

**ORDINANCE NO. O-2011-40**

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "R-1B", SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-1D", SINGLE-FAMILY DETACHED AND ATTACHED RESIDENTIAL DISTRICT ON A 2.72 ACRE PORTION OF LOT 41 OF NCB 1548H, ONE LOT TOTALING APPROXIMATELY 7.26 ACRES OF LAND LOCATED EAST OF THE INTERSECTION OF HAVERHILL DRIVE AND MOBLEY LANE; DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1:** That the following zone change is hereby approved as follows:

**I. APPLICATION Z05-11-030**

That the following described property, which has heretofore been zoned "R-1B", Single-Family Residential District, shall hereafter bear the zoning classification of "R-1D", Single-Family Detached and Attached District, to wit:

A 2.72 acre portion of Lot 41 of NCB 1548H, one lot totaling approximately 7.26 acres of land located east of the intersection of Haverhill Drive and Mobley Lane as described in Exhibit "A".

**PART 2:** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 3:** That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 25<sup>th</sup> day of May, A.D., 2011.



BARBARA BASS, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:



Cassandra Brager  
CASSANDRA BRAGER, CITY CLERK

APPROVED:



Gary C. Landers  
GARY C. LANDERS, CITY ATTORNEY



Ord. No. 0-2011-40  
Exhibit A  
Legal Description

**Mobile Investments & Property Rentals, LLC**  
**R1-D Zoning Tract (2.717 Ac.)**  
**Metes and Bounds Description**

All that certain tract or parcel of land situated in the Marshall Spell Survey, Abstract 888, Smith County, Texas, being out of and part of Lot 41, NCB 1548-H which is a 7.411 acre tract shown on Record number R00052557 of the Land Records of Smith County, Texas, in and being more particularly described by metes and bounds as follows:

The POINT OF BEGINNING is located at the southeast corner of Lot 41, NCB 1548-H, a 7.411 acre tract, and the northeast corner of Quail Valley Estates, a 7.770 acre tract, described as Lot 14, NCB 1445-A;

THENCE, North 88°39'50" West, a distance of 325.00 feet, along the south boundary of said Lot 41, NCB 1548-H and the north boundary of the said Lot 14, NCB 1445-A;

THENCE, North 01°20'10" East, a distance of 105.00 feet, to a point for corner;

THENCE, South 88°39'50" East, a distance of 215.238 feet, to a point for corner;

THENCE, North 02°09'07" East, a distance of 248.066 feet, to a point for corner;

THENCE, North 33°33'22" West, a distance of 96.148 feet, to a point for corner;

THENCE, North 68°17'52" West, a distance of 211.631 feet, to a point for corner;

THENCE, North 47°23'34" West, a distance of 65.382 feet, to a point for corner;

THENCE, North 03°26'54" West, a distance of 106.343 feet, to a point for corner, said point being located on the south Right of Way line of Old Henderson Hwy;

THENCE, South 68°23'11" East, a distance of 443.510 feet, along the south Right of Way of Old Henderson Hwy to the northeast corner of Lot 41, NCB 1548-H;

THENCE, South 01°09'03" West, a distance of 500.952 feet, along the east line of Lot 41, NCB 1548-H to the POINT OF BEGINNING, said tract contains 2.717 acres of land.

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