



## City of Morgan's Point Resort

### Agenda

#### City Council Regular Session

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Tuesday, September 10, 2024

6:00 PM

MPR EVENT CENTER – 60

Morgan's Point Blvd

To View the meeting go to: [www.MorgansPointResortTX.com/YouTube](http://www.MorgansPointResortTX.com/YouTube)

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#### Call to Order

#### Invocation

#### Pledge of Allegiance

#### Presentations

#### Citizen Comments on Agenda Items

*This is an opportunity for members of the public to suggest the addition of topics for the discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.*

#### Consent Agenda

*All items under this heading are considered to be routine and may be enacted by one motion, unless the Mayor or a Councilmember requests that an item be removed for separate discussion. Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.*

1. **MN-24-012** Consider Minutes of Regular City Council Meeting of August 13, 2024
2. **MN-24-013** Consider Minutes of Special Session City Council Meeting of August 26, 2024
3. **MN-24-014** Consider Minutes of Special Session City Council Meeting of September 3, 2024

#### Regular Agenda Items

#### Resolutions

4. **RS-24-022** Discuss and Consider resolution to approve Economic Development Cooperation Fiscal Year 2025 Budget
5. **RS-24-023** Discuss and Consider approving changing the date of the October 8, 2024 Regular Session Council Meeting

6. **RS-24-024** Consider approving replat submittal for property on Teakwood
7. **RS-24-025** Discuss and Consider approving Winecup replat submittal
8. **RS-24-026** Discuss and Consider approving Dogwood replat submittal
9. **RS-24-027** Consider a resolution to accept Planning and Zoning updated city ordinance definitions
10. **RS-24-028** Consider a resolution accepting the Chicken ordinance updates made by Planning and Zoning

### **Public Hearings**

11. **PH-24-003** HOLD a public hearing on proposed tax rates for the Fiscal Year 2024/2025

### **Ordinances**

12. **OR-24-007** Discuss and Consider adopting the Annual Budget for the City of Morgan's Point Resort for fiscal year beginning October 1, 2024 and ending September 30, 2025
13. **OR-24-008** Discuss and Consider setting tax rate of \$0.6253 per \$100 valuation, comprised of \$0.5465 for maintenance and operations and \$0.0788 for debt service, for fiscal year 2024/2025
14. **OR-24-009** Discuss and consider approving budget amendment to ratified amounts per the Debris Removal contracts

### **Executive Session**

*The City Council reserves the right to adjourn, to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.*

### **Discussion and possible action resulting from Executive Session.**

### **Adjournment**

*All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personal Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).*

I certify that a copy of the 9-10-2024 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 9-6-2024 at 4:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Camille Bowser, City Secretary

## Notice of Meetings

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting(s), this notice is being posted to meet the requirements of the Texas Open Meetings Act subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

LADIES AUXILIARY: Community Center, September 12, 2024, @ 5:00PM

MPR COPS: Community Center, September 18, 2024, @ 7:00PM

TML CONFERENCE: Houston Tx, October 9-11, 2024



## City of Morgan's Point Resort

### Minutes

#### City Council Regular Session

---

Tuesday, August 13, 2024

6:00 PM

MPR EVENT CENTER – 60  
Morgan's Point Blvd

To View the meeting go to: [www.MorgansPointResortTX.com/YouTube](http://www.MorgansPointResortTX.com/YouTube)

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#### 1. Call to Order

Meeting called to order by Mayor Pro Tem, Roxanne Stryker, at 6:01 PM

##### PRESENT

Dorothy Allyn  
Jimbo Snyder  
Pat Clune  
Roxanne Stryker  
Stephen Bishop

##### ABSENT

Dennis Green

#### 2. Invocation

Lead by councilmember Stephen Bishop

#### 3. Pledge of Allegiance

Lead by councilmember Stephen Bishop

#### 4. Presentations

##### a. PR-24-001 TML Legislative Update

Summer on the TML Legislative Update given by Mayor Pro Tem, Roxanne Stryker

##### b. PR-24-002 Highlights from Previous Workshop

(See workshop agenda)

Summary of previous workshop agenda given by Mayor Pro Tem, Roxanne Stryker

#### 5. Citizen Comments on Agenda Items

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*announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.*

Jimanne Durkee, 54 S Cliffwood Cir, MPR - spoke regarding staggered terms

Sue Steahley/Teri Swanson, 40 Woodland Point Rd, BELTON - spoke regarding participation in their Trash Getters organization

Ann Phelps, 13 Mariner Dr, MPR - spoke regarding flooding and tree trimming and enforcing the closing time at Kleypas Park

Barbara Akers, 15 Mariner Dr, MPR - spoke regarding flooding

Denise Seibert, 114 Great West Loop, MPR - spoke regarding staggered terms

Larry Harman, 112 Great West Loop, MPR - spoke regarding drainage and audit status

Andrea Hankins, 35 Tanyard Rd, MPR - spoke regarding water and drainage fees

Paul Smith, 47 S Cliffwood Cir, MPR - spoke regarding drug bust

Tammy Day, 28 S Sherwood Dr, MPR (comment read by councilmember Jimbo Snyder) - spoke regarding loose/dangerous animal occurrences

## 6. Consent Agenda

*All items under this heading are considered to be routine and may be enacted by one motion unless the Mayor or a Councilmember request that an item be removed for separate discussion. Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.*

- a. MN-24-011 Consider Minutes of Regular City Council Meeting of July 9, 2024

Motion made to approve Consent Agenda

Motion made by Clune, Seconded by Snyder.

Voting Yea: Allyn, Stryker, Bishop

Passed

## 7. Resolutions

- a. RS-24-016 Discuss and consider a Resolution to adopt Credit Card Processing Fee with Card Connect

Motion made to adopt RS-24-016 Credit Card Processing Fee with Card Connect

Motion made by Bishop, Seconded by Snyder.

Voting Yea: Allyn, Clune, Stryker

Passed

- b. RS-24-017 A. Receive Fiscal Year 2025 Proposed Annual Budget and Overview Provided by the City Manager

B. Set the Date of August 26, 2024, to hold a Public Hearing on the Fiscal Year 2025 Annual Budget

Motion made to approve RS-24-017 for council to receive Fiscal Year 2025 Proposed Annual Budget and Overview Provided by the City Manager

Motion made by Allyn, Seconded by Snyder.  
Voting Yea: Clune, Stryker, Bishop

Passed

Date set to have Workshop on August 26, 2024, at 5:00 PM and hold a Public Hearing on the Fiscal Year 2025 Annual Budget on August 26, 2024, at 6:00 PM

c. RS-24-018 Discuss and consider a Resolution to adopt Roadway Improvement Plan

Motion made to adopt RS-24-018 Roadway Improvement Plan

Motion made by Bishop, Seconded by Clune.  
Voting Yea: Allyn, Snyder, Stryker

Passed

d. RS-24-019 Discuss and consider a Resolution ratifying an Amended Exigent Circumstances Debris Management Services Contract with Ceres Environmental Services, Inc. that raised the Not to Exceed amount of \$480,000 to \$630,000

Motion made to approve RS-24-019 ratifying an Amended Exigent Circumstances Debris Management Services Contract with Ceres Environmental Services, Inc. that raised the Not to Exceed amount of \$480,000 to \$630,000

Motion made by Snyder, Seconded by Clune.  
Voting Yea: Allyn, Stryker, Bishop

Passed

e. RS-24-020 Discuss and consider Resolution to authorize City Manager to negotiate and enter into a contract with TX Health Benefits Pool for employee healthcare

Motion made to approve RS-24-020 authorizing City Manager to negotiate and enter into a contract with TX Health Benefits Pool for employee healthcare

Motion made by Clune, Seconded by Snyder.  
Voting Yea: Allyn, Stryker, Bishop

Passed

## Public Hearings

N/A

## 8. Ordinances

a. OR-24-005 Discuss and consider an Ordinance to adopt a tiered Water Rate Fee Schedule.

Motion made to approve OR-24-005 to adopt a tiered Water Rate Fee Schedule as edited to include the estimate of \$202,800 revenue increases

Motion made by Snyder, Seconded by Allyn.  
Voting Yea: Clune, Stryker, Bishop

Passed

- b. OR-24-006 Discuss and consider an Ordinance to adopt a Drainage Fee.

Failed due to lack of motion

## 9. Executive Session

*The City Council reserves the right to adjourn, to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.*

N/A

## 10. Discussion and possible action resulting from Executive Session.

N/A

## 11. Adjournment

*All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personal Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).*

Meeting adjourned at 8:25 PM

I certify that a copy of the 8-13-2024 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 8-9-2024 at 4:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Roxanne Stryker, Mayor Pro Tem  
City of Morgan's Point Resort

ATTEST:

Camille Bowser, City Secretary  
City of Morgan's Point Resort

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LADIES AUXILIARY: Community Center, August 15, 2024 @ 5:00PM

MPR COPS: Community Center, August 22, 2024 @ 7:00PM

TML CONFERENCE: Houston Tx, October 9-11, 2024

DRAFT



## City of Morgan's Point Resort

### Minutes

#### City Council Special Session

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Monday, August 26, 2024

6:00 PM

MPR EVENT CENTER – 60  
Morgan's Point Blvd

To View the meeting go to: [www.MorgansPointResortTX.com/YouTube](http://www.MorgansPointResortTX.com/YouTube)

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#### **1. Call to Order**

Meeting called to order by Roxanne Stryker, Mayor Pro Tem, at 6:00 PM

##### PRESENT

Dorothy Allyn  
Jimbo Snyder  
Pat Clune  
Roxanne Stryker  
Stephen Bishop

##### ABSENT

Dennis Green

#### **2. Announcement and Citizen Comments**

*This is an opportunity for members of the public to suggest the addition of topics for discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.*

N/A

#### **3. Regular Agenda Items**

- a. RS-24-021 Discuss and Consider Resolution to set preliminary tax rate

Motion made to adopt RS-24-021 for setting the preliminary 24/25 tax rate of 62.53 cents on each \$100 property evaluation within the City

Motion made by Clune, Seconded by Allyn.

Voting Yea: Snyder, Stryker, Bishop

Passed

- b. DS-24-004 Discuss and Consider setting date and time for Public Hearing for the Fiscal Year 2024/2025 Budget

Motion made to set Public Hearing date for the Fiscal Year 2024-2024 Budget to September 3, 2024, at 6:00 PM

Motion made by Allyn, Seconded by Bishop.  
Voting Yea: Snyder, Clune, Stryker

Passed

#### **4. Adjourn**

Meeting adjourned at 6:11 PM

5. I certify that a copy of the \_\_\_8-26-2024\_\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_\_\_8-23-2024\_\_\_ at 4:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Camille Bowser, City Secretary



## City of Morgan's Point Resort

### Minutes

#### City Council Special Session

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Tuesday, September 03, 2024

6:00 PM

MPR EVENT CENTER – 60  
Morgan's Point Blvd

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#### **1. Call to Order**

Meeting call to order by Dennis Green, Mayor, at 6:05 PM

PRESENT

Dorothy Allyn

Jimbo Snyder

Pat Clune

Roxanne Stryker - via Teams

Stephen Bishop

Dennis Green

#### **2. Announcement and Citizen Comments**

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N/A

#### **3. Agenda**

- a. DS-24-013** Discuss and Consider setting date and time for Public Hearing for the Fiscal Year 2024/2025 Tax Rates

Motion made to set the date and time (location TBD) for Public Hearing for the Fiscal Year 2024/2025 Tax Rates for September 10, 2024 at 6:00 PM

Motion made by Allyn, Seconded by Bishop.  
Voting Yea: Snyder, Clune, Stryker

Passed

- b. PH-24-002** Public Hearing on Proposed Budget for FY 2024/2025

Public Hearing opened at 6:08 PM

Item 3.

No citizen comments

Public Hearing closed at 6:08 PM

**4. Adjourn**

Meeting adjourned at 6:11 PM

5. I certify that a copy of the \_9-3-2024\_\_\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_8-30-2024\_ at 4:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-742-3206 for further information.

