

CITY OF ROCKWALL

ORDINANCE NO 05-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (SF 10) SINGLE FAMILY RESIDENTIAL DISTRICT TO (NS), NEIGHBORHOOD SERVICES DISTRICT ON A TRACT OF LAND CONTAINING 2.76 ACRES AND KNOWN AS TRACT 5, ABSTRACT 124 J.H.B. JONES SURVEY AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT A PROVIDING FOR SPECIAL CONDITIONS PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000 00) FOR EACH OFFENSE, PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR A REPEALER CLAUSE, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS a zoning change from (SF 10) Single Family Residential district to (NS) Neighborhood Services district has been request by Drana Curanovic for a 2.76-acre tract of land known as Tract 5 Abstract 124 J H B Jones Survey and more specifically described as Exhibit A attached hereto and made a part hereof: and

WHEREAS the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof and the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code 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 Unified Development Code (Ord No 04-38) of the City of Rockwall, Texas as heretofore amended be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning on a 2.76-acre tract of land known as Tract 5 Abstract 124 J H B Jones Survey and more specifically described as Exhibit A from (SF 10) Single Family Residential district to (NS) Neighborhood Services district, and

Section 2. That the property described herein shall be used only in the manner and for the purposes provided for in **Article V Section 4.3, Neighborhood Services District** of the Unified Development Code of the City of Rockwall as heretofore amended as amended herein by granting of this zoning change and as may be amended in the future

Section 3 That the official zoning map of the City be corrected to reflect the changes in zoning described herein

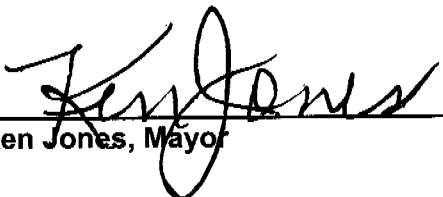
Section 4 Any person firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2 000 00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense

Section 5 If any section paragraph or provision of this ordinance or the application of that section paragraph or provision to any person firm corporation or situation is for any reason judged invalid the adjudication shall not affect any other section paragraph or provision of this ordinance or the application of any other section paragraph or provision to any other person firm corporation or situation nor shall adjudication affect any other section paragraph or provision of the Unified Development Code of the City of Rockwall Texas and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable

Section 6. 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.

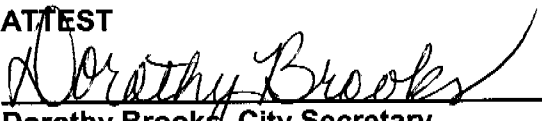
Section 7 That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 7th day of March 2005



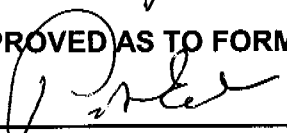
Ken Jones, Mayor

ATTEST



Dorothy Brooks, City Secretary

APPROVED AS TO FORM



Pete Eckert, City Attorney



1st Reading February 21, 2005

2nd Reading March 7, 2005

EXHIBIT A

Being a 2 76 acre Tract of land composed of 1 1/4 acre and a 1 10 acre more or less tract of land conveyed to Mary T Collins by J M Nelson et ux and S M Reid et ux of Record in Volume 18 page 170 and Volume 13 page 551 Deed Records Rockwall County Texas and being a part of the J H B Jones and S S McCurry Surveys Abstract #124 described as follows

BEGINNING at an iron post in the West side of Public Road the Northeast corner of the Lone Star Gas Company s Metering Station said point being also the Southeast corner of said 1 1/4 acre tract
THENCE North 3 degrees 36 East 260 3 feet and along the West side of said road to an iron pin for a corner
THENCE South 88 degrees 33 West 420 5 feet and along the South side of said road to an iron pin
THENCE South 40 degrees 45 West 190 feet to an angle
THENCE South 6 degrees 00 East 83 feet to an iron pin for a corner
THENCE South 87 degrees 30 05 East 519 86 feet to the PLACE OF BEGINNING
containing 2 76 acres more or less

Advertising Receipt

Rockwall County News

316 S Goliad, Ste 107
PO BOX 819
Rockwall, TX 75087
Phone: 972 722 3099
Fax: 972 722 3096

ROCKWALL, CITY OF-LEGALS @
ATTN: DOROTHY BROOKS
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Cust#: 01100978-000
Ad#: 17525367
Phone: (972)771 7700
Date: 03/11/05

Ad taker: 11 **Salesperson:** 6 **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	03/16/05	03/16/05	1	54 00		54.00

Payment Reference:

L# 380833 ORD 05-09

Total	54 00
Tax:	0.00
Net:	54 00
Prepaid:	0 00
Total Due	54 00

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn deposes and says that he is the Publisher of *Rockwall County News* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. It devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. It is published at least once each week;
3. It is entered as second-class postal matter in the county where it is published;
4. It has been published regularly and continuously since 1985; and
5. It is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

March 16 A.D. 2005



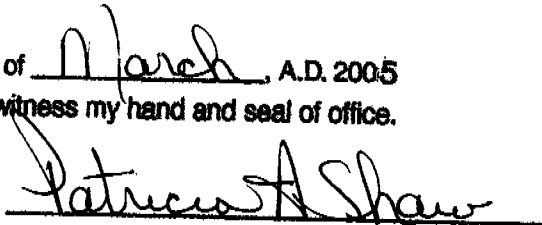
Michael Gresham
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

by Michael Gresham, who

- a) is personally known to me, or
 b) provided the following evidence to establish his/her identity. _____

on the 25th day of March, A.D. 2005
to certify which witness my hand and seal of office.



Notary Public, State of Texas



Legal Notices

Legal Notices

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/s/ Ken Jones, Mayor

/s/ Dorothy Brooks, City Secretary

1st Reading: February 21 2005

2nd Reading: March 7 2005