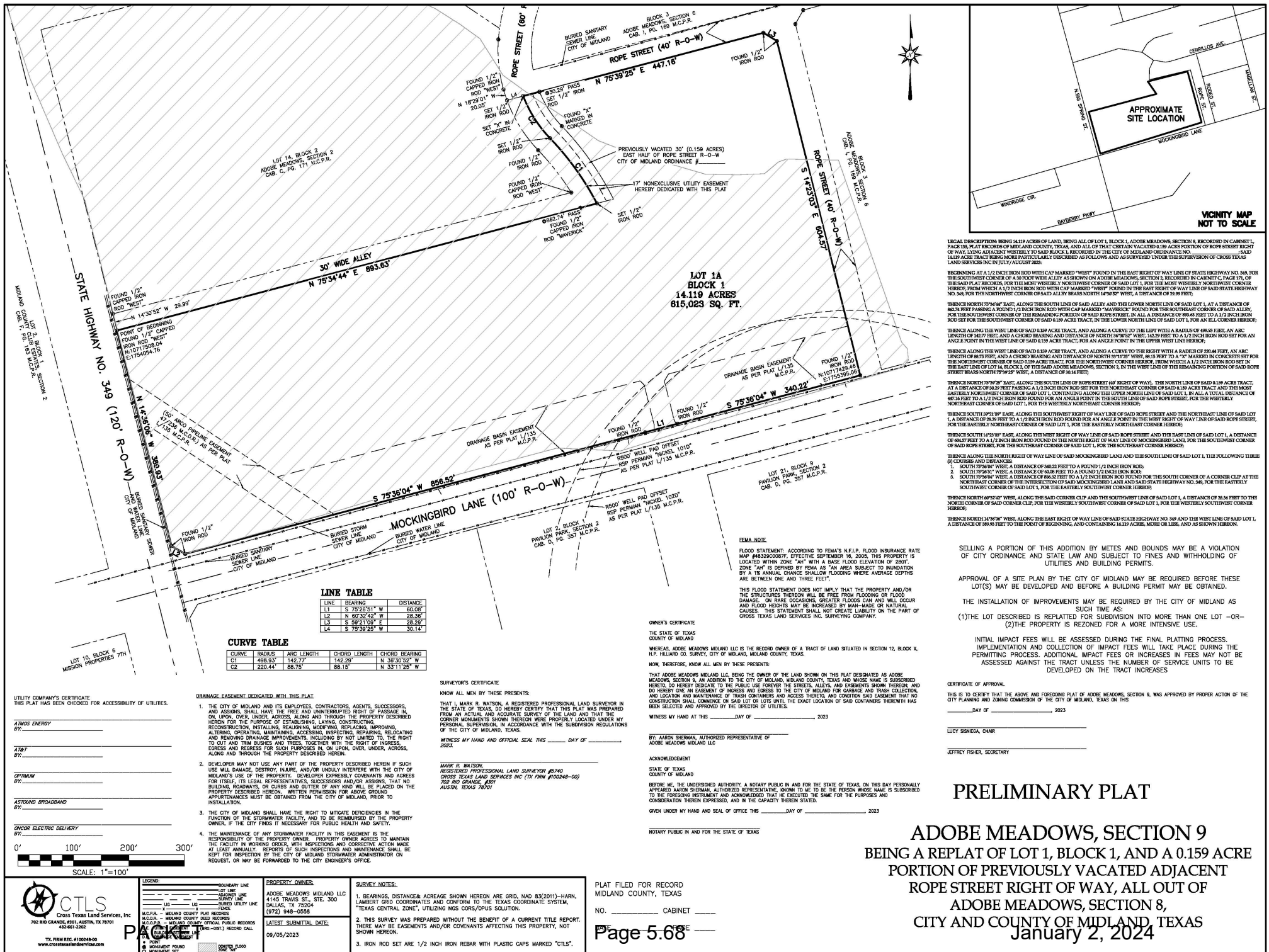
Staff recommends approval of the Preliminary Plat Adobe Meadows, Section 9, subject to condition A.

Condition:

- A. Approval of this preliminary plat is subject to the Final plat including all plat comments, conditions, and requirements must be satisfied by all pertinent City departments before filing for recording with the County Clerk of Midland County, Texas.**

Attachments:

Proposed Preliminary Plat
Application
Maps
Ordinance 9788
Ordinance 10462





Preliminary Plat Application

Project Number: SUB-23-0867

Case Number: _____

Proposed Subdivision Plat Name: Adobe Meadows, Section 9
Legal Description (attached sealed Metes and Bounds): A replat of Lot 1, Block 1, and the previously vacated 0.159 acre portion of Rope Street right of way adjacent westerly to Block 1, all out of Adobe Meadows, Section 8, City and County of Midland, Texas
Property Owner Adobe Meadows Midland LLC
 Printed Name:

 Phone 432-661-2202
 Email
Address 4145 Travis St. Ste. 300City DallasState TXZip 75204
Developer (if different than Owner)
 Printed Name:

 Phone 432-661-2202
 Email

Address _____

City _____

State _____

Zip _____

Representative (if acting as Agent, see affidavit on page 2)
Firm: Cross Texas Land ServicesPrinted Name: Thais AhlstrandPhone 432-661-2202Email tahlstrand@crosstexaslandservices.comAddress 3503 W. Michigan Ave.City MidlandState TXZip 79703
Current Zoning: PD
Reason for Platting: To plat the vacated Rope Street with existing Lot 1
Plat Information
Total Acreage: 14.119Type: ☐ Single-Family Residential☒ Multi-Family Residential☐ Commercial☐ Extraterritorial Jurisdiction (ETJ)Number of Lots: 1

Number of Multi-family Dwelling Units: _____

Submittal and Fees
Items to be submitted with this application form:

- 1 FOLDED Copy of Dimensioned Plat
- 1 Extra Copy (11x17)
- Digital Files (JPEG & PDF)
- Application Fee – Payable to the 'City of Midland'

Request for a Development Agreement
Do you expect to request a development agreement with the City? ☐ Yes ☒ No

If yes, contact the City Engineer at (432) 685-7286

Provisions

A plat application will not be considered filed pursuant to Section 212.009 of the Texas Local Government Code until all required documents and fees have been submitted and ***all of the terms and conditions of the Subdivision Ordinance, including all necessary studies, plans and supporting information are accepted and approved***, or the applicant has filed a waiver request for sections from which the plat deviates. Once a plat meets the requirements to be considered filed with the City, the application will be placed on the Planning and Zoning Commission agenda for consideration under the time requirements set out in Section 212.009.

Signature (by property owner only – authorized agent must sign affidavit below)

Property Owner (signature): Aaron Sherman Date: 11/14/2023

Property Owner (printed): Aaron Sherman

The Preliminary Plat shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Subdivision Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared _____ who, being by me duly sworn, upon oath says: That (s)he is the owner of _____ or is authorized by _____ the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Authorized Agent (signature)

Subscribed and sworn to before me, this _____ day of _____, 20 __, to certify which witness my hand and seal of office.

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization ☒ 1 Copy of Dimensioned Plat ☒ Plat in Digital Format (PDF/JPEG)
☒ Application Fee ☒ 1 Copy of Plat (11x17)

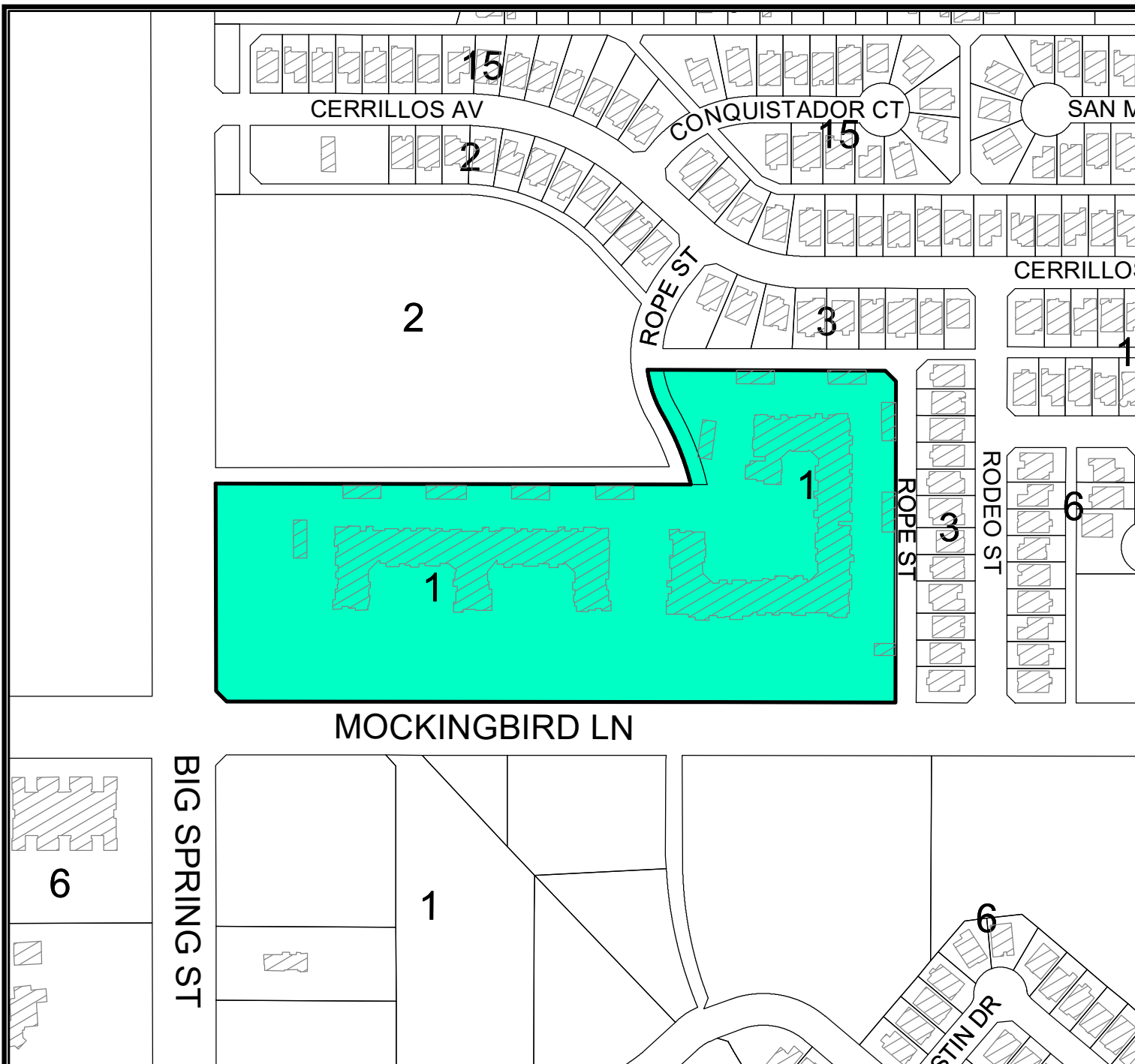
Check # 0000227409

Received By: [Signature]

Date:

DEC 04 2023

****Application will not be considered for scheduling until reviewed by a planner.****



LOCATION MAP

SUB-23-0677

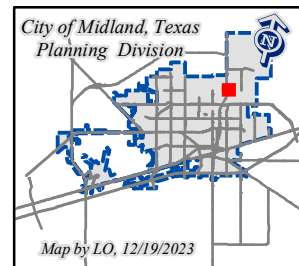
Scale: 1" = 271'

Proposed Plat of Adobe Meadows, Section 9, Being a Replat of Lot 1, Block 1, and a 0.159-acre portion of previously vacated adjacent Rope Street right-of-way, all out of Adobe Meadows, Section 8, City and County of Midland, Texas.

