

AN ORDINANCE AMENDING ORDINANCE NO. 4974 AS AMENDED, BEING PLANNED DEVELOPMENT NO. 207, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE ON APRIL 7,1992, BEING AN AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE NO. 2299 OF THE CITY OF GRAND PRAIRIE, TEXAS, BY AMENDING THE CONDITIONS OF THE ORDINANCE, THE SITE PLAN, LANDSCAPE PLAN AND THE LEGAL DESCRIPTION TO INCLUDE AN ADDITIONAL 15.8 ACRES OF LAND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, on April 7,1992, the City Council of the City of Grand Prairie approved Ordinance No. 4974, being Planned Development No. 207 for Light Industrial and Horse Race Track Facility uses; and

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment to Planned Development No. 207; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on December 13, 1993 after written notice of such public hearing before the Planning and Zoning Commission on the proposed amendments had been sent to owners of real property lying within 200 feet of the subject site, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 6 to 0 to recommend to the City Council of Grand Prairie, Texas, that the proposed amendments be granted; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 7:30 o'clock P.M. on December 14, 1993 to consider the advisability of amending Planned Development No. 207 as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Grand Prairie Daily News, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed amendments to Planned Development No. 207 and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the amendments proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Planned Development No. 207 Ordinance to the extent that amendments to Planned Development No. 207 may be made as herein provided and by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

That Exhibit "A" referenced in Section I of Ordinance No. 4974, being Planned Development No. 207, is hereby amended to read as the attached Exhibit "A".

II.

That Section III.6.A. of Ordinance No. 4974, being Planned Development No. 207, is hereby amended to read as follows:

6. OFF-STREET PARKING:

A. Off-street loading and parking space shall be provided in accordance with Art. X of the Unified Development Code, with the exceptions that (1) the number of parking spaces required for a horse race track facility shall be 1 space for every 3.5 persons of maximum design capacity, or a lesser number of spaces determined by a study prepared by a Qualified Parking Consultant and approved by City Council at time of site plan approval (see Section IV (3)(A), and (2) upon submittal of a design and specification signed and sealed by a registered professional engineer,

areas of drives or parking areas shall be removed and replaced at the developer's and/or contractor's expense. That Section III.2., "Permitted Uses," of Ordinance No. 4974, being Planned Development No. 207, is hereby amended to add the following additional uses in new subparagraphs to read as follows:

HH. Medical Facilities

H. Temporary Structures for use in Conjunction with the Operation of the Race Track

It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

V.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VI.

That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 14th day of December, 1993.

MAYOR

City of Grand Prairie, Texas

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Zoning Case No. Z931202
EXHIBIT "A"

PD 207

298-2595 ACRE TRACT

Being a tract of land out of the John C. Read Survey, Abstract No. 1184 and the Perry Linney Survey, Abstract No. 778, City of Grand Prairie, -Dallas County, Texas and being part of an 808.255 acre tract of land conveyed to 1-30 Partners, Ltd., as recorded in Volume 85020, pages 3605-3614 of the Deed Records of Dallas County, Texas (DRDCT), and being part of GPMURD Tract 1, a 384.7458 acre tract of land conveyed to Grand Prairie Metropolitan Utility and District (GPMURD) by deed recorded in Volume 87004, Pages 2931-2962 of the DRDCT, and being part of a GPMURD Tract 3, a 3.9084 acre tract of land conveyed to GPMURD by deed and recorded in Volume 87004, Pages 2931 2962 of the DRDCT, and being part of GPMURD Tract 5, a 1.1707 acre tract of land conveyed to GPMURD by deed and recorded in Volume 87004, Pages 2931-2962 of the DRDCT, and including part of Midpointe Boulevard, a variable width right-of-way according to the plat filed for record in Volume 90054, Page 560 of the DRDCT, and being part of a 4.219 acre tract of land conveyed to 1-30 Partners, Ltd., as recorded in Volume 85040, Pages 4445-4448 of the DRDCT, and being more particularly described as follows:

BEGINNING at a found 1-inch iron rod for the northeast corner of the Perry Linney Survey, Abstract No. 778 and the northwest corner of the John C. Read Survey, Abstract No. 1184, said point being in the south right-of-way line of Hunter-Ferrell Road and the south line of the Joseph Mangum Survey, Abstract No. 861;

THENCE North 88 degrees 54 minutes 45 seconds East along the south line of the Joseph Mangum Survey and Hunter-Ferrell Road and the north line of the John C. Read Survey for a distance of 22.50 feet to a found 1 -inch iron rod for a corner; said corner is the northwest corner of a 3.03 acre tract of land conveyed to J. W. Miller and recorded in Volume 69070. Page 1262 of the DRDCT:

THENCE South 0 degrees 40 minutes 22 seconds West for a distance of 177.64 feet to a point for a corner in a south line of said GPMURD Tract 1;

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THENCE North 89 degrees 58 minutes 04 seconds East along a south line of GPMURD Tract 1 for a distance of 21.01 feet to a found concrete monument with brass disc for a point of curvature of a curve to the left having a radius of 163-00 feet;

THENCE northeasterly, and along said curve to the left through a central angle of 88 degrees 32 minutes 08 seconds and an arc distance of 251.87 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of tangency;

THENCE North 01 degrees 25 minutes 56 seconds East for a distance of 366.94 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of curvature of a curve to the right having a radius of 46.75 feet;

THENCE northeasterly, and along said curve to the right through a central angle of 89 degrees 03 minutes 21 seconds and an arc distance of 72.66 feet to a found concrete monument with brass disc for a point of tangency;

THENCE South 89 degrees 30 minutes 42 seconds East for a distance of 511.56 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of curvature of a curve to the left having a radius of 1053.25 feet;

THENCE easterly, and along said curve to the left through a central angle of 03 degrees 47 minutes 40 seconds and an arc distance of 69.75 feet to a found concrete monument with brass disc for a point of tangency;

THENCE North 86 degrees 41 minutes 38 seconds East for a distance of 331.97 feet to a found concrete monument with brass disc for a point of curvature of a curve to the right having a radius of 946.75 feet;

THENCE easterly, and along said curve to the right through a central angle of 4 degrees 01 minutes 58 seconds and an arc distance of 66.64 feet to a found concrete monument with brass disc for a point of tangency;

THENCE South 89 degrees 16 minutes 24 seconds East for a distance of 622.28 feet to a found concrete monument with brass disc for a point of curvature of a curve to the right having a radius of 46.75 feet;

THENCE southeasterly, and along said curve to the right through a central angle of 88 degrees 24 minutes 18 seconds and an arc distance of 72.13 feet to a found concrete monument with brass disc for a point of tangency;

THENCE South 00 degrees 52 minutes 06 seconds East for a distance of 902.68 feet to a found concrete monument with brass disc for a point of curvature of a curve to the right having a radius of 446.75 feet;

THENCE southerly, and along said curve to the right through a central angle of 14 degrees 28 minutes 43 seconds and an arc distance of 112.89 feet to a found concrete monument with brass disc for a point of tangency;

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THENCE South 13 degrees 36 minutes 37 seconds West for a distance of 428-97 feet to a found concrete monument with brass disc for a corner;

THENCE South 16 degrees 06 minutes 15 seconds West for a distance of 442.41 feet to a set 1/2-inch iron rod with yellow plastic cap for a corner;

THENCE South 13 degrees 36 minutes 37 seconds West for a distance of 394.10 feet to a found concrete monument with brass disc for a corner;

THENCE North 60 degrees 22 minutes 57 seconds West, departing the west line of said GPMURD Tract 1 for

THENCE South 66 degrees 15 minutes 00 seconds West, passing a set 1/2-inch iron rod with yellow plastic cap in the east line of Midpointe Boulevard - Part 2, (a variable width right-of-way according to the plat filed for record in Volume 89160, Page 1825 of the DRDCT) and the most westerly northwest corner of Lot 1, Block 8 at 355.72 feet, and continuing in all a distance of 507.72 feet to a point in the west line of said Midpointe Boulevard, a curve to the right whose radius point bears South 66 degrees 15 minutes 00 seconds West a distance of 524.00 feet;

THENCE southerly, and along said curve to the right through a central angle of 85 degrees 13 minutes 39 seconds and an arc distance of 779.45 feet to a found 1/2-inch iron rod for a point of tangency;

THENCE South 61 degrees 28 minutes 39 seconds West for a distance of 538.52 feet to a found 1/2-inch iron rod for a point of curvature of a curve to the left having a radius of 600.00 feet;

THENCE Southwesterly, along said curve to the left through a central angle of 28 degrees 23 minutes 50 seconds and an arc distance of 297.38 feet to a set 1/2-inch iron rod with yellow plastic cap for a corner;

THENCE South 33 degrees 04 minutes 49 seconds West for a distance of 143.96 feet to a point of curvature of a curve to the right having a radius of 557.00 feet;

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THENCE northerly, and along said curve to the right through a central angle of 33 degrees 00 minutes 00 seconds and an arc distance of 287.98 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of tangency;

