

CITY HALL  
ROCKWALL, TEXAS

APPLICATION FOR ZONING CHANGE

Case No. \_\_\_\_\_ Filing Fee \$50.00 Date May 21, 1980

Applicant AMERICAN MARINA CORPORATION  
4616 Greenville Avenue  
Mailing Address Dallas, Texas 75206 Phone No. (214) 369-6300

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED:  
(if additional space is needed for description, the description may be put on a separate sheet and attached hereto.)

Being a tract of land situated in the M. J. Barksdale Survey, Abstract No. 11, and area located in Rockwall Fishing Marina Franchise starting at a monument X-8-2 and X7-1 hence N 5°15'52" W for 57.03 feet and then N 6°21'25" W for 541.37 feet and then N 17°40'42" W for 338 feet to a turning point and then due west to the City of Rockwall limits near the water edge and then south along the City limits line to a point due east of monument X-8-2 and then due east back to monument X-2

I hereby request that the above described property be changed from its present zoning which is " PD-2 " District Classification to a " PD-Revised " District Classification for the following reasons: (Attach separate sheet if necessary.)

1. To construct dry storage units with overhead doors for storage of
2. boats. They will be constructed from Meeco materials on hand and we believe they will be an improvement to our marina and enhance
3. the appearance of the marina

THERE <sup>(ARE)</sup> ~~(ARE NOT)~~ DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner  X  Tenant \_\_\_\_\_ Prospective Purchaser \_\_\_\_\_

I have attached hereto as Exhibit "A" a Plat showing the property which is the subject of this requested zoning change and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

AMERICAN MARINA CORPORATION

BY Robert M. Hays Chairman  
APPLICANT

NOTE: The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

(The following Certificate may be used by the applicant to give notice to the City of the sufficiency of the legal description, however, the same is not a requirement of the Application.)

CERTIFICATE

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow qualified surveyor to locate and mark off said tract on the ground.

Robert M. Hays Professional Engineer  
Surveyor or Attorney for Applicant  
(Mark out one.)

# CITY OF ROCKWALL

## OFFICIAL RECEIPT

### PUBLIC WORKS DEPARTMENT

DATE 6/2/80

NAME Leeward Music

ADDRESS 11111 Hillside

Cash     
  Check     
  Other

BUILDING PERMIT		
PLUMBING PERMIT		
MECHANICAL PERMIT		
ELECTRICAL PERMIT		
WATER TAP		
WATER AVAILABILITY		
SEWER TAP		
SEWER AVAILABILITY		
<u>Case # 80-7</u>		<u>50</u> <u>CD</u>

Received By \_\_\_\_\_

FORM I-1  
**1529**

Use Map of  
TEXAS

Map Was Flown 12-15-76  
Lake Roy Hubbard la Elev. 435.50

PT. 1977

LING  
LING  
LING  
LING  
G

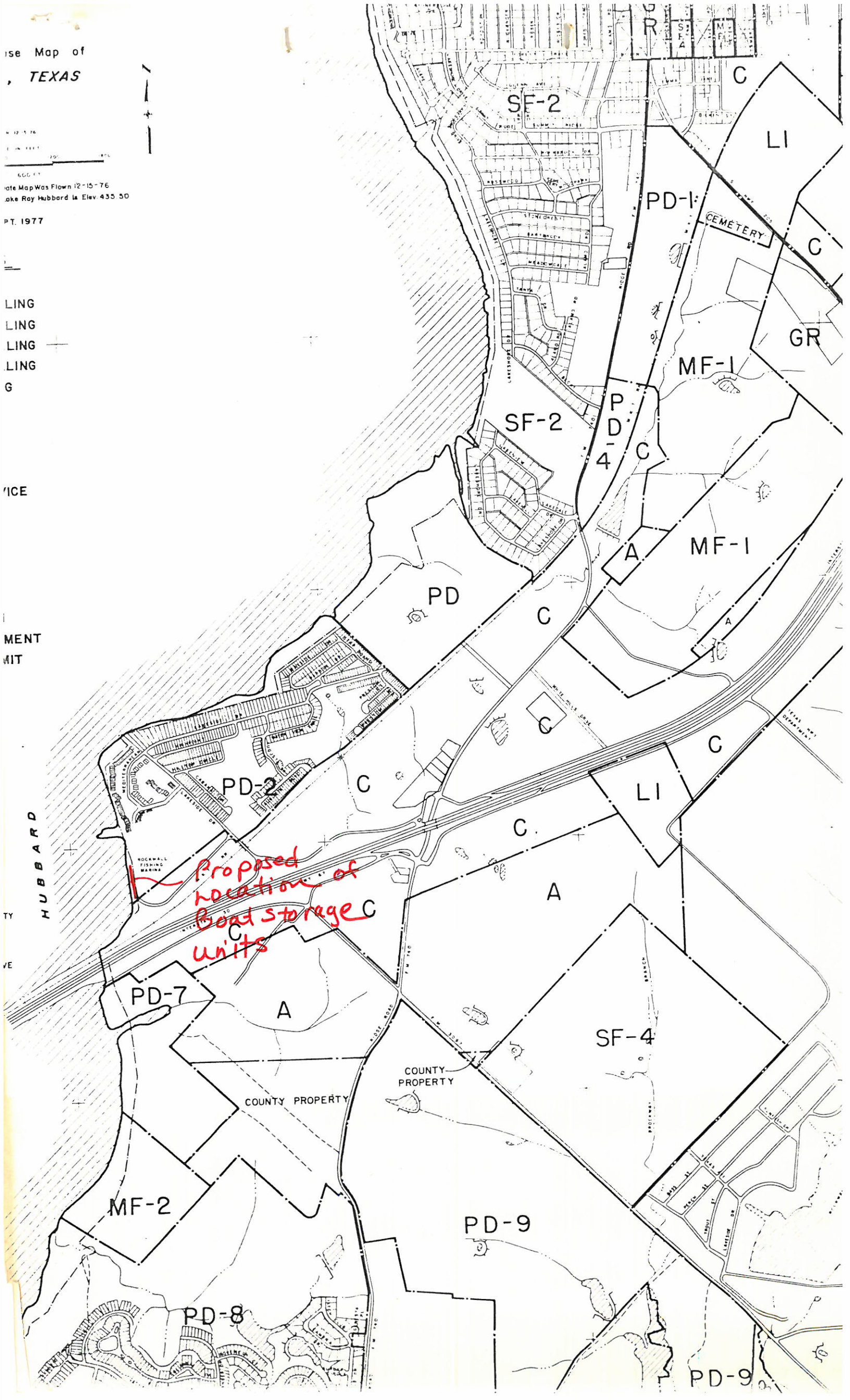
ICE

MENT  
MIT

TY

VE

HUBBARD



*Proposed location of Boat storage units*

PD-7

MF-2

PD-8

PD-9

SF-4

SF-2

PD

P.D. 4

SF-2

PD-1

MF-1

MF-1

LI

LI

GR

CEMETERY

COUNTY PROPERTY

COUNTY PROPERTY

PD-9

Lakeside Marina

1. Lakeside Homeowners Assoc.  
4100 Village Dr.
2. Gifco  
% R.G. Fichtmaster  
PO Box 47147  
Dallas, Tx. 75247
3. Exchange Sav. & Loan Assoc.  
6516 Forest Park Rd.  
Dallas, Tx 75235
4. Robert W. Gehring  
3924 Mediterranean
5. Jimmie G. Griffin  
3926 Mediterranean
6. Marguerite E. Wright  
3928 Mediterranean
7. Frederick Ahrens  
3930 Mediterranean
8. Michael Griffin  
3932 Mediterranean
9. Clint Longley  
3934 Mediterranean
10. Winson D. Harmon Jr.  
3936 Mediterranean

(2)

11. Gary H. Carlyle  
4002 Mediterranean

12. Thomas Freeman  
4004 Mediterranean

13. Betty Lanier  
PO Box 691

14. Linda G. Baird  
4008 Mediterranean

15. Jack D. Locklear  
4010 Mediterranean

16. Belvin A. Simmons  
4012 Mediterranean

17. Richard M. Pickens  
11101 Ridge Road

18. Karen Rose K. Vinson  
4016 Mediterranean

19. Leon Jones & Co.  
1720 N. Central Expressway  
Plano, TX 75074

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. Unsightly construction would not fit with the architecture of Lakeside Village, & ruin the appearance of the area
2. Would decrease the desirability of adjoining homes & land values.
3. Plenty of boat stalls are vacant due to leasing practices & costs which are increasing

Signature

J. W. Baldwin, M.D.

Address

3003 Portside Drive

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,

City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. *Limits existing parking space*
2. *Presently have adequate boat storage space.*

3.

Signature Gracey D. Dwyer

Address 3316 Lakeside

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. *Inadequate Parking*
2. *Not needed. There are plenty of empty boat stalls in the marina.*
- 3.

Signature C. L. Barnes

Address \_\_\_\_\_

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1.

2.

3.

Signature *[Handwritten Signature]*

Address 3903 Roma Ct. Rockwall TX

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. *Inadequate Parking*
2. *They do not keep parking lot up. lots of potholes.*
3. *Will decrease value of home adjoining.*

Signature Betty R. Holt

Address 3007 Postside Dr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature Joanne Digne

Address 3022 Bayside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. no

1. *will make the shoreline and Lakeside Village*
2. *unsightly!*
- 3.

Signature Mr. & Mrs. Phil Johnson  
Address 3007 Preston Ct.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. #1

1. Owner of 124 Residential Lots in Lakewood City

2.

3.

Signature Exchange Savings & Loan  
Cap [Signature]

Address 6516 Forest Park

Check one item PLEASE and return the notice to this office IMMEDIATELY.

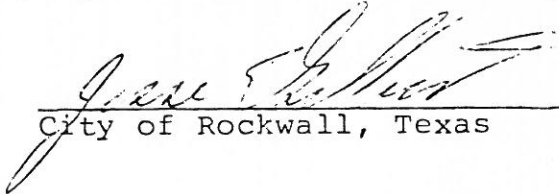
Thank you,  
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at  
7:30 o'clock P.M., on the 10th day of July,  
19 80, in the Rockwall City Hall, Rockwall Texas, on the request of  
American Marina Corp. for a change of zoning from  
"A" Agricultural District Classification,  
to "SUP" - "WR" Specific Use - Water Recreation District Classification,  
on the following described property:

See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

  
\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_  
I am opposed to the request for the reasons listed below. ✓

1. The structure would be near property which is planned for residential use and the close proximity of the purposed structure would cause property to be reduced in value.
2. Will not conform to the Lakeside architecture
3. Such a structure would be unsightly

GIFCO DEVELOPMENT CO.  
Signature By: Harold L. Boyer  
Vice-President  
Address Box 47127, Dallas, TX 75247

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P.M., on the 10th day of July, 19 80, in the Rockwall City Hall, Rockwall Texas, on the request of American Marina Corp. for a change of zoning from "A" Agricultural District Classification, to "SUP" - "WR" Specific Use - Water Recreation District Classification, on the following described property:

See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. *Astetic - (Very insightly)*
2. *Does not Co-operate with Lakeside residents*
3. *Stubby Non-Residential - will decrease Prop Value*

Signature *[Handwritten Signature]*  
Address *406 Village*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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CITY OF ROCKWALL, TEXAS

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See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

Jesse S. Hilltop  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature Polly Crump D.C  
Address 3614 Hilltop

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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See Attached

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3918 Maderrawson

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

The Lakeside Village Homeowners Association has submitted a request to revise Lakeside Village's Planned Development Unit to allow the construction and operation of a cable television receiving and monitoring station. This use was not provided for in the original site plan of the Planned Development, and therefore, the site plan of the area must be revised in order to allow this use.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P.M., on the 10th day of July, 1980, in the Rockwall City Hall, Rockwall Texas, on the request of Lakeside Homeowners Assoc. for a change of zoning from "PD-2" Planned Development District Classification, to "PD-2 Revised" Planned Development District Classification, on the following described property:

See Attached Field Notes

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-9.

*Jane ...*  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-9

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

1. *This building is not being used.*
2. *It would not interfere with Rockwall, as such, so I feel that since the Homeowners want this, this should be changed.*
- 3.

Signature *Mary Nell Burnett*  
Address *3412 Lakeside*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

The Lakeside Village Homeowners Association has submitted a request to revise Lakeside Village's Planned Development Unit to allow the construction and operation of a cable television receiving and monitoring station. This use was not provided for in the original site plan of the Planned Development, and therefore, the site plan of the area must be revised in order to allow this use.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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See Attached Field Notes

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-9.

*Joan C. Whitton*  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-9

I am in favor of the request for the reasons listed below. ✓

I am opposed to the request for the reasons listed below. \_\_\_\_\_

- 1.
- 2.
- 3.

Signature *Gwen Whitton*  
Address *3105 Lakeside*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

The Lakeside Village Homeowners Association has submitted a request to revise Lakeside Village's Planned Development Unit to allow the construction and operation of a cable television receiving and monitoring station. This use was not provided for in the original site plan of the Planned Development, and therefore, the site plan of the area must be revised in order to allow this use.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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See Attached Field Notes

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-9.

Jose C. [Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-9

I am in favor of the request for the reasons listed below. ✓

I am opposed to the request for the reasons listed below. \_\_\_\_\_

1. Its good for Rockwall.

2.

3.

Signature [Signature]  
Address 3412 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

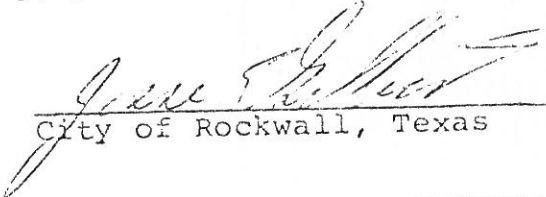
Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

1. This will cause more traffic on the road which is owned by Lakeside Village.
2. It will take away from the beauty of Lakeside Village and doesn't meet the decor.
3. The marina doesn't have enough room for parking now. What will they do if they build more.

Signature James Musgrave  
Address 3407 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature Laven Whetton  
Address 3105 Lakeside

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_

- 1.
- 2.
- 3.

Signature Beth Burnett  
Address 3412 Lakeside Dr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. WCB

I am opposed to the request for the reasons listed below. ✓

1. *Unsanitary*
2. *Decrease property value*
3. *More congestion in area*

Signature Kenn Hollins  
Address 3322 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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Jesse E. Carter  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. It will take up parking space
2. We do not want metal buildings
3. There is already enough boat storage spaces

Signature Maryneer Burnett  
Address 3412 Lakeside

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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See Attached

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[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 1610 Salmon Redarts

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]

Address 4112 VILLAGE DRIVE

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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James E. Miller  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. DP

- 1.
- 2.
- 3.

Signature Boyanna Pinderter  
Address 106 St. Marys, Rockwall

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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James L. Johnson  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ATO

1.

2.

3.

Signature James L. Johnson

Address 3103 Lakeview Dr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,

City of Rockwall

SUPPLEMENTAL INFORMATION

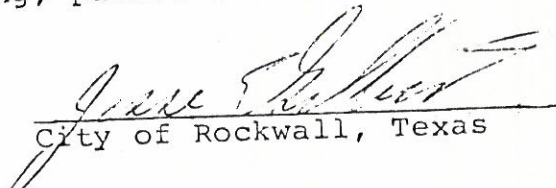
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City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

- 1.
- 2.
- 3.

Signature Manda Johnson  
Address 3103 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address PRESIDENT - LAKESIDE VILLAGE HOME OWN ASSOC

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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James H. Hill  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. SH

- 1.
- 2.
- 3.

Signature Sherry Hill  
Address Hwy 1 Box 247 Rockwall

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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Joan E. Miller  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. Decrease value of property
2. Too much traffic - trash etc - noise
3. Adverse security problems -
4. More expense for upkeep of road

Signature Betty G. Lanier

Address 4006 Mediterranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. [Signature]

I am opposed to the request for the reasons listed below. [Signature]

- 1.
- 2.
- 3.

Signature [Signature]  
Address 4103 Cabana

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. *Closed storage units are unsightly and depressing to look at. I feel that type of*
2. *structure would detract from the natural beauty of our lake and village.*
- 3.

Signature [Signature]  
Address 3934 Mediterranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. *Unsettly buildings will reduce property value. They are depressing to look at.*
2. *Detracts from the natural beauty of the lake.*
3. *Too much traffic & noise.*

Signature *Sally Carls*  
Address *400 Mediterranean*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. eye-sore, decrease property value

2.

3.

Signature [Signature]  
Address 3618 Hilltop

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1. Esthetic Value
- 2. Security
- 3.

Signature [Signature]  
Address 4720 Village

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*[Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_  
I am opposed to the request for the reasons listed below.  \_\_\_\_\_

- 1.
- 2.
- 3.

Signature AP Graham  
Address 3608 Hultop

Check one item PLEASE and return the notice to this office IMMEDIATELY.

*Rain View Traffic*

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*James Lambert*  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. *NOT A proper asset (visibility) for Lakeside Village.*
2. *Would tend to clutter*
3. *Innate unwanted access to Lakeside Village (Security)*

Signature *Dale M Lambert*

Address *3720 mediterranean*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

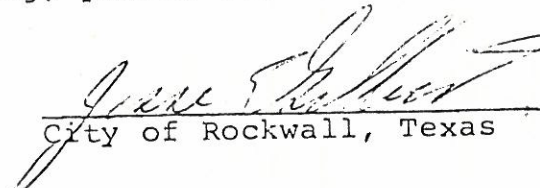
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\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_  
I am opposed to the request for the reasons listed below. Melva Jo Lea

- unsightly
- Security Problems
- Block view

Signature Melva Jo Lea  
Address \_\_\_\_\_

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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James E. Baker  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. A

1. unsightly commercial property
2. undesirable criminal attraction
3. decrease of property value

Signature Michael Hendrickson  
Address 3903 Village Rockwall

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

1. *Idon't know what they will look like*
2. *and an unsightly construction may seriously*
3. *affect my property value*

Signature *J. P. Adams*

Address 3930 Medeteranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3907 Village Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P.M., on the 10th day of July, 19 80, in the Rockwall City Hall, Rockwall Texas, on the request of American Marina Corp. for a change of zoning from "A" Agricultural District Classification, to "SUP" - "WR" Specific Use - Water Recreation District Classification, on the following described property:

See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. *Unsignly reduce property value and will not aid in the further well thought-out*
2. *development of this area and ultimately other*
3. *adjoining developments.*

Signature L.H. Swadell  
Address 3730 N. Mediterranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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CITY OF ROCKWALL, TEXAS

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*Gene Walker*  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. W.P.

- 1.
- 2.
- 3.

Signature *Henry A. Pregent*  
Address *823 Wash St. Rockwall*

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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CITY OF ROCKWALL, TEXAS

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*[Handwritten Signature]*  
\_\_\_\_\_  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. ~~\_\_\_\_\_~~

I am opposed to the request for the reasons listed below. opposed

1. Construction
2. unsightly
3. decrease of property value

Signature Thomas B. Schmore  
Address 3810 Mediterranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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CITY OF ROCKWALL, TEXAS

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[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

1. PARKING IS NOT ADEQUATE AT PRESENT TIME.
2. WOULD DETRACT FROM APPEARANCE OF LAKESIDE VILLAGE.
3. \_\_\_\_\_

Signature Carl E. Zandt  
Address 3512 LAKESIDE, ROCKWALL

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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CITY OF ROCKWALL, TEXAS

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[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. DIRTY MESS - They do not keep it clean!
2. NOT ADEQUATE parking at present time
3. WOULD NOT BE IN HARMONY WITH ARCHITECTURAL CONCEPT OF LAKESIDE Village

Signature [Signature]  
Address 3612 Lakeside dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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Jesse E. Gilbert  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

- 1.
- 2.
- 3.

Signature B. Jay Carmichael  
Address 3604 Lakeside Dr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. [Signature]

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3070 Lakewood Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

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CITY OF ROCKWALL, TEXAS

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_ ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3508 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature Austin G. Scott  
Address 3518 Lakeside Dr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. [Signature]

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3514 - Lakeside DR

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. Yes

1. Detracts from look of my neighborhood.

2. Inconsistent with overall plan.

3.

Signature [Signature]  
Address 3402 Lakeland

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall



SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3909 MEDITERRANEAN

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

1. Because it is not attractive development for the lake or Rockwall.
- 2.
- 3.

Signature [Signature]  
Address 3412 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

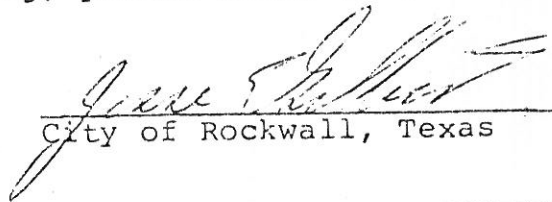
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\_\_\_\_\_  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below.  \_\_\_\_\_

- 1.
- 2.
- 3.

Signature Mr. & Mrs. Margie Crow  
Address 3404 Augustinus

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

- 1.
- 2.
- 3.

Signature Peter C Sandmore  
Address 3404 Lakeside Dr  
Rockwall, TX

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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Jesse B. Miller  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

- 1.
- 2.
- 3.

Signature Gilbert J. Moor  
Address 3913 MEDITERRANEAN DR.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 3516 Lakeside Dr.

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below. Mike Gross

- 1.
- 2.
- 3.

Signature Mike Gross  
Address 402 Boydston

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall







SUPPLEMENTAL INFORMATION

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Jane Miller  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. \_\_\_\_\_ ✓

- 1.
- 2.
- 3.

Signature Jane Miller

Address 3404 Village Drive

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

Rockwall Fishing Marina is proposing to construct 25 dry dock boat storage units in the parking area of the Rockwall Fishing Marina, with provision for additional units. The units would provide closed, covered storage for boats at the Marina. They would be constructed with steel and iron. The property must be rezoned to Water Recreation with a Specific Use Permit for dry dock storage units.

