

**ORDINANCE NO. 2003**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM ON PROPERTY DESCRIBED AS FORREST CREEK ADDITION, TRACT 1 BEING 3.1213 ACRES OF THE J. MCENTURFF SURVEY, ABSTRACT A-340 FROM THE CURRENT ZONING OF RETAIL (R) TO SINGLE-FAMILY (1F2); TRACT 2 BEING 0.2990 ACRES OF THE J. MCENTURFF SURVEY, ABSTRACT A-340 FROM THE CURRENT ZONING OF SIGNLE-FAMILY (1F2) TO RETAIL (R); TRACT 3 BEING 0.8377 ACRES OF THE J. MCENTURFF SURVEY, ABSTRACT A-340 FROM THE CURRENT ZONING OF AGRICULTURAL (A) TO RETAIL (R); AND TRACT 4 BEING 2.6114 ACRES OF THE J. MCENTURFF SURVEY, ABSTRACT A-340 FROM THE CURRENT ZONING OF AGRICULTURAL (A) TO SINGLE-FAMILY (1F2), TERRELL, TEXAS; 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:**

**ARTICLE I.**

**WHEREAS**, the Planning and Zoning Commission of the City of Terrell, Texas held a public hearing on December 6, 1999 and recommends approval to change the zoning for Forrest Creek Addition, Tract 1 being 3.1213 acres of the J. McEnturff Survey, Abstract A-340 from Retail (R) to Single-Family (1F2); Tract 2 being .02990 acres of the J. McEnturff Survey, Abstract A-340 from Single-Family (1F2) to Retail (R); Tract 3 being .08377 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Retail (R); and Tract 4 being 2.6114 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Single-Family (1F2), Terrell, Texas, and

**WHEREAS**, the City Council of the City of Terrell, Texas held a public hearing on December 21, 1999, on request to change the zoning for Forrest Creek Addition, Tract 1 being 3.1213 acres of the J. McEnturff Survey, Abstract A-340 from Retail (R) to Single-Family (1F2); Tract 2 being .02990 acres of the J. McEnturff Survey, Abstract A-340 from Single-Family (1F2) to Retail (R); Tract 3 being .08377 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Retail (R); and Tract 4 being 2.6114 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Single-Family (1F2), Terrell, Texas, and

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

**WHEREAS**, the City Council of the City of Terrell, Texas has determined that it would be in the best interest of the citizens of Terrell to change the zoning for Forrest Creek Addition, Tract 1 being 3.1213 acres of the J. McEnturff Survey, Abstract A-340 from Retail (R) to Single-Family (1F2); Tract 2 being .02990 acres of the J. McEnturff Survey, Abstract A-340 from Single-Family (1F2) to Retail (R); Tract 3 being .08377 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Retail (R); and Tract 4 being 2.6114 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Single-Family (1F2), Terrell, Texas.

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

**THAT** the zoning classification be and is hereby changed on property legally described as Forrest Creek Addition, Tract 1 being 3.1213 acres of the J. McEnturff Survey, Abstract A-340 from Retail (R) to Single-Family (1F2); Tract 2 being .02990 acres of the J. McEnturff Survey, Abstract A-340 from Single-Family (1F2) to Retail (R); Tract 3 being .08377 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Retail (R); and Tract 4 being 2.6114 acres of the J. McEnturff Survey, Abstract A-340 from Agricultural (A) to Single-Family (1F2), Terrell, Texas.

**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 21<sup>ST</sup> DAY OF DECEMBER, 1999.**

**PASSED AND ADOPTED THIS 4<sup>TH</sup> DAY OF JANUARY, 1999.**

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HENRY C. MADGWICK, SR., MAYOR

ATTEST:

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JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

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MARY GAYLE RAMSEY, CITY ATTORNEY