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ORDINANCE NO. 1848
File No. Southeast Mesquite SEM

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-2, PLANNED DEVELOPMENT TOWNHOUSE AND PLANNED DEVELOPMENT DUPLEX TO PLANNED DEVELOPMENT INDUSTRIAL ON TRACT 1; FROM R-3, OFFICE AND PLANNED DEVELOPMENT TOWNHOUSE TO PLANNED DEVELOPMENT RESIDENTIAL ON TRACT 2; FROM AGRICULTURAL TO INDUSTRIAL ON TRACT 3; FROM AGRICULTURAL TO PLANNED DEVELOPMENT INDUSTRIAL WITH THE STIPULATIONS AS FOLLOWS: THAT ALL CONSTRUCTION SHALL HAVE A 200-FOOT SETBACK FROM NEWSOM ROAD, VISUAL SCREENING, 6-FOOT BERMS WITH 4 TO 1 SLOPE, LANDSCAPING; THAT ACCESS SHALL BE GRANTED ONLY FROM CLAY ROAD, BERRY ROAD AND THE COUNTY THOROUGHFARE; AND ALL BUILDINGS SHALL BE OF 100% MASONRY CONSTRUCTION ON TRACT 4; FROM AGRICULTURAL TO INDUSTRIAL ON TRACT 5 AND TRACT 6; SAID PROPERTY BEING LOCATED GENERALLY SOUTH OF SCYENE ROAD, EAST OF PIONEER ROAD, NORTH OF NEWSOM ROAD AND BERRY ROAD TO THE EASTERN BOUNDARY OF THE CITY ALONG LAWSON ROAD, 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 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:

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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-2, Planned Development Townhouse and Planned Development Duplex to Planned Development Industrial on Tract 1; From R-3 Office and Planned Development Townhouse to Planned Development Residential on Tract 2; From Agricultural to Industrial on Tract 3; From Agricultural to Planned Development Industrial with the stipulations as follows: That all construction shall have a 200-foot setback from Newsom Road, visual screening, 6-foot berms with 4 to 1 slope, landscaping; that access shall be granted only from Clay Road, Berry Road and the County thoroughfare; and all buildings shall be of 100% masonry construction on Tract 4; from agricultural to industrial on tract 5 and tract 6; said property being located generally south of Scyene Road, East of Pioneer Road, North of Newsom Road and Berry Road to the Eastern Boundary of the City Along Lawson Road, City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" attached hereto.

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.

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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.

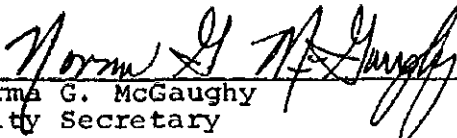
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of December, A.D., 1982.



LEN GIBBENS
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

FIELD NOTES
SOUTHEAST MESQUITETRACT I

Being a tract, lot or parcel of land, situated in the City of Mesquite, Dallas County, Texas, and being out of the Thomas Scott Survey, Abstract No. 1353 and the Samuel Andrews Survey, Abstract No. 40, being described by metes and bounds as follows:

BEGINNING at the intersection of the west line of State Highway No. 352 with the south right of way line of Scyene Road:

THENCE south $83^{\circ} 59' 38''$ east with said south right of way line of Scyene Road 1320.05 feet to a point;

THENCE south $6^{\circ} 00' 22''$ west 30.0 feet to a point;

THENCE south $83^{\circ} 56' 20''$ east 224.98 feet to a point;

THENCE south $83^{\circ} 59' 38''$ east 904.15 feet to a point;

THENCE north $6^{\circ} 00' 22''$ east 30.0 feet to a point;

THENCE south $83^{\circ} 59' 38''$ east 561.42 feet to a point;

THENCE south $37^{\circ} 17' 20''$ west 383.85 feet to a point;

THENCE north $89^{\circ} 47' 28''$ east 763.86 feet to a point;

THENCE south $0^{\circ} 05' 33''$ east 798.66 feet to a point; said point being in the south right of way line of proposed Davis Street extension;

THENCE north $79^{\circ} 08' 28''$ west with said proposed Davis Street 2706.08 feet to a point; said point being the beginning of a curve to the right having a Delta of $5^{\circ} 30' 31''$, radius 5050.0 feet;

THENCE along said curve to the right 485.52 feet to a point;

THENCE north $73^{\circ} 37' 57''$ west 1243.76 feet to a point; said point being in the east boundary line of the Mesquite Highland Addition to the City of Mesquite;

THENCE north $0^{\circ} 14' 13''$ west with said east boundary of Mesquite Highland Addition to City of Mesquite 154.6 feet to the south right of way line of State Highway No. 352;

THENCE in a northeasterly direction along a curve to the left having a Delta of $41^{\circ} 27' 24''$, $R=850.0'$, a distance of 615.02 to a point;

THENCE north $40^{\circ} 08' 12''$ east 94.04 to the place of beginning.

SOUTHEAST MESQUITE

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Tract II

Being a tract of land, situated in the City of Mesquite, Dallas County, Texas, and being out of the Thomas Scott Survey, Abstract No. 1353 and the Samuel Andrews Survey, Abstract No. 40, being described by metes and bounds as follows:

BEGINNING at a point in the east boundary of the Mesquite Highlands Addition to the City of Mesquite, said point being south $0^{\circ} 14' 13''$ east 154.6 feet from the south right of way line of State Highway No. 352, also said point being in the south right of way line of proposed Davis Street extension.

