

CITY HALL
ROCKWALL, TEXAS

APPLICATION FOR ZONING CHANGE

Case No. _____ Filing Fee \$50.00 Date 11-23-82
Applicant Tommy A. Singleton, Trustee
Mailing Address PO Box 234, Rowlett, TX 75088 Phone No. 475-4795

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.)
See Attached Legal Description Marked Exhibit "A"

I hereby request that the above described property be changed from its present zoning which is " _____ " Agricultural _____ District
Classification to a " L-1 " Light Industrial _____ District
Classification for the following reasons: (Attach separate sheet if necessary.)

1. Highest & Best Use
2. Completely surrounded by Industrial
3. In the City of Rockwall's Master Plan (Light Industrial

HERE (ARE) (ARE NOT) DEED RESTRICTIONS PERTAINING TO THE INTENDED USE OF THE PROPERTY.

STATUS OF APPLICANT: Owner 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 description concerning the importance of my submitting to the City a sufficient legal description.

Tommy A. Singleton
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.

Bob D. Brown
Surveyor or Attorney for Applicant
(Mark out one.)

CITY OF ROCKWALL OFFICIAL RECEIPT

DATE 11-29-82

NAME Rockwall Industrial Co
ADDRESS _____

Cash Check Other

GARBAGE

LAND FILL PERMIT

GARAGE SALES

SOLICATORS PERMIT

RENT

MISCELLANEOUS WATER SALES

58 00

1616

FORM G-1

Received By _____

EXHIBIT A

DESCRIPTION

3

TRACT TWO-A

Being a tract of land situated in the N. Butler Survey, Abstract No. 20 and the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas and also being part of a 53.87 acre tract as conveyed to Donna Hall, Recorded in Volume 24, Page 392, Deed Records, Rockwall County, Texas, and being more particularly described as follows;

Beginning, at a point in the center of Airport Road, said point being N. 88° 48' 21" W., a distance of 1656.95 feet from the northeast corner of said 53.87 acre tract, a 1/2" iron stake set for corner;

Thence, S. 0° 15' 38" E., leaving the said center of Airport Road, a distance of 826.09 feet to a point on the north line of the M.K. & T. Railroad, a 1/2" iron stake set for corner;

Thence, S. 88° 37' 38" W., along the said north line of the M.K. & T. Railroad, a distance of 649.37 feet to a 1/2" iron stake set for corner;

Thence, leaving the said north line of the M.K. & T. Railroad and along the east line of the Howmet Property, the following:

N. 2° 45' 57" W., a distance of 204.32 feet to a 1/2" iron stake set for corner;

N. 6° 45' 54" W., a distance of 588.08 feet to a 1/2" iron stake set for corner;

Thence, N. 83° 57' 25" E., along the south line of a Public Road, a distance of 414.53 feet to a 1/2" iron stake set for corner;

Thence, N. 0° 00' 14" W., a distance of 16.45 feet to a 1/2" iron stake set for corner;

Thence, S. 88° 48' 21" E., along the center of Airport Road, a distance of 312.40 feet to the PLACE OF BEGINNING, and containing 12.833 acres of land of which 0.143 acres lies within existing road.

EXHIBIT A

DESCRIPTION

TRACT ONE

Being, a tract of land situated in the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas, and also being part of a 53.87 acre tract as conveyed to Donna Hall, recorded in Volume 24, Page 392, Deed Records, Rockwall County, Texas and being more particularly described as follows;

Beginning, at a point in the center of Aluminum Plant Road, said point being the Northwest corner of said 53.87 acre tract, a 1/2" iron stake set for corner;

Thence, along the center of Aluminum Plant Road, the following

N. 88 55' 48" E., a distance of 119.00 feet to a 1/2" iron stake set for corner;

S. 49° 00' 36" E., a distance of 569.31 feet to a 1/2" iron stake set for corner;

S. 0° 00' 14" E., a distance of 685.81 feet to a 1/2" iron stake set for corner;

Thence, S. 83° 57' 25" W., along the North line of a Public Road, a distance of 420.45 feet to a 1/2" iron stake set for corner;

Thence, N. 6° 45' 54" W., along the East line of Howmet Property, a distance of 1109.00 feet to the PLACE OF BEGINNING, and containing 10.192 acres of land of which 0.631 acres lies within existing road.

