

APPLICATION FOR REQUEST OF A CHANGE IN ZONING

File No.: _____ Fee: _____ Date of Request: July 5, 1972

Applicant: R. L. Hunt

Mailing Address: Rt 1, Box 550 Garland Telephone No.: 369-3401

Owner(s) of Property: R. L. Hunt, Rita Sobel George Krabel

Address: Rt 1 Box 550 Garland, Texas 75040

Relationship of Applicant to Owner: Am owner and manager of partners interest

Chisum Survey, Abstract 64, Rockwall, Texas

Description of Property by Street Address: 26.90 Acres, E. P. Gaines

Chisum Survey Abstract 64, Rockwall, Texas

Legal Description of Property: Same as above -

Lot: _____ Block: _____ Addition: _____

Metes and Bounds: See attached plat.

Type of Structure Now on Property: Barn, Windmill

Request Zoning Change From: A (Agricultural) to Multi-Family

Are There Deed Restrictions on the Property for the intended use?

Yes: _____ No: Not yet

(If Yes) Vol. _____ Page _____ Place of Record _____

Place of Record: _____

Applicant's Reason for Requested Changes:

(1) Prepare property for multi-family development

(2) _____

(3) _____

R. L. Hunt
Applicant's Signature

7

FIELDNOTES

Being a tract of land out of the E. P. Gaines Chishum Survey, Abstract 64, in Rockwall County, Texas;
a part of that certain 149 $\frac{2}{3}$ acres, described as First and Second tracts in partition deed from Amy F. Reese, et al to James W. Reese, Jr. dated January 25, 1956 and recorded at Volume 53 Page 373 of the Deed Records of Rockwall County; all that remaining portion of said 149 $\frac{2}{3}$ acres lying Northwest of the MKT Railroad right-of-way and that certain 101.65 acres heretofore conveyed to the City of Dallas by deed recorded at Volume 63 Page 89 of the Rockwall County Deed Records; and more particularly described as follows:

BEGINNING on a concrete monument in a fence line, the South corner of said City of Dallas 101.65 acre tract on the Southwest line of the original Reese 149 $\frac{2}{3}$ acre tract;

THENCE with the City of Dallas line as follows:

N47°07'E 1040.25 feet to a concrete monument,

S72°49'E 124.25 feet to a concrete monument,

N40°15'E 79.75 feet to a concrete monument,

N19°07'E 290.0 feet to a concrete monument in a fence line on the Northeast line of said 149 $\frac{2}{3}$ acre tract;

THENCE with the fence line and Northeast line of said 149 $\frac{2}{3}$ acre tract, S45°28'E 1293.40 feet to a concrete monument in the fence line;

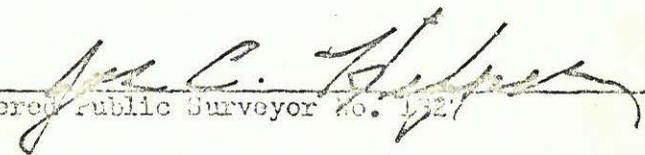
THENCE S59°02'W 419.25 feet to a concrete monument located at a perpendicular distance of 50 feet North of the center line of the MKT Railroad;

THENCE in a Westerly direction 50 feet from and parallel to the center line of said Railroad along a curve to the right having a radius of 4083.60 feet, a distance of 642.99 feet to an iron stake at the end of said curve;

THENCE continuing 50 feet from and parallel to said Railroad center line, S76°21'W 380.35 feet to an iron stake in a fence line;

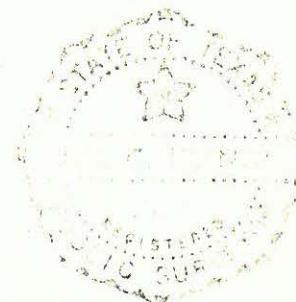
THENCE with the fence line N45°55'W 584.75 feet to the place of beginning, containing 26.90 acres of land.

I hereby certify that the plat and fieldnotes hereon were prepared from an actual and accurate field survey made by me in March 1969 and that corner monuments were correctly placed as shown.


