

1396-4

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 ON THREE TRACTS OF LAND GENERALLY LOCATED SOUTHWEST OF THE CHAPPELL DRIVE AND GROSS ROAD INTERSECTION FROM R-3 SINGLE FAMILY RESIDENTIAL AND INDUSTRIAL TO OPEN PLANNED DEVELOPMENT (INDUSTRIAL AND OTHER USES) SAID PROPERTY BEING LOCATED IN THE 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 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 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 publications 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 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 three tracts of land generally located Southwest of the Chappell Drive and Gross Road Intersection from R-3 Single Family Residential and Industrial to open planned development (Industrial and other uses).

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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all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.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. 858 of the Mesquite City Code.

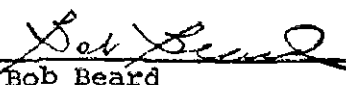
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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.

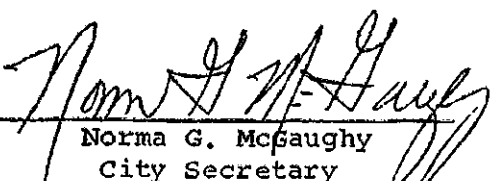
SECTION 7. Whereas, the property described in Exhibit "A" of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency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

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DULY PASSED AND APPROVED by the City Council of the City  
of Mesquite, Texas, on the 7th day of March, A.D., 1977.

  
\_\_\_\_\_  
Bob Beard  
Mayor

ATTEST:

  
\_\_\_\_\_  
Norma G. Mcgaughy  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Elland Archer  
City Attorney

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OWNER'S CERTIFICATE

I do hereby certify that Anderson Builders, Inc., is the owner of the following described tract of land:

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 Volume 3731, Page 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 on the common line of said "First Tract" and West Lake Park;

THENCE S 71 deg. 49 min. W 342.18 ft. along said common line to an iron rod;

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

THENCE N 44 deg. 49 min. E 584.97 ft. to an iron pipe on the southwest line of Gross Road;

THENCE S 45 deg. 11 min. E 165.35 ft. along Gross Road to the Place of Beginning and containing 1.68 acre of land;

Now Anderson Builders, Inc., does hereby adopt this Plat designating the above described property as "WEST LAKE INDUSTRIAL PARK".

OWNER'S CERTIFICATE

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I do hereby certify that Anderson Builders, Inc., is the owner of the following described tract of land:

Being a tract of land located in the Daniel Tanner Survey A-1462, in the City of Mesquite, Dallas County, Texas, and being a part of "Third Tract" in deed to Ray McCauley, recorded in Volume 3731, Page 316, Deed Records and more fully described as follows:

BEGINNING at an iron pipe on the southeast line of said "Third Tract", also the southeast line of said Tanner Survey, and on the southwest line of Gross Road;

THENCE S 44 deg. 49 min. W 30 ft. to an iron pipe on the common southeast line of said tracts;

THENCE S 74 deg. 02 min. W 138.51 ft. to an iron pipe for corner;

THENCE N 82 deg. 50 min. W 105 ft. to an iron pipe for corner;

THENCE N 45 deg. 11 min. W 80 ft. parallel to the southwest line of Gross Road, to an iron pipe for corner;

THENCE N 33 deg. 39 min. E 110 ft. to an iron pipe for corner;

THENCE N 18 deg. 37 min. E 85.95 ft. to an iron pipe for corner;

THENCE N 44 deg. 49 min. E 30 ft. to an iron pipe on the southwest line of Gross Road, from which an iron pipe at an ell corner of West Lake Park bears N 45 deg. 11 min. W 194.78 ft.;

THENCE S 45 deg. 11 min. E 290 ft. along the southwest line of Gross Road to the Place of Beginning and containing 1.02 acre of land.

Now, Anderson Builders, Inc., does hereby adopt this Plat designating the above described property as "WEST LAKE INDUSTRIAL PARK".

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