

ORDINANCE NO. 910

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964, DULY PASSED BY THE CITY COUNCIL ON AUGUST 17, 1964, SO AS TO GRANT A CHANGE OF ZONING ON A TRACT OF LAND SITUATED IN THE E. BARROUX SURVEY, ABSTRACT NO. 161, AND OUT OF THE NORTHWEST CORNER OF THE HARRY SELLERS 80.38 ACRE TRACT AND CONTAINING 6.636 ACRES GROSS AREA, LESS 0.287 ACRE FOR PROPOSED WILKINSON ROAD, LEAVING 6.349 ACRES NET AREA, FROM "LR" LOCAL RETAIL DISTRICT TO "R-3" SINGLE-FAMILY DWELLING DISTRICT, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF THE 1964 ZONING ORDINANCE NOT IN CONFLICT HERewith; BY MAKING APPLICABLE ALL REGULATIONS OF THE 1964 ZONING ORDINANCE TO THE LAND HERewith ZONED; BY PROVIDING THAT THE FOREGOING ZONING IS GRANTED SUBJECT TO ANY DEVELOPMENT BEING IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES OF THE CITY OF MESQUITE; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State Laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise and, after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the said change of zoning should be granted herein:

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

SECTION 1. That the Comprehensive Zoning Ordinance of 1964, duly passed by the City Council of the City of Mesquite, Texas, on the 17th day of August, 1964, be, and the same is, hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning from "LR" Local Retail District to "R-3" Single-Family Dwelling District on the property described in Exhibit "A" attached hereto as a part of this Ordinance, said property being in the City of Mesquite, Dallas County, Texas.

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SECTION 2. That all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed, and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the property described in Exhibit "A" and attached hereto shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

SECTION 4. That the foregoing zoning change shall be, and it is granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 858 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That 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 Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Exhibit "A" requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

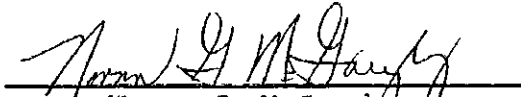
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DULY PASSED by the City Council of the City of Mesquite, Texas,
on the 7th day of December, A.D., 1970.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

AN ATTACHMENT TO ORDINANCE NO. 910

EXHIBIT "A"

(FROM "LR" TO "R-3")

BEING a tract of land situated in the E. Barroux Survey, Abstract No. 161, Dallas County, Texas, and being out of the Northwest corner of the Harry Sellers 80.38 Acre Tract, said tract deeded from Sam W. Laughlin to Casa Terrace, Inc., as recorded in Volume 5135, at Page 443 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the South line of Sierra Drive, (a 60 foot Right-of-Way), and the West line of the said Harry Sellers Tract, an iron stake for corner;

THENCE, North 89° 50' East, along the said Sierra Drive South line, a distance of 671.68 feet to a point in the centerline of a drainage channel, an iron stake for corner;

THENCE, along said drainage channel centerline, the following:

South 0° 10' East, a distance of 104.24 feet to an iron stake for corner;

South 9° 10' East, a distance of 299.41 feet to an iron stake for corner;

South 0° 34' West, a distance of 17.00 feet to an iron stake for corner;

THENCE, South 89° 50' West, leaving said drainage channel centerline and proceeding a distance of 724.36 feet to a point in the said Harry Sellers tract West line, an iron stake for corner;

THENCE, North 0° 40' East, along said Harry Sellers tract West line, a distance of 417.00 feet to the PLACE OF BEGINNING and containing 6.636 acres gross area, less 0.287 acre for proposed Wilkinson Road, leaving 6.349 Acres net area.

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