ORDINANCE NO. 2362

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM AGRICULTURAL (A) AND LIGHT INDUSTRIAL (LI) TO PLANNED DEVELOPMENT (PD) ON 52.5 ACRES OF THE J. C. HALE SURVEY, ABSTRACT NO. 202, KAUFMAN COUNTY, TEXAS, GENERALLY LOCATED NORTH OF I-20, EAST OF FM 148, SOUTH OF SPUR HWY 557 AND WEST OF FM 2578, AND BEING PART OF THAT 89.24 ACRE TRACT OF LAND CONVEYED TO CHARLIE RISINGER AND WIFE, DENA RISINGER AS RECORDED IN VOLUME 2665, PAGE 338, DEED OF RECORDS OF KAUFMAN COUNTY, TEXAS; 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 January 28, 2008 on a request to change the zoning from Agricultural (A) and Light Industrial (LI) to Planned Development (PD) on 52.5 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located north of I-20, east of FM 148, south of Spur Hwy 557 and west of FM 2578, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas 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 February 5, 2008, on a request to change the zoning from Agricultural (A) and Light Industrial (LI) to Planned Development (PD) on 36.823 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located at the Southern intersection of FM 148 and Spur 557, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, 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 from Agricultural (A) and Light Industrial (LI) to Planned Development (PD) on 52.5 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located north of I-20, east of FM 148, south of Spur Hwy 557 and west of FM 2578, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, 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 from Agricultural (A) and Light Industrial (LI) to Planned Development (PD) on 52.5 acres of the J. C. Hale Survey, Abstract No. 202, Kaufman County, Texas, generally located north of I-20, east of FM 148, south of Spur Hwy 557 and west of FM 2578, and being part of that 89.24 acre tract of land conveyed to Charlie Risinger and wife, Dena Risinger as recorded in Volume 2665, Page 338, Deed of Records of Kaufman County, Texas.

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 case provides.

PASSED AND APPROVED this the 19th day of February, 2008.
PASSED AND ADOPTED this the 4th day of March, 2008.

APPROVED:

_____
Hal Richards, Mayor

ATTEST:

_____
John Rounsavall, City Secretary

APPROVED AS TO FORM:

_____
Mary Gayle Ramsey, City Attorney