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at 7:30 o'clock P.M., on the 10th day of July, 19 80, in the Rockwall City Hall, Rockwall Texas, on the request of American Marina Corp. for a change of zoning from "A" Agricultural District Classification, to "SUP" - "WR" Specific Use - Water Recreation District Classification, on the following described property:

See Attached

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

[Signature]  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. [initials]

I am opposed to the request for the reasons listed below. [initials]

- 1.
- 2.
- 3.

Signature [Signature]  
Address Rt 4 Box 62-12

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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[Signature]  
City of Rockwall, Texas

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Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ng

- 1.
- 2.
- 3.

Signature Nedine Gruffer  
Address 3926 Mediterranean

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

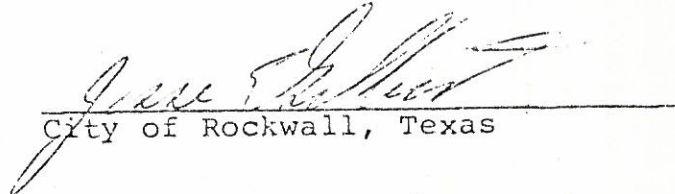
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City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. X

- 1.
- 2.
- 3.

Signature Jesse R. [unclear]  
Address 3626 High Point

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 80-7.

Jane Bell  
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. \_\_\_\_\_

I am opposed to the request for the reasons listed below. ✓

- 1.
- 2.
- 3.

Signature [Signature]  
Address 324 Hill Top Cr

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION  
CITY OF ROCKWALL, TEXAS

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Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 80-7

I am in favor of the request for the reasons listed below. ✓

I am opposed to the request for the reasons listed below. \_\_\_\_\_

- 1.
- 2.
- 3.

Signature *Jack B. Black*  
Address 3304 LAKESIDE DR.  
ROCKWALL, TX

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

Signature \_\_\_\_\_  
Address \_\_\_\_\_

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,  
City of Rockwall

SUPPLEMENTAL INFORMATION

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*City of Rockwall*

102 EAST WASHINGTON  
ROCKWALL, TEXAS 75087

March 4, 1980

RECEIVED  
MAR 6 '80

*file  
Perkins  
TJ.*

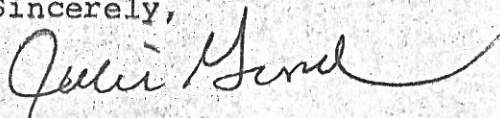
Mr. Richard Fagin, Chairman  
American Marina Corporation  
5630 Yale Boulevard  
Dallas, Texas 75206

Dear Mr. Fagin:

This is to officially inform you that the Parks and Recreation Board of the City of Rockwall approved your request for the construction of twenty-five covered dry storage units at the Rockwall Fishing Marina. We have notified the Dallas Park and Recreation Department of the action, and we have also sent them a copy of your plans. As you know, before a building permit can be issued for construction of these units, the property on which you plan to locate the buildings must be rezoned.

If you have any questions on this matter, please contact Ed Heath.

Sincerely,



Julie Grove  
Administrative Assistant

JG/mmp

# AMERICAN MARINA CORPORATION

5630 Yale Boulevard • Dallas, Texas 75206 • (214) 369-6300

May 20, 1980

City of Rockwall  
Planning Committee  
102 East Washington  
Rockwall, Texas 75087

Gentlemen:

Enclosed is our application to re-zone our Rockwall Fishing Marina from PD-2 to PD-Revised.

Enclosed is a plat of Lakeside Village showing the original Marina Development.

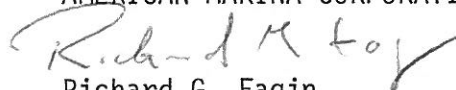
Also enclosed is a copy of our original franchise from the City of Dallas which has been assigned to the City of Rockwall. This clearly states, in our opinion, that we have the authority to develop our marina on this piece of property. This franchise was assigned to the City of Rockwall and we make our payments to the City of Rockwall.

In addition, also enclosed are plats of the improvements we currently wish to make and authority given to us by the Park Board of Rockwall. We would appreciate your kindness in awarding this change in zoning.

You may wish to discuss this with Mr. Jack Robinson, Director, Parks and Recreation, City of Dallas; Mr. Ed Heath, Inspector for City of Rockwall; Mr. T. J. Johnson, Vice President of American Marina Corporation and Manager of Rockwall Fishing Marina, or myself.

We will be glad to appear before you at any time to answer questions. Your kindness in this matter is appreciated.

Very truly yours,  
AMERICAN MARINA CORPORATION



Richard G. Fagin  
Chairman

RGF:fa

Enc.

cc: Ed Heath  
Jack Robinson  
T. J. Johnson



Mr. Jesse E. Gilbert, City Administrator  
City of Rockwall

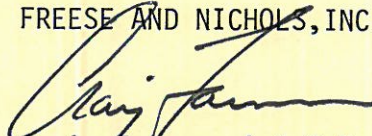
July 7, 1980  
Page 2

We recommend that care be taken to insure that the construction of the storage units blend in with the rest of the Lakeside Development. The existing Planned Development (PD-2) should be revised to include the Marina.

If you have any further questions, feel free to contact us.

Sincerely,

FREESE AND NICHOLS, INC.



Craig Farmer, A.I.C.P.  
Chief Planner

CF/cc

cc: Robert L. Nichols

FRESE AND NICHOLS, INC.  
CONSULTING ENGINEERS  
314 HIGHLAND MALL BLVD. AUSTIN, TEXAS 78752

Jess

This does not speak to the fact that the boat storage sheds will delete ~~the~~ some of the parking. If these are approved without requiring additional parking to offset the spaces lost.

Mr. Jesse E. Gilbert

City Administrator

City of Rockwall

102 E. Washington

Rockwall, Texas 75087

I would guess that

the owners of the town house (undeveloped) land would strongly object. The little "red barn" there now certainly sticks out like a sore thumb. We could easily prepare a more negative response if you feel it to be appropriate.

Beesee

*Julie Jess has original & her address  
comments on parking on the envelope*

**FREESE AND NICHOLS, INC.**

CONSULTING ENGINEERS  
FORT WORTH AUSTIN

July 7, 1980

*it was delivered in. I have mixed emotions about the request. I'm sure it's a needed facility and possibly can be developed in an aesthetic way but it can't help but have some negative impact on the area.*

Mr. Jesse E. Gilbert  
City Administrator  
City of Rockwall  
102 E. Washington  
Rockwall, Texas 75087

Re: Request of American Marina Corp.  
to Amend Lakeside Village  
Planned Development (PD-2)  
ROK 80517

Dear Jesse:

*George* *Whether does this one come up for consideration?*

We have reviewed the request of American Marina Corporation to change the Planned Unit Development of Lakeside Village to allow them to build dry storage units for boats. The existing Marina is in place, and this would be an expansion of their existing operation. The land to the rear of the proposed site is undeveloped at this time, but the approved Planned Unit Development plan proposes that Mediterranean Drive be extended and that more townhouses be built overlooking the lake and the marina. The marina itself, as we understand it, is currently outside the PD-2 district, and is in effect unzoned.

From a zoning and land use standpoint, the storage units would seem to be a logical accessory use to the marina, as long as they don't overload the circulation system. The storage units are apparently for the use of the general public, not just the residents of Lakeside Village, so care should be taken in the total number of storage units eventually developed. Marina Drive, however, is in at this time, so any traffic generated by these storage units would have access without having to drive through the subdivision. The amount of traffic, noise, and other influences that this use would create would probably be minimal.

The only major concern would be one of how the future use of the property to the rear will be impacted, and what the view of the entire development from the freeway will be. From the plans, it appears that the future townhouses to be developed will be one and two story with views overlooking the marina and the lake. If the storage units are built with what could be considered unattractive materials, and they visually stand out, it could affect the usefulness of the property to the rear. The aesthetics of a development are not normally a zoning consideration entirely by themselves, but in a Planned Development where mixed uses are common, such considerations are valid. Even though this development is outside the existing Planned Development, it was a part of the original concept and should be considered in relation to it.

SIMON W. FREESE, P.E.  
JAMES R. NICHOLS, P.E.  
ROBERT L. NICHOLS, P.E.  
LEE B. FREESE, P.E.  
ROBERT S. GOOCH, P.E.  
JOE PAUL JONES, P.E.  
ROBERT A. THOMPSON III, P.E.

JOE B. MAPES, P.E.  
OCIE C. ALLEN, P.E.  
W. ERNEST CLEMENT, P.E.  
ELVIN C. COPELAND, P.E.  
JOHN H. COOK, P.E.  
T. ANTHONY REID, P.E.  
GARY N. REEVES, P.E.

GEORGE HUMAN, P.E.  
MANAGER - AUSTIN

Mr. Jesse E. Gilbert City Administrator  
City of Rockwall

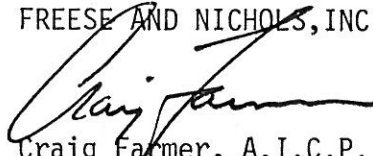
July 7, 1980  
Page 2

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Sincerely,

FREESE AND NICHOLS, INC.



Craig Farmer, A.I.C.P.  
Chief Planner

CF/cc

cc: Robert L. Nichols

THE STATE OF TEXAS  
COUNTY OF DALLAS

)  
)  
)

ASSIGNMENT OF MARINA CONCESSION: LAKESIDE MARINA AT  
LAKE RAY HUBBARD

WHEREAS, the City of Dallas entered into a contract on May 25, 1970 with Lakeside Marina, Inc., a Texas Corporation, granting the exclusive right, privilege and license to develop and operate the public marina concession at Marina Site "E" at Lake Ray Hubbard, said contract providing for the payment of certain agreed percentages of gross receipts or specific sums to the City of Dallas in consideration therefor; and

WHEREAS, the aforesaid Marina Site "E" at Lake Ray Hubbard is located within the City Limits of the City of Rockwall, Texas; and

WHEREAS, the City of Dallas entered into a contractual agreement with the City of Rockwall on August 16, 1971, providing for the use of certain shoreline property for recreational purposes by the City of Rockwall, said property being owned by the City of Dallas but located on the shoreline of Lake Ray Hubbard in the City of Rockwall, in consideration for which the City of Rockwall agreed to assume certain specific and general responsibilities relating to maintenance, sanitation and preservation of the public peace on and about such tracts and parcels of land owned by the City of Dallas and lying adjacent to the water line of Lake Ray Hubbard within the corporate city limits of Rockwall, Texas; and

WHEREAS, in accordance with the express terms, purposes and intent of said agreement between the City of Dallas and the City of Rockwall dated August 16, 1971, the City of Rockwall by and through its Mayor, has requested the City of Dallas to transfer and assign the City of Dallas' interest in the aforesaid marina concession contract by and between the City of Dallas and Lakeside Marina, Inc., dated May 25, 1970; and

WHEREAS, the request of the City of Rockwall has been approved by the Park and Recreation Board of the City of Dallas and the City Council of the City of Dallas by resolution approved by the City Council on November 13, 1972; Now, Therefore,

KNOW ALL MEN BY THESE PRESENTS:



THIS AGREEMENT, made and entered into this date by and between the City of Dallas, a municipal corporation, acting by and through its Park and Recreation Board, and the City of Rockwall, a municipal corporation;

W I T N E S S E T H :

1.

