

WHEREAS, the Town Council of the Town of Trophy Club, Texas, at a public hearing called by the Town Council, did consider the following factors in making a determination as to whether the requested changes should be granted or denied; effect on the congestion of the streets, the fire hazards, panics and other dangers possible present in the securing of safety from same, the effect on the promotion of health and general welfare, effect on adequate light and air, the effect on the over-crowding of the land, the effect on the concentration on population, the effect on the transportation; water, sewerage, schools, parks and other public facilities; and

WHEREAS, the Town Council has established conditions of and development standards for the operation, location, arrangement and construction of the use granted by this Ordinance, and which such conditions and development standards impose sufficient safeguards important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view and other undesirable or hazardous conditions; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, further considered among other things the character of the districts and their peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this Town; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, does find that there is a public necessity for the zoning changes, that the public demands them, that the public interest clearly requires the amendments, that the zoning changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, does find that the changes in zoning lessen the congestion in the streets, helps secure safety from fire, panic and other dangers; promotes the health and the general welfare; provides adequate light and air; prevents the over-crowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water sewerage, schools, parks and other public requirements; and

WHEREAS, the Town Council of the Town of Trophy Club, Texas, has determined that there is a necessity and need for the changes in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the tract of land requested for a change since the tract of land was originally classified and desires to make the use of the property conforming and not non-conforming and therefore feels that the respective changes in zoning classification for the tract of land are needed, are called for, and are in the best interest of the public at large, the citizens of the Town of Trophy Club, Texas, and helps promote the general health, safety and welfare of this community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:

Section 1. That all of the above premises are found to be true and correct and are incorporated in the body of this ordinance as if copied in their entirety.

Section 2. That Ordinance No. 87-23 the Zoning Ordinance of the Town of Trophy Club, Texas, is hereby amended and changed in the following particulars, and all other existing sections, subsections, paragraphs, sentences, definitions, phrases and words of said Zoning Ordinance are not amended, but remain intact and are hereby ratified, verified and affirmed:

- A. That the allowed use of a tract of land containing approximately 5.3459 acres and located in the J. Eads Survey, Abstract 392, and W. Medlin Survey, Abstract 829, Denton County, Texas, and more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, which, in accordance with the Zoning Ordinance is presently zoned R-7.5 Single Family Residential District, is hereby changed to and shall be in accordance and conformity with and be zoned PD, Planned Development District for garden apartments and condominiums according to the standards and requirements set forth in Exhibit "B" attached hereto and incorporated herein for all purposes, and with the specific requirements contained in this Ordinance, and with the comprehensive site plan and plat of the development.

Section 3. That a comprehensive Site Plan, a true and correct copy of which is attached hereto as a part of Exhibit "B" and is incorporated herein, was submitted by the Owner and reviewed and approved by the Town Council upon the recommendation of the Planning and Zoning Commission.

Section 4. That the Developer and Owner has voluntarily agreed to submit, if and when the Property which is the subject of this ordinance is developed as condominiums, covenants and deed restrictions covering all of the said Property for review by and approval of the Planning and Zoning Commission and Town Council. In the event such deed covenants and restrictions are approved by the Town Council, they shall be attached to and become a part of this ordinance and filed of record in Denton County, Texas; provided however, that such approval shall not constitute an amendment of this ordinance.

Section 5. That the development of the herein described property shall be developed in accordance with all PD, Planned Development District regulations as provided by the Comprehensive Zoning Ordinance, Ordinance No. 87-23, except as otherwise provided by this Ordinance.

Section 6. That in carrying out the development of the PD, Planned Development District, the development standards and conditions as set forth in Exhibit "B" shall be conditions precedent to the granting of any Certificate of Occupancy as required in the Comprehensive Zoning Ordinance, Ordinance No. 87-23.

Section 7. The Town Secretary is hereby directed to mark and indicate on the official Zoning District Map of the Town of Trophy Club, Texas, to reflect the zoning made herein.

Section 8. That in all other respects the use of the property hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the Town of Trophy Club, Texas, and with the site plan attached hereto as part of Exhibit "B".

Section 9. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water sewerage, drainage and surface water, parks and other commercial needs and development of the community. They have been made with consideration of the reasonable suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS · RICHMOND, VIRGINIA

QUORUM CONDOMINIUMS

"EXHIBIT A"

BEING a tract of land situated in the J. EADS SURVEY, Abstract No. 392, and the W. MEDLIN SURVEY, Abstract No. 829, of Denton County, Texas, said tract being all of Trophy Club THE QUORUM CONDOMINIUMS, an Addition to Denton County as recorded in Cabinet "C", Slide 358, of the Plat Records of Denton County, and being more particularly described as follows:

BEGINNING at an iron rod set on the Easterly right-of-way line of Trophy Club Drive (80 foot R.O.W.), said point being the Southwest corner of said Trophy Club, THE QUORUM CONDOMINIUMS;

THENCE along the easterly right-of-way line of Trophy Club Drive, with a curve to the right, having a chord bearing of North 30 degrees 57 minutes 04 seconds East, for a chord distance of 304.85 feet, said curve having a central angle of 22 degrees 06 minutes 57 seconds, a radius of 794.50 feet, and arc length of 306.75 feet to an iron rod for corner;

THENCE North 88 degrees 36 minutes 27 seconds East, 258.06 feet to an iron rod set for corner;

THENCE North 85 degrees 59 minutes 40 seconds East, 761.36 feet to an iron rod set for corner;

THENCE South 34 degrees 56 minutes 00 seconds West, 117.90 feet to an iron rod set for corner;

THENCE South 70 degrees 43 minutes 30 seconds West 522.00 feet to an iron rod set for corner;

THENCE South 50 degrees 00 minutes 00 seconds West 100.00 feet to an iron rod set for corner;

THENCE due West 269.71 feet to an iron rod for corner;

THENCE North 87 degrees 17 minutes 16 seconds West 268.60 feet to the POINT OF BEGINNING, and containing 232.865 square feet or 5.3459 acres of land, more or less.

