

ORDINANCE NO. 124

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 "C" COMMERCIAL DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: TRACT NO. 1: BEING ALL THAT TRACT OF LAND OUT OF THE G. W. FISHER SURVEY, ABSTRACT NO. 482, DALLAS COUNTY, TEXAS, AND OUT OF THE L. L. JACOBS TRACT AS SHOWN BY DEED IN VOLUME 2131, PAGE 422, 423, AND 424, DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING DESCRIBED AS FOLLOWS; BEGINNING AT A POINT IN THE EAST LINE OF ADDISON ROAD AND THE SOUTH LINE OF A 50 FOOT PROPOSED ROAD, SAID POINT BEING 30 FEET EAST AND 975 FEET, SOUTH 0 DEGREES 49 MINUTES EAST OF THE NORTHWEST CORNER OF SAID G. W. FISHER SURVEY; THENCE SOUTH 0 DEGREES 49 MINUTES EAST, ALONG THE EAST LINE OF ADDISON ROAD, 360 FEET TO SOUTHWEST CORNER OF JACOBS TRACT; THENCE EAST 607 FEET ALONG SAID JACOBS SOUTH LINE; THENCE NORTH 0 DEGREES 49 MINUTES WEST, 360 FEET TO POINT IN THE SOUTH LINE OF SAID PROPOSED 50 FOOT ROAD; THENCE WEST, ALONG THE SOUTH LINE OF SAID PROPOSED ROAD, 607 FEET TO PLACE OF BEGINNING AND CONTAINING 5.02 ACRES OF LAND; AND SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY AN "A" APARTMENT DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: TRACT NO. 2: BEING A PART OF THE W. G. FISHER SURVEY, ABSTRACT NO. 482, DALLAS COUNTY, TEXAS, AND OUT OF THE L. L. JACOBS TRACT AS SHOWN BY DEED RECORDED IN VOLUME 2131, PAGES 422-24, DEED RECORDS OF DALLAS COUNTY, TEXAS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT THAT IS 975 FT. SOUTH 0 DEG. 49' EAST, AND 637 FT. EAST OF THE NORTHWEST CORNER OF SAID FISHER SURVEY; THENCE SOUTH 0 DEG. 49' EAST PARALLEL TO THE EAST LINE OF ADDISON ROAD 360 FT. TO A POINT IN THE SOUTH LINE OF THE JACOBS TRACT; THENCE EAST ALONG THE SOUTH LINE OF THE JACOBS TRACT 607 FT. TO A POINT FOR CORNER; THENCE NORTH 0 DEG. 49' WEST 360 FT. TO POINT FOR CORNER; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SAID JACOBS TRACT 607 FT. TO THE PLACE OF BEGINNING, CONTAINING

5.02 ACRES OF LAND; AND SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY AN "LR" LOCAL RETAIL DISTRICT CLASSIFICATION, SAID TRACT BEING DESCRIBED AS FOLLOWS: TRACT NO. 3: BEING A PART OF THE W. G. FISHER SURVEY, ABSTRACT NO. 482, DALLAS COUNTY, TEXAS, AND OUT OF THE L. L. JACOBS TRACT AS SHOWN BY DEED RECORDED IN VOLUME 2131, PAGES 422-24, DEED RECORDS OF DALLAS COUNTY, TEXAS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A POINT THAT IS 975 FT. SOUTH 0 DEG. 49' EAST, AND 1244 FT. EAST OF THE NORTHWEST CORNER OF SAID FISHER SURVEY; THENCE SOUTH 0 DEG. 49' EAST PARALLEL TO THE EAST LINE OF ADDISON ROAD 360 FT. TO A POINT IN THE SOUTH LINE OF THE JACOBS TRACT; THENCE EAST ALONG THE SOUTH LINE OF THE JACOBS TRACT 607 FT. TO A POINT FOR CORNER; THENCE NORTH 0 DEG. 49' WEST 360 FT. TO POINT FOR CORNER; THENCE WEST PARALLEL WITH THE SOUTH LINE OF THE SAID JACOBS TRACT 607 FT. TO THE PLACE OF BEGINNING, CONTAINING 5.02 ACRES OF LAND; 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 classifications 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 tracts of land the following zoning classifications:

That the following tract of land be, and the same is hereby granted a "C" Commercial District Classification:

TRACT NO. 1:

Being all that tract of land out of the G. W. Fisher Survey, Abstract No. 482, Dallas County, Texas and out of the L. L. Jacobs Tract as shown by deed in Volume 2131, Pages 422, 423 and 424, Deed Records of Dallas County, Texas and being described as follows:

Beginning at a point in the East line of Addison Road and the South line of a 50 foot proposed road, said point being 30 feet east and 975 feet, south 0 degrees 49 minutes East of the Northwest corner of said G. W. Fisher Survey;

Thence South 0 degrees 49 minutes East, along the East line of Addison Road, 360 feet to Southwest corner of Jacobs tract;

Thence East 607 feet along said Jacobs South line;

Thence North 0 degrees 49 minutes West, 360 feet to point in the South line of said proposed 50 foot road;

Thence West, along the South line of said proposed road, 607 feet to place of beginning and containing 5.02 acres of land.

That the following tract of land be, and the same is hereby granted an "A" Apartment District Classification:

TRACT NO. 2:

Being a part of the W. G. Fisher Survey, Abstract No. 482, Dallas County, Texas, and out of the L. L. Jacobs tract as shown by deed recorded in Volume 2131, pages 422-24, Deed Records of Dallas County, Texas, described by metes and bounds as follows:

Beginning at a point that is 975 ft. South 0 deg. 49' East, and 637 ft. east of the Northwest corner of said Fisher Survey;

Thence South 0 deg. 49' East parallel to the East line of Addison Road 360 ft. to a point in the South line of the Jacobs tract;

Thence East along the south line of the Jacobs tract 607 ft. to a point for corner;

Thence North 0 deg. 49' West, 360 ft. to point for corner;

Thence West parallel with the South line of the said Jacobs tract 607 ft. to the place of beginning, containing 5.02 acres of land.

That the following tract of land be, and the same is hereby granted an "LR" Local Retail District Classification:

TRACT NO. 3:

Being a part of the W. G. Fisher Survey, Abstract No. 482, Dallas County, Texas, and out of the L. L. Jacobs tract as shown by deed recorded in Volume 2131, pages 422-24, Deed Records of Dallas County, Texas, described by metes and bounds as follows:

Beginning at a point that is 975 ft. South 0 deg. 49' East, and 1244 ft. east of the Northwest corner of said Fisher Survey;

Thence South 0 deg. 49' East parallel to the East line of Addison Road 360 ft. to a point in the South line of the Jacobs tract;

Thence East along the south line of the Jacobs tract 607 ft. to a point for corner;

Thence North 0 deg. 49' West, 360 ft. to point for corner;

Thence West parallel with the South line of the said Jacobs tract 607 ft. to the place of beginning, containing 5.02 acres of land.

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 these zoning classifications.

SECTION 4. That if 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 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 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 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 8th day of June, 1971.

APPROVED:

M. J. Jelle
MAYOR

DULY RECORDED:

Charles F. Stewart
CITY SECRETARY

APPROVED AS TO FORM:

A. Lane Nichol
CITY ATTORNEY