

ORDINANCE NO. 41

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING ON THE HEREAFTER DESCRIBED PROPERTY TO C-M COMMERCIAL ZONING UNDER THE SAID ZONING ORDINANCE, SAID PROPERTY BEING DESCRIBED AS FOLLOWS : BEING A TRACT OF LAND CONTAINING APPROXIMATELY 23.58 ACRES IN THE COUNTY OF DALLAS, STATE OF TEXAS, A PART OF THE CITY OF ADDISON; SAID PROPERTY BEING SITUATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BELT LINE ROAD AND NOEL ROAD, AND LIES PARTLY IN THE ALLEN BLEDSOE SURVEY, ABST. 157, PARTLY IN THE J. PANCOAST SURVEY, ABST. 1146, AND PARTLY IN THE G. W. FISHER SURVEY, ABST. 482, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF A TRACT CONVEYED TO COUNTY OF DALLAS BY LOLA L. ELLIOTT, ET VIR, IN VOLUME 3495, PAGE 576, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, SAID POINT BEING IN THE SOUTH LINE OF BELT LINE ROAD (A 100 FT. WIDE ROAD) A DISTANCE OF 479 FEET WESTERLY FROM THE INTERSECTION OF THE WEST LINE OF THE AFOREMENTIONED BLEDSOE SURVEY WITH THE SOUTH LINE OF BELT LINE ROAD, AND SAID POINT ALSO BEING IN THE DIVIDING LINE BETWEEN THE HEREINDESCRIBED PROPERTY AND THE ADJOINING FANNIE NOEL RATHER PROPERTY; THENCE EASTERLY AND WITH THE SOUTHERN LINE OF SAID TRACT TO THE COUNTY AS FOLLOWS: N 89°57' EAST 790.1 FEET, S 65°54'30" EAST 54.75 FEET, N 48°41' EAST 30 FEET TO THE SOUTHEAST CORNER OF SAID TRACT TO THE COUNTY, IN THE CENTER LINE OF NOEL ROAD, A 50 FT. WIDE ROAD (SAID POINT BEING S 41°46' EAST A DISTANCE OF 70.24 FEET FROM THE INTERSECTION OF THE CENTER LINE OF NOEL ROAD WITH THE CENTER LINE OF BELT LINE ROAD); THENCE SOUTHEASTERLY AND WITH THE CENTER LINE OF NOEL ROAD A DISTANCE OF APPROXIMATELY 280 FEET TO A POINT OF INTERSECTION OF THE COMBINED CORPORATE CITY LIMITS OF THE CITIES OF DALLAS AND ADDISON WITH THE SAID NOEL ROAD CENTER LINE; THENCE SOUTH ALONG THE CORPORATE LIMITS LINE OF THE CITIES OF DALLAS

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AND ADDISON A DISTANCE OF APPROXIMATELY 830 FEET TO A POINT FOR CORNER WHERE SAID COMBINED CORPORATE LIMITS LINE MAKES A PERPENDICULAR TURN TO THE WEST; THENCE WESTERLY ALONG SAID CORPORATE LIMITS LINE OF ADDISON AND DALLAS A DISTANCE OF APPROXIMATELY 1,005 FEET TO A POINT FOR CORNER IN THE WEST PROPERTY LINE OF THE AFOREMENTIONED RATHER TRACT AT A POINT WHERE THE CORPORATE LIMITS LINE MAKES A PERPENDICULAR TURN TO THE SOUTH; THENCE N 1°42' WEST A DISTANCE OF APPROXIMATELY 1,038 FEET TO THE POINT OF BEGINNING, IN THE SOUTH R.O.W. LINE OF BELT LINE ROAD; PROVIDING THAT SUCH PROPERTY MAY BE USED UNDER THE ZONING FOR C-M COMMERCIAL PURPOSES; PROVIDING A PENALTY OR FINE NOT TO EXCEED THE SUM OF ONE HUNDRED DOLLARS (\$100.00) FOR VIOLATING SAID ORDINANCE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Addison and the governing body of the City of Addison, in compliance with the zoning ordinance of the City of Addison and the laws of the State of Texas with reference to the granting of the change of zoning under the existing zoning regulations, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to persons interested in and situated in the affected area and in the vicinity thereof, the governing body of the City of Addison is of the opinion that the zoning on said property should be changed to C-M Commercial; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

