

ORDINANCE NO. 1889  
File No. 1462-145

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-1 TO PLANNED DEVELOPMENT MULTIFAMILY AT A DENSITY OF 22 UNITS PER ACRE WITH THE FOLLOWING STIPULATIONS: (1) THAT PARTICULAR CONSIDERATION BE GIVEN TO DRAINAGE IMPROVEMENTS TO ASSURE NO ADVERSE EFFECTS ON DOWNSTREAM PROPERTIES AND (2) THAT ARRANGEMENTS FOR SHARING THE COST OF TRAFFIC SIGNALS AT THE US 80 SERVICE ROAD AND NORTH GALLOWAY INTERSECTION BE PROPOSED. THE TRACT IS LOCATED GENERALLY SOUTH AND EAST OF THE I-20 AND I-635 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 IMPROVEMENT ORDINANCES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$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 A-1 to Planned Development Multifamily at a density of 22 units per acre with the following stipu-

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lations: (1) That particular consideration be given to drainage improvements to assure no adverse effects on downstream properties and (2) That arrangements for sharing the cost of traffic signals at the US 80 Service Road and North Galloway intersection be proposed. The tract is located generally south and east of the I-20 and 1-635 intersection; 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.

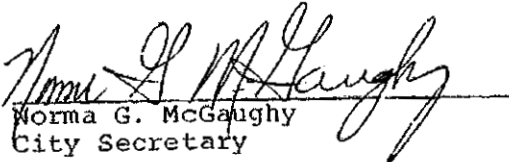
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 6th day of June, A.D., 1983

  
\_\_\_\_\_  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Norma G. McGaughy  
City Secretary

\_\_\_\_\_  
Elland Archer  
City Attorney

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Being a 27.94 acre tract situated in the Daniel Tanner Survey Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being that same tract of land as described in deed to Jerry Biesel as recorded in Volume 82245, Page 1482 of the Deed Records of Dallas County, Texas, and being more particularly described as follows;

BEGINNING at a found 3/4 inch iron rod in the easterly line of the Owen Smith Subdivision, an addition to the City of Mesquite as recorded in Volume 19, Page 111 of said Deed Records, said point being S 0°14'49" W, 355.68 feet from the intersection of the easterly line of said Owen Smith Subdivision with the southerly line of Interstate Highway 20 (U.S. Highway 80);

THENCE S 0°14'49" W, along the easterly line of said Owen Smith Subdivision, 1017.02 feet to a found 3/4 inch iron rod;

THENCE S 44°54'07" W, 891.70 feet to a found 1/2 inch iron rod;

THENCE N 45°11'29" W, 703.25 feet to a found brass cap in concrete, said point being in the easterly line of Interstate Highway 635;

THENCE along the easterly line of said Interstate Highway 635 the following;

N 9°20'51" W, 66.52 feet to a 3/4 inch iron pipe set;

N 0°26'52" W, 89.91 feet to a 3/4 inch iron pipe set;

N 8°46'30" E, 217.39 feet to a found brass cap in concrete;

THENCE N 44°55'36" E, leaving the easterly line of said Interstate Highway 635, 1093.09 feet to a found 2 inch iron pipe;

THENCE N 89°23'21" E, 129.24 feet to a found 3/4 inch iron rod in the westerly line of Santa Maria Drive (60 foot right-of-way);

THENCE N 0°14'49" E, along the westerly line of said Santa Maria Drive, 8.56 feet to a found 3/4 inch iron rod;

THENCE S 89°39'19" E, leaving the westerly line of said Santa Maria Drive, 209.90 feet to the POINT OF BEGINNING and CONTAINING 27.94 gross acres of land more or less.

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US HIGHWAY 80  
INTERSTATE HIGHWAY 20

POINT OF BEGINNING

SANTA MARTIN DRIVE

27.94 ACRES±

LEGEND:  
1. 1/4 SECTION 36, T. 10 N., R. 10 E., S. 10 W., CO. 10, TEXAS  
2. 1/4 SECTION 36, T. 10 N., R. 10 E., S. 10 W., CO. 10, TEXAS  
3. 1/4 SECTION 36, T. 10 N., R. 10 E., S. 10 W., CO. 10, TEXAS

ESPEY, HUSTON & ASSOCIATES, INC.

BOUNDARY SURVEY  
THE VALLEY  
SANDY, SANDY SURVEY, ABSTRACT 40 0442  
CITY OF MICHIGAN, SULLY COUNTY, TEXAS

ESPEY, HUSTON & ASSOCIATES, INC.  
Engineering & Environmental Consultants  
333 W. Campbell Rd. Richardson, Texas 75080  
(214) 669-9600

eh

DATE	12/11/11
BY	ESPEY, HUSTON & ASSOCIATES, INC.
SCALE	AS SHOWN
PROJECT	BOUNDARY SURVEY
SECTION	36
TOWNSHIP	T. 10 N.
RANGE	R. 10 E.
COUNTY	SULLY COUNTY, TEXAS

NO.	1
DATE	12/11/11
BY	ESPEY, HUSTON & ASSOCIATES, INC.
SCALE	AS SHOWN
PROJECT	BOUNDARY SURVEY
SECTION	36
TOWNSHIP	T. 10 N.
RANGE	R. 10 E.
COUNTY	SULLY COUNTY, TEXAS

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