

ORDINANCE NO. 121

AN ORDINANCE OF THE TOWN OF ANNETTA TEXAS, AMENDING THE COMPREHENSIVE PLAN AND THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING THE ZONING OF A TRACT OF LAND TO LR SUP (Local Retail Special Use Permit) FOR A DRY CLEANER DROP-OFF/PICKUP, AND A PERSONAL TRAINING STUDIO AND, APPROVING A SITE PLAN PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY; AND PROVIDING FOR PUBLICATION.

WHEREAS, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and,

WHEREAS, the City Council has received the recommendations of the Planning and Zoning Commission concerning the matters herein dealt with, which recommendations were made after the holding of a public hearing before said Commission on such matters; and

WHEREAS, notice has been published of the time and place of a public hearing held before the City Council concerning the changes herein made, which public hearing has been duly held; and,

WHEREAS, the City Council has determined that the amendment to the Comprehensive Zoning Ordinance herein made is in the best interest of the health, safety and general welfare of the citizens of the Town of Annetta; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ANNETTA, TEXAS:

Section 1: THAT the Annetta Comprehensive Plan and Comprehensive Zoning Ordinance, be amended by amending the zoning of the property described in Exhibit A hereto to LR-SUP (Local Retail-Special Use Permit) limited to a dry cleaning drop off/pickup, and a personal fitness studio and approving the site plan filed herewith..

Section 2: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Section 3: Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and punishable hereunder.

Section 4: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

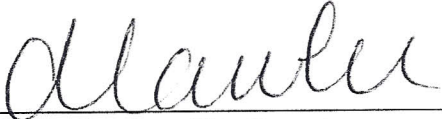
PASSED AND APPROVED on this 17th day of February, 2011.

TOWN OF ANNETTA

By: _____


Bruce Pinckard, Mayor

ATTEST:



Daina Lawler, City Secretary

TO: The City of Annetta
1200 Old Annetta Rd.
Annetta, TX 76008

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RECEIVED
JAN 08 2011

FROM: Willow Park Investment Group
2451 FM 5
Annetta, TX 76008

REF: Annetta Town Center
2451 & 2501 FM 5

Attn: Daina Lawler

Pursuant to our meeting with Mayor Bruce Pinckard on January 5, 2011, we respectfully submit the following for your commercial zoning approval:

Enclosed is our Plot Plan for the above referenced property including existing as well as future improvements on this site.

We have reviewed the recently adopted ordinance #52E by The City of Annetta and believe that we have complied with all of the requirements applicable to the referenced subdivision known as "Annetta Town Center" that is filed with Parker County Volume 1204 Page 389.

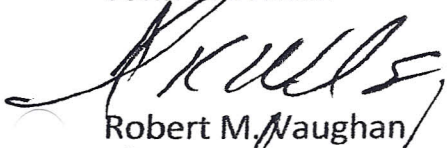
We have also included the legal description as requested.

Please contact us with any questions or comments.

Thank you,

Willow Park Investment Group

John K. Wilson


Robert M. Vaughan



Annette Town Center

2451, 2457, + 2501 W. FM 5

RECEIVED

JAN 06 2011

LEGAL DESCRIPTION/CERTIFICATION

BEING 1.28 acres out of the Benjamin Stephenson Survey, Abstract No. 1219, Parker County, Texas and being that certain tract conveyed to James Harrington by deed recorded in Volume 1204, Page 389 of the Real Records of Parker County, Texas and that certain tract conveyed to Nona Terry by deed recorded in Volume 363, Page 396 of the Deed Records of Parker County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod, set, on the East line of F.M. Highway No. 5, said point being the Northwest corner of said Terry tract and being by deed call North 3774.40 feet and East 30.00 feet from the Southwest corner of said Stephenson Survey for an angle point of this tract;

THENCE N 00D 12' 14" E, along and with the East line of said F.M. Highway No. 5, a distance of 165.99 feet to a ½ inch iron rod, set, at the most Northerly Southwest corner of that certain tract conveyed to Suncrop Nursery, LLC by deed recorded in Volume 2080, Page 1609 of the Real Records of Parker County, Texas for the Northwest corner of this tract;

THENCE S 89D 41' 00" E, along and with a South line of said Suncrop Nursery tract, a distance of 147.20 feet to a 1 inch flat iron, found in place, at an ell corner of said Suncrop Nursery tract for the Northeast corner of this tract;

THENCE S 00D 11' 13" E, along and with a West line of said Suncrop Nursery tract, a distance of 379.03 feet to a ½ inch iron rod, set, on the North line of that certain tract conveyed to Barbara Moore Family Partnership LTD by deed recorded in Volume 1849, Page 106 of the Real Records of Parker County, Texas for the Southeast corner of this tract;

THENCE N 84D 55' 24" W, generally along an existing fence line and along and with the North line of said Barbara Moore Family Partnership LTD tract, a distance of 52.26 feet to a ½ inch iron rod, set, at the Southeast corner of said Terry tract for an angle point of this tract;

THENCE S 89D 18' 03" W, along and with the North line of said Barbara Moore Family Partnership LTD tract, a distance of 95.44 feet to a point on the East line of said F. M. Highway No. 5, for the Southwest corner of this tract;

THENCE N 00D 21' 35" W, along and with the East line of said F. M. Highway No. 5, a distance of 88.04 feet to a point, for an angle point of this tract;

THENCE N 00D 27' 28" W, along and with the East line of said F. M. Highway No. 5, a distance of 122.36 feet to the place of beginning and containing 1.28 acres.