In accordance with the terms, conditions and purposes of the contractual agreement between the City of Dallas and the City of Rockwall dated August 16, 1971, the City of Dallas does by these presents hereby convey, transfer and assign its interest in that certain existing concession contract by and between the City of Dallas and Lakeside Marina, Inc., dated May 25, 1970, to the City of Rockwall. It is the intent and purpose of this Agreement that the City of Rockwall shall become the successor in interest to the City of Dallas in said contract, assuming all rights, privileges, obligations and duties of the City of Dallas thereunder.

2.

It is expressly understood and agreed by the parties hereto that this transfer and assignment is predicated upon the terms and conditions previously agreed upon by and between the parties hereto in the contract between the City of Dallas and the City of Rockwall dated August 16, 1971, a copy of which is attached hereto and identified as Exhibit I, and for the purposes and considerations therein expressed. All terms, conditions, stipulations and covenants contained therein are applicable to this transfer and assignment agreement and are expressly incorporated by reference herein as though written fully word for word.

3.

All revenue derived from the operation of a public marina at Marina Site "E" shall be payable to the City of Rockwall and shall be deposited in the General Fund of the City of Rockwall as provided in paragraph 7 of the contract by and between the City of Dallas and the City of Rockwall dated August 16, 1971.

4.

The City of Rockwall shall observe, obey and enforce all local, state and federal regulations pertaining to health, sanitation, pollution control, and the preservation of public peace as more fully set forth in Exhibit I attached hereto and incorporated herein.

5.

No further transfer or assignment of any interest in the marina concession contract herein conveyed may be made by the City of Rockwall without the express approval of the City Council of the City of Dallas.

EXECUTED this the 13<sup>th</sup> day of November A.D. 1972.

ATTEST:

CITY OF DALLAS, TEXAS

Harold G. Shank By George R. Schrader  
HAROLD G. SHANK, City Secretary GEORGE R. SCHRADER, City Manager

APPROVED AS TO FORM:  
N. ALEX BICKLEY, City Attorney

*smg*

By Galen M. Sparks  
Assistant City Attorney

ATTEST:

PARK AND RECREATION BOARD OF THE CITY OF DALLAS

Jean Craft By Wm. B. Dean  
JEAN CRAFT, Secretary WM. B. DEAN, M.D., President

ATTEST:

CITY OF ROCKWALL, TEXAS

Galen Williams By Harry F. Myers  
GALEN WILLIAMS, City Secretary HARRY F. MYERS, Mayor

APPROVED AS TO FORM:

B. Robert Baker

COUNTY OF DALLAS

WHEREAS, the City of Dallas, a municipal corporation, located in Dallas County, Texas, is the owner of a certain tract or parcel of land adjacent to the water line of Lake Ray Hubbard, owned by City of Dallas, lying between the water line and the take line on said Lake and adjacent to the City of Rockwall, Texas, said Lake being maintained and operated for the purpose of furnishing a water supply to the inhabitants of the City of Dallas, as well as, other customers of the Department of Water Utilities of the City of Dallas; and

WHEREAS, the City of Dallas acting through its City Council after being advised by the Park and Recreation Board and its City Manager recognized the recreational potential of Lake Ray Hubbard as an added public benefit in addition to a water supply and in this connection caused to be prepared a report known as "A Plan for the Cooperative Recreational Development of Lake Ray Hubbard"; and

WHEREAS, a portion of the land purchased by the City of Dallas for the development of Lake Ray Hubbard presently lies within the corporate limits of the City of Rockwall, Texas and in conjunction with agreement on the part of the City of Rockwall to disannex that portion of area covered by water comprising part of Lake Ray Hubbard lying between the water line 435.5 feet and the westerly city limits of the City of Rockwall, Texas, the City of Dallas has agreed to grant permission to the City of Rockwall to use the strip of marginal land in the City of Rockwall for public recreational purposes between elevation 435.5 and the "take line" of the land acquired by the City of Dallas, said area to be licensed to said City of Rockwall being indicated by notes on Plate 5, Lake Ray Hubbard Development Plan and designated as Exhibit "A", attached hereto and made a part hereof, with the area to be disannexed by the City of Rockwall as part of this agreement being cross hatched on said Plate 5, Exhibit "A" and being particularly described in the disannexation ordinance enacted by the City Council of the City of Rockwall; and

WHEREAS, the City of Rockwall, a municipal corporation, desires to use the land covered by said license agreement for recreational and public park purposes; and is willing to assume the duties and obligations of policing, supervising and operating public parks and greenbelts located on such premises, also all expense and liability in connection with the construction, maintenance and operation thereof; and

WHEREAS, the City of Dallas wishes to cooperate with the City of Rockwall in permitting the City of Rockwall to use the marginal lands covered by aforesaid license agreement for recreational and public park purposes insofar as such use is not inconsistent with the primary purposes for which said Lake was created; and

NOW, THEREFORE, the City of Dallas and its Park and Recreation Board, for and in consideration of ONE AND NO/100 (\$1.00) DOLLARS to it in hand paid by the City of Rockwall, does hereby grant to the City of Rockwall a license and permission to use part of the property described hereinafter for recreational purposes, said lands and area covered under this agreement being shown on the attached Plates marked Exhibit "A".

1. The City of Rockwall agrees to accept the possession of the premises in its present condition but may, at its own cost and expense, construct such roads, picnic areas and recreational facilities within the above described area or any part thereof as it sees fit, provided such roads, picnic area and recreational facilities shall not interfere with the City of Dallas' present or future use of said premises for the purpose for which it was originally required, that is to furnish a water supply to the customers of the Department of Water Utilities of the City of Dallas.

2. The City of Rockwall shall have the right to construct improvements along the shoreline of the premises covered hereby and the right to allow the use for fishing and boating of that portion of said Lake adjacent to the land described herein. The City of Rockwall may, by itself or through a concessionaire,

EXHIBIT I

PAGE ONE

provide fishing and boating facilities in this area and designate such concessionaire as a guard to enforce any and all regulations in connection with boating and fishing. The City of Rockwall shall, however, have no right to control or administer any of the surface of the water, save and except immediately adjacent to any fishing piers or boat storage or boat facilities. However, the City of Rockwall will not permit any swimming nor give access through said licensed premises to any person desiring to swim in the waters of Lake Ray Hubbard.

3. The City of Rockwall agrees to commence the improvements to the licensed premises and start initial construction, consisting of proposed boat launching facilities as soon as the City Council designates funds are available for such purpose and to open the launching facilities to the public as soon as possible after construction starts. The City of Rockwall agrees to assume and undertake the active policing of the licensed premises upon the execution of the license and to maintain the launching ramp facilities upon completion. The City of Rockwall agrees to commence additional improvements including earthwork necessary to permit routine maintenance and upkeep provided funds are available and to complete construction of facilities within a ten to fifteen year time period. Adequate and satisfactory sanitary toilet facilities will be provided by the City of Rockwall. Installation of septic tanks and soil absorption fields will not be permitted on the licensed premises. No dumping of refuse, trash or unsanitary accumulations will be permitted. No channelization across the licensed area will be permitted. No sewage effluent may be disposed of in the lake without the prior approval of the City of Dallas. The City of Rockwall shall provide necessary policing of the licensed area through whatever forces are available. The City of Rockwall shall observe, obey and enforce any and all city ordinances, all rules, regulations, requirements and orders imposed by any department of either the State, City or Federal regulatory authority relating to health, sanitation and preservation of public peace in, on or upon or connected with the use of said premises for recreational purposes.

4. It is the intention and desire of the City of Rockwall to lend its cooperation and provide its support to other governments in the North Central Texas Council of Governments in the development of an adequate sub-regional sewerage system to protect the health of the residents and the quality of environment of the Lake Ray Hubbard area. The objective is to safeguard the quality of water in the lake not only to meet or exceed drinking standards of the U. S. Public Health Service and the American Water Works Association but to insure that the waters of Lake Ray Hubbard meet standards for recreational use. To accomplish this requires avoidance of pollution of the waters of the lake, its tributaries and the surrounding shore areas which contribute surface and sub-surface drainage into the lake, as well as positive action to provide adequate collection and treatment of domestic and industrial wastes originating within the City of Rockwall.

5. Any recreational facilities, that the City of Rockwall may construct, maintain and operate on the licensed premises shall be open to the citizens of Dallas on the same basis as they are available to the citizens of Rockwall. It is mutually agreed that in order to maintain comity between the two cities and in the interest of good public relations, that rates charged for the use of such facilities, if any, will be comparable with similar charges which may be established by the City of Dallas on facilities it may construct and operate on said Lake Ray Hubbard.

6. The City of Rockwall shall not construct in the area licensed herein any improvements, such as roadways, parking areas, boat landing ramps, boat docks, piers, shelters or other improvements, without first having the approval of the Department of Water Utilities and the Park and Recreation Board of the City of Dallas of the plans and specifications for any such development.

7. Any revenue that the City of Rockwall may derive from the operations of the recreational facilities of whatever kind or character constructed on the licensed premises shall be deposited to the General Fund of the City of Rockwall. The City of Rockwall will maintain these facilities in first class condition as to safety, appearance and utility. The City of Rockwall agrees to provide funds in the budget in order to properly maintain such facilities.

8. In no event or eventuality will the City of Rockwall permit the sale of alcoholic beverages on the licensed premises. This provision of the license is expressly written with the understanding that at the present time the licensed premises are located in an area where the sale of alcoholic beverages is prohibited by law, but in the event the status of the area should change, nonetheless this provision of this license prohibiting the sale of alcoholic beverages will control.

9. The City of Rockwall will provide at its own cost and expense for the liability insurance on the recreational facilities which it may install and maintain in the licensed premises of similar kind, character and amounts as the City of Dallas provides for its recreational facilities. The City of Dallas shall not be liable for any damage or loss of property whatsoever, which results from or is incident to any activity within the area licensed hereby for use for recreational and public park purposes or any circumstances connected with the exercise by the City of Rockwall of the rights herein granted, and the City of Rockwall agrees to protect, indemnify and save harmless the City of Dallas from any and all claims, demands, suits or actions growing out of any such loss, damage, injury or death. The foregoing shall not apply in the event any person sustains injury while trespassing on City of Dallas property which is not covered by this agreement. It is not the intention of the parties hereto to create a cause of action in favor of third parties where none would otherwise exist under the law, and the City of Dallas enters into this agreement with the provision that any person entering upon the premises covered by this license and using said premises for any purpose whatsoever shall do so at his own risk.

