

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MIDLAND TO REZONE A 15.44-ACRE TRACT OF LAND OUT OF SECTION 31, BLOCK 40, T-1-S, T&P RR CO. SURVEY, CITY AND COUNTY OF MIDLAND, TEXAS, FROM RR, REGIONAL RETAIL DISTRICT TO LI, LIGHT INDUSTRIAL DISTRICT (GENERALLY LOCATED ON THE NORTH SIDE OF STATE HIGHWAY 191, APPROXIMATELY 220 FEET WEST OF HOLDRIDGE ROAD); 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, the City Code, and State law, 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 rezoning a 15.44-acre tract of land out of Section 31, Block 40, T-1-S, T&P RR Co. Survey, City and County of Midland, Texas, said tract being more specifically described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein (the “Property”) to LI, Light Industrial District, as set out hereinafter;

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

SECTION ONE. That the Zoning District Map of the City of Midland, Texas, is hereby amended to rezone the Property from RR, Regional Retail District to LI, Light Industrial District.

SECTION TWO. 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 THREE. 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parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.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 FOUR. 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 FIVE. The penalty for violation of this ordinance shall be in accordance with the general penalty provisions contained in Section 1-3-1 of the City Code of Midland, Texas, which provides for a fine not exceeding two thousand dollars (\$2,000.00).

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

The above and foregoing ordinance was duly proposed, read in full and adopted on first reading, the _____ day of _____, A.D., 2025; and passed to second reading on motion of Council member _____, seconded by Council member _____, by the following vote:

Council members voting “AYE”:

Council members voting “NAY”:

The above and foregoing ordinance was read in full and finally adopted by the following vote upon motion of Council member _____, seconded by Council member _____, on the _____ day of _____, A.D., 2025, at a regular meeting of the City Council:

Council members voting “AYE”:

Council members voting “NAY”:

PASSED AND APPROVED THIS _____ day of _____, A.D., 2025.

Lori Merritt Blong, Mayor

ATTEST:

Marcia Bentley-German, City Secretary

APPROVED AS TO CONTENT
AND COMPLETENESS:

Elizabeth Triggs, Planning and Development Officer

APPROVED ONLY AS TO FORM:

Nicholas Toulet, Interim City Attorney

EXHIBIT "A"

FIELD NOTE DESCRIPTION OF A 15.44 AC RE TRACT OF LAND, SITUATED IN SECTION 31, BLOCK 40, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS AND BEING THE AGGREGATE OF A CALLED 11.461 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2007-24354 AND A CALLED 4.0 ACRE TRACT IN DOCUMENT NUMBER 2009-10929, BOTH IN THE OFFICIAL PUBLIC RECORDS (OPR) OF SAID MIDLAND COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT N.(Y): 10688335.53, E.(X): 1705960.38, A ONE HALF INCH IRON ROD WITH A PLASTIC CAP MARKED "HOWELL RPLS 280" (HOWELL) FOUND AND ACCEPTED AS BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK 5, WEST 191 INDUSTRIAL PARK ADDITION, SECTION 2 AS SHOWN ON A PLAT RECORDED AS DOCUMENT NUMBER 2009-7917 IN CABINET 1 ON PAGE 44 OF THE PLAT RECORDS OF SAID MIDLAND COUNTY, IN THE NORTH LINE OF STATE HIGHWAY 191 AS DESCRIBED IN VOLUME 711 ON PAGE 328 OF THE DEED RECORDS OF SAID MIDLAND COUNTY FOR THE SOUTHEAST CORNER HEREOF;

