

00013

ORDINANCE NO. 1613

Appl. No. 161-4

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 FROM R-3 AND A-1 TO DUPLEX ON TRACT 1 WITH THE STIPULATION THAT THE DUPLEXES SHALL HAVE A MINIMUM OF 1,100 SQUARE FEET IN EACH SIDE; FROM R-3 AND A-1 TO PLANNED DEVELOPMENT FOR CONDOMINIUMS WITH A DENSITY OF 8 UNITS PER ACRE ON TRACT 2; AND FROM R-3 TO A-2 MULTIFAMILY ON TRACT 3; A 50.1-ACRE TRACT OUT OF ABSTRACT 161, LOCATED NORTHEAST OF THE BRUTON LANE AND WILKINSON ROAD INTERSECTION, FRONTING THE NORTH SIDE OF BRUTON ROAD AND HAVING A DEPTH OF 1,200 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 R-3 and A-1 to Duplex on Tract 1 with the

00014

stipulation that the duplexes shall have a minimum of 1,100 square feet in each side; From R-3 and A-1 to Planned Development for Condominiums with a density of 8 units per acre on Tract 2; and From R-3 to A-2 Multifamily on Tract 3; a 50.1-acre tract out of Abstract 161, located northeast of the Bruton Lane and Wilkinson Road Intersection, fronting the North side of Bruton Road and having a depth of 1,200 feet, City of Mesquite, Dallas County, Texas.

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.

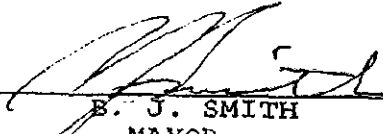
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part of provision hereof other than the part so decided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

ORDINANCE/PAGE 3

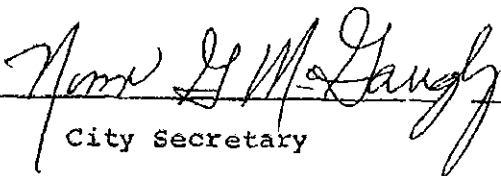
DULY PASSED AND APPROVED by the City Council of the City **00015**
of Mesquite, Texas, on the 4th day of August, A.D., 1980.



E. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



City Secretary

Elland Archer
City Attorney

REGISTERED
CIVIL ENGINEER

00016

DON A. TIPTON, P.E.
PRESIDENT

DON A. TIPTON, INC.

CONSULTING ENGINEERS
13600 LBJ FREEWAY, SUITE 301
GARLAND, TEXAS 75041

SUBDIVISIONS
SURVEYING

PHONE:
(214) 270-

July 23, 1980

FIELD NOTES

TRACT 1
Duplex Zoning

BEING a tract of land situated in the E. Barroux Survey, Abstract No. 161, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the North line of Lake June Road (a 100' R.O.W.) and the West line of Pioneer Road (an 80' R.O.W.);

THENCE, along the North line of said Lake June Road the following:

N. $89^{\circ}41'W$, a distance of 169.72 feet to the beginning of a curve to the left having a central angle of $30^{\circ}00'$ and a radius of 609.81 feet;

Around said curve a distance of 319.30 feet to end of said curve;

S. $60^{\circ}19'W$, a distance of 134.84 feet to the beginning of a curve to the right having a central angle of $30^{\circ}00'$ and a radius of 1069.62 feet;

Around said curve a distance of 560.05 feet to end of said curve;

S. $0^{\circ}19'W$, a distance of 20.0 feet;

N. $89^{\circ}41'W$, a distance of 159.94 feet;

N. $89^{\circ}55'W$, a distance of 208.40 feet;

N. $84^{\circ}13'W$, a distance of 100.50 feet;

N. $89^{\circ}55'W$, a distance of 150.0 feet;

S. $84^{\circ}23'W$, a distance of 100.50 feet;

N. $89^{\circ}55'W$, a distance of 400.20 feet to the PLACE OF BEGINNING, a point for corner;

FIELD NOTES
TRACT 1
Duplex Zoning

00017
Page No. 2

THENCE, N. $89^{\circ}55'W$, along said North line of Lake June Road, a distance of 430.0 feet to a point for corner;

