

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 31-2019**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT-ORD 500 (PD-ORD 500) TO PLANNED DEVELOPMENT-19-01 AMENDED (PD-19-01A1) TO PROVIDE FOR THE CONSTRUCTION OF FIRE STATION ON APPROXIMATELY 5.5± ACRES LOCATED ON THE NORTH SIDE OF EAST SIMONDS ROAD AT ITS INTERSECTION WITH EAST FARMERS ROAD, SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING LEGALLY DESCRIBED AND DEPICTED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR AMENDED DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Planning and Zoning Commission and the governing body of the City of Seagoville, Texas, in compliance with the laws of the State of Texas, and pursuant to the Comprehensive Zoning Ordinance of the City of Seagoville, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. Z2019-20 (PD 19-01A1) should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended to reflect the zoning change.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS:**

**SECTION 1.** That Zoning Application No. Z2019-20 (PD 19-01A1) is hereby approved and the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, duly passed by the governing body of the City of Seagoville, Texas, as heretofore amended, be and the same are hereby amended by granting a change in zoning from Planned Development-Ord 500 (PD-Ord 500) to Planned Development-19-01 Amended (PD-19-01A1) to provide for the construction of fire station on approximately 5.5± acres located on the north side of East Simonds Road at its intersection with East Farmers Road, Seagoville, Dallas County, Texas, and being legally described and depicted in Exhibit “A”.

**SECTION 2.** That the property shall be developed and used in accordance with the City of Seagoville Zoning Ordinance and Construction Standards, except as amended by the following development regulations:

- A. That the property shall be used only for the construction of a fire station and/or any other governmental building and use; and
- B. That the property shall be developed in accordance with the approved concept plan.

**SECTION 3.** That the above property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended and as amended herein.

**SECTION 4.** That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

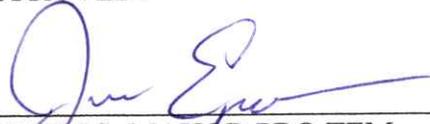
**SECTION 6.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

**PASSED AND ADOPTED** by the City Council for the City of Seagoville at a meeting on the 16<sup>th</sup> day of September, 2019, at which a quorum was present, and for which due notice was given.

APPROVED:



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JON EPPS, MAYOR PRO TEM

ATTEST:



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KANDI JACKSON, CITY SECRETARY



APPROVED AS TO FORM:



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VICTORIA W. THOMAS, CITY ATTORNEY

(/cdb 09.04.2019)

**LEGAL DESCRIPTION**

BEING 5.539 acre tract of land situated in the H. Hider Survey, Abstract No. 541 in the City of Seagoville, Dallas County, Texas, and being all of said 5.539 acre tract as more particularly described in Special Warranty Deed to City of Seagoville, as recorded in Instrument Number 201900283 of the Public Records of Dallas County, Texas (D.P.R.D.C.T.), and being more particularly described as follows:

**COMMENCEMENT** at a 5/8-inch found iron rod with cap stamped "RPLS 3987" for the west corner of a called 120.000 acre tract of land described as follows: (1) the north corner of a called 20 acre tract of land described as "Tract 1" in the Hider Survey, Abstract No. 541, as recorded in Instrument Number 200706678, D.P.R.D.C.T., the north corner of a called 20 acre tract of land described as "Tract 2" in the Hider Survey, Abstract No. 541, as recorded in Instrument Number 200706678, D.P.R.D.C.T., the north corner of a called 20 acre tract of land described as "Tract 3" in the Hider Survey, Abstract No. 541, as recorded in Instrument Number 200706678, D.P.R.D.C.T., and on the corner of E. Simonds Road (a variable width right-of-way);

**THENCE** with the northwest line of said 20 acre tract, and the corner of said E. Simonds Road, the following bearings and distances:

South 45 degrees 13 minutes 20 seconds West, with the south line of said 120.000 acre tract, a distance of 713.17 feet to a point for corner;

South 45 degrees 47 minutes 05 seconds West, with the south line of said 120.000 acre tract, a distance of 108.21 feet to a 1/2-inch iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "rod cap") for the POINT OF COMMENCEMENT, said corner being the west corner of said 5.539 acre tract;

South 65 degrees 47 minutes 05 seconds West, with the south line of said 5.539 acre tract, a distance of 470.00 feet to a 1/2-inch iron rod with cap for corner;

