

ORDINANCE NO. 1345

00186

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 DWELLING DISTRICT TO "I" INDUSTRIAL DISTRICT ON TRACT 3, ABSTRACT 1396 AND PART OF TRACT 13, ABSTRACT 1462 OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING FURTHER 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 REGULATIONS OF THE 1973 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT 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 change of zoning 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 from "R-3" Single Family Dwelling District to "I" Industrial District.

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all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.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

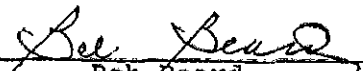
SECTION 4. That the foregoing zoning change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, 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 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.

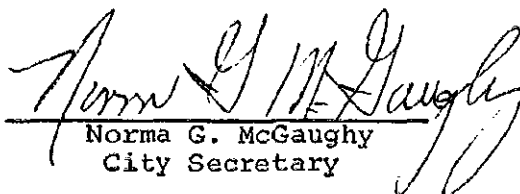
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 22nd day of November, A.D., 1976.



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughey
City Secretary

Elland Archer
City Attorney

Donald B. Spence Land Surveyor, Inc.

216½ N. MAIN STREET, ROOM 210 ♦ CORSICANA, TEXAS 75110

214-872-5443

REGISTERED SURVEYOR
TEXAS - LOUISIANA

DONALD B. SPENCE
President

FIELD NOTES FOR ZONING CHANGE

Being a tract of land located in the Swing and Laws Survey, A-1396, in the City of Mesquite, Dallas County, Texas, and being a part of "First Tract" in deed to Ray McCauley, recorded in Vol. 3731, Pg. 316, Deed Records, and more fully described as follows:

BEGINNING at an iron pipe on the southwest line of Gross Road and the northerly line of the City of Mesquite West Lake Park;

THENCE S 44 deg. 49 min. W 280.09 ft. to an iron pipe;

THENCE S 71 deg. 49 min. W 342.18 ft. to an iron rod;

THENCE N 45 deg 11 min. W 10 ft. to an iron rod;

THENCE N 44 deg. 49 min. E 179.97 ft. to an iron pipe;

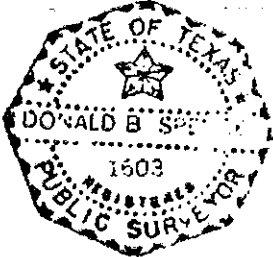
THENCE N 45 deg. 11 min. W 357.60 ft. to the common line of the Swing and Laws and the Daniel Tanner Surveys;

THENCE N 44 deg. 49 min. E 300 ft. along said line;

THENCE S 85 deg. 47 min. E 32.93 ft. to an iron pipe;

THENCE N 44 deg. 49 min. E 83.57 ft. to the southwest line of Gross Road;

THENCE S 45 deg. 11 min. E 497.95 ft. along the southwest line of Gross Road to the Place of Beginning and containing 4.95 acres of land.



Donald B. Spence
Donald B. Spence
Registered Public Surveyor

November 15, 1976
Job No. 1076-118

Land Surveys ♦ Land Planning ♦ Subdivisions

Member: Texas Surveyors Association & American Congress on Surveying and Mapping

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