

ORDINANCE NO. 79-16

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A SEWAGE TREATMENT PLANT IN A "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION DESIGNATED AS PLANNED DEVELOPMENT DISTRICT NO. 7, ON A TRACT OF LAND DESCRIBED AS FOLLOWS: SITUATED IN ROCKWALL COUNTY, TEXAS, IN THE TEAL SURVEY, ABSTRACT NO. 207, AND BEING A PART OF 63.10 ACRES OF LAND DESCRIBED IN A DEED FROM JACK SMITHART, ET. AL, TO A.S.D. CORPORATION, DATED FEBRUARY 23, 1972, RECORDED IN VOLUME 101, PAGE 367, DEED RECORDS OF ROCKWALL COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A CORNER CONCRETE MONUMENT ON THE SOUTHWESTERLY SIDE OF FM ROAD NO. 3097, WHICH IS THE NORTHEAST CORNER OF SAID 63.10 ACRES; THENCE SOUTH 58 DEGREES 33 MINUTES 35 SECONDS WEST 55.88 FEET TO A POINT FOR CORNER; THENCE IN A SOUTHERLY DIRECTION ALONG THE MEANDERS OF BUFFALO CREEK AS FOLLOWS; SOUTH 13 DEGREES 22 MINUTES 03 SECONDS EAST 116.17 FEET; SOUTH 18 DEGREES 26 MINUTES 06 SECONDS EAST 47.43 FEET; SOUTH 14 DEGREES 02 MINUTES 10 SECONDS WEST 123.69 FEET; SOUTH 20 DEGREES 13 MINUTES 29 SECONDS EAST 101.24 FEET; SOUTH 10 DEGREES 18 MINUTES 17 SECONDS EAST 55.90 FEET; SOUTH 36 DEGREES 26 MINUTES 40 SECONDS EAST 404.01 FEET; SOUTH 42 DEGREES 42 MINUTES 34 SECONDS WEST 176.91 FEET; SOUTH 33 DEGREES 41 MINUTES 24 SECONDS WEST 108.16 FEET; NORTH 77 DEGREES 54 MINUTES 19 SECONDS WEST 71.58 FEET; SOUTH 61 DEGREES 41 MINUTES 57 SECONDS WEST 73.82 FEET; SOUTH 84 DEGREES 17 MINUTES 22 SECONDS WEST 50.24 FEET; SOUTH 62 DEGREES 06 MINUTES 10 SECONDS WEST 96.17 FEET; TO A 1" IRON ROD FOR CORNER; THENCE NORTH 3 DEGREES 19 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 1197.40 FEET TO A ½" IRON ROD FOR CORNER; THENCE SOUTH 46 DEGREES 47 MINUTES 38 SECONDS EAST, ALONG A SOUTHEASTERLY LINE OF COUNTY ROAD FM 3097, FOR A DISTANCE OF 180.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 5.68 ACRES OF LAND; 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 by publication and otherwise, and have held a joint public hearing and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, Texas, as heretofore amended, be and the same is hereby amended by amending the Zoning Map of the City of Rockwall so as to grant a Specific Use Permit for a Sewage Treatment Plant on a tract of land described as follows:

Situated in Rockwall County, Texas, in the Teal Survey, Abstract No. 207, and being a part of 63.10 acres of land described in a deed from Jack Smithart, et. at, to A.S.D. Corporation, dated February 23, 1972, recorded in Volume 101, Page 367, Deed Records of Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a corner concrete monument on the southwesterly side of FM Road No. 3097, which is the northeast corner of said 63.10 acres;

THENCE south 58 degrees 33 minutes 35 seconds west 55.88 feet to a point for corner;

THENCE in a southerly direction along the meanders of Buffalo Creek as follows;

South 13 degrees 22 minutes 03 seconds East 116.17 feet;

South 18 degrees 26 minutes 06 seconds East 47.43 feet;

South 14 degrees 02 minutes 10 seconds West 123.69 feet;

South 20 degrees 13 minutes 29 seconds East 101.24 feet;

South 10 degrees 18 minutes 17 seconds East 55.90 feet;

South 36 degrees 26 minutes 40 seconds East 404.01 feet;

South 42 degrees 42 minutes 34 seconds West 176.91 feet;

South 33 degrees 41 minutes 24 seconds West 108.16 feet;

North 77 degrees 54 minutes 19 seconds West 71.58 feet;

South 61 degrees 41 minutes 57 seconds West 73.82 feet;

South 84 degrees 17 minutes 22 seconds West 50.24 feet;

South 62 degrees 06 minutes 10 seconds West 96.17 feet; to a 1" iron rod for corner;

THENCE north 3 degrees 19 minutes 53 seconds east for a distance of 1197.40 feet to a ½" iron rod for corner;

THENCE south 46 degrees 47 minutes 38 seconds east, along a southeasterly line of County Road FM 3097, for a distance of 180.00 feet to the Place of BEGINNING, containing 5.68 acres of land.

SECTION 2. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, and as amended herein, by the granting of this zoning change.

SECTION 4. 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 a 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 5. Whereas, it appears that the above-described property requires classification so as to grant a Specific Use Permit for a Sewage Treatment Plant in order to permit its proper development in order to protect the public interest and general welfare of the City of Rockwall, such requirement creates an urgency and an emergency in the preservation of the public welfare and requires that this ordinance take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas, on the 10th day of September, 1979.

APPROVED:

Harry S. Myers
Mayor

ATTEST:

James E. Hill
City Secretary