3. A request from Tommy Singleton for a change in zoning from "A" Agricultural to "LI" Light Industrial on a 23.025 acre tract of land on the south side of Airport Road, more particularly described as follows:

TRACT A

Being, a tract of land situated in the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas, and also being part of a 53.87 acre tract as conveyed to Donna Hall, recorded in Volume 24, Page 392, Deed Records, Rockwall County, Texas and being more particularly described as follows;

Beginning, at a point in the center of Aluminum Plant Road, said point being the Northwest corner of said 53.87 acre tract, a $\frac{1}{2}$ " iron stake set for corner;

Thence, along the center of Aluminum Plant Road, the following

N. 88 55' 48" E., a distance of 119.00 feet to a $\frac{1}{2}$ " iron stake set for corner;

S. 49 degrees 00' 36" E., a distance of 569.31 feet to a $\frac{1}{2}$ " iron stake set for corner;

S. 0 degrees 00' 14" E., a distance of 685.81 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, S. 83 degrees 57' 25" W., along the North line of a Public Road, a distance of 420.45 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, N. 6 degrees 45' 54" W., along the East line of Howmet Property, a distance of 1109.00 feet to the PLACE OF BEGINNING, and containing 10.192 acres of land of which 0.631 acres lies within existing road.

TRACT B

Being a tract of land situated in N. Butler Survey Abstract No. 20 and the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas and also being part of a 53.87

tract particularly described as follows;

Beginning, at a point in the center of Airport Road, said point being N. 88 degrees 48' 21" W., a distance of 1656.95 feet from the northeast corner of said 53.87 acre tract, a $\frac{1}{2}$ " iron stake set for a corner;

Thence, S. 0 degrees 15' 38" E., leaving the said center of Airport Road, a distance of 826.09 feet to a point on the north line of the M.K.&T Railroad, a $\frac{1}{2}$ " iron stake set for corner;

Thence, S. 88 degrees 37' 38" W., along the said north line of the M.K.&T Railroad a distance of 649.37 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, leaving the said north line of the M.K.&T Railroad and along the east line of the Howmet Property, the following:

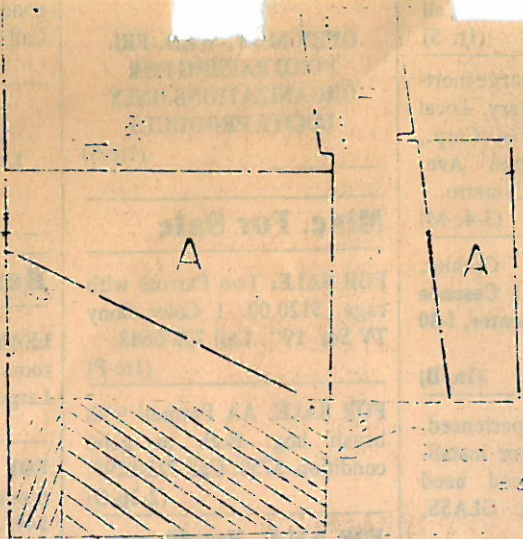
N. 2 degrees 45' 57" W., a distance of 204.32 feet to a $\frac{1}{2}$ " iron stake set for corner;

N. 6 degrees 45' 54" W., a distance of 588.08 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, N. 83 degrees 57' 25" E., along the south line of a Public Road, a distance of 414.53 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, N. 0 degrees 00' 14" W., a distance of 16.45 feet to a $\frac{1}{2}$ " iron stake set for corner;

Thence, S. 88 degrees 48' 21" E., along the center of Airport Road, a distance of 312.40 feet to the PLACE OF BEGINNING, and containing 12.833 acres of land of which 0.143 acres lies within existing road.