Generally located at the northeast corner of North State Highway 349 and East Mockingbird Lane. (Council District 1)

LEGEND

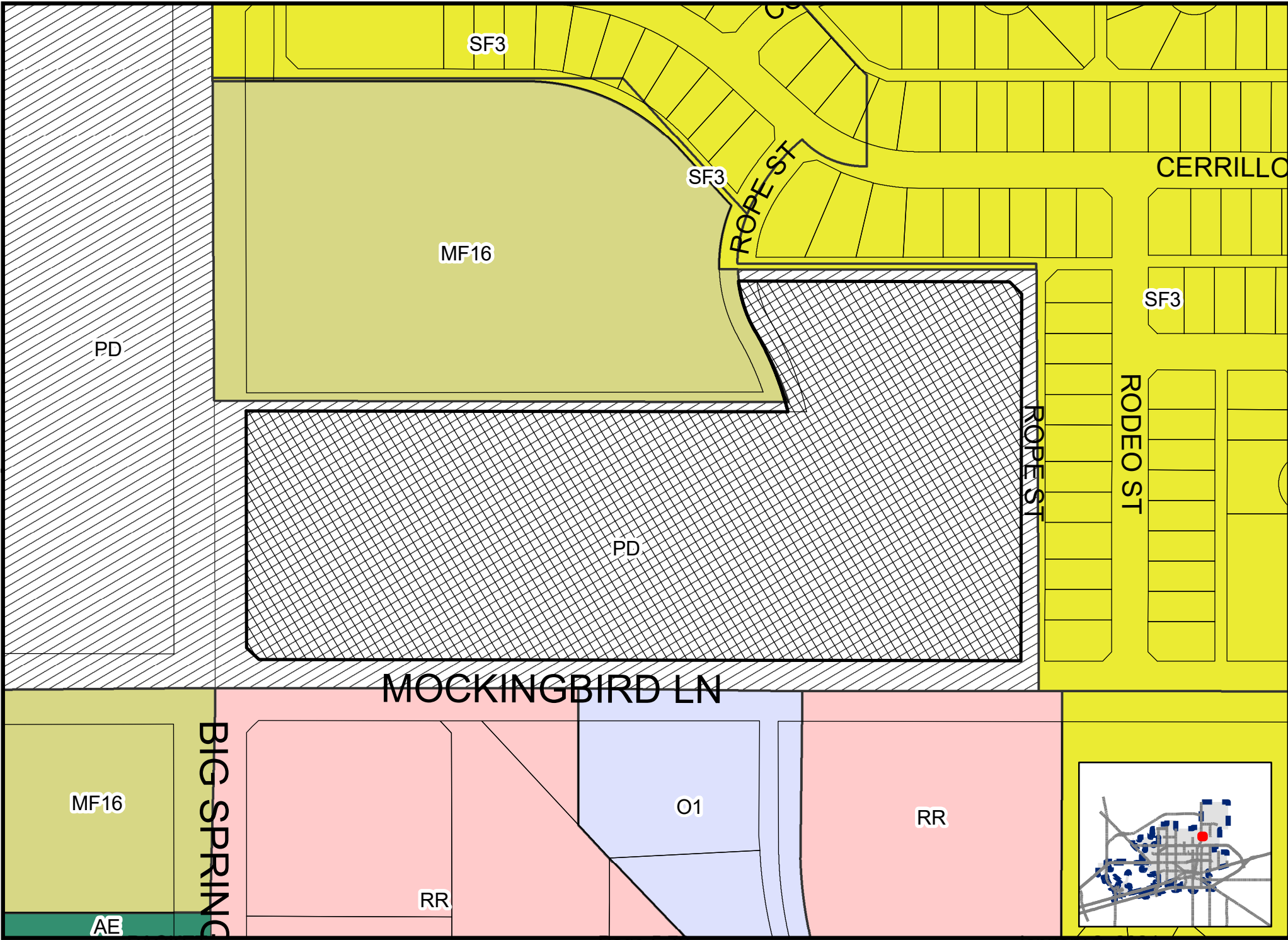
- CITY LIMITS
- PARCEL
- PRIVATE BLDGS



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THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.



ORDINANCE NO. 9788

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION BY AMENDING CHAPTER ONE, TITLE XI, OF THE CITY CODE OF MIDLAND, TEXAS, BY PERMITTING LOT 15, BLOCK 2, AND LOT 1, BLOCK 3, ADOBE MEADOWS, SECTION 2, CITY AND COUNTY OF MIDLAND, TEXAS, WHICH IS PRESENTLY ZONED LR-2, LOCAL RETAIL DISTRICT, IN PART, AND MF-1, MULTIPLE-FAMILY DWELLING DISTRICT, IN PART, TO BE USED AS A PD, PLANNED DISTRICT FOR A HOUSING DEVELOPMENT (GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF MOCKINGBIRD LANE AND BIG SPRING STREET); 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, the City Planning and Zoning Commission and the Governing Body of the City of Midland, in compliance with the City Charter and the State law with reference to the creation of "Planned Districts" under the zoning ordinance regulations and zoning map, have given the requisite notices by United States mail, publication and otherwise; and after a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Governing Body finds that the public health, safety and general welfare will be best served by the creation of a PD, Planned District for a Housing Development, as set out hereinafter and subject to the conditions and restrictions set out hereinafter;

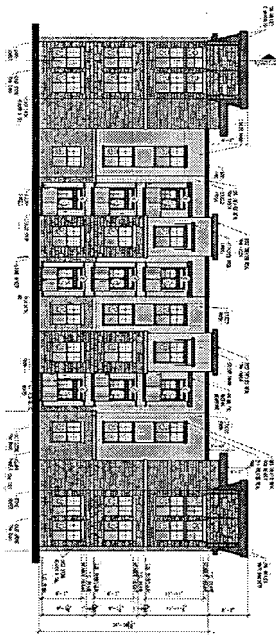
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDLAND, TEXAS:

SECTION ONE. That Chapter 1, Title XI, of the City Code of Midland, Texas, and the official zoning map of the City of Midland, Texas, are hereby amended insofar as the hereinafter described property is concerned, which is presently zoned LR-2, Local Retail District, in part, and MF-1, Multiple-Family Dwelling District, in part, and it shall be used as a PD, Planned District for a Housing Development, said property being described as follows:

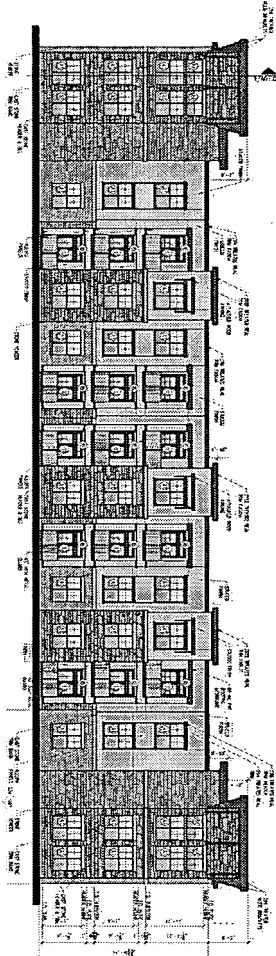
As of June 20, 2018, staff has received (3) three letters of objection to this request.

Attachments:

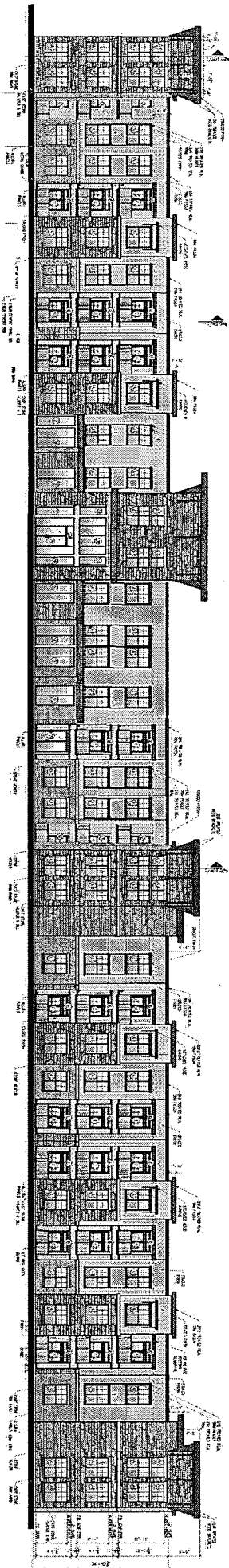
Site Plan (Exhibit A)
Section (Exhibit B)
Rendering (Exhibit C)
Elevation (Exhibit D)
Ordinance 6617
Application
Maps
Objection letters



