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ORDINANCE NO. 90 88

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY "A" APARTMENT DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND BEING PART OF A 139.44 ACRE TRACT IN THE ROBERT WILBURN SURVEY, ABSTRACT NO. 1580, CITY OF ADDISON, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF KELLER SPRINGS ROAD, WITH THE EAST LINE OF NOELL ROAD, SAID POINT BEING LOCATED 50 FEET SOUTH OF THE CENTER LINE OF KELLER SPRINGS ROAD; THENCE EAST 3335.32 FEET ALONG A LINE 50 FEET SOUTH OF AND PARALLEL TO THE CENTER LINE OF KELLER SPRINGS ROAD TO A POINT FOR CORNER IN THE EAST PROPERTY LINE OF THE AFOREMENTIONED 139.044 ACRE TRACT OF LAND; THENCE SOUTH 0 DEG. 7' 33" WEST A DISTANCE OF 683 FEET TO A POINT FOR CORNER; THENCE WEST A DISTANCE OF 2107.3 FEET TO A POINT FOR CORNER, SAID POINT BEING LOCATED 733 FEET SOUTH OF THE CENTER LINE OF KELLER SPRINGS ROAD; THENCE WITH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 63°, A TANGENT DISTANCE OF 877.77 FEET AND A RADIUS OF 1,432.40 FEET A DISTANCE OF 1,515 FEET MORE OR LESS TO THE PLACE OF BEGINNING; AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY A "C" COMMERCIAL DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND BEING PART OF A 139.44 ACRE TRACT IN THE ROBERT WILBURN SURVEY, ABSTRACT NO. 1580, CITY OF ADDISON, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF NOELL ROAD AND THE NORTHWEST LINE OF ST. LOUIS AND SOUTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTH 0 DEG. 12' 12" WEST ALONG SAID LINE OF NOELL ROAD A DISTANCE OF 560 FEET MORE OR LESS FOR A POINT FOR CORNER IN A LINE LOCATED 400 FEET NORTHWEST OF AND PARALLEL TO THE NORTHWEST LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTH 66° 38' EAST A DISTANCE

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OF 1,630 FEET TO A POINT FOR CORNER; THENCE EAST A DISTANCE OF 1,245 FEET MORE OR LESS TO A POINT FOR CORNER IN THE NORTHWEST RIGHT-OF-WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID RAILROAD RIGHT-OF-WAY LINE TO THE PLACE OF BEGINNING, BEING A DISTANCE OF APPROXIMATELY 2,977 FEET MORE OR LESS; AND AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY AN "A" APARTMENT DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND BEING PART OF A 139.44 ACRE TRACT IN THE ROBERT WILBURN SURVEY, ABSTRACT NO. 1580, CITY OF ADDISON, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF NOELL ROAD 560 FEET NORTH OF THE NORTHWEST RIGHT-OF-WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD RIGHT-OF-WAY, SAME BEING IN A LINE 400 FEET NORTHWEST OF AND PARALLEL TO THE SAID RAILROAD RIGHT-OF-WAY LINE; THENCE NORTH $66^{\circ}38'$ EAST A DISTANCE OF 1,330 FEET TO A POINT FOR CORNER; THENCE EAST A DISTANCE OF 1,245 FEET TO A POINT FOR CORNER IN THE NORTHWEST RIGHT-OF-WAY LINE OF THE ST. LOUIS AND SOUTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE NORTHEAST ALONG SAID RAILROAD RIGHT-OF-WAY LINE A DISTANCE OF 732 FEET MORE OR LESS TO A POINT FOR CORNER IN THE EAST LINE OF THE AFOREMENTIONED 139.044 ACRE TRACT OF LAND; THENCE NORTH 0 DEG. $7' 33''$ EAST A DISTANCE OF 83.47 FEET TO A POINT FOR CORNER, SAME BEING LOCATED 883 FEET SOUTH OF THE CENTER LINE OF KELLER SPRINGS ROAD; THENCE WEST ALONG A LINE 883 FEET SOUTH OF AND PARALLEL TO THE CENTER LINE OF KELLER SPRINGS ROAD A DISTANCE OF 2107.3 FEET TO A POINT FOR CORNER; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 63° , A RADIUS OF 1582.40 FEET, A DISTANCE OF 1,440 FEET MORE OR LESS TO A POINT FOR CORNER IN THE EAST LINE OF NOELL ROAD; THENCE SOUTH ALONG SAID LINE OF NOELL ROAD TO THE PLACE OF BEGINNING; PROVIDING THAT THE ABOVE DESCRIBED TRACTS OF LAND SHALL BE USED ONLY FOR THE PURPOSES PROVIDED FOR BY THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING FOR A

PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Zoning Commission of the City of Addison and the governing body of the City of Addison, in compliance with the State Laws with reference to the granting of zoning classifications and regulations, have given the requisite notices by publication and otherwise and after holding due hearing and affording a fair and full hearing to all the property owners generally and to the persons interested 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 said zoning classifications should be granted and that the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative direction:

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, be, and the same is hereby, amended by amending the Zoning Map of the City of Addison so as to give the following described property an "A" Apartment District Classification:

A tract of land being part of a 139.44 acre tract in the Robert Wilburn Survey, Abstract No. 1580, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the south line of Keller Springs Road, with the east line of Noell Road, said point being located 50 feet south of the center line of Keller Springs Road;

THENCE east 3335.32 feet along a line 50 feet south of and parallel to the center line of Keller Springs Road to a point for corner in the east property line of the aforementioned 139.044 acre tract of land;

THENCE south 0 deg. 7' 33" west a distance of 683 feet to a point for corner;

THENCE west a distance of 2107.3 feet to a point for corner, said point being located 733 feet south of the center line of Keller Springs Road;

THENCE with a curve to the right having a central angle of 63°, a tangent distance of 877.77 feet and a radius of 1,432.40 feet a distance of 1,515 feet more or less to the place of beginning.

Section 2. That the Comprehensive Zoning Ordinance of the City of Addison, be, and the same is hereby, amended by amending the Zoning Map of the City of Addison so as to give the following described property a "C" Commercial District Classification:

A tract of land being part of a 139.44 acre tract in the Robert Wilburn Survey, Abstract No. 1580, City of Addison, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the east line of Noell Road and the northwest line of St. Louis and Southwestern Railroad right-of-way;

THENCE north 0 deg. 12' 12" west along said line of Noell Road a distance of 560 feet more or less for a point for corner in a line located 400 feet northwest of and parallel to the northwest line of the St. Louis and Southwestern Railroad right-of-way;

THENCE north 66° 38' east a distance of 1,630 feet to a point for corner;

THENCE east a distance of 1,245 feet more or less to a point for corner in the northwest right-of-way line of the St. Louis and Southwestern Railroad;

THENCE in a southwesterly direction along said railroad right-of-way line to the place of beginning, being a distance of approximately 2,977 feet more or less.

Section 3. That the Comprehensive Zoning Ordinance of the City of Addison, be, and the same is hereby, amended by amending the Zoning Map of the City of Addison so as to give the following described property an "A" Apartment District Classification:

A tract of land being part of a 139.44 acre tract in the Robert Wilburn Survey, Abstract No. 1580, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the east line of Noell Road 560 feet north of the northwest right-of-way line of the St. Louis and Southwestern Railroad right-of-way, same being in a line 400 feet northwest of and parallel to the said railroad right-of-way line;

THENCE north 66° 38' east a distance of 1,330 feet to a point for corner;

THENCE east a distance of 1,245 feet to a point for corner in the northwest right-of-way line of the St. Louis and Southwestern Railroad right-of-way;

THENCE northeast along said railroad right-of-way line a distance of 732 feet more or less to a point for corner in the east line of the aforementioned 139.044 acre tract of land;

THENCE north 0 deg. 7' 33" east a distance of 83.47 feet to a point for corner, same being located 883 feet south of the center line of Keller Springs Road;

THENCE west along a line 883 feet south of and parallel to the center line of Keller Springs Road a distance of 2107.3 feet to a point for corner;

THENCE along a curve to the right having a central angle of 63°, a radius of 1582.40 feet, a distance of 1,440 feet more or less to a point for corner in the east line of Noell Road;

THENCE south along said line of Noell Road to the place of beginning.

Section 4. 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 ordinances of the City of Addison not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 5. That the above-described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Addison, as amended herein by the granting of this zoning classification.

Section 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

Section 7. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalties 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 Two Hundred (\$200.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

Section 8. WHEREAS, it appears that the above described property requires that it be given the above zoning classifications in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Addison, creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED by the City Council of the City of Addison,
Texas, on the 12 day of November, 1968.

APPROVED:

James H. Dailey Mayor Pro Tem
MAYOR

DULY ENROLLED:

Edwin D. Lewis
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
CITY ATTORNEY