

ORDINANCE NO. 87-19

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 TRACTS OF LAND WHICH ARE MORE FULLY DESCRIBED HEREIN FROM "A" AGRICULTURAL CLASSIFICATION TO "C" COMMERCIAL CLASSIFICATION ON A TRACT CONTAINING 31.979 ACRES AND FROM "A" AGRICULTURAL CLASSIFICATION TO "HC" HEAVY COMMERCIAL CLASSIFICATION ON A TRACT CONTAINING 44.706 ACRES; CORRECTING THE OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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 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, as heretofore amended, be and the same is hereby amended by amending the zoning map of the

DOLLARS (\$1,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7. If any section or provision of this ordinance of the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, nor shall adjudication affect any other section or provision of the Comprehensive Zoning Ordinance 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 8. 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 9. 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 case provides.

City of Rockwall so as to give "C" Commercial District classification to the tract of land described in Exhibit "A".

SECTION 2. That the property described in Exhibit "A" 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, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 3. 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 "HC" Heavy Commercial District classification to the tract of land described in Exhibit "B".

SECTION 4. That the property described in Exhibit "B" 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, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 5. That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

SECTION 6. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished by a penalty of fine not to exceed the sum of ONE THOUSAND

DULY PASSED AND APPROVED this 4th day
of May, 1987.

APPROVED:

John R. Miller

Mayor

ATTEST:

By *Judy Cowd*

1st reading 4/20/87
2nd reading 5/4/87

B. L. S. & ASSOCIATES, INC.

RT. 1 • BOX 142-E • SIDS ROAD • ROCKWALL, TEXAS 75087
ROCKWALL 722-3036 • DALLAS 226-7522

Surveying & Engineering Services

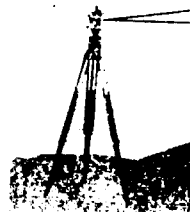


EXHIBIT "A"

DESCRIPTION

31.979 ACRES COMMERCIAL ZONING
March 23, 1987

Being, a tract of land situated in the W.H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, and also being part of a 109.582 acre tract as recorded in Volume 45, Page 558, Deed of Trust Records, and being more particularly described as follows;

Beginning at the point of intersection of the South line of Mims Road, with the Southwest line of State Highway No. 205, a point for corner.

Thence, N.89°04'39"W., along the South line of Mims Road, a distance of 1356.39 feet to a point for corner.

Thence, N.87°30'23"W., continuing along the South line of Mims Road, a distance of 1292.29 feet to a point for corner.

Thence, N.40°59'17"W., along the center of Mims Road, a distance of 341.29 feet to a point for corner.

Thence, S.88°05'E., a distance of 2127.64 feet to a point for corner.

Thence, N.28°44'15"W., a distance of 1566.99 feet to a point for corner.

Thence, N.61°16'07"E., a distance of 416.96 feet to a point on the Southwest line of State Highway No. 205, a point for corner.

Thence, along the Southwest line of State Highway No. 205, the following;

S.28°44'15"E., a distance of 284.26 feet to a point for corner.

S.61°15'45"W., a distance of 10.00 feet to a point for corner.

S.28°44'15"E., a distance of 300.00 feet to a point for corner.

N.61°15'45"E., a distance of 10.00 feet to a point for corner.

S.28°44'15"E., a distance of 446.55 feet to the beginning of a curve to the left having a central angle of 11°02'22", and a radius of 5881.03 feet, a point for corner.

Around said curve, a distance of 1133.11 feet to the end of said curve, to the Place of Beginning, and containing 31.979 acres of land.

B. L. S. & ASSOCIATES, INC.

RT. 1 • BOX 142-E • SIDS ROAD • ROCKWALL, TEXAS 75087
ROCKWALL 722-3036 • DALLAS 226-7522

Surveying & Engineering Services

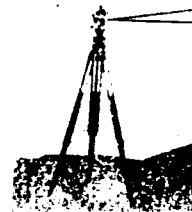


EXHIBIT "B"

DESCRIPTION

44.706 Ac. HEAVEY COMMERCIAL ZONING
March 23, 1987

Being, a tract of land situated in the W.H.Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, and also being part of a 109.582 acre tract as recorded in Volume 45, Page 558, Deed of Trust Records, and being more particularly described as follows;

Commencing at the point of intersection of the South line of Mims Road, with the Southwest line of State Highway No. 205, Thence, N.89°04'39"W., along the South line of Mims Road, a distance of 1356.39 feet, Thence, N.87°30'23"W., continuing along the South line of Mims Road, a distance of 1292.29 feet, Thence, N.40°59'17"W., along the center of Mims Road, a distance of 341.29 feet to the Place of Beginning, a point for corner.

Thence, N.40°59'17"W., along the center of Mims Road, a distance of 259.01 feet to a point for corner.

Thence, N.46°23'21"E., leaving the said center of Mims Road, a distance of 1609.80 feet to a point for corner.

Thence, N.43°53'57"W., a distance of 351.34 feet to a point on the Southeast line of Sids Road, a point for corner.