WEST SIDE ELEVATION



REAR RIGHT SIDE ELEVATION



FRONT ELEVATION AT LEASING

Adobe Meadows

Midland, Texas

Steinberg

Dickey

Collaborative, LLP

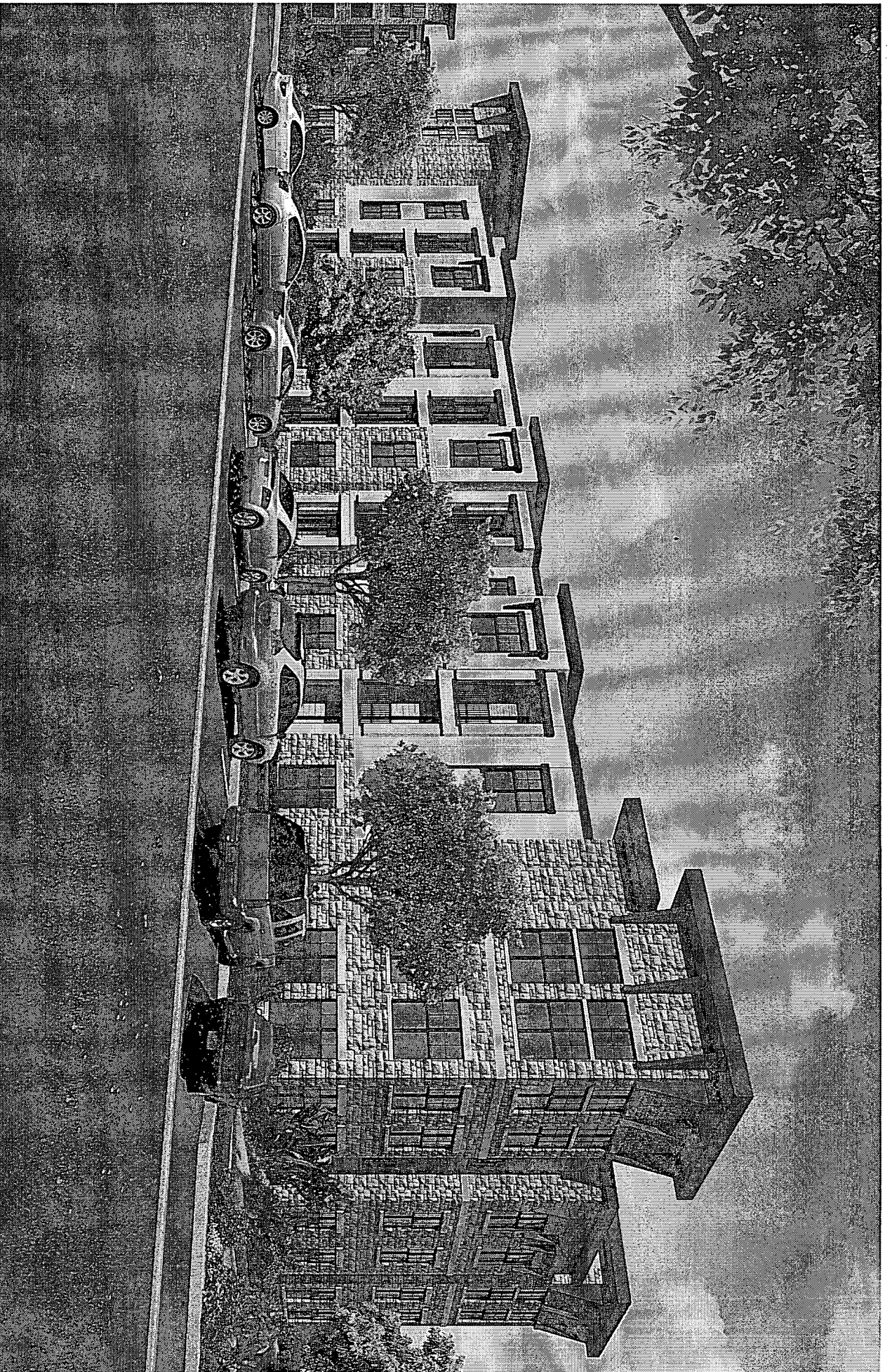
Scale: N.T.S.

Date: 2018.05.01

PROJECT #: 18-022

34.9

CONCEPTUAL DESIGN - Colored Elevation Concept



January 2, 2024

Page 5.76

Cross Creek Ranch

Perspective

Steinberg
Dickey

Collaborative, LLP

Date: 2017.03.14

PROJECT #: 16-031

34.10

CONCEPTUAL DESIGN



**Zone Change/Planned District
Amendment/Site Plan Approval**

Project Number: Z-18-0026
Case Number: _____

Applicant (if acting as Agent, see affidavit on page 2) Printed Name: <u>Brandon Easterling</u>		Phone: () Email	
Address <u>3500 Oakmont Blvd. #205</u>	City <u>Austin</u>	State <u>TX</u>	Zip <u>78731</u>

Property Owner Printed Name: <u>Curt & Tammy Alvin</u>		Phone: () Email	
Address <u>109 Blackberry Ct.</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79705</u>

Representative (if different from Applicant or Property Owner) Firm: <u>Maverick Engineering</u> Printed Name: <u>Andrew Mellen, P.E.</u>		Phone (432-) <u>262-0999</u> Email <u>amellen@maverick-eng.com</u>	
Address <u>1909 W. Wall St. Ste K</u>	City <u>Midland</u>	State <u>TX</u>	Zip <u>79701</u>

Street Address: _____

Legal Description

Lot: (15) & 1 Block: (2) & 3 Subdivision: Adobe Meadows, Section 2

Current Zoning: LR2 & MF1

Proposed Zone: PD-HD
(List by tracts if more than one district is requested)

Reason for Zone Change Request: Development of an multi-family apartment complex

Present Use of Property: Vacant

Proposed Use of Property: Apartment complex

How would this zone change affect the public health, safety and welfare?

This zone change would serve to provide much-needed additional housing solutions in Midland

Describe how conditions affecting the property have changed since present zoning designation: No change. These are previously platted, undeveloped lots.

Submittal and Fees

Items to be submitted with this application form:

- Application Fee – Payable to the 'City of Midland'
- Dimensioned Site Plan
- Digital Copies of Site Plan (PDF/JPEG)

RECEIVED

MAY 23 2018

CITY OF MIDLAND
PLANNING DIVISION

Signature (by property owner only – authorized agent must sign affidavit below)

Applicant (signature):

Date: 5/22/18

Applicant (printed): Brandon Easterling

Property Owner (signature): Curt Alv Tammy Alv

Date: 5/22/18

Property Owner (printed): Curt Alv CURT ALVIN Tammy ALVIN

The Zone Change/Planned District Amendment/Site Plan Approval shall be considered officially received in the Planning office only when it has been submitted in full compliance with the provisions of Section 212 of the Texas Local Government Code and the Zoning Code of Ordinances of the City of Midland and when such required items for the application are also received.

All materials, including exhibits, submitted in support of an application, or displayed during a public hearing, shall remain the property of the City of Midland.

If an agent is authorized by the property owner to file and execute the application on behalf of the property owner, the agent must complete the affidavit below:

STATE OF TEXAS
COUNTY OF MIDLAND

Before me, the undersigned authority, on this day personally appeared Andrew L. Mellen, PE who, being by me duly sworn, upon oath says: That (s)he is authorized by Curt & Tammy Alvin, the owner of the above described property, to fully represent him/her in this application and that (s)he had the legal right, power and authority to sign said owner's name hereto as his/her attorney in fact.

Andrew L. Mellen
Authorized Agent (signature)

Subscribed and sworn to before me, this 22nd day of May, 20 18, to certify which witness my hand and seal of office.



Kelsey Ann Stine

NOTARY PUBLIC, MIDLAND COUNTY, TEXAS

FOR OFFICE USE ONLY

☒ Property Owner Authorization

☒ Dimensioned Site Plan

☒ Application Fee

☐ Plans in Digital Format (PDF/JPEG)

Check # 2260

Received By: Jeremy McNeil

Date:

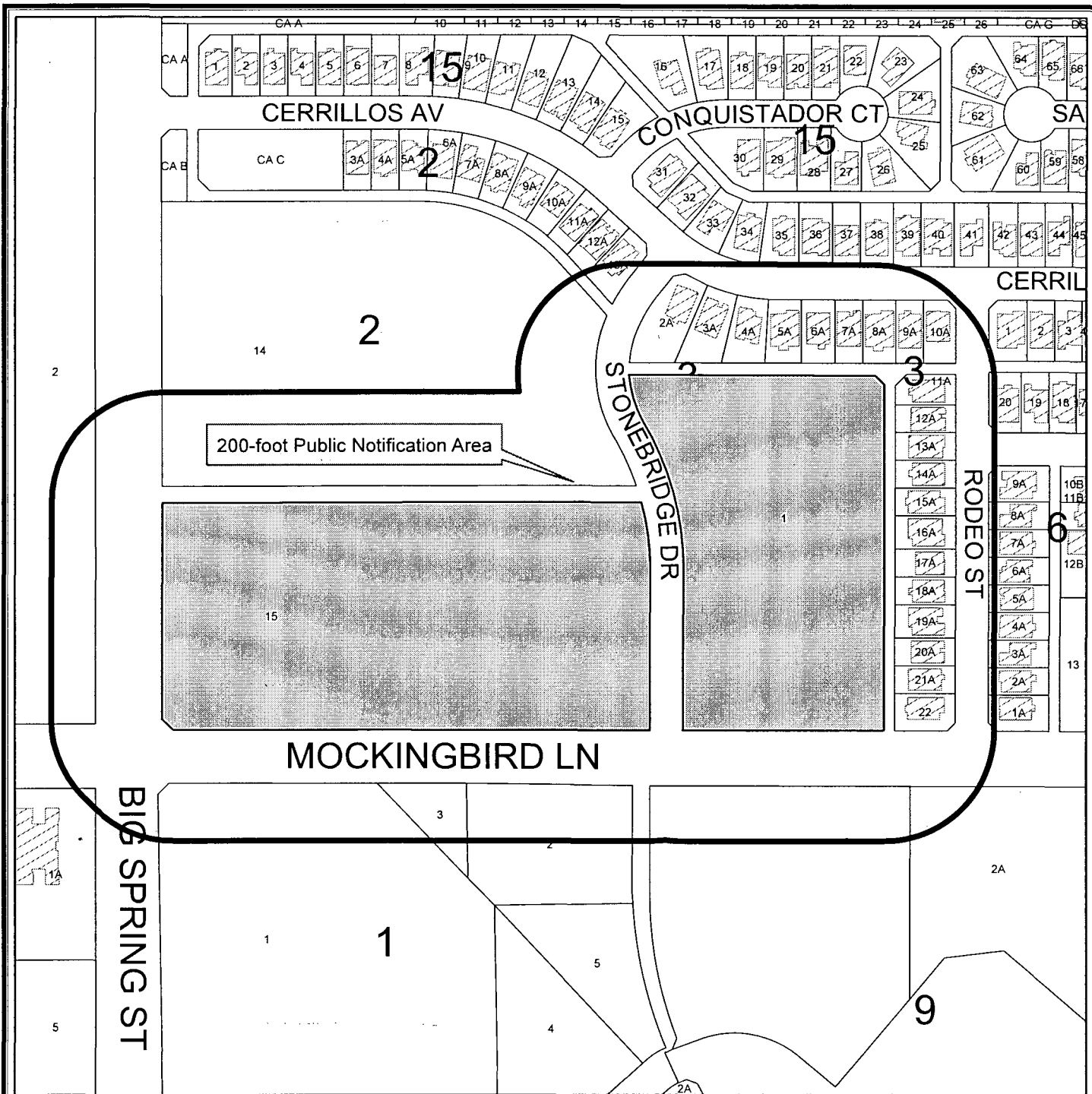
RECEIVED

MAY 23 2018

CITY OF MIDLAND
PLANNING DIVISION OFFICE

****Application will not be considered for scheduling until reviewed by a planner.****

34.13



LOCATION MAP

Z- 18 - 0026

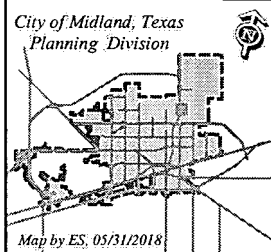
Scale: 1" = 400'

Consider a request by Brandon Easterling for a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to an Amended PD, Planned District for a Housing Development on Lot 15, Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas

Generally located on the northeast corner of Mockingbird Lane and Big Spring Street. (Council District 1).

LEGEND

- CITY LIMITS
- PARCEL
- ▨ PRIVATE BLDGS



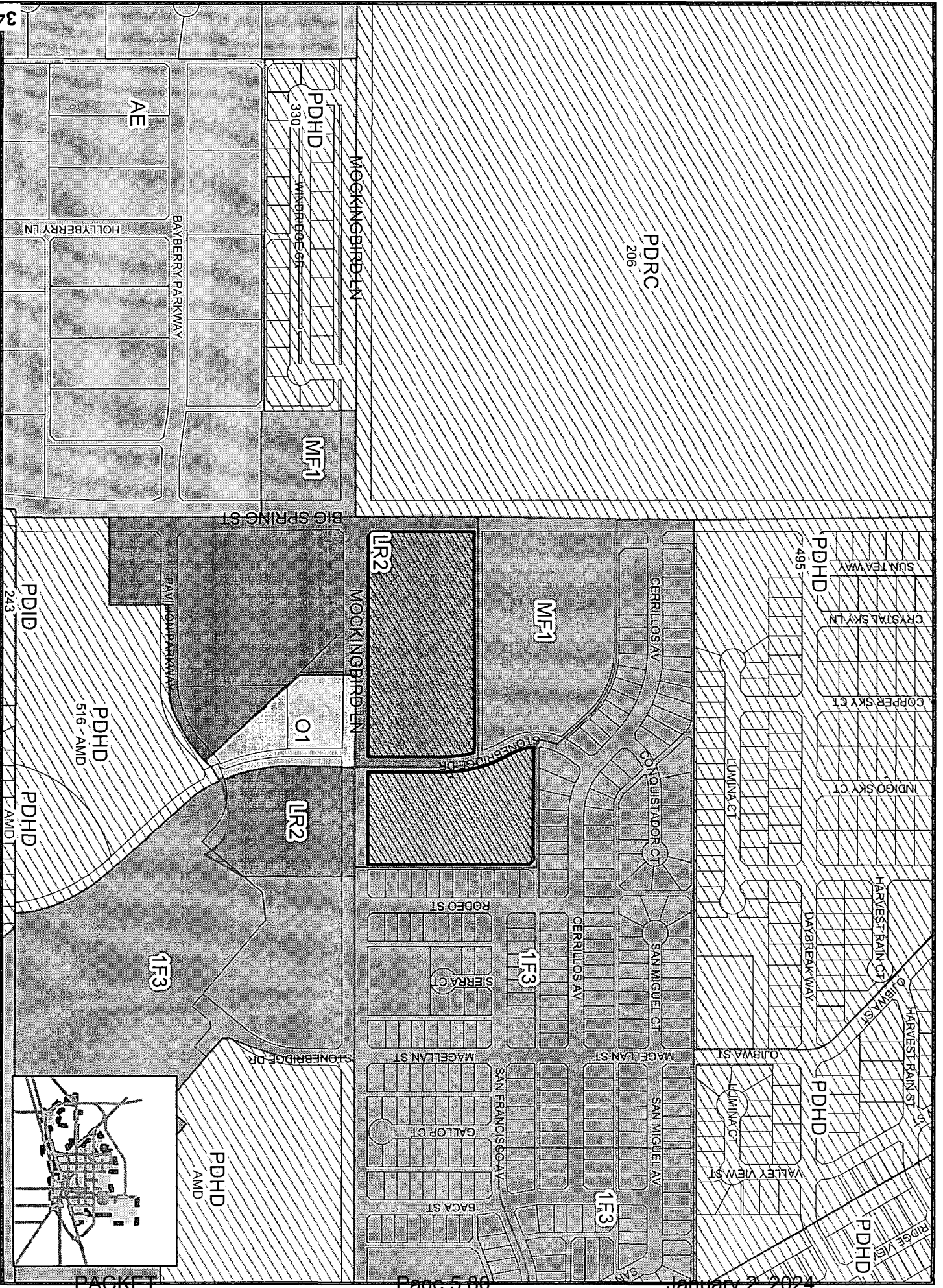
D - 2017
FOR 2018
60 DAYS TO
RECOUNTING
ELY ON THE
ELECTED
RESPONSIBLE
1 OF THIS DAY

34.14

ZONING MAP



© THE CITY OF MIDLAND - 2017. THIS MAP IS A SUGGESTION FOR A FUTURE PROJECT. MAP IS NOT DESIGNED TO BE USED FOR ANY OTHER PURPOSE. THE CITY OF MIDLAND SHALL NOT BE RESPONSIBLE FOR ANY DECISIONS BASED UPON THE USE OF THIS DATA.





MIDLAND

Planning Division

PUBLIC NOTICE

HREBICEK MATTHEW &
5610 RODEO ST
MIDLAND TX 79705

The Planning Commission of the City of Midland, Texas will hold a public hearing at 3:30 p.m. on **Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request: ☒ Comments:

Required Information:


Property Owner's Signature


Printed Name


Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud. desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials


Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989.

34.16



BOYCE DANIEL &
5619 RODEO ST
MIDLAND TX 79705

PUBLIC NOTICE

The **Planning Commission** of the City of Midland, Texas will hold a public hearing at **3:30 p.m. on Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments:

Reduction of Privacy

Required Information:

Jessica Boyce
Property Owner's Signature

Jessica Boyce
Printed Name

5619 Rodeo St
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials

Cristina Odenborg
Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

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34.17



BURTTSCHELL JESSE
5623 RODEO ST
MIDLAND TX 79705

PUBLIC NOTICE

The Planning Commission of the City of Midland, Texas will hold a public hearing at 3:30 p.m. on **Monday, June 18, 2018**, in the Council Chambers, City Hall, 300 N. Loraine, on a request by **Brandon Easterling** for approval of a **Zone Change** on the following described property:

LEGAL DESCRIPTION: Lot 15, Block 2 & Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

LOCATION: Generally located at the northeast corner of East Mockingbird Lane and North Big Spring Street. Council District 1.

PROPOSED ZONING:

From: LR-2, Local Retail District (Ordinance No. 6617) and MF-1, Multiple Family Dwelling District.

To: PD, Planned District for a Housing Development.

Not to be considered a part of the Public Notice: 1) See reverse side for location map; 2) In order to be considered as an official objection to this request a response **must be submitted by mail or delivered in writing** to the Planning Division at the address listed above. An official objection may be filed by completing this notice and returning it to the address listed above.

I object to this request ☒ Comments:

Required Information:


Property Owner's Signature

Jesse Burttshell
Printed Name

5623 Rodeo St Midland, Tx 79705
Property Address (No P. O. Boxes)

If any further information is desired, please contact the Planning Division, at 685-7400.
Si ud desea más información en Español sobre esta cuestión, llame al: 685-7400.

Notices Mailed: 45

Date Mailed: June 8, 2018

Case Number: Z-18-0026

Case Name: Stillwater Apartments

ES Planner's Initials


Cristina Odenborg
Interim Planning Division Manager
Department of Development Services

The meeting facility is accessible to disabled persons. A wheelchair entry ramp is located at the southeast entrance to City Hall. A parking space designated for use by disabled persons is available near the southeast entrance doors. Any disabled person needing special accommodations or hearing impaired persons wishing to have an interpreter should request services through the Administrative Services Department at least 48 hours prior to the scheduled meeting by contacting Compliance Coordinator for the City of Midland at (432) 685-7251. If communication via TDD is required, please call 1-800-735-2989.

