

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 29-2021

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-5/LM, RESIDENTIAL-5/LIGHT MANUFACTURING, TO O/LM, OFFICE/LIGHT MANUFACTURING, ON AN APPROXIMATELY 4± ACRES DESCRIBED AS TRACT 59 IN THE JOHN D. MERCHANT ABSTRACT, COMMONLY REFERRED TO AS 615 NORTH KAUFMAN STREET IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING DEPICTED AND 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-5/LM, Residential-5/Light Manufacturing, to O/LM, Office/Light Manufacturing, on an approximately 4± acres described as Tract 59 in the John D. Merchant Abstract, commonly referred to as 615 North Kaufman Street in the City of Seagoville, Dallas County, Texas, and being depicted and 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.

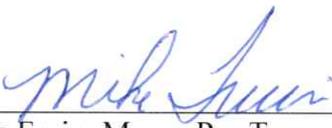
SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive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

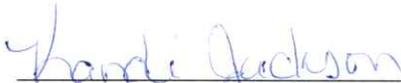
DULY PASSED by the City Council of the City of Seagoville, Texas this 4th day of October, 2021.

APPROVED:



Mike Fruin, Mayor Pro Tem

ATTEST:



Kandi Jackson, City Secretary

APPROVED AS TO FORM:



Victoria Thomas, City Attorney
(/cdb 09/29/2021)



EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT of land situated in the JOHN D. MERCHANT SURVEY, Abstract No. 850, City of Seagoville, Dallas County, Texas; being the remainder of a tract of land described in a deed from R.A. Hawthorne, et ux, to Seagoville Independent School District, as recorded in Volume 1464, Page 27 of the Deed Records of Dallas County, Texas; the subject tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the Southern right-of-way line of North Kaufman Street, at the most Southern corner of a tract of land described in a Right-of-Way deed to the County of Dallas, as recorded in Volume 4145, Page 5493, of the Deed Records of Dallas County, Texas; said point also being the Most Northerly corner of a tract of land described in a deed to Elizabeth R. Calverley and Raymond D. Calverley, as recorded in Document # 2016-221572, of the Official Public Records of Dallas County, Texas;

THENCE South 43 degrees 16 minutes 33 seconds West, with said common line, a distance of 541.24 feet to a Wood Fence Post found for corner, in the Northeast line of a tract of land described in a deed to Equity Development Corporation, as recorded in Volume 93084, Page 938 of the Deed Records of Dallas County, Texas;

THENCE North 46 degrees 59 minutes 06 seconds West, with said common line, a distance of 377.48 feet to a 1" pipe found for corner, at the South corner of a tract of land described in a deed to Richard Thomas Martin and Carole Ann Martin, as recorded in Document No. 2008-162436 of the Official Public Records of Dallas County, Texas;

THENCE North 44 degrees 32 minutes 28 seconds East, with said common line part of the way, a distance of 148.33 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Desiray Drinning, as recorded in Document 2005-3237432 of the Deed Records of Dallas County, Texas;

THENCE North 44 degrees 05 minutes 04 seconds East, with said common line, a distance of 63.32 feet to a 1" pipe found for angle point, at the South corner of a tract of land described in a deed to Ricky B. Kirby and Nova M. Kirby, as recorded in Document 2000-1101260 of the Deed Records of Dallas County, Texas;

THENCE North 43 degrees 55 minutes 58 seconds East, with said common line, a distance of 119.39 feet to a ½" iron rod found for the South corner of a tract of land described in a deed to Contract Resolve Group, LLC, as recorded in Document Number 2015-51170 of the Official Property Records of Dallas County, Texas;

THENCE North 43 degrees 21 minutes 31 seconds East, with said common line, a distance of 216.55 feet to an iron rod capped "RPLS 3935" found for corner in said right-of-way, at the West corner of said County of Dallas Tract; said point being at the beginning of a non-tangent curve to the left, having a radius of 805.00 feet and a chord bearing and distance of South 45 degrees 13 minutes 12 seconds East, 28.53 feet;

THENCE along said curve, with said common line, an arc distance of 28.53 feet to a ½" iron rod capped "KAZ" set;

EXHIBIT "A"

FLOOD STATEMENT: I have reviewed the F.E.M.A. Flood Insurance Rate Map for the City of Seagoville, Community Number 480187 effective date 7-7-2014 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 545 K of said map.

NOTE: This survey correctly represents the results of an on-the-ground survey made under my direction and supervision on 10-10-2017. There are no visible or apparent intrusions or protrusions except as shown hereon.

NOTE: Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based on the North American Datum of 1983, 2011 Adjustment.

NOTE: This survey is certified to Seagoville Independent School District, SRP Development, LLC and to Republic Title of Texas.

NOTE: Only the following easement supplied to me by Republic Title of Texas with GF# 1002-235366-RTT has been reviewed and addressed as follows:

10(a.) Volume 73177, Page 2035, Easement to Texas Power & Light Company; does affect as shown.