THENCE North 02 degrees 32 minutes 51 seconds East for a distance of 5.28 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of curvature of a curve to the left having a radius of 400.00 feet;

THENCE northerly, and along said curve to the left through a central angle of 44 degrees 00 minutes 00 seconds and an arc distance of 307.18 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of tangency;

THENCE North 41 degrees 27 minutes 09 seconds West for a distance of 53.09 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of tangency of a curve to the right having a radius of 190.00 feet;

THENCE northerly, and along said curve to the right through a central angle of 08 degrees 15 minutes 25 seconds and an arc distance of 27.38 feet to a set 1/2-inch iron rod with yellow plastic cap for a corner;

THENCE North 54 degrees 16 minutes 10 seconds West passing at 105.94 feet a set 1/2-inch iron rod with yellow plastic cap for the most northerly corner of said GPMURD drainage easement and the most easterly corner of GPMURD Tract 8, a 2.4662 acre tract of land conveyed to GPMURD by deed and recorded in Volume 87004, Pages 2931-2962 of the DRDCT and continuing in all a distance of 195.67 feet to a 1/2-inch iron rod with yellow plastic cap on a curve to the right whose radius point bears North 82 degrees 45 minutes 32 seconds West a distance of 80.00 feet;

THENCE westerly, along the north line of said GPMURD Tract 8 and along said curve to the right through a central angle of 16 degrees 14 minutes 10 seconds and an arc distance of 22.67 feet to a found 1/2-inch iron rod for a point of tangency;

THENCE South 83 degrees 28 minutes 38 seconds West, continuing along the north line of Tract 8, for a distance of 31.65 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of curvature of a curve to left having a radius of 140.00 feet;

THENCE southwesterly, and along said curve to the left through a central angle of 48 degrees 00 minutes 00 seconds and an arc distance of 117.29 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of tangency;

THENCE South 35 degrees 28 minutes 37 seconds West for a distance of 45.61 feet to a set 1/2-inch iron rod with yellow plastic cap for a point of curvature of a curve to the right having a radius of 100.00 feet;

THENCE North 03 degrees 00 minutes 49 seconds East for a distance of 1334.00 feet to a found concrete monument with brass disc for a corner;

THENCE North 00 degrees 26 minutes 09 seconds East, continuing along said east right-of-way line, passing at 1026.88 feet the most westerly northwest corner of said 808.255 acre tract and the southwest corner of said 0.9643 acre tract, and continuing in all a distance of 1193.81 feet to a set 1/2-inch iron rod with yellow plastic cap for the northwest corner of said 0.9643 acre tract;

THENCE North 89 degrees 18 minutes 35 seconds East for a distance of 251.76 feet to a found 1/2-inch iron rod for the northeast corner of said 0.9643 acre tract;

THENCE South 00 degrees 26 minutes 36 seconds West for a distance of 172.95 feet to a set 1/2-inch iron rod with yellow plastic cap for the southeast corner of said 0.9643 acre tract;

THENCE South 89 degrees 31 minutes 34 seconds East for a distance 226.33 feet to a set 1/2-inch iron rod with yellow plastic cap for the northeast corner of a 1.0 acre tract of land conveyed to the City of Grand Prairie and recorded in Volume 791, Page 1397 of the DRDCT;

THENCE South 00 degrees 18 minutes 29 seconds West, passing at 168.37 feet the southwest corner of said 1.0 acre tract, and continuing in all a distance of 194.01 feet to a metal fence post for a corner;

THENCE North 89 degrees 57 minutes 35 seconds East for a distance of 124.34 feet to a metal fence post for a corner;

THENCE North 01 degrees 09 minutes 11 seconds East for a distance of 24.26 feet to a set 1/2-inch iron rod with yellow plastic cap for a corner **in** the south line of said 1.0 acre tract;

THENCE South 89 degrees 26 minutes 41 seconds East for a distance of 92.13 feet to a found 1-inch iron rod at the southeast corner of said 1.0 acre tract;

THENCE North 00 degrees 15 minutes 31 seconds East for a distance of 168.37 feet to a set 1/2-inch iron rod with yellow plastic cap at the northeast corner of said 1.0 acre tract;

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THENCE North 00 degrees 12 minutes 09 seconds East for a distance of 566.53 feet to a found 1-inch iron rod in the south right-of-way line of Hunter-Ferrell Road;

THENCE South 89 degrees 29 minutes 06 seconds East along the south right-of-way line of Hunter-Ferrell Road for a distance of 1833.74 feet to the POINT OF BEGINNING and containing 12,992,186 square feet or 298.2595 acres of land more or less.

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