

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. 790-25**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS AMENDING EXHIBIT 14A, "ZONING ORDINANCE," IN CHAPTER 14, "ZONING", THE "ZONING ORDINANCE OF THE TOWN OF BARTONVILLE", AS AMENDED, TO REZONE APPROXIMATELY ONE HUNDRED ACRES OF LAND, A PORTION OF WHICH IS SITUATED IN THE NEWTON ALLSUP SURVEY, ABSTRACT NO. 3, AND A PORTION OF WHICH INCLUDES PART OF LOT 1 AND ALL OF LOT 2, BLOCK "A" OF THE WALLING ADDITION, TOWN OF BARTONVILLE, DENTON COUNTY TEXAS; THE PROPERTY IS LOCATED WEST OF GIBBONS ROAD, NORTH OF WEST JETER ROAD, AND SOUTH OF FRENCHTOWN ROAD, IN THE TOWN, AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A" ATTACHED HERETO, FROM A ZONING DESIGNATION OF AGRICULTURAL DISTRICT (AG) TO A ZONING DESIGNATION OF RESIDENTIAL ESTATES 5 (RE-5), AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING THAT A VIOLATION IS A CLASS C MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH VIOLATION AND PROVIDING THAT A SEPARATE VIOLATION SHALL OCCUR ON EACH DAY OR PART OF A DAY THAT A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town of Bartonville, Texas, is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the Town has the authority to adopt a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare; and

WHEREAS, the owner of tracts of land, totaling one hundred and three-hundred sixteen thousandths (100.316) acres, west of Gibbons Road, North of West Jeter Road, and south of Frenchtown Road, in Bartonville, Texas, as more specifically described in Exhibit "A" hereto (the "Property"), has initiated an application on the hereinafter described Property to re-zone same; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the Town of Bartonville on the 1st day of October 2025, and by the Town Council of the Town of Bartonville on the 21st day of October 2025, with respect to the zoning change described herein; and

WHEREAS, having provided the public an opportunity to be heard and having received the recommendation of the Planning and Zoning Commission regarding the request to rezone the Property from the zoning designation of Agricultural District (AG) to a zoning designation of Residential Estates 5 (RE-5), the Council has determined that the requested change to the zoning of the Property should be granted and that both the Comprehensive Zoning Ordinance and the Official Zoning Map of the Town should be amended to reflect the change in zoning of the Property to RE-5; and

WHEREAS, the Town Council finds that all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the Town Council of the Town of Bartonville, Texas further finds that the requested rezoning is consistent with the Town of Bartonville Comprehensive Plan, and that approval of the amendment to the Comprehensive Zoning Ordinance and the Official Zoning Map of the Town, as described herein, serves the interests of the public health, safety, and welfare.

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

**SECTION 1.
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes

**SECTION 2.
AMENDMENT**

The Comprehensive Zoning Ordinance of the Town of Bartonville, Chapter 14, "Zoning" of the Code of Ordinances of the Town, as amended, is hereby amended to reflect a change to the zoning designation from Agricultural District (AG) to Residential Estates 5 (RE-5) on an approximate one hundred and three-hundred sixteen thousandths (100.316) acres of land situated in the Newton Allsup Survey, Abstract Number 3, Town of Bartonville, Denton County Texas, being part of that certain called 65.366 acre tract of land described as East Tract and part of that certain called 35.000 acre tract of land described as West Tract, and being part of Lot 1 and all of Lot 2, Block A of Walling Addition, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Document Number 2022-439 of the Plat Records of Denton County, Texas, as more particularly described and depicted in **Exhibit "A"**

attached hereto and incorporated herein for all purposes (the "Property"). The Property is located west of Gibbons Road, North of West Jeter Road, and south of Frenchtown Road, in the Town of Bartonville.

SECTION 3. OFFICIAL ZONING MAP AMENDED

The Official Zoning Map of the Town is hereby amended to reflect the change in zoning designation for the Property described hereinabove, and the Town Secretary is hereby directed to amend the Official Zoning Map of the Town to reflect the change in the zoning classification of the Property from Agricultural District (AG) to Residential Estates 5 (RE-5) .

SECTION 4. CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such ordinance and for that purpose the ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY

It is hereby declared to be the intention of the Town Council of The Town of Bartonville 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 should 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, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6. SAVINGS

All rights and remedies of the Town of Bartonville are expressly saved as to any and all violations of the provisions of any Ordinances affecting zoning classifications or changes in zoning classifications, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in

court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.
ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 8.
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption, Penalty Clause, and the Effective Date of this Ordinance for two (2) days.

**SECTION 9.
PENALTY**

Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the Town of Bartonville, Texas, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day or part of a day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 10.
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and publication, as the law provides.

