

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, OF MONTFORT JOINT VENTURE & MONTFORT CORPORATION, ABSTRACT #157 IN THE ALLEN BLEDSOE SURVEY, AND CONTAINING 21.097 ACRES OF LAND, FROM "C" COMMERCIAL AND "A" APARTMENT TO "LR" LOCAL RETAIL 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 Montfort Joint Venture and Montfort Corporation, 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:

Tract 1

BEING a tract of 5,000 acres of land in the Allen Bledsoe Survey, Abstract No. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road with the present Northeast line of Montfort St. (25.0 ft. from centerline); THENCE Northwesterly, along the present Northeast line of Montfort (parallel to and 25.0 ft Northeast of the centerline of same), as follows; 1st. N 23° 49' 41" W, 1113.45 feet; 2nd. N 23° 24' 00" W, 825.16 ft. to its intersection with the Northwest line of a proposed road, this being the POINT OF BEGINNING of the 5,000 Acre tract described herein:

THENCE Northwesterly, continuing along the Northeast line of Montfort St. (parallel to and 25.0 ft. Northeast of the centerline of same), as follows; 1st. N 23° 24' 00" W, 119.06 ft.; 2nd. N 41° 54' 00" W. 692.17 ft.;

THENCE N 28° 44' 55" E, along a cut-back corner with Belt Line Road, 29.59 ft. to a point in the South line of Belt Line Road;

THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 628.48 ft. to its intersection with the West line of said proposed road;

THENCE Southerly, along the Westerly lines of said road, as follows: 1st, S 00° 10' 10" E, 194.78 feet to the beginning of a curve to the right that has a Central Angle of 30° 00' 00", a Radius of 460.0 feet and a Tangent of 123.26 feet; 2nd, Southwesterly, around said curve 240.85 ft.; 3rd, S 29° 49' 50" W, 6.65 ft. to the beginning of a curve to the left that has a Central Angle of 24° 49' 42", a Radius of 540.0 ft. and a Tangent of 118.87 ft.; 4th, Southwesterly, around said curve, 234.0 ft. to the POINT OF BEGINNING and containing 5,000 acres of land.

Tract 2

BEING a tract of 16.097 Acres of land in the ALLEN BLEDSOE SURVEY, ABST. NO. 157, Dallas County, Texas; and being more particularly described as follows:

COMMENCING at the point of intersection of the Northwest line of Celestial Road, with the present Northeast line of Montfort St. (25.0 ft. from centerline); Thence N 73° 22' 00" E, along the Northwest line of Celestial Road, 15.13 ft. to its intersection with the proposed Northeast line of Montfort St.; Thence N 23° 49' 41" W, along the proposed Northeast line of Montfort St., 1115.23 ft. to the POINT OF BEGINNING of the 16.097 acre tract described herein: THENCE Northerly, along the proposed Northeast line of Montfort St. and along the Easterly line of a proposed road, as follows: 1st. N 23° 24' 00" W, 568.31 ft. to the beginning of a curve to the right that has a Central Angle of 53° 13' 50", a Radius of 460.0 ft. and a Tangent of 230.5 ft.; 2nd. Northeasterly, around said curve, 427.36 ft.; 3rd. N 29° 49' 50" E, 6.65 ft. to the beginning of a curve to the left that has a Central Angle of 30° 00' 00", a Radius of 540.0 ft. and a Tangent of 144.69 ft.; 4th. Northerly, around said curve, 282.74 ft.; 5th. N 00° 10' 10" W, 194.78 ft. to its intersection with the South line of Belt Line Road; THENCE N 89° 49' 50" E, along the South line of Belt Line Road, 569.11 ft.; THENCE S 00° 10' 10" E, 665.13 ft.; THENCE S 75° 13' 25" E, 12.84 ft.; THENCE S 00° 10' 10" E, 116.56 ft.; THENCE S 48° 00' 00" W, 335.0 ft.; THENCE S 20° 35' 30" W, 391.63 ft.; THENCE S 66° 36' 00" W, 75.0 ft. to the POINT OF BEGINNING and Containing 16.097 acres of land.

SECTION 2. 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 3. 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 4. That should any paragraph, sentence, 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 provisions 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. 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 9th day of May, 1978.

Jerry Kaldenberg
MAYOR

ATTEST:

Jacque Sharp
ACTING CITY SECRETARY