

ORDINANCE NO. 2012-189

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, DESIGNATING THE PROPERTY LOCATED AT 903 W. OAK STREET AS A HISTORIC LANDMARK UNDER SECTION 35.7.6 OF THE DENTON DEVELOPMENT CODE; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREFOF, SEVERABILITY AND AN EFFECTIVE DATE. (HL12-0002)

WHEREAS, the Historic Landmark Commission and the Planning and Zoning Commission of the City of Denton have recommended that the property herein described in Exhibit "A", attached hereto and incorporated herein by reference, be designated as a historic landmark in the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The Property located at 903 W. Oak Street (the "Property"), legally described in Exhibit "A", is hereby designated as a historic landmark under Section 35.7.6 of the Denton Development Code.

SECTION 2. The Property shall be indicated upon the zoning map of the City of Denton as a historic landmark by the letter "H", and the Property shall be subject to all terms, provisions and requirements of Section 35.7.6 of the Denton Development Code and such designation shall be in addition to the any other use designation established in the City's zoning ordinance applicable to such property.

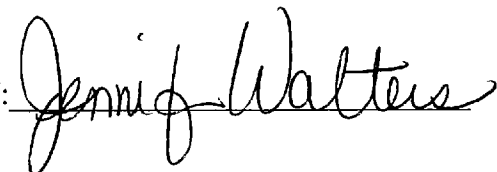
SECTION 3. Any person violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 4. 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 21<sup>st</sup> day of August, 2012.

  
MARK A. BURROUGHS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:  
ANITA BURGESS, CITY ATTORNEY

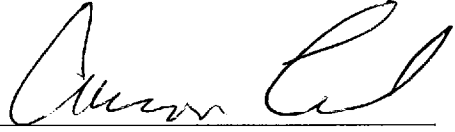
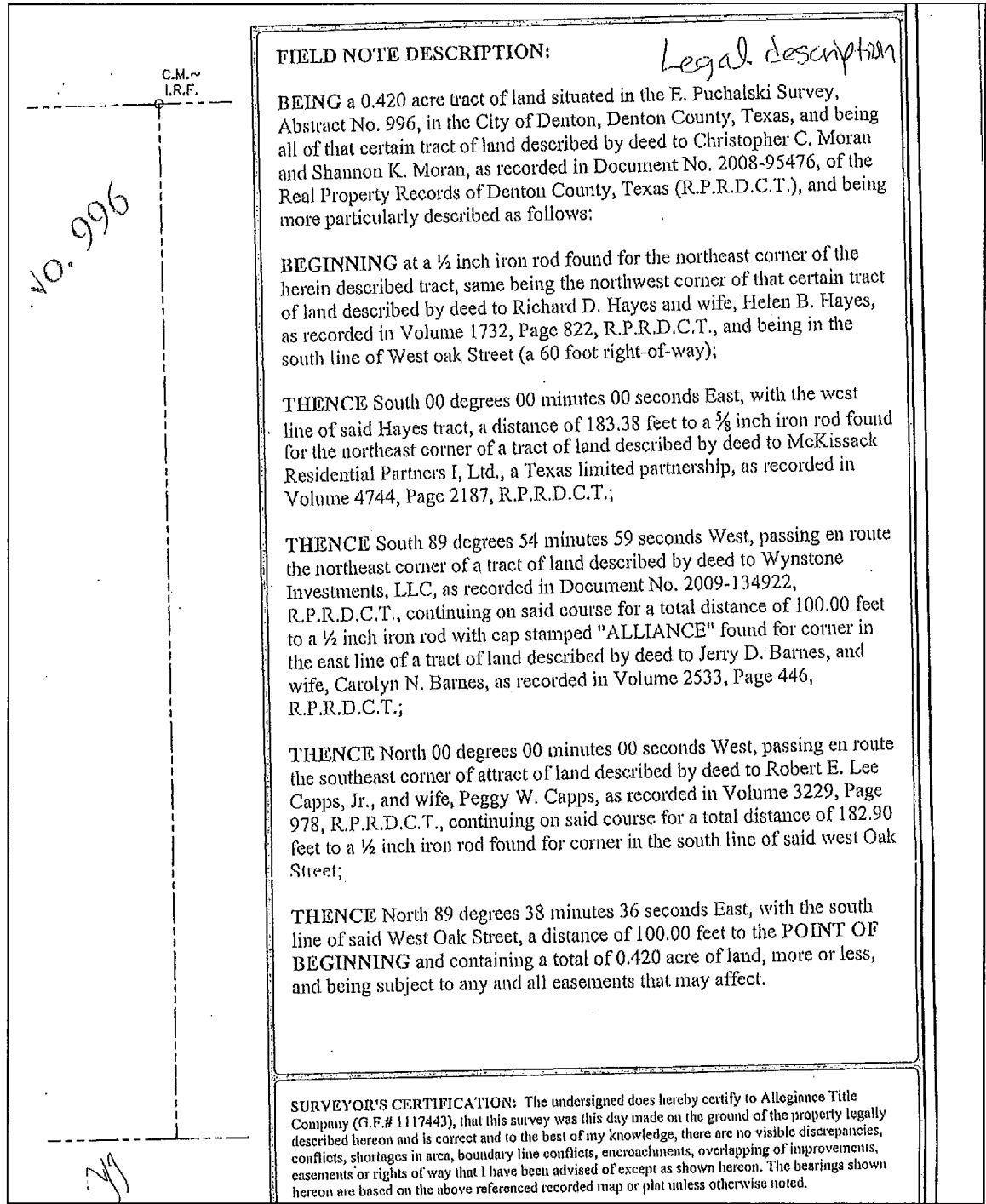
BY: 

