

ORDINANCE NO. 1602

Appl. No. 1462-122

00225

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 A-1 TO OFFICE ON TRACTS 1 AND 5 OF ABSTRACT 1462, SHEET 15-A AND PROPERTY BEING FURTHER DESCRIBED AS THE 13.2681 ACRE TRACT LOCATED APPROXIMATELY 500 FEET EAST OF THE TOWN EAST BOULEVARD AND MILITARY PARKWAY AND HAVING A DEPTH OF 550 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 change 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 A-1 to office on Tracts 1 and 5 of Abstract 1462, Sheet 15-A and property being further described as the 13.2681 acre tract located approximately 500 feet east of the Town East Boulevard and Military Parkway and having a depth of 550 feet, City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" attached hereto and made a part of this ordinance.

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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.

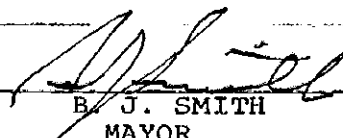
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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.

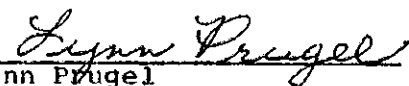
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th day of July, A.D., 1980.



B. J. SMITH  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
Acting City Secretary

Elland Archer  
City Attorney

FIELD NOTE DESCRIPTION  
Military Parkway Tract  
Mesquite, Texas

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BEING a tract of land situated in the Daniel Tanner League, Abstract number 1462, in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the northeast corner of the intersection of Military Parkway (a 200 feet wide right-of-way) and Town East Boulevard (a 100 feet wide right-of-way);

THENCE North  $89^{\circ} 50'$  East along the northerly line of said Military Parkway a distance of 483.61 feet to the POINT OF BEGINNING, the southwest corner of the subject tract;

THENCE North  $0^{\circ} 10'$  West a distance of 550.00 feet to a point for corner;

THENCE North  $89^{\circ} 50'$  East a distance of 906.45 feet along the southerly line of an existing alley to an angle point;

THENCE South  $59^{\circ} 55'$  East a distance of 25.92 feet to an angle point;

THENCE South  $29^{\circ} 40'$  East a distance of 394.88 feet to a point for curvature;

THENCE in a southerly direction along a curve to the right having a central angle of  $29^{\circ} 30'$  and a radius of 219.83 feet, an arc length of 113.18 feet to a point of tangency;

THENCE South  $0^{\circ} 10'$  East a distance of 85.00 feet to a point for corner in the northerly line of Military Parkway;

THENCE South  $89^{\circ} 50'$  West along the northerly line of Military Parkway a distance of 1151.79 feet to the POINT OF BEGINNING and containing 577,959 square feet, more or less, or 13.4576 acres of land.

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