

## ORDINANCE NO. 2023-28

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2012-09 AND THE OFFICIAL FUTURE LAND USE MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES FROM ITS PRESENT DESIGNATION OF RESIDENTIAL TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROPERTY LEGALLY DESCRIBED AS: ABS A0187 BB CASTLEBERRY, 4.5 ACRES FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; AND PROPERTY KNOWN AS THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY FROM ITS PRESENT DESIGNATION OF OPEN SPACE TO A DESIGNATION OF GOVERNMENT; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, the City Council, by the passage and approval of Ordinance No. 2012-09, did assign Future Land Use classifications for property located within the city in accordance with the Official Future Land Use Map as approved with said ordinance; and

**WHEREAS**, the purpose of this Ordinance is to amend the Official Future Land Use Map by amending the Future Land Use classification of the Real Property ("Property") described herein; and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of Future Land Use classification and has made a report and recommendation to City Council; and

**WHEREAS**, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

**WHEREAS**, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section one. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

**Section two. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 76, 18.47 ACRES as shown on **Exhibit "A"** hereto.

**Section three. Future Land Use Map.** "Government" Future Land Use is hereby assigned to the Property described in section two.

**Section four. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES as shown on **Exhibit "B"** hereto.

**Section five. Future Land Use Map.** "Government" Future Land Use is hereby assigned to the Property described in section two.

**Section six. Property.** The Property that is the subject to this Future Land Use Reclassification is legally described as: ABS A0187 BB CASTLEBERRY, 4.5 ACRES as shown on **Exhibit "C"** hereto.

**Section seven. Future Land Use Map.** "Government" Future Land Use is hereby assigned to the Property described in section two.

**Section eight. Property.** The Property that is the subject to this Future Land Use Reclassification is property known as: THE BURNET CEMETERY, OLD BURNET CEMETERY AND IOOF CEMETERY as shown on **Exhibit "D"** hereto.

**Section nine. Future Land Use Map.** "Government" Future Land Use is hereby assigned to the Property described in section two.

**Section ten. Future Land Use Map Revision.** The City Secretary is hereby authorized and directed to revise the Official Future Land Use Map to reflect the change in Future Land Use Classification approved by this Ordinance.

**Section eleven. Repealer.** Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.


**Section twelve. Severability.** This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

**Section thirteen. Effective Date.** This ordinance is effective upon final passage and approval.


**PASSED** on First Reading the 11<sup>th</sup> day of July 2023.

**FINALLY PASSED AND APPROVED** on the 25<sup>th</sup> day of July 2023.

CITY OF BURNET, TEXAS

  
\_\_\_\_\_  
Gary Wideman, Mayor

ATTEST:

  
\_\_\_\_\_  
Kelly Dix, City Secretary

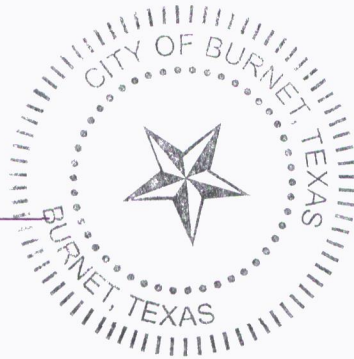
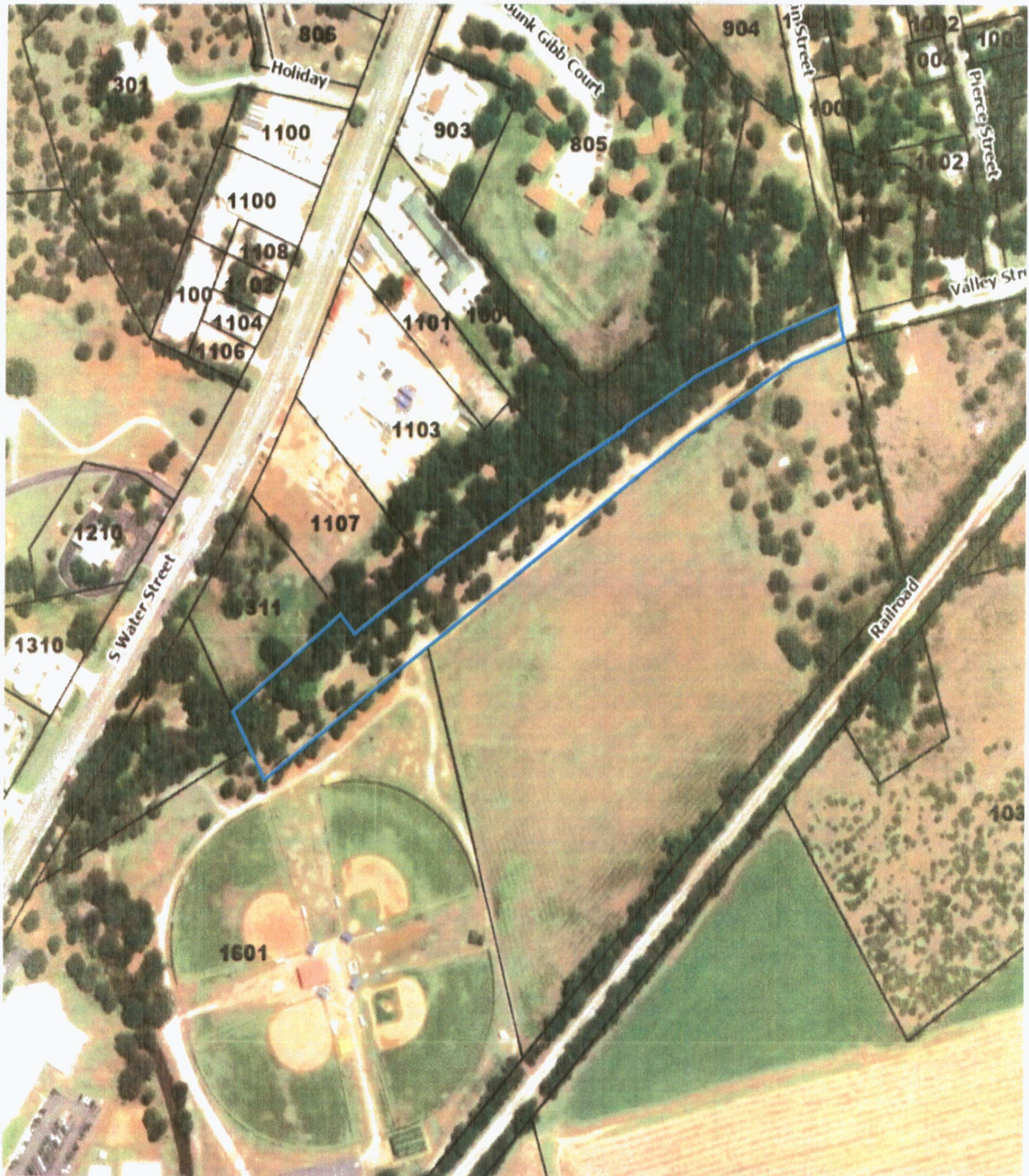


Exhibit "A"  
ABS A0187 BB Castleberry, Tract 76, 18.47 acres



**Exhibit "B"**  
ABS A0187 BB CASTLEBERRY, TRACT 69, 6.06 ACRES



**Exhibit "C"**  
**ABS A0187 BB CASTLEBERRY, 4.5 ACRES**



**Exhibit "D"**  
Burnet Cemetery, Old Burnet Cemetery and IOOF Cemetery

