

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON A TRACT OF LAND FROM "A" AGRICULTURAL DISTRICT CLASSIFICATION TO "LI" LIGHT INDUSTRIAL CLASSIFICATION WITH A CONDITIONAL USE PERMIT FOR A CONCRETE PLANT, SAID TRACT DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN THE N. M. BALLARD SURVEY, ABSTRACT NO. 24, ROCKWALL COUNTY, TEXAS, AND BEING A PART OF THAT 10.50 ACRE TRACT OF LAND CONVEYED TO ROBERT J. EVANS, JR., BY DEED RECORDED IN VOLUME 164, PAGE 497, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD FOUND ON THE NORTH LINE OF STATE HIGHWAY 276 AND AT THE SOUTHEAST CORNER OF SAID 10.50 ACRE TRACT; THENCE: SOUTH 87° 49' 41" WEST A DISTANCE OF 79.12 FEET ALONG THE NORTH LINE OF SAID HIGHWAY TO AN IRON ROD FOUND FOR A CORNER OF SAID 10.50 ACRE TRACT; THENCE: NORTH 2° 35' 41" WEST A DISTANCE OF 185.00 FEET TO AN IRON ROD FOUND FOR A CORNER OF SAID 10.50 ACRE TRACT; THENCE: SOUTH 87° 19' 26" WEST A DISTANCE OF 286.84 FEET ALONG THE MOST NORTHERLY SOUTH LINE OF SAID 10.50 ACRE TRACT TO AN IRON ROD SET FOR A CORNER; THENCE: NORTH 0° 21' 16" EAST LEAVING SAID SOUTH LINE, TRAVERSING SAID 10.50 ACRE TRACT, AND PASSING AT 640.00 FEET AN IRON ROD SET AS A REFERENCE POINT AND CONTINUING A TOTAL DISTANCE OF 679.98 FEET TO AN IRON ROD SET FOR A CORNER ON THE NORTH LINE OF SAID 10.50 ACRE TRACT AND IN THE CENTER OF BUFFALO CREEK; THENCE: WITH THE MEANDERS OF BUFFALO CREEK AND THE NORTH LINES OF SAID 10.50 ACRE TRACT AS FOLLOWS: NORTH 86° 58' 02" EAST A DISTANCE OF 100.39 FEET TO AN IRON ROD SET FOR A CORNER; SOUTH 62° 29' 12" EAST A DISTANCE OF 114.34 FEET TO AN IRON ROD SET FOR A CORNER; NORTH 59° 58' 38" EAST A DISTANCE OF 55.78 FEET TO AN IRON ROD SET FOR A CORNER; NORTH 19° 17' 07" EAST A DISTANCE OF 61.05 FEET TO AN IRON ROD SET FOR A CORNER; NORTH 67° 02' 01" EAST A DISTANCE OF 68.09 FEET TO AN IRON ROD SET FOR A CORNER; AND SOUTH 72° 52' 50" EAST A DISTANCE OF 44.49 FEET TO AN IRON ROD SET AT THE NORTHEAST CORNER OF SAID 10.50 ACRE TRACT; THENCE: SOUTH 0° 21' 16" WEST A DISTANCE OF 899.90 FEET ALONG THE EAST LINE OF SAID 10.50 ACRE TRACT TO THE POINT OF BEGINNING AND CONTAINING 6.1898 ACRES OF LAND; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by

amending the Zoning map of the City of Rockwall so as to give "LI" Light Industrial District classification with a Conditional Use Permit for a concrete plant to the following described property:

BEING a tract of land situated in the N. M. Ballard Survey, Abstract No. 24, Rockwall County, Texas, and being a part of that 10.50 acre tract of land conveyed to Robert J. Evans Jr., by deed recorded in Volume 164, Page 497, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found on the North line of State Highway 276 and at the Southeast corner of said 10.50 acre tract;

THENCE: South  $87^{\circ} 49' 41''$  West a distance of 79.12 feet along the North line of said Highway to an iron rod found for a corner of said 10.50 acre tract;

THENCE: North  $2^{\circ} 35' 41''$  West a distance of 185.00 feet to an iron rod found for a corner of said 10.50 acre tract;

THENCE: South  $87^{\circ} 19' 26''$  West a distance of 286.84 feet along the most Northerly South line of said 10.50 acre tract to an iron rod set for a corner;

THENCE: North  $0^{\circ} 21' 16''$  East leaving said South line, traversing said 10.50 acre tract, and passing at 640.00 feet an iron rod set as a reference point and continuing a total distance of 679.98 feet to an iron rod set for a corner on the North line of said 10.50 acre tract and in the center of Buffalo Creek;

THENCE: With the meanders of Buffalo Creek and the North lines of said 10.50 acre tract as follows: North  $86^{\circ} 58' 02''$  East a distance of 100.39 feet to an iron rod set for a corner; South  $62^{\circ} 29' 12''$  East a distance of 114.34 feet to an iron rod set for a corner; North  $59^{\circ} 58' 38''$  East a distance of 55.78 feet to an iron rod set for a corner; North  $19^{\circ} 17' 07''$  East a distance of 61.05 feet to an iron rod set for a corner; North  $67^{\circ} 02' 01''$  East a distance of 68.09 feet to an iron rod set for a corner; and South  $72^{\circ} 52' 50''$  East a distance of 44.49 feet to an iron rod set at the Northeast corner of said 10.50 acre tract;

THENCE: South  $0^{\circ} 21' 16''$  West a distance of 899.90 feet along the East line of said 10.50 acre tract to the Point of Beginning and Containing 6.1898 Acres of Land.

SECTION 2. That there shall be no time limit on this Conditional Use Permit.

SECTION 3. That the parking lot and driveway shall be paved.

SECTION 4. That the stock tank shall be cleaned and maintained environmentally acceptable.

SECTION 5. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 7. Any person, firm, or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, as amended hereby, and as may be amended in the future, and upon conviction shall be punished by penalty of fine not to exceed the sum of ONE THOUSAND DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

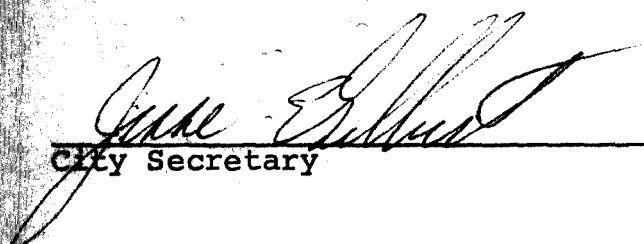
SECTION 8. Whereas, it appears that the above described property requires classification to "LI" Light Industrial District Classification with a Conditional Use Permit for a concrete plant in order to permit its proper development, and to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED THIS 7th day of May, 1984.

APPROVED:

  
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Mayor

ATTEST:

  
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City Secretary