

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 PLANNED DEVELOPMENT-LIGHT COMMERCIAL ON A TRACT LOCATED NORTH AND WEST OF THE HICKORY TREE ROAD AND SANDY LANE 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 Planned Development-Light Commercial on a tract located north and west of the Hickory Tree Road and Sandy Lane interscction; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

00230

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

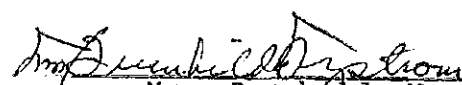
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 (\$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 1st day of October, A.D., 1984.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

00231

77.4

ROAD

LANE

DRIVE

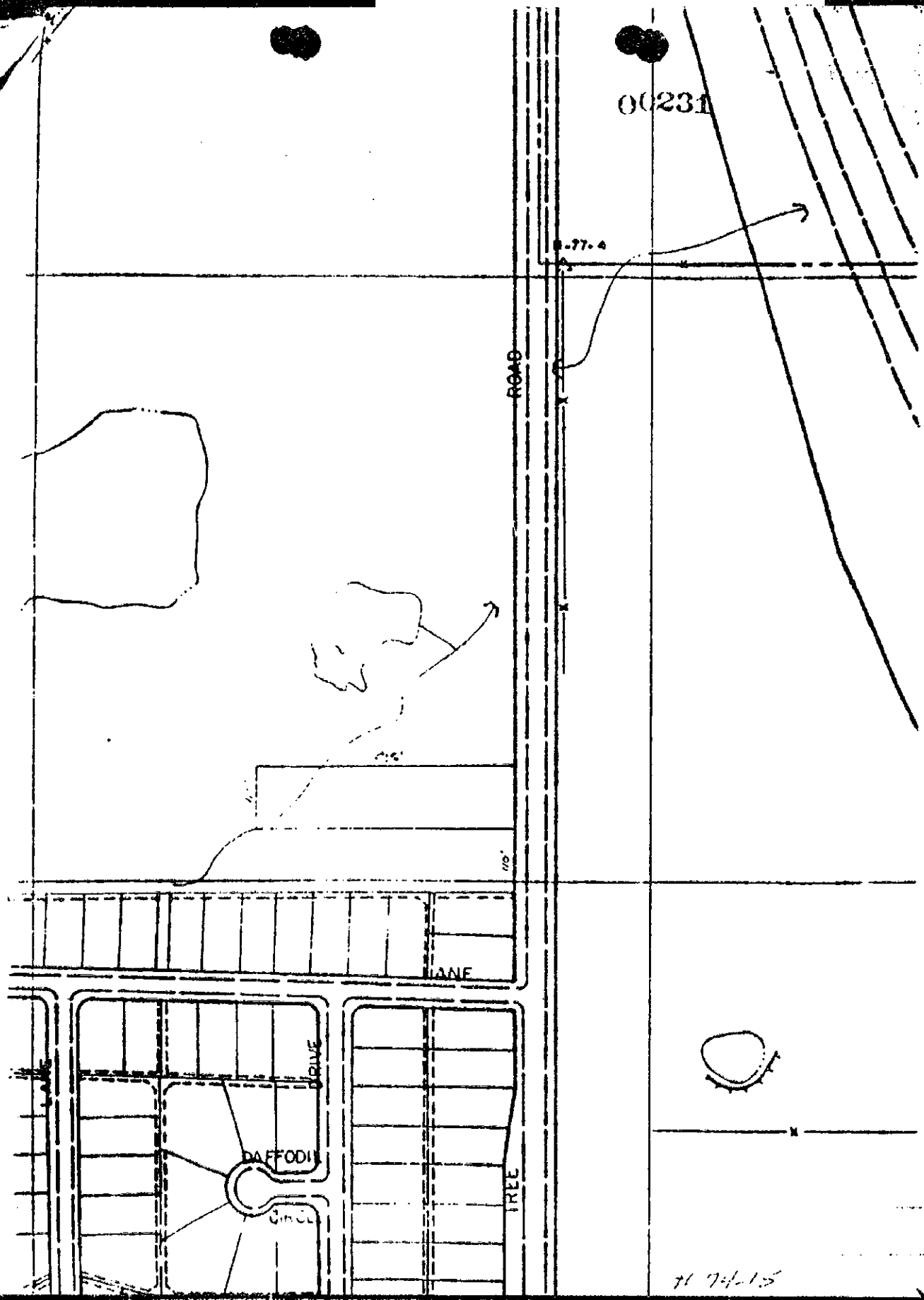
DAFFODIL

CIRCLE

170'

TREE

77-15



00232

Being a part of the Job Badgley Survey, 305 acre survey, Abstract No. 74, and being part of the tract of land conveyed by C. M. Carroll et ux to C. C. McNally by deed dated August 29, 1945, and recorded in Volume 2561, page 636, and being more particularly described by metes and bounds in the above mentioned Deed of Trust to N. E. Shands, Trustee, dated the 23rd day of December, 1957, and recorded in Volume 3033, Page 193, of the records of Deed of Trust of Dallas County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the West line of Hickory Tree Road, 105 feet North of where the South line of the C. C. McNally tract intersects the West line of said Hickory Tree Road; THENCE West parallel with - 105 feet from the South line of the C. C. McNally tract, 415 feet to point for corner in an East line of that certain tract conveyed by C. M. Carroll et ux to Builders Clay Products Co., Inc., by Deed dated July 29, 1946, filed August 8, 1946 and recorded in the Deed Records of Dallas County, Texas; THENCE North along said East line of said Builders Clay Products Co. tract, 105 ft. to point for corner, being an inside corner of said Builders Clay Products Co. tract; THENCE East along South line of said Builders Clay Products Co. tract, 415 ft. to point for corner on the West line of said Builders Clay Products Co. tract, 415 ft. to point for corner on the West line of Hickory Tree Road; THENCE South along the West line of said Hickory Tree Road, 105 feet to the place of beginning.