

**CITY OF LEONARD, TEXAS  
ORDINANCE NO. 230912-2**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEONARD, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF LEONARD, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF LEONARD, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF C-1, "COMMERCIAL DISTRICT" ON A CERTAIN 20 ACRES AND 0.857 ACRES OF LAND LEGALLY DESCRIBED AS FANNIN COUNTY APPRAISAL DISTRICT PROPERTY ID 132898 AND 138136, SITUATED IN THE M. MOORE SURVEY ABSTRACT NO. A0778, CITY OF LEONARD, FANNIN COUNTY, TEXAS, AND LOCATED AT COUNTY ROAD 4720 AND US HIGHWAY 69, LEONARD, TEXAS; PROVIDING THAT THE PROPERTY SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED SHALL BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the City of Leonard, Texas (the "City") is a type A general-law municipality located in Fannin County operating pursuant to its Code of Ordinances and provisions of the state law including the Texas Local Government Code; and

**WHEREAS**, the City Council of the City (the "City Council") adopted Chapter 14 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the zoning of land in the City (the "Zoning Ordinance"); and

**WHEREAS**, the owner of the property has requested to establish an initial zoning classification of C-1, "Commercial District," on a certain 20 acres and 0.857 acres of land legally described as Fannin County Appraisal District Property ID 132898 and 138136, situated in the M. Moore Survey Abstract no. A0778, City of Leonard, Fannin County, Texas, and commonly known as County Road 4720 and US Highway 69, Leonard, Texas, further described and depicted in the map in **Exhibit "A"** attached hereto and incorporated herein (the "Property"); and

**WHEREAS**, after public notices were given in compliance with Texas law and a public hearing was conducted, and after considering the information submitted at the public hearing and all other relevant information and materials, the Planning and Zoning Commission of the City has considered Owner's application for C-1, "Commercial District" zoning district and has





recommended the City Council approve the initial zoning district C-1, "Commercial District" on the Property; and

**WHEREAS**, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered, the recommendation of the Planning and Zoning Commission, and among other things, the character of the land and its suitability for particular uses, and compatibility with surrounding uses, with a view of encouraging the most appropriate use of land in the City, and the City Council does hereby find that the requested zoning accomplishes such objectives.

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

**SECTION 1. Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein and are found to be true.

**SECTION 2. Findings.** After due deliberation and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and of the public health, safety, and welfare.

**SECTION 3. Zoning Amendments.** Chapter 14 of the Code of Ordinances of the City, the same being the City's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases, and words not expressly amended hereby are hereby ratified and affirmed.

The zoning district classification on the Property is hereby amended to establish an initial zoning classification of C-1, "Commercial District," on the Property. The Property shall be subject to all applicable City ordinances and regulations governing the C-1 District.

**SECTION 4. Zoning Map.** The Zoning Map of the City, adopted by Chapter 14 Section 4 of the Code of Ordinances, and on file at City Hall, is hereby amended to reflect the foregoing zoning use changes herein made.

**SECTION 5. Severability Clause.** Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**SECTION 6. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a



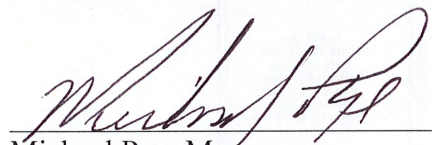
prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

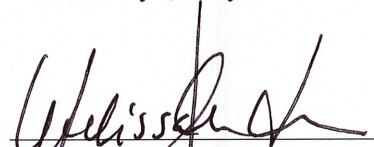
**SECTION 7. Penalty.** Any person, firm, entity or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction, therefore, shall be fined in a sum not exceeding two thousand dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

**SECTION 8. Publication and Effective Date.** This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

**SECTION 9. Open Meeting.** That it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

**PASSED, APPROVED, and ADOPTED by the City Council of the City of Leonard, Texas, on this the 12<sup>th</sup> day of September, 2023.**