Camille Bowser, City Secretary



| MPR EDC Budget 2024-25                    | Account # | Income       | Expenses      | Budget          | Notes                    |
|---|-----------|--------------|---------------|-----------------|--------------------------|
| Check book balance @ 5.31.24              |           |              |               | \$ 125,000.00   |                          |
| Estimated Net Income June-Sept 2024       |           |              |               | \$ 15,000.00    |                          |
|   |           |              |               |                 |                          |
| <b>INCOME</b>                             | 100       |              |               |                 |                          |
| Sales Tax                                 | 101       | \$ 60,000.00 |               | \$ 60,000.00    |                          |
| Rental                                    | 102       |              |               |                 |                          |
| Interest                                  | 103       | \$ 350.00    |               | \$ 350.00       |                          |
| Other Income                              | 104       |              |               |                 |                          |
|   |           |              |               |                 |                          |
| <b>EXPENSES</b>                           |           |              |               |                 |                          |
|   |           |              |               |                 |                          |
| <b>Business Development- Phases I-VII</b> | 200       |              |               | \$ (163,500.00) |                          |
| Phase I- Collect Data                     | 201       |              |               |                 |                          |
| Phase II- Design Workshop                 | 202       |              |               |                 |                          |
| Phase III-Outreach, Market & Fundraise    | 203       |              |               |                 |                          |
| Phase IV- Infrastructure                  | 204       |              |               |                 |                          |
| Phase V- Pop Up Events                    | 205       |              |               |                 |                          |
| Phase VI- Construction                    | 206       |              |               |                 |                          |
| Phase VII- Sewer/septic solution          | 207       |              |               |                 |                          |
|   |           |              |               |                 |                          |
| <b>Operations</b>                         | 300       |              |               | \$ (6,850.00)   |                          |
| Membership Fees                           | 301       |              | \$ (650.00)   |                 | Main Street America etc. |
| CPA Comp ending Sept 30, 2024             | 301       |              | \$ (1,500.00) |                 |                          |
| CPA Tax return ending Sept 30, 2024       | 303       |              | \$ (850.00)   |                 |                          |
| Professional Fees                         | 304       |              | \$ (2,650.00) |                 |                          |
| Office expenses (copies, print etc.)      | 305       |              | \$ (300.00)   |                 |                          |
| Website and Social Media                  | 306       |              | \$ (500.00)   |                 |                          |
| Misc.                                     | 307       |              | \$ (400.00)   |                 |                          |
|   |           |              |               |                 |                          |
| <b>New Projects</b>                       | 400       |              |               |                 |                          |
|   |           |              |               |                 |                          |
| <b>Working Capital Carry Forward</b>      |           |              |               | \$ (30,000.00)  |                          |
|   |           |              |               |                 |                          |
| <b>Budget Net Income</b>                  |           | \$ 60,350.00 | \$ (6,850.00) | \$ -            |                          |

## RESOLUTION NO. 24-022

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS, APPROVING THE 2024-2025 YEAR BUDGET OF THE ECONOMIC DEVOPMENT CORPORATON.

**WHEREAS**, the City desires to approved the 2024-2025 year budget of the Economic Development Corporation; and

**WHEREAS**, the proposed 2024-2025 year budget of the Economic Development Corporation is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** The 2024-2025 year budget of the Economic Development Corporation, which is attached hereto, is approved.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

## RESOLUTION NO. 24-023

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS, APPROVING THE DECISION TO CHANGE THE DATE OF THE OCTOBER 8, 2024, REGULAR SESSION MEETING.

**WHEREAS**, the City desires to approve the decision to change the date of the October 8, 2024, Regular session meeting; and

**WHEREAS**, the date set will be

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** The change of the October 8, 2024, Regular Session Council meeting, is approved.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

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DENNIS GREEN, Mayor

ATTEST;

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CAMILLE BOWSER, City Secretary

**Morgan's Point Resort Planning & Zoning Commission Meeting Report for Final Plat of Teakwood Addition**

**DATE:** 08/27/2024

**Case #:** Z-24-01

**Description:** Combining Lot 40 and Lot 41 into a new Lot. The site is located at Northwest corner of Teakwood Loop in Morgan's Point Resort.

**Introduction:** The Property owner John Choate would like to combine Lot 40 and Lot 41 into a new Lot.

**Current:** 2 separate existing lots

**Proposed:** 1 Combined lot totaling 0.6870 acres

**Analysis:** The existing Land Use is Vacant Lots, and the zoning classification is Manufactured Housing Residential (MH). The location is not in the overlay district.

**Impact Assessment:** No impact on surrounding properties.

**Public Notifications and Input:** No input from the public at the P&Z Commission meeting.

**Compliance with Zoning Requirements:** According to the current Morgans Point Resort Zoning Ordinance (Appendix B): Section 12, 12.3 Area Regulations C. Maximum Lot Coverage is N/A. Therefore, the proposed lot conforms to relevant zoning regulations, setbacks, and other development requirements and standards set for the zone.

**Recommendation(s):** By a vote of 4 to 2, the P&Z recommended approval of this request to consolidate the two lots into one.



# MINOR / GENERAL AMENDING PLAT APPLICATION

Requirements – Application must be fully completed or will not be accepted

Item 6.

This application must be completed and returned to the Permit Department of the City of Morgan's Point Resort, Texas along with the following:

1. General Plan – Payment of \$350.00
2. Legal Survey
3. Signed & Original field Notes and Dedication

## Property Information:

Plat Name: TEAKWOOD ADDITION Date Submitted: May 31st 2024

Existing Lot Count: 2 Proposed Lot Count: 1 Acreage: 0.6870 ACRE

Site Address or General Location: Northwest corner of Teakwood Loop in MPR

Reason for Amendment/  
Description of Subdivision: Combining Lot 40 & Lot 41 into one new lot.

Zoning Classification: MH Existing Land Use: Vacant lots  
Location in Overlay District? No

## Owner Information /Authorization:

Property Owner: John Choate  
Address: 9306 Georgian Drive, Austin, TX 78753  
Phone: 512-294-6667 E-mail: john-choate@hotmail.com  
Developer: John Choate Owner same  
Address: same  
Phone: same E-mail: same

Engineer/Surveyor: Jarrod R. Schnell, RPLS, True North Land Surveying, LLC

Address: 4801 Cinnamon Stone Drive, Killeen, TX 76542

Phone: 440-822-5707

E-mail: surveyor6869@gmail.com

## I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The Minor Plat involves **Four or Fewer Lots** fronting onto an existing street where the creation of a new street or the extension of municipal facilities are not required **OR**

The Amended Plat does not increase the number of lots and does not require a new street or extension of municipal facilities.

John Choate Printed Name of Owner  
[Signature] Owner Signature

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public Signature

## Staff Only – Do Not Fill Out Below

Date Submitted: 5/31/24 Receipt #: \_\_\_\_\_

Received By: R. Johnson Case #: \_\_\_\_\_

City Manager Reviewed: \_\_\_\_\_



Minor Plan



General Plan



0.6870 ACRE, situated in the H. KATTENHORN survey, Abstrad 505, a subdivision within the City of Morgan's Point Resort, Bell County, Texas.

Being a REPLAT of LOT 40 and LOT 41, BLOCK 5, MORGAN'S POINT RESORT CITY, SECTION 18, an addition within Bell County, Texas, according to the plat of record in Cabinet A, Slide 251-C, Plat Records of Bell County, Texas.

JOHN CHOATE, OWNER OF THE 0.6870 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS TEAKWOOD IN ADDITION, A SUBDIVISION WITHIN THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

COUNTY OF BELL  
STATE OF TEXAS

BEFORE ME ON THIS DAY, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED JOHN CHOATE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

NOTARY PUBLIC STATE OF TEXAS

COUNTY OF BELL  
STATE OF TEXAS

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY \_\_\_\_\_  
BELL COUNTY TAX APPRAISAL DISTRICT

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE PERMITTING AUTHORITY FOR ON-SITE SEWAGE FACILITIES IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBMISSION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND BELL COUNTY'S LOCAL ORDER.

SIGNATURE: \_\_\_\_\_  
BELL COUNTY PUBLIC HEALTH DISTRICT

STATE OF TEXAS  
COUNTY OF BELL

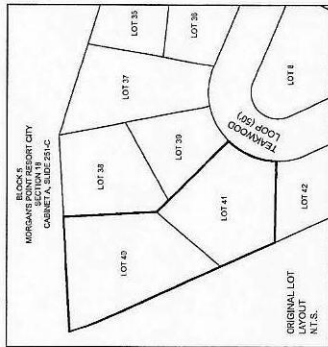
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

[illegible]

JARROD RICHARD SCHWELL, RPLS NO. 6969  
DATE OF SURVEY: MAY 25, 2024  
PLAT REVISED: MAY 29, 2024

|      |   |                    |
|------|---|--------------------|
| True | 8 | Land Surveying LLC |
|------|---|--------------------|

4801 Cinnamon Stone Dr. Killeen, TX 76542  
440-822-5707 Firm #10194671  
[www.TrueNorthSurveyingTX.com](http://www.TrueNorthSurveyingTX.com)



**LEGEND**

POB - Point of Beginning    F - Found    U - Used in retracing the boundary    BOB - Basis of Bearings    IRF - Iron Rod Found  
 5/8" IRF & U (unless otherwise noted)    Steel Spindle F & U

NOTES  
10' Elements shown herein are as detailed on the Plan of Monahan's Pool Resort City, Section 18.

CERTIFICATE OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS

I, DENNIS GREEN, MAYOR OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT MEETS THE SUBDIVISION REQUIREMENTS OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AND HAS BEEN DULY ACCEPTED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS.

DENNISGREEN, MAYOR

**CAMILLE BOWSER, CITY SECRETARY**

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

NOTES  
OWNER JOHN CHOATE  
LOTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 0.6870 ACRE

THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF HOTGAYS POINT RESORT CITY, SECTION 18, RECORDED IN CABINET 1, SLIDE 293-C; PLAT RECORDS OF BELL COUNTY, TEXAS.

THIS LOT DOES NOT APPEAR TO BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 480707007E DATED 9/26/2008. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE TRACT WILL NEVER FLOOD, NOR DOES IT GUARANTEE ANY ABILITY IN THE FUTURE ON THIS SUBJUNCTION OR COMPANY.

FILED FOR RECORD this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ Official Public Records of Real Property  
Instrument # \_\_\_\_\_

Official Public Records of Real Property, Bell County, Texas.

BEING a 0.6870 acre tract of land situated in the H. Kattenhorn Survey, Abstract No. 505, Bell County, Texas, being all of Lots 40 and 41 in Block 5, of Morgan's Point Resort City, Section 18, Bell County, Texas, according to the Plat of record in Cabinet "A", Slide 251-C of the Plat Records of Bell County, Texas, described in deed to John Choate, recorded in Document No. 2020047476 on September 4, 2020, and further described as follows:

BEGINNING at a 5/8" iron rod found at the southeast corner of said Lot 41, also being in the northwest line of Teakwood Loop (50' wide);

THENCE North 88°37'47" West, 96.47 feet along the south line of said Lot 41 to the southwest corner of said Lot 41, from which a leaning 5/8" iron rod found bears North 09° 56' 43" West, 0.16 feet;

THENCE along the west line of said Lot 41, North 24°30'00" West (basis of bearings), at 70.00 feet passing through a 5/8" iron rod found at the northwest corner of said Lot 41, also being the southerly corner of said Lot 40, continuing along the west line of said Lot 40 a total distance of 265.25 feet to a 5/8" iron rod found at the northwest corner of said Lot 40;

THENCE North 86°08'48" East, 140.03 feet along the north line of said Lot 40 to a 5/8" iron rod found at the northeast corner of said Lot 40;

THENCE South 03°40'45" East, 109.85 feet along the east line of said Lot 40 to a 5/8" iron rod found at the southeast corner of said Lot 40, also being the northerly corner of said Lot 41;

THENCE South 44°11'00" East, 120.32 feet along the northeast line of said Lot 41 to a steel spindle found at the easternmost corner of said Lot 41, also being in the northwest line of said Teakwood Loop;

THENCE 63.69 feet along the southeast line of said Lot 41 and the northwest line of said Teakwood Loop, along the arc of a curve to the left, said arc having a radius of 81.83 feet, central angle of  $44^{\circ} 35' 28''$ , a chord bearing  $22^{\circ} 55' 34''$  West, 62.09 feet to the POINT OF BEGINNING and containing 0.6870 acre of land according to a field survey by Jarrod R. Schnell, RPLS No. 6869 for True North Land Surveying, LLC (FIRM#10194671) completed May 25, 2024. References to recorded documents are those of the Official Public Records of Bell County Texas. A survey plat accompanies this description.

