

**TOWN OF ADDISON
ORDINANCE NO. 013-019**

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM PLANNED DEVELOPMENT, THROUGH ORDINANCE 095-016, TO INDUSTRIAL-1, ON APPLICATION FROM HARD SIX HOLDINGS, LLC, LOCATED AT 15100 MIDWAY ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

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

SECTION 1. That the Comprehensive Zoning Ordinance of the Town of Addison, Texas, be, and the same is hereby amended by amending the zoning map of the Town of Addison, Texas, so as to give the hereinafter described property the zoning district classification, to-wit: Industrial-1. Said property being in the Town of Addison, Texas, and being described as follows:

BEING part of ICEOPLEX ADDITION, an addition to the City of Addison, Dallas County, Texas, recorded in Volume 95210, Page 3012, of the Map Records of Dallas County, Texas, and said tract being more particularly described as follows:

BEGINNING at a ½-inch iron rod found at the present intersection of the east R.O.W. line of Midway Road (a 100' R.O.W.) with the south R.O.W. line of the St. Louis and Southwestern Railroad (a 100' R.O.W.);

THENCE S 89°41'00" E, 195.00' along the south line of the St. Louis & Southwestern Railroad to a ½" iron rod found at the northernmost northwest corner of Rodeway Inn, an addition to the City of Addison, Texas, recorded in Volume 81052, Page 775 of the Map Records, Dallas County, Texas:

THENCE S 1°04'54" E, 60.10' along the west line of said Rodeway Inn property to a ½" iron rod found for corner;

THENCE S 88°51'59" E, 75.20' along the west line of said Rodeway Inn property to a ¾" iron rod set for corner;

THENCE S 0°06'12" E, 436.11' along the west line of said Rodeway Inn property to a ¾" iron rod set for corner in the northeast corner of that same tract of land described in deed to Chili's Center Joint Venture, recorded in Volume 81005, Page 2859 of the Deed Records, Dallas County, Texas;

THENCE N 89°48'16" W, 276.01' along the north line of said Chili's Center Joint Venture property to a ¾" iron rod set for corner;

THENCE N 0°42'00" W, 1/12' along the north line of said Chili's Center Joint Venture property to a ¾" iron rod set for corner;

THENCE S 89°48'00" W, 67.87' along the north line of said Chili's Center Joint Venture property to a ¾" iron rod set for corner in the southeast corner of that same tract of land described in deed to Dallas Area Rapid Transit, recorded in Volume 98006, Page 3410, of the Deed Records, Dallas County, Texas;

THENCE N 07°37'58" E, 53.95' along the east line o said Dallas Area Rapid Transit property to a ¾" iron rod set for corner in the east line of Midway Road;

THENCE N 11°32'20" W, 227.66' along the east line of Midway Road to a ½" iron rod found for corner and the beginning of a curve to the left having a central angle of 12°14'20" and a radius of 1004.93' bearing N 78°27'40" E;

THENCE around said curve and continuing along the east line of Midway Road, a distance of 214.66' to a ½" iron rod found for corner;

THENCE N 0°42'00" W, 12.01' along the east line of Midway Road to the point of beginning and containing 144.763.18 square feet or 3.3233 acres of land.

SECTION 2. As provided in Planned Development District Article of the Comprehensive Zoning Ordinance, said property shall be improved in accordance with the development plans which are attached hereto and made a part hereof for all purposes.

SECTION 3. The following special conditions are placed on the above described property:

SECTION 4. All paved areas, permanent drives, streets and drainage structure shall be constructed in accordance with standard Town of Addison specifications adopted for such purpose


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 set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 6. 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

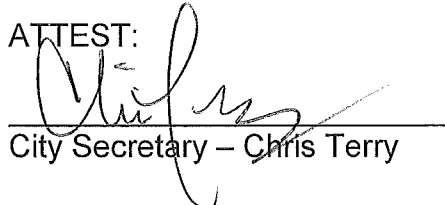
provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 7. 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.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS, on this the 28th day of May, 2013



Mayor – Todd Meier

ATTEST:


City Secretary – Chris Terry

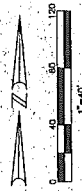
CASE NO: Case 1667-Z/Hard Six Holdings, LLC

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES

PUBLISHED ON: _____



STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS, THAT I, Shirley Ray Falls, do hereby certify that I prepared the plat from an actual and accurate survey of the land and that the other documents shown in accordance with the provisions of other provisions of the Planning and Zoning Commission of the Town of Addison, Texas.