  
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Michael Pye, Mayor

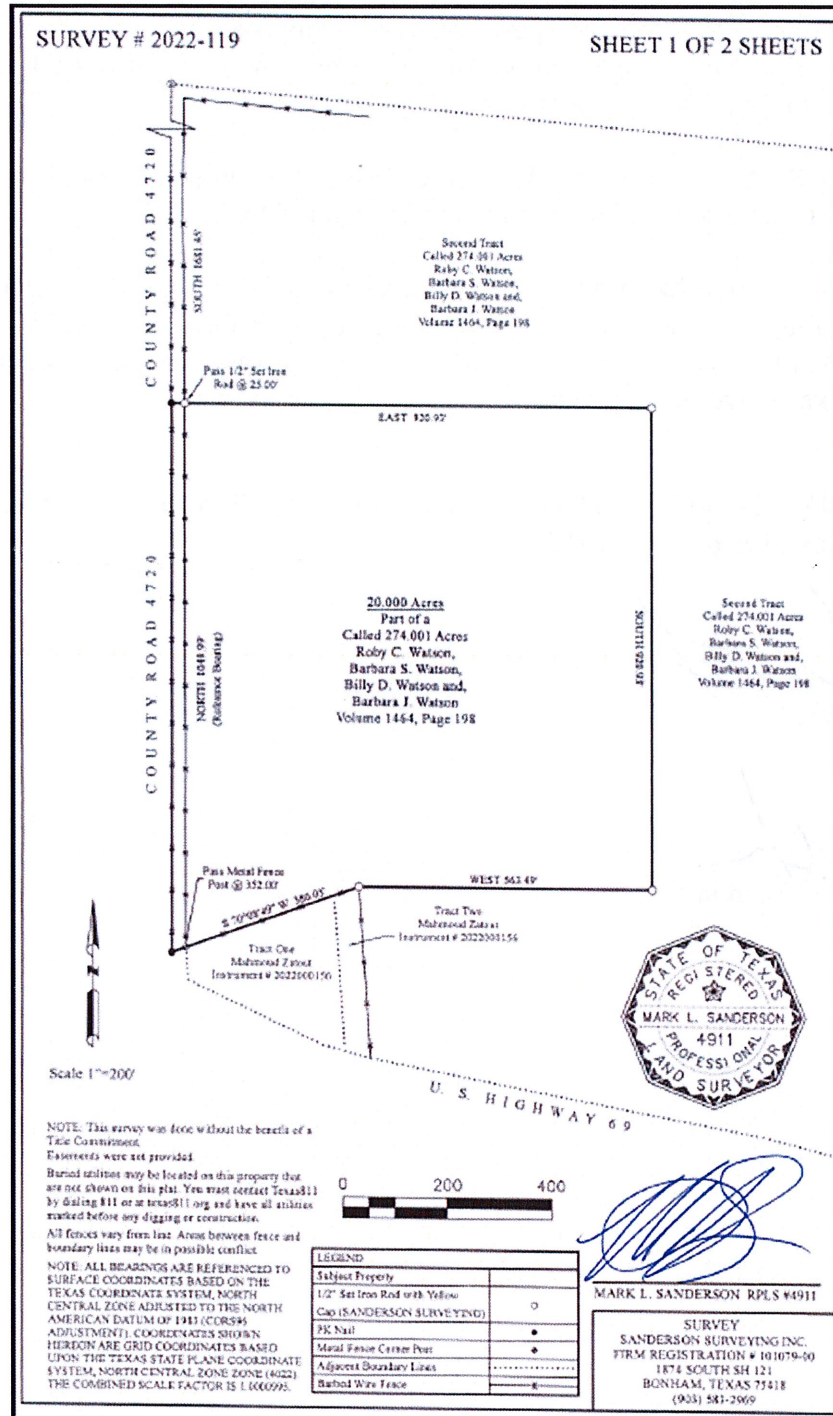
  
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Melissa Verde, City Secretary