10. It is understood and agreed by the City of Rockwall that the City of Dallas reserves the right to construct or reconstruct any facilities on the area licensed herein necessary to serve the customers of the Department of Water Utilities of the City of Dallas. It is further understood and agreed that if the anticipated use of this land by the City of Dallas requires the elimination of a part or parts of said public park or recreational facilities, the City of Dallas reserves and possesses the right to terminate this agreement to the extent of land so affected, upon whatever notice in writing to the City of Rockwall may be reasonable under the circumstances then existing (which notice, however, need in no event exceed six months). In the event that the governing body of the City of Dallas determines that it is necessary to recapture any or all of the premises licensed herein then in such event the City of Rockwall shall have the right and privilege of removing any and all installations constructed by it within the described area.

11. Under the terms of this agreement it is further understood and agreed by the City of Rockwall that the City of Dallas reserves the right to vary the level of Lake Ray Hubbard to any extent which, in the sole judgment of the City of Dallas, may be necessary or desirable and the City of Rockwall does not by this conveyance acquire any right, permission or license to use or permit the use of the lake or any of the water impounded therein, except the surface of the lake for fishing and boating purposes as herein specifically provided for.

12. This license shall continue only so long as the City of Rockwall shall use the premises covered hereby for public park purposes or until termination by the City of Dallas as provided in Article 10 hereof in order to furnish a water supply to the inhabitants of the City of Dallas.

13. Upon such termination of this agreement, the City of Rockwall shall surrender this license and the possession of the premises hereinabove described in the same condition that such property was in at the beginning of the term of this license, ordinary wear and tear for the purposes herein authorized excepted and title to any recreational facilities left in place on said premises shall pass to the City of Dallas without compensation to the City of Rockwall.

14. The City of Dallas makes no warranty, expressed or implied, as to the suitability of the above described lands or the water impounded in Lake Ray Hubbard for use by the public for park and recreational purposes, including boating and fishing, or as to the title to the property herein described, and the City of Rockwall shall not have or make against the City of Dallas any claim or demand for or on account of any damage the City of Rockwall may suffer or sustain because of any characteristics of the land or the water impounded in the lake or any method of operation of the lake by the City of Dallas, the operation of other marginal lands by the City of Dallas.

15. This license may not be sold, transferred, assigned nor sublet without the previous written consent of the City of Dallas.

EXHIBIT I

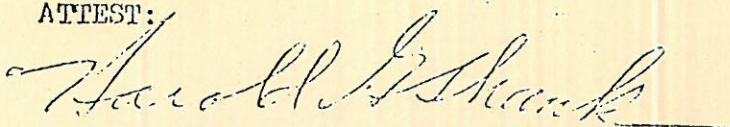
PAGE THREE

16. It is not the intention of this instrument to grant to any member of the public any rights whatsoever independent of the rights or license granted to the City of Rockwall hereby. Any person who enters the premises covered hereby will be deemed to have entered same for recreational purposes and assumes the risks and hazards incidental thereto.

17. In the event that the City of Dallas ceases to use that portion of the area disannexed by the City of Rockwall and annexed by the City of Dallas pursuant to this agreement, as a source of water supply or for any public purpose, then the City of Dallas agrees, upon request by the City Council of the City of Rockwall, to disannex said area previously annexed by it and waive its extraterritorial jurisdiction over said area in order that the City of Rockwall may reannex said area.

EXECUTED this the 16 day of August, A.D., 1971.

ATTEST:

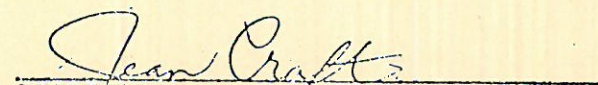


HAROLD G. SHANK, City Secretary

CITY OF DALLAS

BY:   
W. S. McDONALD, City Manager

ATTEST:

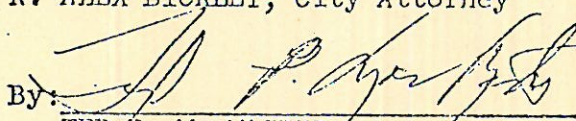
  
SECRETARY, Jean Craft  
Park and Recreation Board

PARK AND RECREATION BOARD OF THE  
CITY OF DALLAS

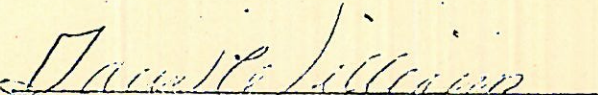
BY:   
FLOYD W. GISH, President

APPROVED AS TO FORM:

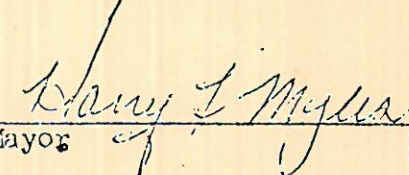
N. ALEX BICKLEY, City Attorney

By:   
TED P. MacMASTER  
Assistant to the City Attorney

ATTEST:

  
City Secretary

CITY OF ROCKWALL

BY:   
Mayor

APPROVED AS TO FORM:

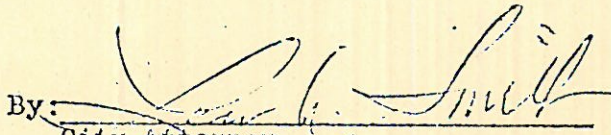
By:   
City Attorney

EXHIBIT I

PAGE FOUR

THE STATE OF TEXAS )  
 )  
COUNTY OF DALLAS )

THIS AGREEMENT made and entered into this date by and between the CITY OF DALLAS, a municipal corporation, acting by and through its PARK AND RECREATION BOARD, hereinafter referred to as PARK BOARD, and LAKESIDE MARINA, INC., hereinafter referred to as CONCESSIONAIRE subject to the conditions and covenants as follows:

WITNESSETH:

NAME WAS CHANGED TO  
AMERICAN MARINA CORPORATION &  
DBA - ROCKWELL FISHING AND MARINA

The City of Dallas, acting by and through its Park and Recreation Board, does hereby grant to LAKESIDE MARINA, INC., the license, right and privilege to operate a public marina complex located at Lake Ray Hubbard, Dallas County, Texas located west of Interstate Highway 30 ~~at its~~ <sup>near</sup> intersection with ~~bat rock~~ <sup>FM 740</sup> Road, identified herein as Marina Site E, a site as described and shown on Exhibit "A" which is made a part of this contract.

I.

The term is for a period of TWENTY YEARS, beginning with completion of the installation, and approval by the Park Board, and/or Director of Parks and Recreation, subject to the conditions hereinafter stated, the violation of any one of which shall be sufficient cause for cancellation of this Contract by the City.

II.

This Contract includes provisions for the installation and operation of a public marina complex for the purpose of benefiting the public, at the location outlined on Exhibit "A" and identified as Marina Site E which was made a part of the specifications to competitive bidders, and all such specifications, approved final plans and bid submitted by LAKESIDE MARINA, INC. are by reference made a part of this Contract for all purposes as though written herein word for word.

III.

Concessionaire shall pay to the Park and Recreation Board of the City of Dallas 3 1/4 percent of the gross receipts after deduction of any applicable

taxes, or a minimum guaranteed payment of \$150.00 per month (which ever is greater) for the FIRST FIVE YEAR period; and 4 1/4% of the gross receipts after deduction of any applicable taxes, or a minimum guaranteed payment of \$200.00 per month (which ever is greater) for the SECOND FIVE year period.

#### IV.

Drastic changes within the FIRST TEN YEAR period may occur which will vitally influence these operations thereafter; it is agreed that beginning 120 calendar days prior to the beginning of the THIRD FIVE YEAR interval and again prior to the beginning of the FOURTH FIVE YEAR interval the rate of payment will be renegotiated this renegotiation is not to alter the TWENTY YEAR term of the contract, but is for the purpose of establishing rates of payment applicable to the operation at the time of each renegotiation.

#### V.

The license, right and privilege granted herein is subject to the following conditions:

1. Concessionaire shall submit a drawing showing the exact location of proposed marina along with final architectural and/or structural drawings showing the type and design of all facilities which he proposes to construct on publicly owned property and adjacent private property. Any plan shall conform with the general recommendations of the Plan for the Cooperative Recreational Development of Lake Ray Hubbard, commonly referred to as the "Springer Plan" and shall reflect how Concessionaire will provide, at his expense, access to existing public roadway. Plans as referred to herein to be prepared by Competant, Professional engineer.
2. Concessionaire will pay all costs of the design and construction of the facility proposed and after completion he will provide all cost of maintenance, and operation necessary for satisfactory operation. This shall include all such equipment, facilities and personal services incident to the operations of the marina.
3. The plans shall reflect that structures and facilities offered by Concessionaire shall be modern and of effective design for marina



service, of first class material approved by the Park Board and the City of Dallas Water Utilities department or their authorized representative. No dirt removal or excavation to be made without such approval and following an acceptable grade plan.

4. The herein described Marina site is leased to Concessionaire upon the express condition that the same shall be used for the purpose of construction, installation and operation of a complete "Marina Service", including but not limited to:

a. The right to construct buildings and facilities on approved rigid foundation or supported on approved flotation devices.

b. The right to install all equipment necessary or appurtenant to the operation of a Marina.

c. Off street parking shall be provided to serve patrons of the marina. In determining the number of off street parking spaces for the marina, there shall be one and one-half car

parking spaces per unit of boat storage, whether such storage

1. be of the anchorage type or of the dry storage type. In the design of parking areas and roadways serving the facility, proper consideration shall be given to the control of drainage to protect adjoining land and to avoid excessive erosion.

Paved areas shall be of approved hard surfaced paving materials conforming with the usual standards of such type paving in this vicinity.

d. Food, drink and confections when there is a reasonable demand. Sale of alcoholic beverages is prohibited.

e. Furnishings and supplies, such as office furniture, fixtures and other necessary equipment and supplies for the operation of marina headquarters and other service buildings.

f. Entire cost by Concessionaire of all operations including salaries of employees and cost incident thereto and all other items for effective daily handling and accounting of receipts. Concessionaire shall also be responsible for daily "housekeeping" of all buildings and grounds including mowing grass areas

where and when necessary. Maintenance obligation of Concessionaire shall include area designated on submitted site plan, which is to be made a part of the Contract and identified as Exhibit "A".