Item 6.

PRELIMINARY – THIS  
DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSE  
AND SHALL NOT BE USED OR  
VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT

---

Jarrod R. Schnell, RPLS No. 6869, State of Texas  
TRUE NORTH LAND SURVEYING LLC.



## RESOLUTION NO. 24-024

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS,  
APPROVING THE REPLAT FOR TEAKWOOD PROPERTY.

**WHEREAS**, the City desires to approve the replat submitted for property on Teakwood;  
and

**WHEREAS**, an application and supporting documentation has been submitted

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** Approve the replat submittal for property on Teakwood.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

**Morgan's Point Resort Planning & Zoning Commission Meeting Report for Morgans Point Resort City  
Section 20 Replat no. 1**

**DATE:** 08/27/2024

**Case #:** Z-24-02

**Description:** Consolidate 3 lots (Lot 3, 4, 5) into one integrated lot totaling 0.538 acres. The site is located at 36 Winecup Dr. Belton, Texas 76513.

**Introduction:** The property owner James C. Pratt and Dorothy Veracruz request the consolidation of 3 individual lots into 1 integrated lot.

**Current:** 3 individual lots (Lot 3, 4, 5)

**Proposed:** 1 integrated lot

**Analysis:** The Existing Land Use is Residential and Zoning Classification is Single Family Residential.

**Impact Assessment:** No potential impact on surrounding properties.

**Public Notifications and Input:** No input from the public at the P&Z Commission meeting.

**Compliance with Zoning Requirements:** According to the current Morgans Point Resort Zoning Ordinance (Appendix B): Section 10, B. Size of Building Site, the replat conforms to the zoning requirements.

**Recommendation(s):** By a vote of 4 to 2, the P&Z recommended approval of this request to consolidate the three lots into one.



# MINOR / GENERAL AMENDING PLAT APPLICATION

Item 7.

Requirements – Application must be fully completed or will not be accepted

This application must be completed and returned to the Permit Department of the City of Morgan's Point Resort, Texas along with the following:

1. General Plan – Payment of \$350.00
2. Legal Survey
3. Signed & Original field Notes and Dedication

## Property Information:

Plat Name: MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO 1, Date Submitted: 5/31/24  
Existing Lot Count: 3 Proposed Lot Count: 1 Acreage: 0.538  
Site Address or General Location: 36 WINECUP DR. BELTON TX 76513  
Reason for Amendment/  
Description of Subdivision: CONSOLIDATE 3 LOTS INTO ONE INTEGRATED LOT  
Zoning Classification: RESIDENTIAL Existing Land Use: RESIDENTIAL  
Location in Overlay District? Yes ☐ No ☐

## Owner Information /Authorization:

Property Owner: JAMES C. PRATT AND DOROTHY VERACRUZ  
Address: 36 WINECUP DR BELTON TX 76513  
Phone: 936662 0077 E-mail: claytonpratt@msn.com  
Developer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Engineer/Surveyor: Hank Maddux Starr Surveying  
Address: 3779 W. FM 436 Belton TX 76513  
Phone: 936662 0077 E-mail: starrsurveying@yahoo.com

## I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The Minor Plat involves **Four or Fewer Lots** fronting onto an existing street where the creation of a new street or the extension of municipal facilities are not required **OR**

The Amended Plat does not increase the number of lots and does not require a new street or extension of municipal facilities.

James C. Pratt

Printed Name of Owner

Owner Signature

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public Signature

## Staff Only – Do Not Fill Out Below

Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_ Case #: \_\_\_\_\_

City Manager Reviewed: \_\_\_\_\_

☐ Minor Plan  
☐ General Plan

**DEDICATION INSTRUMENT FOR**

**MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO. 1**

BEING A REPLAT OF LOTS 3,4, AND 5 OF BLOCK 4 OF  
SECTION 20, ACCORDING TO THE PLAT RECORDED IN  
CABINET B, SLIDE 253-B, PLAT RECORDS

*Item 7.*

STATE OF TEXAS       §

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF BELL       §

That we, James C. Pratt and Dorothy Veracruz, hereinafter being referred to as Grantors, being the sole owners of Lots 3, 4, and 5, Block 4, Morgan's Point Resort City Section 20 and being that certain acre tract of land described in Field Notes prepared by Henry S. Maddux III, Registered Professional Land Surveyor No. 6706, dated May 31, 2024, which Field Notes are attached hereto as Exhibit A, and made a part hereof as fully as if written verbatim, does hereby name and designate said tract as MORGAN'S POINT RESORT CITY SECTION 20 REPLAT NO. 1, a subdivision within the city limits of Morgan's Point Resort, and do hereby adopt the attached map and plat thereof and do hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

Grantors does hereby grant to Morgan's Point Resort, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, for public use forever, the easements as shown on said plat upon, over, and through the said Property for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantors do hereby give, grant, and convey to Morgan's Point Resort, Texas, and to the general public, for public use and for public purposes the streets, avenues, and roadways as shown on said plat.

Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across the roads, streets, easements, and rights of way to construct, reconstruct, remove, and maintain same.

To have and to hold said right-of-way and easements together with all and singular the rights and privileges thereto in any manner belonging unto said Grantee, and the undersigned hereby binds itself, its heirs, administrators, executors, successors and assigns, to warrant and forever defend all and singular said premises unto the said Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof.

By: \_\_\_\_\_

By: \_\_\_\_\_

James C. Pratt

Dorothy Veracruz

STATE OF TEXAS       §

COUNTY OF BELL       §

This instrument was acknowledged before me on \_\_\_\_\_ by James C. Pratt.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS       §

COUNTY OF BELL       §

This instrument was acknowledged before me on \_\_\_\_\_ by Dorothy Veracruz.

24

\_\_\_\_\_  
Notary Public, State of Texas

**MORGAN'S POINT RESORT CITY SECTION**

Item 7.

hibit A  
NO. 1

**0.538 NET ACRES**

**FIELD NOTES FOR A 0.538 ACRES**, and being situated entirely in the **E. TUTTLE SURVEY, ABSTRACT NO. 835**, Bell County, Texas, and being all of that certain Lot 3, Lot 4, and Lot 5, Morgan's Point Resort City Section 20 according to the plat recorded in Cabinet 1, Slide 252-B, Plat Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½ inch iron rod found for the southwest corner of said Lot 3, Block 4 and being the northwest corner of Lot 3 and being on the current southeasterly right-of-way line of Winecup Drive;

**THENCE** along said right-of-way line N 21°59'49" E 78.22 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod found for the northwest corner of said Lot 3 and the southwest corner of said Lot 4;

**THENCE** along said right-of-way line N 21°50'43" E 78.01 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod set for the northwest corner of said Lot 4 and the southwest corner of said Lot 5;

**THENCE** along said right-of-way line N 21°55'14" E 78.11 feet (call N 21°55'15" E 78.00') to a ½ inch iron rod found at for the northwest corner of said Lot 5 and the southwest corner of Lot 6;

**THENCE** departing said right-of-way line and along the common line between Lot 5 and Lot 6 S 68°03'40" E 100.01feet (call S 68°04'45" E 100.00') to a ½ inch iron rod found for the northeast corner of said Lot 5 and the southeast corner of Lot 6, being also the southwest corner of Lot 11, Block 4 and the northwest corner of Lot 12;

**THENCE** along the common line between Lot 5 and Lot 12 S 21°50'40" W 77.89 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 5 and the northeast corner of Lot 4, being also the southwest corner of Lot 12 and the northwest corner of Lot 13;

**THENCE** along the common line between Lot 4 and Lot 13 S 21°49'02" W 77.91 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 3 and the northeast corner of Lot 3, being also the southwest corner of Lot 14 and the northwest corner of Lot 14;

**THENCE** along the common line between Lot 3 and Lot 14 S 21°52'13" W 78.15 feet (call S 21°55'15" W 78.00') to a ½ inch iron rod found for the southeast corner of Lot 3 and the northeast corner of Lot 2, Being also the southwest corner of Lot 14 and the northwest corner of Lot 15;

**THENCE** along the common line between Lot 3 and Lot 2 N 68°16'53" W 100.32 feet (call N 68°04'45" W 100.00') to the **PLACE OF BEGINNING** and containing 0.538 acres of land.

**Notes:** Bearings basis is the northwest line of Lots 3,4 and 5, between the southwest corner of Lot 3 and the northwest corner of Lot 5 – N 21°55'15" E 234.34 feet (call 234.00').

*Henry S. Maddux III*

Henry S. Maddux III RPLS 6706  
Starr Technical Services DBA Starr Surveying  
Texas Licensed Surveying Firm No. 10193754  
3779 FM 436 East Belton Texas 76513

5/31/2024  
Date







## RESOLUTION NO. 24-025

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS,  
APPROVING THE REPLAT FOR WINECUP PROPERTY.

**WHEREAS**, the City desires to approve the replat submitted for property on Winecup;  
and

**WHEREAS**, an application and supporting documentation has been submitted

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** Approve the replat submittal for property on Winecup.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

**Morgan's Point Resort Planning & Zoning Commission Meeting Report for Final Plat of Dogwood Addition**

**DATE:** 08/27/2024

**Case #:** Z-24-03

**Description:** Combining lot 15 and 16, Block 2, into 1 integrated lot.

**Introduction:** Property owner John Choate is requesting to combine lot 15 and 16, Block 2, into 1 integrated lot totaling 0.2738 acres. The site is located at 1 & 3 Dogwood Court, Morgan's Point Resort, Texas 76513.

**Current:** 2 individual lots

**Proposed:** 1 integrated lot

**Analysis:** The zoning classification for the property is Single Family Residential and the Existing Land Use is Vacant lots. The location is not located in the Overlay District.

**Impact Assessment:** No potential impact on surrounding properties.

**Public Notifications and Input:** No input from the public at the P&Z Commission meeting.

**Compliance with Zoning Requirements:** According to the current Morgans Point Resort Zoning Ordinance (Appendix B): Section 10, B. Size of Building Site, the replat conforms to the zoning requirements.

**Recommendation(s):** By a vote of 4 to 2, the P&Z recommended approval of this request to consolidate the two lots into one.



STATE OF TEXAS  
COUNTY OF BELL

BEING a 0.2738 acre tract of land situated in the H. Kattenhorn Survey, Abstract No. 505, Bell County, Texas, being all of Lots 15 and 16 in Block 2, of Morgan's Point Resort City, Section 16, Bell County, Texas, according to the Plat of record in Cabinet A, Slide 249-A of the Plat Records of Bell County, Texas, said Lots being described in deeds to John Choate, recorded in Document No. 2020029574 on June 19, 2020, and in Document No. 2020029715, recorded on June 19, 2020, and further described as follows:

BEGINNING at a 5/8" iron rod set with cap inscribed "JARROD SCHNELL RPLS#6869" at the southeast corner of said Lot 16, also being in the northwest line of Great West Loop (60 feet wide), and in the northeast line of the "Easement Green" as shown on said Plat;

Thence North 67°24'48" West (basis of bearings), along the southwest line of said Lot 16 and the northeast line of said Easement Green, at 70.00 feet passing through a 1/2" iron rod found at the southwest corner of said Lot 16 and the southeast corner of said Lot 15, a total distance of 80.00 feet to a steel spindle with washer stamped "6869" at a southerly corner of said Lot 15;

Thence 46.19 feet along the arc of a curve to the left, along the southwest line of said Lot 15 and the northeast line of said Easement Green, said arc having a radius of 264.48 feet, central angle 10° 00' 22", and chord bearing North 72°32'02" West, 46.13 feet to a 5/8" iron rod found at the southwest corner of said Lot 15;

Thence North 12°42'33" East, 90.00 feet along the west line of said Lot 15 to the northwest corner thereof in the southerly line of Dogwood Court (50 feet wide), from which a steel bolt found bears North 12° 42' 33" East, 0.88 feet and a 5/8" iron rod found, 0.5' high, bears North 29° 23' 50" East, 0.43 feet;

Thence 61.70 feet along the arc of a curve to the right, along the northerly line of said Lot 15 and the southerly line of said Dogwood Court, said arc having a radius of 354.48 feet, central angle 9° 58' 21", and chord bearing

South  $72^{\circ}27'25''$  East, 61.62 feet to a northerly corner of said Lot 15, from which a  $5/8''$  iron rod found bears North  $79^{\circ}38'29''$  East, 0.24 feet;

Thence South  $67^{\circ}24'48''$  East, along the northerly line of said Lot 15 and the southerly line of said Dogwood Court, at 10.00 feet passing through a  $5/8''$  iron rod found at the northeast corner of said Lot 15, also being the northwest corner of said Lot 16, and continuing along the northerly line of said Lot 16 a total distance of 70.00 feet to a  $5/8''$  iron rod set with cap inscribed "JARROD SCHNELL RPLS#6869" at a northerly corner of said Lot 16;

Thence 15.61 feet along the arc of a curve to the right, along the northeast line of said Lot 16, said arc having a radius of 10.00 feet, central angle  $89^{\circ}25'01''$ , and chord bearing South  $23^{\circ}09'49''$  East, 14.07 feet to a  $5/8''$  iron rod found at a northeasterly corner of said Lot 16 in the northwest line of said Great West Loop;

Thence South  $22^{\circ}38'31''$  West, 80.15 feet along the southeast line of said Lot 16 and the northwest line of said Great West Loop to the POINT OF BEGINNING and containing 0.2738 acre of land according to a field survey by Jarrod R. Schnell, RPLS No. 6869 for True North Land Surveying, LLC (FIRM#10194671) completed May 18, 2024. References to recorded documents are those of the Official Public Records of Bell County Texas. A survey plat accompanies this description.

