

ORDINANCE NO. 2021-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS, DESIGNATING AN AREA AS THE "INDUSTRIAL PARK REINVESTMENT ZONE"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Commerce, Texas desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located within the city and to provide employment to residents of such area; and,

WHEREAS, the Texas Legislature has adopted the Property Redevelopment and Tax Abatement Act for the purpose of creating Reinvestment Zones within the State and promoting economic development; and

WHEREAS, it is necessary and in the best interest of the City to nominate such area as a Reinvestment Zone pursuant to the Property Redevelopment and Tax Abatement Act; and

WHEREAS, the City of Commerce qualifies for designation as the "Industrial Park Reinvestment Zone" under the Reinvestment Zone Program Rules;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS, THAT:

Section 1. The City Council hereby nominates the following area within the city limits of the City of Commerce, Texas, as the "Industrial Park Reinvestment Zone" in accordance with the Act:

Tract No. 1 (ZURN Legal Description): DESCRIPTION OF A 58.766 Acre Tract of Land situated in Hunt County, Texas, in the Swartout Survey, A-1022 and the Sayle Survey, A-1276.

BEING a tract parcel of land situated in Hunt County, Texas, being part of the Samuel Swartout Survey, Abstract No. 1022, and the N. A. Sayle Survey, Abstract No. 1276, and being the tract conveyed by Christeene Bullard to the Commerce Industrial Development Association by deed dated December 18, 1980, and recorded in the Deed Records of Hunt County in Volume 863, at Page 881, and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the centerline of a county road with the northerly line in a flare in the right-of-way of State Highway No. 11, said point being at the northwesterly corner of 1.858 acres conveyed by Knight to the State of Texas by deed recorded in said Deed Records in Volume 497, Page 538, said point also being at the most northerly southwest corner of said Bullard to Commerce Industrial Development Association tract;

THENCE N 1 deg. 05 min. 05 sec. E along said centerline of county road and west line of said Bullard to Commerce tract 1233.92 feet to an iron pin set in the southwesterly right-of-way line of the St. Louis and Southwestern Railroad, for a corner;

THENCE S 42 deg. 02 min. 54 sec. E. along said southwesterly right-of-way line 862.09 feet to an iron rod pin set at the beginning of a curve to the left in said right-of-way line, said

curve having a radius of 2914.79 feet and a central angle of 22 deg. 41 min. 21 sec.;

THENCE in a southeasterly direction along said curve and right-of-way line 1154.27 feet to an iron pin set at the end of said curve;

THENCE S 64 deg. 48 min. 07 sec. E. along said right-of-way line 814.68 feet to an iron pin set at the northeast corner of said Bullard to Commerce Tract, for a corner;

THENCE S 270 deg. 50 min. 54 sec. W. along the easterly line of said Bullard to Commerce tract 1298.68 feet to an iron pin set in the northeasterly right-of-way line of said State Highway No. 11, for a corner;

THENCE N 48 deg. 42 min. 00 sec. W. along said northeasterly right-of-way line 2092.66 feet to a concrete highway monument found at a flare in said right-of-way, for a corner;

THENCE N 11 deg. 30 min. 42 sec. W. along an easterly line of said flare 218.10 feet to an iron pin set, for a corner;

THENCE S 78 deg. 29 min. 18 sec. W. along the northerly line of said flare 40.00 feet to return to the place of BEGINNING and containing 58.766 acres of land of which 0.597 acres, more or less, lie in said county road, being the same property described in that one certain deed dated June 18, 1982 from COMMERCE INUSTRAIL DEVELOPMENT ASSOCIATION to WALLACE MURRAY CORPORATION.

Tract No. 2 (CEDC Legal Description): All that certain lot, tract or parcel of land situated in the S. Swarthouts Survey, Abstract No. 1022, Hunt County, Texas, being part of that certain tract of land described in the deed from OEP, Inc., to Commerce Economic Development Corporation, as recorded in Document Number 2011-3998 of the Real Records of Hunt County, Texas (hereinafter called Subject Tract), and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with plastic cap stamped "STOVALL & ASSOC." set (hereinafter called ½" iron rod set) for a corner lying in the North line of the said Subject Tract and the South line of the Union Pacific Railroad, the Northwest corner of Lot 1, Block A of the Replat of CEDC Industrial Park, Block A, Lot 1, as recorded in Cabinet H, Slide 37 of the Plat Records of Hunt County, Texas, said corner bears N. 64 deg. 40 min. 02 sec. W. a distance of 111.82 feet from a 1-1/2" iron pipe found for the Northeast corner of the said Subject Tract;

