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ORDINANCE NO. 2123  
File No. 1461-86

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 PLANNED DEVELOPMENT MULTI-FAMILY AT 24 UNITS PER ACRE TO PLANNED DEVELOPMENT LIGHT COMMERCIAL ON TRACTS 1A AND 1B; OFFICE ON TRACT 2; AND LIGHT COMMERCIAL ON TRACT 3; WITH THE STIPULATION THAT WOODED LAKE DRIVE BE CONSTRUCTED PRIOR TO ANY DEVELOPMENT OF THE PROJECTS; THE FOUR TRACTS ARE LOCATED SOUTH OF OATES DRIVE AND WEST OF I-635; 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 Planned Development Multifamily at 24 units per acre to Planned Development Light Commercial on Tracts 1A and 1B; Office on Tract 2; and Light Commercial on Tract 3; with the stipulation that Wooded Lake Drive be constructed prior to any development of the projects; the four tracts are located south of Oates Drive and West of I-635; 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 (\$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 7th day of January, A.D., 1985.

  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
City Secretary

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Elland Archer  
City Attorney

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Tract 1A

Being 1.7670 Acre tract of land situated in the Theopalus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas and being part of the 100 acre tract of land described in a deed to R. Guy Carter as recorded in Volume 4083, Page 455 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

Beginning at a point for corner in the Southeast line of Oates Road (100' R.O.W.) at the intersection of said Southeast line with the West line of a Dallas Power and Light R.O.W. recorded in Volume 5458, Page 218 in the Deed Records of Dallas County, Texas;

THENCE South 62°49'13" East, along the West line of said Dallas Power and Light R.O.W., a distance of 367.08 ft. to a point for corner;

THENCE South 37°03'51" West, a distance of 294.57 ft. to a point for corner in the Northeast line of proposed Wooded Lake Drive (60' R.O.W.);

THENCE along said East line of Wooded Lake Drive the following calls:

THENCE North 33°55'23" West, 131.10 ft. to the beginning of a circular curve to the left; THENCE along said circular curve to the left having a central angle of 11°06'09", a radius of 530.00 ft., a tangent distance of 51.51 ft., and an arc length of 102.70 ft. to the point of tangency;

THENCE North 45°01'33" West, 59.33 ft. to a point for corner and the beginning of a circular curve to the right;

THENCE along said circular curve to the right having a central angle of 35°05'46", a radius of 30.00 ft., a tangent of 9.49 ft. and an arc length of 18.38 ft. to a point for reverse curvature;

THENCE along said curve to the left having a central angle of 35°05'49", a radius of 25.00 ft., a tangent distance of 7.91 ft. and an arc length of 15.31 ft. to the point of tangency;

THENCE North 45°01'33" West, 68.40 ft. to a point for corner in the Southeast line of Oates Road;

THENCE North 44°58'27" East, along the Southeast line of Oates Road, a distance of 134.42 ft. to the Point of Beginning and containing 1.7670 Acres (76,971 Sq. Ft.) of land.

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Tract 1B

Being 3.7013 Acres of land situated in the Theopalus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas and being part of the 100 acre tract of land described in a deed to R. Guy Carter as recorded in Volume 4083, Page 455 of the Deed Records of Dallas county, Texas and being more particularly described as follows:

Commencing at the intersection of the Southeast line of Oates Drive (100' R.O.W.) with the West line of a Dallas Power and Light R.O.W. recorded in Volume 5458, Page 218, Deed Records of Dallas County, Texas, Thence South 44°58'27" West, 214.42 ft. to a point for corner in the West line of proposed Wooded Lake Drive and the True Point of Beginning;

THENCE along the West line of said Wooded Lake Drive the following calls:

THENCE South 45°01'33" East, 68.40 ft. to the beginning of a circular curve to the left;

THENCE along said curve to the left having a central angle of 35°05'48", a radius of 25.00 ft., a tangent length of 7.91 ft., and an arc length of 15.31 ft. to the point of reverse curvature to the left;

THENCE along said curve to the left having a central angle of 35°05'48", a radius of 30.00 ft., a tangent of 9.49 ft., and an arc length of 18.38 ft. to the point of tangency;

THENCE South 45°01'33" East, a distance of 59.33 ft. to the beginning of a circular curve to the right;

THENCE along said curve to the right having a central angle of 11°06'09", a radius of 470.00 ft., a tangent of 45.68 ft., and an arc length of 91.07 ft. to the point of tangency;

THENCE South 33°55'23" East, a distance of 151.78 ft. to a point for corner;

THENCE South 37°03'51" West, leaving said West line of Wooded Lake Drive, a distance of 133.96 ft. to a point for corner;

THENCE South 43°50'51" West, a distance of 242.87 ft. to a point for corner;

THENCE North 41°34'19" West, a distance of 422.77 ft. to a point for corner in the Southeast line of Oates Road;

THENCE North 44°58'27" East, along said Southeast line of Oates Road, a distance of 378.06 ft. to the Point of Beginning and containing 3.7013 Acres (161,228 Sq. Ft.) of land.

