

Appl. No. 1461-51

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 PLANNED DEVELOPMENT 887 (TOWNHOUSES) TO GENERAL RETAIL - TRACT 1; FROM PLANNED DEVELOPMENT 887 (TOWNHOUSES) TO R-1 SINGLE FAMILY RESIDENTIAL - TRACT 2; FROM R-1 SINGLE FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT FOR TOWNHOUSES - TRACT 3; FROM A-1 MULTIFAMILY TO OFFICE - TRACT 4; FROM A-1 MULTIFAMILY TO R-1 SINGLE FAMILY RESIDENTIAL - TRACT 5; SAID PROPERTY BEING GENERALLY LOCATED SOUTH AND EAST OF THE NORTHWEST DRIVE AND OATES DRIVE INTERSECTION, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" 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 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 change of zoning may 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 Planned Development 887 (Townhouses) to General Retail--Tract 1; From Planned Development 887 (Townhouses) to R-1 Single Family Residential - Tract 2; From R-1 Single Family Residential to Planned Development for Townhouses - Tract 3; From A-1

00014

Multifamily to Office - Tract 4; From A-1 Multifamily to R-1 Single Family Residential - Tract 5; said property being generally located south and east of the Northwest Drive and Oates Drive Intersection, City of Mesquite, Dallas County, Texas, and being more fully described in "Exhibit A" 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.

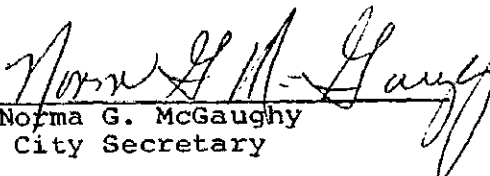
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 20th day of February, A.D., 1978.

  
B. J. SMITH  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

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

00016

"THE TRAILS" AREA NUMBER ONE

Commencing at the intersection of the Mesquite and Garland City Limit Line with the centerline of Oates Road;

THENCE, South  $45^{\circ} 09'$  W along said centerline a distance of 1103.02 feet to the intersection of the centerline of Northwest Parkway;

THENCE, South  $44^{\circ} 37' 10''$  East along said centerline a distance of 30.00 feet to a point;

THENCE, South  $45^{\circ} 09'$  W parallel to and 30 feet Southeasterly of the centerline of Oates Road a distance of 50.00 feet to the POINT OF BEGINNING of this description;

THENCE, South  $44^{\circ} 37' 10''$  East parallel to and 50 feet Southwesterly of the centerline of Northwest Parkway a distance of 685.53 feet to a point of curvature to the right, having a central angle of  $17^{\circ} 26' 05''$  and a radius of 904.93 feet;

THENCE, along said curve a distance of 275.36 feet to a point of tangency;

THENCE, South  $27^{\circ} 11' 05''$  East a distance of 2.32 feet to a point of intersection with the Northeasterly line of a 200 foot drainage easement as recorded in Volume 71084, page 1881, Dallas County Records;

THENCE, North  $87^{\circ} 11' 10''$  West along said Northeasterly line a distance of 339.26 feet to a point on the Southwesterly boundary of this tract and a point of curvature to the left having a back tangent bearing of North  $15^{\circ} 59' 26''$  West, a central angle of  $28^{\circ} 51' 34''$  and a radius of 496.41;

THENCE, along said curve a distance of 250.04 feet to a point of tangency;

THENCE, North  $44^{\circ} 51'$  West along said Southwesterly boundary a distance of 468.32 feet to a point in the Southwesterly right-of-way line of Oates Road;

THENCE, North  $45^{\circ} 09'$  East along said right-of-way line a distance of 212.96 feet to the POINT OF BEGINNING AND CONTAINING 190,109 square feet or 4.364 acres of land, more or less.

## "THE TRAILS" AREA NUMBER TWO

BEGINNING AT A POINT on the Southwesterly right-of-way line of Northwest Parkway, said point being the point of intersection of said right-of-way and the North line of a 200 foot drainage easement as recorded in Volume 71084, page 1881, Dallas County Records and being the South line of Tract Number One;

THENCE, South  $27^{\circ} 11' 05''$  East along the Southwesterly R.O.W. line of Northwest Parkway, a distance of 241.85 feet to a point of curvature to the left having a central angle of  $21^{\circ} 46' 45''$  and a radius of 766.20 feet;

THENCE, along said curve a distance of 291.25 feet to a point on the Southeasterly boundary of this tract;

THENCE, South  $42^{\circ} 52'$  West along said boundary a distance of 218.57 feet to a point on the Southwesterly boundary of this tract;

THENCE, North  $55^{\circ} 44'$  West along said boundary a distance of 33.21 feet to a point of curvature to the right and having a central angle of  $12^{\circ} 41'$  and a radius of 1369.79 feet;

THENCE, along said curve a distance of 292.47 feet to a point of tangency;

THENCE, North  $43^{\circ} 30'$  West a distance of 19.85 feet to a point of curvature to the right having a central angle of  $28^{\circ} 39' 00''$  and a radius of 837.40 feet;

THENCE, along said curve a distance of 418.73 feet to a point of tangency;

THENCE, North  $14^{\circ} 51'$  West a distance of 21.76 feet to a point of curvature to the left having a central angle of  $01^{\circ} 08' 26''$  and a radius of 496.41 feet;

THENCE, along said curve a distance of 9.88 feet to a intersection with the North line of the aforementioned 200 foot drainage easement;

THENCE, South  $87^{\circ} 11' 10''$  East along said line a distance of 339.26 feet to the POINT OF BEGINNING AND CONTAINING 187,009 square feet or 4.293 acres of land, more or less.

