

ORDINANCE NO. 95-14

AN ORDINANCE OF THE CITY OF COMMERCE, COMMERCE, TEXAS AMENDING SECTION 1, OF ORDINANCE NO. 95-8 NOMINATING AN AREA AS AN ENTERPRISE ZONE PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303); CONTAINING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS

That Ordinance No. 95-8 of the City of Commerce, Commerce, Texas, is hereby amended to conform to Chapter 2303 of the Texas Government Code by reading as follows: ".....Texas Enterprise Zone Act (as provided by Texas Civil Statutes, Article 5190.7; now Chapter 2303 of the Texas Government Code, the "Act");.....".

SECTION 1. AMENDMENT:

Section 1 of Ordinance No. 95-8, is hereby amended so that said section shall hereafter read as follows:

BEGINNING at the intersection of Charity Road and the east right-of-way line of F.M. 3218;
THENCE, in a southerly direction along the east right-of-way line of F.M. 3218 approximately 3,645 feet to a point for corner;
THENCE, in a easterly direction approximately 4,500 feet to a point for corner;
THENCE, in a northerly direction approximately 3,645 feet to a point for corner, said point being the southwest right-of-way of S.H. 11;
THENCE, easterly approximately 3,675 feet to a point for corner, said point being the southern right-of-way of the St. Louis and Southwestern Railroad;
THENCE, northerly approximately 6,300 feet to a point for corner;
THENCE, westerly approximately 6,000 feet to a point for corner, said point being the eastern right-of-way of Pritchard Road;
THENCE, northerly approximately 4,950 feet to a point for corner, said point being the southern right-of-way of F.M. 71;
THENCE, westerly along the south right-of-way of F.M. 71 approximately 5,500 feet to the intersection of the east right-of-way of Park Street.
THENCE, southerly along the east right-of-way of Park Street approximately 1,300 feet to a point for corner, said point being the northern right-of-way of the St. Louis & Southwestern Railroad;
THENCE, westerly along the northern right-of-way of the St. Louis & Southwestern Railroad approximately 625 feet to a point for corner, said point being the northwestern right-of-way Prince Street;
THENCE, southwesterly along the northwestern right-of-way of Price Street approximately 350 feet to a point for corner, said point being the western right-of-way of Church Street;
THENCE, southerly along the western right-of-way of church Street approximately 4500 feet to a point for corner, said point being the north right-of-way of Aldridge Street;
THENCE, easterly along the north right-of-way of Aldridge approximately 1200 feet to a point for

corner said point being the western right-of-way of Magnum;

THENCE, northerly along the right-of-way of Magnum Street approximately 500 feet to a point for corner said point being the southern right-of-way of Knight street;

THENCE, easterly along the southern right-of-way of Knight St. approximately 600 feet to a point for corner, said point being the northeast right-of-way of S.H. 11;

THENCE, southeasterly along the northeastern right-of-way of S.H. 11 approximately 6,750 feet to a point for corner;

THENCE, southwesterly 300 feet to a point for corner;

THENCE, westerly approximately 4,260 feet, to a point for corner, said point being the east right-of-way of F.M. 3218 and the **BEGINNING**, and containing place of approximately 2,040 acres, more or less.

SECTION 2. That the City of Commerce finds the zone area meets the qualifications of the Act.

SECTION 3. That the City of Commerce will provide certain tax incentives applicable to business enterprises in the zone which are not applicable throughout the city as follows:

The City shall refund to any qualified business located in such enterprise zone the amount of tax paid under the Municipal Sales and Use Tax Act (Texas Tax CODE, Chapter 321) by the business and remitted to the Comptroller of Public Accounts up to the maximum extent authorized by Sections 2303.505 and 2303.506 of the Act, and for a period determined by the City, but which shall not exceed 5 years.

The City shall abate taxes on the increase in value of real property improvements for non-retail businesses that locate in a designated enterprise zone. The level of abatement shall be based upon the extent to which the business receiving the abatement creates jobs for qualified employees, in accordance with attached Exhibit A, and with qualified employee being defined by Section 3 (a)(11) of the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code.

Other incentives that may be negotiated in the proposed enterprise zone on a case by case basis are as follows (first 3 being offered only in the proposed enterprise zone):

- * Waiver of development fee
- * Accelerated zoning and permit procedures
- * Transfer of city owned surplus land at below market prices for the public purpose of economic development
- * Capital improvement in water and sewer facilities and road repair.
- * The City will apply for training grants for new permanent jobs as available and appropriate to the industry
- * One-stop permit
- * Improved fire and police protection

SECTION 4. That the area described in this ordinance is designated as an enterprise zone and a reinvestment zone, subject to the approval of the Texas Department of Commerce.

SECTION 5. That the City of Commerce directs and designates the City Manager, as the City's

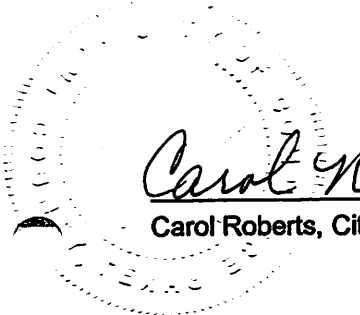
If any section, subsection, word, sentence, or phrase of this ordinance is declared to be invalid it shall not effect the validity of this ordinance.

An emergency is apparent for the immediate preservation of order, health, safety and general welfare of the public, all rules and regulation requiring the reading of said ordinance more than one time and on more than one occasion are hereby suspended.

**PASSED AND APPROVED BY THE CITY OF COMMERCE, COMMERCE, TEXAS ON THIS
THE 5th DAY OF SEPTEMBER, 1995.**

ATTEST:

CITY OF COMMERCE


Carol Roberts
Carol Roberts, City Secretary

John H. Sands
John Sands, Mayor

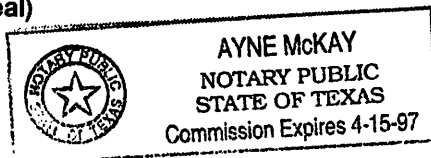
I, Carol Roberts, Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect;

(Seal)

Carol Roberts
Carol Roberts, City Secretary

Sworn to and subscribed before me, on this the 6 day of Sept, 1995,
to certify which witness my hand and seal of office.

(Seal)



Ayne McKay
Notary Public
State of Texas

THE STATE OF TEXAS, COUNTY OF DALLAS, ss. I, the undersigned, Clerk of the County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Dallas, Texas.

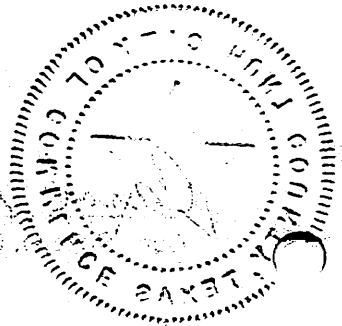
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Dallas, Texas, at Dallas, Texas, this 1st day of January, 1908.

JOHN W. BROWN, Clerk of the County of Dallas, Texas.

JOHN W. BROWN

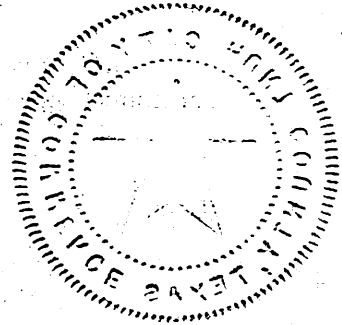
[Signature]
JOHN W. BROWN

[Signature]
JOHN W. BROWN



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[Signature]
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[Signature]
JOHN W. BROWN

JOHN W. BROWN
CLERK OF THE COUNTY
DALLAS, TEXAS