DULY PASSED AND APPROVED by the Town Council of the Town of Bartonville, Texas, on the 21st day of October 2025.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary

Exhibit A
Legal Description
100.316 Acres
part of Walling Addition
Town of Bartonville
Denton County, Texas

Being all that certain lot, tract or parcel of land situated in the Newton Allsup Survey, Abstract Number 3, Town of Bartonville, Denton County, Texas, and being part of that certain called 65.366 acre tract of land described as East Tract and part of that certain called 35.000 acre tract of land described as West Tract in deed in favor of Peter T. Walling and wife, Janice M. Walling recorded in Volume 1246, Page 652 of the Deed Records of Denton County, Texas, and being part of Lot 1 and all of Lot 2, Block A of Walling Addition, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Document Number 2022-439 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the northeast corner of said 65.336 acre East Tract and the northeast corner of said Lot 1, Block A of Walling Addition, being the northwest corner of Lot 1 of Gibbons Creek Estates, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Cabinet H, Page 186 of the Plat Records of Denton County, Texas, and being on the south line of Lot 16, Block D of Brasher Estates, an addition to Denton County, Texas, according to the plat thereof recorded in Cabinet A, Page 133 (Document Number 1969-8620) of the Plat Records of Denton County, Texas;

THENCE S 01°13'50" E, with the east line of said 65.366 acre East Tract and the east line of said Lot 1, Block A of Walling Addition, passing at 518.6 feet, a 1/2" rebar found at the southwest corner of said Lot 1 and the northwest corner of Lot 4 of said Gibbons Creek Estates, continuing with said line, passing at 784.4, the most easterly southeast corner of said Lot 1, Block A of Walling Addition and the northeast corner of said Lot 2, Block A of Walling Addition, continuing with the east line thereof, passing at 2,225.4 feet a 1/2" rebar found at the southwest corner of Lot 8 of said Gibbons Creek Estates and the northwest corner of that certain called 5.3000 acre tract of land described in deed in favor of Joshua T. Phillips and wife, Stephanie R. Phillips recorded in Document Number 2012-60408 of the Real Property Records of Denton County, Texas, continuing with the west line thereof a total distance of 2,641.28 feet to a 1/2" capped rebar set (MCADAMS) at the southeast corner of said Lot 2, Block A of Walling Addition, being the northeast corner of a right-of-way dedication for Jeter Road (a public Roadway) shown on said plat of Walling Addition, from which a 1/2" capped rebar found (EAGLE) at the southeast corner of said 65.366 acre East Tract and the southeast corner of said Walling Addition bears S 01°13'50" E, 1.6 feet;

THENCE N 89°40'40" W, with the south line of said Lot 2, Block A of Walling Addition and the north line of said right-of-way dedication for Jeter Road, passing at 355.82 feet the southwest corner of said Lot 2, Block A of Walling addition and the most southerly southeast corner of said Lot 1, Block A of Walling Addition, from which a 1/2" capped rebar found (EAGLE) bears S

10°45'35" E, 1.3 feet, continuing with the south line of said Lot 1, Block A of Walling Addition, passing at 1,082.4 feet the west line of said 65.366 acre East Tract and the east line of said 35.000 acre West Tract, continuing a total distance of 1,196.10 feet to the west corner of said right-of-way dedication for Jeter Road, being on the south line of said 35.000 acre West Tract;

THENCE N 89°36'00" W, 480.41 feet continuing with the south line of said Lot 1, Block A of Walling Addition, the south line of said 35.000 acre West Tract and the north line of said Jeter Road to a 1/2" rebar found at the southwest corner of said Lot 1, Block A of Walling Addition and the southwest corner of said 35.000 acre West Tract, being on the east line a called 20.00 acre tract of land described in deed in favor of William Dan Reynolds and wife, Olga Nelia Reynolds recorded in Volume 551, Page 248 of the Deed Records of Denton County, Texas;

