

ORDINANCE NO. 148 *copy*

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GIVE THE FOLLOWING DESCRIBED PROPERTY "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 SOUTH LINE OF KELLER SPRINGS ROAD WITH THE PRESENT EAST LINE OF NOELL ROAD (25 FT. EAST OF CENTER LINE); THENCE E, ALONG THE SOUTH LINE OF KELLER SPRINGS ROAD, 1878.61 FT.; THENCE SE  $00^{\circ} 12' 12''$  1742.89 FT. TO A POINT IN THE NW LINE OF THE ST. LOUIS & SOUTHWESTERN RAILROAD; THENCE SW  $66^{\circ} 38' 00''$ , ALONG SAID NW LINE OF SAID RAILROAD, 2043.32 FT.; THENCE NW  $00^{\circ} 12' 12''$  2553.31 FT. TO THE PLACE OF BEGINNING; AND AMENDING THE CONPREHENSIVE 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 THE POINT OF INTERSECTION OF THE SOUTH LINE OF KELLER SPRINGS ROAD WITH THE PRESENT EAST LINE OF NOELL ROAD (25 FT. EAST OF CENTER LINE); THENCE E, ALONG THE S LINE OF KELLER SPRINGS ROAD, 1878.61 FT. TO THE POINT OF BEGINNING; THENCE E, ALONG THE S LINE OF KELLER SPRINGS ROAD, 1456.71 FT.; THENCE SW  $00^{\circ} 07' 33''$  941.47 FT.

TO A POINT IN THE NW LINE OF THE ST. LOUIS & SOUTHWESTERN RAILROAD; THENCE IN A SOUTHWESTERLY DIRECTION, ALONG THE NW LINE OF SAID RAILROAD, AS FOLLOWS: FIRST, SW  $54^{\circ} 05' 00''$  432.35 FT. TO THE BEGINNING OF A CURVE TO THE RIGHT THAT HAS A CENTRAL ANGLE OF  $12^{\circ} 33' 00''$ , A RADIUS OF 2814.93 FT. AND A TANGENT OF 309.53 FT.; SECOND, SOUTHWESTERLY AROUND SAID CURVE, 616.58 FT.; THIRD, SW  $66^{\circ} 38' 00''$  613.83 FT.; THENCE NW  $00^{\circ} 12' 12''$  1742.89 FT., TO THE POINT 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 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 south line of Keller Springs Road with the present east line of Noell Road (25 ft. east of center line);

THENCE E, along the south line of Keller Springs Road, 1878.61 ft.;

THENCE SE  $00^{\circ} 12' 12''$  1742.89 ft. to a point in the NW line of the St. Louis & Southwestern Railroad;

THENCE SW  $66^{\circ} 38' 00''$ , along said NW line of said railroad, 2043.22 ft.;

THENCE NW  $00^{\circ} 12' 12''$  2553.31 ft. 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 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 present east line of Noell Road (25 ft. east of center line);

THENCE E, along the south line of Keller Springs Road, 1878.61 ft. to the point of beginning;

THENCE E, along the S line of Keller Springs Road, 1456.71 ft.;

THENCE SW  $00^{\circ} 07' 33''$  941.47 ft. to a point in the NW line of the St. Louis & Southwestern Railroad;

THENCE in a southwesterly direction, along the NW line of said railroad, as follows: first, SW  $54^{\circ} 05' 00''$  432.35 ft. to the beginning of a curve to the right that has a central angle of  $12^{\circ} 33' 00''$ , a radius of 2814.93 ft. and a tangent of 309.53 ft.; second, southwesterly around said curve, 616.58 ft.; third, SW  $66^{\circ} 38' 00''$  613.83 ft.; thence NW  $00^{\circ} 12' 12''$  1742.89 ft. to the point of beginning.

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

Section 4. 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 5. That should 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 6. 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 offence and that each day such violation shall continue to exist shall constitute a separate offense.

Section 7. 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 4 day of December, 1972.

APPROVED:

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MAYOR

DULY ENROLLED:

*Paul Howard*  
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CITY SECRETARY

*copy*

APPROVED AS TO FORM:

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CITY ATTORNEY