

CITY OF LAVON, TEXAS
ORDINANCE NO. 2020-07-02

Extension of Local Option – Sale of Beer and Wine for Off-Premise Consumption
LakePointe

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AUTHORIZING THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION PURSUANT TO THE AUTHORITY OF TEXAS ALCOHOLIC BEVERAGE CODE, SECTION 251.725 TO COMMERCIALY-ZONED PROPERTY IN THE LAKEPOINTE ADDITION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the residents of the City of Lavon, Texas voted in favor of the legal sale of beer and wine for off-premise consumption on November 2, 2010; and

WHEREAS, the City of Lavon annexed the property shown on Exhibit “A” on July 2, 2019; and

WHEREAS, the property shown on Exhibit “A” is less than one percent (1%) of the total area covered by the city of Lavon, and

WHEREAS, all of the land proposed for the extension of the local option in the annexed area is zoned for commercial use only; and

WHEREAS, the land proposed for the extension of the local option in the annexed area is not adjacent to residential, church or school property; and

WHEREAS, all conditions described in the Texas Alcoholic Beverage Code, Section 251.725 have been met.

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

SECTION 1. Findings.

The above findings are hereby found to be true and correct and are incorporated herein in their entirety.

SECTION 2. Authorization.

The property shown on Exhibit “A” attached hereto and incorporated herein is hereby legally authorized for the sale of beer and wine for off-premise consumption. No townhome or multi-family developments shall be developed directly adjacent to property that is developed for the sale of beer and wine for off-premise consumption.

SECTION 3. Severability Clause.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. Cumulative/Repealer Clause.

This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Lavon, Texas, whether codified or uncodified, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

SECTION 6. Savings Clause.

Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

SECTION 7. Effective Date.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 7th day of July 2020.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/City Secretary



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EXHIBIT A

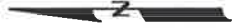
LakePointe Addition – 27 acres

CORWIN ENGINEERING, INC.

200 W. Belmont, Suite E Allen, Texas 75013 (972) 396-1200
TBPLS*10031700



SCALE: 1" = 200'



$\Delta = 05^{\circ}15'02''$
 $R = 5729.58'$
 $L = 525.07'$
 $C = 524.89'$
 $B = N19^{\circ}21'16''E$

POINT OF BEGINNING

S89° 00'51"E 376.39'

N89° 32'36"E 931.18'

N54° 55'30"E
87.34'

N19° 58'32"E 419.76'

S01° 00'58"W 974.46'

200.9089 ACRE TRACT
DOC. NO. 20180821001049570

S01° 01'15"W
9.75'

N88° 58'45"W
120.00'

N88° 51'33"W 624.63'

S33° 46'44"W 344.38'

N88° 51'33"W
168.46'

N88° 51'33"W 579.95'

N01° 01'15"E
300.00'

BOUNDARY EXHIBIT - 27.908 AC.
LAKEPOINTE
CITY OF LAVON
COLLIN COUNTY, TEXAS

LEGAL DESCRIPTION

BEING a tract of land situated in the Samuel M. Ranier Survey, Abstract Number 740, in the City of Lavon, Collin County, Texas, being part of a 200.9089 acre tract, as described Document No. 20180821001049570, in the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING, at a 5/8 inch iron rod found with Txdot Alum. cap at the northeast corner of said 200.9089 acre tract being in the south line of F.M. 6 (Variable R.O.W.);

THENCE, South 01°00'58" West, along the east line of said 200.9089 acre tract, for a distance of 974.46 feet, to a calculated point;

THENCE, North 88°51'33" West, departing said east line, for a distance of 579.95 feet, to a calculated point;

THENCE, North 01°01'15" East, for a distance of 300.00 feet, to a calculated point;

THENCE, North 88°58'45" West, for a distance of 120.00 feet, to a calculated point;

THENCE, South 01°01'15" West, for a distance of 9.75 feet, to a calculated point;

THENCE, North 88°51'33" West, for a distance of 624.63 feet, to a calculated point;

THENCE, South 33°46'44" West, for a distance of 344.38 feet, to a calculated point;

THENCE, North 88°51'33" West, for a distance of 168.46 feet, to a calculated point in the west line of said 200.9089 acre tract and being the east line of State Highway 78 (Variable R.O.W.) and being on a curve to the left, having a radius of 5,729.58 feet, a central angle of 05°15'02";

THENCE, along the east line of said State Highway 78 and the west line of said 200.9089 acre tract and with said curve to the left for an arc distance of 525.07 feet (Chord Bearing North 19°21'16" East – 524.89 feet), a 5/8 inch iron rod found with Txdot Alum. cap;

THENCE, North 19°58'32" East, continuing along said lines, for a distance of 419.76 feet, to a ½ inch iron rod found at the most westerly northwest corner of said 200.9089 acre tract;

THENCE, North 54°55'30" East, departing the east line of said State Highway 78 and along the north line of said 200.9089 acre tract, for a distance of 87.34 feet, to a 5/8 inch iron rod found with Txdot Alum. cap in the south line of said F.M. 6;

THENCE, North 89°32'36" East, continuing along said north line and with said south line, for a distance of 931.18 feet, a 5/8 inch iron rod found with Txdot Alum. cap;

THENCE, South 89°00'51" East, continuing along said lines, for a distance of 376.39 feet, to the POINT OF BEGINNING and containing 27.908 acres of land.