

6-13-12

ORDINANCE NO. 28689

An ordinance terminating a portion of Specific Use Permit No. 98 for quarrying and mining operations, which was granted by Ordinance No. 7663, passed by the Dallas City Council on June 2, 1958, as amended by Ordinance No. 9600, passed by the Dallas City Council on January 7, 1963, as amended by Ordinance No. 14295, passed by the Dallas City Council on October 15, 1973, as amended by Ordinance No. 21988, passed by the Dallas City Council on March 9, 1994, as amended by Ordinance No. 24356, passed by the Dallas City Council on August 23, 2000, as amended by Ordinance No. 24475, passed by the Dallas City Council on December 13, 2000, as amended by Ordinance No. 24600, passed by the Dallas City Council on May 9, 2001, as amended by Ordinance No. 24602, passed by the Dallas City Council on May 9, 2001, as amended by Ordinance No. 24711, passed by the Dallas City Council on September 12, 2001, as amended by Ordinance No. 24790, passed by the Dallas City Council on December 12, 2001, as amended by Ordinance No. 24939, passed by the Dallas City Council on May 22, 2002, as amended by Ordinance No. 25109, passed by the Dallas City Council on November 13, 2002, as amended by Ordinance No. 25245, passed by the Dallas City Council on May 14, 2003, as amended by Ordinance No. 25588, passed by the Dallas City Council on May 12, 2004, as amended by Ordinance No. 26055, passed by the Dallas City Council on August 10, 2005, as amended by Ordinance No. 26061, passed by the Dallas City Council on August 10, 2005, as amended by Ordinance No. 26064, passed by the Dallas City Council on August 10, 2005, as amended by Ordinance No. 27599, passed by the Dallas City Council on June 24, 2009, as amended by Ordinance No. 27636, passed by the Dallas City Council on August 26, 2009 on the property described in Exhibit A, which is attached to and made a part of this ordinance; providing a saving clause; and providing an effective date.

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WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to terminate the portion of Specific Use Permit No. 98 on the property described in this ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning ordinances of the City of Dallas are amended to terminate a portion of Specific Use Permit No. 98 for quarrying and mining operations on the property described in Exhibit A, which is attached to and made a part of this ordinance.

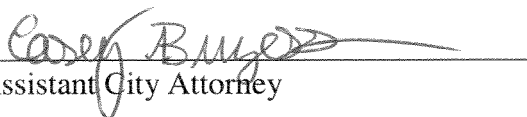
SECTION 2. That the zoning ordinances of the City of Dallas shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY

  
Assistant City Attorney

Passed JUN 27 2012

**FIELD NOTES**

ECONOFUEL, INC., 2.019 ACRE TRACT  
SEC WESTMORELAND ROAD & WEST COMMERCE STREET  
DALLAS, TEXAS  
GIS Approved



Being a 2.019 acre tract of land situated in the John C. Reed Survey, Abstract No. 1186, and being a portion of Block B/7226, Lone Star Park - Phase III, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 79244, Page 120, Plat Records, Dallas County, Texas, and being all of Tracts 1 and 2 to Econofuel, Inc., by deed recorded in Instrument No. 201100240374, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING a 1/2 inch iron rod found for the south end of a corner clip at the intersection of the right-of-way line of Westmoreland Road (a 100 foot right-of-way) with the south right-of-way line of West Commerce Street (an 80 foot right-of-way), same being the beginning of a curve to the right having a radius of 80.00 feet, and a delta angle of 90 deg. 30 min. 38 sec.;

THENCE northeasterly, along the common line of said Econofuel tract, and said corner clip, and along said curve to the right, an arc distance of 126.38 feet, and a chord bearing and distance of North 45 deg. 11 min. 41 sec. East, 113.64 feet to a 1/2 inch iron rod found for the north end of said corner clip, said corner being the beginning of a curve to the left having a radius of 480.75 feet, and a delta angle of 14 deg. 04 min. 55 sec.;

THENCE northeasterly, along the common line of said Econofuel tract, and the south right-of-way line of said West Commerce Street, and along said curve to the left, an arc distance of 118.16 feet, and a chord bearing and distance of North 82 deg. 57 min. 26 sec. East, 117.86 feet to a 5/8 inch iron rod found with M.S.L. RPLS 4224 cap (hereinafter referred to as 5/8" CIRF) for the most northerly northeast corner of said Econofuel tract;

THENCE South 81 deg. 25 min. 15 sec. East, a distance of 2.91 feet to a 5/8" CIRF at the most northerly northwest corner of that certain called 3.8031 acre tract of land to C & C Properties Westmoreland, LLC, by deed recorded in Volume 2004161, Page 2282, aforesaid Deed Records;

THENCE South 00 deg. 02 min. 30 sec. West (Basis of Bearing), along the common line of said Econofuel tract, and said C & C Properties tract, passing a 5/8" CIRF at a distance of 310.00 feet for the common east corner of aforesaid Tracts 1 and 2, said Econofuel tract, and continuing a total distance of 460.00 feet to a 5/8" CIRF for the southeast corner of said Econofuel tract from which a 5/8" CIRF for an ell corner of said C & C Properties tract bears South 00 deg. 02 min. 30 sec. West, 7.42 feet;

THENCE North 89 deg. 58 min. 55 sec. West, a distance of 199.78 feet to a 5/8" CIRF for the southwest corner of said Econofuel tract, same being in the west line of said Block B/7226, same being in the east right-of-way line of said Westmoreland Road;

THENCE along the common line of said Econofuel tract, and the east right-of-way line of said Westmoreland Road as follows:

North 00 deg. 54 min. 10 sec. West, a distance of 10.55 feet to a 5/8" CIRF for an angle point;  
North 00 deg. 01 min. 52 sec. West, passing a 5/8" CIRF at a distance of 139.54 feet for the common west corner of said Tracts 1 and 2, said Econofuel tract, and continuing a total distance of 243.42 feet to an 'X' cut found at the southwest corner of that certain tract of land to The City of Dallas, by deed recorded in Volume 81091, Page 694, Deed Records, Dallas County, Texas;

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THENCE along the common line of said Econofuel tract, and said City of Dallas tract as follows:

North 89 deg. 58 min. 08 sec. East, a distance of 10.00 feet to a 5/8" CIRF for the southeast corner of said City of Dallas tract;

North 00 deg. 01 min. 52 sec. West, a distance of 55.08 feet to a 5/8" CIRF for the northeast corner of said City of Dallas tract;

South 89 deg. 58 min. 08 sec. West, a distance of 10.00 feet to a 1/2 inch iron rod found for the northwest corner of said City of Dallas tract, same being in the west line of aforesaid Block B/7226, same being in the east right-of-way line of aforesaid Westmoreland Road;

THENCE North 00 deg. 01 min. 52 sec. West, along the common line of said Econofuel tract, and the east right-of-way line of said Westmoreland Road, a distance of 56.79 feet to the POINT OF BEGINNING and containing 87,966 square feet or 2.019 acres of computed land, more or less.

**PEISER & MANKIN SURVEYING, LLC**

623 E. Dallas Road

Grapevine, Texas 76051

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Timothy R. Mankin

RPLS / Manager

Peiser & Mankin Surveying, LLC