Registered Public Surveyor No. 1527

Scale: 1" = 200'

March 21, 1969



Aug. 18, 1972

Notice Of, Public Hearing

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE ROCKWALL CITY COUNCIL IN THE CITY HALL AT 7:30 P.M. ON TUESDAY, SEPTEMBER 5, 1972, TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

A to PD

Being a tract or parcel of land situated in the William Blevins Survey, Abstract No. 9, Rockwall County, Texas, Also being a tract conveyed to Gifco Development Company by deed recorded in Volume 102, Page 501, Deed Records Rockwall County, Texas together with part of an abandoned M. K. & T. Railroad R. O. W. said tract

Northwesternly corner of the above mentioned Gifco tract;
THENCE: North $54^{\circ} 22' 20''$ East along said take line, passing a concrete monument at 897.3 feet, continuing with said take line 905.77 feet to an iron rod for a corner in the center of a ditch;

THENCE: South $45^{\circ} 33' 35''$ East along said ditch 606.01 feet to an iron rod for a corner;

THENCE: South $50^{\circ} 27' 35''$ East 103.37 feet to an iron rod on the most Northeasternly corner of Lakeside Village Phase Two;

THENCE: South $76^{\circ} 19' 35''$ West along the Northwest line of Lakeside Village Phase Two, 1234.31 feet to an iron rod for a corner;

THENCE: North $10^{\circ} 45' 13''$ West 259.05 feet to the point of Beginning and Containing 10.852 acres of land.

Galen Williams
City Secretary
(ITC)

DALLAS BRANCH OFFICE

9818 MONROE P. O. BOX 20198

AC 214 FL 1-6457

DALLAS, TEXAS 75220

(R. L. Hunt)
Notices Mailed

1. Cecil Unruh

2. Ward Hudspeth
9742 Broken Bow

3. Jim Hunt
4723 Bedford

4. James Reese

5. City of Dallas

6. Gifo Dev. Co.
P. O. Box 47129
Dallas

THE ROHAN COMPANY

AR 817 772-7910 - WACO, TEXAS 76710 - BOX 7337

"IT'S ON HAND AT ROHAN"

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE CITY OF ROCKWALL'S PLANNING AND ZONING COMMISSION IN THE CITY HALL AT 6:30 P.M. ON WEDNESDAY, AUGUST 2, 1972, TO DETERMINE IF THE PROPERTY DESCRIBED BELOW SHALL BE REZONED AS REQUESTED. THIS NOTICE IS GIVEN IN COMPLIANCE WITH THE LAWS OF THE STATE OF TEXAS.

A to MF-1

Being a tract of land out of the E. P. Gaines Chisum Survey, Abstract 64, in Rockwall County, Texas; a part of that certain 149 $\frac{2}{3}$ acres, described as First and Second tracts in partition deed from Amy F. Reese, et al to James W. Reese, Jr. Dated January 25, 1956 and recorded at Volume 53, Page 373 of the Deed Records of Rockwall County; all that remaining portion of said 149 $\frac{2}{3}$ acres lying Northwest of the MKT Railroad right-of way and that certain 101.65 acres heretofore conveyed to the City of Dallas by deed recorded at Volume 63, Page 89 of the Rockwall County Deed Records; and more particularly described as follows:

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THENCE with the City of Dallas line as follows:

N47° 07'E 1040.25 feet to a concrete monument,

S72° 49'E 124.25 feet to a concrete monument,

N40° 15'E 79.75 feet to a concrete monument,

N19° 07'W 290.0 feet to a concrete monument in a fence line on the Northeast line of said 149 $\frac{2}{3}$ acre tract;

THENCE with the fence line and Northeast line of said 149 $\frac{2}{3}$ acre tract, S45°28'E 1293.40 feet to a concrete monument in the fence line;

THENCE S59°02'W 419.25 feet to a concrete monument located at a perpendicular distance of 50 feet North of the center line of the MKT Railroad;

THENCE in a Westerly direction 50 feet from and parallel to the center line of said Railroad along a curve to the right having a radius of 4083.60 feet, a distance of 642.99 feet to an iron stake at the end of said curve;

THENCE continuing 50 feet from and parallel to said Railroad

center line, S76°21'W 380.35 feet to an iron stake in a fence line;

THENCE with the fence line N45°55'W 584.75 feet to the place of Beginning.

Galen Williams
City Secretary

City of Rockwall

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ROCKWALL, TEXAS 75087

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Galen Williams
City Secretary

City of Rockwall

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ROCKWALL, TEXAS 75087

PUBLIC NOTICE

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Galen Williams
City Secretary

City of Rockwall

102 EAST WASHINGTON

ROCKWALL, TEXAS 75087

July 31, 1972

The Plan Commission will have the following matters to consider at their August 2 meeting.

