

ORDINANCE NO. 1262

HUNT PROPERTIES - TR. 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 CHANGE OF ZONING FROM "R-2" SINGLE FAMILY RESIDENTIAL TO INDUSTRIAL; SAID PROPERTY BEING LOCATED IN THE DANIEL TANNER SURVEY, ABSTRACT 1462, SHEET 15, BOUNDED BY SOUTH PARKWAY ON THE NORTHEAST, FORNEY ROAD ON THE NORTHWEST, AND A LINE APPROXIMATELY 250 FEET NORTHEAST OF AND PARALLEL TO TOWN EAST BLVD., CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" AS 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 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING CHANGES ARE GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR 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 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:

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TRACT 1 - HUNT PROPERTIES

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 is, hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning from "R-2" Single Family Residential to Industrial; said property being located in the Daniel Tanner Survey, Abstract 1462, Sheet 15, bounded by South Parkway on the northeast, Forney Road on the northwest, and a line approximately 250 feet northeast of and parallel to Town East Blvd., City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" as attached hereto and made a part of this ordinance.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes 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 improvement ordinances of the City of Mesquite, including Ordinance No. 1249 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 deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above 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 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of September, A.D. 1975.

Brunhilde Nystrom
Brunhilde Nystrom
Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

Norma G. McGaughy
Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

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July 16, 1975

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TRACT I
FIELD NOTES
FOR REZONING
CITY OF MESQUITE, DALLAS COUNTY, TEXAS
FOR CAROLINE HUNT TRUST ESTATE

Being a tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, and being part of the Daniel Tanner Survey, Abstract 1462, and being part of the tract of land conveyed to Caroline Hunt Trust Estate by instrument recorded January 15, 1963, in the Deed Records of Dallas County, Texas, and also being part of the tract of land conveyed to said Caroline Hunt Trust Estate by instrument recorded June 3, 1959, in the Deed Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at a point for corner at the intersection of the southeasterly line of Forney Road (60 feet wide) and the southwesterly line of South Parkway (50 feet wide);

THENCE South $45^{\circ} 03'$ East along the southwesterly line of South Parkway a distance of 620.84 feet to the beginning of a curve to the right;

THENCE in a southeasterly direction continuing along the southwesterly line of South Parkway and along said curve to the right having a radius of 1005.68 feet, a central angle of $11^{\circ} 05' 20''$, and an arc length of 194.64 feet to the end of said curve to the right;

THENCE South $33^{\circ} 57' 40''$ East continuing along the southwesterly line of South Parkway a distance of 119.61 feet to the beginning of a curve to the left;

THENCE in a southeasterly and easterly direction continuing along the southwesterly line of South Parkway and along said curve to the left having a radius of 262.22 feet, a central angle of $53^{\circ} 38' 05''$, and an arc length of 245.47 feet to the end of said curve to the left;

THENCE South $87^{\circ} 35' 45''$ East continuing along the southwesterly line of South Parkway a distance of 347.81 feet to the beginning of a curve to the right;

THENCE in an easterly and southeasterly direction continuing along the southwesterly

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line of South Parkway and along said curve to the right having a radius of 225.12 feet, a central angle of $43^{\circ} 36' 05''$, and an arc length of 171.31 feet to the end of said curve to the right;

THENCE South $43^{\circ} 59' 40''$ East continuing along the southwesterly line of South Parkway a distance of 432.68 feet to a point for corner in the southeasterly line of a Dallas Power & Light Company 125 foot right-of-way conveyed to Dallas Power & Light Company by instrument recorded June 9, 1961 in the Deed Records of Dallas County, Texas;

THENCE South $44^{\circ} 56' 45''$ West along said southeasterly line of a Dallas Power & Light Company 125 foot right-of-way a distance of 1147.64 feet to a point for corner;

THENCE South $44^{\circ} 48' 15''$ East a distance of 1222.27 feet to a point for corner;

THENCE South $23^{\circ} 42' 50''$ West a distance of 752.26 feet to a point for corner in the northerly line of Skyline Drive (120 feet wide);

THENCE North $44^{\circ} 48' 15''$ West 300.00 feet northeasterly of and parallel with the northeasterly line of Town East Boulevard a distance of 3500.79 feet to a point for corner in the southeasterly line of Forney Road;

THENCE North 45° East along the southeasterly line of Forney Road a distance of 1530.25 feet to the POINT OF BEGINNING and containing 97.2145 Acres.