

00101

ORDINANCE NO. 1698

Appl. No. TE 3-3

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 GENERAL RETAIL TO PLANNED DEVELOPMENT DUPLEX ON A TRACT LOCATED 500 FEET SOUTHEAST OF TOWN EAST BOULEVARD FRONTING THE WEST SIDE OF BAKER STREET, 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 General Retail to Planned Development Duplex on a tract located 500 feet southeast of Town East Boulevard fronting the west side of Baker Street, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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.

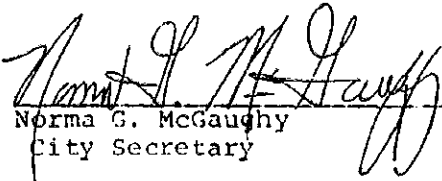
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 20th day of July, A.D., 1981.


B. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

July 10, 1961

FIELD NOTES

00103

A tract of land located on Baker Drive in Mesquite, Dallas County, Texas, out of Lot 15 Block 4 of Town East Estates No. 3 as filed in Volume 243, Page 1461 of Map and Plat Records of Dallas County, Texas, and being more particularly described as follows:


COMMENCING at the East corner of Lot 1 Block 4 of said Town East Estates No. 3, said commencing point being at the intersection of Baker Drive with Parkside Avenue; thence North 45 deg. 30 min. West with the Southwest line of Baker Drive 111.00 feet to Place of Beginning and the East corner of said Lot 15;

THENCE South 44 deg. 25 min. West with centerline of a 20 foot Easement Area and Lots 1, 2, 3 and 4; 240.00 feet to East corner of Lot 5 for corner;

THENCE North 45 deg. 35 min. West with centerline of a 20 foot Easement Area and Lots 5, 6, 7, 8 and 9; 305.41 feet to stake for corner;

THENCE North 44 deg. 25 min. 53 sec. East with Cicada Property Inc. Tract; 240.44 feet to stake set in R.O.W. of Baker Drive for corner;

THENCE South 45 deg. 30 min. East with R.O.W. of Baker Drive 305.50 feet to Place of Beginning and containing 1.70 acres of land, more or less.



THOMAS G. DANIEL
Registered Professional Engineer

LOT 18

N44°24'53"E 240.44'

00104

TOWN EAST ESTATES NO 3
LOT 18
BLOCK 1
16.98 ACRES

BAKER DRIVE (60' R.O.W.)

PARKSIDE AVE. (60' R.O.W.)

Lot 9
Lot 6
Lot 7
Lot 8
Lot 9

N45°35'W 308.41'

S49°30'E 308.40'

S44°25'W 240.00'

Lot 4 Lot 3 Lot 2 Lot 1

FACE OF BEGINNING

.0011

COMMENCING POINT



NORTH