

00003

ORDINANCE NO. 972

CASE 362-1

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 FROM "R-3" SINGLE FAMILY DWELLING DISTRICT TO "I" INDUSTRIAL DISTRICT, SAID PROPERTY LOCATED IN THE J. R. WARRALL SURVEY, ABSTRACT NO. 1607, THOMAS SCOTT SURVEY, ABSTRACT NO. 1353, AND THE W. CARUTH SURVEY, ABSTRACT NO. 362, BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND FURTHER DESCRIBED IN SECTION 1 OF THIS ORDINANCE; 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 OF THE LAND BEING IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; 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 Planning 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 on the following described property from "R-3" Single Family Dwelling District to "I" Industrial District, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

C0004  
20000

ORDINANCE/PAGE 2  
CASE 362-1

ALL that parcel of land in the City of Mesquite and located in the J. R. Warrall Survey, Abstract No. 1607, Thomas Scott Survey, Abstract No. 1353, and the W. Caruth Survey, Abstract No. 362 and being a part of a 137.34 acre tract of land conveyed to Maude Jobson on August 13, 1926 and recorded in Volume 1380, Page 128 and being more fully described as follows:

BEGINNING at the Southwest corner of said Jobson tract and on the North line of the Texas & Pacific Railroad;

THENCE North 5° 45' West 616 feet with Jobson West line to corner;

THENCE East 12 feet to corner on the West line of the Caruth Survey and in road;

THENCE North 558 feet to corner in Long Creek Road on the South line of the S. D. Lawrence tract;

THENCE East 820 feet to an angle in Long Creek Road;

THENCE Northeasterly 182 feet, with Long Creek Road to the West line of a 30 foot street conveyed to the City of Mesquite by Maude Jobson;

THENCE South with the West line of said 30 foot strip, at 608.9 feet pass the Northwest corner of a 14.133 acre tract conveyed to the City of Mesquite by Maude Jobson, continue a total distance of 1331.9 feet to the North line of the Texas & Pacific railroad;

THENCE North 83° 45' West 987.5 feet to the Place of Beginning and Containing 27.00 acres of land, more or less.

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 above-described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

0000  
0005

ORDINANCE/PAGE 3  
CASE 362-1


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.

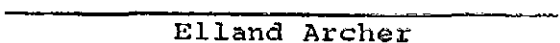
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the above-described property 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.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 7 day of September, A. D., 1971.

  
George Boyce  
Mayor

ATTEST:  
  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:  
  
Elland Archer  
City Attorney

90000  
00006