1. Request for rezoning of approximately 9 acres adjacent to Lakeside Village from A to ~~MF-1~~ PD by Gifco Inc. Also approval of site plan for development of the above.
2. Request for zoning change from A to MF-1 of 26.9 acres by R. L. Hunt. This property is immediately north of tract referred to above.
3. Request for rezoning of approximately 75 acres from A to C and MF-1, by Robert S. Folsom. I believe this is the old Brown Estate.
4. Request for rezoning of a small parcel tract of land adjacent to East Washington Street and directly across said street from the Rockwall Y M C A from SF-2 to MF-1. This request was presented by Paul Davis, owner.
5. Request for development change in PD-3.

Galen Williams
City Secretary

James Rucker

ROCKWALL COUNTY
ABSTRACT & TITLE CO.

City of Dallas

Df

S45°28'E
1293.40

N19°25'
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26.90 Acres

N40°15'E
79.75

290.0'
N19°07'W

S72°49'E
124.25

N47°07'E
1040.25

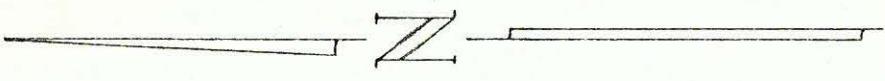
City of Dallas

584.75'
N45°55'W

M K T Railroad

L=642.99' ~ R=4083.60'

380.35'
S7°21'W



Hunt - A-MF-1



PLANNING AND ZONING COMMISSION MEETING HELD
AUGUST 2, 1972

The Rockwall Planning and Zoning Commission met in its regularly scheduled meeting on August 2, 1972, in the City Hall at 6:30 P.M. The following members were present: Kenneth Glasscock, Bob May, R. W. Pickens and Jess Whittle, Chairman.

Gifco, Inc. presented a request for rezoning of 10.852 acres from A to P.D. It was pointed out that the above tract includes the old M.K.T. Railroad right-of-way and is not, at the present, owned by Gifco, and that until ownership is established the zoning change could not be granted. A city of Dallas spokesman confirmed Gifco's statement that the M.K.T. right-of-way would be quit claim deeded to Gifco. After discussion, Mr. May made a motion that the requested zoning change be recommended to the City Council subject to acquisition of title to the portion in question and further subject to providing access to F.M. 740. Mr. Glasscock seconded this motion and the Commission voted unanimous approval. A development site plan for the above tract and a proposed change in development of Phase II were presented. After reviewing the site plan for development of the 10.852 acre tract, May moved that the site plan be approved. Glasscock seconded this motion and the Commission voted unanimous approval.

The Commission studied the proposed change in development of Phase II of Lakeside Village. Mr. May moved approval of this change. Mr. Glasscock seconded the motion and the Commission voted unanimous approval.

R. L. Hunt's request for change in zoning of 26.90 acres out of the E/ P. Gaines-Chisum survey from A to MF-1 was presented. Mr. Hunt was present and stated that he, too, would be deeded the old M.K.T. Railroad R.O.W. and would like to have that property rezoned also.

Mr. Glasscock moved that the zoning change be recommended subject to acquisition of title to the old M.K.T. R.O.W. and Mr. Hunt's cooperation with Gifco, Inc. in providing acceptable access street from subject properties to F.M. 740. Mr. Pickens seconded this motion and the Commission voted unanimously in favor.

Robert S. Folsom request for zoning change of 95 acres, located adjacent to IH 30 and F.M. 740, in the E. P. Gaines-Chisum and John D. McFarland Surveys, from A and C to P.D. was presented. A specific land use plan was presented showing 37.24 acres for commercial use and 57.76 acres for townhouse development. Mr. J. P. Johnson was present and expressed objection to the commercial zoning across F.M. 740 from his property but did not object to MF-1 zoning. After lengthy discussion, during which the need for a wider street was mentioned, Mr. Pickens made a motion that action on this matter be delayed until a meeting with the State Highway Department's representatives could be held to determine what, if any, plans that Department may have for widening of F.M. 740. Mr. Glasscock seconded this motion and the Commission approved by unanimous vote.