34.18

Lot 15, Block 2, and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

SECTION TWO. That said property shall be subject to the following special conditions and restrictions:

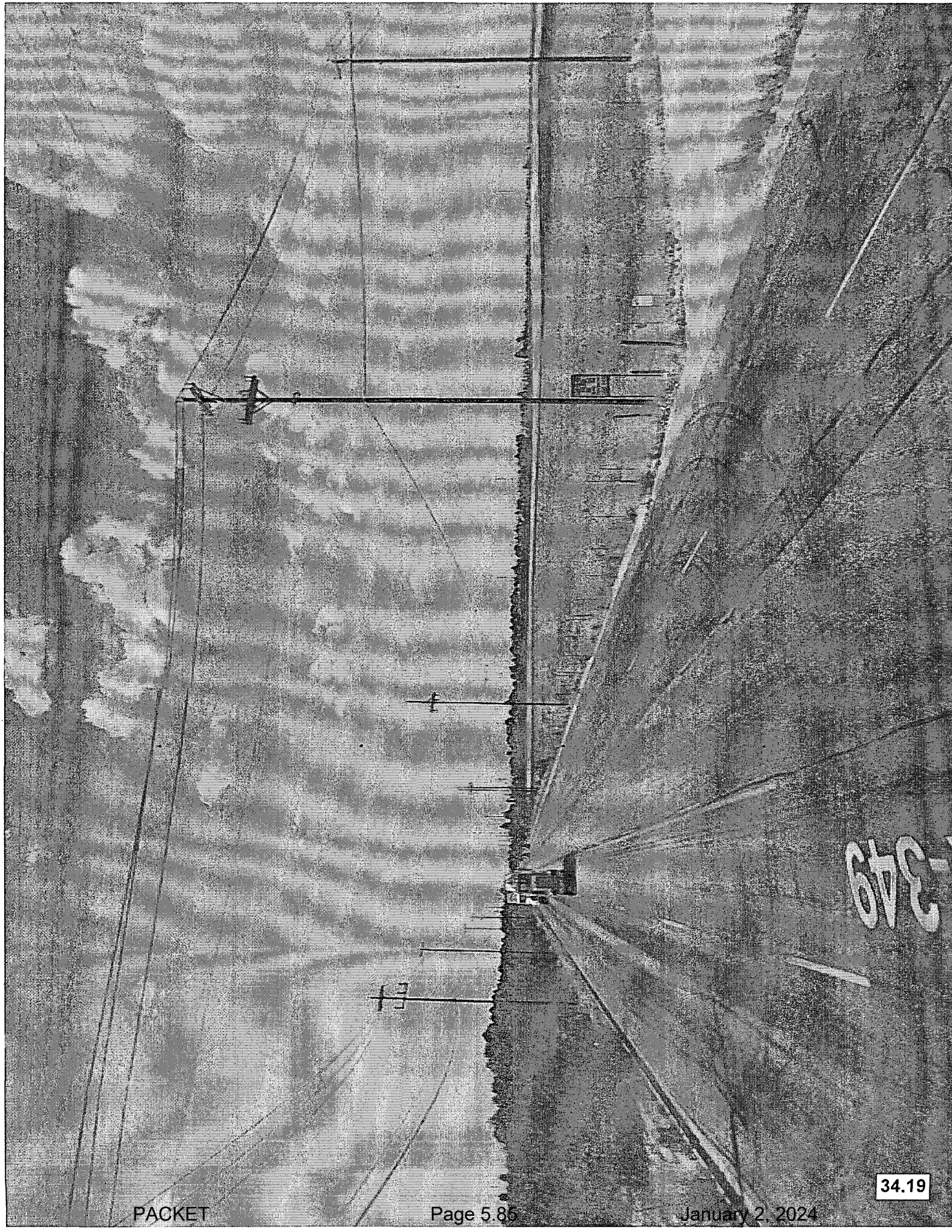
- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District, except as otherwise stated below.
- B. That this property shall significantly conform to Exhibits "A" and "B", which are attached hereto and incorporated herein.
- C. That the parking shown in Exhibit "A" shall be considered illustrative. The parking shall conform to the regulations set forth in Title XI, Chapter 1 of the City Code.
- D. That the landscaping shown in Exhibit "A" shall be considered illustrative. The landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City Code.

SECTION THREE. That the definitions given in the zoning regulations contained in the City Code of the City of Midland, Texas, shall be applicable to such of those terms as are used herein.

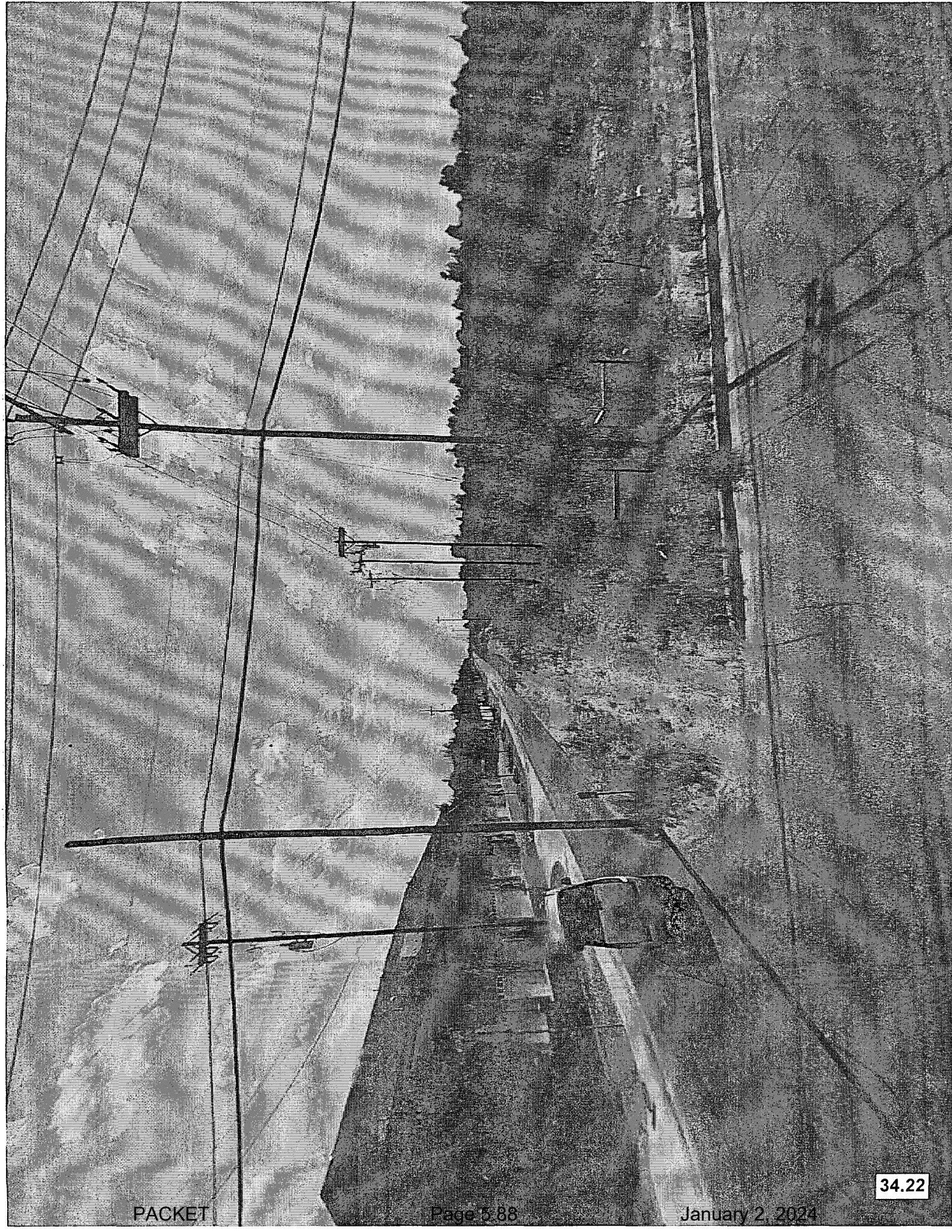
SECTION FOUR. The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the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

SECTION FIVE. 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 SIX. The penalty for violation of this ordinance shall be in accordance



349



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 SEVEN. 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 24th day of July, A.D., 2018; and passed to second reading on motion of Council member Lacy, seconded by Council member Robnett, by the following vote:

Council members voting "AYE": Hotchkiss, Love, Morales, Dufford, Lacy, Robnett

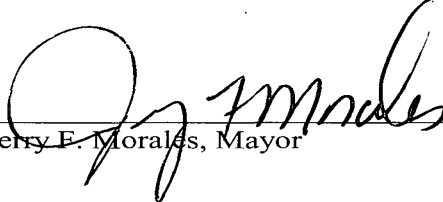
Council members voting "NAY": None

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member Lacy, seconded by Council member Hotchkiss, on the 14th day of August, A.D., 2018, at a regular meeting of the City Council:

Council members voting "AYE": Hotchkiss, Love, Sparks, Dufford, Lacy, Robnett

Council members voting "NAY": None

PASSED AND APPROVED THIS 14th day of August, A.D., 2018.



Jerry E. Morales, Mayor

ATTEST:



Amy M. Turner, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

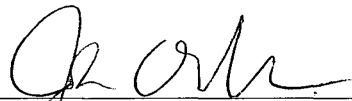


Frank Salvato, Assistant City Manager



Charles Harrington, Director of Development Services

APPROVED ONLY AS TO FORM:

