

## ORDINANCE NO. 1265

## HUNT PROPERTIES - TR. 4

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-3" SINGLE FAMILY RESIDENTIAL TO GENERAL RETAIL AND SERVICE STATION; SAID PROPERTY BEING LOCATED IN THE DANIEL TANNER SURVEY, ABSTRACT 1462, SHEET 15A, AT THE NORTHWEST CORNER OF THE INTERSECTION OF MILITARY PARKWAY AND THE PROPOSED EXTENSION OF PEACHTREE ROAD, 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 4 - 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-3" Single Family Residential to General Retail and Service Station; said property being located in the Daniel Tanner Survey, Abstract 1462, Sheet 15A, at the northwest corner of the intersection of Military Parkway and the proposed extension of Peachtree Road, 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.

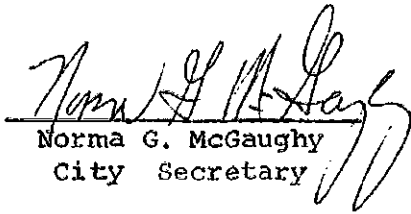
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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  
Mayor Pro Tem

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

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Elland Archer  
City Attorney

MSO. 37

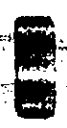


Exhibit (A)

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TRACT 4  
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 described as "Tract No. 3" conveyed to Caroline Hunt Trust Estate by deed recorded in Volume 5122, Page 195, of 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 northerly line of Military Parkway (200 feet wide and the westerly line of Peachtree Road (100 feet wide at this point);

THENCE North  $03^{\circ} 17'$  East along the westerly line of Peachtree Road a distance of 18.02 feet to the beginning of a curve to the right;

THENCE in a northeasterly direction continuing along the westerly line of Peachtree Road and along said curve to the right having a radius of 380.03 feet, a central angle of  $15^{\circ} 30'$ , and an arc length of 102.81 feet to the end of said curve to the right; (Peachtree Road being 115.00 feet wide at this point);

THENCE North  $18^{\circ} 47'$  East along the northwesterly line of Peachtree Road a distance of 363.46 feet to a point for corner;

THENCE North  $89^{\circ} 23'$  West along a southerly line of Skyline Addition No. 1, an addition to the City of Mesquite as recorded in Volume 47, Page 165, of the Map and Deed Records of Dallas County, Texas, a distance of 408.08 feet to a point for corner;

THENCE in a southerly direction along an easterly boundary of said Skyline Addition No. 1 the following courses and distances:

SOUTH  $54^{\circ} 43'$  West a distance of 24.30 feet;

SOUTH  $18^{\circ} 48'$  West a distance of 7.23 feet to the beginning of a curve to the left;

ALONG said curve to the left having a radius of 520.00 feet, a central angle of  $30^{\circ} 35'$ , and an arc length of 277.57 feet to the beginning of a curve to the right;

ALONG said curve to the right having a radius of 553.21 feet, a central angle of  $15^{\circ} 04'$ , and an arc length of 145.47 feet;

SOUTH  $03^{\circ} 17'$  West a distance of 10.64 feet to a point for corner in the northerly line of Military Parkway;

THENCE South  $86^{\circ} 43'$  East along the northerly line of Military Parkway a distance of 299.68 feet to the POINT OF BEGINNING and containing 3.8740 Acres.

(One acre is reserved at the northwest corner of the intersection of Peachtree Road and Military Parkway for SS Zoning.)

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