

ORDINANCE NO. 1786  
File No. TRA-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 OFFICE TO PLANNED DEVELOPMENT MULTIFAMILY AT 25.8 UNITS PER ACRE ON A TRACT LOCATED AT THE SOUTHWEST CORNER OF THE FRONTIER BOULEVARD AND OATES DRIVE INTERSECTION, 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 IMPROVEMENTS ORDINANCES; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) 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 Office to Planned Development Multifamily at 25.8 units per acre on a tract located at the southwest corner of the Frontier Boulevard and Oates Drive intersection, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

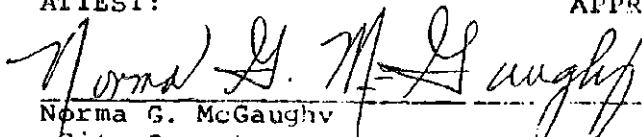
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction 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 17th day of May, A.D., 1982.

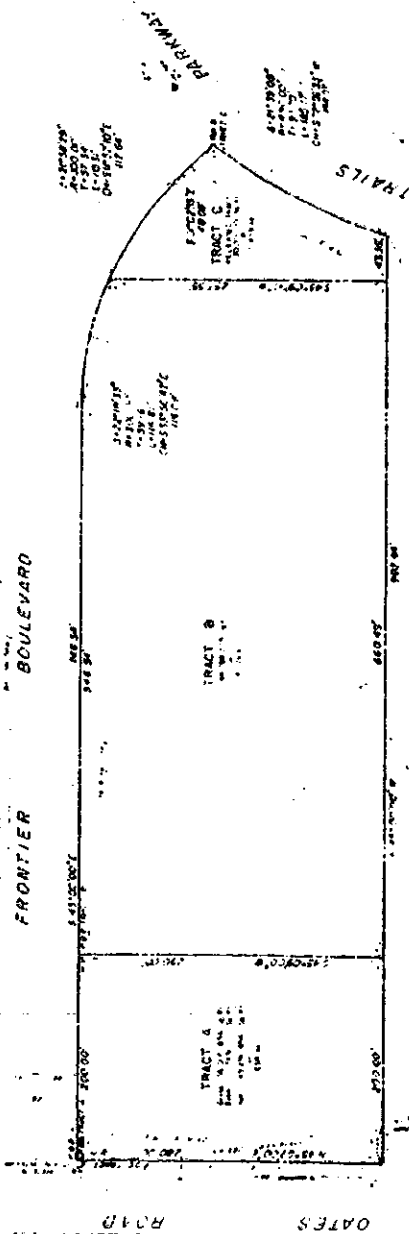
  
LEN GIBBENS  
MAYOR

ATTEST:

  
Norma G. McLaughly  
City Secretary

APPROVED AS TO FORM:

Elland Archer  
City Attorney



PC COUNTY SURVEY  
OF  
PART OF LOT 1  
THE TRAILS  
CITY OF MEGQUITE  
DALLAS COUNTY, TEXAS

FOR  
FIRST NATIONAL BANK OF ATLANTA  
FIRST NATIONAL BANK BUILDING  
111-1115, GERMANTOWN, MISSISSIPPI

**Cook Consultants, Inc.**  
Professional Surveyors  
11111 GERMANTOWN, MISSISSIPPI  
338-1111

Survey description and notes detailing the boundaries and areas of the tracts, including references to previous surveys and legal descriptions.

Survey notes and additional details regarding the survey process, including bearings, distances, and area calculations.

LEGAL DESCRIPTION

Being a tract of land out of the F. Thomas Survey, Abstract 1461, City of Mesquite, Dallas County, Texas, and being part of Lot 1, The Trails, an addition to the City of Mesquite, Dallas County, Texas, as filed in Volume 72145, Page 19, of the Dallas County Deed Records, and more particularly described as follows:

BEGINNING at an iron rod found for a corner at the intersection of the Westerly R.O.W. Line (80' R.O.W.) of Frontier Boulevard, and the Southerly R.O.W. Line (80' R.O.W.) of Oates Road;

THENCE, S 45° 00' 00" E along the said Westerly R.O.W. Line of Frontier Boulevard, a distance of 746.54 to an iron rod found at the beginning of a curve to the Right;

THENCE, along said curve to the Right and also along said Westerly R.O.W. Line of Frontier Boulevard, a distance of 250.15 feet to an iron rod set at the end of said curve to the Right having a central angle of 45° 57' 05", a radius of 501.40 feet and a tangent length of 111.06 feet;

THENCE, S 01° 02' 55" E along the said Westerly R.O.W. Line of Frontier Boulevard, a distance of 48.08 feet to an iron rod set for corner, said corner also being the intersection of said Westerly R.O.W. Line of Frontier Boulevard and the Northerly R.O.W. Line (100' R.O.W.) of Trails Parkway, said corner also lying in a curve to the Left;

THENCE, along said curve to the Left and also along the said Northerly R.O.W. Line of Trails Parkway, a distance of 185.17 feet to an iron rod found for corner, said corner lying on said curve to the Left having a central angle of 21° 50' 08", a radius of 440.00 feet, a tangent length of 95.70 feet, a chord bearing of S 72° 56' 55" W and a chord length of 181.07 feet;

THENCE, N 45° 00' 00" W for a distance of 905.84 feet to an iron rod found for a corner in the said Southerly R.O.W. Line of Oates Road;

THENCE, N 45° 00' E with said southerly R.O.W. Line of Oates Road for a distance of 280.00 feet to the POINT OF BEGINNING AND CONTAINING, more or less 200,099.05± Sq. Ft. or 5.971 acres of Land Gross [redacted] 249,550.059 Sq. Ft. or 5.725 ac [redacted] of Land Net.