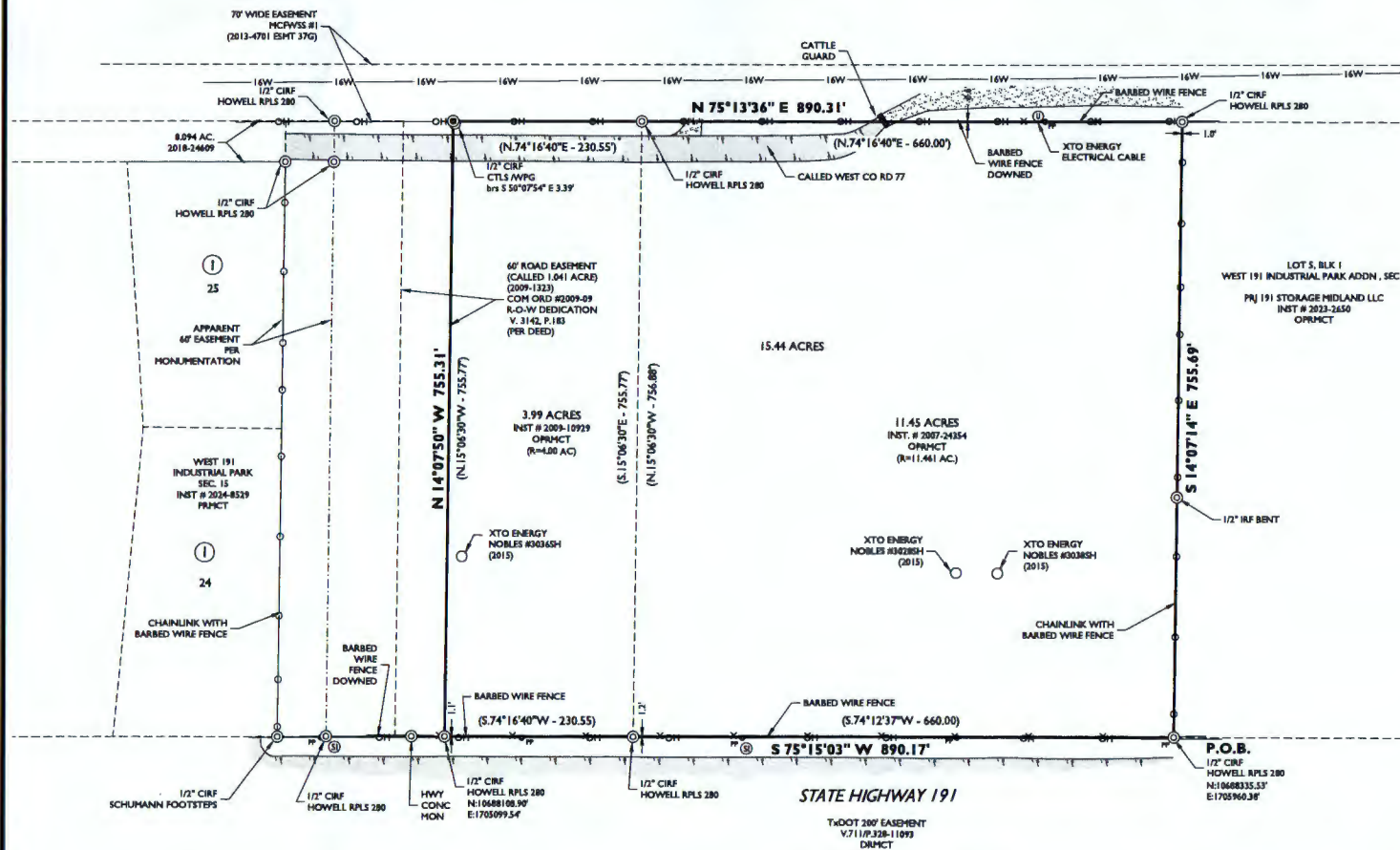
THENCE S.75°15'03"W., ALONG SAID STATE HIGHWAY 191, AT 659.85 FEET PASSING A "HOWELL" AT THE SOUTH COMMON CORNER OF THESE TWO TRACTS, IN ALL 890.17 FEET TO A "HOWELL" FOUND AT THE SOUTHEAST CORNER OF A CALLED 1.041 ACRE TRACT, BEING A 60 FOOT ROAD EASEMENT IN ORDINANCE NUMBER 2009-09 AS DESCRIBED IN DOCUMENT NUMBER 2009-1323 OF SAID "OPR" FOR THE SOUTHWEST CORNER HEREOF;

THENCE N.14°07'50"W., ALONG SAID CALLED 1.041 ACRE TRACT, 755.31 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM#10194514" SET IN THE SOUTH LINE OF A CALLED 70 FOOT WIDE EASEMENT BEING DESCRIBED IN DOCUMENT NUMBER 2013-4701 OF SAID "OPR" FOR THE NORTHWEST CORNER HEREOF;

THENCE N.75°13'36"E., ALONG SAID EASEMENT, 890.31 FEET TO A "HOWELL" FOUND AT THE NORTHWEST CORNER OF SAID LOT 5, FOR THE NORTHEAST CORNER HEREOF;

THENCE S.14°07'14"E., ALONG SAID LOT 5, 755.69 FEET TO THE **POINT OF BEGINNING**, CONTAINING 15.44 ACRES OF LAND.

EXHIBIT "A" (cont'd)



LEGEND

- ① 1/2" IRON ROD FOUND W/ RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" MONUMENTS FOUND AS NOTED
- ② SIGN
- ③ UTILITY MARKER
- ⊕ POWER POLE
- WELL LOCATION
- BOLLARD
- BOUNDARY LINE
- - - PROPERTY LINES
- - - CHAINLINK FENCE
- - - FENCE AS NOTED
- - - OVERHEAD ELECTRIC LINE
- - - 16" WATER MAIN
- ▨ CALICHE
- ▭ PAVEMENT