Shirley Ray Falls
Surveyor
No. 4625

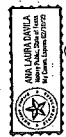


CIVIL ENGINEER
No. 4625

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County of Dallas, Texas, on this 10th day of October, 1995, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10th day of Sept. 1995.



Anilabandla Naveen Kumar
Notary Public, State of Texas
My Commission Expires 2/10/99

APPROVED October 10, 1995

CERTIFICATE OF APPROVAL

FOR THE TOWN OF ADDISON

CITY SECRETARY

VOLUME _____ PAGE _____

FILED
95 OCT 27 AM 10:58
EARL BULLOCK
COUNTY CLERK
DALLAS COUNTY

VOLUME 95210
PAGE 401 N

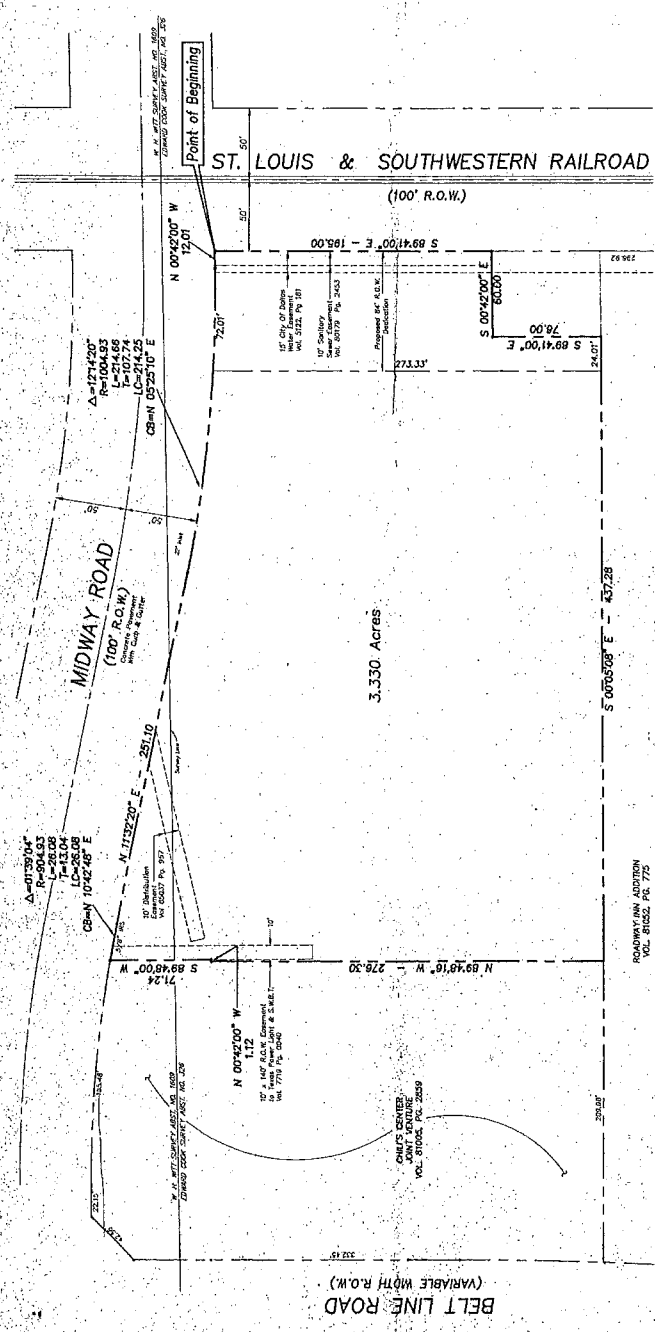
FINAL PLAT
ICEOPLEX ADDITION

WH. WITT SURVEYOR
SITUATED IN THE EAST CORNER
AN ADDITION TO THE
DALLAS COUNTY, TEXAS

TOWN OF ADDISON, TEXAS

SUBJECT
PLAT NO. 1000
SUITE 1100
CALIFORNIA 61466
(972) 832-7054

SEPTEMBER, 1995



The maintenance of utility of the utility and fire line easements is the responsibility of the property owner. All public utilities, including electric, gas, water, sewer, telephone, and cable television, and other utility easements for the purpose of construction, reconstruction, inspection, repairing, maintaining, and other utility easements shall be the responsibility of the property owner. Any public utility shall have the right to install and maintain any maintenance and service required or authorized by law or ordinance. Improvements of growth may be constructed, reconstructed or placed upon or across the utility easements as shown, provided that the property owner shall be responsible for the maintenance and repair of any and all improvements for the utility easements or portions of any building, fence, trees, shrubs or other improvements or growth. The City shall not be responsible for the maintenance or repair of any improvements of its respective system or service.

Water, math and sanitary sewer easements shall also include additional area of wetting areas for construction and maintenance of utility easements. The City shall be responsible for the installation and maintenance of manholes, catchbasins, fire hydrants, and other utility easements. The City shall be responsible for the maintenance and repair of any improvements of its respective system or service. This plat is approved subject to all pending ordinances, rules, regulations and resolutions of the Town of Addison, Texas.

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County of Dallas, Texas, on this 10th day of October, 1995, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10th day of Sept. 1995.

Anilabandla Naveen Kumar
Notary Public, State of Texas
My Commission Expires 2/10/99

APPROVED

CERTIFICATE OF APPROVAL

FOR THE TOWN OF ADDISON

CITY SECRETARY

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PAGE 401 N

FINAL PLAT
ICEOPLEX ADDITION

WH. WITT SURVEYOR
SITUATED IN THE EAST CORNER
AN ADDITION TO THE
DALLAS COUNTY, TEXAS

TOWN OF ADDISON, TEXAS