THENCE, N. $0^{\circ}40'E$, leaving said North line of Lake June Road, a distance of 1278.30 feet to a point for corner;

THENCE, N. $89^{\circ}50'E$, a distance of 235.0 feet to a point for corner;

THENCE, S. $44^{\circ}40'E$, a distance of 100.0 feet to a point for corner;

THENCE, N. $45^{\circ}20'E$, a distance of 65.0 feet to a point for corner;

THENCE, S. $44^{\circ}40'E$, a distance of 168.0 feet to a point for corner;

THENCE, S. $45^{\circ}20'W$, a distance of 65.0 feet to the beginning of a curve to the left having a central angle of $44^{\circ}40'$ and a radius of 310.19 feet, a point for corner;

THENCE, around said curve, a distance of 241.82 feet to end of said curve, a point for corner;

THENCE, S. $0^{\circ}40'W$, a distance of 360.18 feet to the beginning of a curve to the left having a central angle at $21^{\circ}40'$ and a radius of 255.0 feet, a point for corner;

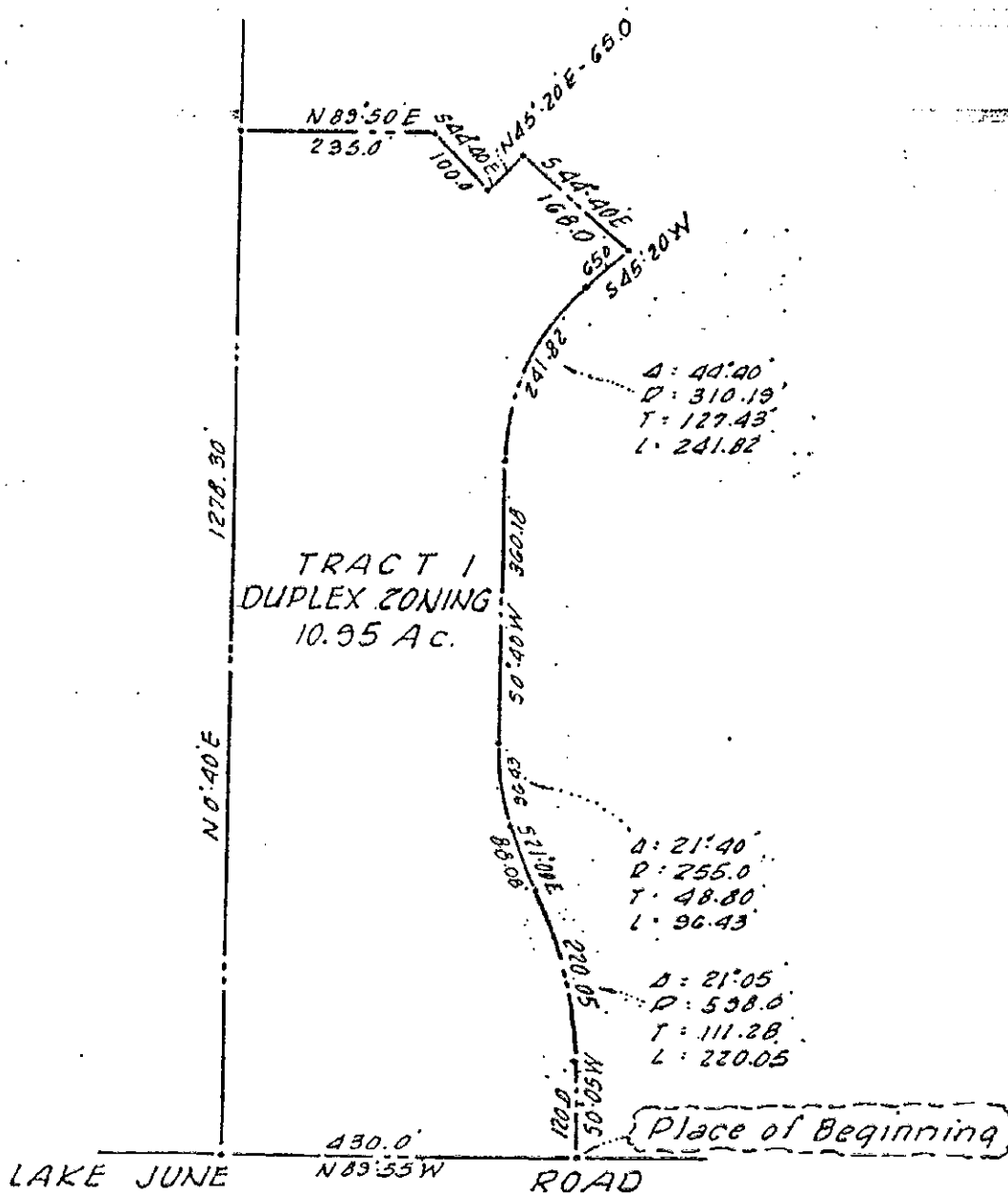
THENCE, around said curve, a distance of 96.43 feet to end of said curve, a point for corner;

