

ORDINANCE NO. 1569

Appl. No. 1462-121

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 140 FEET WEST OF MILLIE ON THE I-20 ACCESS ROAD FRONTING THE SOUTH SIDE OF THE ACCESS ROAD 208 FEET, 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 (\$200.00) DOLLARS 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 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, 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 Commercial on a tract located 140 feet west of Millie on the I-20 Access Road fronting the south side of the access road 208 feet, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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 7th day of January, A.D., 1980.


B. J. SMITH
MAYOR

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

Kansas City, Missouri

NUMBER
O-TXDS.

C O P Y

AMOUNT

3085

\$ 30,000.00

Herein called Company, for value Does hereby guarantee to

TEXACO INC.

herein styled assured, heirs, executors and administrators, that has good and indefeasible title to the following described real property:

lot, tract or parcel of land situated in Dallas County, Texas and being out of the DANIEL TANNER SURVEY, Abstract No. 1462, Dallas County, Texas, said Tract also being out of the same one acre tract conveyed to Charlotte Ann Smith and husband, James Edward Smith, by deed recorded in Volume 4029, page 518, of the Dallas County Deed Records, and being more particularly described as follows:

BEGINNING at the Northwest corner of Big Town Estates No. 3 as recorded in Volume 41, page 155, of the Map Records of Dallas County, Texas, said point also being on the South line of U. S. Highway No. 80 (a 360' R.O.W.) said point also being the Northeast corner of said one acre Charlotte Ann Smith tract, an iron stake set for corner;

THENCE South 0 deg. 03 min West 145 feet with the East line of said 1 acre tract to a point for corner;

THENCE North 89 deg. 57 min. West 5 feet to a point for corner;

THENCE South 0 deg. 03 min. West parallel with the East line of said 1 acre tract 63.71 feet to point for corner in the South line of said 1 acre tract;

THENCE North 89 deg. 57 min. West 203.71 feet with the South line of said 1 acre tract to an iron stake set for corner;

THENCE North 0 deg. 03 min. East, 208.71 feet, with the West line of said one acre tract, to a point on the South line of U. S. Highway No. 80, an iron stake set for corner;

THENCE SOUTH 89 deg. 57 min. East, and along the said South line of U.S. Highway No.80, 208.71 feet to the PLACE OF BEGINNING.

CG128

U.S. Hwy No. 80