PRELIMINARY – THIS  
DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSE  
AND SHALL NOT BE USED OR  
VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT

---

Jarrod R. Schnell, RPLS No. 6869, State of Texas

TRUE NORTH LAND SURVEYING LLC.

FINAL PLAT of  
DOGWOOD ADDITION

0.2738 ACRE, situated in the H. KATTENHORN survey, Abstract 505, a subdivision within the City of Morgan's Point Resort, Bell County, Texas.

Being a REPLAT of LOT 15 and LOT 16, BLOCK 2, MORGAN'S POINT RESORT CITY, SECTION 16, an addition within Bell County, Texas, according to the plat of record in Cabinet A, Slide 249-A, Plat Records of Bell County, Texas.

COUNTY OF BELL  
STATE OF TEXAS

JOHN CHOATE, OWNER OF THE 0.2738 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS DOGWOOD ADDITION, A SUBDIVISION WITHIN THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

JOHN CHOATE

COUNTY OF BELL  
STATE OF TEXAS

BEFORE ME ON THIS DAY, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED JOHN CHOATE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

COUNTY OF BELL  
STATE OF TEXAS

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

BY:  
BELL COUNTY TAX APPRAISAL DISTRICT

BELL COUNTY  
PUBLIC HEALTH DISTRICT CERTIFICATE

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE PERMITTING AUTHORITY FOR ON-SITE SEWAGE FACILITIES IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND BELL COUNTY'S LOCAL ORDER

SIGNATURE:  
BELL COUNTY PUBLIC HEALTH DISTRICT

STATE OF TEXAS  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

**PRELIMINARY**  
"Preliminary: this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document."

JARROD RICHARD SCHNELL, RPLS NO. 6869  
DATE OF SURVEY: MAY 18, 2024  
PLAT REVISED: June 1, 2024

True North Land Surveying LLC  
4801 Cinnamon Stone Dr. Killeen, TX 76542  
440-822-5707 Firm #10194671  
www.TrueNorthSurveyingTX.com

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Instrument # \_\_\_\_\_, Official Public Records of Real Property, Bell County, Texas.

LEGEND

POB - Point of Beginning F - Found U - Used in retracing the boundary BOB - Basis of Bearings  
IRF - Iron Rod Found BL - Building Line (shown per plat)  
⊙ Survey monument found as noted ⚙ Steel Spindle set (with washer stamped "6869")  
⚓ 5/8" Iron Rod Set ("IRS") with cap inscribed "JARROD SCHNELL RPLS #6869"

CERTIFICATE OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS:

I, DENNIS GREEN, MAYOR OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT MEETS THE SUBDIVISION REQUIREMENTS OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AND HAS BEEN DULY ACCEPTED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS.

DENNIS GREEN, MAYOR

CAMILLE BOWSER, CITY SECRETARY

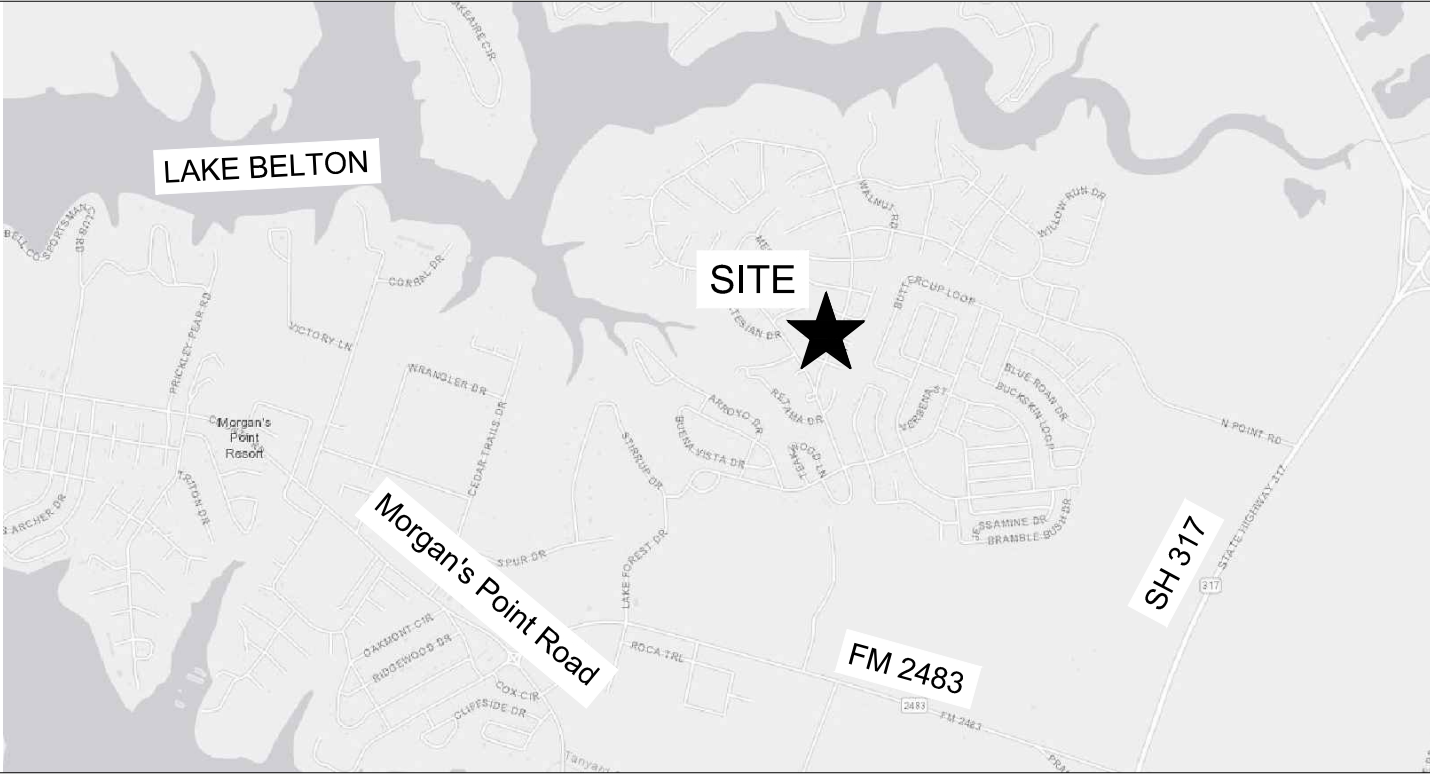
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

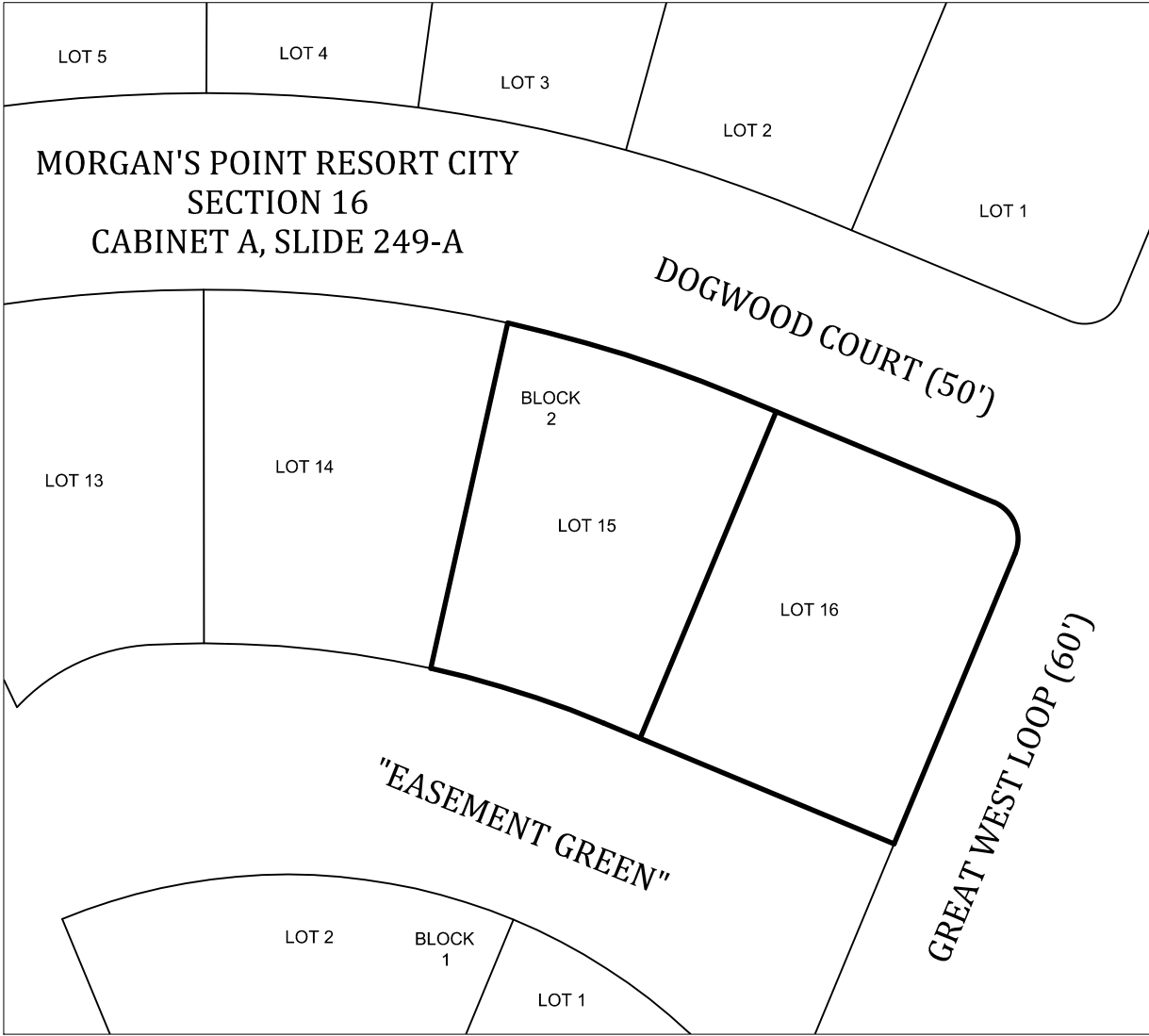
NOTES:  
OWNER: JOHN CHOATE  
LOTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 0.2738 ACRE

THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF MORGAN'S POINT RESORT CITY, SECTION 16, RECORDED IN CABINET A, SLIDE 249-A, PLAT RECORDS OF BELL COUNTY, TEXAS.

