

ORDINANCE NO. 1342

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 AIRPORT USE FOR THAT LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE; BY PROVIDING THE PURPOSE AND SCOPE THEREOF; 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 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 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 airport.

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all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.

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SECTION 3. That the property described in Exhibit "A" as attached hereto, 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, sub-division, 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 of 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 Exhibit "A" 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 1st day of November , A.D., 1976.

Bob Beard
Bob Beard
Mayor

ATTEST:

Norma G. McGaughy
Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
Elland Archer
City Attorney

FIELD NOTES

BEING a tract of land situated in the W. S. Robinson Survey, Abstract No. 1262, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the Northeast corner of a 211.43 acre tract conveyed to Phil L. Hudson by the Franklin Life Insurance Company by deed dated April 20, 1936, said point being on the Southwest line of Scyene Road (a 60' R.O.W.);

THENCE, S. 0°20'W, along the East line of the Phil L. Hudson tract, a distance of 4181.39 feet;

THENCE, S. 89°58'W, along the South line of the Phil L. Hudson tract a distance of 813.85 feet to the PLACE OF BEGINNING, a point for corner;

THENCE, S. 89°58'W, along the said South line of the Phil L. Hudson tract, a distance of 446.89 feet to a point for corner;

THENCE, N. 0°20'E, a distance of 1947.61 feet to a point for corner;

THENCE, S. 89°40'E, a distance of 446.88 feet to a point for corner;

THENCE, S. 0°20'W, a distance of 1944.75 feet to the PLACE OF BEGINNING and containing 19.966 Acres of Land.

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