

ORDINANCE NO. 1926
File No. 1353-17

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 R-3 TO PLANNED DEVELOPMENT SINGLE FAMILY FOR PATIO HOMES ON TRACT 1 AND FROM R-3 WITH A MINIMUM UNIT SIZE OF 1,400 SQUARE FEET TO PLANNED DEVELOPMENT SINGLE FAMILY FOR PATIO HOMES ON TRACT 2. THIS 39.3 ACRE TRACT OF LAND IS LOCATED GENERALLY WEST AND NORTH OF THE KEARNEY STREET AND S.H. 352 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 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 R-3 to Planned Development Single Family for patio homes on Tract 1 and from R-3 with a minimum unit size of 1,400 square feet to Planned Development Single Family for patio homes on Tract 2. This 39.3 acre tract is located generally west and north of the Kearney Street and S.H. 352 intersection; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

C0218

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.

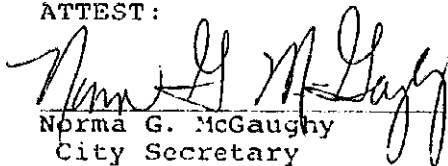
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction 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 12th day of September, A.D., 1983.


MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

Tract 1

Being a tract of land situated in the Thomas Scott Survey, Abstract No. 1533, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found in the West right-of-way line of Buttercup Trail (50 ft. R.O.W.), said point being the most North-Northwesterly point of a Replat of Part of Blocks A and C and All of Block B of Meadow Creek Addition, an addition to the City of Mesquite as recorded in Volume 82146, Page 1663 of the Deed Records of Dallas County, Texas;

THENCE: North $0^{\circ} 43' 07''$ East, continuing along the West right-of-way of said Buttercup Trail, a distance of 298.10 feet to an iron rod set for a corner;

THENCE: Departing the West right-of-way line of said Buttercup Trail, North $89^{\circ} 14' 35''$ East, a distance of 1073.63 feet to an iron rod found for the beginning of a circular curve to the left;

THENCE: Along said circular curve to the left having a central angle of $50^{\circ} 24' 17''$, a radius of 75.00 feet, a tangent length of 35.30 feet, and an arc length of 65.98 feet to an iron rod found at the end of said curve to the left;

THENCE: North $38^{\circ} 50' 19''$ East, a distance of 99.62 feet to an iron rod set for a corner, said point being in the South right-of-way line of Wildflower Lane (60 ft. R.O.W.) said point also being the beginning of a circular curve to the left;

THENCE: Continuing along the South right-of-way line of said Wildflower Lane and said circular curve to the left having a beginning tangent bearing of South $51^{\circ} 09' 41''$ East, a central angle of $27^{\circ} 10' 14''$, a radius of 570.88 feet, a tangent length of 137.95 feet, and an arc length of 270.72 feet to an iron rod found for the end of said circular curve to the left;

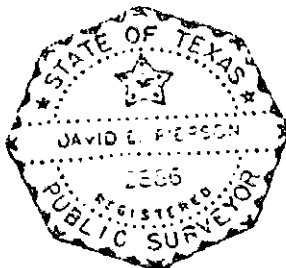
THENCE: South $78^{\circ} 19' 55''$ East, continuing along the South right-of-way line of said Wildflower Lane, a distance of 27.29 feet to an iron rod found for a corner and the beginning of a circular curve to the left;

THENCE: Departing the South right-of-way line of said Wildflower Lane and along said circular curve to the left having a beginning tangent bearing of South $10^{\circ} 34' 12''$ West, a central angle of $8^{\circ} 51' 51''$, a radius of 1565.47 feet, a tangent length of 121.34 feet, and an arc length of 242.19 feet to an iron rod found for a point of reverse curvature to the right;

THENCE: Along said circular curve to the right having a beginning tangent bearing of South $01^{\circ} 42' 21''$ West, a central angle of $87^{\circ} 32' 14''$, a radius of 40.00 feet, a tangent length of 38.32 feet, and an arc length of 61.11 feet to an iron rod found for the end of said circular curve to the right;

THENCE: South $89^{\circ} 14' 35''$ West, a distance of 1401.26 feet to the POINT OF BEGINNING and containing 10.1818 Acres (443,520 sq. ft.) of land.

To any person, firm or corporation relying upon the accuracy of this survey or plat, I, David E. Pierson, Registered Public Surveyor, State of Texas, do certify that this plat represents measurements performed upon the ground under my supervision, and indicates all set back lines, easements, and fences as they are visible on the ground, and that all improvements, if any, are wholly within the boundary lines of the property, and that there are no encroachments, conflicts, protrusions, or overlapping of improvements except as shown hereon. This is a true and correct survey.