THENCE, S. $21^{\circ}00'E$, a distance of 88.08 feet to the beginning of a curve to the right having a central angle of $21^{\circ}05'$ and a radius of 598.0 feet, a point for corner;

THENCE, around said curve, a distance of 220.05 feet to end of said curve, a point for corner;

THENCE, S. $0^{\circ}05'W$, a distance of 120.0 feet to the PLACE OF BEGINNING and containing 10.95 Acres of Land.

00018



CREEK PARK
MESQUITE, TEXAS

Scale 1"=200'
1121-X

REGISTERED
CIVIL ENGINEER

DON A. TIPTON, INC.

CONSULTING ENGINEERS
13600 LBJ FREEWAY, SUITE 301
GARLAND, TEXAS 75041

SUBDIVISIONS
SURVEYING

00019

PHONE
(214) 270-4485

A. TIPTON, P.E.
PRESIDENT

July 23, 1980

FIELD NOTES

TRACT 2
Planned Development Zoning

BEING a tract of land situated in the E. Barroux Survey, Abstract No. 161, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the North line of Lake June Road (a 100' R.O.W.) and the West line of Pioneer Road (an 80' R.O.W.);

THENCE, along the North line of said Lake June Road the following:

N. $89^{\circ}41'W$, a distance of 169.72 feet to the beginning of a curve to the left having a central angle of $30^{\circ}00'$ and a radius of 609.81 feet;

Around said curve a distance of 319.30 feet to end of said curve;

S. $60^{\circ}19'W$, a distance of 134.84 feet to the beginning of a curve to the right having a central angle of $30^{\circ}00'$ and a radius of 1069.62 feet;

Around said curve a distance of 560.05 feet to end of said curve;

S. $0^{\circ}19'W$, a distance of 20.0 feet;

N. $89^{\circ}41'W$, a distance of 125.0 feet to the PLACE OF BEGINNING, a point for corner;

THENCE, continuing along said North line of Lake June Road the following:

N. $89^{\circ}41'W$, a distance of 34.94 feet to a point for corner;

N. $89^{\circ}55'W$, a distance of 208.40 feet to a point for corner;

N. $84^{\circ}13'W$, a distance of 100.50 feet to a point for corner;

00020

FIELD NOTES
TRACT 2
Planned Development Zoning

Page No. 2

N. 89°55'W, a distance of 150.0 feet to a point for corner;

S. 84°23'W, a distance of 100.50 feet to a point for corner;

N. 89°55'W, a distance of 400.20 feet to a point for corner;

THENCE, N. 0°05'E, leaving said North line of Lake June Road, a distance of 120.0 feet to the beginning of a curve to the left, having a central angle of 21°05' and a radius of 598.0 feet, a point for corner;

THENCE, around said curve, a distance of 220.05 feet to the end of said curve, a point for corner;

THENCE, N. 21°00'W, a distance of 88.08 feet to the beginning of a curve to the right having a central angle of 21°40' and a radius of 255.0 feet, a point for corner;

THENCE, around said curve, a distance of 96.43 feet to end of said curve, a point for corner;

THENCE, N. 0°40'E, a distance of 360.18 feet to the beginning of a curve to the right having a central angle of 44°40' and a radius of 310.19 feet, a point for corner;

THENCE, around said curve, a distance of 241.82 feet to end of said curve, a point for corner;

