

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 004-019

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AUTHORIZING AN ALTERNATE OFF-STREET PARKING ARRANGEMENT, AS DESCRIBED IN THE DECLARATION OF EASEMENT AND AGREEMENT ATTACHED HERETO, THAN IS OTHERWISE ALLOWED UNDER THE APPLICABLE DISTRICT REGULATIONS CONTAINED IN THE COMPREHENSIVE ZONING ORDINANCE, FOR THE LOCATION OF PARKING FOR THE EXISTING USE OF A CERTAIN TRACT OF LAND GENERALLY LOCATED AT 5055-5057 KELLER SPRINGS ROAD WITHIN THE TOWN AND GENERALLY KNOWN AS LIBERTY PLAZA I; AUTHORIZING THE CITY MANAGER TO EXECUTE THE ACCEPTANCE OF THE DECLARATION OF EASEMENT AND AGREEMENT ON BEHALF OF THE CITY AS A THIRD PARTY BENEFICIARY THERETO; PROVIDING THAT THIS ORDINANCE SHALL NOT BE EFFECTIVE UNTIL SUCH TIME THAT ORDINANCE NO. 004-018 OF THE CITY HAS BECOME EFFECTIVE.

WHEREAS, Ordinance No. 004-018 of the Town of Addison, Texas (the "City") amended the Comprehensive Zoning Ordinance of the Town of Addison, Texas (the "City"), the same being Appendix A - Zoning of the Code of Ordinances of the City, by amending Article II, Section 3 thereof and providing that "required parking for an allowed use must be located as provided in the regulations prescribed for the district in which the use is located, except as may be otherwise authorized by the city council"; and

WHEREAS, Ordinance No. 004-018 was adopted by the City Council on March 23, 2004 but does not take effect until such time as it has been published in accordance with law; and

WHEREAS, in accordance with Article II, Section 3, as amended by Ordinance No. 004-018, the City Council desires to authorize an off-street parking arrangement (the "Alternative Parking Arrangement") which will allow a portion of the off-street parking required for an allowed use on a tract of land (located at 5055-5057 Keller Springs Road within the City and generally referred to as "Liberty Plaza I") to be located on an abutting tract of land (referred to in the Agreement as "Liberty Plaza II"); and

WHEREAS, the Alternative Parking Arrangement and the land and use thereof to which it is applicable are described in that document entitled "Declaration of Easement and Agreement" ("Agreement") attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Pursuant to Section 3, Article II of the City's Comprehensive Zoning Ordinance, an Alternative Parking Arrangement, described in the attached Declaration of Easement and Agreement, is hereby authorized for the existing use of that tract of

land generally located at 5055-5057 Keller Springs Road, Addison, Texas and referred to in the Agreement as "Liberty Plaza I," specifically to allow parking spaces for existing uses on Liberty Plaza I to be located on Liberty Plaza II, and as further described therein.

Section 2. Following the effective date of this Ordinance, the City Manager is hereby authorized to execute on behalf of the City the form of "Acceptance by Town of Addison, Texas" as a third party beneficiary of certain terms of the Agreement.

Section 3. This Ordinance shall take effect from and after its adoption and upon Ordinance No. 004-018 of the City becoming effective.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 23rd day of March, 2004.



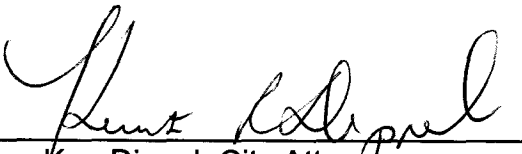
R. Scott Wheeler, Mayor

ATTEST:

By: 

Carmen Moran, City Secretary

APPROVED AS TO FORM:

By: 

Ken Dippel, City Attorney

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