

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 SERVICE STATION TO COMMERCIAL ON A TRACT LOCATED ON THE NORTHWEST CORNER OF GROSS ROAD AND HIGHWAY 80 INTERSECTION IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 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 Service Station to Commercial.

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all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.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

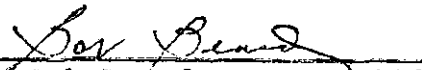
SECTION 4. That the foregoing zoning change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City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

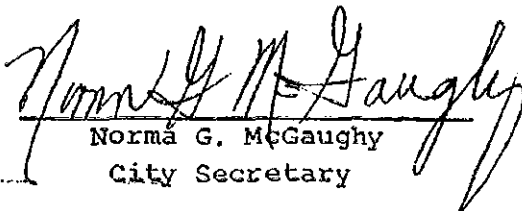
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of February, A.D.; 1977



Bob Beard
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

EXHIBIT "A"

30017

FIELD NOTES:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1162, City of Mesquite, Dallas County, Texas, and being out of a 39.207 acre tract conveyed to J. Dale Edwards, Trustee, by Bayard M. Smith and being more particularly described as follows:

BEGINNING at a point on the northerly line of U. S. Highway No. 60 (I. H. 20), said point being on the extreme westerly line of the Gross Road overpass (the westerly abutment as decided to the State Highway Department), an iron stake set for corner;

THENCE BE5°30'N, with the northerly line of said U. S. Highway 60 200.00' to an iron stake set for corner;

THENCE N1°19'E, 150.0' to an iron stake set for corner;

THENCE N82°29'E, 210.0' to a point on the west line of the aforementioned Gross Road overpass, an iron stake set for corner;

THENCE S1°31'E, with the west line of said Gross Road overpass 121.30' to an iron stake set for corner;

THENCE S16°21'W, along a surveyed cutoff 67.08' to the place of beginning and containing 36,163 square feet of land.

I hereby certify that I prepared this map from an actual and accurate survey of the land and that the corner monuments shown hereon were placed under my personal supervision.

(Field Notes by C. L. Moon, Inc., July 9, 1963)

This is to certify that this date under my personal supervision a careful and accurate topographical survey was made of the above described property. The plat is a true, correct, and accurate representation of the property as determined by that survey. There are no encroachments or protrusions except as shown.

[Signature]
 H. L. Horns, Registered
 Professional Engineer



file 1462-112

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