

ORDINANCE NO. 1673

00023

Appl. No. 1462-128

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 COMMERCIAL TO INDUSTRIAL ON A TRACT LOCATED 500 FEET SOUTH OF THE TOWN EAST BOULEVARD AND SAMUELL BOULEVARD INTERSECTION FRONTING THE SOUTHWEST SIDE OF TOWN EAST BOULEVARD, 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 Commercial to Industrial on a tract located 500 feet south of the Town East Boulevard and Samuell Boulevard Intersection fronting the Southwest side of Town East Boulevard, City of Mesquite, Dallas County, Texas.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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

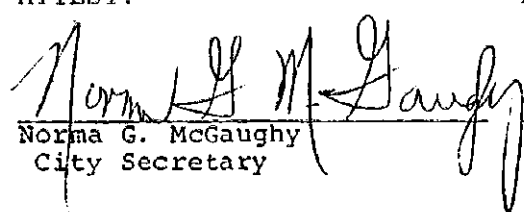
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of March, A.D. 1981.



 B. J. SMITH
 MAYOR

ATTEST:

APPROVED AS TO FORM:



 Norma G. McGaughy
 City Secretary

 Elland Archer
 City Attorney

SURVEY PLAT

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TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of the following described property:

Being situated in the City of Mesquite, Dallas County, Texas, out of the DANIEL TANNER LEAGUE, ABSTRACT NO. 1462 and being part of a 63 acre tract of land conveyed to J. H. Briley by S. B. Martin et ux by deed dated March 22, 1919 and recorded in Volume 769 at Page 73 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

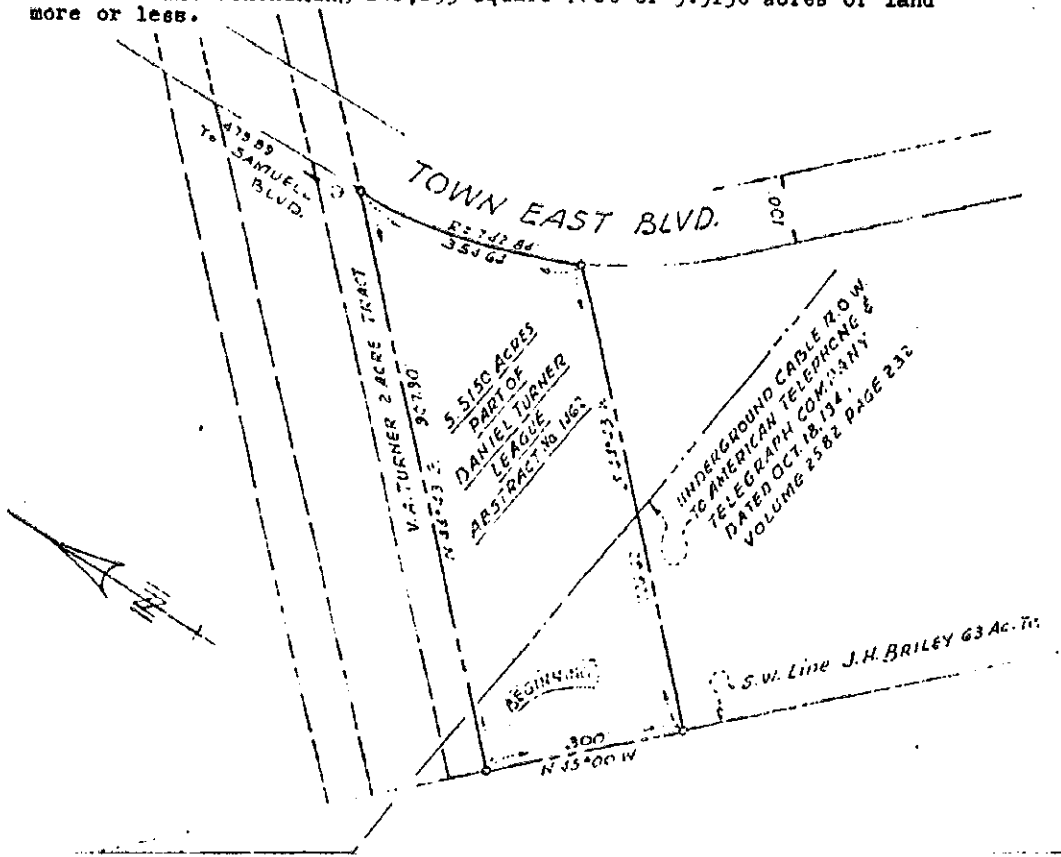
BEGINNING at a point in the Southwest line of said J. H. Briley 63 acre tract, said point being the South corner of a 2 acre tract conveyed to V. A. Turner et ux by J. H. Briley et ux, by deed filed March 21, 1952 in Volume 3672 at Page 261 of the Deed Records of Dallas County, Texas;

THENCE North 44 degrees 43 minutes East with the Southeast line of said V. A. Turner 2 acre tract a distance of 907.90 feet to a point in the West of Southwest line of Town East Boulevard (a 100 foot right-of-way);

THENCE in a Southeasterly direction with said line of Town East Boulevard and along a curve to the left having a radius of 742.84 feet, an arc distance of 354.64 feet to a point for corner;

THENCE South 64 degrees 43 minutes West parallel with said Southeast line of V. A. Turner 2 acre tract a distance of 726.62 feet to a point in the Southwest line of said J. H. Briley 63 acre tract;

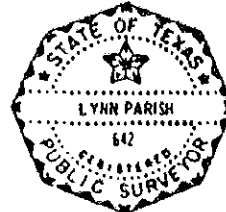
THENCE North 45 degrees 00 minutes West with the Southwest line of said J. H. Briley 63 acre tract a distance of 300 feet to the place of BEGINNING and containing 240,233 square feet or 5.5150 acres of land more or less.



The plat herein is a true, correct and accurate representation of the property as determined by survey, subject to any and all easements, reservations and restrictions that may be of record, the lines and dimensions of said property being as indicated by the plat, the size, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, 9' 6" from property lines the distance indicated, and that the distance from the nearest intersecting street or road is as shown on said plat. There are no attachments, conflicts or preferences.

Scale: 1" = 200'	W.O. No. 3003
Date: 3-20-68	Inv. No. 2958

Lynn Parish
 LYNN PARISH
 Registered Public Surveyor (V. 13)
 7801 Lantry Parkway, Dallas, Texas 75247



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