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ORDINANCE NO. 1946
File No. 337-9

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-1 TO OFFICE ON A TRACT LOCATED 1000 FEET NORTH OF THE BELTLINE ROAD AND I-20 INTERSECTION FRONTING THE WEST SIDE OF BELTLINE 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:

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-1 to Office on a tract located 1000 feet north of the Beltline Road and I-20 intersection fronting the west side of Beltline Road; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

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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 3rd of October, A.D., 1983.

Mrs. Brunhilde Nyström
MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

Norma G. McGaughy
Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

SURVEY PLAT

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TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful survey on the ground of the following described property, to-wit:

Being a tract of land situated in the City of Mesquite, Dallas County, Texas, out of the S. W. CALDWELL SURVEY, ABSTRACT 337, and being part of a certain 54.3 acre tract conveyed by Annie Hanby a widow, to O. C. Hanby Jr., by Deed dated 12-10-59, recorded in Volume 5250, Page 481 of the Deed Records of Dallas County, Texas and being more particularly described as follows;

BEGINNING at the intersection of the North line of Hanby Drive (10' ROW) with the West line of Belt Line Road (100' ROW), a 1/2" iron rod;

THENCE South 89° 01' West, 456.55 feet with the North line of Hanby Drive, to the most Southerly Southeast corner of Timberland Addition, an Addition to the City of Mesquite, Texas, according to the plat thereof recorded in Volume S1028, Page 2195 of the Map Records of Dallas County, Texas, a 1/2" iron rod;

THENCE North 51° 01' 00" East, 333.24 feet with the Easterly line of Block 4 of said Timberland Addition to an angle point, a 1/2" iron rod;

THENCE North 33° 01' 00" East, 150 feet with said Easterly line of Block 4, to an angle point, a 1/2" iron rod;

THENCE North 00° 59' West, 36.22 feet to the Northeast corner of said Block 4 in the South line of Ripplewood Drive (50' ROW) a 1/2" iron rod;

THENCE North 89° 01' 00" East with the South line of Ripplewood Drive, 108.58 feet to its intersection with the West line of Belt Line Road;

THENCE South 01° 13' 00" East, 365.75 feet with the West line of Belt Line Road to the place of BEGINNING and containing 2.051 acres of land.

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