Being 16.2275 Acres of land situated in the Theopaltus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas and being part of the 100 acre tract of land described in a deed to R. Guy Carter as recorded in Volume 4083, Page 455 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

Commencing at the Southwest corner of said R. Guy Carter tract, Thence North  $44^{\circ}52'44''$  West, 109.21 ft.; Thence North  $10^{\circ}32'11''$  West, 593.35 ft.; Thence North  $48^{\circ}05'47''$  East, 191.14 ft. to the True Point of Beginning;

THENCE North  $29^{\circ}06'49''$  East, a distance of 443.33 ft. to a point for corner;

THENCE North  $22^{\circ}16'29''$  East, a distance of 283.76 ft. to a point for corner;

THENCE North  $20^{\circ}11'34''$  East, a distance of 70.17 ft. to a point for corner;

THENCE North  $10^{\circ}24'12''$  East, a distance of 201.85 ft. to a point for corner;

THENCE North  $50^{\circ}28'47''$  East, a distance of 97.74 ft. to a point for corner;

THENCE North  $34^{\circ}49'02''$  East, a distance of 97.02 ft. to a point for corner;

THENCE North  $41^{\circ}17'35''$  East, a distance of 138.99 ft. to a point for corner;

THENCE North  $45^{\circ}54'12''$  West, a distance of 81.95 ft. to a point for corner;

THENCE North  $43^{\circ}21'48''$  East, a distance of 41.64 ft. to a point for corner;

THENCE South  $41^{\circ}34'19''$  East, a distance of 29.96 ft. to a point for corner;

THENCE North  $43^{\circ}50'51''$  East, a distance of 242.87 ft. to a point for corner;

THENCE North  $37^{\circ}03'51''$  East, a distance of 133.96 ft. to a point for corner in the West line of proposed Wooded Lake Drive (60' R.O.W.);

THENCE along said West line of Wooded Lake Drive the following calls:

THENCE South  $33^{\circ}55'23''$  East, 76.58 ft. to the beginning of a circular curve to the right;

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THENCE along said circular curve to the right having a central angle of  $35^{\circ}28'12''$ , a radius of 305.00 ft., a tangent of 97.54 ft., and an arc length of 188.82 ft. to a point for tangency;

THENCE South  $1^{\circ}32'49''$  West, a distance of 134.32 ft. to the beginning of a circular curve to the right;

THENCE along said curve to the right having a central angle of  $30^{\circ}25'38''$ , a radius of 725.00 ft., a tangent length of 197.16 ft., and an arc length of 385.02 ft. to the point of tangency;

THENCE South  $31^{\circ}58'26''$  West, a distance of 85.74 ft. to the beginning of a circular curve to the left;

THENCE along said curve to the left having a central angle of  $30^{\circ}00'00''$ , a radius of 1,896.00 ft., a tangent length of 508.03 ft. and an arc length of 992.74 ft. to the point of reverse curvature to the right;

THENCE along said curve to the right having a central angle of  $37^{\circ}46'28''$ , a radius of 154.19 ft., a tangent of 52.75 ft., and an arc length of 101.66 ft. to the point of tangency;

THENCE South  $39^{\circ}44'54''$  West, 85.26 ft. to a point for corner;

THENCE North  $45^{\circ}03'43''$  West, a distance of 571.06 ft. to the Point of Beginning and containing 16.2275 Acres (706,869 Sq. Ft.) of land.

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Tract 3

Being 5.3008 Acres of land situated in the Theopalus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas, and being part of the 100 acre tract of land described in a deed to R. Guy Carter as recorded in Volume 4083, Page 455 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

Beginning at a found 1 inch iron pipe in the south line of said R. Guy Carter tract the same being the north line of a tract described in deed to the Christian College Addition to the City of Mesquite as recorded in Volume 77151, Page 2696 of Deed Records of Dallas county, Texas, said point being 45.00 ft. east of the east line of Galloway Avenue as measured along the north line of the said Christian College Addition.