THENCE North 45 degrees 24 minutes 20 seconds West, departing the northwest line of said 20 acre tract, and said corner, being the southwest line of said 5.539 acre tract, ending at a distance of 50.01 feet to a 5/8-inch found iron rod with cap stamped "RPLS 3987", and continuing with said southwest line for a total distance of 133.01 feet to a 5/8-inch found iron rod with cap stamped "RPLS 3987" for the west corner of said 5.539 acre tract;

THENCE North 45 degrees 47 minutes 02 seconds East, with the northwest line of said 5.539 acre tract, a distance of 470.00 feet to a 5/8-inch found iron rod with cap stamped "RPLS 3987" for the north corner of said 5.539 acre tract;

THENCE South 45 degrees 24 minutes 20 seconds East, with the northwest line of said 5.539 acre tract, ending at a distance of 50.01 feet to a 5/8-inch found iron rod with cap stamped "RPLS 3987", continuing with said southwest line, a total distance of 613.01 feet to the POINT OF BEGINNING AND CONTAINING 5.539 acres (241,298 square feet) of land, more or less.

**OWNERS DEDICATION**

STATE OF TEXAS  
COUNTY OF DALLAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF SEAGOVILLE, a Texas home rule municipality and shall hereby accept this plat designating the herein described property as SEAGOVILLE FIRE STATION NO. 2 PLAT, an addition to the City of Seagoville, Texas, and shall hereby dedicate, in fee simple to the public use forever, the lands shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, sheds, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements shown. Said easements being hereby reserved for the actual use and accommodation of public utility utility or dealing in like kind. All any public utility shall have the right to remove and also removed all or parts of any buildings, fences, sheds, or other improvements or growth which in any way encroach or interfere with the construction, maintenance or efficiency of its respective right of ingress or egress to or from and upon the said easement for the purpose of constructing, reconstructing, repairing, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right to dig up or open its lines or pipes for the purpose of reading, repairing and any maintenance or service required or actually performed by the utility. Water main and water meter easements shall also include additional areas of working space for construction and maintenance of the systems. Additional easements are also conveyed for installation and maintenance of manholes, catchbasins, the systems, water mains and water meter easements from the curb to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as shown.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Seagoville, Texas.

WITNESS OUR HANDS, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Seagoville,  
a Texas home rule municipality  
By: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and under such stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

- GENERAL NOTES**
- 1) The basis of bearing is the North American Datum of 1983, Texas State Plane, Coordinate System, North Central Zone 4202. All other are in metric distances. Surface Adjustment Scale Factor: 1.000795566.
  - 2) Setting a marker of this location by areas and bounds is a violation of City ordinance and State law and is subject to fines and withholding of utility and building permits.
  - 3) The purpose of this plat is to create one lot from an unplatted tract.
  - 4) No lot or drainage will be permitted, without approval.
  - 5) FLOOD STATEMENT: By graphical plotting the subject tract lies within Zone "X" (unshaded) on the Dallas County, Texas and incorporate areas. Flood Insurance Rate Map, Map Number 48110C0566K, dated July 7, 2014, published by the Federal Emergency Management Agency, Zone "X" (unshaded) is defined as "areas determined to be outside the 0.2% annual chance floodplain".
  - 6) The surveyor utilized the above referenced flood plain information for this determination and does not certify that related flood plain information has or has not been published by the federal emergency management agency or some other source.