THENCE, N. 45°20'E, a distance of 150.85 feet to a point for corner;

THENCE, S. 89°55'E, a distance of 257.48 feet to a point for corner;

THENCE, N. 70°19'E, a distance of 206.35 feet to a point for corner;

THENCE, N. 19°41'W, a distance of 10.15 feet to a point for corner;

THENCE, N. 70°19'E, a distance of 120.0 feet to a point for corner;

THENCE, S. 19°41'E, a distance of 135.0 feet to a point for corner;

FIELD NOTES
TRACT 2
Planned Development Zoning

00021
Page No. 3

THENCE, N. $70^{\circ}19'E$, a distance of 179.07 feet to a point for corner;

THENCE, S. $19^{\circ}41'E$, a distance of 610.0 feet to a point for corner;

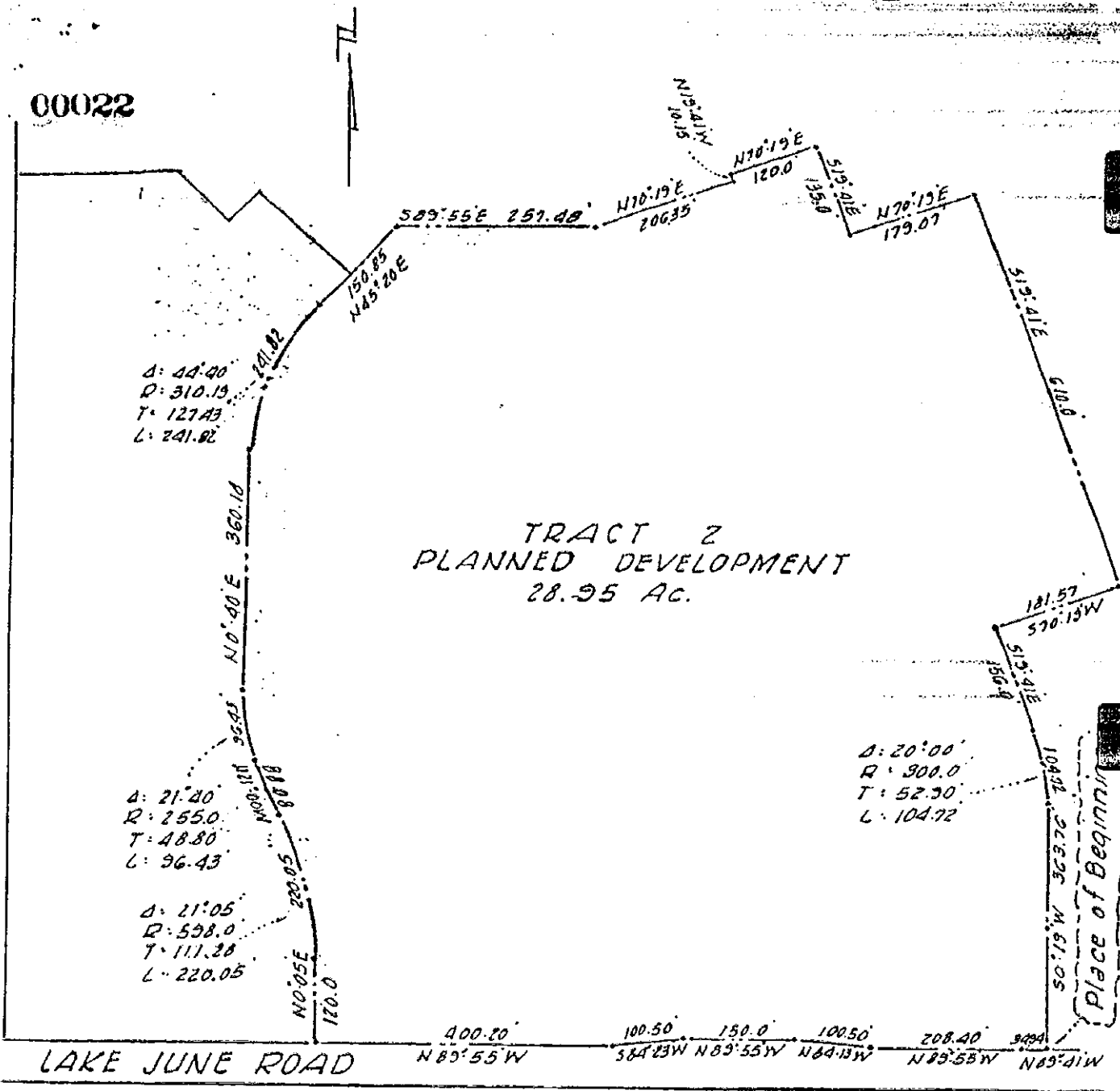
THENCE, S. $70^{\circ}19'W$, a distance of 181.57 feet to a point for corner;

