

**CITY OF KRUGERVILLE
ORDINANCE NUMBER 2017-011**

AN ORDINANCE OF THE CITY OF KRUGERVILLE, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF KRUGERVILLE, TEXAS, TO PROVIDE FOR REZONING OF CERTAIN PROPERTY BEING 6.0 ACRES OUT OF THE JAMES BRIDGES SURVEY, ABSTRACT NUMBER 36, CITY OF KRUGERVILLE, DENTON COUNTY, TEXAS, AND LOCATED AT 4650 HIGHWAY 377; PROVIDING FOR A PENALTY FOR ANY VIOLATION OF THIS ORDINANCE NOT TO EXCEED \$2,000; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City of Krugerville, Texas (“City”) has received a request for certain zoning of the property described herein; and

WHEREAS, the Planning and Zoning Commission and City Council of the City have given the requisite notices by publication and otherwise and have held the public hearings on November 16, 2017, as required by applicable law and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof, and the City Council has concluded that the Zoning Ordinance should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KRUGERVILLE, TEXAS:

Section 1. The Zoning Ordinance of the City is amended by changing the zoning of the tract described as 4650 Highway 377, attached hereto and made an integral part of this ordinance, from Agriculture District (AG) to Special District 1 (SD1), being all of a 6.0-acre tract and shown in *Exhibit A*.

Section 2. The official zoning map of the City shall be amended to reflect the change in zoning described herein, and shown in *Exhibit A*.

Section 3. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict.

Section 4. Penalty. Any violation of any of the terms of this ordinance, whether denominated in this ordinance as unlawful or not, shall be deemed a misdemeanor. Any person convicted of any such violation shall be fined in an amount not to exceed \$2000 for each incidence of violation. Each violation is considered a separate offense and will be punished separately.

Section 5. Savings, Severability and Repealing Clauses. All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect as if such invalid or unconstitutional provision

had never been a part hereof. The City declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

Section 6. Publication of the Caption Hereof and Effective Date. This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS, ON THIS 16th DAY OF NOVEMBER, 2017.

APPROVED:

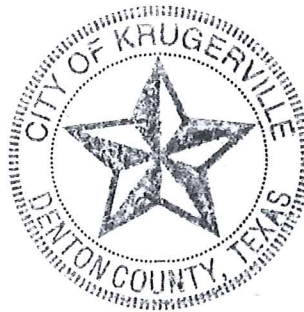


JEFF PARRENT, MAYOR

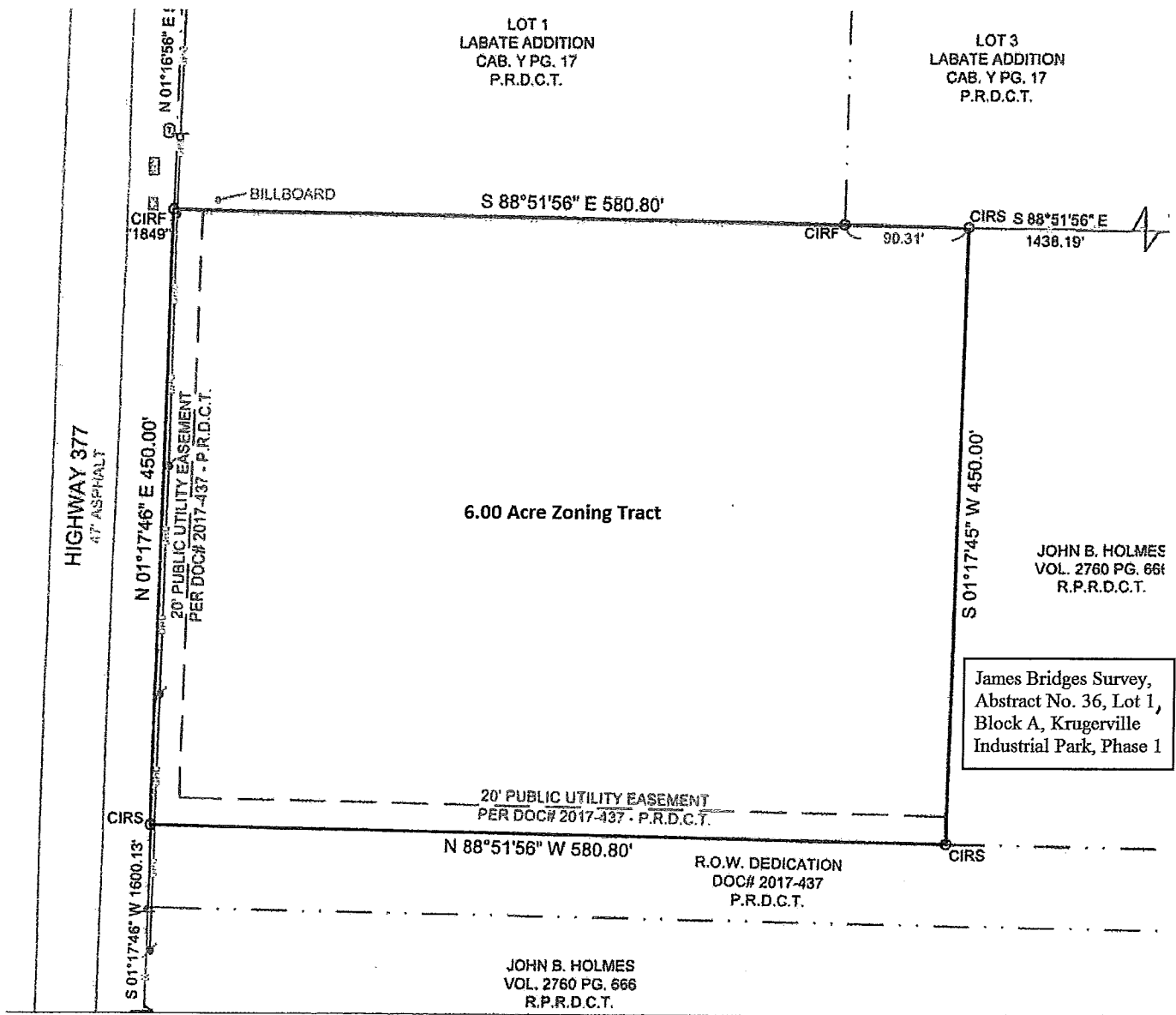
ATTEST:



SANDY FRANTZ, CITY SECRETARY



ZONING EXHIBIT "A" PROPERTY DESCRIPTION
Ordinance No. 2017-011
City of Krugerville, Denton County, Texas



ZONING EXHIBIT "A" CONTINUED
Ordinance No. 2017-011
Legal Description

6.00 Acres

Being a 6.00 acre tract of land in the James Bridges Survey, Abstract No. 36 in Denton County, Texas and being a part of a tract of land described in a deed to John B. Holmes as recorded in Volume 2760, Page 666 of the Real Property Records, Denton County, Texas and being more particularly described by meets and bounds as follows:

BEGINNING at a capped iron rod found stamped "1849" in the East right-of-way of U.S. Highway 377 and being the Southwest corner of Lot 1 of Labate Addition, an addition to Denton County, Texas as recorded in Cabinet Y, Page 17 of the Plat Records, Denton County, Texas and being the Northwest corner of said Holmes tract;

Thence South 88 degrees 51 minutes 56 seconds East with the common line thereof passing a capped iron rod found for the Southeast corner of said Lot 1 and the Southwest corner of Lot 3 of said addition a distance of 490.49 and continuing along said course a total distance of 580.80 feet to capped iron rod stamped "Eagle Surveying" set in the South line of said Lot 3 and being the Northeast corner of the herein described tract;

Thence South 01 degrees 17 minutes 46 seconds West a distance of 450.00 feet to a capped iron rod stamped "Eagle Surveying" set for the Southeast corner of the herein described tract;

Thence North 88 degrees 51 minutes 56 seconds West a distance of 580.80 feet to a capped iron rod stamped "Eagle Surveying" set for the Southwest corner of the herein described tract and being in the East right-of-way line of said Highway 377 and being in the West line of said Holmes tract;

Thence North 01 degrees 17 minutes 46 seconds East with the common line thereof, along or near a fence, a distance of 450.00 feet to the **PLACE OF BEGINNING** and enclosing 6.00 acres of land, more or less.