**CITY APPROVAL OF CONSTRUCTION PLAT**  
FINAL PLAT

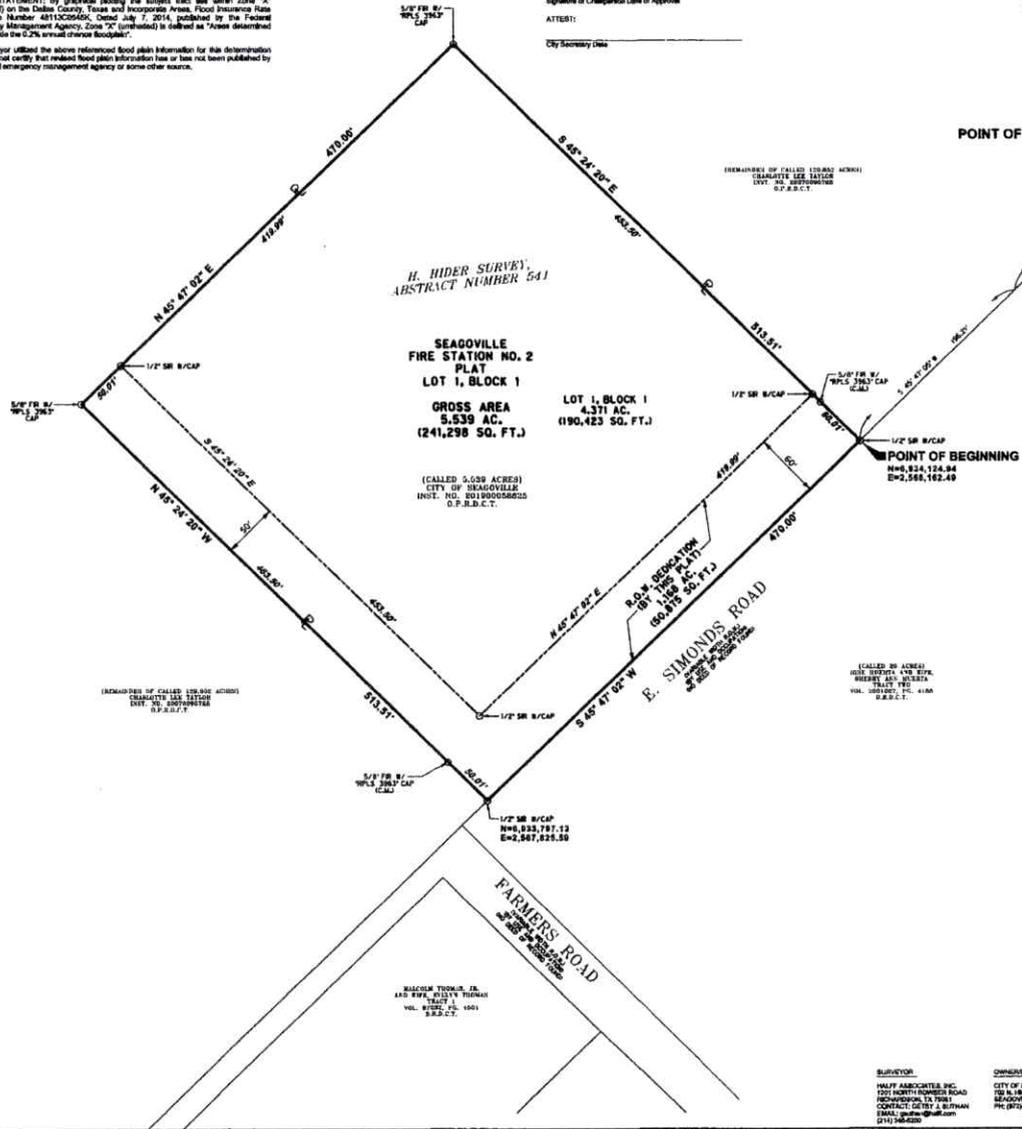
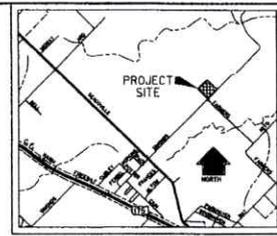
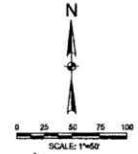
This property is located in the corporate limits of the City of Seagoville, Dallas County, Texas. Approved for preparation of final plat following construction of all public improvements (or appropriate surties thereof) necessary for the subdivision shown on this plat.

Approved by the City of Seagoville for filing at the office of the County Clerk of Dallas County, Texas.

APPROVED BY: Community Development Director  
City of Seagoville, Texas

Signature of Chairperson/Date of Approval \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Secretary/Date \_\_\_\_\_



**OWNERS DEDICATION**

STATE OF TEXAS  
COUNTY OF DALLAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF SEAGOVILLE, a Texas home rule municipality and shall hereby accept this plat designating the herein described property as SEAGOVILLE FIRE STATION NO. 2 PLAT, an addition to the City of Seagoville, Texas, and shall hereby dedicate, in fee simple to the public use forever, the lands shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, sheds, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements shown. Said easements being hereby reserved for the actual use and accommodation of public utility utility or dealing in like kind. All any public utility shall have the right to remove and also removed all or parts of any buildings, fences, sheds, or other improvements or growth which in any way encroach or interfere with the construction, maintenance or efficiency of its respective right of ingress or egress to or from and upon the said easement for the purpose of constructing, reconstructing, repairing, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right to dig up or open its lines or pipes for the purpose of reading, repairing and any maintenance or service required or actually performed by the utility. Water main and water meter easements shall also include additional areas of working space for construction and maintenance of the systems. Additional easements are also conveyed for installation and maintenance of manholes, catchbasins, the systems, water mains and water meter easements from the curb to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as shown.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Seagoville, Texas.