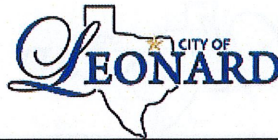


**Exhibit A**  
**Property Description**

**Property Description and Depiction**







**SURVEY #2022-119**

**SHEET 2 OF 2 SHEETS**

**Being:** 20.000 acres located on the East side of Fannin County Road 4720 and being out of the Martin Moore Survey, Abstract No. 778, in Fannin County, Texas. The said 20.000 acre tract being a part of a tract conveyed in a General Warranty Deed from Roby Watson and Billy Watson to Roby C. Watson and Barbara S. Watson and Billy D. Watson and Barbara J. Watson dated November 23, 2009 of record in Volume 1464, Page 198, Second Tract in the Official Public Records of said County and State. The said 20.000 acre tract being described more particularly by metes and bounds as follows:

**Beginning** at a PK Nail in Fannin County Road 4720. From said point a found 6" metal fence corner post on the East side of Fannin County Road 4720 bears N 70°08'49" E a distance of 28.03 feet. Said point being on the East side of an 18.377 acre tract conveyed to the Leonard Independent School District recorded in Volume 594, Page 888 in the Official Public Records of said county and state. Said point being the Northwest corner of a 1.129 acre tract conveyed to the Mahmoud Zatout recorded in Document Number 2022000156, Tract One in the Official Public Records of said county and state. Said point being a Southwest corner of the referenced parent tract for the **Point of Beginning** and the Southwest corner of this tract.

**Thence:** North (Record Bearing North) a distance of 1049.99 feet to a PK Nail in Fannin County Road 4720. Said point being in the East side of a 20 acre tract conveyed to the A. B. Ferguson, Jr. recorded in Volume 813, Page 931 in the Official Public Records of said county and state. Said point being the West line of the referenced Parent tract and the Northwest corner of this tract.

**Thence:** East across the referenced parent tract passing a set 1/2" iron rod with yellow cap stamped "Sanderson Surveying" near a barbed wire fence at a distance of 25.00 feet and continuing a total distance of 920.93 feet to a set 1/2" iron rod with yellow cap stamped "Sanderson Surveying". Said point being the Northeast corner of this tract.

**Thence:** South across the referenced parent tract a distance of 920.93 feet to a set 1/2" iron rod with yellow cap stamped "Sanderson Surveying". Said point being the Southeast corner of this tract.

**Thence:** West across the referenced parent tract a distance of 563.49 feet a set 1/2" iron rod with yellow cap stamped "Sanderson Surveying". Said point being the Northeast corner of the referenced Zatout Tract Two. Said point being an inside Southwest corner of the referenced parent tract and a bend in the South line of this tract.

