

ORDINANCE No. 2131

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM SINGLE-FAMILY (1F-2) AND AGRICULTURE (A) TO GENERAL RESIDENCE (GR) ON PROPERTY DESCRIBED AS BEING A 117.712 ACRE TRACT OF LAND SITUATED IN THE J. MCENTURFF SURVEY ABSTRACT NO. 340 AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO TERRELL CREEKSIDE DEVELOPMENT, L.P., AS RECORDED IN VOLUME 1839, PAGE 50, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS AND ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO TERRELL CREEKSIDE DEVELOPMENT, L.P. AS RECORDED IN VOLUME 1839, PAGE 46, FROM THE CURRENT ZONING OF AGRICULTURE (A) AND SINGLE-FAMILY (1F-2) TO GENERAL RESIDENCE (GR); PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ARTICLE I

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, held a public hearing on August 26, 2002 on a request to change the zoning from Single-Family (1F-2) and Agriculture (A) to General Residence (GR) on property described as being a 117.712 acre tract of land situated in the J. McEnturff Survey Abstract No. 340 and being a portion of a tract of land described in a deed to Terrell Creekside Development, L.P., as recorded in Volume 1839, Page 50, of the Deed Records of Kaufman County, Texas and all of a tract of land described in a deed to Terrell Creekside Development, L.P. as recorded in Volume 1839, Page 46, from the current zoning of Agriculture (A) and Single-Family (1F-2) to General Residence (GR), and recommend approving a zone change on this property; and

WHEREAS, the City Council of the City of Terrell, Texas held a public hearing on September 17, 2002, on a request to change the zoning from Single-Family (1F-2) and Agriculture (A) to General Residence (GR) on property described as being a 117.712 acre tract of land situated in the J. McEnturff Survey Abstract No. 340 and being a portion of a tract of land described in a deed to Terrell Creekside Development, L.P., as recorded in Volume 1839, Page 50, of the Deed Records of Kaufman County, Texas and all of a tract of land described in a deed to Terrell Creekside Development, L.P. as recorded in Volume 1839, Page 46, from the current zoning of Agriculture (A) and Single-Family (1F-2) to General Residence (GR); 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 from Single-Family

(1F-2) and Agriculture (A) to General Residence (GR) on property described as being a 117.712 acre tract of land situated in the J. McEnturff Survey Abstract No. 340 and being a portion of a tract of land described in a deed to Terrell Creekside Development, L.P., as recorded in Volume 1839, Page 50, of the Deed Records of Kaufman County, Texas and all of a tract of land described in a deed to Terrell Creekside Development, L.P. as recorded in Volume 1839, Page 46, from the current zoning of Agriculture (A) and Single-Family (1F-2) to General Residence (GR).

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 being a 117.712 acre tract of land situated in the J. McEnturff Survey Abstract No. 340 and being a portion of a tract of land described in a deed to Terrell Creekside Development, L.P., as recorded in Volume 1839, Page 50, of the Deed Records of Kaufman County, Texas and all of a tract of land described in a deed to Terrell Creekside Development, L.P. as recorded in Volume 1839, Page 46, from the current zoning of Agriculture (A) and Single-Family (1F-2) to General Residence (GR) from the current zoning of Single-Family (1F-2) and Agriculture (A) to General Residence (GR).

ARTICLE II

All ordinances or part 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 the _____ day of _____, 2002.

PASSED AND ADOPTED this the _____ day of _____, 2002.

APPROVED:

Frances R. Anderson, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney