

ORDINANCE NO. 131

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: BEING 13.922 ACRES OF LAND OUT OF THE G. W. FISHER SURVEY, ABSTRACT NO. 482, AND OUT OF THE L. L. JACOBS TRACTS AS RECORDED IN VOLUME 2131, PAGES 422 AND 424 IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF KELLER SPRINGS ROAD, A 50 FT. R.O.W., SAID POINT BEING DUE EAST, A DISTANCE OF 540.00 FT. FROM THE POINT OF INTERSECTION OF SAID SOUTH LINE OF KELLER SPRINGS ROAD AND THE EAST LINE OF ADDISON ROAD, A VARIABLE R.O.W.; THENCE EAST, ALONG THE SAID SOUTH LINE OF KELLER SPRINGS ROAD, A DISTANCE OF 680.34 FT. TO A POINT FOR A CORNER; THENCE SOUTH, DEPARTING FROM THE SOUTH LINE OF SAID KELLER SPRINGS ROAD, A DISTANCE OF 899.91 FT. TO A POINT FOR A CORNER, SAID POINT BEING IN THE NORTH LINE OF A 50 FT. ROAD; THENCE WEST, ALONG THE NORTH LINE OF SAID 50 FT. ROAD, A DISTANCE OF 667.46 FT. TO A POINT FOR A CORNER; THENCE NORTH 00° 49' WEST, DEPARTING FROM THE NORTH LINE OF SAID 50 FT. ROAD, A DISTANCE OF 900.00 FT. TO THE POINT OF BEGINNING AND CONTAINING 606,426 SQ. FT. OR 13.922 ACRES OF LAND, MORE OR LESS; PROVIDING THAT THE ABOVE DESCRIBED TRACT 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 hearings and affording a fair and full hearing to all the property owners generally, and to the 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 said zoning classification should be granted and that the Comprehensive Zoning Ordinance should be amended in the exercise of its legislative discretion:

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 "LR" Local Retail District Classification:

BEING 25.077 acres of land out of the G. W. Fisher Survey, Abstract No. 482, and out of the L. L. Jacobs tracts as recorded in Volume 2131, Pages 422 and 424 in the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the South line of Keller Springs Road, a 50 ft. R.O.W., said point being due East, a distance of 1220.34 ft. from the point of intersection of said South line of Keller Springs Road and the East line of Addison Road, a variable R.O.W.;

THENCE East, along the South line of said Keller Springs Road, a distance of 1207.16 ft. to a point for a corner; said point being in the West line of Noel Road, a 50 ft. R.O.W.;

THENCE South 0° 51' East, along the West line of said Noel Road, a distance of 900.00 ft. to a point for a corner, said point being in the North line of a 50 ft. road;

THENCE West, along the North line of said 50 ft. road, a distance of 1220.54 ft. to a point for a corner;

THENCE North, departing from the North line of said 50 ft. road, a distance of 899.91 ft. to the POINT OF BEGINNING and CONTAINING 1,092,378 sq. ft. or 25.077 acres of land, more or less.

SECTION 2. 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 3. 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 4. That if any sentence, paragraph, sub-division, 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 5. That any person, firm or corporation 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 Two Hundred (\$200.00) Dollars for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 6. The fact that the above described property should 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, create an urgency and an emergency in the preservation of the public health, safety and welfare and requires that this ordinance 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 8 day of June, 1971.

APPROVED:
Milton J. Drell
MAYOR

DULY RECORDED:
Jack Lowrey
CITY SECRETARY

APPROVED AS TO FORM:
H. Louis Nichols
CITY ATTORNEY