

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ADDISON, TEXAS, AS HERETOFORE AMENDED SO AS TO CHANGE THE HEREINAFTER DESCRIBED PROPERTY FROM "A" APARTMENT DISTRICT CLASSIFICATION TO "LR" LOCAL RETAIL DISTRICT CLASSIFICATION; 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, Texas in compliance with the laws of the State of Texas with reference to the granting of zoning changes under the zoning ordinance and zoning map, have given requisite notices by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Addison, Texas, is of the opinion that the said change of zoning on application of Joe Bowers, Eliot Barnett and Lucien Crosland should be granted and 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, Texas, be and the same is hereby amended by amending the Zoning Map of the City of Addison so as to give the hereinafter described property the following zoning district classification, to-wit: "LR" Local Retail District

Classification. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

Description of a 0.6465 acre tract of land composed of three tracts in the Noah Good Survey, Abstract 520, and being in the City of Addison, Dallas County, Texas, and being more particularly described as follows:

Tract 1

COMMENCING at the point of intersection of the westerly ROW line of Brookhaven Club Road (a 100' wide street) and the southerly ROW line of Spring Valley Road (a variable width ROW); thence along a curve in a southwesterly direction which has a radius of 250.00 feet, a central angle of $11^{\circ} 23' 19''$, an arc distance of 49.69 feet; thence N $63^{\circ} 42' 00''$ W 1.80 feet; thence S $26^{\circ} 18' 00''$ W 60.00 feet to the POINT OF BEGINNING;

THENCE S $26^{\circ} 18' 00''$ W a distance of 215.00 feet to a point;
THENCE N $63^{\circ} 42' 00''$ W a distance of 33.67' feet to a point;
THENCE N $0^{\circ} 09' 00''$ E a distance of 239.51 feet to a point;
THENCE S $63^{\circ} 42' 00''$ E a distance of 139.23 feet to the POINT OF BEGINNING, containing 18,587 square feet (0.4267 acres) of land, more or less.

TRACT II

COMMENCING at the point of intersection of the westerly ROW line of Brookhaven Club Road (a 100' wide street) and the southerly ROW line of Spring Valley Road (a variable width ROW); thence along a curve in a southwesterly direction which has a radius of 250.00 feet, a central angle of $11^{\circ} 23' 19''$, an arc distance of 49.69 feet; thence N $63^{\circ} 42' 00''$ W 1.80 feet to the POINT OF BEGINNING;

THENCE S $26^{\circ} 18' 00''$ W a distance of 60.00 feet to a point;
THENCE N $63^{\circ} 42' 00''$ W a distance of 139.23 feet to a point;
THENCE N $0^{\circ} 09' 00''$ E a distance of 25.40 feet to a point;
THENCE S $89^{\circ} 51' 00''$ E a distance of 84.41 feet to a point;
THENCE S $63^{\circ} 42' 00''$ E a distance of 74.65 feet to the POINT OF BEGINNING, containing 7,488 square feet (0.1719 acres) of land, more or less.

TRACT III

BEGINNING at the point of intersection of the westerly ROW line of Brookhaven Club Road (a 100' wide street) and the southerly ROW line of Spring Valley Road (a variable width ROW);

THENCE along a curve in a southwesterly direction which has a radius of 250.00 feet, a central angle of $11^{\circ} 23' 19''$, an arc distance of 49.69 feet to a point;

THENCE N $63^{\circ} 42' 00''$ W a distance of 87.80 feet to a point;
THENCE S $89^{\circ} 61' 00''$ a distance of 109.86 feet to the POINT OF BEGINNING, containing 2,087 square feet (0.0479 acres) of land, more or less.

SECTION 2. That all ordinances of the City in conflict with the provisions of this Ordinance be, and the same are, hereby repealed and all other ordinances of the City 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 in the Comprehensive Zoning Ordinance of the City as amended herein by the granting of this zoning classification.

SECTION 4. That should any paragraph, sentence, 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 as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of 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. Whereas, 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 and 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 publication of the caption as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on the

2nd day of July A.D., 1975.

Jerry Redding
MAYOR

ATTEST:

Joyce S. Heavers
City Secretary

APPROVED AS TO FORM:

Robert L. McCallum
Robert L. McCallum, City Attorney