Proposed Zoning
#3

li
an

2 1/2
Property

Dingleton on Dupont Road

- 1) Howmet Corp., Box 96,
- 2) Joseph Funk, 6623 Royal Crest, Dallas 75230
- 3) How W. Hall, 205 Moore St, Grand Prairie 75050
- 4) J. B. Atkey, Rt. 1

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 9th day of December,
19 82 in the Rockwall City Hall, Rockwall Texas, on the request of
Tommy Singleton for a change of zoning from
"A" Agricultural District Classification,
to "LI" Light Industrial District Classification,
on the following described property:

See Attached Field Notes
(23.025 Acres on the South Side of Airport Road)

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. 82-15.



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. 82-15

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 _____

Address _____

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 9th day of December,
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(23.025 Acres on the South Side of Airport Road)

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. 82-15.

J. Wilcox
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. 82-15

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 *Don N. Hall*
Address _____

Check one item PLEASE and return the notice to this office IMMEDIATELY.
Thank you,
City of Rockwall

4 notices sent
1 returned for

ACTION RECORD

CASE NAME: Singleton Rezoning

CASE NO.: 82-15

Planning and Zoning
Commission

City Council

Date

	<u>Approved.</u>	<u>Disapproved</u>	<u>Approved</u>	<u>Disapproved</u>	
reliminary Plat	_____	_____	_____	_____	_____
inal Plat	_____	_____	_____	_____	_____
oning	_____	_____	_____	_____	_____
	✓	_____	12/9/82	✓	2/7/83
anges;	_____	_____	_____	_____	_____

Both Pt 2 + Council approved change

MINUTES OF THE ROCKWALL CITY COUNCIL

February 7, 1983

Members present were Mayor Leon Tuttle, Councilmen Ken Dickson, Bob Lackland, Richard Slaughter, Art Kuhlman and Bo Sparks. The meeting was called to order at 7:30 P.M. The Council first considered approval of the Consent Agenda as follows:

- A. Approval of an Ordinance annexing 53.025 acres of land located on the south side of Airport Road and providing a service plan
- B. Approval of an Ordinance approving a Specific Use Permit for a propane motor fuel and bottle filling station to be located at the Gulf Station at the intersection of I-30 and SH-205
- C. Approval of an Ordinance setting the date for the Municipal Election on April 2, 1983
- D. Approval of a resolution deleting certain delinquent water accounts
- E. Approval of an Ordinance abandoning a portion of a sewer easement located off of State Highway 205

Councilmen Kuhlman and Slaughter requested that Item D, approval of a resolution deleting certain delinquent water accounts, be pulled from the Consent Agenda. Councilman Kuhlman then moved approval of the remainder of the Consent Agenda. Councilman Lackland seconded the motion, the same was voted on and carried, with Councilmen Kuhlman, Sparks, Dickson, and Lackland voting for, and Councilman Slaughter abstaining.

The Council then considered Item D, approval of a resolution deleting certain delinquent water accounts. Councilman Slaughter made a motion that the item be tabled until some additional review can be made on the delinquent accounts. Councilman Lackland seconded the motion, the same was voted on and carried unanimously.

The Council then held a joint public hearing with the City of Rockwall Planning and Zoning Commission and considered approval of an ordinance amending the Comprehensive Zoning Ordinance to address the density in multifamily developments in the "MF-1" Multifamily, "MF-2" Multifamily, "O" Office, "NS" Neighborhood Service, "GR" General Retail, "C" Commercial, "CA" Central Area, and "LI" Light Industrial. Mayor Tuttle opened the public hearing by explaining the public hearing procedure to those present. He explained that once the public hearing was closed, the Planning and Zoning Commission would go into session and make a recommendation to the Council concerning the density in these districts and the Council would then make a decision. Councilman Kuhlman made a motion that the Planning and Zoning Commission hold their session concurrently with that of the Council in another part of the building

so that the City Council could proceed with other business. Councilman Sparks seconded the motion, the same was voted on and carried unanimously.

