

ORDINANCE NO. 305

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, CASE # 269, OKLAHOMA PUBLISHING COMPANY, AND BEING SITUATED IN DALLAS COUNTY, TEXAS, OUT OF THE G. W. FISHER SURVEY, ABSTRACT NO. 482, AND THE R. WILBURN SURVEY, ABSTRACT NO. 1580, AND BEING A PART OF A 104.05 ACRE TRACT DESCRIBED AS FIRST TRACT IN DEED RECORDED IN VOLUME 2465, PAGE 413 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS ON MARCH 24, 1944 SAID PART BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE, AND CONTAINING 2,807,644.304 SQUARE FEET, OR 64.4546 ACRES OF LAND; FROM "R-1" RESIDENTIAL TO "C" COMMERCIAL DISTRICT CLASSIFICATION; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; 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 all 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 OKLAHOMA PUBLISHING COMPANY, Case 269 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: "C" Commercial District Classification. Said property being in the City of Addison, Dallas County, Texas, and described as follows:

Situated in Dallas County, Texas out of the G.W. FISHER SURVEY, Abstract 482, and the R. W. WILBURN SURVEY, Abstract 1580, and being a part of a 104.05 acre tract described as First Tract in deed recorded in Volume 2465, page 413 of the Deed Records of Dallas County, Texas on March 24, 1944, said part being more particularly described as follows:

BEGINNING at the intersection of the north line of Belt Line Road and the west line of Dallas Parkway, said point being N 2 degrees 41' W, 50.0 feet and S 89 degrees 56' W, 389.42 feet from the southeast corner of the said 104.05 acre tract;

THENCE S 89 degrees 56' W, 664.58 feet along the north line of Belt Line Road to the southeast corner of the Addison School property to a point for corner;

THENCE N 0 degrees 25' W, 317.00 feet along the east line of said school tract to a point for corner;

THENCE S 89 degrees 56' W, 500.00 feet along the north line of the said school tract to a point for corner in the east line of a 60 foot road;

THENCE N 0 degrees 25' W, 1633.84 feet to a point for corner in the south R.O.W. line of the St. Louis & Southwestern R.R.;

THENCE N 66 degrees 12' E, 1479.95 feet along said Railroad R.O.W. to a point for corner in the west line of proposed Dallas Parkway;

THENCE S 13 degrees 45' E, 107.37 feet along said west line of Dallas Parkway to the beginning point of a curve to the right;

THENCE Southerly along said west line of Dallas Parkway, with said curve to the right having a radius of 2191.83 feet, a distance of 944.25 feet to the end of said curve;

THENCE S 10 degrees 56' W, 952.18 feet along said west line of Dallas Parkway to the beginning of a curve to the left;

THENCE Southerly along said west line of Dallas Parkway said curve to the left having a radius of 2391.83 feet, a distance of 459.20 feet to the end of said curve;

THENCE S 0 degrees 04' E, 114.34 feet along said west line of Dallas Parkway to the place of beginning and containing 2,807,644.304 square feet, or 64.4546 acres of land.

SECTION 2. That all ordinances of the City in conflict with 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 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 Dollars (\$200.00) 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 provided;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS, on this the 4<sup>th</sup> day of January, 1977.

APPROVED:

MAYOR



ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY