

CITY OF ROCKWALL

ORDINANCE NO. 07-08

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 (C) COMMERCIAL ZONING DISTRICT FOR A 4.791-ACRE TRACT OF LAND, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; 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 (C) Commercial district has been requested by Preston Engineering, for a 4.791-acre tract of land located at the northeast corner of Mims Rd and Ralph Hall Parkway, and more specifically described in 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, 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 of the City of Rockwall, as heretofore amended, be and the same is hereby amended by the approval of a zoning change from, (AG) Agricultural District to (C) Commercial district as requested by Preston Engineering, for a 4.791-acre tract of land located at the northeast corner of Mims Rd and Ralph Hall Parkway, and more specifically described in Exhibit "A" attached hereto and made a part hereof.

**Section 2.** That development as indicated on Exhibit "A", attached hereto, shall be subject to the permitted uses and area requirements of **Article V, Section 4.5 (C) Commercial District**, of the City of Rockwall Unified Development Code (Ord. No. 04-38), as previously amended, and 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 No. 04-38 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 to the extent of that conflict.

**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 5<sup>th</sup> day of March, 2007.**

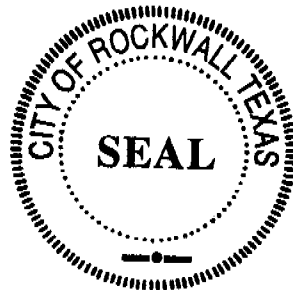
  
\_\_\_\_\_  
William R. Cecil, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Dorothy Brooks, TRMC, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Pete Eckert, City Attorney



1<sup>st</sup> Reading: 02-19-07  
2<sup>nd</sup> Reading: 03-05-07

## **Exhibit "A"**

### **Legal Description**

Situated in the John D. McFarland Survey, Abstract No. 145, Rockwall County, Texas. BWINF out of and a part of the 44.5 acre tract of land conveyed to the L. F. While and wife Eloise White by Troy Oliver and others on the on 23 October 1934 by deed recorded in Volume 30, page 549, Deed Records of Rockwall County, Texas.

BEGINNING North 44 degrees 30' East, 15 Feet from the most Westerly corner of said 44.5 acre tract of land on the East line of a 30-foot wide county road and in the Southeast right of way line of Interstate Highway 30;

THENCE South 45 degrees 00' East along the said East line of the county road for a distance of 646.3 feet to a point for corner;

THENCE North 44 degrees 30' East for a distance of 337.0 feet to a point for corner;

THENCE North 45 degrees 00' West for a distance of 646.3 feet to a point for corner, said point being a North corner of said 44.5 acre tract;

Thence South 44 degrees 30' West along a Northwest line of said tract for a distance of 337.0 feet to the point of beginning and CONTAINING 4.791 acres of land.

# 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#:** 05505041  
**Phone:** (972)771-7700  
**Date:** 03/06/07

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

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
02 ROCKWALL COUNTY NEWS	03/15/07	03/15/07	1	48.00		48.00

**Payment Reference:**

Lgt 316436  
ordinance # 07-08  
KCNE 3/15

**Total:** 48.00  
**Tax:** 0.00  
**Net:** 48.00  
**Prepaid:** 0.00

**Total Due** 48.00

# PUBLISHER'S AFFIDAVIT

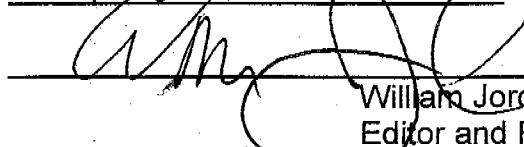
THE STATE OF TEXAS  
COUNTY OF ROCKWALL

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:

March 15th A.D. 2007

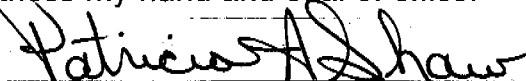
  
\_\_\_\_\_  
William Jordan  
Editor and Publisher

**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 15th day of March, A.D. 2007  
to certify which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, State of Texas

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*/s/ William R. Cecil, Mayor*

*/s/ Dorothy Brooks, TRMC,  
City Secretary*

1st Reading: 02-19-07

2nd Reading: 03-05-07