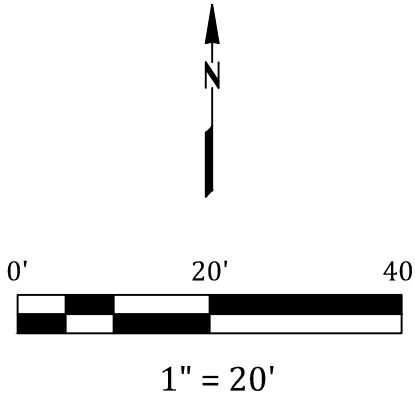
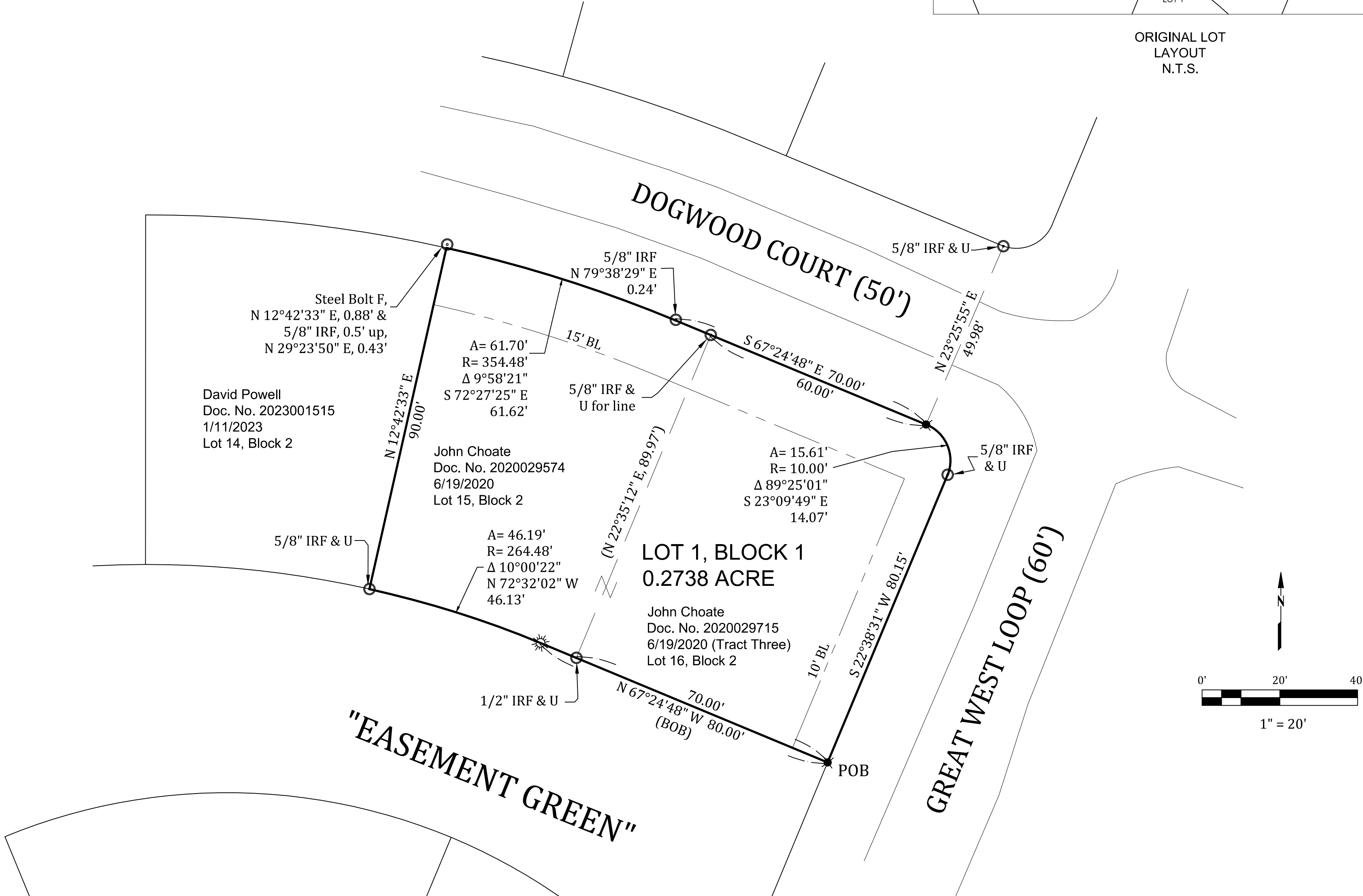
THIS LOT DOES NOT APPEAR TO BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 48027C0175E DATED 9/26/2008. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL NEVER FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.



VICINITY MAP  
N.T.S.



ORIGINAL LOT  
LAYOUT  
N.T.S.



## RESOLUTION NO. 24-026

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS,  
APPROVING THE REPLAT FOR DOGWOOD PROPERTY.

**WHEREAS**, the City desires to approve the replat submitted for property on Dogwood;  
and

**WHEREAS**, an application and supporting documentation has been submitted

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** Approve the replat submittal for property on  
Dogwood.

**Section 2. Open Meetings:** This resolution was approved by the City Council at  
a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act  
and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained  
in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any  
respect, such invalidity, illegality or unenforceability of this Resolution shall be construed  
as if such invalid, illegal or unenforceable provision has never been contained herein , but  
shall not affect the remaining provisions of this Resolution , which shall remain in full  
force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its  
adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to  
\_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point  
Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

### Section 3. Definitions.

For the purpose of these regulations, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word shall is mandatory and not directory.

**Accessory Building:** A structure located on the same building site as the main building, the use of which is incidental to that of the main building.

**Alley:** A right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

**Apartment House:** See Multiple-Family Dwelling.

**Approved Fence Materials:** materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, metal tubing, wood planks, chainlink and vinyl composite manufactured specifically as fencing materials. Fence materials must also be materials approved for exterior use that are weather and decay-resistant. The provisions of this Ordinance are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved by the Building Official, or his designee. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Ordinance in quality, strength, effectiveness, fire resistance, durability, and safety.

**Arbor (Trellis):** An open shelter typically constructed of latticework or exposed boards that often provide partial shade or support for climbing plants.

**Automobile:** See Vehicle.

**Building:** Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or belongings. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

**Building Height:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or a deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

**Building Line:** A line parallel, or approximately parallel, to any front lot line at a specific distance therefrom, marking the minimum distance from the front lot or side lot line that a building may be erected.

**Building Site:** One or more adjacent lots, not separated by a public easement, upon which one dwelling and a maximum of two (2) accessory buildings, properly permitted by the City Building Official, are constructed or placed. Once an accessory building is placed on an adjacent lot(s), such lot(s) is(are) thereafter a part of the original building site and may not be sold separately, except when the accessory building has been removed from the lot(s) other than the lot containing the main building.

**Carport:** Is defined as a detached structured that is open on all sides designed or used to shelter vehicles.

**Certificate of Occupancy:** An official certificate issued by the City through the Building Official which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued; may be referred to as an Occupancy Permit.

**Church/Place of Worship:** A building for regular assembly for religious worship which is used primarily and designed for such purpose and those accessory activities which are customarily associated therewith, and the place of residence for religious officiant on the premises (tax exempt as defined by State law). For the purposes of this ordinance, religious study and other similar activities which occur in a person's primary residence shall not apply to this definition.

**City:** The Corporation legally recognized by the State of Texas as the City of Morgan's Point Resort.

**City Building Official:** City Manager of the City of Morgan's Point Resort, Texas or appointed designee. The City Building Official shall perform all the duties necessary for the processing of permit applications. The City Building Official has the duty to receive, review, approve, modify or reject all applications for the issuance by the City of building permits. No building permit shall be issued without the written approval of the Building Official. The Building Official may recommend variances on setback lines and, side and rear lot lines. The City Building Official may also perform the duties of City Building Inspector.

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**Community Center:** A building or complex of buildings that house cultural, recreational, athletic, or entertainment facilities owned and/or operated by a governmental agency or private nonprofit agency.

**Community Home:** A dwelling occupied by not more than two (2) persons per bedroom, to include persons with disabilities and their caregivers, but not to exceed a maximum of six (6) persons with disabilities and two (2) supervisors. A community home shall comply with all applicable Sections of this ordinance and the Community Homes for Disabled Persons Location Act, V.T.C.A., Human Resources Code ch. 123, as they exist now or as they may be amended.

**Comprehensive Plan:** Graphic and textual form policies which govern the future development of the City and which consists of various components governing specific geographic areas and functions and services of the City.

**Construction Trailer:** A box car, storage container, or mobile trailer used at a construction site where a residential or commercial building is being undertaken and utilized for temporary storage, nonresidential occupancy, or warehousing purposes.

**Coverage:** The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

**District:** Any Section or Sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

**Dwelling:** Any building or portion thereof, which is designed or used as living quarters for one or more families, but not including mobile homes.

**Dwelling, Multiple-Family:** Attached dwelling units designed to be occupied by two or more families living independently of one another, exclusive of hotels or motels.

**Dwelling, Single-Family:** A detached dwelling designed to be occupied by not more than one family.

**Easement:** A right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, and may be dedicated by plat or implied by right. It is either for the benefit of appurtenant land such as for the right to cross, or egress, such as a public utility easement, or in specific, such as an exclusive utility easement. An easement may or may not have descriptive metes and bounds.

**Family:** One or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.



**Fence:** An artificially constructed barrier enclosing, separating, or screening areas of land, serving as a boundary, a means of protection, a buffer, a decorative element, a means of visually modifying the view, and/or for confinement. Except where otherwise required in this Code, regulations governing the height, location, and opacity of fences also applies to walls, hedges or landscaping used in lieu of a fence or in combination with a fence. A fence is any part of a fence including the base, footings, supporting columns, post, braces, structural members, or any other of its appendages.

**Fence Contracting:** Engaging in the business of erecting, maintaining, constructing, or reconstructing fences for which a permit is required.

**Fence Contractor:** A person who, for remuneration, erects, maintains, constructs, or reconstructs a fence on the premises of another. It does not mean the owner who owns or leases the premises on which the fence is located.

**Fence, Dilapidated:** a fence which is decayed, deteriorated, or has fallen into partial ruin.

**Garage, Parking:** Any building, or portion thereof, used for the storage of four (4) or more automobiles in which any servicing provided is incidental to the primary storage use, and where repair facilities are not provided.

**Garage Sale:** As used in this Chapter, "garage sale" shall mean the sale or trade, or offering for sale or trade, of unwanted or surplus goods, wares, merchandise or personal property of a household nature to the general public held (i) on the premises of a private single-family or multiple-family residence by the owner, owners, tenants or occupants thereof, or (ii) on the legally established premises of a charitable or religious organization, as described in paragraphs (3), (10) and (19) of Section 501(c) of Title 26 of the Internal Revenue Code, by the charitable or religious organization. The term "garage sale" shall include, but not be limited to, any patio sales, rummage sales, yard sales, lawn sales, moving sales, estate sales, or other sales similarly conducted at or upon any property zoned for or occupied by a residential use or on the legally established premises of a charitable or religious organization.

**Home Occupation:** An occupation or activity carried on by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes. The occupation or activity must be conducted entirely within the dwelling or within a detached garage or accessory building. There shall be no repair, trading, selling or delivery of tangible products to customers on the premises. The home occupation or activity may not create increased traffic, obnoxious noise, odors, dust, smoke, fumes, vibrations or electrical interference. The operation of a business such as a beauty or barbershop, tearoom, restaurant, rest home, clinic, child care facility or bed and breakfast facility in this City shall not be deemed a home occupation.

**Improved Surface:** An all-weather surface such as asphalt, concrete, rock, stones, or other similar permanent hard surface material sufficient to prevent mud, dust and loose material from creating a hazardous condition on the roadway.

**Kennels:** An establishment with pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold for commercial purposes.

**Landscaping:** Material such as, but not limited to, grass, groundcovers, shrubs, vines, hedges, trees or palms, and nonliving durable material, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

**Loading Space:** An off-street space or berth used for the delivery and loading or unloading of vehicles.

**Lot:** Any plot of land occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory building and uses, including such open spaces as are required by the Ordinance, and other laws or ordinances, and having its principal frontage on a public street or officially approved place.

**Lot, Combination:** A combination of two or more platted lots that are legally conjoined to form a single parcel.

**Lot, Corner:** A lot which has at least two (2) adjacent sides abutting for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135°).

**Lot, Depth:** The mean horizontal distance between the front and rear lot lines.

**Lot, Frontage:** That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

**Lot, Interior:** A lot other than a corner lot.

**Lot, Irregular:** A single lot or parcel that is not rectangular or square in shape.

**Lot, Key:** A corner lot that is so designed that the lots located directly behind it face the side street of the corner lot and are not separated by an alley.