THENCE, S. $19^{\circ}41'E$, a distance of 156.0 feet to the beginning of a curve to the right having a central angle of $20^{\circ}00'$ and a radius of 300.0 feet, a point for corner;

THENCE, around said curve, a distance of 104.72 feet to end of said curve, a point for corner;

THENCE, S. $0^{\circ}19'W$, a distance of 363.76 feet to the PLACE OF BEGINNING and containing 28.95 Acres of Land.

00022



REGISTERED
CIVIL ENGINEER

DON A. TIPTON, INC.
CONSULTING ENGINEERS
13600 LBJ FREEWAY, SUITE 301
GARLAND, TEXAS 75041

SUBDIVISIONS
SURVEYING
00023

PHONE
(214) 270-4485

DON A. TIPTON, P.E.
PRESIDENT

July 23, 1980

FIELD NOTES

TRACT 3
Multi-Family Zoning

BEING a tract of land situated in the E. Barroux Survey, Abstract No. 161, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the North line of Lake June Road (a 100' R.O.W.) and the West line of Pioneer Road (an 80' R.O.W.);

THENCE, along the North line of said Lake June Road the following:

N. $89^{\circ}41'W$, a distance of 169.72 feet to the beginning of a curve to the left having a central angle of $30^{\circ}00'$ and a radius of 609.81 feet;

Around said curve, a distance of 319.30 feet to end of said curve;

S. $60^{\circ}19'W$, a distance of 84.80 feet to the PLACE OF BEGINNING, a point for corner;

THENCE, continuing along said North line of Lake June Road the following:

S. $60^{\circ}19'W$, a distance of 50.04 feet to the beginning of a curve to the right having a central angle of $30^{\circ}00'$ and a radius of 1069.62 feet, a point for corner;

Around said curve a distance of 560.05 feet to end of said curve, a point for corner;

S. $0^{\circ}19'W$, a distance of 20.00 feet to a point for corner;

N. $89^{\circ}41'W$, a distance of 125.0 feet to a point for corner;

THENCE, N. $0^{\circ}19'E$, leaving said North line of Lake June Road, a distance of 363.76 feet to the beginning of a curve to the left having a central angle of $20^{\circ}00'$ and a radius of 300.0 feet, a point for corner;

FIELD NOTES
TRACT 3
Multi-Family Zoning

THENCE, around said curve a distance of 104.72 feet to end of said curve, a point for corner;

THENCE, N. $19^{\circ}41'W$, a distance of 156.0 feet to a point for corner;

THENCE, N. $70^{\circ}19'E$, a distance of 187.50 feet to the beginning of a curve to the right having a central angle of $20^{\circ}00'$ and a radius of 430.0 feet, a point for corner;

THENCE, around said curve, a distance of 150.10 feet to end of said curve, a point for corner;

THENCE, S. $89^{\circ}41'E$, a distance of 367.27 feet to a point on the East line of Duvall Drive, said point also being on the South line of Casa Terrace Addition, First Section, an addition to the City of Mesquite, a point for corner;

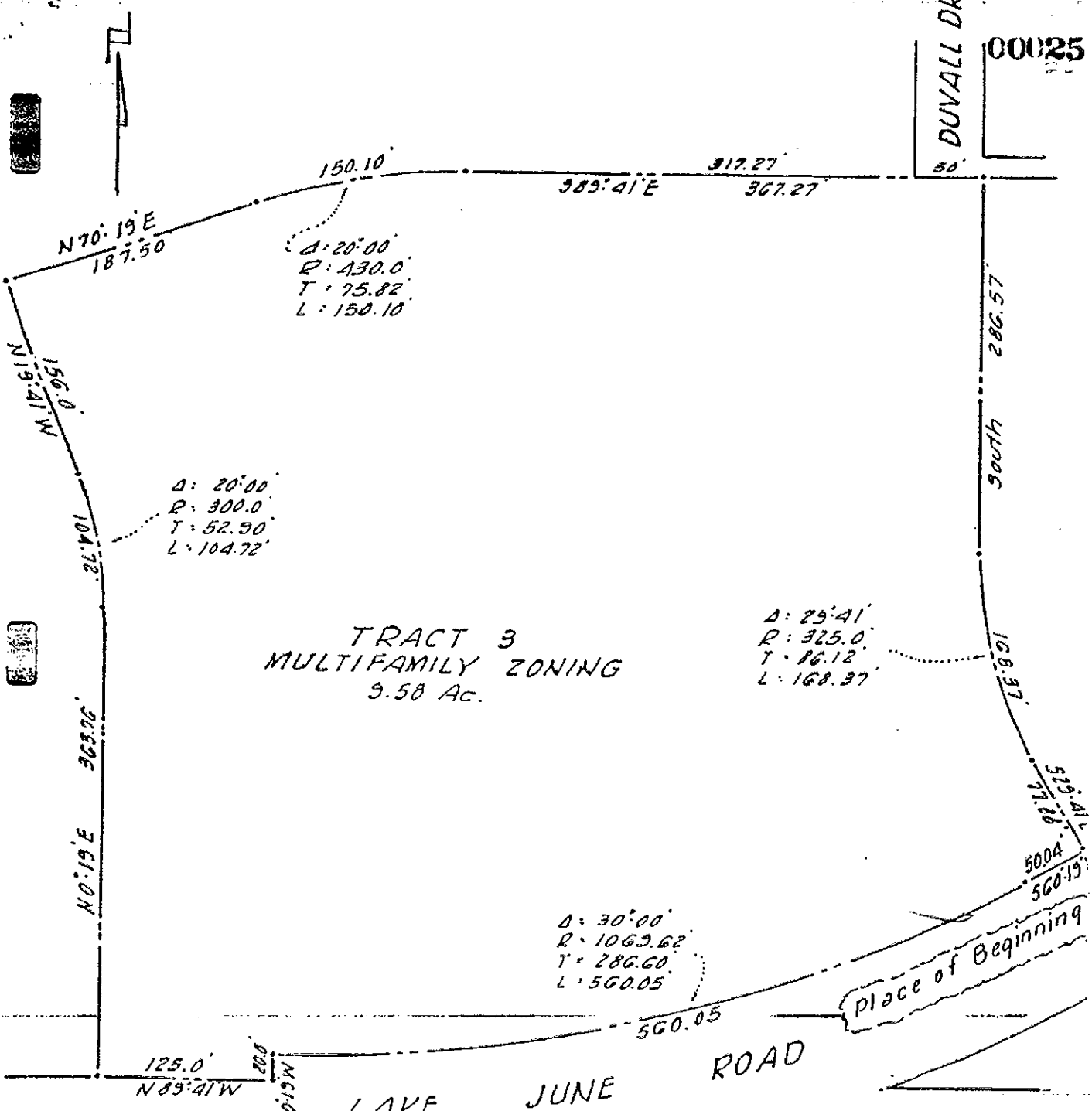
THENCE, South, leaving said South line of Casa Terrace Addition, a distance of 286.57 feet to the beginning of a curve to the left having a central angle of $29^{\circ}41'$ and a radius of 325.0 feet, a point for corner;

THENCE, around said curve, a distance of 168.37 feet to end of said curve, a point for corner;

THENCE, S. $29^{\circ}41'E$, a distance of 77.88 feet to the PLACE OF BEGINNING and containing 9.58 Acres of Land.

DUVALL DR.

00025



TRACT 3
MULTIFAMILY ZONING
9.58 AC.

LAKE JUNE ROAD

place of Beginning

CREEK PARK
MESQUITE, TEXAS

Scale 1" = 100'
#1121-X

00026