PLAN COMMISSION AND ZONING MEETING - 8/2/72

Paul Davis' request for zoning change from SF-3 to MF-1, of 2 lots adjacent to East Washington Street was presented. Chairman Whittle advised Mr. Davis that such change would be spot zoning and that spot zoning is not permitted.

S/Galen Williams
City Secretary

The City Secretary advised the Council that owners of property near the City's sanitary landfill proposed to install a water line from Blackland Water Supply Corporation's 6" main and had offered the City an opportunity to participate in the cost of such line and have a water supply at the landfill. After discussion, the Council voted to take no action on the matter until the cost could be determined.

The Council voted to have the underground gasoline storage tank filled with regular grade gasoline in the future.

No further business came before the Council, and the meeting was adjourned.

ATTEST:

James C. Williams
City Secretary

Harry Myers
Mayor

REGULAR MEETING OF THE CITY COUNCIL HELD
SEPTEMBER 5, 1972

The City Council met in its regular meeting at 7:30 P.M. on September 5, 1972, in the City Hall. The following members were present, and Mayor Harry Myers presided: Garvin Tate, Harry Knight, Roger McCallum, Arthur Kuhlman and Randolph Gheen.

Also present were Louis Walker, Jess Whittle, Mr. & Mrs. R. L. Hunt, Jim Vaughn, Harold Evans, Wayne White, Frank Dyer, Rev. Winifred Gore, Cecil Unruh, Ben Klutts, Bill Standley and Bruce Beaty.

The minutes of the January 3, 1972, January 14, 1972, January 27, 1972, February 7, 1972, March 6, 1972, March 9, 1972, March 27, 1972 and April 3, 1972 meetings were approved as read.

in behalf of the City and the City Secretary be authorized to attest the Mayor's signature. Alderman Knight seconded the motion and the Council voted unanimous approval.

A request for zoning change of 10.852 acres was presented. The Council was advised that the Planning and Zoning Commission had recommended that the requested zoning change, from A to PD be granted. After brief discussion, Alderman Tate made a motion that the zoning change be granted and this area be made a part of the existing P.D.-2. Alderman McCallum seconded this motion and the Council voted unanimous approval. The City Secretary was instructed to proceed with preparation of the necessary ordinance.

A revised land use plan, or site plan, for Lakeside Village development, including the above 10.856 acres, was presented. Mr. Harold Evans, engineer for Lakeside Village, reviewed comments by Freese, Nichols and Endress pertinent to this project and pointed out that recommended changes had been made with certain exceptions. Item #5 pertaining to street centerline curve radii was discussed. After reviewing the street plan, it was determined that the curves were acceptable. Item #7 concerning provision of a cul-de-sac at the end of Starboard Drive rather than leaving the street open was another item which Mr. Evans requested be left as shown to allow access by Lakeside Village to the area between the addition and Lake RAY Hubbard for the purpose of mowing and maintaining said area. It was the Council's opinion that such access was needed. Alderman Gheen made a motion that the revised site plan be approved subject to approval of the City's engineers and attorney. Alderman Knight seconded the above motion and the Council voted unanimously in favor.

R. L. Hunt's request for zoning change on a tract of land containing 26.90 acres located in the E. P. Gaines-Chisum Survey plus that part of the old M.K.T. Railroad right-of-way adjacent to the above tract from A to MF-1 was presented. The Council was advised by the City Secretary that such change had been recommended by the Plan Commission. Mr. Hunt stated that a quit claim deed to subject M.K.T. Railroad right-of way had been granted by the City of Dallas to Mr. Hunt. Alderman Kuhlman moved that the zoning change be granted. Alderman Gheen seconded the motion and the Council voted unanimous approval. The City Secretary was instructed to proceed with preparation of an ordinance to be passed by the Council at a later date.

Mr. Dyer, Mr. White and Rev. Gore presented a survey plat of the property on which the First Christian Church is located. This is in keeping with an agreement reached by the Council and the above men on March 27, 1972, in which the Council voted to curb and gutter Fannin Street adjacent to the church after the church had the property surveyed to establish the property boundary. The Council instructed the City Secretary to proceed with plans to have the curb and gutter constructed as agreed in ~~the~~ March 27, 1972 meeting.