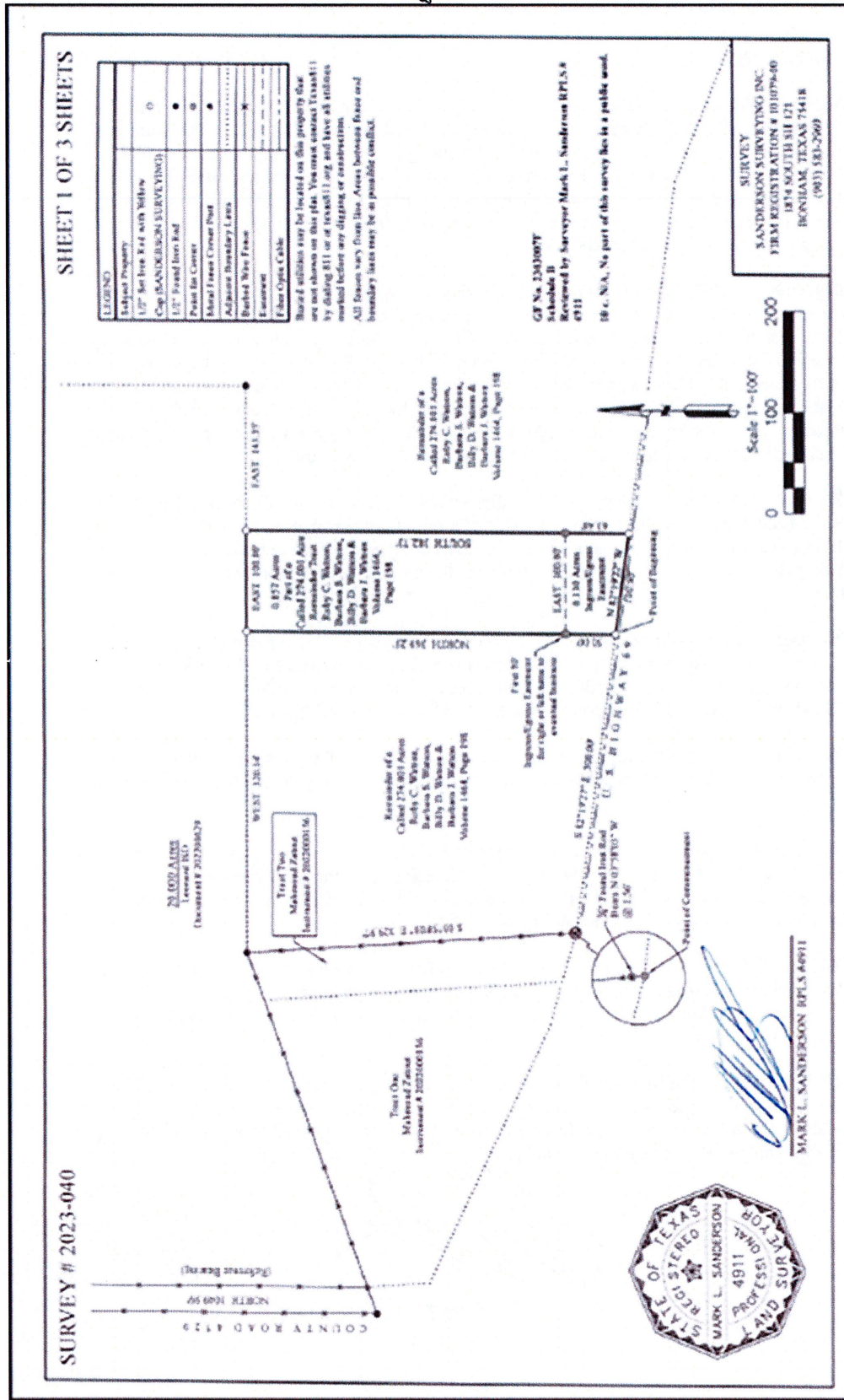
**Thence:** S 70°08'49" W passing a found 6" metal fence corner post on the East side of Fannin County Road 4720 at a distance of 352.00 feet and continuing a total distance of 380.03 feet to the **Point of Beginning** and containing 20.000 acres, of which 0.6 acres lay within Fannin County Road 4720.

I, Mark L. Sanderson Registered Professional Land Surveyor #4911, State of Texas, do hereby certify the above was taken from measurements made upon the ground on 7/7/2022 and are true and correct and there are no visible easements, rights-of-way, encroachments or overlapping of improvements, except as shown on the plat.

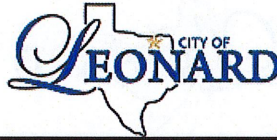
MARK L. SANDERSON R.P.L.S. #4911  
7/7/2022











**Survey # 2023-040**

**Sheet 2 of 3 Sheets**

**Being:** 0.857 acres of land, and being out of the Martin Moore Survey, Abstract No. 778, and being on the North side of U.S. Highway 69 in Fannin County, Texas. The said 0.857 acre tract being a part of a tract conveyed in a General Warranty Deed from Roby Watson and Billy Watson to Roby C. Watson and Barbara S. Watson and Billy D. Watson and Barbara J. Watson dated November 23, 2009 of record in Volume 1464, Page 198, Second Tract in the Official Public Records of said County and State. The said 0.857 acre tract being described more particularly by metes and bounds as follows:

**Commencing** at a Point on the North side of U.S. Highway 69 from which a found 3/8" found iron rod bears N 03°58'03" W a distance of 1.56 feet. Said point being the Southeast corner of a tract conveyed to the Mahmoud Zatout recorded in Document Number 2022000156, Tract Two in the Official Public Records of said county and state. Said point also being the most Southerly Southwest corner of the parent tract. Thence with the North Right of Way of U.S. Highway 69, S 82°19'27" E a distance of 300.00 feet to a set 1/2" set iron with yellow cap stamped "Sanderson". Said point being in the South line of the referenced remainder of the Watson tract and being the Southwest corner of this tract and for the Point of Beginning and containing 0.857 acres. (Reference Bearing West line of the Watson tract Volume 1464, Page 198, NORTH).