Mayor Tuttle then opened the public hearing to comments from the audience. Several people, including Lynn Broyles, Mr. Health, Bob Rash, and Tom Quinn spoke to the Council about the impact of rapid growth and high density on the City. Lynn Broyles, as President of the Rockwall Homeowners' Association, then read a resolution to the City Council as follows:

RESOLUTION
TO
ROCKWALL CITY COUNCIL
AND
PLANNING AND ZONING COMMISSION
FROM
ROCKWALL COUNTY HOMEOWNERS ASSOCIATION

The Rockwall County Homeowners Association is a non-political Corporation formed under the laws of the State of Texas, whose principal goal is to promote a coordinated and well balanced program of City and County development designed to meet the economic, social and aesthetic needs of both present and future citizens of Rockwall.

This Association, acting in response to the wishes of its members, specifically requests that a maximum density level be established for all unplatted areas zoned multi-family, such density is recommended not to exceed 12 to 14 single-family type units per aggregate acre.

The Association considers this density level to be fair, equitable and extremely important to the continued growth of our beautiful community.

/s/ E. Lynn Broyles
E. Lynn Broyles, President
Rockwall County Homeowners
Association

Leland Miller then spoke to the Council, asking that they go with the recommendation of the Zoning Revision Committee with a density of 21 units per acre in "MF-1" and 31 units to the acre in "MF-2". There being no further comments to come before the Council, Mayor Tuttle closed the public hearing. There was some discussion among the Council as to density for townhouse units. Mayor Tuttle then asked the Planning and Zoning Commission to retire and come back with a recommendation to the City Council for density. He asked that they consider a recommendation of 14 units per acre for "MF-1". The Planning and Zoning Commission then retired to the Jury Room to consider their recommendation.

The City Council then held a public hearing and considered approval of a request fro a change in zoning from Mrs. Frank Spelce

from "SF-3" Single Family to "PD" Planned Development for the construction of 17 zero lot line single family dwelling units on 1.598 acre tract of land located at the southwest corner of Fannin and St. Mary's Streets. Mayor Tuttle opened the public hearing and asked for comments from the audience. Joyce Walters and Anthony Roffino presented their request to the City Council, explaining what they intended to do. The Council then heard from several concerned residents from the area who were opposed to the project. The residents expressed concern over increased traffic, the lack of adequate parking, the lack of play area for children, and a change in use from single family to a higher density land use. Mrs. Walters then talked with the Council in response to some of the concerns. She stated that she would be willing to consider lowering the density somewhat. There being no further comments, the Mayor closed the public hearing. There was considerable discussion among the Council concerning the project. Councilman Kuhlman made a motion that the property be approved for a Planned Development zoning designation, with a maximum density of 9 units per acre, for a total of 14 units within the project. Councilman Sparks seconded the motion. Councilman Dickson suggested that the project should be remanded back to the Planning and Zoning Commission for further consideration if the density were going to be reduced. Councilman Lackland asked Councilman Kuhlman to amend his motion to require that there would not be two story units located on the west side of the project. Councilman Kuhlman agreed to the amendment and also included the requirement that approval would be subject to all engineering requirements. Councilman Dickson expressed some concern about the residents in the area and their opposition to the project. Councilman Lackland seconded the amended motion made by Dr. Kuhlman. The motion carried, with Councilmen Sparks, Slaughter, Kuhlman, and Lackland voting for and Councilman Dickson voting against.

The Planning and Zoning Commission then entered the Council meeting and stated that their recommendation was that "MF-1" be set at 14 units per acre maximum density and that "MF-2" be set at 20 units per acre maximum density. There was considerable discussion among the Council concerning the recommendation of the Planning and Zoning Commission and alternative density figures. Councilman Kuhlman made a motion that "MF-1" be set at 17 units per acre and that "MF-2" be set at 24 units per acre, with these figures being calculated on the lot area requirement per unit, and that the ordinance be approved. Councilman Slaughter seconded the motion. There was considerable discussion among the Council concerning the numbers proposed. The motion carried, with Councilmen Slaughter, Sparks and Kuhlman voting for and Councilmen Lackland and Dickson voting against.