THENCE North 44°52'44" West, along the east line of LBJ Freeway; Reference condemnation judgement as records in Volume 781, Page 0028 Dallas county, Texas; a distance of 109.21 ft. to a point for corner;

THENCE North 10°32'11" West, continuing along the east line of the LBJ Freeway, 593.35 ft. to a point for corner;

THENCE North 48°05'47" East, a distance of 191.14 ft. to a point for corner;

THENCE South 45°03'43" East, a distance of 571.06 ft. to a point for corner in the North line of proposed Wooded Lake Drive;

THENCE along said North line of Wooded Lake Drive the following calls:

THECE South 39°44'54" West, 60.25 ft. to the beginning of a circular curve to the left;

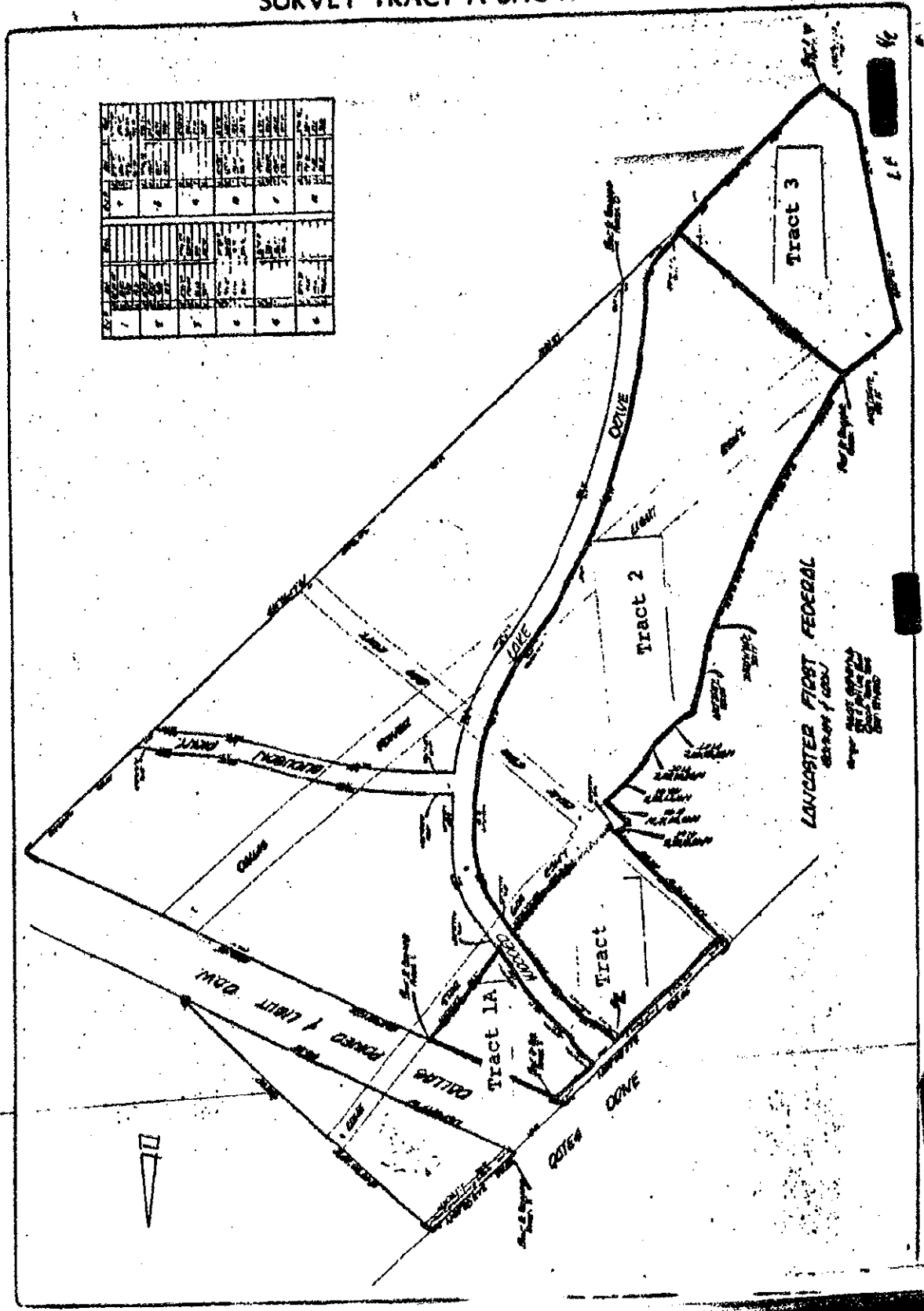
THENCE along said curve to the left having a central angle of 12°50'43", a radius of 244.51 ft., a tangent length of 27.52 ft., and an arc length of 54.82 ft. to a point of tangency;

THENCE South 44°56'17" West, a distance of 413.91 ft. to the Point of Beginning and containing 5.3008 Acres (230,902 Sq. Ft.) of land.