THENCE N 02°03'50" W, with the west line of said 35.000 acre West Tract and the east line of said 20.00 acre tract, passing at 5.8 feet a 1/2" capped rebar found (4561) at the northeast corner of a called 0.441 acre right-of-way dedication shown on the plat of Hidden Glen, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Cabinet X, Page 58 (Document Number 2006-54916) of the Plat Records of Denton County, Texas, continuing with said line departing the east line of said Hidden Glen and the west line of said Lot 1, Block A of Walling Addition, passing at 1,665.5 feet the northeast corner of said 20.00 acre tract, being the southeast corner of that certain called thirty (30) acre tract of land described in deed in favor of Conway W. Moore and wife, Louise E. Moore recorded in Volume 528, Page 668 of the Deed Records of Denton County, Texas, from which a 3/8" rebar found at the northeast corner of Lot 2 of said Hidden Glen, being an angle point in the west line of said Lot 1, Block A of Walling Addition bears West, 2.3 feet, continuing with said east line of said thirty (30) acre tract, passing at 2,227.0 the northeast corner thereof and being the southeast corner of a called twenty (20) acre tract of land described in deed in favor of Sam T. Rountree and wife, Dolores N. Rountree recorded in Volume 528, Page 665 of the Deed Records of Denton County, Texas, from which a 1/2" rebar found bears West, 0.6 feet, continuing with the east line of said twenty (20) acre tract a total distance of 2,567.38 feet to a 1/2" capped rebar set (MCADAMS) at the northwest corner of said 35.000 acre West Tract, the northwest corner of said Lot 1, Block A of Walling Addition and the northeast corner of said twenty (20) acre tract, being on the south line of that certain called 19.767 acre tract of land described as Third Tract in deed in favor of Charles A. Greene and Ruth Ann Greene, Co- Trustees, recorded in Document Number 2008-134799 of the Real Property Records of Denton County, Texas;

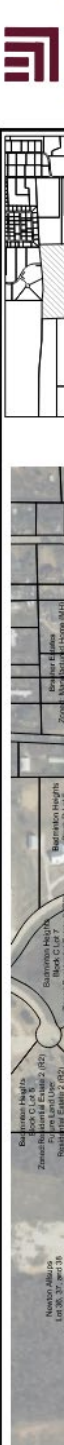
THENCE N 89°53'25" E, 405.46 feet with the north line of said 35.000 acre West Tract, the north line of said Lot 1, Block A of Walling Addition and the south line of said 19.767 acre tract to a 1/2" capped rebar found (G&A) at the southeast corner of said 19.767 acre tract and the southwest corner of Lot 6, Block C of Badminton Heights, an addition to the Town of Bartonville, Denton County, Texas, according to the plat thereof recorded in Cabinet W, Page 39 (Document Number 2004-166465) of the Plat Records of Denton County, Texas;

THENCE S 84°12'05" E, 272.76 feet continuing with the north line of said 35.000 acre West Tract, the north line of said Lot 1, Block A of Walling Addition and with the south line of said Lot 6, Block C of Badminton Heights to a 1/2" rebar found at an angle point;

THENCE N 86°40'10" E, continuing with the north line of said 35.000 acre West Tract, the north line of said Lot 1, Block A of Walling Addition and the south line of said Lot 6, Block C of Badminton Heights, passing at 286.4 feet a 1/2" capped rebar found (G&A) at the southeast corner of said Lot 6 and the southwest corner of Lot 7, Block C of said Badminton Heights, continuing with the south line of said Lot 7, Block C a total distance of 329.13 feet to a 5/8" rebar found at an angle point;

THENCE N 83°54'00" E, continuing with the north line of said 35.000 acre West Tract, the north line of said Lot 1, Block A of Walling Addition and the south line of said Lot 7, Block C of Badminton Heights, passing at 217.19 feet a 1/2" capped rebar found (G&A) at the southeast corner of said Lot 7, Block C, being on the west line of Badminton Drive (called 70' right-of-way), continuing with the south line of said Badminton Drive, passing at 287.65 feet a 1/2" rebar found on the east line thereof at the southwest corner of Lot 5, Block D of said Badminton Heights, continuing with the south line of said Lot 5, Block D a total distance of 653.64 feet to a 1/2" rebar found at the southwest corner of said Lot 5, Block C, and being the southwest corner of Lots 15 and 16, Block D of the aforementioned Brasher Estates;

THENCE N 86°53'40" E, 56.96 feet continuing with the north line of said 35.000 acre West Tract, the north line of said Lot 1, Block A of Walling Addition and with the south line of said Lot 16, Block D of Brasher Estates to the POINT OF BEGINNING and containing approximately 100.316 acres of land.



McAdams Engineering
The above McAdams Engineering, Inc.
4400 130th Avenue, Suite 100
Minnetonka, MN 55345
Phone: 952.346.9722
Fax: 952.346.9725
www.mcadamseng.com

WALLING TRACT

ZONING EXHIBIT

TOWN OF BARTHOVILLE, DENTON COUNTY TEXAS

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

PLAN INFORMATION

PROJECT: M-1 SPECIES

DATE: 07/20/2023

DRAWN BY: JF

CHECKED BY: JF

SHEET: 07/20/2023

REVISIONS

NO.	REVISION
1	ISSUED

CLURT

McAdams Engineering, LLC
13000 Highway 101
Minnetonka, MN 55345

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)

WALLING TRACT

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: AGRICULTURE (AG)