The Council then considered approval of bids and approval of an ordinance authorizing the sale of \$960,000 in General Obligation Bonds for the construction of a City Hall/Police Station, Fire Station and Parks. A representative from First Southwest was present to review the bids received. He explained that five bids were received as follows:

<u>Bidder</u>	<u>Effective Interest Rate</u>
Dean, Witter, Reynolds & Westcap	9.865419%
Rauscher Pierce Refnes & First Southwest	9.8604609%
Underwood Neuhouse	9.889804%
Rotan Mosle & Ft. Worth National Bank	9.8922%
Synder, McHill & Mercantile	9.990391%

He explained that the low bidder was Rauscher Pierce Refnes and First Southwest with the effective interest rate of 9.8604609, and he recommended that the Council award the bid to them. Councilman Bob Sparks made a motion to award the bid to Rauscher Pierce and First Southwest for the effective interest rate of 9.8604609%. Councilman Dickson seconded the motion, the same was voted on and carried unanimously. Councilman Slaughter then made a motion that the ordinance authorizing the sale of the \$960,000 in General Obligation Bonds be approved. Councilman Dickson seconded the motion, the same was voted on and carried unanimously.

The Council then held a public hearing and considered approval of a request from Tommy Singleton for a change in zoning from "A" Agricultural to "LI" Light Industrial on a 26 acre tract of land located on the south side of Airport Road. There being no one present to speak concerning the rezoning, Councilman Sparks moved approval of the request, Councilman Kuhlman seconded the motion, the same was voted on and carried, with Councilmen Sparks, Kuhlman, Lackland and Dickson voting for and Councilman Slaughter abstaining.

The Council then held a public hearing and considered a request from the City of Rockwall for a change in zoning from "A" Agricultural to "LI" Light Industrial for a 30 acre tract of land located on the south side of Airport Road. There being no one to speak for or against the rezoning, Councilman Dickson moved approval of the request, Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

The Council then considered approval of bids for the construction of a new Service Center. Ed Heath reviewed the bids that had been received with the Council and he presented the Council with several alternatives on methods of financing the construction of the Service Center. His recommendation was that four of the low bids be awarded to Frank Hughes for Plumbing in the amount of \$3,660.00, Frank Hughes for the Mechanical in the amount of \$2,900.00, Lane Concrete for the foundation and hull in the amount of \$93,310.00, and to Lane Concrete for the electrical in the amount of \$8,272.00. He explained that the rest of the work could be done with City forces without having to have outside contractors do the remaining work. He explained that even with this approach, the cost of constructing the Service Center would be \$55,000.00 over the actual funds available for construction. Councilman Dickson moved approval of award of the bids to the four low bidders as recommended by Ed Heath. Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

Mr. Gilbert then explained to the Council that the remaining \$55,000.00 could be taken from Water and Sewer Reserves to pay for the cost overrun. Councilman Kuhlman made a motion that \$55,000.00 be utilized from the Water and Sewer Reserves to go toward completion of the construction of the Service Center. Councilman Lackland seconded the motion, the same was voted on and carried unanimously.

Mr. Gilbert then also asked for a motion from the Council to waive any irregularity on the bid by Frank Hughes who did not post a bid bond. Councilman Lackland made a motion to waive any irregularities in the bidding process, Councilman Kuhlman seconded the motion, the same was voted on and carried unanimously.

Mrs. Couch then briefed the City Council on the status of Revenue Sharing. She explained that the City's allocation had been reduced due to a change in the City's statistics based on the 1980 Census. She explained that the Staff would be coming back before the Council with a Revised Revenue Sharing Budget at a later date.

The Council then considered approval of bids for two Police Cars. Chief Beaty reviewed the bids with the Council, explaining that three had been received in, one from Lone Star Dodge in the amount of \$18,661.80; one from Andrews Ford in the amount of \$20,740.80; and one from Lakeside Chevrolet in the amount of \$20,880.00. His recommendation was to go with the low bid from Lone Star Dodge. After a brief discussion, Councilman Dickson made a motion that the bids for the Police Car be awarded to Lone Star Dodge, Councilman Sparks seconded the motion, the same was voted on and carried unanimously.

Chief Beaty also submitted a request to the City Council that he be authorized to acquire a second portable burglar alarm out of Revenue Sharing, utilizing the savings from the low bids on the Police Cars. He explained that the cost of the burglar alarm would be \$1,905.00. Councilman Slaughter made a motion to approve the request to acquire a portable burglar alarm, Councilman Dickson seconded the motion, the same was voted on and carried unanimously.