David E. Pierson

Registered Public Surveyor No. 2886
State of Texas

3-13-83

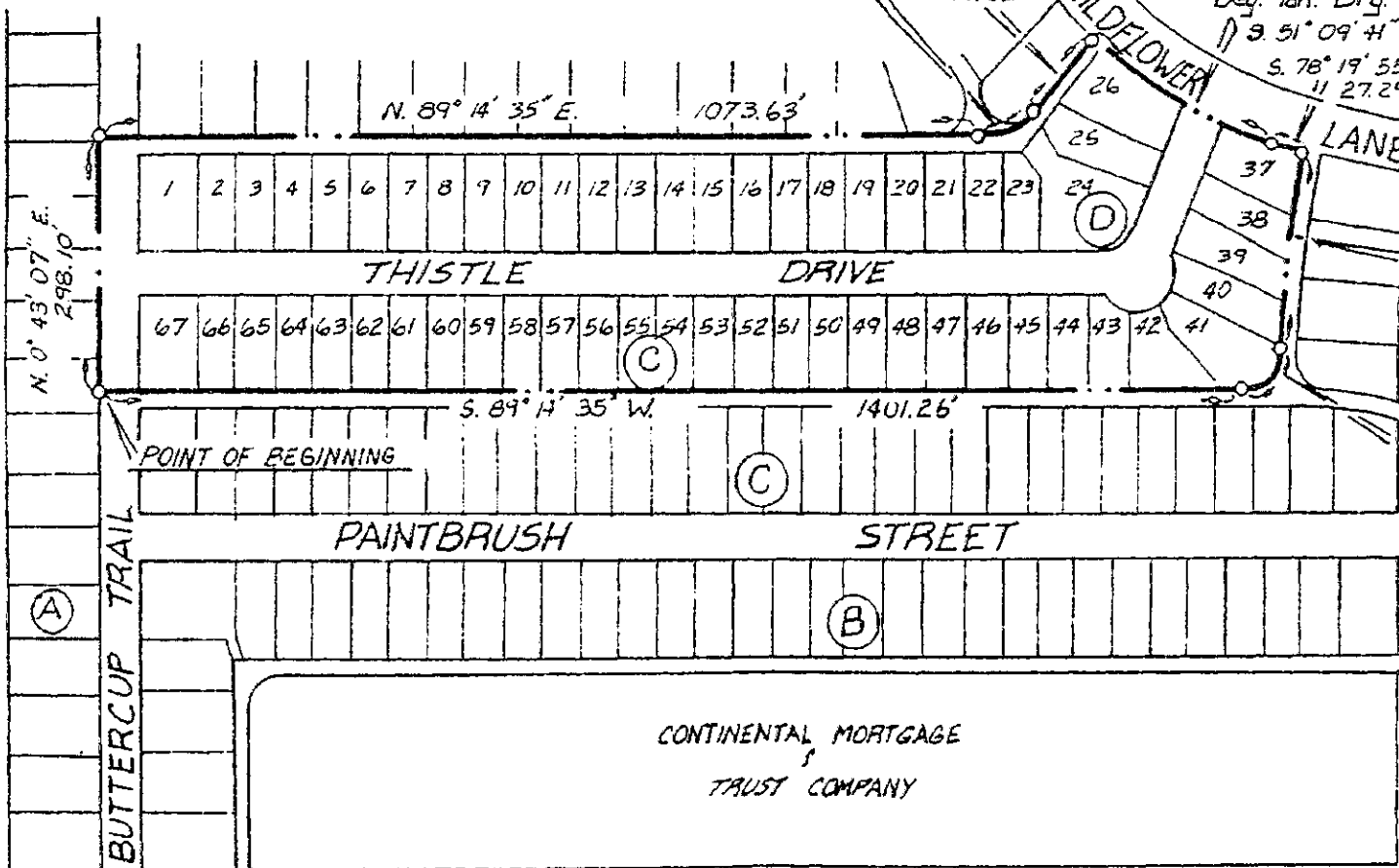
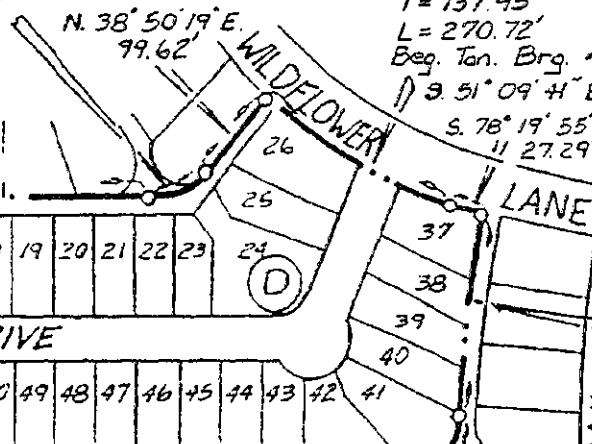
Date

1353-17

$\Delta = 50^{\circ} 24' 17''$
 $R = 100.00'$
 $T = 32.50'$
 $L = 65.98'$

$\Delta = 27^{\circ} 10' 14''$
 $R = 570.88'$
 $T = 137.95'$
 $L = 270.72'$

SCHOOL SITE

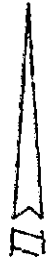


$\Delta = 2^{\circ} 51' 51''$
 $R = 1560.47'$
 $T = 121.34'$
 $L = 242.19'$
 Beg. Ton. Brg.
 $S 10^{\circ} 34' 12'' W$