**Thence:** North a distance of 369.25 feet to a set 1/2" set iron with yellow cap stamped "Sanderson". From said point, the Northeast corner of the referenced Zatout tract and a Northwest corner of the Watson tract bears West 320.14 feet. Said point being in a break in the South line of a called 20.000 acre tract conveyed to the Leonard ISD in Document #202200629. Said point being in a North line of the referenced remainder of the Watson tract. Said point being in a South line of the Leonard ISD tract. Said point also being the Northwest corner of this tract.

**Thence:** East a distance of 100.00 feet to a set 1/2" set iron with yellow cap stamped "Sanderson". From said point, the Southeast corner of the referenced Leonard ISD tract and an inside Southeast corner of the Watson tract bears East 143.35 feet. Said point being in the North line of the referenced remainder of a Watson tract. Said point being in a South line of a called 20.000 acre tract conveyed to the referenced Leonard ISD tract and also being the Northeast corner of this tract.

**Thence:** South a distance of 382.73 feet to a set 1/2" set iron with yellow cap stamped "Sanderson" on the North side of U.S. Highway 69. Said point being in the South line of the referenced remainder of the Watson tract and also being a Southeast corner of this tract.

**Thence:** N 82°19'22" W a distance of 100.90 feet to the Point of Beginning and containing 0.857 acres.

#### **50' North-South Ingress/Egress Easement**

**Being:** 0.130 acres of land being set out for a 50 foot North -South Ingress/Egress Easement and being out of the Martin Moore Survey, Abstract No. 778, and being on the North side of U.S. Highway 69 in Fannin County, Texas. The said 0.130 acre tract being a part of a tract conveyed in a General Warranty Deed from Roby Watson and Billy Watson to Roby C. Watson and Barbara S. Watson and Billy D. Watson and Barbara J. Watson dated November 23, 2009 of record in Volume 1464, Page 198, Second Tract in the Official Public Records of said County and State. The said 0.130 acre tract being described more particularly by metes and bounds as follows:





Survey # 2023-040

Sheet 3 of 3 Sheets

**Commencing** at a Point on the North side of U.S. Highway 69 from which a found 3/8" found iron rod bears N 03°58'03" W a distance of 1.56 feet. Said point being the Southeast corner of a tract conveyed to the Mahmoud Zatout recorded in Document Number 2022000156, Tract Two in the Official Public Records of said county and state. Said point also being the most Southerly Southwest corner of the parent tract. Thence with the North Right of Way of U.S. Highway 69, S 82°19'27" E a distance of 300.00 feet to a set 1/2" set iron with yellow cap stamped "Sanderson". Said point being in the South line of the referenced remainder of the Watson tract and being the Southwest corner of this tract and for the Point of Beginning and containing 0.857 acres. (Reference Bearing West line of the Watson tract Volume 1464, Page 198, NORTH).

**Thence:** North a distance of 50.00 feet to a point. Said point being the Northwest corner of this 50 foot North -South Ingress/Egress Easement tract.

**Thence:** East a distance of 100.00 feet to point. Said point being the Northeast corner of this 50 foot North -South Ingress/Egress Easement tract.

**Thence:** South a distance of 63.48 feet to a to a set 1/2" set iron with yellow cap stamped "Sanderson" on the North side of U.S. Highway 69. Said point being in a South line of the referenced remainder of the Watson tract and also being the Southeast corner of this 50 foot North -South Ingress/Egress Easement tract.

**Thence:** N 82°19'22" W a distance of 100.90 feet to the Point of Beginning and containing 0.130 acres.

I, Mark L. Sanderson Registered Professional Land Surveyor #4911, State of Texas, do Hereby certify the above was taken from measurements made upon the ground on 3/13/2023 and are true and correct and there are no visible easements, right-of-ways, encroachments or overlapping of improvements, except as shown on the plat.

MARK L. SANDERSON R.P.L.S. #4911

3/14/2023