**Lot Line, Rear:** The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

**Lot Line, Side:** Any lot line not the front or rear lot line.

**Lot Lines or Property Lines:** The lines bounding a lot as defined herein.

**Lot Width:** The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

**Main Building:** The building or buildings on a lot which are occupied by the primary use.

**Manufactured Home:** A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more Sections, which in traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Masonry Construction:** Exterior construction materials including brick, stone, stucco, granite, marble, concrete and other built-up/tilt panels.

**Mobile Home:** A structure that was constructed before June 15, 1976, transportable in one or more Sections, which in the traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Motor Vehicle:** See Vehicle.

**Municipally Owned Facilities and Uses:** Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City of Morgan's Point Resort, Texas.

**Nonconforming Use:** A building, structure, or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated.

**Occupancy:** The use or intended use of the land or buildings by proprietors or tenants.

**Office, Professional and General Administrative:** A room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.



**Opacity:** The degree of openness which light or view is blocked measured perpendicular to the fence for each fence section between supports.

**Open Storage (Also Outside Storage):** The keeping, displaying, or storing, outside a building, of any new or used goods, material, merchandise, or equipment on a lot or tract for more than twenty-four (24) hours.

**Parcel:** A single lot or group of lots identified by a unique Property ID assigned by the Bell County Appraisal District.

**Parking Lot:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of operational vehicles and unique vehicles.

**Planning & Zoning Commission:** A board, appointed by the City Council as an advisory body, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "P&Z". Further described in Section 23. **Plat:** A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Morgan's Point Resort and subject to approval by the Planning & Zoning Commission and City Council and filed in the plat records of Bell County.

**Plot:** A single unit or parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.

**Premises:** Land together with any buildings or structures situated thereon.

**Public or Municipal Building or Facility:** Any building (except a building used primarily for general office purposes) which is owned, leased, primarily used and/or primarily occupied by the State of Texas, the United States, the City of Morgan's Point Resort, or any subdivision or agency of the State of Texas, the United States or the City of Morgan's Point Resort, or by any public or quasi-public utility.

**Public Right-of-Way (ROW):** A strip of land which is used as a roadbed for street, alley or a highway and is intended for use by the public at large, or land set aside as an easement or in fee, either by purchase, agreement or condemnation. Generally, describes an area used for the provision of streets and utilities. Unless otherwise specified, the term right-of-way shall refer to a public right-of-way.

**Pumphouse:** A structure housing pumps for irrigation purposes with a base not larger than sixteen (16) square feet and a height not greater than four (4) feet.

**Recreational Vehicle (RV):** A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self propelled (motorized).

**Recreational Vehicle (RV) Park:** An area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

**Repair:** A repair to a fence shall be defined as maintenance to a fence where replacement of materials does not exceed fifty (50%) percent of the fence and does not change the scope, location or dimensions of the fence. Repairs shall be made using the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made.

**Residence:** See Dwelling

**Residential District:** District where the primary purpose is residential use.

**Restaurant (Drive-In Type):** An eating establishment where primarily food or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in vehicles on or near the restaurant premises.

**Restaurant or Cafeteria:** An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-through window.

**Retail or Service (Incidental):** The rendering of retailing or services secondary to the primary use. In the Office District, such uses include a barber or beauty shop, smoke shop, candy counter, restaurant, pharmacy or other activity secondary to the primary office occupancy.

**Retail Stores and Shops:** Establishments engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**Retaining Wall:** A wall not laterally supported at the top that resists lateral soil loads and other imposed loads.

**Room:** A building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

**Screening:** A method of visually modifying the view of a structure, building, feature or use by methods such as fencing, walls, berms, densely planted vegetation or a combination of these methods.

**Screening Wall:** A wall or architectural extension that may be part of the structure or a stand alone feature that screens from view the interior of a property so that visibility through the wall shall be prevented from the exterior side of the wall or architectural extension.

**Setback:** The distance from the property line or the right-of-way line to the nearest structure.

**Shopping Center:** A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

**Short Term Rental:** A residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partly for a fee for a period not longer than 30 consecutive days.

**Sign:** Any device (including searchlights), flag, light, figure, letter, word, message, symbol, plaque, or poster visible from outside the premises on which it is located and designed to inform or attract the attention of persons not on that premises.

**Site-Built:** A building that is built on the building site for which a building permit was issued and which does not include any pre-assembled, pre-plumbed or pre-wired rooms constructed away from the site.

**Story:** That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables, and other normal roof structures.

**Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds ( $\frac{2}{3}$ ) of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

**Street:** Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is seventy (70) feet or greater.

**Street, Intersection:** Any street which joins another street at an angle, whether or not it crosses the other.

**Structural Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.

**Structure:** Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of Building).

**Trailer:** Every vehicle designated or used to carry its load wholly or partially on its own structure and to be drawn by a motor vehicle, except devices used exclusively upon stationary rails or tracks.

**Trailer or Mobile Home Space:** A plot of ground within a mobile/trailer home park or mobile home subdivision designed for the accommodation of one mobile home.

**Unique Vehicles:** Alternative vehicles as defined by the Texas Department of Motor Vehicles (TxDMV) including off-highway vehicles, golf carts, and neighborhood electric vehicles (NEVs).

**Variance:** An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

**Vehicle:** A device that can be used to transport or draw persons or property on a highway. The term does not include a device used exclusively on stationary rails or tracks or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act.

**Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

**Yard, Front:** A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

**Yard, Rear:** The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

**Yard, Side:** The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

**Zoning District Map:** The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

(Ord. No. 2014-01, 1-14-14; Ord. No. 2014-16, 12-9-14; Ord. No. 2019-10, § 1, 8-20-19; Ord. No. 2020-11, 10-13-20; Ord. No. 2021.08 , § 1(Exh. A), 12-14-21)

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**Easement:** A right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, and may be dedicated by plat or implied by right. It is either for the benefit of appurtenant land such as for the right to cross, or egress, such as a public utility easement, or in specific, such as an exclusive utility easement. An easement may or may not have descriptive metes and bounds.

**Family:** One or more persons related by blood, marriage, or adoption, or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit and living as a single housekeeping unit.

**Fence:** An artificially constructed barrier enclosing, separating, or screening areas of land, serving as a boundary, a means of protection, a buffer, a decorative element, a means of visually modifying the view, and/or for confinement. Except where otherwise required in this Code, regulations governing the height, location, and opacity of fences also applies to walls, hedges or landscaping used in lieu of a fence or in combination with a fence. A fence is any part of a fence including the base, footings, supporting columns, post, braces, structural members, or any other of its appendages.

**Fence Contracting:** Engaging in the business of erecting, maintaining, constructing, or reconstructing fences for which a permit is required.

**Fence Contractor:** A person who, for remuneration, erects, maintains, constructs, or reconstructs a fence on the premises of another. It does not mean the owner who owns or leases the premises on which the fence is located.

**Fence, Dilapidated:** a fence which is decayed, deteriorated, or has fallen into partial ruin.

**Garage, Parking:** Any building, or portion thereof, used for the storage of four (4) or more automobiles in which any servicing provided is incidental to the primary storage use, and where repair facilities are not provided.

**Garage Sale:** As used in this Chapter, "garage sale" shall mean the sale or trade, or offering for sale or trade, of unwanted or surplus goods, wares, merchandise or personal property of a household nature to the general public held (i) on the premises of a private single-family or multiple-family residence by the owner, owners, tenants or occupants thereof, or (ii) on the legally established premises of a charitable or religious organization, as described in paragraphs (3), (10) and (19) of Section 501(c) of Title 26 of the Internal Revenue Code, by the charitable or religious organization. The term "garage sale" shall include, but not be limited to, any patio sales, rummage sales, yard sales, lawn sales, moving sales, estate sales, or other sales similarly conducted at or upon any property zoned for or occupied by a residential use or on the legally established premises of a charitable or religious organization.

**Home Occupation:** An occupation or activity carried on by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes. The occupation or activity must be conducted entirely within the dwelling or within a detached garage or accessory building. There shall be no repair, trading, selling or delivery of tangible products to customers on the premises. The home occupation or activity may not create increased traffic, obnoxious noise, odors, dust, smoke, fumes, vibrations or electrical interference. The operation of a business such as a beauty or barbershop, tearoom, restaurant, rest home, clinic, child care facility or bed and breakfast facility in this City shall not be deemed a home occupation.

**Improved Surface:** An all-weather surface such as asphalt, concrete, rock, stones, or other similar permanent hard surface material sufficient to prevent mud, dust and loose material from creating a hazardous condition on the roadway.

**Kennels:** An establishment with pens in which more than four (4) dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold for commercial purposes.

**Landscaping:** Material such as, but not limited to, grass, groundcovers, shrubs, vines, hedges, trees or palms, and nonliving durable material, such as, but not limited to, rocks, pebbles, sand, walls or fences, but excluding paving.

**Loading Space:** An off-street space or berth used for the delivery and loading or unloading of vehicles.

**Lot:** Any plot of land occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory building and uses, including such open spaces as are required by the Ordinance, and other laws or ordinances, and having its principal frontage on a public street or officially approved place.

**Lot, Combination:** A combination of two or more platted lots that are legally conjoined to form a single parcel.

**Lot, Corner:** A lot which has at least two (2) adjacent sides abutting for their full lengths on a street, provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five degrees (135°).

**Lot, Depth:** The mean horizontal distance between the front and rear lot lines.

**Lot, Frontage:** That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

**Lot, Interior:** A lot other than a corner lot.

**Lot, Irregular:** A single lot or parcel that is not rectangular or square in shape.

**Lot, Key:** A corner lot that is so designed that the lots located directly behind it face the side street of the corner lot and are not separated by an alley.

**Lot Line, Rear:** The lot line farthest from and most parallel to the front lot line. For triangular lots, the point opposite the front lot line shall be considered the rear lot line and have a value of zero.

**Lot Line, Side:** Any lot line not the front or rear lot line.

**Lot Lines or Property Lines:** The lines bounding a lot as defined herein.

**Lot Width:** The horizontal distance measured between side lot lines parallel to the front lot line, and measured from the point on the building line which is closest to the front lot line.

**Main Building:** The building or buildings on a lot which are occupied by the primary use.

**Manufactured Home:** A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development (HUD), transportable in one or more Sections, which in traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Masonry Construction:** Exterior construction materials including brick, stone, stucco, granite, marble, concrete and other built-up/tilt panels.

**Mobile Home:** A structure that was constructed before June 15, 1976, transportable in one or more Sections, which in the traveling mode is eight body feet or more in width and forty or more body feet in length, or when erected on site is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**Motor Vehicle:** See Vehicle.

**Municipally Owned Facilities and Uses:** Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City of Morgan's Point Resort, Texas.

**Nonconforming Use:** A building, structure, or use of land lawfully occupied at the time of the effective date of this ordinance or amendments thereto, but which does not conform to the use regulations of the district in which it is situated.

**Occupancy:** The use or intended use of the land or buildings by proprietors or tenants.

**Office, Professional and General Administrative:** A room or group of rooms used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations and associations, but excluding medical offices.

**Opacity:** The degree of openness which light or view is blocked measured perpendicular to the fence for each fence section between supports.

**Open Storage (Also Outside Storage):** The keeping, displaying, or storing, outside a building, of any new or used goods, material, merchandise, or equipment on a lot or tract for more than twenty-four (24) hours.

**Parcel:** A single lot or group of lots identified by a unique Property ID assigned by the Bell County Appraisal District.

**Parking Lot:** An off-street, ground level area, usually surfaced and improved, for the temporary storage of operational vehicles and unique vehicles.

**Planning & Zoning Commission:** A board, appointed by the City Council as an advisory body, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "P&Z". Further described in Section 23. **Plat:** A plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Morgan's Point Resort and subject to approval by the Planning & Zoning Commission and City Council and filed in the plat records of Bell County.

**Plot:** A single unit or parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.

**Premises:** Land together with any buildings or structures situated thereon.

**Public or Municipal Building or Facility:** Any building (except a building used primarily for general office purposes) which is owned, leased, primarily used and/or primarily occupied by the State of Texas, the United States, the City of Morgan's Point Resort, or any subdivision or agency of the State of Texas, the United States or the City of Morgan's Point Resort, or by any public or quasi-public utility.

