

ORDINANCE NO. 2020

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING ORDINANCE NUMBER 1903 BY PROVIDING FOR A "P.D." PLANNED DEVELOPMENT DESIGNATION ON THE LAND ZONED BY SUCH ORDINANCE; BY PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS AND DECLARING AN EMERGENCY:

WHEREAS, the City Council of the City of Mesquite enacted Ordinance Number 1903 granting a zoning change to certain land; and

WHEREAS, in preparation of the written draft the term "Planned Development" was inadvertently omitted from the said ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Ordinance Number 1903 is hereby amended to read as follows, in all other respects to remain in full force and effect:

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 Planned Development Townhouse with a minimum unit size of 1400 square feet "to P.D." Planned Development for apartments with A-2 standards with a maximum density of 12 units per acre. The subject tract is located east of Bryan Avenue and Belt Line Road in Mesquite Square Subdivision; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

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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 C. 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 (\$200.00) Dollars 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.

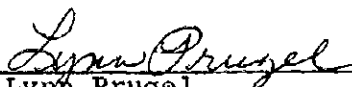
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of April, A.D., 1984.



Mrs. Brunhilde Nyström
Mayor

ATTEST:

APPROVED AS TO FORM:



Lynn Prugel
City Secretary

Elland Archer
City Attorney

Field Notes:

BEING a tract of land out of the Robert Bethune Survey, Abstract No. 170, and the M.L. Swing Survey, Abstract No. 1397, situated in the City of Mesquite, Dallas County, Texas. Part of a tract of land conveyed to Conleas, Inc., as described in Volume 80096, Page 1949 and Volume 80180, Page 3455 of the Deed Records of Dallas County, Texas, and a portion of Mesquite Square Subdivision, an addition to the City of Mesquite, Texas as recorded in Volume 72115, Page 1341 of the Map Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron rod for corner at the most southerly southwest corner of said Mesquite Square Subdivision in the east right-of-way line (60' ROW) of North Bryan Avenue;

THENCE, N 23° 12' E, with said east line, a distance of 382.29 feet to an iron rod at the point of curvature of a curve to the left having a central angle of 86° 28' 38" and a radius of 180.0 feet;

THENCE, with said east line and said curve, a distance of 271.68 feet to a point for corner;

THENCE, N 23° 12' E a distance of 135.80 feet to an iron rod for corner;

THENCE, N 29° 14' 29" E a distance of 36.20 feet to an iron rod for corner;

THENCE, N 23° 12' E a distance of 7.50 feet to an iron rod for corner;

THENCE, N 89° 31' E a distance of 283.04 feet to an iron rod for corner;

THENCE, N 72° 51' 43" E a distance of 37.60 feet to an iron rod for corner;

THENCE, N 89° 31' E a distance of 136.71 feet to an iron rod for corner in the west right-of-way line of Houston Drive (60' ROW);

THENCE, S 01° 07' E, with said west line, a distance of 755.80 feet to an iron rod for corner at the southeast corner of said Mesquite Square Subdivision;

THENCE, S 89° 28' W, with the south line of said subdivision, a distance of 610.80 feet to the POINT OF BEGINNING and containing 9.171 acres of land, more or less (399,497 square feet).

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