$\Delta = 87^{\circ} 32' 14''$
 $R = 40.00'$
 $T = 38.32'$
 $L = 61.11'$
 Beg. Ton. Brg.
 $S 1^{\circ} 12' 21'' W$

HOMECRAFT
 LAND
 DEVEL., INC.
 UNPLATTED

C01220



SCALE: 1"=200'

OWNER: HOMECRAFT LAND DEVELOPMENT SERVICES, INC.
 4155 LBJ FRWY. SUITE 620
 DALLAS, TEXAS 75244

MEADOW HIGHLANDS IB
 ENGINEERS: ACREY, ROBERTS, & PIERSON INC.
 9250 AMBERTON PKWY.
 SUITE 112 -
 DALLAS, TEXAS 75248

153-17

FIELD NOTES

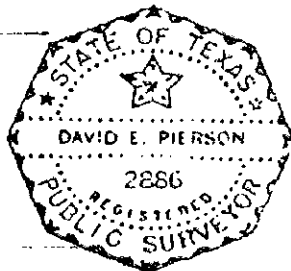
Tract 2

00221

Being a tract of land situated in the Thomas Scott Survey, Abstract No. 1353 in the City of Mesquite, Dallas County, Texas and being more particularly described as follows:

- COMMENCING at the intersection of the North line of Kearney Street (80 ft. R.O.W.) with the East line of Purple Sage Trail (60 ft. R.O.W.); Thence North $00^{\circ}45'25''$ West along the East line of said Purple Sage Trail a distance of 213.01 ft. to the True Point of Beginning;
- THENCE North $00^{\circ}45'25''$ West continuing along the East line of said Purple Sage Trail a distance of 287.01 ft. to a point for the beginning of a circular curve to the right;
- THENCE continuing along the East line of said Purple Sage Trail and along said circular curve to the right having a central angle of $13^{\circ}37'30''$, a radius of 1372.47 ft., a tangent length of 163.96 ft., and an arc length of 326.37 ft. to the end of said curve to the right;
- THENCE North $77^{\circ}07'55''$ West a distance of 30.0 ft. to a point for the beginning of a circular curve to the right;
- THENCE along said circular curve to the right having a beginning tangent bearing of North $12^{\circ}52'05''$ East a central angle of $14^{\circ}36'43''$, a radius of 1402.47 ft., a tangent length of 179.81 ft., an arc length of 357.67 ft. to a point of tangency;
- THENCE North $27^{\circ}28'48''$ East a distance of 170.0 ft. to a point for a corner;
- THENCE North $62^{\circ}31'12''$ West a distance of 30.0 ft. to a point for a corner;
- THENCE North $27^{\circ}28'48''$ East a distance of 118.42 ft. to a point for a corner;
- THENCE South $75^{\circ}10'38''$ East a distance of 390.00 ft. to a point for a corner;
- THENCE North $89^{\circ}19'50''$ East a distance of 309.54' to a point for corner;
- THENCE South $21^{\circ}37'23''$ East a distance of 520.07' to a point for corner;
- THENCE South $35^{\circ}10'40''$ East a distance of 289.37' to a point for corner;
- THENCE South $38^{\circ}35'00''$ East a distance of 257.72' to a point for corner;
- THENCE South $74^{\circ}28'00''$ West a distance of 278.12' to a point for corner;
- THENCE South $78^{\circ}02'00''$ West a distance of 576.96' to a point for corner;
- THENCE South $89^{\circ}14'35''$ West a distance of 595.42 ft. to the Point of Beginning and containing 28.0642 Acres (1,222,478 sq. ft.) of land.

To any Person, firm or corporation relying upon the accuracy of this survey or plat, I, David E. Pierson, Registered Public Surveyor, State of Texas, do certify that this plat represents measurements performed upon the ground under my supervision, and indicates all set back lines, easements, and fences as they are visible on the ground, and that all improvements, if any, are wholly within the boundary lines of the property, and that they are no encroachments, conflicts, protusions, or overlapping of improvements except as shown hereon. This is a true and correct survey.



David E. Pierson

Registered Public Surveyor No. 2886
State of Texas

Date 8-25-83

1353-17

00222

SCOUTS INDEPENDENT
SCHOOL DISTRICT

N 77° 21' 49" E
172.00'

Δ = N 12° 52' 05" E
= 14° 33' 43"
= 1402.41'
= 179.61'
= 357.67'

N 77° 0' 21" W
30.00'

28.0642 ACRES

Δ = 13° 37' 30"
R = 1272.47'
T = 163.96'
L = 226.37'

Trust Co.
PURPLE SAGE TRAIL

N 00° 45' 25" W
287.01'

POINT OF BEGINNING

POINT OF REFERENCE

KEARNEY STREET

MEADOW HIGHLAND
III

ENGINEERS: ACREY, ROBERTS, & PIERSON

SCALE: 1" = 200'

83-8P-231

353-17