Chief Beaty also asked the Council if they would authorize the payment of double time to Police Officers when they are required to spend time in Court when they are off duty. The estimated cost for the remainder of the year would be approximately \$1,600.00. Councilman Dickson moved approval of the request, Councilman Slaughter seconded the motion, the same was voted on and carried unanimously.

The Council then discussed acquisition of a park site in Northshore. Mr. Gilbert explained that the contract for acquisition of the park site had been submitted to First Texas, but that they had refused to keep the clause requiring that the developer be required to pay for all paving of the streets around the park area. He explained that this would consist of approximately one block of one half of the street. The Council agreed to go ahead and acquire the property without that clause in the contract.

There being no further business to come before the Council, the meeting was adjourned at 11:10 P.M.




APPROVED:



Mayor

ATTEST



City Secretary

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO CHANGE THE ZONING ON TWO TRACTS OF LAND FROM "A" AGRICULTURAL DISTRICT CLASSIFICATION TO "LI" LIGHT INDUSTRIAL DISTRICT CLASSIFICATION; SAID TRACTS OF LAND BEING MORE FULLY DESCRIBED AS FOLLOWS:

TRACT I

BEING A TRACT OF LAND SITUATED IN THE N. BUTLER SURVEY, ABSTRACT NO. 20 AND THE R. BALLARD SURVEY, ABSTRACT NO. 29, ROCKWALL COUNTY, TEXAS, AND ALSO BEING PART OF A 53.87 ACRE TRACT AS CONVEYED TO DONNA HALL, RECORDED IN VOLUME 24, PAGE 392, DEED RECORDS ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF AIRPORT ROAD, SAID POINT BEING N. 88° 48' 21" W., A DISTANCE OF 1656.95 FEET FROM THE NORTHEAST CORNER OF SAID 53.87 ACRE TRACT, A ½" IRON STAKE SET FOR CORNER;

THENCE, S. 0° 15' 38" E., LEAVING THE SAID CENTER OF AIRPORT ROAD, A DISTANCE OF 826.09 FEET TO A POINT ON THE NORTH LINE OF THE M.K.T. RAILROAD A ½" IRON STAKE SET FOR CORNER;

THENCE, S. 88° 37' 38" W., ALONG THE SAID NORTH LINE OF THE M.K.T. RAILROAD, A DISTANCE OF 649.37 FEET TO A ½" IRON STAKE SET FOR CORNER;

THENCE, LEAVING THE SAID NORTH LINE OF THE M.K.T. RAILROAD AND ALONG THE EAST LINE OF THE HOWMET PROPERTY, THE FOLLOWING:

N. 2° 45' 57" W., A DISTANCE OF 204.32 FEET TO A ½" IRON STAKE SET FOR CORNER;

N. 6° 45' 54" W., A DISTANCE OF 588.08 FEET TO A ½" IRON STAKE SET FOR CORNER;

THENCE, N. 83° 57' 25" E., ALONG THE SOUTH LINE OF A PUBLIC ROAD, A DISTANCE OF 414.53 FEET TO A ½" IRON STAKE SET FOR CORNER;

THENCE, N. 0° 00' 14" W., A DISTANCE OF 16.45 FEET TO A ½" IRON STAKE SET FOR CORNER;

THENCE, S. 88° 48' 21" E., ALONG THE CENTER OF AIRPORT ROAD, A DISTANCE OF 312.40 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 12.833 ACRES OF LAND OF WHICH 0.143 ACRES LIES WITHIN EXISTING ROAD.