**Public Right-of-Way (ROW):** A strip of land which is used as a roadbed for street, alley or a highway and is intended for use by the public at large, or land set aside as an easement or in fee, either by purchase, agreement or condemnation. Generally, describes an area used for the provision of streets and utilities. Unless otherwise specified, the term right-of-way shall refer to a public right-of-way.

**Pumphouse:** A structure housing pumps for irrigation purposes with a base not larger than sixteen (16) square feet and a height not greater than four (4) feet.

**Recreational Vehicle (RV):** A portable or mobile living unit used for temporary human occupancy away from the place of permanent residence of the occupants and self propelled (motorized).

**Recreational Vehicle (RV) Park:** An area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent, or lease on a temporary basis.

**Repair:** A repair to a fence shall be defined as maintenance to a fence where replacement of materials does not exceed fifty (50%) percent of the fence and does not change the scope, location or dimensions of the fence. Repairs shall be made using the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made.

**Residence:** See Dwelling

**Residential District:** District where the primary purpose is residential use.

**Restaurant (Drive-In Type):** An eating establishment where primarily food or drink is served to customers in motor vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in vehicles on or near the restaurant premises.

**Restaurant or Cafeteria:** An eating establishment where customers are primarily served at tables or self-served and food is consumed on the premises, which may include a drive-through window.



**Retail or Service (Incidental):** The rendering of retailing or services secondary to the primary use. In the Office District, such uses include a barber or beauty shop, smoke shop, candy counter, restaurant, pharmacy or other activity secondary to the primary office occupancy.

**Retail Stores and Shops:** Establishments engaged in the selling of goods and merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

**Retaining Wall:** A wall not laterally supported at the top that resists lateral soil loads and other imposed loads.

**Room:** A building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters but not including toilet or cooking facilities.

**Screening:** A method of visually modifying the view of a structure, building, feature or use by methods such as fencing, walls, berms, densely planted vegetation or a combination of these methods.

**Screening Wall:** A wall or architectural extension that may be part of the structure or a stand alone feature that screens from view the interior of a property so that visibility through the wall shall be prevented from the exterior side of the wall or architectural extension.

**Setback:** The distance from the property line or the right-of-way line to the nearest structure.

**Shopping Center:** A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

**Short Term Rental:** A residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partly for a fee for a period not longer than 30 consecutive days.

**Sign:** Any device (including searchlights), flag, light, figure, letter, word, message, symbol, plaque, or poster visible from outside the premises on which it is located and designed to inform or attract the attention of persons not on that premises.

**Site-Built:** A building that is built on the building site for which a building permit was issued and which does not include any pre-assembled, pre-plumbed or pre-wired rooms constructed away from the site.

**Story:** That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it. The average height for a story shall be defined as twelve feet (12'). The definition of a story does not include parapets, gables, and other normal roof structures.

**Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet (3') above the top floor level, and in which space not more than two-thirds ( $\frac{2}{3}$ ) of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

**Street:** Any dedicated public thoroughfare which affords the principal means of access to abutting property. A street is termed a major thoroughfare or arterial when the right-of-way is seventy (70) feet or greater.

**Street, Intersection:** Any street which joins another street at an angle, whether or not it crosses the other.

**Structural Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.

**Structure:** Anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground (also see definition of Building).

**Trailer:** Every vehicle designated or used to carry its load wholly or partially on its own structure and to be drawn by a motor vehicle, except devices used exclusively upon stationary rails or tracks.

**Trailer or Mobile Home Space:** A plot of ground within a mobile/trailer home park or mobile home subdivision designed for the accommodation of one mobile home.

**Unique Vehicles:** Alternative vehicles as defined by the Texas Department of Motor Vehicles (TxDMV) including off-highway vehicles, golf carts, and neighborhood electric vehicles (NEVs).

**Variance:** An adjustment in the application of the specific regulations of the Zoning Ordinance to a particular parcel of property which, because of special conditions or circumstances of hardship peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

**Vehicle:** A device that can be used to transport or draw persons or property on a highway. The term does not include a device used exclusively on stationary rails or tracks or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act.

**Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this Ordinance that the building or structure may be located in a portion of a yard required for a main building. In measuring a yard for the purpose of determining the width of the side yard, the depth of a front yard or the depth of a rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

**Yard, Front:** A yard located in front of the front elevation of a building and extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of the main building.

**Yard, Rear:** The area extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of the main building. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

**Yard, Side:** The area between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of the main building.

**Zoning District Map:** The official map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance.

(Ord. No. 2014-01, 1-14-14; Ord. No. 2014-16, 12-9-14; Ord. No. 2019-10, § 1, 8-20-19; Ord. No. 2020-11, 10-13-20; Ord. No. 2021.08 , § 1(Exh. A), 12-14-21)

## RESOLUTION NO. 24-027

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS, APPROVING THE CITY ORDINANCE DEFINITIONS UPDATED BY PLANNING AND ZONING.

**WHEREAS**, the City desires to approve the city ordinance definitions updated by Planning and Zoning;

**WHEREAS**, to clarify definitions published in the City Ordinances

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** Approve the updated city ordinance definitions.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

## ARTICLE 2.03. ANIMALS OTHER THAN HOUSEHOLD PETS

### Sec. 2.03.001. Regulations to owning livestock and fowl.

- (a) It shall be unlawful for any person to introduce, keep, or maintain any guinea fowl, horses, mules, donkeys, cattle, goats, sheep, chickens, turkeys, geese, ducks, or pigeons, bees, or the feed or feed area for such in any pen, barn, building, or structure, excluding property perimeter fences within the city limits, within 150 feet of the residence of any person other than the owner. In the event the property owner can establish that the literal application of this section to the particular circumstances of his or her property present an unreasonable burden, said property owner may request a permit by letter to the City Manager. The City Manager will review such request and may approve an exception to the 150 foot distance above; however, the minimum distance shall not be less than 50 feet. In addition, each neighbor must provide written approval if an exception is requested. Such permits shall be revocable at will upon 90 days notice or upon lesser notice if the City Manager deems such revocation to be necessary to protect the public health or safety or public property.
- (b) Beyond the aforementioned limitation of 150 feet, not more than the following number of animals shall be kept on any single residence.
  - (1) Large animal (horse, mule, donkey, llama, cow, etc.): one (1).
  - (2) Medium size animals (sheep, goat, miniature horse, etc.): two (2).
  - (3) Small animals: four (4).
  - (4) Fowl (except roosters): six (6).
- (c) A combination of animals is allowed, but in no case shall the number of animals on any single residence exceed ten animals.

(Ord. No. 14-7A, § 15, 2-15-05)

### Sec. 2.03.002. Keeping on unoccupied property; sheds and other structures; keeping for commercial purposes.

- (a) All existing unoccupied structures or structures to be built to house animals or fowl must be approved by the Building Control Board before being utilized to house the animals or fowl. No animals or fowl shall be raised, bred, or kept for commercial purposes within the City limits.
- (b) No shed, coop, barn, or other structure shall be erected, placed, or altered on any real property until construction plans of the structure and specifications and a plat map showing the location of the structure have been approved by the City Building Control Board as to the quality of workmanship and materials and harmony of external design with the existing structures within the area. No used building materials shall be used that will be exposed on the exterior or the structure unless said materials will be painted, stained, or covered with masonry.

(Ord. No. 14-7A, § 16, 2-15-05)

### **Sec. 2.03.003. Enclosure required.**

- (a) *Horses, cows and similar animals.* It shall be the duty of every person who is authorized to raise or keep any horse, mule, pony, cow, goat, or similar animal to keep said animal in a stable, shed, pen, fence, or other enclosure. Such pen, stable, shed, fence or other enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons residing in the vicinity of the enclosure. The pen or cage cannot be closer than 25 feet to the nearest property line of the lot, tract, or parcel on which said pen or cage is located.
- (b) *Fowl or small animals.* It shall be the duty of every person who is authorized to raise or keep chickens, ducks, geese, guineas, rabbits, pigeons, guinea pigs, white rats, white mice, hamsters, and other small animals and fowl to keep such in a pen, coop, or enclosure and it shall be unlawful to allow said animals to be at large. Such pen, coop, or enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons living in the vicinity of such enclosures. The pen or cage cannot be closer than 25 feet to the nearest property line of the lot, tract, or parcel on which said pen or cage is located.

(Ord. No. 14-7A, § 17, 2-15-05)

### **Sec. 2.03.004. Special provisions for 4-H and FFA projects.**

Notwithstanding the limitations of Section 2.03.002, the keeping of rabbits and fowl as a bona fide 4-H club or FFA project sponsored by the Belton or the Temple Independent School District may be authorized but strictly controlled under the following rules and limitations:

- (1) A permit must be obtained from the City by application to the City before rabbits or fowl are brought into the City.
- (2) A permit fee of \$5.00 must be paid to the City.
- (3) A statement signed by the schoolteacher who is to sponsor the project, giving the following information, must accompany the application:
  - a. The name of the student who will have the project.
  - b. The type of project, fowl or rabbit (not both).
  - c. The number of animals or fowl applicable to the project.
  - d. The date the project will be completed (each year is a separate project).
  - e. A statement that it is a bona fide project in connection with the 4-H club or FFA sponsored by the Belton or Temple School District.
- (4) Not more than 25 broiler or capon fowl shall be raised as a project. No other fowl shall be part of the project.
- (5) Not more than two adult doe rabbits shall be in a project. The doe shall not be bred more than four times per year. Not more than eight young per litter shall be raised.
- (6) Not more than one adult buck rabbit shall be in a project. He shall be kept in a separate hutch.
- (7) The cages, hutches, and other facilities used for the project shall be built, cleaned, and cared for in accordance with the Texas Agricultural Extension Service, Texas A & M University, Publication PS5.141 for fowl and SA5.010 for rabbits. The Building Inspector must approve cages or hutches.

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- (8) The permit for the project shall expire on the date stated in subsection (3)d above. Cages or hutches shall be removed from the premises not more than 30 days from the date of the completion of the project.
  - (9) Noises or odors resulting from the conduct of the projects which are offensive to neighbors and which are not corrected within five days after a written complaint by a neighbor shall be a violation of this Chapter as provided in Section 2.01.002 hereof.

(Ord. No. 14-7A, § 18, 2-15-05)

**Sec. 2.03.005. Swine prohibited.**

It shall be unlawful for any person to raise, breed, or keep any kind of swine within the City limits.

(Ord. No. 14-7A, § 19, 2-15-05)

## ARTICLE 2.03. ANIMALS OTHER THAN HOUSEHOLD PETS

### Sec. 2.03.001. Regulations to owning livestock and fowl.

- (a) It shall be unlawful for any person to introduce, keep, or maintain any guinea fowl, horses, mules, donkeys, cattle, goats, sheep, chickens, turkeys, geese, ducks, or pigeons, bees, or the feed or feed area for such in any pen, barn, building, or structure, excluding property perimeter fences within the city limits, within 150 feet of the residence of any person other than the owner. In the event the property owner can establish that the literal application of this section to the particular circumstances of his or her property present an unreasonable burden, said property owner may request a permit by letter to the City Manager. The City Manager will review such request and may approve an exception to the 150 foot distance above; however, the minimum distance shall not be less than 50 feet. In addition, each neighbor must provide written approval if an exception is requested. Such permits shall be revocable at will upon 90 days notice or upon lesser notice if the City Manager deems such revocation to be necessary to protect the public health or safety or public property.
- (b) Beyond the aforementioned limitation of 150 feet, not more than the following number of animals shall be kept on any single residence.
  - (1) Large animal (horse, mule, donkey, llama, cow, etc.): one (1).
  - (2) Medium size animals (sheep, goat, miniature horse, etc.): two (2).
  - (3) Small animals: four (4).
  - (4) Fowl (except roosters): six (6).
- (c) A combination of animals is allowed, but in no case shall the number of animals on any single residence exceed ten animals.

(Ord. No. 14-7A, § 15, 2-15-05)

### Sec. 2.03.002. Keeping on unoccupied property; sheds and other structures; keeping for commercial purposes.

- (a) All existing unoccupied structures or structures to be built to house animals or fowl must be approved by the Building Control Board before being utilized to house the animals or fowl. No animals or fowl shall be raised, bred, or kept for commercial purposes within the City limits.
- (b) No shed, coop, barn, or other structure shall be erected, placed, or altered on any real property until construction plans of the structure and specifications and a plat map showing the location of the structure have been approved by the City Building Control Board as to the quality of workmanship and materials and harmony of external design with the existing structures within the area. No used building materials shall be used that will be exposed on the exterior or the structure unless said materials will be painted, stained, or covered with masonry.

