

ORDINANCE NO. 1899

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM LIGHT INDUSTRIAL (LI) AND AGRICULTURAL (A) TO COMMERCIAL (C), AND GRANTING A SPECIFIC USE PERMIT FOR RECREATIONAL VEHICLE PARK, ON A CALLED 64.604 ACRE TRACT OUT OF THE RANSOM SOWELL SURVEY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

WHEREAS, the City Council of the City of Terrell, Texas, following public hearing and recommendation by the Planning and Zoning Commission, held a public hearing on November 18, 1997, on a request to change the zoning from Light Industrial (LI) and Agricultural (A) to Commercial (C), and to issue a Specific Use Permit for a Recreational Vehicle Park, on the below described property; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with State law and the ordinances of the City of Terrell; and

WHEREAS, the City Council has determined that it would be in the best interest of the citizens of Terrell to grant the change in zoning and issue the specific use permit as requested;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell Texas:

ARTICLE I.

THAT the zoning classification be and is hereby changed from Light Industrial (LI) and Agricultural (A) to Commercial (C) on the property described as follows:

BEING all that certain tract or parcel of land in the Ransom Sowell Survey, A-433, Kaufman County, Texas, and being a part of that called 100 acre tract as conveyed from Exa LaRoe et al to Jack P. Bond, as recorded in Volume 321, Page 393, and being a part of that called Fifth Tract as conveyed by Partition Deed from Thos R. Bond to Joel R. Bond, as recorded in Volume 186, Page 90, of the Deed Records of Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod found for corner in the northeast line of said 100 acre tract said point being at the most northerly corner of a 4.527 acre tract conveyed from Marguerite E. Bond et al, to the city of Terrell, as recorded in Volume 851, Page 594;

THENCE S0°08'55"E, along the west line of said City of Terrell 4.527 acre tract and along the west line of a 39.634 acre tract conveyed to the City of Terrell, also recorded in Volume 851, Page 594, a distance of 1685.14 feet to a 1/2" iron rod found for corner in the north R.O.W. of Interstate Highway 20;

THENCE N72°47'14"W, along the north R.O.W. of Interstate Highway 20, a distance of 188.15 feet to a broken concrete highway monument found for corner;

THENCE N72°57'19"W, continuing along said R.O.W., a distance of 401.05 feet to a point for corner in a creek;

THENCE N68°25'16"W, continuing along said R.O.W., distance of 67.75 feet to a 1/2" iron rod set for corner at the most southerly corner of the Terry's Addition to the City of Terrell;

THENCE N21°04'44"E, a distance of 193.53 feet to a point for corner at the most easterly corner of said Terry's Addition;

THENCE N68°25'16"W, along said addition, a distance of 225.48 feet to a point for corner;

THENCE N22°53'54"W, a distance of 166.40 feet to the most northerly corner of said Terry's Addition;

THENCE S67°06'06"W, a distance of 100.00 feet to a ½" iron rod set for corner at the east corner of the Armstrong Addition to the City of Terrell;

THENCE N37°51'16"W, a distance of 172.09 feet to a ½" iron rod set for corner at the north corner of said Armstrong Addition and the east corner of the Q-D Addition;

THENCE N38°14'21"W, a distance of 206.06 feet to a ½" iron rod found for corner at the north corner of the Q-D Addition and the east corner of the Oakley Motel Addition;

THENCE N38°06'39"W, a distance of 463.40 feet to a ½" iron rod found for corner at the most easterly corner of Block "A" of the Interstate 20 Subdivision;

THENCE N45°58'43"W, along the northeast line of said Block "A" of the Interstate 20 Subdivision, a distance of 690.01 feet to a ½" iron rod set for corner in the northwest line of said Jack P. Bond 100 acre tract;

THENCE N45°10'44"E, along the northwest line of said Bond tract and along the southeast line of a 54.2 acre tract conveyed to Robert K. Ramsey as recorded in volume 418, Page 343, a distance of 1370.64 feet to a ½" iron rod set for corner;

THENCE S40°56'16"E, a distance of 310.33 feet to a ½" iron rod set for corner;

THENCE S45°31'31"E, a distance of 499.12 feet to a ½" iron rod set for corner;

THENCE S44°07'39"E, a distance of 577.86 feet to the POINT OF BEGINNING and containing 64.604 acres of land.

And

THAT a specific use permit be and is hereby issued for the development of a Recreational Vehicle Park on said tract on condition:

- (1) That an additional means of all-weather, vehicular access is provided to said site; and
- (2) _____.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

ARTICLE IV.

This ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS 18th DAY OF NOVEMBER 1997.

PASSED AND ADOPTED THIS 16TH DAY OF DECEMBER 1997.

DON L. LINDSEY, MAYOR

ATTEST:

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

MARY GAYLE RAMSEY, CITY ATTORNEY