The easements shown on this plat are hereby reserved for the purposes as indicated hereon, but not limited to, the electric, gas, water, sewer, telephone, and cable television, and other utility easements for the purpose of construction, reconstruction, inspection, repairing, maintaining, and other utility easements shall be the responsibility of the property owner. Any public utility shall have the right to install and maintain any maintenance and service required or authorized by law or ordinance. Improvements of growth may be constructed, reconstructed or placed upon or across the utility easements as shown, provided that the property owner shall be responsible for the maintenance and repair of any and all improvements for the utility easements or portions of any building, fence, trees, shrubs or other improvements or growth. The City shall not be responsible for the maintenance or repair of any improvements of its respective system or service.

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FINAL PLAT
ICEOPLEX ADDITION

WH. WITT SURVEYOR
SITUATED IN THE EAST CORNER
AN ADDITION TO THE
DALLAS COUNTY, TEXAS

TOWN OF ADDISON, TEXAS

PROPERTY DESCRIPTION
Being a tract of land located in the City of Addison, being part of the EDWARD COOK SURVEY, ABSTRACT NO. 238, and part of the W.H. WITT SURVEY, ABSTRACT NO. 239, both in Dallas County, Texas, and being more particularly described as follows:
BEGINNING at a 1/2" iron rod found at the intersection of the east line of Jeffrey Road (100' R.O.W.) with the south line of 100.00' wide St. Louis & Southwestern Railroad (100' R.O.W.);

THENCE S 89° 41' 00" E along the south line of said Railroad (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;
THENCE along the west line of said Railway In Addition and departing the south line of said Railroad (100' R.O.W.) the following:
S 100° 42' 00" E a distance of 60.00 feet to a 1/2" iron rod found for corner;
S 89° 41' 00" E parallel with said Railroad (100' R.O.W.) a distance of 76.00 feet to a 1/2" iron rod found for corner;

S 00° 05' 00" E a distance of 427.28 feet to a chain-link fence post found for corner;
THENCE along the west line of said Jeffrey Road (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;
THENCE S 89° 41' 00" E along the south line of said Railroad (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;
THENCE along the west line of said Jeffrey Road (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;

THENCE S 89° 41' 00" E along the south line of said Railroad (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;
THENCE along the west line of said Jeffrey Road (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;

THENCE S 89° 41' 00" E along the south line of said Railroad (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;

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THENCE S 89° 41' 00" E along the south line of said Railroad (100' R.O.W.) a distance of 193.00 feet to a 1/2" iron rod found for corner situated in the west line of Railway In Addition as recorded in Volume 81022, Page 775, Deed Records, Dallas County, Texas;