

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING CLASSIFICATION FROM COMMUNITY MIXED USE GENERAL (CM-G) DISTRICT TO A NEIGHBORHOOD RESIDENTIAL MIXED-USE (NRMU) DISTRICT ON APPROXIMATELY 7.5 ACRES OF LAND GENERALLY LOCATED ON THE NORTHEAST CORNER OF EAST SHERMAN DRIVE AND POINSETTIA BOULEVARD IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z17-0008)

WHEREAS, Belair Development Ltd. has applied for a zoning change on approximately 7.5 acres of land legally described and depicted in Exhibit A, attached hereto and incorporated herein by reference (hereinafter, "the Property"); and

WHEREAS, on November 29, 2017, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval (4-0) of the change in zoning and use classification with; and

WHEREAS, on December 5, 2017, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 35.3.4 of the Denton Development Code, and is consistent with the Denton Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for an initial zoning classification of the Property, have determined that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said initial zoning is in the public interest and should be granted as set forth herein; 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 and found to be true.

SECTION 2. The zoning district and use classification for the Property is hereby changed from CM-G District to NRMU District.

SECTION 3. The City's official zoning map is hereby amended to show the zoning district and use classification.

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 the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. In compliance with Section 2.09(c) of the Denton Charter, 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 _____, 2017.

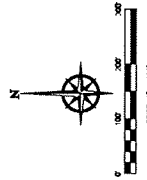
CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY:  _____



SETTLERS. In the City of Pasadena, in the Bureau McGowan Survey, Abstract No. 417, of Deane County, Texas and being a portion of the remainder of land therein called 94-001, are tract of land described as follows: *Warranty Deed With Vendor's Lien to Mr. A. B. Darnall, Pasadena, LA., recorded on August 1, 1947 in Document No. 97-1007008, Deane County, Louisiana.* (100-1-17) and said parcel being more particularly described by notation as herein set forth.

TENDRIS South 60 deg. 44 min. 97 sec. Red, dipping from mild Sherman Drive, along the common zone of mid Sand Air and Tuna 260' track, a distance of 897.00 feet to a 3/4 inch from bed found for corner.

TENDRIS North 74 deg. 09 min. 23 sec. Red, continuing along mid common Rock, a distance of 446.00 feet to a 3/4 inch red bed found for corner;

TENDRIS North 80 deg. 10 min. 44 sec. Red, dipping from mid common Rock over a narrow sand bed, a distance of 1,419.00 feet to a 1/4 inch red bed, topped with a red brown shale, at TWL 4770'; note for the southeast corner of this track;

TENDRIS South 30 deg. 07 min. 33 sec. Red, continuing across mid Red bed, a distance of 380.93 feet to a 1/2 inch red bed, topped with a red shelling soil, also topped; TWL 4700';

[illegible][illegible][illegible][illegible]


10c. Researcher(s) and rights incidental thereto, as granted in a document:
Granted to: City of Jackson
Document Title: The Robert R. Moton Memorial
Recording Date: May 28, 2003
Recording No.: Volume 624E Page 2799, Real Property Records, DeKalb County, Texas.
THIS IS AFFIRMED TO BE THE CORRECT COPY OF THE ORIGINAL RECORD.

10e. Researcher(s) and rights incidental thereto, as granted in a document:
Granted to: City of Jackson

[illegible]

LAND TITLE SURVEY

7.341 Acres
situated in the
CITY OF DENTON
Samuel McCracken Survey, Abstract No 817
Denton County, Texas



RINGLEY & ASSOCIATES, INC.
 10000 Ringley Road
 Suite 100, Independence, MO 64050
 PO Box 20000, Independence, MO 64050
 (816) 251-1000

Circle 17 on Reader Service Card

Product, by	Date	Route	Job	Title	Chart
06/06/87	17004	17004-17004-2-1700			

Table 1

C E R T I F I C A T I O N

TO THE ANNUAL MEETING OF THE STOCKHOLDERS OF
THE RELIANT DEVELOPMENT, LTD., A Texas limited Partnership, VALADIMIR TSA
INTERNATIONAL, INC., A Texas limited liability company, and CHICAGO TITLE INSURANCE
COMPANY:

I, Lawrence H. Bledsoe, Registered Professional Land Surveyor in and for the State of Texas,
do hereby certify that the foregoing is a true and correct copy of the minutes of the annual meet-
ing of the stockholders of the above named companies as held at their offices and registered offices
on or about the 10th day of May, 1977, and that the same are correct in all respects and com-
ply with the laws of the State of Texas.

In testimony whereof, I have hereunto set my hand and the seal of said office, at Dallas,
Texas, this 10th day of May, 1977.

LAWRENCE H. BLEDSOE, Registered Professional Land Surveyor in and for the State of Texas.
My Commission Expires August 1st, 1980.

THE CITY OF NEW
 YORK
 THE ORIGINAL RETURN IS
 RECORDED IN BLUE INK

LAWRENCE H. BURGLEY, DEPT. No. 1702

PROPERTY ADDRESS

The Subject Tract has not
 been assigned an address
 by the City of Denton,

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The area (curve) shown below is based on the mathematical diameter of the cocoon and distance measured on this theory. It does not include the variations that may be present due to partial maturity of the immature specimens in place.

FLOOD EXPOSURE NOTES:

The flood exposure was reviewed. Flood Insurance Rate Map No. 4810-0126A-01 (effective date Jan 1971) published by the Federal Emergency Management Administration for Benton County, Oregon, shows the area of concern as being outside of the 100 Year Flood Plain. The "Notes" section of the map states: "The area shown on this map and graphic plotting-map reveal that the area is outside of the 100 Year Flood Plain." The subject parcel lies within "ZONE X" (Un-Shaded) and is outside of the 100 Year Flood Plain.

Discussed, recorded in Exhibit N, Page 68B, Fair Records, Benton County, Oregon.

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