

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

**ORDINANCE NO. 01-2023**

**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 AGRICULTURAL (AG) TO LOCAL RETAIL (LR), ON APPROXIMATELY 5.004± ACRES LOCATED IN THE J. MERCHANT SURVEY NO. 335, ABSTRACT 310, IN THE CITY OF SEAGOVILLE, KAUFMAN 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, as heretofore amended, be and the same is hereby amended by granting a change in the zoning from Agricultural (AG) to Local Retail (LR), on approximately 5.004± acres located in the J. Merchant Survey No. 335, Abstract 310, in the City of Seagoville, Kaufman County, Texas, and being depicted and described by metes and bounds in Exhibit “A” attached hereto and incorporated herein (the “Property”).

**SECTION 2:** That the Property 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the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.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 23<sup>rd</sup> day of January, 2023.

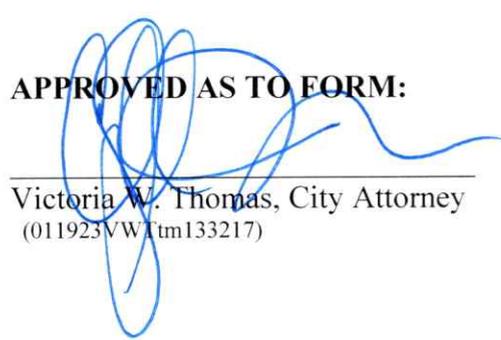
**APPROVED:**

  
Dennis, K. Childress, Mayor

**ATTEST:**

  
Kandi Jackson, City Secretary

**APPROVED AS TO FORM:**

  
Victoria W. Thomas, City Attorney  
(011923VW Tm133217)



## EXHIBIT "A"

BEING a 5,004-acre tract of land situated in the ... Merchant Survey No. 335, Abstract No. 710 Texas; being a portion of that certain tract of land as described in a Special Warranty Management, LP in Volume 2476, Page 377 and further referenced as being a portion of a Tr to contain 31,890 acres to Caroline Hunt Trust Estate as described in volume 433, Page Records of Kaufman County, Texas; said 5,004 acres being more particularly described by met follows with bearings referenced to the Texas Coordinate System of 1983, North Central Zone 4.

BEGINNING at a 5/8-inch iron rod with cap stamped "Spoooner & Assoc." found on the side Highway 175 (right-of-way varies) for the Northernmost Northwestern corner of a 2,314.1631-acre land called Second Tract in a Special Warranty Deed & Grant & Reservation of Easement Municipal Water District in Volume 6314, Page 78 (Instrument No. 2617-0008060) of the Kaufman County, Texas; a corner of the remainder of the said Wetlands Management tract, for corner of this herein described tract.

THENCE South 13°50'01" West a distance of 363.97 feet along a line of the said 2,314.1631-acre the remainder of the said Wetlands Management tract to a 5/8-inch iron rod with cap stc Assoc." found for a corner of the said 2,314.1631-acre tract; a corner of the remainder of Management tract, for the Southeastern corner of this herein described tract;

THENCE North 78°10'53" West a distance of 628.96 feet along a line of the said 2,314.1631-acre the remainder of the said Wetlands Management tract to a Texas Department of Transportation monument found for a corner of Farm to Market Road No. 1389, a corner of the said 2,314.1631-acre remainder of the said Wetlands Management tract, for the Southwestern corner of this herein described tract.

THENCE North 20°19'41" East a distance of 369.55 feet along the Southeastern line of said Farm No. 1389, a line of the remainder of the said Wetlands Management tract to a Texas Transportation Type 1 concrete monument found on the Southern line of said U.S. Highway 175 remainder of the said Wetlands Management tract, for the Northwestern corner of this herein de

THENCE South 79°07'49" East a distance of 568.07 feet along the Southern line of said U.S. Highway 175 remainder of the said Wetlands Management tract to the POINT OF BEGINNING and contain land