WITNESS OUR HANDS, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Seagoville,  
a Texas home rule municipality  
By: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and under such stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

**OWNERS DEDICATION**

STATE OF TEXAS  
COUNTY OF DALLAS

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF SEAGOVILLE, a Texas home rule municipality and shall hereby accept this plat designating the herein described property as SEAGOVILLE FIRE STATION NO. 2 PLAT, an addition to the City of Seagoville, Texas, and shall hereby dedicate, in fee simple to the public use forever, the lands shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, sheds, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements shown. Said easements being hereby reserved for the actual use and accommodation of public utility utility or dealing in like kind. All any public utility shall have the right to remove and also removed all or parts of any buildings, fences, sheds, or other improvements or growth which in any way encroach or interfere with the construction, maintenance or efficiency of its respective right of ingress or egress to or from and upon the said easement for the purpose of constructing, reconstructing, repairing, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right to dig up or open its lines or pipes for the purpose of reading, repairing and any maintenance or service required or actually performed by the utility. Water main and water meter easements shall also include additional areas of working space for construction and maintenance of the systems. Additional easements are also conveyed for installation and maintenance of manholes, catchbasins, the systems, water mains and water meter easements from the curb to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as shown.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Seagoville, Texas.

WITNESS OUR HANDS, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Seagoville,  
a Texas home rule municipality  
By: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and under such stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

**LEGEND**

FR FIRM IRON ROD  
SR IRON ROD  
W/CAP WITH YELLOW PLASTIC CAP STAMPED "HALFF"  
R.G.R. RIGHT OF WAY  
VOL. - PL. VOLUME, PAGE  
INST. NO. INSTRUMENT NUMBER  
CONTR. MGMT. CONTROL, MANAGEMENT  
W/CAP WITH YELLOW PLASTIC CAP STAMPED "HALFF"  
D.P.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS  
O NOT MONUMENTED UNLESS NOTED

**SURVEYOR'S CERTIFICATION**

KNOW ALL MEN BY THESE PRESENTS:

That I, Daley J. Sullivan, a Registered Professional Land Surveyor, do hereby certify that I have prepared this plat from an actual on the ground survey of the tract, and the measurements shown herein were found and/or placed under my personal supervision in accordance with the platting rules and regulations of the City of Seagoville, Texas.

DALEY J. SULLIVAN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NUMBER 6449  
TEPLS FIRM NO. 1002800

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Daley J. Sullivan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes therein expressed and under such stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Notary Public in and for the State of Texas

**FINAL PLAT**  
SEAGOVILLE FIRE STATION NO. 2 PLAT  
BEING A  
5.539 ACRE TRACT  
SITUATED IN THE  
H. HIDER SURVEY, ABSTRACT NUMBER 541  
CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS  
FOR  
CITY OF SEAGOVILLE  
BY  
HALFF

**LEGEND**

FR FIRM IRON ROD  
SR IRON ROD  
W/CAP WITH YELLOW PLASTIC CAP STAMPED "HALFF"  
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O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS  
O NOT MONUMENTED UNLESS NOTED

**LEGEND**

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O NOT MONUMENTED UNLESS NOTED

**SURVEYOR**  
HALFF ASSOCIATES, INC.  
1201 NORTH BOWSER ROAD  
SEAGOVILLE, TX 75158  
CONTACT: DALEY J. SULLIVAN  
EMAIL: dsullivan@halff.com  
D.J.S. 1044628

**OWNER/DEVELOPER**  
CITY OF SEAGOVILLE  
1201 NORTH BOWSER ROAD  
SEAGOVILLE, TX 75158  
PH: (972) 446-2200

TEPLS FIRM NO. 10028000  
1201 NORTH BOWSER ROAD, SEAGOVILLE, TEXAS 75081  
(972) 446-4200 SCALE: 1"=60' AVO: 38320 JULY 2019



201900283.DWG (1907) (RPLS 3987) CAP