TRACT II

BEING, A TRACT OF LAND SITUATED IN THE R. BALLARD SURVEY, ABSTRACT NO. 29, ROCKWALL COUNTY, TEXAS, AND ALSO BEING PART OF A 53.87 ACRE TRACT AS CONVEYED TO DONNA HALL, RECORDED IN VOLUME 24, PAGE 392, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A POINT IN THE CENTER OF ALUMINUM PLANT ROAD, SAID POINT BEING THE NORTHWEST CORNER OF SAID 53.87 ACRE TRACT, A ½" IRON STAKE SET FOR CORNER;

THENCE, ALONG THE CENTER OF ALUMINUM PLANT ROAD, THE FOLLOWING:

N. 88° 55' 48" E., A DISTANCE OF 119.00 FEET TO A ½" IRON STAKE SET FOR CORNER;

S. 49° 00' 36" E., A DISTANCE OF 569.31 FEET TO A ½" IRON STAKE SET FOR CORNER;

S, 0° 00' 14" E., A DISTANCE OF 685.81 FEET TO A ½" IRON STAKE SET FOR CORNER;

THENCE, S. 83° 57' 25" W., ALONG THE NORTH LINE OF A PUBLIC ROAD, A DISTANCE OF 420.45 FEET TO A ½" IRON STAKE FOR CORNER;

THENCE, N. 6° 45' 54" W., ALONG THE EAST LINE OF HOWMET PROPERTY, A DISTANCE OF 1109.00 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 10.192 ACRES OF LAND OF WHICH 0.631 ACRES LIES WITHIN EXISTING ROAD;

PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS;

SECTION I. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to give "LI" Light Industrial District Classification to the following described property:

TRACT I

BEING a tract of land situated in the N. Butler Survey, Abstract No. 20 and the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas, and also being part of a 53.87 acre tract as conveyed to Donna Hall, Recorded in Volume 24, Page 392, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point in the center of Airport Road, said point being N. 88° 48' 21" W., a distance of 1656.95 feet from the northeast corner of said 53.87 acre tract, a ½" iron stake set for corner;

THENCE, S. 0° 15' 38" E., leaving the said center of Airport Road, a distance of 826.09 feet to a point on the North line of the M.K.T. Railroad a ½" iron stake set for corner;

THENCE, S. 88° 37' 38" W., along the said north line of the M.K.T. Railroad, a distance of 649.37 feet to a ½" iron stake set for corner;

THENCE, leaving the said north line of the M.K.T. Railroad and along the east line of the Howmet Property, the following:

N. 2° 45' 57" W., a distance of 204.32 feet to a ½" iron stake set for corner;

N. 6° 45' 54" W., a distance of 588.08 feet to a ½" iron stake set for corner;

THENCE, N. 83° 57' 25" E., along the south line of a Public Road, a distance of 414.53 feet to a ½" iron stake set for corner;

THENCE, N. 0° 00' 14" W., a distance of 16.45 feet to a ½" iron stake set for corner;

THENCE, S. 88° 48' 21" E., along the center of Airport Road, a distance of 312.40 feet to the PLACE OF BEGINNING, and containing 12.833 acres of land of which 0.143 acres lies within existing road.

TRACT II

BEING, a tract of land situated in the R. Ballard Survey, Abstract No. 29, Rockwall County, Texas, and also being part of a 53.87 acre tract as conveyed to Donna Hall, recorded in Volume 24, Page 392, Deed Records, Rockwall County Texas, and being more particularly described as follows:

BEGINNING, at a point in the center of Aluminum Plant Road, said point being the Northwest corner of said 53.87 acre tract, a ½" iron stake set for corner;

THENCE, along the center of Aluminum Plant Road, the following:

N. 88° 55' 48" E., a distance of 119.00 feet to a ½" iron stake set for corner;

S. 49° 00' 36" E., a distance of 569.31 feet to a ½" iron stake set for corner;

S. 0° 00' 14" E., a distance of 685.81 feet to a ½" iron stake set for corner;

THENCE, S. 83° 57' 25" W., along the North line of a Public Road, a distance of 420.45 feet a ½ inch iron stake for corner.

THENCE, N. 6° 45' 54" W., along the East line of Howmet Property, a distance of 1109.00 feet to the PLACE OF BEGINNING, and containing 10.192 acres of land of which 0.631 acres lies within existing road.

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

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


SECTION IV. Any person, firm, or corporation violating any of the provisions of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore amended and as amended hereby, and upon conviction shall be punished by penalty of fine not to exceed the sum of Two Hundred Dollars

(\$200.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED AND APPROVED this 7th day of March, 1983.

APPROVED:



Mayor

ATTEST:

City Secretary