0018

"THE TRAILS" AREA NUMBER THREE

BEGINNING AT THE POINT OF INTERSECTION of the Mesquite and Garland City Limit Line with the Southerly right-of-way line of Trails Parkway;

THENCE, South  $45^{\circ}$  East along said City Limit Line a distance of 796.45 feet to an angle point on the Southwesterly boundary of this tract;

THENCE, North  $69^{\circ} 33'$  West along said boundary a distance of 506.30 feet to an angle point on said boundary;

THENCE, North  $81^{\circ} 56'$  West along said boundary a distance of 451.50 feet to an angle point on said boundary;

THENCE, South  $44^{\circ} 52'$  West along said boundary a distance of 259.62 feet to the point of intersection with the Northeasterly line of a 200 foot drainage easement as recorded in Volume 71084, page 1881, Dallas County Records;

THENCE, North  $56^{\circ} 41' 10''$  West along said line a distance of 131.38 feet to an angle point on said line;

THENCE, South  $83^{\circ} 04' 10''$  West along a line forming the North Limit of said easement a distance of 460.00 to a point of intersection with the Northeasterly right-of-way line of Northwest Parkway;

THENCE, North  $27^{\circ} 11' 05''$  West along said right-of-way line a distance of 79.43 feet to a point of curvature to the left having a central angle of  $00^{\circ} 23' 41''$  and a radius of 1004.93 feet;

THENCE, along said curve a distance of 6.92 feet to the intersection with the Southeasterly right-of-way line of Trails Parkway;

THENCE, North  $59^{\circ} 34'$  East along said right-of-way a distance of 25.06 feet to a point of curvature to the left having a central angle of  $14^{\circ} 25'$  and a radius of 510.00 feet;

THENCE, along said curve a distance of 128.32 feet to a point of tangency;

THENCE, North  $45^{\circ} 09'$  East along said right-of-way line a distance of 386.49 feet to a point of curvature to the right having a central angle of  $52^{\circ} 55'$  and a radius of 390.00 feet;

00019

"THE TRAILS" AREA, NUMBER THREE

Page 2

THENCE, along said curve a distance of 360.19 feet to a point of tangency;

THENCE, South  $81^{\circ} 56'$  East along said right-of-way line a distance of 424.78 feet to the POINT OF BEGINNING AND CONTAINING 508,705 square feet or 11.678 acres of land, more or less.

0020

"THE TRAILS" AREA NUMBER FOUR

Commencing at the intersection of the Mesquite and Garland City Limit Line with the centerline of Oates Road;

THENCE, South  $45^{\circ} 09'$  West along said centerline a distance of 422.76 feet to a point;

THENCE, South  $45^{\circ} 00'$  East a distance of 50.00 feet to a point on the Southeasterly right-of-way line of Oates Road and the POINT OF BEGINNING of this description;

THENCE, North  $45^{\circ} 09'$  East Parallel to and 50 feet Southeast of said centerline a distance of 280.00 feet to the intersection of the Southwesterly right-of-way line of Frontier Boulevard;

THENCE, South  $45^{\circ} 00'$  East along said right-of-way line a distance of 746.54 feet to a point of curvature to the right having a central angle of  $43^{\circ} 57' 05''$  and a radius of 300.00 feet;

THENCE, along said curve a distance of 230.13 feet to a point of tangency;

THENCE, South  $01^{\circ} 02' 55''$  East along said right-of-way line a distance of 48.01 feet to the intersection with the Northeasterly right-of-way line of Trails Parkway and on a curve to the left having a back tangent of South  $83^{\circ} 45' 28''$  West, a central angle of  $21^{\circ} 39' 19''$  and a radius of 490.00 feet;

THENCE, along said curve forming the right-of-way line of said Trails Parkway a distance of 185.20 feet to a point on said curve;

THENCE, North  $45^{\circ} 00'$  West along a line parallel to and 280 feet Southwest of the Southwesterly right-of-way line of Frontier Boulevard and its extension a distance of 903.82 feet to the POINT OF BEGINNING AND CONTAINING 260,084 square feet and 5.971 acres of land, more or less.



00021

"THE TRAILS" AREA NUMBER FIVE

BEGINNING at the intersection of the Mesquite and Garland City Limit Line with the Southeasterly right-of-way line of Oates Road, said point bears South  $45^{\circ}$  East 50.00 feet from the center-line of said road;

THENCE, South  $45^{\circ} 00'$  East along said City Limit line a distance of 1309.81 feet to the intersection of the Northerly right-of-way line of Trails Parkway;

THENCE, North  $81^{\circ} 56'$  West along said right-of-way line a distance of 291.75 feet to a point of curvature to the left having a central angle of  $04^{\circ} 56' 00''$  and a radius of 490.00 feet;

THENCE, along said curve a distance of 42.19 feet to the intersection of the Southeasterly right-of-way line of Frontier Boulevard;

THENCE, North  $01^{\circ} 02' 55''$  West along said right-of-way line a distance of 47.38 feet to a point of curvature to the left having a central angle of  $43^{\circ} 57' 05''$  and a radius of 380.00 feet;

THENCE, along said curve a distance of 291.50 feet to the point of tangency;

THENCE, North  $45^{\circ} 00'$  West along said right-of-way line a distance of 746.33 feet to the intersection with the Southeasterly right-of-way line of Oates Road;

THENCE, North  $45^{\circ} 09'$  East along said right-of-way line a distance of 62.76 feet to the POINT OF BEGINNING AND CONTAINING 105,066 square feet or 2.412 acres of land, more or less.

00022