Section 1. That the comprehensive zoning ordinance of the City of Addison of 1957, as heretofore amended, be, and the same is hereby amended by amending the zoning map of the City of Addison so as to change the zoning on the hereinafter described property from Residential zoning classification

to C-M Commercial zoning classification. That the property to be covered by the said C-M Commercial zoning classification is described as follows, to-wit:

BEING a tract of land containing approximately 23.58 acres in the County of Dallas, State of Texas, a part of the City of Addison; said property is situated at the southwest corner of the intersection of Belt Line Road and Noel Road, and lies partly in the Allen Bledsoe Survey, Abst. 157, partly in the J. Pancoast Survey, Abst. 1146, and partly in the G. W. Fisher Survey, Abst. 482, and is more particularly described as follows:

BEGINNING at the Southwest corner of a tract conveyed to County of Dallas by Lola L. Elliott, et vir, in Volume 3495, Page 576, of the Deed Records of Dallas County, Texas, said point being in the South line of Belt Line Road (a 100 ft. wide road) a distance of 479 feet westerly from the intersection of the West line of the aforementioned Bledsoe Survey with the South line of Belt Line Road, and said point also being in the dividing line between the hereindescribed property and the adjoining Fannie Noel Rather property;

THENCE easterly and with the southern line of said tract to the County as follows - N 89° 57' East 790.1 feet, S 65° 54' 30" East 54.75 feet, N 48° 41' East 30 feet to the Southeast corner of said tract to the County, in the center line of Noel Road, a 50 ft. wide road (said point being S41° 46' East a distance of 70.24 feet from the intersection of the center line of Noel Road with the center line of Belt Line Road);

THENCE southeasterly and with the center line of Noel Road a distance of approximately 280 feet to a point of intersection of the combined Corporate City Limits of the Cities of Dallas and Addison with the said Noel Road center line;

THENCE South along the Corporate Limits Line of the Cities of Dallas and Addison a distance of approximately 830 feet to a point for corner where said combined Corporate Limits Line makes a perpendicular turn to the West;

THENCE westerly along said Corporate Limits Line of Addison and Dallas a distance of approximately 1,005 feet to a point for corner in the West property line of the aforementioned Rather tract to a point where the Corporate Limits Line makes a perpendicular turn to the South;

THENCE N 1°42' West a distance of approximately 1,038 feet to the point of beginning, in the South R.O.W. line of Belt Line Road.

Section 2. That the tract of land zoned C-M Commercial under the provisions of this ordinance shall be developed and improved in accordance with the Site Plan attached hereto and made a part hereof the same as if copied in full herein.

Section 3. That all ordinances of the City of Addison in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions of the ordinances of the City of Addison, including the comprehensive zoning ordinance, not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. That the above described tract of land shall be used only in the manner and for the purposes provided for in the comprehensive zoning ordinances of the City of Addison for C-M Commercial zoning classification.

Section 5. That any person violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the comprehensive zoning ordinance of the City of Addison, as heretofore amended, and upon conviction shall be punished by a fine not to exceed One Hundred Dollars (\$100.00) for each offense, and each day said violation shall be permitted to continue shall constitute a separate offense.

Section 6. Whereas it appears that the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Addison, and creates an urgency and an emergency in the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance one time in the official publication

as the law in such cases provides.

DULY PASSED ON THE 12 day of May,
1964.

APPROVED:

M W Morris
Mayor

DULY RECORDED:

Eva G Lewis
City Secretary

APPROVED AS TO FORM:

H Louis Nichol
City Attorney