

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 02-2021

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM R-2, RESIDENTIAL SINGLE FAMILY-2, TO AG, AGRICULTURE, ON AN APPROXIMATELY 157.98± ACRES TRACT COMMONLY KNOWN AS 850 EAST MALLOY BRIDGE ROAD IN THE CITY OF SEAGOVILLE, DALLAS AND KAUFMAN COUNTIES, TEXAS, AND BEING LEGALLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given requisite notices by publication and otherwise, and have held due public hearings and afforded 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, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1: That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from R-2, Residential Single Family-2, to AG, Agriculture, on an approximately 157.98± acres tract commonly known as 850 East Malloy Bridge Road in the City of Seagoville, Dallas and Kaufman Counties, Texas, and being legally described by metes and bounds in Exhibit “A”, which is attached hereto and incorporated herein.

SECTION 2: That the land shall be used only for the purposes set out in accordance with the City of Seagoville’s Zoning Ordinance and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: 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.

DULY PASSED by the City Council of the City of Seagoville, Texas this 4th day of January, 2021.

APPROVED:

Dennis, K. Childress, Mayor

ATTEST:

Kandi Jackson, City Secretary



APPROVED AS TO FORM:

Victoria Thomas, City Attorney
(/cdb 12/17/2020)

EXHIBIT "A"

BEING 80.56 acres in the John D. Merchant Survey, Abstract No. 850, Dallas County, Texas and Abstract No. 310, Kaufman County and 77.42 acres in the Andrew Nail Survey, Abstract No. 1070, Dallas County, Texas and Abstract No. 335, Kaufman County, Texas and being a part of the land conveyed to Thomas W. Harris and wife Mary Anne Harris by deed recorded in Volume 85246, page 4165, Dallas County, Texas and Volume 828, page 717, Deed Records, Kaufman County, Texas and Volume 72132, page 0602, Deed Records, Dallas County, Texas and being more particularly described as follows;

BEGINNING at the most westerly southwest corner of said tract, a 1/2" iron rod found for corner in the east line of Malloy Bridge Road being the northwest corner of the Premium Homes Tract recorded in Volume 95239, page 1871;

THENCE N 10° 46' 58" W along the easterly line of Malloy Bridge road, a distance of 832.0 feet to a 1/2" iron rod set for corner;

THENCE N 9° 45' 40" W, a distance of 178.70 feet to a 1/2" iron rod set for corner;

THENCE N 17° 0' E, a distance of 16.0 feet to a 1/2" iron rod set for corner;

THENCE N 25° 0' E, along the easterly line of said road, a distance of 150.0 feet to a 1/2" iron rod set for corner

THENCE N 35° 0' E, a distance of 90.0 feet to a 1/2" iron rod set for corner;

THENCE N 41° 0' E along said road, a distance of 57.0 feet to a 1/2" iron rod set for corner;

THENCE N 11° 41' 19" E, a distance of 59.50 feet to a 1/2" iron rod set for corner;

THENCE N 36° 44' 16" E, a distance of 109.0 feet to a 1/2" iron rod found for corner being the common line of the Merchant and Nail Survey;

THENCE N 49° 54' 04" E, a distance of 34.93 feet to a 1/2" iron rod set for corner;

THENCE N 45° 22' 32" E along the southeast line of Malloy Bridge Road, passing a 1/2" iron rod in the centerline of the Texas Power and Light Towers at a distance of 1282.44 feet and continuing in all a distance of 1403.87 feet to the centerline of the East Fork of the Trinity River;

THENCE along said centerline the bears and distance as follows;

S 19° 0' 05" E 555.09 feet	S 53° 03' 57" E 318.91 feet;
S 69° 27' 06" E 232.44 feet	S 38° 08' 06" E 101.94 feet;
S 37° 21' 28" E 194.62 feet	S 19° 11' 15" E 290.23 feet;
S 14° 15' 16" E 317.47 feet	S 14° 18' 47" E 226.51 feet;
S 6° 49' 58" E 322.40 feet	S 42° 50' 13" E 750.51 feet;

THENCE leaving said river S 9° 13' 38" E 243.70 feet to the northwest line of a tract conveyed to the City of Seagoville, a 1/2" iron rod set for corner;

THENCE S 45° 30' W along the northwest line passing a 1/2" iron rod at a distance of 139.06 feet and continuing along the line of old fence post, a distance of 556.05 feet to the common line of said Merchant and Nail Survey;

THENCE S 45° 30' W along said northwest line and old post, a distance of 1635.50 feet to a 1/2" iron rod set for corner;

THENCE N 24° 18' 12" W along an easterly line of said City Tract, a distance of 607.20 feet to a 1/2" iron rod set at a "T" post found for corner;

THENCE S 80° 10' 14" W, a distance of 267.04 feet to a 1/2" iron rod found for corner in the south line of Premium Homes Tract;

THENCE N 73° 19' 52" E along said south line and an existing fence, a distance of 111.94 feet to a 1/2" iron rod found for corner;

THENCE N 17° 41' 38" W along the easterly line of said tract, a distance of 772.31 feet to a 1/2" iron rod set for corner;

THENCE N 11° 59' W along said easterly line, a distance of 570.0 feet to a 1/2" iron rod set for corner;

THENCE N 48° 07' W and along an existing fence, a distance of 350.0 feet to the north line of said Homes Tract, a 1/2" iron rod found for corner;

THENCE S 79° 16' 10" W along said north line and fence, a distance of 125.14 feet to the point of beginning and containing 157.98 acres of land.

I, Roy H. Briscoe, a Registered Professional Land Surveyor of the State of Texas, do hereby certify the above plat was prepared by an actual survey of the land, and all monuments, as shown hereon, were set or found under my personal supervision on this the 17th day of MARCH, 2003 and there are no visual easements, encroachments, or protrusions except as shown hereon.

The above tract does not lie within the bounds of a designated flood plain.



Roy H. Briscoe, No. 1027