Thence, N.46°22'25"E., along the Southeast line of Sids Road, a distance of 60.00 feet to a point for corner.

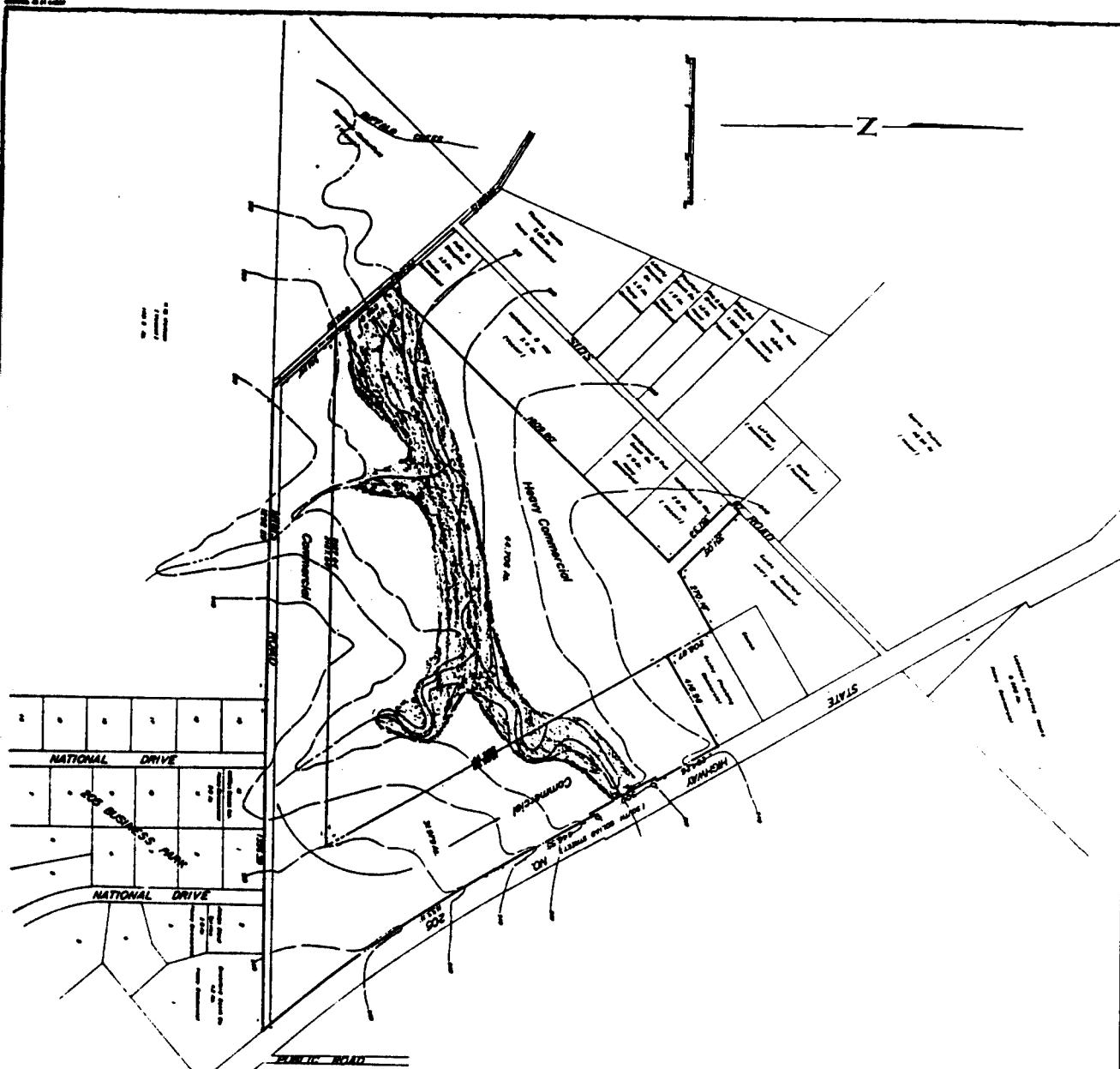
Thence, S.43°53'57"E., leaving the said Southeast line of Sids Road, a distance of 351.05 feet to a point for corner.

Thence, N.59°20'23"E., a distance of 270.18 feet to a point for corner.

Thence, S.29°08'35"E., a distance of 208.87 feet to a point for corner.

Thence, S.28°44'15"E., a distance of 1566.99 feet to a point for corner.

Thence, N.88°05'W., a distance of 2127.64 feet to the Place of Beginning, and containing 44.706 Acres of land.



PROPOSED ZONING PLAT
 CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS

OWNERS
 TOMLINSON-WESTERFIELD
 3960 BROADWAY SUITE 220
 GARLAND, TEXAS 75043

76.695 ACRES

PHONE - 1-214-864-0234

B.L.S. & ASSOCIATES, INC.
 271 EAST COLE & LAUREL ST. SUITE 207
 ROCKWALL, TEXAS 75087