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ORDINANCE NO. 1491

Appl. No. NR2-1

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 GENERAL RETAIL ON A TRACT LOCATED ON THE WESTERN CORNER OF THE GUS THOMASSON AND CRESTRIDGE 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 Service Station to General Retail on a tract located on the Western Corner of the Gus Thomasson and Crestridge Intersection, City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" attached hereto and made a part of this ordinance.

00106

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

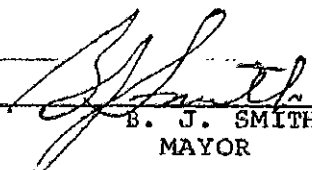
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 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.

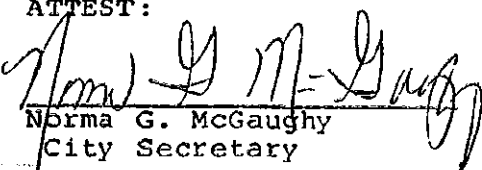
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction 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 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 2nd day of April, A.D., 1979.

  
B. J. SMITH  
MAYOR

ATTEST:

  
Norma G. McGaughey  
City Secretary

APPROVED AS TO FORM:

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Elland Archer  
City Attorney

OWNER'S CERTIFICATION

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ing known as part of Lot 20, Block 30 of the Northridge Estates Addition  
umber 2, an addition to the City of Mesquite as recorded in Volume 24, Page  
1 of Dallas County Deed Records and being more particularly described as follows:

GINNING at a point which is the intersection of the Southwest R.O.W. line of  
s Thomasson Road with the Northwest R.O.W. line of Crestridge Street;

HENCE S44°30'W along the said Northwest R.O.W. line of Crestridge a distance  
125.0 feet to a point for corner;

HENCE N45°30'W a distance of 117.5 feet to a point for corner;

HENCE N44°30'E a distance of 125.0 feet to a point for corner located on the  
aid Southwest R.O.W. line of Gus Thomasson Road;

HENCE S45°30'E along the said Southwest R.O.W. line of Gus Thomasson a distance  
f 117.5 feet to the point of beginning and containing approximately 14,687 sq.  
t. or .34 acres of land.

OW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, I.S. Fonville and Roy Dixon do hereby adopt this plat designating the herein  
described property as Northridge Estates No. 2 Block 30 Lot 20, an addition to the  
City of Mesquite, Texas; and hereby dedicates to the public use forever the  
streets and alleys shown thereon. The easements shown thereon are hereby reserved  
for the purposes as indicated. The utility and fire lane easements shall be  
open to the public, fire and police units, garbage and rubbish collection agencies,  
and all public and private utilities for each particular use. The maintenance of  
aving on the utility and fire lane easements is the responsibility of the property  
owner. No buildings, fences, trees, shrubs or other improvements shall be con-  
structed, reconstructed or placed upon, over or across the easements as shown.  
Said easements being hereby reserved for the mutual use and accommodation of all  
public utilities using, or desiring to use same. All and any public utility  
shall have the full right to remove and keep removed all or parts of any buildings,  
fences, trees, shrubs or other improvements or growths which in any way may  
endanger or interfere with the construction, maintenance and efficiency of its  
respective system on the easements and all public utilities shall at all times  
have the full right of ingress and egress to or from and upon said easements for  
the purpose of constructing, reconstructing, inspecting, patrolling, maintaining  
and adding to or removing all or parts of its respective system without the  
necessity at any time of procuring the permission of anyone. Any public utility  
shall have the right of ingress and egress to private property for the purpose of  
reading meters and any maintenance and service required or ordinarily performed  
by that utility.

Water mains and sanitary sewer easements shall also include additional area of  
working space for construction and maintenance of the systems. Additional  
easement area is also conveyed for installation and maintenance of manholes,  
cleanouts, fire hydrants, water services from the main to and including the  
meters and boxes, sewer laterals from the main to the curb or pavement line,  
and the descriptions of such additional easements herein granted shall be deter-  
mined by their locations as installed.

06108