A petition requesting that the City abandon a part of Industrial Avenue in the Industrial Addition to the City of Rockwall and give the Industrial Foundation a quit claim deed to such abandoned streets was presented by the Mayor. The Mayor explained that the portion of the street to be abandoned and advised that such action would not be contrary to the City's thoroughfare plan. Alderman Knight made a motion that the City take necessary action to abandon the street as requested and grant the Industrial Foundation a quit claim deed to that portion of the street. Alderman Kuhlman seconded this motion and the Council voted unanimous approval. The Mayor advised the Council that Louis Nichols is preparing the necessary ordinance and other documents.

Bill Standley was present to request that the unnamed street parallel to Clark Street and one block east of Clark be cleaned of trees, trash, dirt, etc. After discussion, Alderman Tate moved

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that the City's street department clean and grade subject street. Alderman Gheen seconded the motion and the Council voted unanimously in favor.

Termination of Lee Cook's lease on the City's old landfill site was discussed. The Mayor read the agreement between Mr. Cook and the City. The Council felt that one half of the site could be used by the City for storage of street building materials and disposal of tree limbs, dead dogs, etc., by the City, and leave ample room for Mr. Cook's operation.

Mr. Klutts advised the Council that he plans to sell his property in Block N of the Original Town Addition to the City of Rockwall, and thought the City might be interested in purchasing the property. The Council advised Mr. Klutts that this matter would be considered and a decision made at a later date.

The matter of participation, by the City, in the cost of construction of a water line to serve the City's sanitary landfill was discussed. The Council was advised that the City's cost would be approximately \$455.00 plus 185.00 tapping and meter costs for a total of \$640.00. An easement across the landfill property was requested. Alderman Tate made a motion that the City participate in the cost of construction of the water line based on above costs, provided only four taps of the line would be made and that the requested easement be granted and the City Secretary be authorized to sign such easement on behalf of the City. Alderman Kuhlman seconded the above motion and the Council voted unanimous approval.

The Council was advised of the death of Mr. Floyd Hunter, the attorney employed by the City to collect delinquent taxes, and of Mrs. Hunter's letter stating that she is attempting to retain an attorney to continue Mr. Hunter's work. Alderman Tate made a motion that unless another attorney is engaged by Mrs. Hunter to continue with delinquent tax collections within 30 days the City will employ another law firm to collect such tax.

Ordinance No. 72-10 establishing charges for the use of the City of Rockwall's sanitary landfill; providing a penalty for violation of the provisions of this Ordinance and declaring an emergency was introduced. Alderman Knight moved adoption of ordinance No. 72-10. Alderman Kuhlman seconded the motion and the Council voted unanimously in favor.

The following Resolution was adopted by unanimous vote of the Council after a motion by Alderman Kuhlman was seconded by Alderman Knight.

RESOLUTION

WHEREAS, the City of Rockwall has been advised by the North Central Texas Council of Governments of a Criminal Justice

Grant with regards to regional law enforcement communications;

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Rockwall, Texas

That all of the recitals and preambles stated are included and made a part of this resolution and that the City of Rockwall by this resolution authorizes the North Central Texas Council of Governments to solicit bids on its behalf in connection with the Criminal Justice Grant for participation in the regional law enforcement communications system.

BE IT FURTHER RESOLVED that bids pertaining to the share of the City of Rockwall in this regional law enforcement communications system are subject to final approval of a budget reflecting such amount and under no condition of circumstances does this agreement in any way constitute an obligation of the City of Rockwall, and being further subject to the provision that this program is a part of a federal grant and any payments herein are contingent upon the availability of said federal funds.

APPROVED, PASSED AND ADOPTED this 5th day of September, 1972.

S/ Harry F. Myers
Mayor

ATTEST:

S/ Galen Williams
City Secretary

No further business came before the Council, and the meeting was adjourned.

Harry F. Myers
Mayor

ATTEST:

Galen Williams
City Secretary

CALLED MEETING OF THE CITY COUNCIL HELD
SEPTEMBER 9, 1972

The City Council met in a called session on September 9, 1972, The following members were in attendance, and Mayor Harry F. Myers presided: Garvin Tate, Randolph Gheen, Arthur Kuhlman, Harry Knight and Roger McCallum.

Also present were: Louis Nichols, Attorney; Don Gilley, Attorney, and Ben Klutts.

The purpose of the meeting was to determine action to be taken by the City after the recent jury decision to award Mr. Lee Mitchell \$24,000.00 damages to his property by installation of a sewer

Hunt