THENCE south $73^{\circ} 37' 57''$ east with south right of way line of said Davis Street extension 1243.76 feet to a point; said point being the beginning of a curve to the left having a delta of $5^{\circ} 30' 31''$, $R=5050.0'$;

THENCE along said curve to the left 485.52 feet to a point;

THENCE, south $79^{\circ} 08' 28''$ east 2706.08 feet to a point;

THENCE, south $0^{\circ} 05' 33''$ east 692.9 feet to a point, said point being in the north right of way line of Newsom Road;

THENCE, north $82^{\circ} 53' 38''$ west with the north right of way line of Newsom Road 396.31 feet to a point, said point being the beginning of a curve to the right having a central angle of $60^{\circ} 19'$, $R=150.0'$, $T=87.18'$;

THENCE, along said curve to the right 157.95 feet to a point;

THENCE, north $22^{\circ} 33' 38''$ west 412.11 feet to a point;

THENCE, north $89^{\circ} 32' 22''$ west 1707.2 feet to a point;

THENCE, in a westerly direction with the north right of way line of said Newsom Road 1837.0 feet more or less to the south-east corner of said Mesquite Highland Addition to City of Mesquite;

THENCE, north $0^{\circ} 14' 13''$ west with said east line of Mesquite Highland Addition to the place of beginning.

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TRACT III

Being a tract of land situated in the City of Mesquite, Dallas County, Texas and being out of the T. J. Sewell Survey, Abstract 1359 and the James M. Sewell Survey, Abstract 1358, being described as follows:

BEGINNING at the intersection of the east right of way line of Clay Road with the south right of way line of Scyene Road;

THENCE, in an easterly direction with the south right of way line of Scyene Road 4827 feet more or less to the intersection of the west right of way line of Berry Road;

THENCE, in a southerly direction with the west right of way line of said Berry Road to a point, said point being in the south right of way line of proposed Davis Street extension;

THENCE, in a westerly direction with the south right of way of said Davis Street extension to a point, said point being in the east right of way line of Clay Road;

THENCE, in a northerly direction with said east right of way line of Clay Road 1185 feet more or less to the point of beginning.

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TRACT IV

Being a tract of land situated in the City of Mesquite, Dallas County, Texas and being out of the T. J. Sewell Survey, Abstract 1359 and the James M. Sewell Survey, Abstract 1358, and being described as follows:

BEGINNING at the intersection of the north right of way line of Newsom Road with the east right of way line of Clay Road;

THENCE, in a northerly direction with the east right of way line of Clay Road to a point in the south right of way line of proposed Davis Street extension;

THENCE, in an easterly direction with the south right of way line of said Davis Street extension to a point in the west right of way line of Berry Road;

THENCE, in a southerly direction with said west right of way line of Berry Road to a point in the north right of way line of Newsom Road;

THENCE, in a westerly direction with said north right of way line of Newsom Road to the place of beginning.

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TRACT V

Being a tract, lot or parcel of land, situated in the City of Mesquite, Dallas County, Texas, and being out of the J. M. BENNETT SURVEY, Abstract No. 85, MCKINNEY & WILLIAMS SURVEY, Abstract No. 1026, W. S. LONG SURVEY, Abstract No. 825, W. S. ROBINSON SURVEY, Abstract No. 1262, being described as follows:

BEGINNING at the intersection of the south right of way of Scyene Road with the east right of way line of Berry Road;

THENCE, in a southerly direction with said east right of way line of Berry Road 4550.0 feet more or less, to a point, said point being at the intersection of Berry Road with the center line of Mesquite Valley Road;

THENCE, in a southeasterly direction with said northeast right of way line of Berry Road 2700 feet more or less to a point, said point being in the southeast line of said W. S. LONG SURVEY, Abstract No. 825;

THENCE, in a northeasterly direction with the southeast line of said W. S. LONG SURVEY, Abstract No. 825 1040 feet more or less to a point, said point being in the south line of the said W. S. ROBINSON SURVEY, Abstract No. 1262;

THENCE, in an easterly direction with said south line of W. S. ROBINSON SURVEY 343 feet more or less to a point;

THENCE, in a northerly direction 4700 feet more or less to a point, said point being in the south right of way line of Scyene Road;

THENCE, in a northwesterly direction along the south right of way line of said Scyene Road 3200.0 feet more or less to the place of beginning.

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TRACT VI

Being a tract, lot or parcel of land situated in the City of Mesquite, Dallas County, Texas and being out of the R. ROWE SURVEY, Abstract No. 1630; W. S. ROBINSON SURVEY, Abstract No. 1262; MCKINNEY & WILLIAMS SURVEY, Abstract 1026; SAM HOUSTON SURVEY, Abstract 657, being described as follows:

BEGINNING at the intersection of the south right of way line of Scyene Road with the west right of way line of Lawson Road;

THENCE, in a southerly direction with said west right of way line of Lawson Road 1022.03 feet more or less to a point;

THENCE, in a northwesterly direction 1000 feet perpendicular to, and parallel to, Scyene Road to a point in the east line of the W. S. ROBINSON SURVEY, Abstract 1262;

THENCE, in a southerly direction with said east line of the W. S. ROBINSON SURVEY to a point, said point being the southeast corner of said W. S. ROBINSON SURVEY;

THENCE, in a westerly direction with said south line of W. S. ROBINSON SURVEY 1111.11 feet more or less to a point, said point being in the east line of

THENCE, in a northerly direction with the said Hudson Municipal Airport to a point in the south right of way line of Scyene Road;

THENCE, in a southeasterly direction with said south right of way line of Scyene Road to the place of beginning.

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