

Exhibit 11
Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, PROVIDING FOR AN INITIAL ZONING DISTRICT AND LAND USE CLASSIFICATION OF NEIGHBORHOOD RESIDENTIAL 6 (NR-6) ON APPROXIMATELY 34.73 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF EDWARDS ROAD, APPROXIMATELY 500 FEET WEST OF SWISHER ROAD, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; AND PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF, SEVERABILITY AND AN EFFECTIVE DATE (Z14-0012).

WHEREAS, Rod Zielke (ZPS Consulting Engineers) has applied for an initial zoning request of Neighborhood Residential 6 (NR-6) on approximately 34.73 acres of land legally described in Exhibit "A" and depicted in Exhibit "B", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, after providing notice and after conducting a public hearing on August 13, 2014 as required by law, the Planning and Zoning Commission recommended approval (6-0) of the requested initial zoning; and

WHEREAS, after providing notice and after conducting a public hearing on September 16, 2014 as required by law, the City Council finds that the initial zoning is consistent with the Denton Plan and is in the public interest ; **NOW, THEREFORE,**

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference as true.

SECTION 2. The Property is hereby assigned a Neighborhood Residential 6 (NR-6) zoning district classification and use designation. Notwithstanding the attached real property description, the property being zoned includes all property to the centerline of all adjacent street rights-of-way

SECTION 3. The City's official land use map is amended to show the change in the land use designation.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of other provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. This ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the ____ day of _____, 2014.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

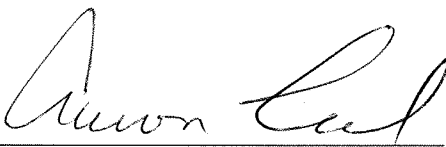
BY: 

EXHIBIT A
LEGAL DESCRIPTION

ZONING TRACT
LEGAL DESCRIPTION OF 34.73 +/- ACRES OF LAND
EDWARDS ROAD, DENTON, TEXAS

Being all that certain tract of land situated in the Gideon Walker Survey, Abstract number 1330, Denton County, Texas and being a portion of a Tract called Tract 1, the remainder of a called Tract 2 and all of a called Tract 3 described in the deed from Zack E. Mason to Mary L. Mason Children's Trust as recorded in Document Number 98-R0031144, of the Real Property Records of said County; the subject tract being more particularly described as follows:

Commencing at a point in the intersection of Edwards Road and Swisher Road for the northeast corner of said Tract 1, to a point N 87 degrees 12 minutes 33 seconds W, 500 feet to a **Point of Beginning (POB)**;

Thence South 02 degrees 40 minutes 49 seconds West with the East line thereof a distance of 876.93 feet to a point;

Thence Southwesterly 403.48 feet along a curve to the right having a radius of 750 feet, a central angle of 30.82 degrees, and a chord bearing of South 18 degrees 05 minutes 31 seconds West a distance of 398.63 feet.

Thence South 33 degrees 30 minutes 13 seconds West a distance of 63.65 feet to a ½" iron rod found for the Northeast Corner of a tract of land described in the deed to Federal Home Mortgage Corporation as recorded in Document Number 2013-143552 of said Records and Southwest Corner of said Tract 2 in the North line of a tract of land described in the deed to Georgina Nunez as recorded in Document Number 95-R0033684 of said Records and Northeast corner of a called Tract 1 described in the deed to JAMP PROPERTIES, LLC., as recorded in Document Number 2013-89646 of said Records;

Thence North 87 degrees 31 minutes 10 seconds West with the North line thereof and the South line of said Tract 2 along and near a fence a distance of 211.43 feet to a ½' iron rod found for the Southeast corner of said Tract 2 and the Southeast corner of said Tract 3;

Thence North 88 degrees 04 minutes 22 seconds West with the South line thereof and the North line of said JAMP tract along and near a fence a distance of 803.12 feet to a ½" iron rod found for the Southwest corner of said Tract 3 and the Southeast corner of Lot1, Block 14 of the Villages of Carmel Phase 1, an addition to said County according to the Amended plat thereof recorded in Cabinet X, Pages 444-446 of said Plat Records;

Thence North 02 degrees 02 minutes 07 seconds East with said common line a distance of 1327.88 feet to a ½" iron rod found in said Edwards Road for the Northeast corner of a tract of land described in the deed to VOC1B, LLC., as recorded in Document Number 2013-6738 of said Real Property Records and the Northwest corner of said Tract 3;

Thence South 87 degrees 21 minutes 23 seconds East with the North line thereof and with Edwards Road a distance of 638.76 feet to a ½” iron rod found for the Northeast corner of said Tract 3 and the Northwest corner of said Tract 1;

Thence South 87 degrees 12 minutes 33 seconds East with the North line thereof and with Edwards Road a distance of 529.22 feet to the **Point of Beginning** and enclosing 34.73 acres of land more or less.

**EXHIBIT B
LOCATION MAP**