SURVEY TRACT A SHOWING PARCEL BOUNDARIES

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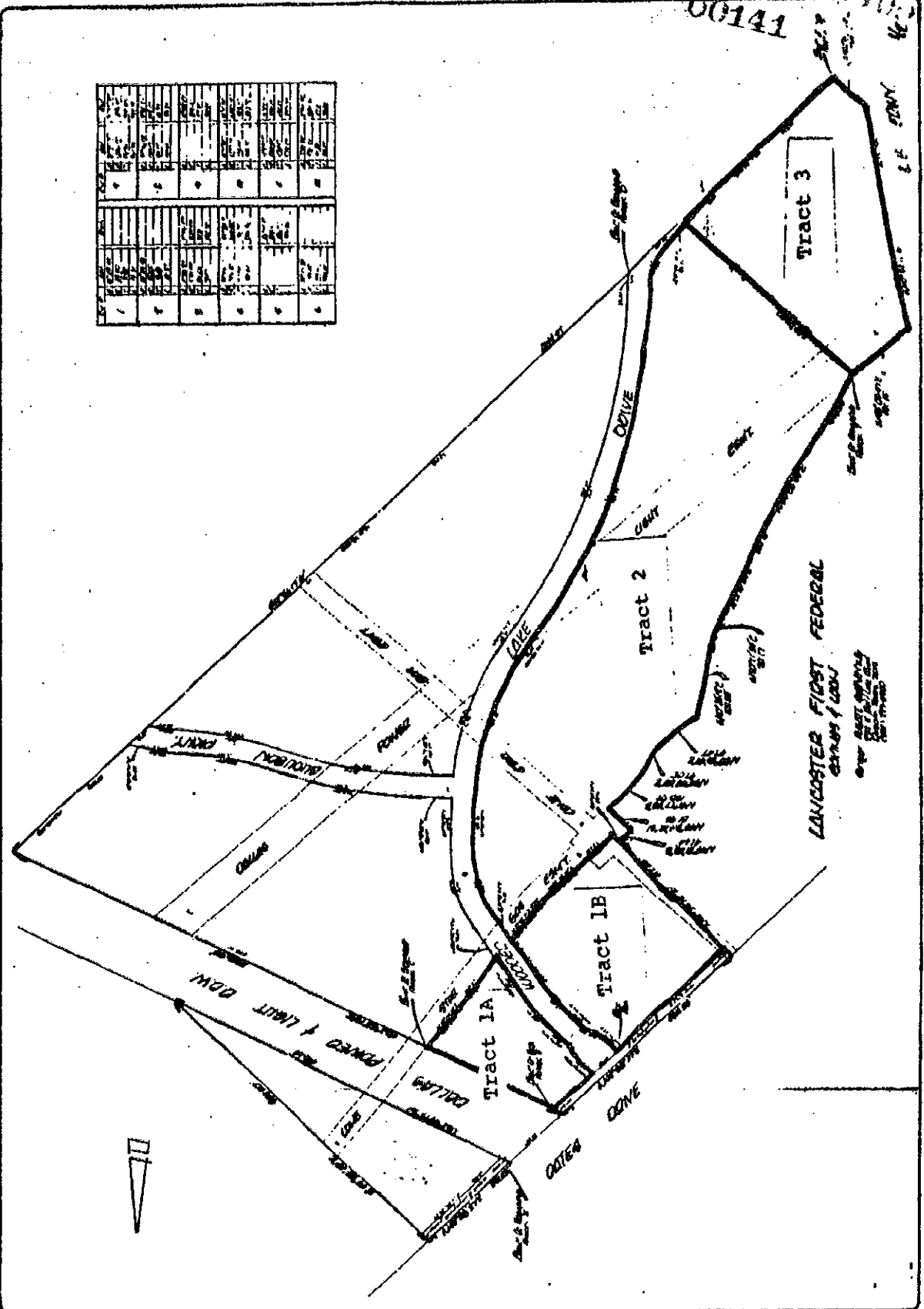
LANCASTER FIRST FEDERAL  
 BANK OF CALIF.  
 1000 1/2 STREET  
 LANCASTER, CALIF.



# SURVEY TRACT A SHOWING PARCEL BOUNDARIES

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LANCASTER FIRST FEDERAL  
BANK & TRUST CO.  
(NEW YORK)

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# SURVEY TRACT A SHOWING PARCEL BOUNDARIES

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