

ORDINANCE 05-24-11

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND CENTRAL ZONING MAP, AS HERETOFORE AMENDED, BY CHANGING THE ZONING CLASSIFICATION FROM A AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY LEGALLY DESCRIBED AS A 20-ACRE PORTION OF A PROPERTY LEGALLY DESCRIBED AS TRACT 53 OF THE JOHN MORTON SURVEY, ABSTRACT 792, LOCATED ON THE SOUTH SIDE OF UNION HILL ROAD APPROXIMATELY 1,164 FEET WEST OF THE INTERSECTION OF UNION HILL ROAD AND FM 455; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, all Requests for Changes in Zoning Classifications were duly filed with the City of Sanger, Texas, concerning the hereinafter described properties;

WHEREAS, due notice of hearings were made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Sanger, Texas, duly covered and conducted public hearings for the purpose of assessing zoning classification changes on the hereinafter described properties located in the City of Sanger, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Sanger, Texas, at open meetings, with proper notice posted; Now Therefore,

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

Section 1 That the legal description of the property zoned herein is generally described as follows:

A 20-Acre Portion of a Property Legally Described as Tract 53 of the John Morton Survey, Abstract 792, Located on the South Side of Union Hill Road Approximately 1,164 Feet West of the Intersection of Union Hill Road and FM 455, further described in Exhibit A, attached

Section 2 The zoning classification on the herein above described property is hereby changed from A Agricultural District to I-1 Industrial District.

Section 3 All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4 It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, 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 portions of this

Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

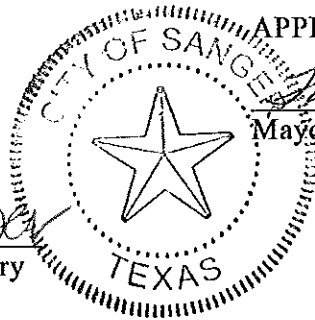
Section 5 Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6 This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY PASSED, APPROVED AND ADOPTED by the City Council of the City of Sanger, Texas, on this 2nd day of May, 2011.

ATTEST:


Tami Taber, City Secretary



APPROVED:


Mayor Thomas Muir

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EXHIBIT "A"

BEING A 20.000 ACRE TRACT OF LAND SITUATED IN THE JOHN MORTON SURVEY, ABSTRACT NUMBER 792, DENTON COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 125.344 ACRE TRACT OF LAND DESCRIBED IN DEED TO HUGH Z. PRUETT AND SANDRA B. PRUETT AS RECORDED IN DOCUMENT NUMBER 2010-56178 OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS, SAID 20.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 Inch Iron rod found for the southwest corner of said 125.344 acre tract, also being the northwest corner of that certain tract of land described in deed to Lloyd Melvin Lines and Mary Ellen Lines, as recorded in Document Number 1993-10537 of said Real Property Records, also lying in the east line of that certain tract of land described in deed to The Miller Family Trust, as recorded in Document Number 1994-89291 of said Real Property Records, and in the common east line of the Reuben Bebee Survey, Abstract Number 29, and the west line of said John Morton Survey, from which a 1/2 inch capped Iron rod found stamped "Metroplex 1849" bears S 89° 29' 15" E, a distance of 2202.53 feet, [record is S 89° 26' 54" E - 2205.58 feet], being the southeast corner of the said 125.344 acre tract;

THENCE N 00° 28' 56" E, along the west line of said 125.344 acre tract, the east line of said Miller Family Trust tract, and said common survey line, along and near a fence, a distance of 1505.22 feet to a 5/8 inch capped iron rod set and stamped "TNP" for the POINT OF BEGINNING of the herein described tract;

THENCE N 00° 28' 56" E, continuing along said line, a distance of 980.22 feet to 5/8 inch capped iron rod set and stamped "TNP", beside a dilapidated wooden fence post, lying in the south line of Union Hill Road, a variable width right-of-way, for the northwest corner hereof;

THENCE N 89° 34' 38" E, along the north line of said 125.344 acre tract, the south line of said Union Hill Road, along and near a fence, a distance of 888.89 feet to a 5/8 inch capped iron rod set and stamped "TNP" for the northeast corner hereof, from which a concrete right-of-way monument found bears N 89° 34' 38" E, a distance of 1164.03 feet, being the most northerly northeast corner of said 125.344 acre tract;

THENCE S 00° 28' 56" W, departing said north line, and the south line of said Union Hill Road, over and across said 125.344 acre tract, a distance of 980.22 feet to a 5/8 inch capped iron rod set and stamped "TNP" for the southeast corner hereof;

THENCE S 89° 34' 38" W, continuing over and across said 125.344 acre tract, a distance of 888.89 feet to the POINT OF BEGINNING, and containing 20.000 acres of land more or less.
