

NO. 87-079

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, DESIGNATING THE PROPERTY LOCATED AT 928 WEST HICKORY STREET AS A HISTORIC LANDMARK UNDER ARTICLE 28A OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$1,000.00 FOR VIOLATIONS THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Historic Landmark Commission and the Planning and Zoning Commission of the City of Denton have recommended that the property herein described be designated as a historic landmark in the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION I. That the property located at 928 West Hickory Street, being more particularly described in Exhibit A attached hereto and incorporated herein by reference, is hereby designated as a historic landmark under Article 28A of the Comprehensive Zoning Ordinance of the City of Denton, Texas.

SECTION II. That said property herein described shall be indicated upon the zoning map of the City of Denton as a historic landmark by the letter "H", and the property herein described shall be subject to all of the terms, provisions and requirements of Article 28A of the Comprehensive Zoning Ordinance of the City of Denton, Texas, and such designation shall be in addition to any other use designation established in the City's zoning ordinance applicable to such property.

SECTION III. Any person who shall violate a provision of this ordinance, or fails to comply therewith or with any of the requirements thereof, or of a permit or certificate issued thereunder, shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00). Each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of this ordinance is committed, or continued, and upon conviction of any such violations such person shall be punished within the limits above.

SECTION IV. That 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,

the official newspaper of the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the 5<sup>th</sup> day of May, 1986.

Ray Stephens  
RAY STEPHENS, MAYOR  
CITY OF DENTON, TEXAS

ATTEST:

Jennifer Walters  
JENNIFER WALTERS, CITY SECRETARY  
CITY OF DENTON, TEXAS

APPROVED AS TO LEGAL FORM:  
DEBRA ADAMI DRAYOVITCH, CITY ATTORNEY  
CITY OF DENTON, TEXAS

BY: Jon D. Morris

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND THAT IS SITUATED IN THE EUGENE PUCHALSKI SURVEY, ABSTRACT NO. 996, DENTON COUNTY, TEXAS BEING A PORTION OF A LOT DEEDED BY DAVID KITTRELL ET UX TO JOHN FRANKLIN MILLER III ON THE 7th DAY OF SEPTEMBER, 1976 AND RECORDED IN VOLUME 803 PAGE 26 DEED RECORDS OF DENTON COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS;

BEGINNING AT AN IRON PIN AT THE SOUTHWEST CORNER OF SAID LOT ON THE NORTH RIGHT-OF-WAY OF WEST HICKORY STREET;

THENCE NORTH 00 DEGREES 26 MINUTES AND 38 SECONDS EAST ALONG THE WEST BOUNDARY LINE OF SAID LOT A DISTANCE OF 120.80 FEET TO A FOUND IRON PIN AND FENCE CORNER AT THE SOUTHWEST CORNER OF A 0.038 ACRE TRACT DESCRIBED IN A DEED FROM JOHN FRANKLIN MILLER III TO ROLLIN SININGER AND RECORDED IN VOLUME 1185 PAGE 919 DEED RECORDS OF DENTON COUNTY, TEXAS;

THENCE SOUTH 89 DEGREES 47 MINUTES AND 26 SECONDS EAST WITH A FENCE A DISTANCE OF 99.80 FEET TO A FOUND IRON PIN AND FENCE CORNER AT THE SOUTHEAST CORNER OF SAID 0.038 ACRE TRACT AND ON THE EAST BOUNDARY LINE OF SAID LOT FROM DAVID KITTRELL TO JOHN FRANKLIN MILLER III;

THENCE SOUTH 00 DEGREES 24 MINUTES AND 12 SECONDS WEST A DISTANCE OF 120.43 FEET TO AN IRON PIN AT THE SOUTHEAST CORNER OF SAID MILLER LOT ON THE NORTH RIGHT-OF-WAY OF WEST HICKORY;

THENCE NORTH 90 DEGREES 00 MINUTES AND 00 SECONDS WEST ALONG THE NORTH BOUNDARY LINE OF WEST HICKORY STREET A DISTANCE OF 99.89 FEET TO THE POINT-OF-BEGINNING