THENCE S. 25 deg. 02 min. 39 sec. W. at a distance of 49.77 feet passing a ½" iron rod stamped RPLS5892 found for the Northwest corner of that certain tract of land described in the deed from Commerce Economic Development Corporation to KLZ Stone Group Inc., as recorded in Document Number 2017--273 of the Records of Hunt County, Texas and continuing in all a distance of 262.58 feet along the West line of the said Stone tract to a ½" iron rod with plastic cap stamped "STOVALL & ASSOC." set (hereinafter called ½" iron rod set) for a corner at the beginning of a circular curve to the right;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 234.47 feet, with a radius of 69.19 feet, a central angle of 194 deg. 09 min. 51 sec., a chord bearing of S. 47 deg. 50 min. 39 sec. W. and a chord distance of 137.32 feet to a ½" iron rod set for a corner at the beginning of a circular curve to the right;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 28.30 feet, with a radius of 19.92 feet, a central angle of 81 deg. 24 min. 05 sec., a chord bearing of S. 07 deg. 11 min. 53 sec. E. and a chord distance of 25.98 feet to a ½" iron rod set for a corner at the end of a circular curve;

THENCE N. 64 deg. 34 min. 16 sec. W. a distance of 356.31 feet along the West line of the said Stone tract to a ½" iron rod set for a corner, an inside ell corner of the said Stone tract;

THENCE S. 25 deg. 25 min. 44 sec. W. a distance of 60.00 feet along the West line of the said Stone tract to a ½" iron rod found for a corner, an outside ell corner of the said Stone tract;

THENCE S. 64 deg. 34 min. 09 sec. E. a distance of 82.55 feet along the South line of the said Stone tract to a ½" iron rod set for a corner lying in the West line of that certain tract of land described in the deed from Commerce Economic Development Corporation to Northeast Texas Children's Museum, Inc., as recorded in Document Number 2019—05081 of the Records of Hunt County, Texas;

THENCE S. 28 deg. 08 min. 00 sec. W. a distance of 457.33 feet along the West line of the said Museum tract to a ½" iron rod set for a corner lying in the North right-of-way line of State Highway No. 11 and the South line of the said Subject Tract, the Southwest corner of the said Museum tract;

THENCE N. 48 deg. 34 min. 16 sec. W. a distance of 1255.09 feet along the North right-of-way line of the said State Highway No. 11 and the South line of the said Subject Tract to a ½" iron rod set for a corner, the Southwest corner of the said Subject Tract;

THENCE N. 41 deg. 22 min. 47 sec. E. a distance of 979.62 feet along the West line of the said Subject Tract to a ½" iron rod set for a corner lying in the South line of the said Union Pacific Railroad, the Northwest corner of the said Subject Tract and a circular curve to the left;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 248.61 feet, with a radius of 2914.79 feet, a central angle of 4 deg. 53 min. 13 sec., a chord bearing of S. 62 deg. 17 min. 39 sec. E. and a chord distance of 248.53 feet to a ½" iron rod set for a corner at the end of a circular curve;

THENCE S. 64 deg. 40 min. 02 sec. E. a distance of 703.28 feet along the South line of the said Union Pacific Railroad and the North line of the said Subject Tract to the POINT OF BEGINNING and containing 27.250 acres of land.

Tract No. 3 (KLZ Stone Group Legal Description): Being 16.382 acres of land, situated within the corporate limits of the City of Commerce, County of Hunt, State of Texas, being part of the Samuel Swartout Survey A-1022, also being part of three different tracts conveyed to Commerce Economic Development Corporation by the following deeds: a tract of land conveyed from Commerce Industrial Development Association to Commerce economic Development corporation on January 29, 1999 by warranty deed recorded in volume 547 page 200 of the Deed Records of said county; a called 30.669 acre tract conveyed from OEP Inc to Commerce Economic Development Corp on April 19, 2011 by general warranty deed recorded in Hunt County Clerk's Document number 2011-3998; and a called 10.01 acre tract of land conveyed from Jacoby Family Limited Partnership to Commerce Economic Development Corporation on July 19, 2013 by cash warranty deed recorded in Hunt County Clerk's Document number 2013-8957, said 16.382 acres also being part of Lot 1, Block A of CEDC Industrial Park as shown on the plat recorded in Envelope G-127 of the Plat Records of Hunt county Texas. The said 16.382-acre tract fully described by metes and bounds as follows:

Beginning at an X found chiseled in the centerline of County Road Number 4220, at the most southern southwest corner of the aforementioned Lot 1, said X also being the northern right of a tract of land conveyed from Eli Yarbrow and wife Jannie Yarbrow to Joe W. and wife Lona Knight on February 11, 1965 by deed recorded in volume 630, page 390 of the Deed Records of Hunt County Texas, said rod also being located in the common line of the Samuel Swartout Survey and the John Grilski Survey;

THENCE N 00°16'00" W, along the western boundary line of the aforementioned Lot 1,

and the northern right of way of State Highway Number 11, a distance of 40.00 feet to a ½ inch iron rod found at the southeast corner of the aforementioned called 10.01 acre Commerce Economic Development Corporation (hereafter called CEDC) tract;

THENCE N 29°31'28" E, along the west boundary line of the aforementioned Lot 1, and the east boundary line of the aforementioned called 10.01-acre CEDC tract, a distance of 521.00 feet to a ½ inch capped iron rod set;

THENCE N 66°02'56" W, crossing the common boundary line of the aforementioned called 10.01-acre CEDC tract and the aforementioned called 30.669-acre CEDC tract, and continuing on for a total distance of 800.91 feet to a ½ inch capped iron rod set;

