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ORDINANCE NO. 1219

CASE 1605-1

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, SO AS TO GRANT A CONDITIONAL USE DESIGNATION FOR AN ELECTRICAL POWER SUBSTATION USE FOR THAT LAND DESCRIBED AS PART OF TRACT 3, ABSTRACT NO. 1603 AND FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART 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 1973 COMPREHENSIVE ZONING ORDINANCE NOT IN CONFLICT HERewith; BY PROVIDING THAT THE FOREGOING ZONING CHANGE IS GRANTED SUBJECT TO THE PROVISIONS OF CURRENT AND FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING FOR 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 and Zoning 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 notice 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 1973 duly passed by the City Council of the City of Mesquite, Texas on the 4th day of September 1973, be, and the same

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is hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning on the property described in Exhibit "A", as attached hereto and made a part of this ordinance, by granting a conditional use designation as an electrical power substation.

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all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed, and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.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" shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of 1973.

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 improvements 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 as decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

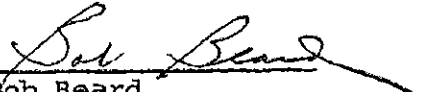
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred 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, creates an urgency and an emergency for the preservation of the public health, safety, and

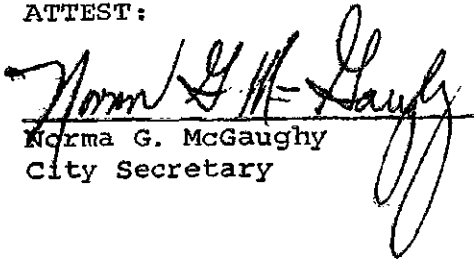
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welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 4 day of November, A.D., 1974.

  
\_\_\_\_\_  
Bob Beard  
Mayor

ATTEST:

  
\_\_\_\_\_  
Norma G. McGaughey  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Elland Archer  
City Attorney

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EXHIBIT "A"

TEXAS POWER & LIGHT COMPANY  
MESQUITE TOWN EAST SUBSTATION SITE:

Being that certain .88 acre tract out of a larger 7.27 acre tract of land lying and situated in Dallas County, Texas, in the Adeline S. Warrell Survey, Abstract No. 1605, conveyed to Texas Power & Light Company by Dr. O. W. Gibbons by warranty deed dated May 21, 1964, recorded and filed in Vol. 351, Page 082. Deed Records of Dallas County, Texas, and being further described:

BEGINNING at the intersection of Barnes Bridge Road and Balt Line Road, thence in a Southerly direction approximately 890 ft. to the centerline of an existing transmission line;

THENCE South  $84^{\circ}-40'$  West 357 $\frac{1}{2}$  feet to an angle;

THENCE South  $89^{\circ}-30'$  West 562 feet to a point;

THENCE South  $00^{\circ}-30'$  East 50 feet for the place of beginning;

beginning:

THENCE South  $89^{\circ}-30'$  West 380 feet to corner;

THENCE North  $00^{\circ}-30'$  West 100 feet to corner;

THENCE North  $89^{\circ}-30'$  East 380 feet to corner;

THENCE South  $00^{\circ}-30'$  East 100 feet to the place of beginning.