(Ord. No. 14-7A, § 16, 2-15-05)



**Sec. 2.03.003. Enclosure required.**

- (a) *Horses, cows and similar animals.* It shall be the duty of every person who is authorized to raise or keep any horse, mule, pony, cow, goat, or similar animal to keep said animal in a stable, shed, pen, fence, or other enclosure. Such pen, stable, shed, fence or other enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons residing in the vicinity of the enclosure. The pen or cage cannot be closer than 25 feet to the nearest property line of the lot, tract, or parcel on which said pen or cage is located.
- (b) *Fowl or small animals.* It shall be the duty of every person who is authorized to raise or keep chickens, ducks, geese, guineas, rabbits, pigeons, guinea pigs, white rats, white mice, hamsters, and other small animals and fowl to keep such in a pen, coop, or enclosure and it shall be unlawful to allow said animals to be at large. Such pen, coop, or enclosure must be kept in a manner not to jeopardize the health and comfort of the public or persons living in the vicinity of such enclosures. The pen or cage cannot be closer than 25 feet to the nearest property line of the lot, tract, or parcel on which said pen or cage is located.

(Ord. No. 14-7A, § 17, 2-15-05)

**Sec. 2.03.004. Special provisions for 4-H and FFA projects.**

Notwithstanding the limitations of Section 2.03.002, the keeping of rabbits and fowl as a bona fide 4-H club or FFA project sponsored by the Belton or the Temple Independent School District may be authorized but strictly controlled under the following rules and limitations:

- (1) A permit must be obtained from the City by application to the City before rabbits or fowl are brought into the City.
- (2) A permit fee of \$5.00 must be paid to the City.
- (3) A statement signed by the schoolteacher who is to sponsor the project, giving the following information, must accompany the application:
  - a. The name of the student who will have the project.
  - b. The type of project, fowl or rabbit (not both).
  - c. The number of animals or fowl applicable to the project.
  - d. The date the project will be completed (each year is a separate project).
  - e. A statement that it is a bona fide project in connection with the 4-H club or FFA sponsored by the Belton or Temple School District.
- (4) Not more than 25 broiler or capon fowl shall be raised as a project. No other fowl shall be part of the project.
- (5) Not more than two adult doe rabbits shall be in a project. The doe shall not be bred more than four times per year. Not more than eight young per litter shall be raised.
- (6) Not more than one adult buck rabbit shall be in a project. He shall be kept in a separate hutch.
- (7) The cages, hutches, and other facilities used for the project shall be built, cleaned, and cared for in accordance with the Texas Agricultural Extension Service, Texas A & M University, Publication PS5.141 for fowl and SA5.010 for rabbits. The Building Inspector must approve cages or hutches.

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- (8) The permit for the project shall expire on the date stated in subsection (3)d above. Cages or hutches shall be removed from the premises not more than 30 days from the date of the completion of the project.
  - (9) Noises or odors resulting from the conduct of the projects which are offensive to neighbors and which are not corrected within five days after a written complaint by a neighbor shall be a violation of this Chapter as provided in Section 2.01.002 hereof.

(Ord. No. 14-7A, § 18, 2-15-05)

**Sec. 2.03.005. Swine prohibited.**

It shall be unlawful for any person to raise, breed, or keep any kind of swine within the City limits.

(Ord. No. 14-7A, § 19, 2-15-05)

## RESOLUTION NO. 24-028

A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, TEXAS, APPROVING THE RESIDENTIAL CHICKEN CITY ORDINANCE UPDATED BY PLANNING AND ZONING.

**WHEREAS**, the City desires to approve the chicken city ordinance updated by Planning and Zoning;

**WHEREAS**, to clarify guidelines and requirement published in the City Ordinance pertaining to residential chickens

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:**

**Section 1. Action Approved:** Approve the updated residential chicken city ordinance.

**Section 2. Open Meetings:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**Section 3 Severability:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein , but shall not affect the remaining provisions of this Resolution , which shall remain in full force and effect.

**Section 4. Effective Date:** This Resolution is effective immediately upon its adoption.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.

**THE CITY OF MORGAN'S POINT RESORT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

**ORDINANCE NO. 24-007****ORDINANCE APPROVING 2024/2025 FISCAL BUDGET**

AN ORDINANCE APPROVING THE ANNUAL BUDGET FOR THE CITY OF MORGAN'S POINT RESORT, TEXAS AND ADOPTING THE BUDGET DOCUMENT FOR THE FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:

WHEREAS, the Budget officer of the City of Morgan's Point Resort, Texas, has heretofore filed with the City Secretary a proposed general budget for the City covering the fiscal year October 1, 2024 through September 30, 2025, and

WHEREAS, the City Council desires to approve a budget for the City of Morgan's Point Resort, Texas, for the fiscal year October 1, 2024 through September 30, 2025, and accordingly held a public hearing for same, at which time all interested citizens were given an opportunity to be heard for or against any item or amount of any item contained in said budget; and ordained

WHEREAS, the City Council, upon full consideration of the matter, is of the opinion that the budget now presented, and all approved adjustments, if any, are now considered incorporated and contained therein; that said budget is proper and shall be approved and adopted:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS:

SECTION 1. That the amounts appropriated for expenditure, here noted on a fund basis, are:

|                                  |    |            |
|----------------------------------|----|------------|
| General Fund                     | \$ | 4,801,558  |
| Technology Internal Service Fund |    | 51,100     |
| Interest & Sinking               |    | 454,393    |
| Water                            |    | 2,773,305  |
| Drainage                         |    | 100,000    |
| Wastewater                       |    | 244,470    |
| Marina                           |    | 221,318    |
| Hotel Occupancy Tax              |    | 10,000     |
| Fleet Internal Service Fund      |    | 105,000    |
| Capital Improvement Projects     |    | 1,120,000  |
| Total Appropriations - All Funds | \$ | 10,118,143 |

SECTION 2. That the annual budget for the City of Morgan's Point Resort, Texas for the fiscal year October 1, 2024 through September 30, 2025 is hereby approved and the budget document

is hereby in all things adopted and made a part of this ordinance as set forth in full herein and is hereby declared to be the financial plan for the City of Morgan's Point Resort, Texas for the fiscal year 2024/2025.

SECTION 3. No expenditure of the funds of the City shall hereafter be made except in strict compliance with said budget, except that in case of grave public necessity, emergency expenditures to meet unusual and unforeseen conditions; which could not by reasonable diligent thought and attention, have been included in the original budget; may from time to time be authorized by the City Council as amendments to the original budget. This section does not prevent the governing body of the municipality from making changes in the budget for municipal purposes.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 5. The necessity of adoption and approving a proposed budget for the next year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

SECTION 6. The City Council hereby grants the Budget Officer and/or the City Manager authority, as an administrative housekeeping function, to transfer appropriations between line-items within a department, if necessary. The granting of this authority does not authorize additional appropriations to be made to any department or fund, and such authorization granted is permissible solely for line-items within a department and not between departments or funds, in order to maintain proper appropriations at the line-item level.

SECTION 7. If any section, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof by any persons or circumstances is held invalid in any Court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance; and, the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

PASSED AND APPROVED this 10<sup>th</sup> day of September, 2024.

City of Morgan's Point Resort

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Dennis Green, Mayor

ATTEST: /s/ Camille Bowser, City Secretary

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Camille Bowser, City Secretary

**TAX RATE ORDINANCE  
NO. 24-008**

**AN ORDINANCE LEVYING TAXES FOR THE CITY OF MORGAN'S POINT RESORT, TEXAS, FOR THE TAX YEAR 2024 PROVIDING FOR A DATE ON WHICH SUCH TAXES BECOME DELINQUENT; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES DUE THEREON; PROVIDING FOR ACCEPTANCE OF THE TAX ROLL TOGETHER WITH ANY SUPPLEMENTS THERETO**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, THAT:**

- Section 1. There should be, and is hereby, levied and ordered to be assessed and collected for the following rate of taxes for the City of Morgan's Point Resort, Texas, for the tax year 2024 to provide for the expenditures of said City for the fiscal year ending September 30, 2025, and to provide for the payments of indebtedness for the City of Morgan's Point Resort, to wit:
- (a) For the general revenue of the General Fund 54.65 cents on each \$100.00 valuation of all taxable property within said City.
  - (b) For the revenue of bonded indebtedness, capital lease payments and related fees 07.88 cents on each \$100.00 valuation of all taxable property within said City.
  - (c) Total tax rate of 62.53 cents based on 100% market ratio on each \$100.00 of all taxable property within said City.
  - (d) This year's tax levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 14.21 PERCENT FROM THE PRECEEDING YEAR AND WILL RAISE TAXES ON A \$100,000 HOME BY APPROXIMATELY \$77.80.**

- Section 2. The taxes assessed and levied hereby are due and payable on October 1, 2024, and shall be payable not later than January 31, 2025. The penalties and interest shall accrue after this date. However, if the entire taxes due are paid in full by January 31, 2025, no penalty or interest shall be due.

- Section 3. The City of Morgan's Point Resort shall have a lien on all taxable property located in the City of Morgan's Point Resort to secure the payment of taxes, penalty, interest and all costs of collection, assessed and levied hereby.

- Section 4. Taxes are payable in Bell County, Texas, at the Office of the Tax Assessor-Collector. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section 5. The tax roll as presented to the City Council together with any supplements thereto, are hereby accepted.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, ON THE 10<sup>TH</sup> DAY OF SEPTEMBER 2024.**

City of Morgan's Point Resort

\_\_\_\_\_  
Dennis Green, Mayor

ATTEST: /s/ CAMILLE BOWSER, City Secretary

\_\_\_\_\_  
Camille Bowser, City Secretary



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AMENDING THE FYE 2024 ANNUAL BUDGET OF THE CITY OF MORGAN'S POINT RESORT TO INCREASE REVENUE AND EXPENSE ACCOUNTS IN MULTIPLE FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, a budget for operating the municipal government of the City of Morgan's Point Resort for the Fiscal Year October 1, 2023, to September 30, 2024, has been adopted by City Council; and

**WHEREAS**, it is the desire of the Morgan's Point Resort City Council to amend the FY 2024 Annual Budget; and

**WHEREAS**, the budget amendment requires City Council approval;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT:**

**SECTION 1.** Adopting a budget for operating the municipal government of the City of Morgan's Point Resort for the Fiscal year October 1, 2023, to September 30, 2024, be amended as to the portion of said budget as follows:

| Account Number | Description  | Budget Change | Budget     |
|----------------|--|---------------|------------|
| 02-00-4799     | USE OF ACCUMULATED RESERVE   |               | \$ 691,600 |
|                | Appropriate additional unrestricted General Fund Balance for disaster related expenditures/debris pickup per the ratified contract for debris pickup | 195,000       |            |
|                | <b>Budget Change Sub-total</b>   | 195,000       |            |
|                | <b>Account Sub-total</b>   |               | 886,600    |
|                | <b>REVENUES TOTAL</b>  | \$ 195,000    | \$ 886,000 |

#### Expenditures

|            |  |         |            |
|------------|--|---------|------------|
| 02-10-6299 | Disaster Recovery  |         | 691,600    |
|            | Add in increases to ratified contracts for Following Disaster Related Services:<br>Ceres City Wide Debris Pickup - \$ 150,000<br>Debris Tech Monitoring of Pickup - \$45,000 | 195,000 |            |
|            | <b>Budget Change Sub-total</b>   | 195,000 |            |
|            | <b>Account Sub-total</b>   |         | 886,600    |
|            | <b>EXPENDITURES TOTAL</b>  | \$      | \$ 886,600 |

**SECTION II:** That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

**SECTION III:** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION IV:** That this ordinance shall be effective after its passage and publication according to law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of

Morgan's Point Resort, Texas, this \_\_\_\_\_ day of September, 2024.

**APPROVED**

\_\_\_\_\_  
Dennis Green Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Neale Potts City Attorney

**ATTEST:**

\_\_\_\_\_  
Camille Bowser City Secretary