THENCE N 23°56'57" E, a distance of 60.00 feet to a ½ inch capped iron rod set;

THENCE S 66°03'03" E, a distance of 20.52 feet to a ½ inch capped iron rod set;

THENCE N 23°33'18" E, a distance of 356.31 feet to a ½ inch capped iron rod set at the beginning of a curve to the left having a radius of 19.92 feet and a central angle of 81°24'39";

THENCE along the aforementioned curve to the left an arc distance of 28.30 feet (chord bearing and distance of N 08°40'40" W, 25.98 feet) to a ½ inch capped iron rod set at the point of a reversing curve to the right, said curve to the right having a radius of 69.19 feet and a central angle of 194°08'43";

THENCE along the aforementioned curve to the right an arc distance of 234.44 feet (chord bearing and distance of N 46°21'52" E, 137.32 feet) to a ½ inch capped iron rod set at another point of a reversing curve to the left, said curve to the left having a radius of 43.96 feet and a central angle of 28°05'52";

THENCE along the aforementioned curve to the left an arc distance of 21.56 feet (chord bearing and distance of S 51°30'06" E, 21.34 feet) to a ½ inch capped iron rod set;

THENCE 23°33'18" E, a distance of 212.57 feet to a ½ inch capped iron rod set;

THENCE S 66°08'11" E, crossing the common boundary line of the aforementioned called 30.669 acre CEDC tract and the aforementioned Lot 1, continuing on parallel to and 50.00 feet southerly of the north boundary line of said Lot 1, for a total distance of 861.24 feet to a ½ inch capped iron rod set in the east boundary line of said Lot 1 and in the west boundary line of a called 20.00 acre tract of land conveyed from Commerce Economic Development Corporation to Delaware Valley Wool Scouring Co on July 28, 2011 by correction special warranty deed recorded in Hunt County Clerk's Document Number 2011-7966, and from said rod a ½ inch iron rod found at the northeast corner of said Lot 1 and at the northwest corner of said called 20.00 acre tract bears N 29°32'06" E, a distance of 50.25 feet;

THENCE S 29°32'06" W, along the common boundary line of the aforementioned Lot 1 and the aforementioned called 20.00-acre tract, a distance of 1,244.76 feet to a ½ inch iron rod found;

THENCE N 88°20'47" E, along the common boundary line of the aforementioned Lot 1 and the aforementioned called 20.00-acre tract, a distance of 51.48 feet to a ½ inch iron rod found;

THENCE S 01°29'16" E, along the common boundary line of the aforementioned Lot 1 and the aforementioned called 20.00 acre tract, a distance of 61.83 feet to a ½ inch iron rod found in the centerline of County Road Number 4220, said rod being the most southern southeast corner of said Lot 1 and the most southern southwest corner of said called 20.00 acre tract, and said rod also being located in the north boundary line of the aforementioned Knight tract, said rod also being located in the common line of the Samuel Swartout Survey and the John Grilski Survey;

THENCE S 89°12'21" W, along the centerline of County Road Number 4220,

being common boundary line of the aforementioned Lot 1 and the aforementioned Knight tract as well as along the common line of the Samuel Swartout Survey and the John Grilski Survey, a distance of 134.31 feet to the point of beginning and containing 16.382 acres of land.

Section 2. The City Council certifies that the Zone area nominated above meets the criteria of § 312.202 of the Property Redevelopment and Tax Abatement Act by satisfying purpose (6) which specifies that the designation of this area as a Reinvestment Zone would likely contribute to the retention or expansion of primary employment or attract major investment in the zone that would benefit the property and contribute to economic development, and therefore qualifies, as specified in the Act.

Section 3. That the area described in this ordinance is designated as Reinvestment Zone No. 2020-01.

Section 4. The City Council directs and designates the Mayor to be the City's authorized representative to act in all matters pertaining to the nomination and designation of the area described herein as the Industrial Park Reinvestment Zone within the City of Commerce, Texas.

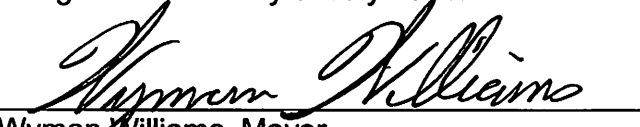
Section 5. The City Council further directs and designates the Mayor or his designated representative as the liaison for communication with the State of Texas, to administer the Reinvestment Zone Program and exercise oversight of same.

Section 6. A public hearing to consider this Ordinance was held pursuant to the terms and conditions of the Act.

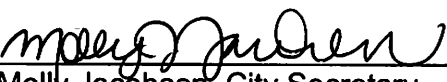
Section 7. This Ordinance shall take effect from and after its passage as the law in such case provides.

PRESENTED AND GIVEN FIRST READING on the 15th day of June 2021, at a regular meeting of the City Council of the City of Commerce, Texas; and

GIVEN SECOND READING, PASSED AND APPROVED by the City Council of the City of Commerce, Texas at a regular meeting on the 20th day of July 2021.


Wyman Williams, Mayor

ATTEST:


Molly Jacobsen, City Secretary

APPROVED:



Charles Anderson, City Attorney