

CITY OF ROCKWALL

ORDINANCE NO. 06-35

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 (AG) AGRICULTURAL DISTRICT TO (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 18.89-ACRES AND ALL PROPERTIES WITHIN THE AIRPORT ACRES ADDITION AND GREENLEE ADDITION, 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 (Ag) Agricultural district to (SF-10) Single Family Residential district has been initiated by the City of Rockwall on approximately 18.89-acres and including all of those properties within the Airport Acres Addition (unrecorded) and Greenlee Addition, and more specifically described herein as Exhibit "A"; 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 from (Ag) Agricultural district to (SF-10) Single Family Residential district on approximately 18.89-acres and including all of those properties within the Airport Acres Addition (unrecorded) and Greenlee Addition, and more specifically described herein as Exhibit "A"; 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 3.4, Single Family Residential 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 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.

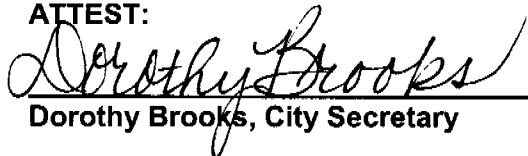
Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 18th day of September, 2006.



William R. Cecil, Mayor

ATTEST:



Dorothy Brooks, City Secretary

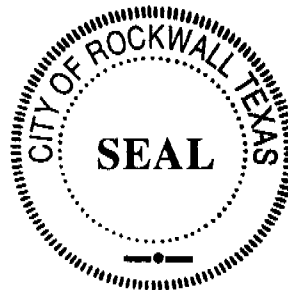
APPROVED AS TO FORM:



Pete Eckert, City Attorney

1st Reading: 09-05-06

2nd Reading: 09-18-06



Boundary Description
18.8932 Acre Tract

BEING an 18.8932 acre tract of land situated in the E.M. Elliott Survey, Abstract No. 77 in the City of Rockwall, Rockwall County, Texas, said tract being all of Greenlee Addition, a 10.0 acre tract of land, as recorded in Cabinet A, Slide 151 in the Deed Records of Rockwall County, Texas and all of Airport Acres, an unrecorded 8.8932 acre tract of land and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the North R.O.W. line of Airport Road (a 60'ROW) said point being at the Southeasterly most corner of said Greenlee Addition said point also being the Southeasterly most corner of 2 Amity Lane;

THENCE N 89°59'44"W, along the said North line of Airport Road for a distance of 325.00 feet to a point for a corner;

THENCE N 89°37'00"W, continuing along said North line of Airport Road for a distance of 220.75 feet to a point for a corner;

THENCE N 72°20'00"W, continuing along the Southeast line of said Airport Road for a distance of 28.23 feet to a point for a corner;

THENCE N 26°28'00"W, continuing along said Southeast line of Airport Road for a distance of 82.46 feet to a point for a corner;

THENCE N 09°27'07"W, departing said Southeast line of Airport Road for a distance of 80.63 feet to a point for a corner;

THENCE N 0°06'24"W, along the West line of said Airport Acres, said line also being the East survey line of the D. Harr Survey, Abstract No. 102 and the West survey line of E.M. Elliot Survey, Abstract No. 77 for a distance of 1162.64 feet to a point for a corner at the Northwesterly most corner of said Airport Acres;

THENCE N 86°24'25"E, along the North line of said Airport Acres for a distance of 59.90 feet to a point for a corner, said point being the Southwesterly most corner of Rolling Meadows Estates, an addition to the City of Rockwall as recorded in Cabinet D, Slide 59 of the Deed Records of Rockwall County, Texas;

THENCE S 89°07'00"E, continuing along said North line of Airport Acres and the South line of said Rolling Meadows Estates for a distance of 240.10 feet to a point for a corner, said point being the Northeasterly most corner of said Airport Acres, said point also being the Northwesterly most corner of said Greenlee Addition;