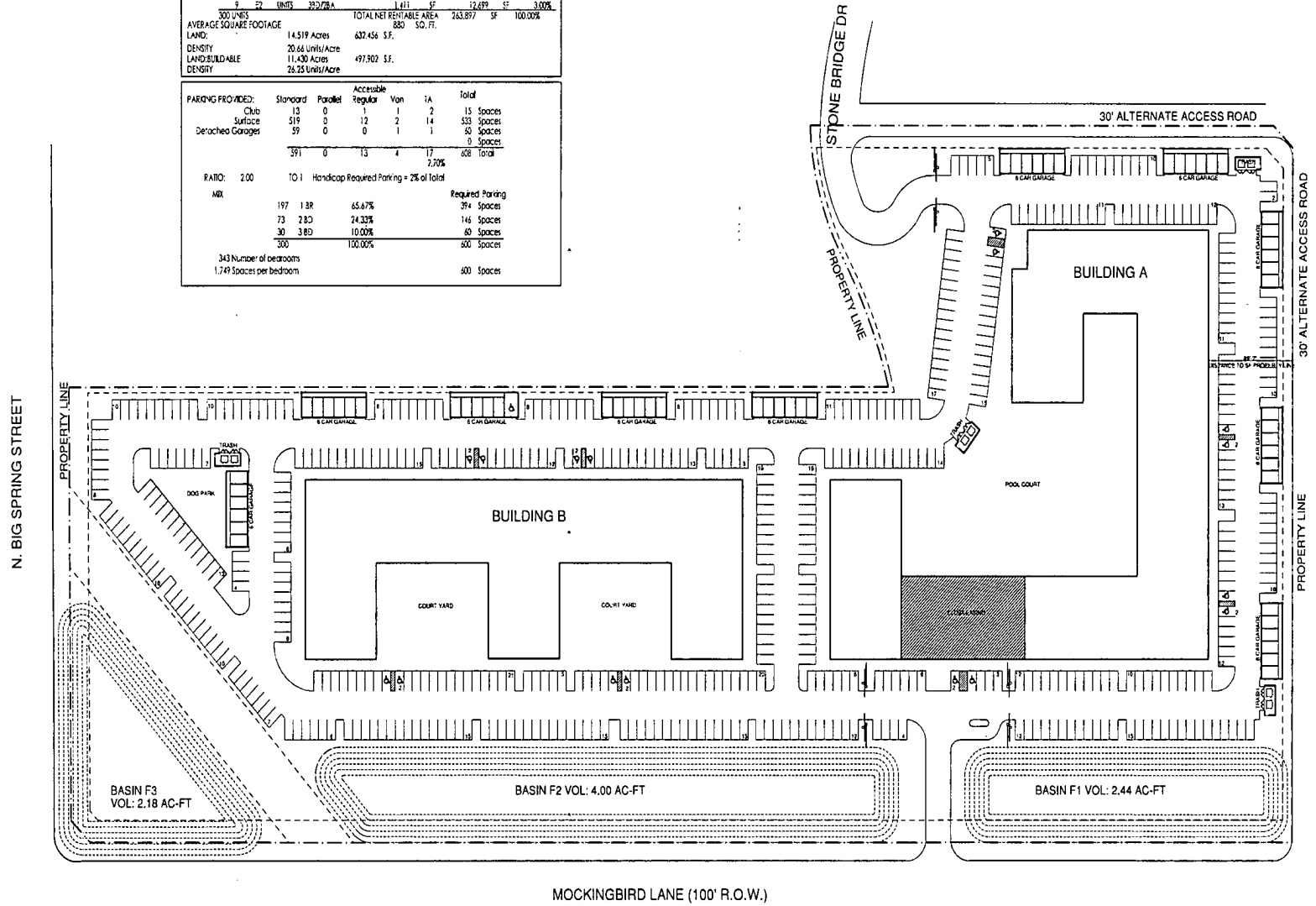


John Ohnemiller, City Attorney

197	1.3R	65.67%	394	Spaces
73	2.8D	24.33%	146	Spaces
30	3.8D	10.00%	60	Spaces
300		100.00%	600	Spaces

343 Number of bedrooms
1,749 Spaces per bedroom

600 Spaces



1 CONCEPTUAL SITE PLAN

EXHIBIT A

January 2, 2024

SITE PLAN

Copyright © BCO Architects. All Rights Reserved

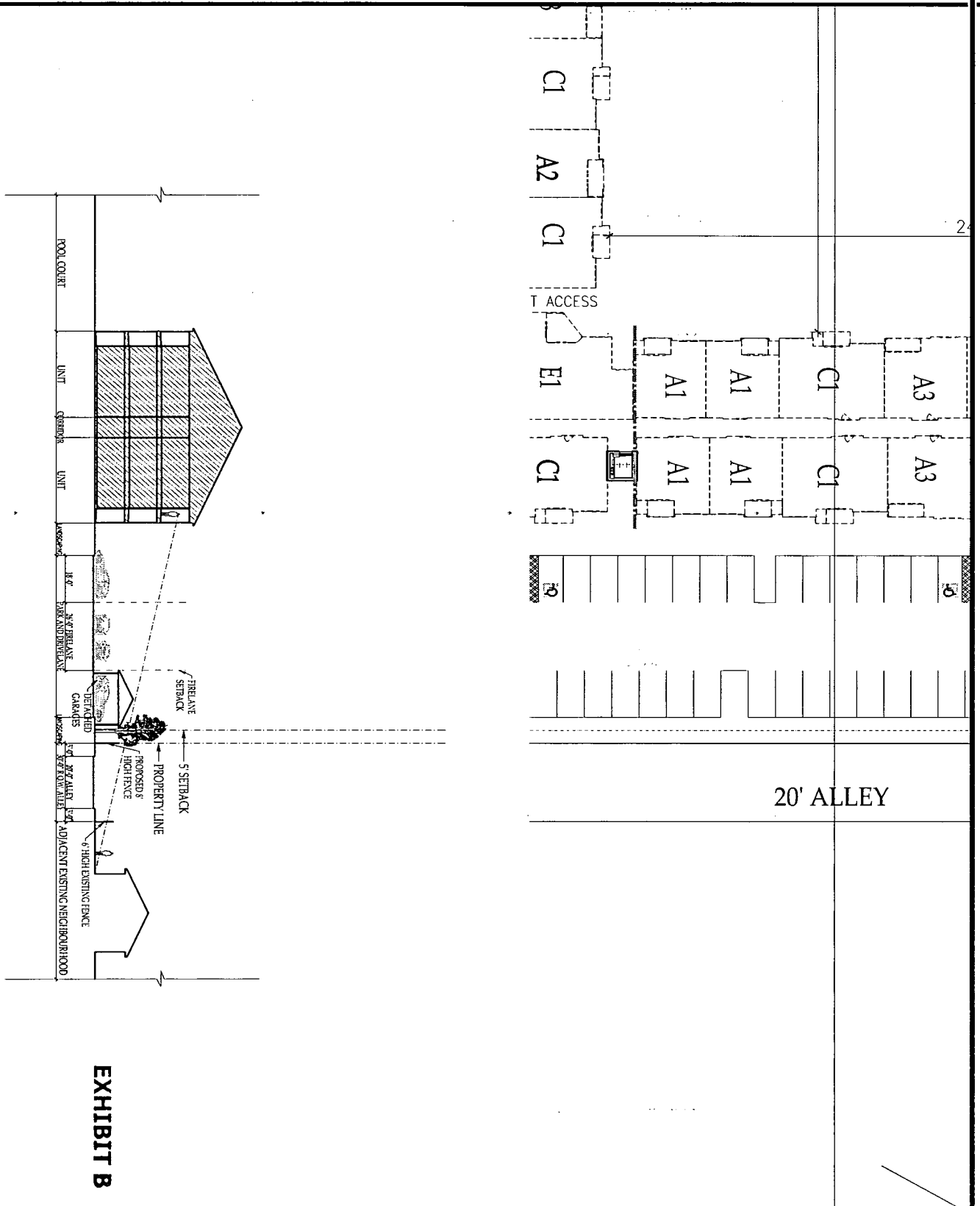


EXHIBIT B

1 SITE SECTION

Adobe Meadows

Steinberg
Dickey

Collaborative, LLP

Sanford P. Steinberg
AIA

8100 Washington Avenue
Suite 250
Houston, Texas 77007
713.552.1777 @ 713.850.7744 Fax

Midland, Texas



CITY COUNCIL AGENDA

9788
APPROVED

Approved for Agenda:

City Manager's Office

MEETING DATE: August 14, 2018

TO: CITY COUNCIL/CITY MANAGER

FROM: Elizabeth Shaughnessy, Planner

SUBJECT: Consider an ordinance on second reading on a request by Brandon Easterling for a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas. (Generally located on the northeast corner of Mockingbird Lane and Big Spring Street. Council District 1)

Purpose:

The applicant, Brandon Easterling, is requesting a Zone Change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development on Lot 15 Block 2 and Lot 1, Block 3, Adobe Meadows, Section 2, City and County of Midland, Texas.

Recommended City Council Action:

☒ Approve ☐ Deny ☐ Direction/Informational

Fiscal Impact:

This proposal does not have a significant financial impact to the city.

Current Zoning:

LR-2, Local Retail District (Ordinance 6617) and MF-1, Multiple Family Dwelling District.

Surrounding Zoning and Land Use:

Property to the north is zoned MF-1, Multiple Family Dwelling, which is currently undeveloped. Property to the west is zoned PD, Planned District for a Recreation Center. Properties located to the east are zoned 1F-3, One-Family Dwelling District. Properties located south are zoned LR-2, Local Retail District and O-2, Office District, which are currently undeveloped properties.

Discussion:

Lot 15 is currently zoned LR-2, Local Retail District, regulated by Ordinance 6617, which was adopted on January 14th, 1986. Lot 1 is currently zoned MF-1, Multiple Family Dwelling District.

The applicant, Brandon Easterling, is now requesting a Zone Change from LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development to allow for an apartment complex at this location.

The applicant will be required to adhere to the site plan review standards outline within the City of Midland Zoning Ordinance Chapter 10- Site Plan Review Standards as well as Chapter 9-Landscape Regulations for future landscaping.

This request has been approved at the Planning and Zoning Commission meeting on July 2, 2018.

This proposed project has been circulated to and reviewed by respective City departments for internal review and their comments, conditions, and requirements are as follows:

Engineering: (Approved with Conditions)

No objection to zone change.

Utilities, drainage and access reviewed with building permit. All public infrastructure improvements and plat to comply with City of Midland – Engineering Services, Fire Department & Utilities Policy Statement – City Standards & Development Requirements. (Found on-line at: <http://www.midlandtexas.gov/DocumentCenter/View/2625>)

Enprotec/Hibbs & Todd, Inc. has determined through computer modeling that the City of Midland's existing water system cannot support additional service demand in the northeast portion of the system within TCEQ minimum pressure requirements.

Until all other plat requirements are met and on-site pressure testing shows adequate pressure and/or minimum TCEQ requirements are met for the water improvements installed for this subdivision, Engineering Services cannot support approval of the Final Plat.

The City is working diligently to determine short term and long term corrective actions to improve the Northeast portion of the water system and to partner with the area developers in seeking solutions.

Transportation: (Approved)

Site plan and access points are approved with construction drawing review and not with zone change.

Depending on the nature and scale of the proposed development, a Traffic Impact Analysis MAY be required prior to approval of construction drawings.

No objection to zone change.

Fire: (Approved)

No comment

Code Administration: (Approved)

No Oil or Gas wells identified within 500 ft. radius of location on plat.

