

ORDINANCE NO. 1950
File No. 486-15

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 COMMERCIAL ON A TRACT LOCATED NORTHEAST OF THE NORTH GALLOWAY AVENUE AND RIDGEVIEW 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 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 Commercial on a tract located northeast of the North Galloway Avenue and Ridgeview Drive intersection; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 NYSTROM
MAYOR

ATTEST:


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at North Galloway Avenue in the City of Mesquite, Dallas County, Texas, and being a tract of land out of the W. FOREMAN SURVEY, ABSTRACT NO. 486, Dallas County, Texas, described by metes and bounds as follows:

BEGINNING at an iron rod in the northeast right-of-way line of a strip of land dedicated to the City of Mesquite and recorded in Volume 4861, Page 13, Deed Records, Dallas County, Texas, and being the northeast right-of-way line of North Galloway Avenue (100 foot right-of-way), said iron rod being North 45 degrees 16 minutes West, 255.55 feet from the Northwest line of TRUMAN HEIGHT ADDITION, as recorded in Volume 11, Page 135, Map Records, Dallas County, Texas;

THENCE North 45 degrees 08 minutes 31 minutes East, a distance of 724.53 feet to an iron rod set in the South right-of-way line of Interstate Highway 20 (a variable width right-of-way) for a corner;

THENCE South 89 degrees 34 minutes 23 seconds West along said Interstate Highway 20 right-of-way line 413.16 feet to an iron rod found for a corner;

THENCE South 43 degrees 50 minutes 51 seconds West a distance of 431.61 feet to an iron rod in the northeast right-of-way line of said North Galloway Avenue for a corner;

THENCE South 45 degrees 16 minutes East, along said Galloway Avenue right-of-way line a distance of 279.5 feet to the POINT OF BEGINNING and containing 3.790 acres of land more or less.

SURVEYORS CERTIFICATION

I, Thomas W. Vogt, a Registered Public Surveyor, do certify the plat hereon is a true, correct and accurate representation of the property as determined by a survey on the ground and all corner are set. Easements, encroachments, improvements, conflicts or protrusions are not shown.

Thomas W. Vogt, P.E.

Thomas W. Vogt, P.E.
Registered Public Surveyor
Registered Professional Engineer
August 1, 1983

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