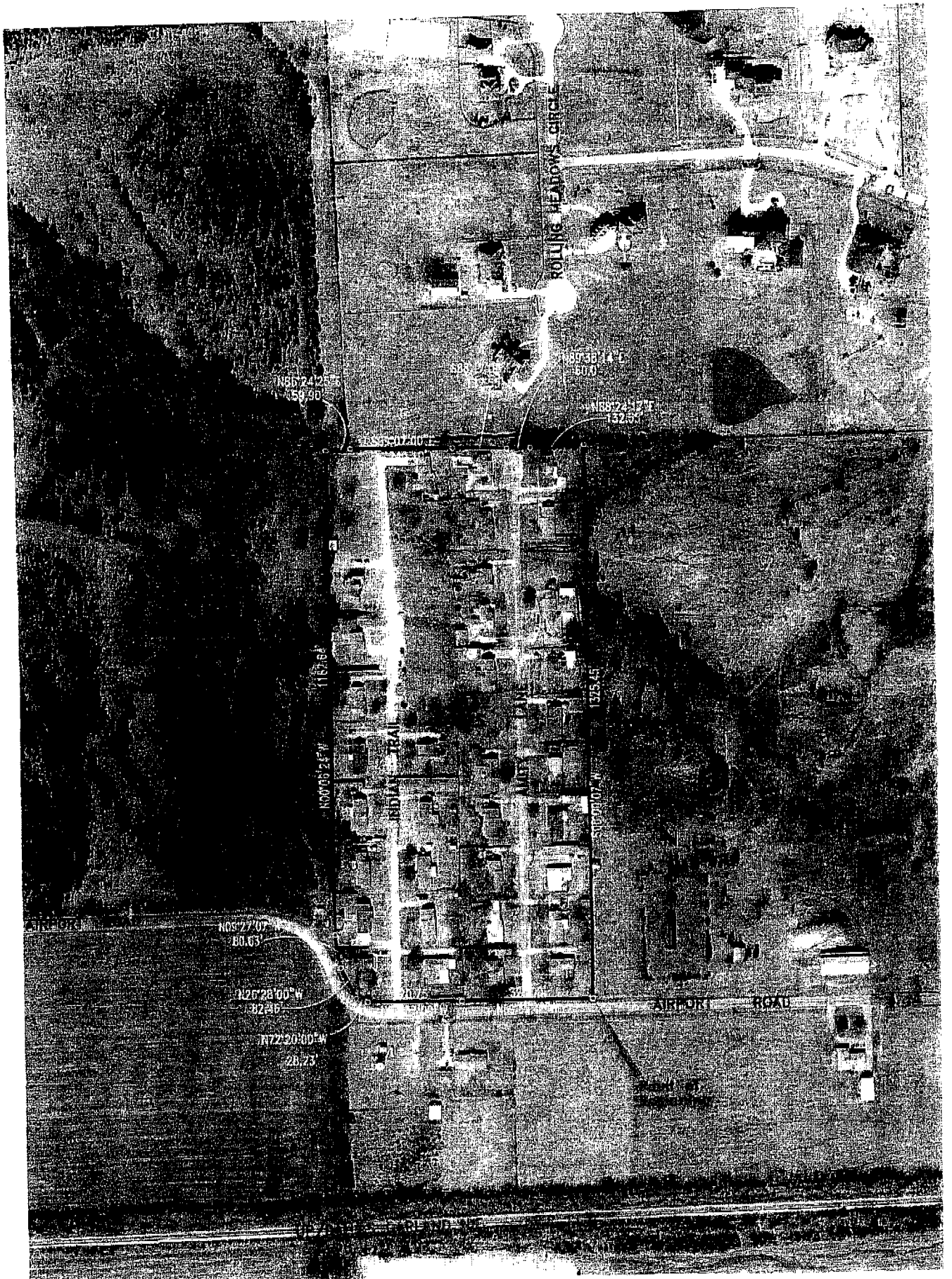
THENCE S 88°17'02"E, along the North line of said Greenlee Addition and the South line of said Rolling Meadows Estates for a distance of 132.55 feet to a point for a corner;

THENCE N 89°38'14"E, continuing along the said North line of Greenlee Addition and the said South line of Rolling Meadows Estates for a distance of 60.0 feet to a point for a corner;

THENCE N 88°24'17"E, for a distance of 132.55 feet to a point for a corner at the Northeasterly most corner of said Greenlee Addition;

THENCE S 0°00'07"W, along the East line of said Greenlee Addition for a distance of 1325.45 feet to the Point of Beginning and containing 18.8932 acres of land 822,988 square feet more or less.

Exhibit "A"



Advertising Receipt

Terrell Tribune
Rockwall County News
150 9th Street, P.O. Box 669
Terrell, TX 75160
Phone: (972) 563-6476
Fax: (972) 563-0340

ROCKWALL, CITY OF-LEGALS @
c/o Dorothy Brooks, City Secretary
385 SOUTH GOLIAD
ROCKWALL, TX 75087

Cust#: 01100978-000
Ad#: 05500633
Phone: (972)771-7700
Date: 09/21/06

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

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
02 ROCKWALL COUNTY NEWS	09/28/06	09/28/06	1	54.00		54.00

Payment Reference:

LG#223306
ORD. #06-35
RCN= 9/28

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 William Jordan, who being by me duly sworn deposes and says the he is the Publisher of **The Rockwall County News** and the 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 news paper on the following date(s) to wit:

September 28th A.D. 2006

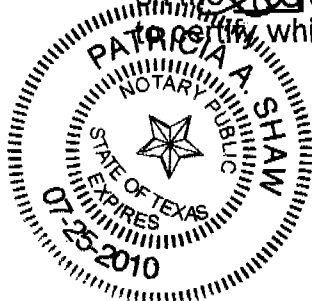
William Jordan
William Jordan
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME

by William Jordan who

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

on the 28th day of September, A.D. 2006
I hereby certify, which witness my hand and seal of office.



Patricia A. Shaw
Notary Public, State of Texas

CITY OF ROCKWALL

ORDINANCE NO. 06-35

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 (AG) AGRICULTURAL DISTRICT TO (SF-10) SINGLE FAMILY RESIDENTIAL DISTRICT, ON A TRACT OF LAND CONTAINING APPROXIMATELY 18.89-ACRES AND ALL PROPERTIES WITHIN THE AIRPORT ACRES ADDITION AND GREENLEE ADDITION, 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.

/s/ William R. Cecil, Mayor
/s/ Dorothy Brooks, City Secretary
1st Reading: 09-05-06
2nd Reading: 09-18-06