Code Compliance: (Approved)

No comment

Planning:

This request is in compliance with the *Tall City Tomorrow Comprehensive Plan, Chapter 3 An Integrated Land Use Vision*, Principle 8, "Land use policies and regulations should create and support balanced neighborhoods." (Tall City Tomorrow, Page 59) This request will aid in promoting balanced neighborhoods offering a variety of housing options, access to open space, and contain activity centers, or commercial areas that are well connected to surrounding neighborhoods.

The Planning and Zoning Commission recommended approval of this request at the July 2nd, 2018 meeting.

Staff recommends approval of the zone change from a LR-2, Local Retail District and MF-1, Multiple Family Dwelling District, to PD, Planned District for a Housing Development, subject to condition A-D.

Conditions:

- A. That the use and development of this property shall conform to the regulations of the MF-1, Multiple-Family Dwelling District
- B. That this property shall significantly conform to the site plan, attached hereto and incorporated herein, as Exhibit A.
- C. That parking shall be considered illustrative. Parking shall conform to conform to regulations set forth in Title XI, Chapter 1 of the City code.
- D. That the Landscape Plan shall be considered illustrative. Landscaping shall conform to the regulations set forth in Title XI, Chapter 9 of the City code.

Letters of Objection:

ORDINANCE NO. _____

AN ORDINANCE VACATING AND ABANDONING A
0.159-ACRE PORTION OF ROPE STREET
RIGHT-OF-WAY LOCATED ADJACENT TO LOT 1,
BLOCK 1, ADOBE MEADOWS ADDITION, SECTION 8,
CITY AND COUNTY OF MIDLAND, TEXAS

(GENERALLY LOCATED ON THE EAST SIDE OF
WHEREAS, it has been determined by the Midland City Council that a 0.159-
acre ROPE STREET, APPROXIMATELY 435 FEET NORTH

OF MOCKINGBIRD LANE); ADOPTING THE
portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe
Meadows APPRAISAL BY THE ASSISTANT CITY MANAGER OF

\$477.00; RETAINING A NONEXCLUSIVE UTILITY
Addition, Section 8, City and County of Midland, Texas, as described in Exhibits "A"
and WHEREAS, Section 10.00 of the Texas Local Government Code provides that
a EASEMENT, AND ORDERING RECORDATION BY THE

CITY SECRETARY

"B" attached hereto and made a part hereof for all legal purposes (the "Property"),
political subdivision may not convey, sell, or exchange its interest in land without
is no observing

WHEREAS, an application for vacating the Property has been received by the
longer needed for public use; and
notice and old requirements; unless the conveyance is to one or more abutting
from the abutting property owner,
property
and

WHEREAS, the Assistant City Manager has appraised the value of the
City's
owners; and

property interest in the Property at \$477.00, as shown in Exhibit "B" attached
hereto and WHEREAS, the Council finds it to be in the public interest to abandon and vac
ate
the Property;

incorporated herein by reference; and

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

SECTION ONE. That the Property is hereby vacated and abandoned for all
public

purposes. Provided, however, that the City is hereby abandoning only the public interest in

the Property, and this ordinance in no way affects any private easement or access easement

SECTION TWO. That this ordinance shall not be effective until:

A. the City of Midland has received from the abutting property owner(s) the which abutting property owners may have in the Property.

B. a replat of the Property is approved by the City of Midland and filed of \$477.00; and and

SECTION THREE. That the City herein retains an accessible nonexclusive utility recorded with the County Clerk of Midland County, Texas.

easement across, through, over, under, on and along the Property until all entities that were

using the Property for utility purposes as of the date of approval of this ordinance

SECTION FOUR. That upon the City's receipt of the sum set forth in Section Two have

board of the City Secretary is hereby authorized and directed to file a certified copy of this abandoned their uses of the Property.

The above and foregoing ordinance was duly proposed, read in full and adopted with the County Clerk of Midland County, Texas, for purposes of recording in the

first reading, the _____ day of _____, A.D., 2023; and passed to second reading Official Records of Midland County, Texas.

on motion of Council member voting "AYE": _____, seconded by Council member

Council members voting "NAY": _____, by the following vote:

The above and foregoing ordinance was read in full and finally adopted by the

following vote upon motion of Council member _____, seconded by Council of the City Council:

Council members voting "AYE":

Council members voting "NAY":

PASSED AND APPROVED THIS _____ day of _____, A.D., 2023.

Lori Merritt Blong, Mayor

ATTEST:

Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT

AND COMPLETENESS:

Cristina Burns, Director of Development
Services

APPROVED ONLY AS TO FORM:

John Ohnemiller, City Attorney



PROPOSED STREET VACATE

LEGAL DESCRIPTION: Being 0.159 acres (6,947 sq. ft.) of land, being the east half of that certain portion of Rope Street (60' wide right of way) located between Lot 14, Block 2, Adobe Meadows, Section 2, recorded in Cabinet C, Page 171, of the Plat Records of Midland County, Texas, and Lot 1, Block 1, Adobe Meadows, Section 8, recorded in Cabinet L, Page 135, of the said Plat Records; Said 0.159 acre tract being more particularly described as follows and as surveyed under the supervision of Cross Texas Land Services Inc in July/ August 2023:

BEGINNING at a 1/2 inch iron rod set in the east right of way line of said Rope Street, for the southwest corner of Rope Street (40' wide right of way), for the most easterly northwest corner of said Lot 1, for the northeast corner hereof, from which a 1/2 inch iron rod found for the northeast corner of said Lot 1 bears North 75°39'25" East, a distance of 416.87 feet;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the left with a radius of 190.44 feet, an arc length of 72.82 feet, and a chord bearing and distance of South 33°46'14" East, 72.37 feet to a "X" marked in concrete found in the east right of way of said Rope Street (60') and the upper west line of said Lot 1, for an angle point in the east line hereof;

THENCE along the east right of way of said Rope Street (60') and the upper west line of said Lot 1, and along a curve to the right with a radius of 528.93 feet, an arc length of 158.77 feet, and a chord bearing and distance of South 36°06'48" East, 158.18 feet the southeast corner of said Rope Street (60'), an ell corner of said Lot 1, for the southeast corner hereof;

THENCE South 75°34'44" West, along the south line of said Rope Street (60') and the lower north line of said Lot 1, a distance of 30.85 feet to a 1/2 inch iron rod set in the center of the south line of said Rope Street (60') and in the lower north line of said Lot 1, for the southwest corner hereof, from which a 1/2 inch iron rod with cap marked "Maverick" found in the lower north line of said Lot 1, for the southwest corner of said Rope Street (60') bears South 75°34'44" West, a distance of 30.88 feet;

THENCE along the centerline of said Rope Street (60') and along a curve to the left with a radius of 498.93 feet, an arc length of 142.77 feet, and a chord bearing and distance of

North 36°30'52" West, 142.29 feet to a 1/2 inch iron rod set in the centerline of said Rope Street (60'), for an angle point in the west line hereof;

THENCE along the centerline of said Rope Street (60') and along a curve to the right with a radius of 220.44 feet, an arc length of 88.75 feet, and a chord bearing and distance of North 33°11'25" West, 88.15 feet to a "X" marked in concrete set in the centerline of said Rope Street (60'), for the northwest corner hereof, from which a 1/2 inch iron rod set in the east line of said Lot 14, in the west line of said Rope Street (60') bears North 75°39'25" West, a distance of 30.14 feet;

THENCE North 75°39'25" East, crossing said Rope Street and along the same bearing of a line extension of the most northerly north line of said Lot 1, a distance of 30.29 feet to the POINT OF BEGINNING, and containing 0.159 acres, more or less, and as shown on the certified plat herewith.

Note: Bearings, distances and acreage shown hereon are NAD 83, Texas Central Zone and are derived from GPS techniques. Iron Rod set are 1/2-inch rod with plastic caps marked "CTLS".

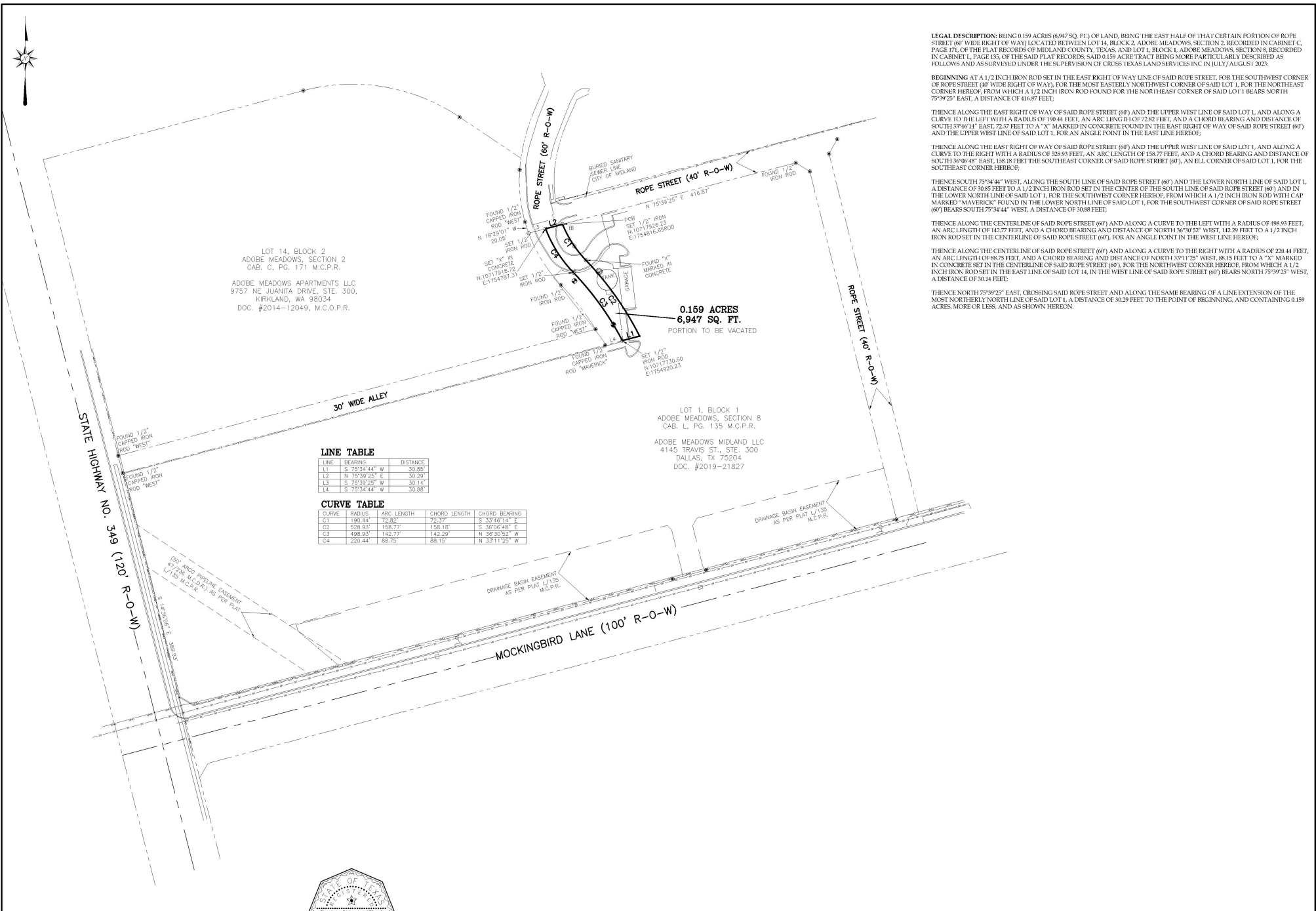
Surveyed by:



August 28, 2023

Thais Watson Ahlstrand, R.P.L.S. #6359
702 Rio Grande, Ste. #301, Austin, TX 78701 - (512-965-2878)
Firm#100248-00
Job#23-50122

EXHIBIT "B"



LEGAL DESCRIPTION: BEING 0.159 ACRES (6,947 SQ. FT.) OF LAND, BEING THE EAST HALF OF THAT CERTAIN PORTION OF ROPE STREET (60' WIDE RIGHT OF WAY) LOCATED BETWEEN LOT 14, BLOCK 2, ADOBE MEADOWS, SECTION 2, RECORDED IN CABINET L, PAGE 17, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND LOT 1, BLOCK 1, ADOBE MEADOWS, SECTION 8, RECORDED IN CABINET L, PAGE 15, OF THE SAID PLAT RECORDS, SAID 0.159 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF CROSS TEXAS LAND SERVICES INC. IN JULY/AUGUST 2023:

BEGINNING AT A 1/2 INCH IRON ROD SET IN THE EAST RIGHT OF WAY LINE OF SAID ROPE STREET, FOR THE SOUTHWEST CORNER OF ROPE STREET (60' WIDE RIGHT OF WAY), FOR THE MOST EASTERLY NORTHWEST CORNER OF SAID LOT 1, FOR THE NORTHEAST CORNER HEREOF, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LOT 1 BEARS NORTH 75°39'25" EAST, A DISTANCE OF 416.87 FEET;

THENCE ALONG THE EAST RIGHT OF WAY OF SAID ROPE STREET (60') AND THE UPPER WEST LINE OF SAID LOT 1, AND ALONG A CURVE TO THE LEFT WITH A RADIUS OF 1904.4 FEET, AN ARC LENGTH OF 72.37 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 33°46'14" EAST, 72.37 FEET TO A "X" MARKED IN CONCRETE FOUND IN THE EAST RIGHT OF WAY OF SAID ROPE STREET (60') AND THE UPPER WEST LINE OF SAID LOT 1, FOR AN ANGLE POINT IN THE EAST LINE HEREOF;

THENCE ALONG THE EAST RIGHT OF WAY OF SAID ROPE STREET (60') AND THE UPPER WEST LINE OF SAID LOT 1, AND ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 328.95 FEET, AN ARC LENGTH OF 158.77 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 30°46'48" EAST, 158.77 FEET THE SOUTHEAST CORNER OF SAID ROPE STREET (60'), AN ELL CORNER OF SAID LOT 1, FOR THE SOUTHEAST CORNER HEREOF;

THENCE SOUTH 75°34'44" WEST, ALONG THE SOUTH LINE OF SAID ROPE STREET (60') AND THE LOWER NORTH LINE OF SAID LOT 1, A DISTANCE OF 30.85 FEET TO A 1/2 INCH IRON ROD SET IN THE CENTER OF THE SOUTH LINE OF SAID ROPE STREET (60') AND IN THE LOWER NORTH LINE OF SAID LOT 1, FOR THE SOUTHWEST CORNER HEREOF, FROM WHICH A 1/2 INCH IRON ROD WITH CAP MARKED "MAVERICK" FOUND IN THE LOWER NORTH LINE OF SAID LOT 1, FOR THE SOUTHWEST CORNER OF SAID ROPE STREET (60') BEARS SOUTH 75°34'44" WEST, A DISTANCE OF 30.88 FEET;

THENCE ALONG THE CENTERLINE OF SAID ROPE STREET (60') AND ALONG A CURVE TO THE LEFT WITH A RADIUS OF 498.95 FEET, AN ARC LENGTH OF 142.77 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 36°30'52" WEST, 142.29 FEET TO A 1/2 INCH IRON ROD SET IN THE CENTERLINE OF SAID ROPE STREET (60'), FOR AN ANGLE POINT IN THE WEST LINE HEREOF;

THENCE ALONG THE CENTERLINE OF SAID ROPE STREET (60') AND ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 220.44 FEET, AN ARC LENGTH OF 88.75 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 33°11'25" WEST, 88.15 FEET TO A "X" MARKED IN CONCRETE SET IN THE CENTERLINE OF SAID ROPE STREET (60'), FOR THE NORTHWEST CORNER HEREOF, FROM WHICH A 1/2 INCH IRON ROD SET IN THE EAST LINE OF SAID LOT 14, IN THE WEST LINE OF SAID ROPE STREET (60') BEARS NORTH 75°39'25" WEST, A DISTANCE OF 30.14 FEET;

THENCE NORTH 75°39'25" EAST, CROSSING SAID ROPE STREET AND ALONG THE SAME BEARING OF A LINE EXTENSION OF THE MOST NORTHERLY NORTH LINE OF SAID LOT 1, A DISTANCE OF 30.29 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.159 ACRES, MORE OR LESS, AND AS SHOWN HEREOF.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 75°34'44" W	30.85'
L2	N 75°39'25" E	30.29'
L3	S 75°39'25" W	30.14'
L4	S 75°34'44" W	30.88'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1904.44'	72.37'	72.37'	S 33°46'14" E
C2	328.95'	158.77'	158.18'	S 30°46'48" E
C3	498.95'	142.77'	142.29'	N 36°30'52" W
C4	220.44'	88.75'	88.15'	N 33°11'25" W

NOTES:

1. BEARINGS, DISTANCES & ACREAGE SHOWN HEREON ARE GRID, NAD 83(2011)-HARN, LAMBERT GRID COORDINATES AND CONFORM TO THE TEXAS COORDINATE SYSTEM, "TEXAS CENTRAL ZONE", UTILIZING NGS OPUS SOLUTION.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREOF.
3. IRON ROD SET ARE 1/2 INCH IRON REBAR WITH PLASTIC CAPS MARKED "CTL5"
4. THIS SURVEY IS A BOUNDARY SURVEY. IT IS NOT A DESIGN SURVEY. NO IMPROVEMENTS AND/OR EASEMENTS ARE SHOWN HEREOF.
5. A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS PLAT.

LEGEND:

BOUNDARY LINE	CALL POINT
ADJACENT LINE	1/2" IRON ROD W/CAP FOUND
GRADE LINE	TELEPHONE/COLE PEDESTAL
DEAD END	MONUMENT SET
BURIED UTILITY LINE	CONCRETE BULL ROUGH
OVERHEAD UTILITY LINE	FIRE HYDRANT
FENCE	GAS METER
P.U.E. BUILDING SERVICE LINE (W/O-CO)	WATER WELL/WATER
	M.C.P.R. - MIDLAND COUNTY PLAT RECORDS
	M.C.D.R. - MIDLAND COUNTY DEED RECORDS
	MANHOLE
	ELECTRIC BOX/METER
	LIGHT POLE

REFERENCE: STANLEY CAPITAL INVESTMENTS, LLC

LEGAL DESCRIPTION:

BEING 0.159 ACRES (6,947 SQ. FT.) OF LAND, BEING THE EAST HALF OF THAT CERTAIN PORTION OF SURVEYED AND PARCELED AND LOCATED BETWEEN LOT 14, BLOCK 2, ADOBE MEADOWS, SECTION 2, RECORDED IN CABINET L, PAGE 17, OF THE PLAT RECORDS OF MIDLAND COUNTY, TEXAS, AND LOT 1, BLOCK 1, ADOBE MEADOWS, SECTION 8, RECORDED IN CABINET L, PAGE 15, OF THE SAID PLAT RECORDS, SAID 0.159 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF CROSS TEXAS LAND SERVICES INC. IN JULY/AUGUST 2023:

January 2, 2024

DRAWN BY: JLS

REV: 1



Cross Texas Land Services, Inc.
700 RIO GRANDE AVE, AUSTIN, TX 78701
512.985.2878

TX FIRM REG. #100248-00
www.crosstexaslandservices.com

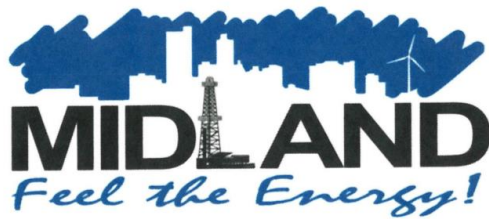
PACKET

THAS WATSON ALSTRAAD, RPLS #6359

REMOVED 10/13/23
AUGUST 26, 2023

DATE





Office of the City Manager

November 7, 2023

Midland City Council
City of Midland, Texas

RE: Request for vacation of a 0.159-acre portion of Rope Street right-of-way located adjacent to Lot 1, Block 1, Adobe Meadows Addition, Section 8, City and County of Midland, Texas

Dear Members of the City Council:

The above-referenced property has been appraised in accordance with Chapter 272 of the Texas Local Government Code. The fair market value of the property is \$477.00. Upon the City's receipt of this sum from the adjoining property owner(s), the ordinance vacating and abandoning the City's interest in the property may be recorded in the Midland County Clerk's office.

Very truly yours,

Jose Ortiz
Assistant City Manager

EXHIBIT "C"

300 N. Loraine, Midland TX 79701 • 432-685-7202 • Fax 432-686-1600