- g. Electric, water, gas and telephone services installed and used by the Concessionaire shall be at his expense and all work of installation shall comply with the prevailing municipal building code requirements.
5. The Concessionaire shall have the right to use only such area as outlined in Exhibit "A" and as approved by the Park Board and/or its authorized representative. Any plan for altering original, approved site must also be approved by the Park Board and/or its authorized representative.
6. Concessionaire shall include a plan which reflects the maximum ultimate development the specific site will justify. The initial installation shall not include less than one hundred (100) boat storage units and the plan shall project anticipated growth to exceed this capacity by a substantial amount, with subsequent installation of units to occur as patronage may justify.
7. Plans for alternations or additions proposed by Concessionaire for additional construction shall be approved by the Park Board and/or its authorized representative prior to beginning of installation.
8. The Concessionaire shall develop and operate the marina in a manner that will not interfere with normal public usage of contiguous public park areas by the general public. It is understood and agreed the Park Board retains the right to provide other recreational services it deems advisable.
9. Privilege is granted herein to collect fees and charges, such fees and charges to be reasonable in amounts when compared with similar fees and charges prevailing at other like locations within the general area for similar services. The Park Board retains the right to be fully informed by the Concessionaire at all times as to its schedule of fees and charges. Where the Concessionaire finds it necessary to

- adjust fees and/or charges, he shall promptly inform the Park Board of such changes. The Park Board retains the right to request such information in writing from the Concessionaire at all times.
10. Concessionaire shall submit a monthly report to the Park and Recreation Board on or before the 10th day of each month during the existence of this Agreement showing gross receipts for the preceding month on a concession report form for approval by the Park Board or its authorized representative. Concessionaire shall pay to the Park Board, at such time as the above report is submitted, such amount as may be due to the Park Board computed on the basis set forth in Paragraph III above.
  11. Public marina facilities shall be available whenever reasonable demand justifies. Days and hours the marina and/or facilities are operated shall be subject to approval by Park Board and/or its authorized representative.
  12. The concession shall be conducted in a clean, safe orderly and lawful manner and in strict conformity with all applicable City, County, State, and Federal ordinances, laws and regulations. Marina site included in the Contract will be governed by any local ordinances and regulations of the political subdivision in which the site is located.
  13. Delivery trucks shall be limited to areas having service drives unless otherwise approved by a representative of the Park Board.
  14. Any advertising signs shall be of effective design and in harmony with the general development and may be installed only after specific approval of the Park Board and/or its authorized representative.
  15. The Concessionaire, his agents and employees are forbidden to sleep on the ground or in buildings in the leased area except in quarters provided for such purposes unless written permission is granted by Park Board and/or its authorized representative. It is also understood the storage of trucks, boats, trailers and any other movable equipment will be permitted only in those areas designated for such purposes.

16. The Park Board does not guarantee police protection and will not be liable for any loss or damage sustained by the Concessionaire; Concessionaire shall hold and save the Park Board and the City of Dallas whole and harmless from any and all claims for damages of whatever nature or kind, suffered or asserted to have been suffered by the person or property of any person whomsoever growing out of or resulting from, or in any wise connected with the exercise of the privilege herein granted and whether resulting from the negligence of the Concessionaire or not.
17. The Concessionaire further agrees to save and hold the Park Board and the City of Dallas whole and harmless from any and all claims of every character whatsoever that may be made against it by reason of the developments and operations of Concessionaire. The Concessionaire shall at the time of the execution of this Contract, furnish a public liability or indemnity policy of insurance for the benefit of the City and its Park Board and Concessionaire herein jointly. The certificate of his or its public liability insurance with insurance coverage shall not be less than \$250,000.00 per person and \$500,000.00 per accident, and \$50,000.00 property damage. The certificate shall include the Park Board of the City of Dallas and the City of Dallas as a part of the insured.
18. The Concessionaire further agrees to execute and deliver to the City of Dallas at the time of the execution of this Contract a bond in the sum of \$5,000.00 with a corporation surety company authorized to do business in the State of Texas, and having a resident agent in the City of Dallas, Dallas County, Texas; said bond to guarantee all payment as provided in this Contract. Form of bond attached.
19. The failure to furnish such bond and/or public liability insurance policy described will be grounds for cancellation and/or termination of this Agreement.
20. That in case any employee of Concessionaire be found wilfully violating any law, ordinances or conditions of this Contract, or become objectionable and offensive to the good order and use of said area, the Concessionaire shall be required to remove any such person from said areas at once.

21. The Contractor shall not discriminate against any individual on the basis of race, creed, color or national origin in the employment, training, supervision or in providing the public service specified in this Agreement.
22. Concessionaire herein shall not sell, assign, transfer or convey any of the rights or concessions herein granted without the written consent of the Park Board of the City of Dallas.
23. Concessionaire agrees to pay throughout the term of this lease all applicable taxes, license fees, or assessments, levied against any and all improvements constructed by the Concessionaire.
24. It is understood by the Concessionaire that Lake Ray Hubbard is now under construction for the primary purpose of impounding of water for the City of Dallas water supply. Neither the Park Board nor the City of Dallas will be responsible for any losses alleged by Concessionaire resulting from fluctuation of the water level as a result of the operations of the lake as a water supply or as a result of the changing cycles of nature, either during the construction period or at any other time throughout the term of the Contract.
25. Concessionaire further agrees that he will comply with all provisions of law in the State of Texas regarding water pollution control and such requirements of the City of Dallas Water Department which may now be in effect or later provided to protect the sanitary quality of the water supply. Adequate facilities for sanitary control of liquid and solid wastes as may result from the operation of the marina shall be provided subject to approval and inspection by the City of Dallas. Every measure will be taken to see that the esthetic quality of the water supply is protected from floating debris or other matter which might be objectionable for the use of the lake as its primary purpose of a water supply.
26. In the event the Concessionaire desires to utilize the water of Lake Ray Hubbard in his operation, he shall apply for such service to the City of Dallas Water Utilities Department, provide approved pumps, meters and equipment necessary to measure the quantity of water used.

Water service shall be sold in accordance with applicable ordinances of the City of Dallas governing sales of Water outside the city.

27. In developing any site plan, Concessionaire shall maintain a "set back" from adjoining private property of any proposed improvements, a distance of not less than twenty-five feet from the property line of the site proposed for development. "Set backs" shall be observed on the lake surface and shall be measured from the projections of the property lines into the lake surface. Site plans shall not extend into any bay area beyond the center line of such bay as determined by one-half of the distance between the "take lines" of the reservoir site along each shore line of the bay.
28. The Park and Recreation Board reserves the right to contract for the operation of additional marinas at sites other than the site prescribed herein, if in its opinion, such additional marinas are required to adequately serve the public.
29. Concessionaire will lend his assistance to the Park Board and/or its authorized representative in carrying out the terms of this Agreement. After signing the Contract, Concessionaire agrees to proceed diligently and expeditiously in providing the improvements, equipment and supplies to enable the general public to begin use of the marina facilities as soon as possible.

The term "Gross income" as used herein, means the total receipts of the Concessionaire, and his subleases and licenses from the business operations conducted on the leased premises only, designated as the marine complex without any reduction whatsoever. License fees and taxes collected from customers for direct remittance to a taxing authority will not be considered as receipts from the business operations conducted on the leased premises. However, any commission on such items will be considered receipts.

## VI.

This Agreement may be cancelled by the Park and Recreation Board of the City of Dallas for violation of any of the terms and conditions contained herein by adoption of a resolution by Park Board and notifying Concessionaire of such notice, and cancellation shall be effective (30) days after notification of

the adoption of such resolution. During such time, Concessionaire shall remove from site E all structures and improvements on said property at the sole cost and expense of the Concessionaire unless other arrangements are arrived at through negotiations.

#### VII.

Personal Liability of Public Officials - In carrying out any of the above provisions of this Agreement, or in exercising any power or authority granted to any individual hereunder, there shall be no liability upon any officer of the City, its Park and Recreation Board, or their authorized agents or employees, either personally or as an official of the City, it being understood that in such matters they act as an agent and representative of the City.

#### VIII.

Financial Interest of Employees or Officers of the City Prohibited - No officer or employee of the City shall have any financial interest, direct or indirect, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City of any land, materials, supplies or services, except on behalf of the City as an officer or employee. Any willful violation of this Section shall constitute malfeasance of office, and any officer or employee guilty thereof shall thereby forfeit his office or position with the City. Any violation of this Section, with knowledge, express or implied, of the Concessionaire herein shall render this Agreement voidable by the City Manager or the City Council of the City of Dallas.

#### IX.

Venue - Venue of any action brought under this Agreement shall lie in Dallas County exclusively.

#### X.

Waiver of Legal Right - Waiver of any breach of this Agreement shall not be held to be a waiver of any other or subsequent breach.

#### XI.

Successors and Assigns - Subject to the limitations upon assignment and transfer herein contained, this Agreement shall be binding upon the inure to the benefits of the parties hereto, their respective partners, successors and assigns.

XII.

Compliance with Laws, Charters and Ordinances, Etc. - The Concessionaire, its Consultants, agents and employees and subcontractors, shall comply with all applicable Federal and State Laws, the Charter and Ordinances of the City of Dallas, and with all applicable rules and regulations promulgated by all local, state and national boards, bureaus and agencies.

This Agreement may be amended or supplemented in any particular by following the procedure and authority used for the adoption of this Agreement in the first instance.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement in triplicate at Dallas, Texas this the 25<sup>th</sup> day of May, 1970.

ATTEST:

Harold G. Shank  
HAROLD G. SHANK, City Secretary

CITY OF DALLAS

By W. S. McDonald  
W. S. McDONALD, City Manager

COUNTERSIGNED:

E. Lynx Crossley  
E. LYNX CROSSLEY, City Auditor

APPROVED AS TO FORM:  
N. ALEX BICKLEY, City Attorney

By John P. MacMaster  
John P. MacMASTER, Assistant to the City Attorney

ATTEST:

Jean Craft  
JEAN CRAFT, Secretary  
Park and Recreation Board

PARK AND RECREATION BOARD  
OF THE CITY OF DALLAS

By Julius Schepps  
Julius Schepps, President

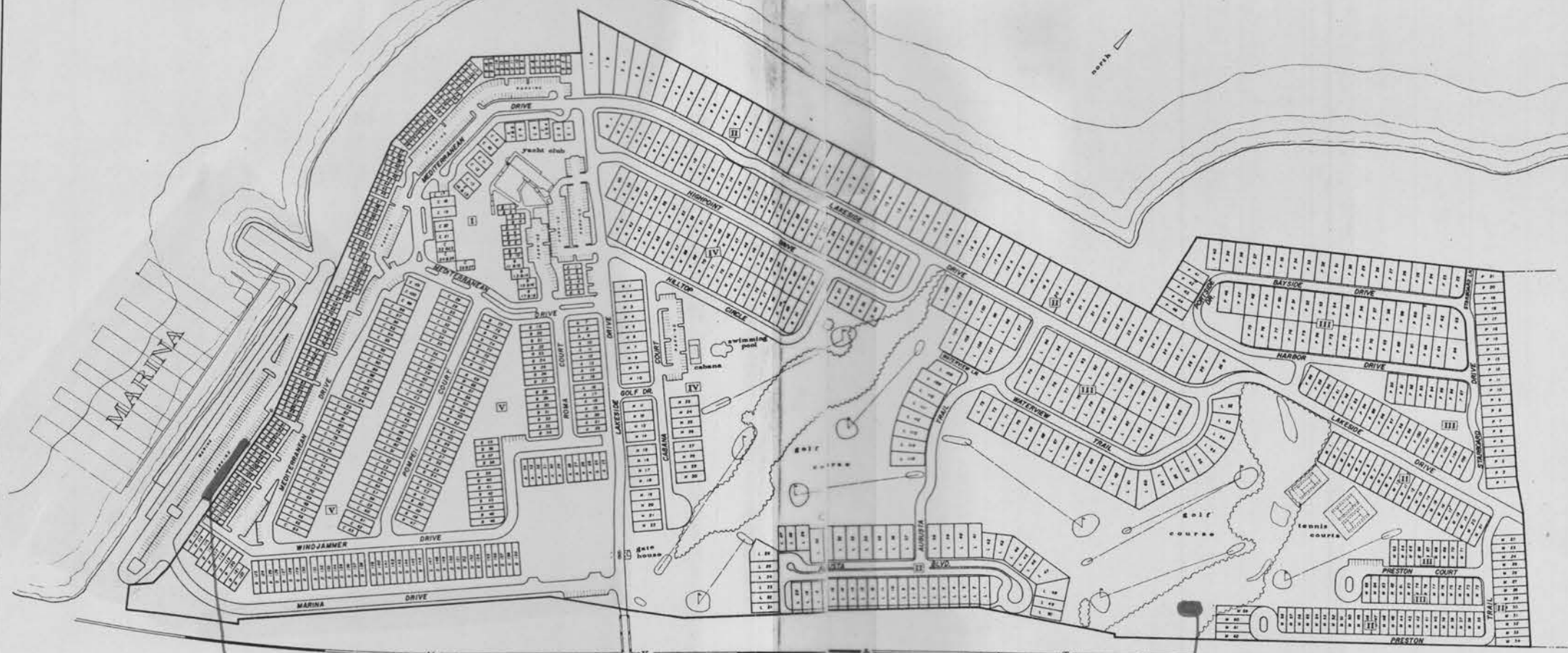
ATTEST:

Robert Y. ...  
Secretary

LAKESIDE MARINA, INC.  
By ...  
President



LAKE RAY HUBBARD



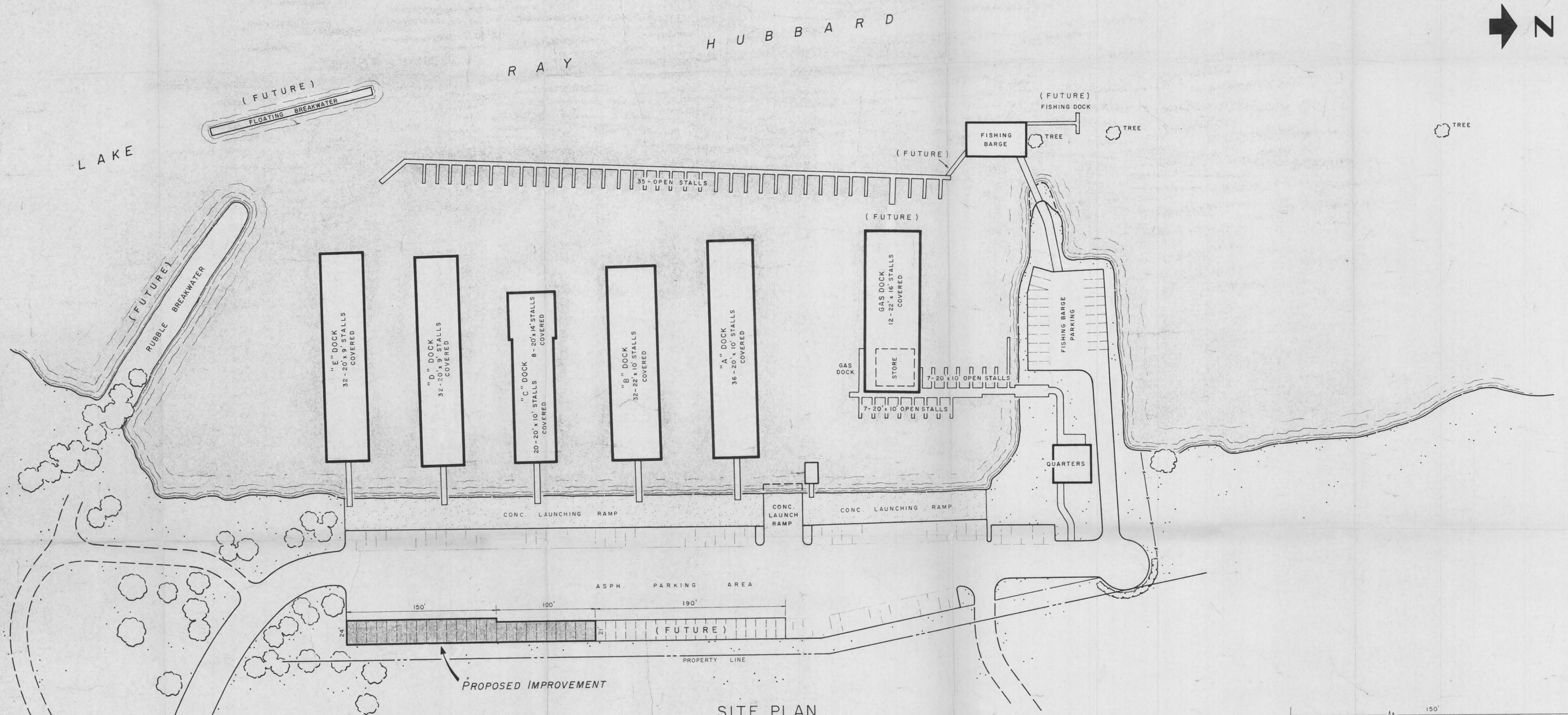
Location of proposed boat storage units

Location of proposed T.V. receiving station

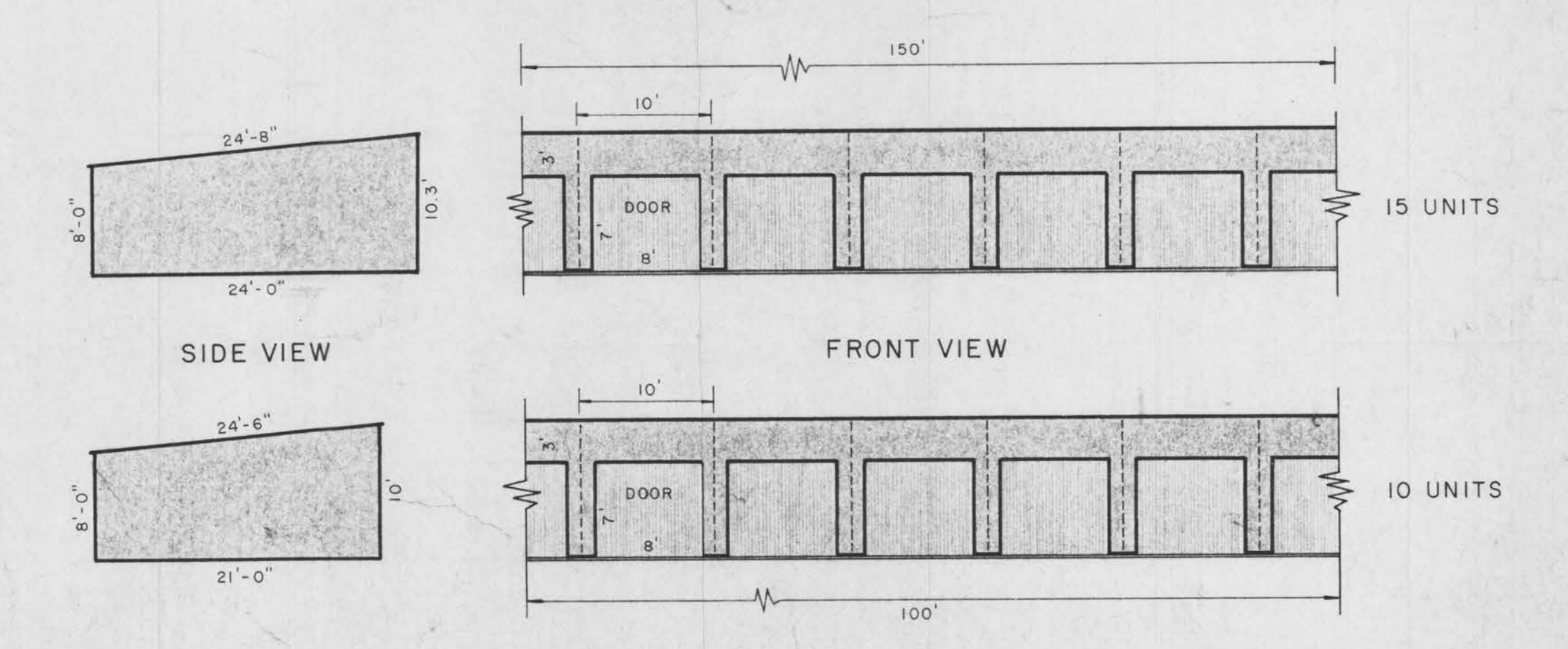
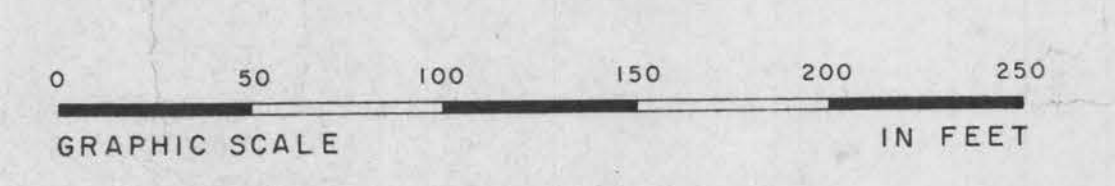
- PHASE I - 120 LOTS
- II - 164 LOTS
- III - 192 LOTS
- IV - 111 LOTS
- V - 250 LOTS
- TOTAL - 837 LOTS

**LAKESIDE VILLAGE**  
at LAKE RAY HUBBARD  
ROCKWALL, TEXAS

developer	GIFCO DEVELOPMENT CO.
manager	JIM ABSTON CO.
engineer	EVANS - ROBERTSON INC.
architectural control	FRED WYNN & ASSOCIATES
land planning	ROBERT W. HOLLIN