Exhibit A  
(Property)

**LEGAL DESCRIPTION**



**FIELD NOTE DESCRIPTION:**

*Legal description*

BEING a 0.420 acre tract of land situated in the E. Puchalski Survey, Abstract No. 996, in the City of Denton, Denton County, Texas, and being all of that certain tract of land described by deed to Christopher C. Moran and Shannon K. Moran, as recorded in Document No. 2008-95476, of the Real Property Records of Denton County, Texas (R.P.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the northeast corner of the herein described tract, same being the northwest corner of that certain tract of land described by deed to Richard D. Hayes and wife, Helen B. Hayes, as recorded in Volume 1732, Page 822, R.P.R.D.C.T., and being in the south line of West oak Street (a 60 foot right-of-way);

THENCE South 00 degrees 00 minutes 00 seconds East, with the west line of said Hayes tract, a distance of 183.38 feet to a 5/8 inch iron rod found for the northeast corner of a tract of land described by deed to McKissack Residential Partners I, Ltd., a Texas limited partnership, as recorded in Volume 4744, Page 2187, R.P.R.D.C.T.;

THENCE South 89 degrees 54 minutes 59 seconds West, passing en route the northeast corner of a tract of land described by deed to Wynstone Investments, LLC, as recorded in Document No. 2009-134922, R.P.R.D.C.T., continuing on said course for a total distance of 100.00 feet to a 1/2 inch iron rod with cap stamped "ALLIANCE" found for corner in the east line of a tract of land described by deed to Jerry D. Barnes, and wife, Carolyn N. Barnes, as recorded in Volume 2533, Page 446, R.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 00 seconds West, passing en route the southeast corner of attract of land described by deed to Robert E. Lee Capps, Jr., and wife, Peggy W. Capps, as recorded in Volume 3229, Page 978, R.P.R.D.C.T., continuing on said course for a total distance of 182.90 feet to a 1/2 inch iron rod found for corner in the south line of said west Oak Street;

THENCE North 89 degrees 38 minutes 36 seconds East, with the south line of said West Oak Street, a distance of 100.00 feet to the POINT OF BEGINNING and containing a total of 0.420 acre of land, more or less, and being subject to any and all easements that may affect.

**SURVEYOR'S CERTIFICATION:** The undersigned does hereby certify to Allegiance Title Company (G.F.# 1117443), that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. The bearings shown hereon are based on the above referenced recorded map or plnt unless otherwise noted.