

ORDINANCE NO. 2102
File No. 1462-173

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 GENERAL RETAIL AND PLANNED DEVELOPMENT MULTIFAMILY TO PLANNED DEVELOPMENT LIGHT COMMERCIAL ON TWO TRACTS LOCATED SOUTHEAST OF THE GROSS ROAD AND I-635 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 (\$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 Regulation 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 herei

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 General Retail and Planned Development Multifamily to Planned Development Light Commercial on two tracts located southeast of the Gross Road and I-635 intersection; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

CC041

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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

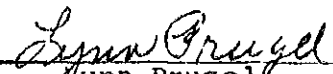
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 provid

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of November, A.D., 1984.


Mrs. Brunhild Nystrom
Mayor

ATTEST:

APPROVED AS TO FOPM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

Surveying Associates

1022 S. Beckley
Dallas, TX 75203

Ben D. Rychlik,
Registered Public Surveyor

(214) 948-3324

ZONING FIELD NOTE DESCRIPTION FOR 26.178 ACRE TRACT

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, and being part of a tract of land conveyed to Caroline Hunt Trust Estates by deed recorded in Volume 5122 at Page 195 of the Deed Records of Dallas County, Texas, in the City of Mesquite, Dallas County, Texas, and being more particularly described as follows;

BEGINNING at a point in the Northwest line of Windbell Circle, (a 60 foot R.O.W.), said point being South 44 deg. 50 min. 35 sec. West, a distance of 264.0 feet from the intersection of the said Northwest line of Windbell Circle with the Southwest line of Gross Road, (a 120 foot R.O.W.), said point also being the most Southerly corner of Lot 1, Block B of Skyline Village No. 37 Phase I, an addition to the City of Mesquite, Texas, according to the plat recorded in Volume 84029 at Page 2098 of the Deed Records of Dallas County, Texas, 1/2 inch iron stake for corner;

THENCE, South 44 deg. 50 min. 35 sec. West, with the said Northwest line of Windbell Circle, a distance of 76.0 feet, a point for corner;

THENCE, South 45 deg. 09 min. 25 sec. East, a distance of 245.0 feet to the beginning of a curve to the right having a central angle of 38 deg. 12 min. 51 sec. a radius of 280.0 feet, an iron stake for corner at the most Southerly corner of Lot 1, Block A, of said addition;

THENCE, Southerly with the proposed Northeast line of Windbell Circle, same being with said curve to the right, an arc distance of 186.75 feet, an iron stake for corner;

THENCE, South 45 deg. 09 min. 25 sec. East, a distance of 681.85 feet to a point in the proposed Northwest line of Windbell Circle, an iron stake for corner;

THENCE, North 62 deg. 50 min. 35 sec. East, with the proposed Northwest line of Windbell Circle, a distance of 77.08 feet to the beginning of a curve to the left having a central angle of 18 deg., a radius of 220.0 feet, an iron stake for corner;

THENCE, Easterly with said curve to the left, an arc distance of 69.12 feet, to the end of said curve, an iron stake for corner;

THENCE, South 45 deg. 09 min. 25 sec. East, with the Southwest line of Skyline Village No. 37 Phase II, an addition to the City of Mesquite, Texas, according to the plat recorded in Volume 84029 at Page 2106 of the Deed Records of Dallas County, Texas, a distance of 375.4 feet, a point for corner;

THENCE, South 28 deg. 08 min. West, a distance of 168.21 feet to a point in the Southeast line of a Texas Power & Light Company 100 foot R.O.W., a point for corner;



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Zoning Field Note Description
for 26.178 acre tract, Continued

THENCE, South 56 deg. 49 min. 36 sec. West, with the Southeast line of said Texas Power & Light Company right-of-way, a distance of 102.85 feet to an angle point;

THENCE, South 75 deg. 00 min. 40 sec. West, with the Southerly line of said Texas Power & Light Company right-of-way, a distance of 860.67 feet to a point in the Northeast line of an easement conveyed to the State of Texas for highway purposes, recorded in Volume 77154 at Page 1770 of the Deed Records of Dallas County, Texas, a point for corner;

THENCE, North 25 deg. 47 min. 16 sec. West with the Northeast line of said highway easement, a distance of 405.31 feet to the beginning of a curve to the left, having a central angle of 52 deg. 01 min. 23 sec., a radius of 395.0 feet, a point for corner;

THENCE, Northwesterly with said curve to the left, same being with said highway easement, an arc distance of 358.65 feet to a point in the Northeast line of Interstate Highway No. 635, a point for corner;

THENCE, Northerly with the said East line of Interstate Highway No. 635, same being with a curve to the right, having a central angle of 03 deg. 13 min. 19 sec., a radius of 5564.58 feet, tangent bearing North 04 deg. 51 min. West, an arc distance of 312.9 feet to the end of said curve, an iron stake for corner;

THENCE, North 01 deg. 37 min. 41 sec. West, a distance of 182.47 feet, an iron stake for corner;

THENCE, North 01 deg. 30 min. 50 sec. East, a distance of 253.47 feet, a point for corner;

THENCE, South 88 deg. 29 min. 10 sec. East, leaving the said East line of Interstate Highway No. 635, a distance of 170.07 feet, a point for corner;

THENCE, North 01 deg. 40 min. 56 sec. East, a distance of 370.68 feet, to a point in the Southwest line of said Lot 1, Block B, a point for corner;

THENCE, South 45 deg. 09 min. 25 sec. East, with the said Southwest line of Lot 1, Block B, a distance of 290.80 feet to the PLACE OF BEGINNING and CONTAINING 26.178 acres of land.

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TEXAS & PACIFIC RAILROAD

INTERSTATE HIGHWAY NO. 635

S 28° 08' W 168.21'
S 56° 49' 36" W 102.85'
S 75° 00' 40" W 860.67'

WINDBELL CIRCLE

Area = 29,178 Acres

Δ = 52° 01' 23"
R = 395.00'
T = 192.75'
L = 358.65'

Δ = 03° 13' 19"
R = 5564.58'
T = 156.49'
L = 312.90'

S 45° 09' 25" E 375.40'
S 18° 00' 00" E 807.7'

Δ = 18° 00' 00"
R = 220.0'
T = 34.85'
L = 69.12'

N 82° 50' 35" E 681.65'

Δ = 39° 12' 51"
R = 280.00'
T = 97.00'
L = 186.75'

N 01° 30' 50" E 253.47'
N 01° 37' 41" W 182.47'

GROSS ROAD

PLAC. OR. BEGINNING

S 45° 09' 25" E 245.0'
S 45° 09' 25" E 250.80'

S 88° 29' 10" E 170.07'
N 01° 40' 56" E 370.68'

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