SURVEY NOTES

1. BASIS OF BEARING, COORDINATES, DISTANCES AND ACREAGE ARE A LAMBERT CONICAL PROJECTION OF THE TEXAS COORDINATE SYSTEM, STATE PLANE GRID, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, U.S. SURVEY FOOT, WITH A CONVERGENCE ANGLE (theta) OF -0°57'44.73" AND A COMBINED SCALE FACTOR OF 0.999983304 AT NGS ARP 2 MARK.
2. 1/2" IRON ROD WITH RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" AT ALL SET CORNERS, UNLESS OTHERWISE SPECIFIED.
3. SEE DOCUMENTS ON ELECTRONIC DATA FILED IN THE OFFICE OF MAVERICK ENGINEERING FOR COMPLETE RECONSTRUCTION OF THIS SURVEY.
4. LOCATION OF BURIED UTILITIES AND PIPELINES, IF ANY, IS APPROXIMATE BASED UPON OBSERVED EXISTING SIGNAGE, CITY OF MIDLAND GAS AND UTILITY EVIDENCE, OR BY ONE-CALL 811 SITE MARKINGS AT THE TIME OF THIS SURVEY. DUE CARE IS RECOMMENDED: CALL 1-800-ONE-CALL FOR LOCATES PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
5. FENCES ARE ON OR WITHIN 0.5' OF THE PROPERTY LINE UNLESS OTHERWISE NOTED OR SHOWN HEREON.

FIELD NOTES

FIELD NOTE DESCRIPTION OF A 15.44 AC RE TRACT OF LAND, SITUATED IN SECTION 31, BLOCK 46, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS AND BEING THE AGGREGATE OF A CALLED 11.461 ACRE TRACT AS DESCRIBED IN DOCUMENT NUMBER 2809-24354 AND A CALLED 4.98 ACRE TRACT IN DOCUMENT NUMBER 2809-18979, BOTH IN THE OFFICIAL PUBLIC RECORDS (OPR) OF SAID MIDLAND COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT N 75°13'36", ALONG SAID STATE HIGHWAY 191, AT 890.31 FEET PASSING A "HOWELL" RPLS 280 (HOWELL) FOUND AND ACCEPTED AS BEING THE SOUTHWEST CORNER OF LOT 1, BLOCK 5, WEST 191 INDUSTRIAL PARK ADDN, SECTION 2 AS SHOWN ON A PLAT RECORDED AS DOCUMENT NUMBER 2809-7917 IN CARNET 1 ON PAGE 44 OF THE PLAT RECORDS OF SAID MIDLAND COUNTY, IN THE NORTH LINE OF STATE HIGHWAY 191 AS DESCRIBED IN VOLUME 711 ON PAGE 238 OF THE DEED RECORDS OF SAID MIDLAND COUNTY FOR THE SOUTHEAST CORNER HEREOF;

THENCE S 75°15'03" W, ALONG SAID STATE HIGHWAY 191, AT 890.17 FEET PASSING A "HOWELL" AT THE SOUTH COMMON CORNER OF THESE TWO TRACTS IN ALL 890.17 FEET TO A "HOWELL" FOUND AT THE SOUTHEAST CORNER OF A CALLED 1.041 ACRE TRACT, BEING A 60 FOOT ROAD EASEMENT IN DOCUMENT NUMBER 2809-49141 DESCRIBED IN DOCUMENT NUMBER 2809-1322 OF SAID "OPR" FOR THE SOUTHWEST CORNER HEREOF;

THENCE N 14°07'50" W, ALONG SAID CALLED 1.041 ACRE TRACT, 755.31 FEET TO A ONE HALF INCH IRON ROD WITH A RED PLASTIC CAP MARKED "MAVERICK FIRM # 10194514" SET IN THE SOUTH LINE OF A CALLED 70 FOOT WIDE EASEMENT BEING DESCRIBED IN DOCUMENT NUMBER 2813-4791 OF SAID "OPR" FOR THE NORTHWEST CORNER HEREOF;

THENCE N 75°13'36" W, ALONG SAID BASELINE, 890.31 FEET TO A "HOWELL" FOUND AT THE NORTHWEST CORNER OF SAID LOT 5, FOR THE NORTHWEST CORNER HEREOF;

THENCE S 14°07'14" E, ALONG SAID LOT 5, 755.69 FEET TO THE POINT OF BEGINNING, CONTAINING 15.44 ACRES OF LAND.

P:\2024\040165-REX OILFIELD SERVICES LP-20 INDUSTRIAL\DRAWINGS\BOUNDARY SURVEY\240165 BOUNDARY SURVEY.DWG Last Save by: AKahank 10/16/24

SURVEYOR: GWS	SCALE: 1" = 100'	APPROVAL DATE:
DRAWN BY: AK	JOB NO.: 240165	REV 1:
APPROVED:	FIELD WORK DATE: 10.09.24	REV 2:

TO REX OILFIELD SERVICES, LP: THIS SURVEY WAS PERFORMED ON THE GROUND AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND COMPLIES WITH THE TPELS STANDARDS FOR A BOUNDARY SURVEY.

Gregory W. Shultz
GREGORY W. SHULTZ, RPLS 85354
FIRM NO. TX 010194514



OCTOBER 16, 2024

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



REX OILFIELD SERVICES, LP

BOUNDARY SURVEY WITH IMPROVEMENTS

FOR A 15.44 ACRE TRACT OF LAND, SITUATED IN SECTION 31, BLOCK 40, TOWNSHIP 1 SOUTH, TEXAS AND PACIFIC RAILWAY COMPANY SURVEY, MIDLAND COUNTY, TEXAS