

ORDINANCE NO. 2009
File No. 1462-165

C0079

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 SINGLE FAMILY TO LIGHT COMMERCIAL ON A TRACT LOCATED NORTH AND EAST OF THE GROSS ROAD AND MOTLEY 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 Single Family to Light Commercial on a tract located north and east of the Gross Road and Motley 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 19th day of March, A.D., 1984.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
City Attorney

PROPERTY DESCRIPTION

BEING a tract of land situated in the DANIEL TANNER SURVEY, ABSTRACT NO. 1462, City of Mesquite, and being part of a 3.58 acre tract conveyed to METRO EAST DEVELOPMENT CORPORATION, in Volume 82079, Page 1058, Deed Records, Dallas County, Texas, and being more particularly described as follows:

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BEGINNING at an iron rod at the intersection of the Northwest ROW line of Dallas Power & Light Company and the Easterly ROW line of New Gus Thomasson Road (a 100' ROW), said point being N 45° 00' 40" W, 66.70 feet from the original South corner of the 3.58 acre Metro East Development Corporation Tract;

THENCE: N 2° 00' 56" W, 218.15 feet along the New East ROW line of Gus Thomasson Road to a point for a curve to the right in a Northeast direction, having a central angle of 7° 01' 26", radius = 2814.79 feet;

THENCE: Around said curve along the East ROW line of New Gus Thomasson Road, an arc distance of 365.07 feet to the end of said curve;

THENCE: S 5° 00' 10" E, 102.62 feet along the East ROW line of New Gus Thomasson Road to an iron rod in the new line of said 3.58 acre Metro East Development Corporation Tract;

THENCE: S 44° 57' 57" E, 463.02 feet along the Northeast line of said Metro East Development Corporation Tract to a concrete marker for corner in the Northwest ROW line of said Dallas Power & Light Company ROW;

THENCE: S 45° 00' 40" W, 477.21 feet along said ROW line to the PLACE OF BEGINNING and containing 114,467.22 square feet or 2.6733 acres of land.

SURVEYORS CERTIFICATION

I hereby certify that the plat hereon is a true, correct and accurate representation of the property as determined by an on the ground survey. The lines and dimensions of said property being as indicated by the plat.

February 3, 1965

J. L. East
J. L. EAST
REGISTERED PUBLIC SURVEYOR NO. 2509



1462-145

SURVEY

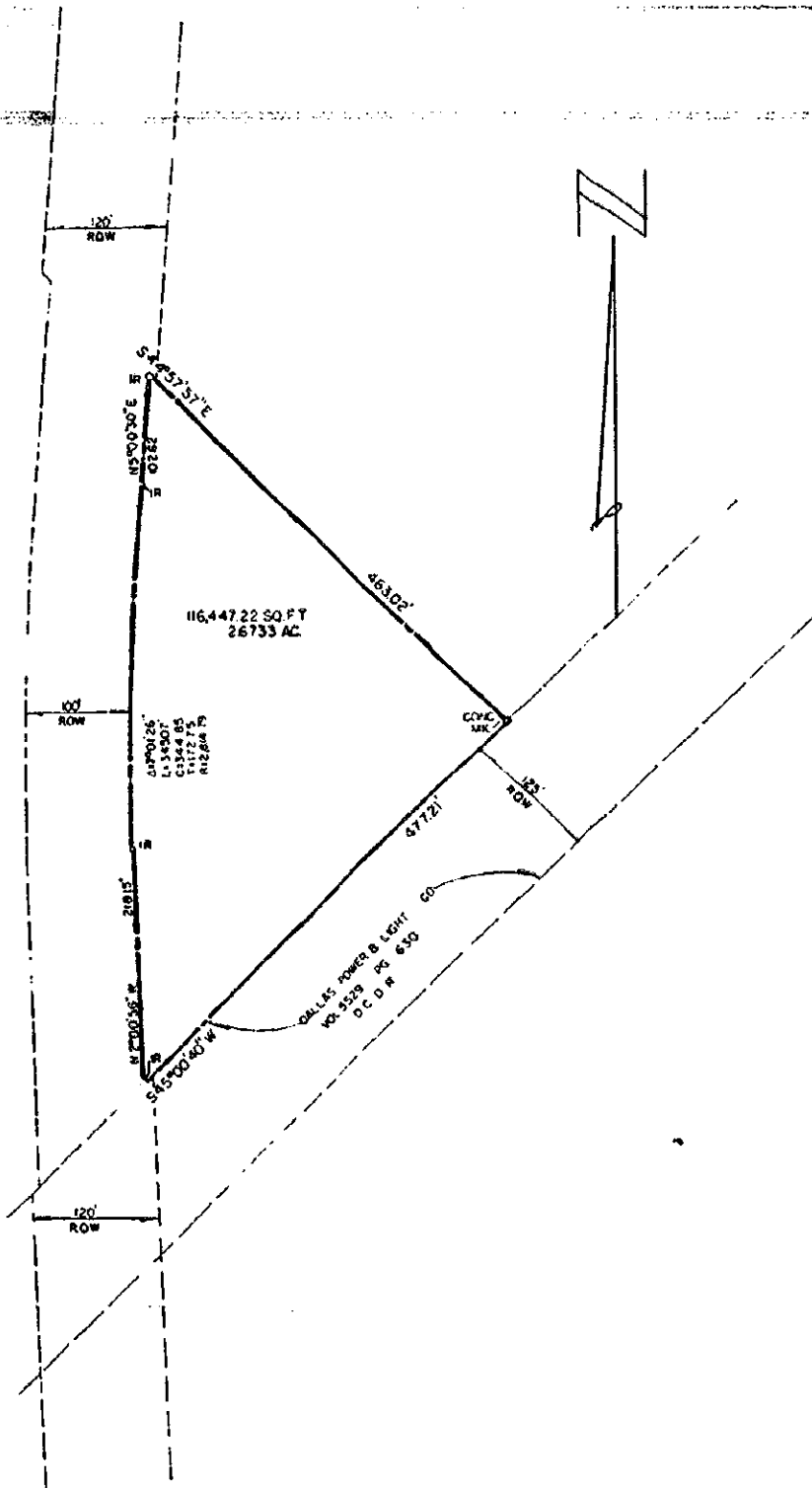
PART OF THE DANIEL TANNER SURVEY
ABSTRACT NO 1462
MESQUITE, DALLAS COUNTY, TEXAS

by

Southwest Surveying Inc.

SURVEYING AND ENGINEERING FIRM

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