SITE PLAN  
 PROPOSED DRY DOCK BOAT STORAGE  
**ROCKWALL FISHING MARINA**  
 LAKE RAY HUBBARD



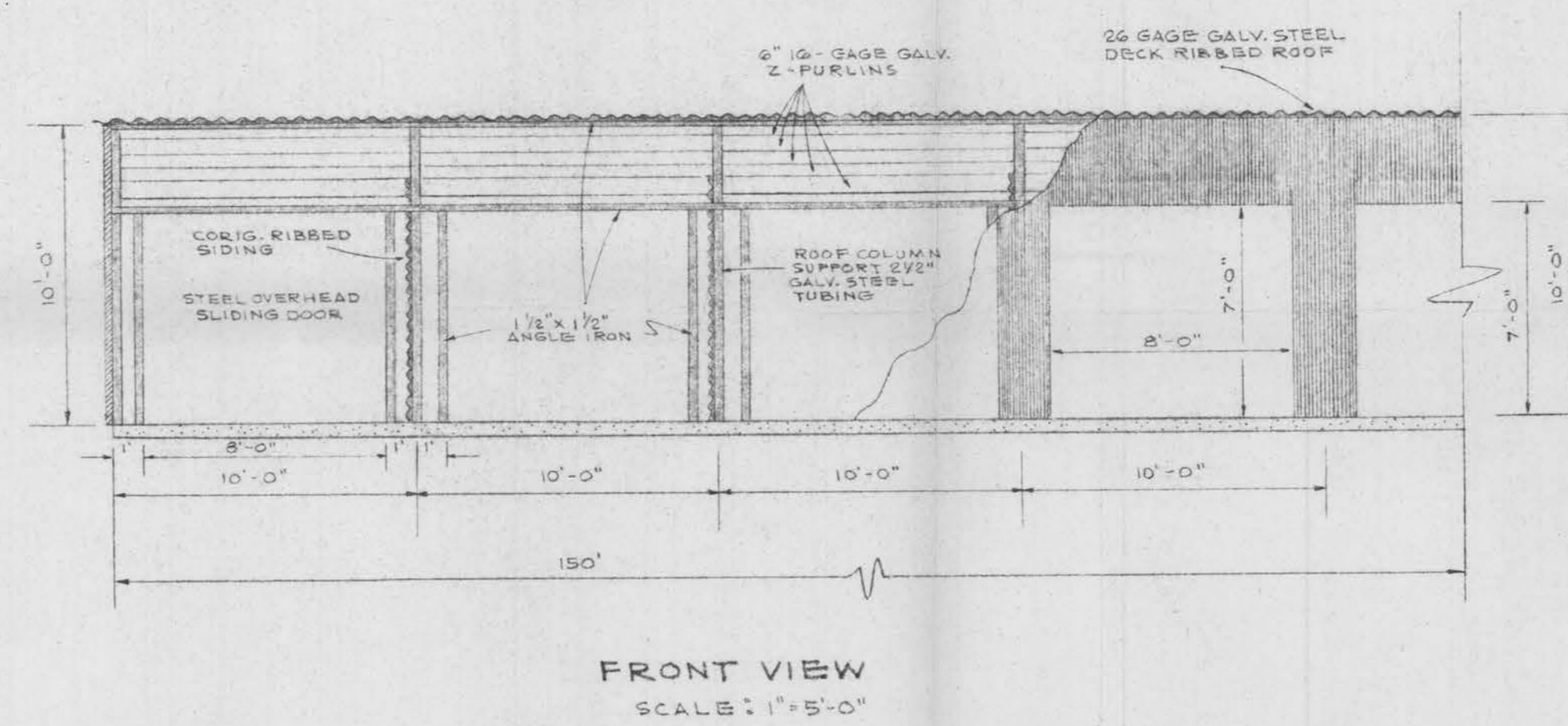
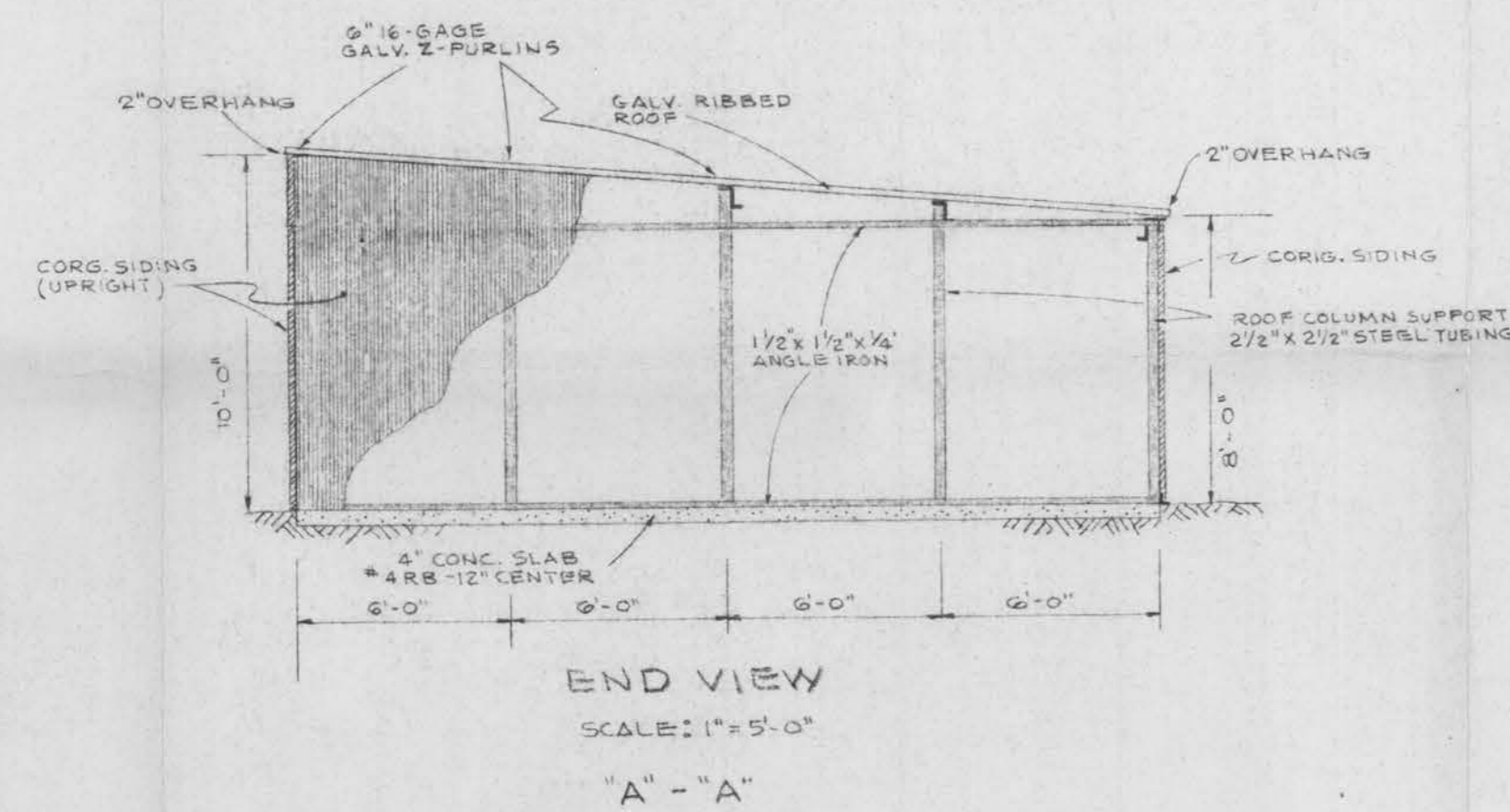
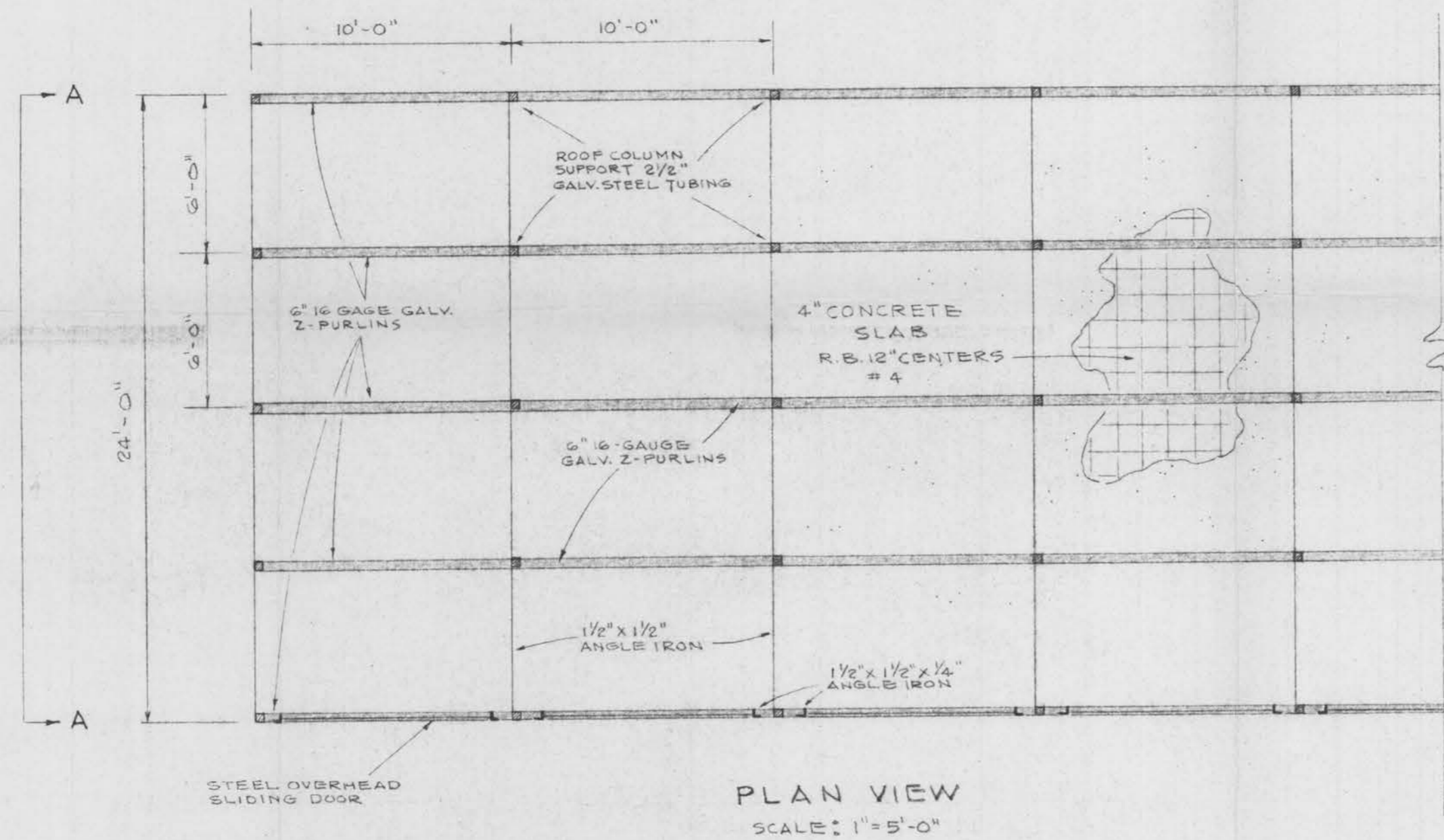
# IMPROVEMENT PLAN ROCKWALL MARINA SHELTERED DRY STORAGE

LAKE RAY HUBBARD

DALLAS - TEXAS

REPUBLIC ENGINEERS, INC.  
4616 GREENVILLE AVE., DALLAS-TEXAS  
369-6300 / 369-6311 75206

*R. G. Fagin*  
R. G. FAGIN, P.E.



ACTION RECORD

CASE NAME: Costwell Fishing Marina

CASE NO.: 80-7

	Planning and Zoning Commission		City Council		Date
	<u>Approved.</u>	<u>Disapproved</u>	<u>Approved</u>	<u>Disapproved</u>	
Preliminary Plat	_____	_____	_____	_____	_____
Final Plat	_____	_____	_____	_____	_____
Zoning	_____	<u>✓ 7-10-80</u>	_____	_____	_____

Changes: Applicant did not request an appeal  
to City Council