

ORDINANCE NO. 2130
File No. 1-6

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 AGRICULTURE TO TRACT 1: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 8000 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1500 SQUARE FEET; TRACT 2: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 7250 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1300 SQUARE FEET; TRACT 3: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 7200 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1300 SQUARE FEET; TRACT 4: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 6000 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1200 SQUARE FEET; TRACT 5: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 5500 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1100 SQUARE FEET; TRACT 6: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 5000 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1000 SQUARE FEET; TRACT 7 AND 8: PLANNED DEVELOPMENT SINGLE FAMILY ATTACHED WITH A MINIMUM LOT SIZE OF 4000 SQUARE FEET AND A 10 UNIT PER ACRE MAXIMUM DENSITY AND A MINIMUM UNIT SIZE OF 1050 SQUARE FEET; TRACT 9 AND 10: GENERAL RETAIL; THE PROPERTY IS LOCATED NORTH AND SOUTH OF THE MERCURY ROAD AND MCKENZIE 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 Agriculture to Tract 1: Planned Development Single Family with a minimum lot size of 8000 square feet and a minimum unit size of 1500 square feet; Tract 2: Planned Development Single Family with a minimum lot size of 7250 square feet and a minimum unit size of 1300 square feet; Tract 3: Planned Development Single Family with a minimum lot size of 7200 square feet and minimum unit size of 1300 square feet; Tract 4: Planned Development Single Family with a minimum lot size of 6000 square feet and a minimum unit size of 1200 square feet; Tract 5: Planned Development Single Family with a minimum lot size of 5500 square feet and a minimum unit size of 1100 square feet; Tract 6: Planned Development Single Family with a minimum lot size of 5000 square feet and a minimum unit size of 1000 square feet; Tract 7 and 8: Planned Development Single Family Attached with a minimum lot size of 4000 square feet and a 10 unit per acre maximum density and a minimum unit size of 1050 square feet; Tract 9 and 10: General Retail; the property is located north and south of the Mercury Road and McKenzie Drive intersection; 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.

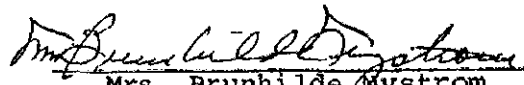
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SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the 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 21st day of January, A.D., 1985.



Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:



Lynn Prugel
City Secretary

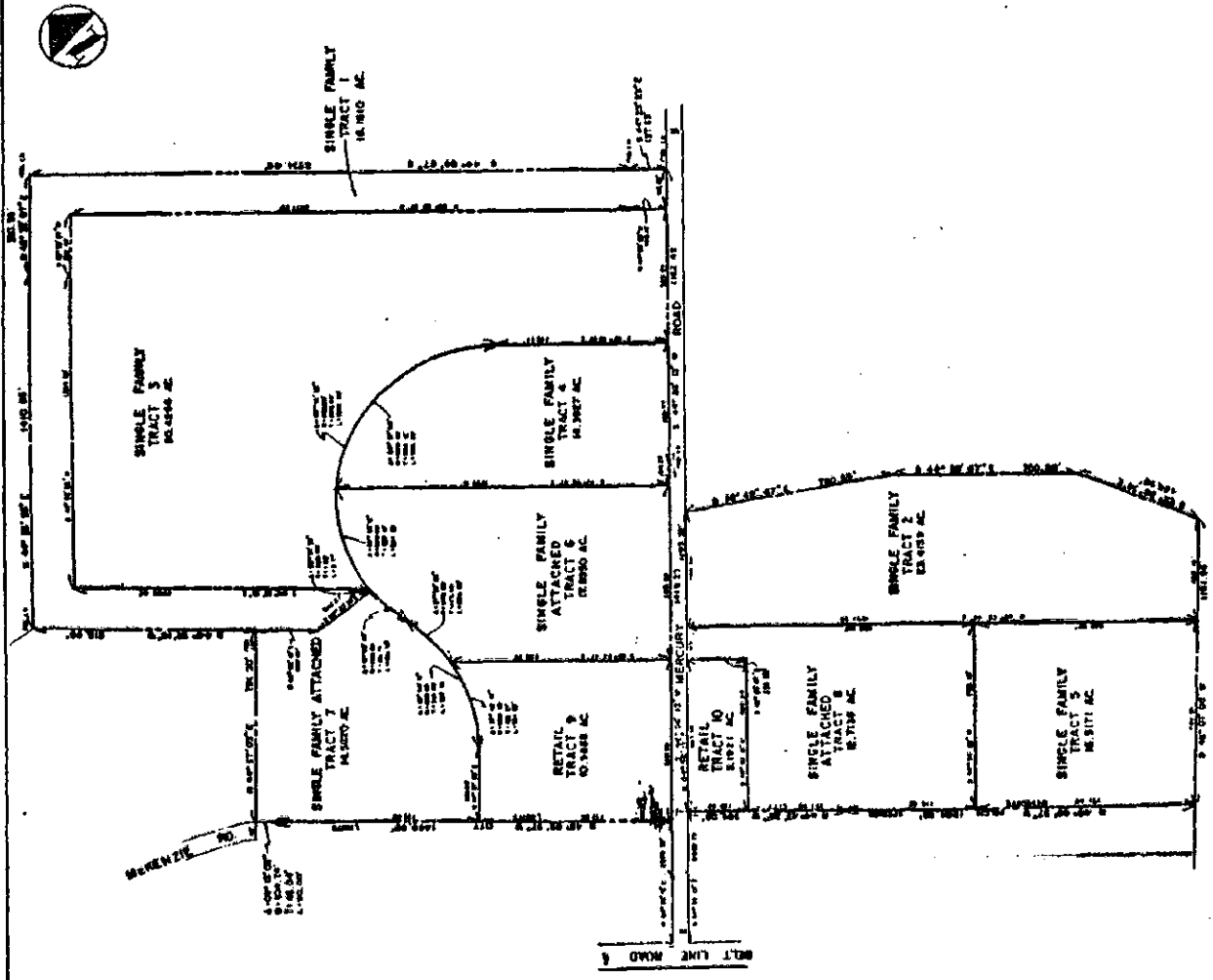
Elland Archer
City Attorney

00192

SITE SUMMARY		
TRACT NO.	NET LOT SIZE (S.F.)	NET LOT SIZE (S.F.)
1	8000	1800
2	12000	1800
3	12000	1800
4	8000	1800
5	8000	1800
6	8000	1800
7	8000	1800
8	8000	1800
9	8000	1800
10	8000	1800

ZONING MAP
VENTURECORP PROPERTIES, INC.

CITY OF MESQUITE, TEXAS			
TRACT NO.	NET LOT SIZE (S.F.)	NET LOT SIZE (S.F.)	NET LOT SIZE (S.F.)
1	8000	1800	1800
2	12000	1800	1800
3	12000	1800	1800
4	8000	1800	1800
5	8000	1800	1800
6	8000	1800	1800
7	8000	1800	1800
8	8000	1800	1800
9	8000	1800	1800
10	8000	1800	1800



LEGAL DESCRIPTION
TRACT I

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3998.53 feet to an iron rod for an angle point; thence continuing along said Northwest line of Mercury Road North 44 deg. 26 min. 13 sec. East a distance of 1004.46 feet to the POINT OF BEGINNING;

THENCE North 44 deg. 23 min. 23 sec. West a distance of 140.10 feet to an angle point;

THENCE North 44 deg. 56 min. 27 sec. West a distance of 2077.23 feet to a point for corner;

THENCE South 45 deg. 32 min. 07 sec. West a distance of 232.47 feet to an angle point;

THENCE South 44 deg. 26 min. 56 sec. West a distance of 1254.58 feet to a point for corner;

THENCE South 44 deg. 22 min. 18 sec. East a distance of 1083.84 feet to a point on a curve;

THENCE in a Southerly direction with a curve to the left having a radius of 600.00 feet, a central angle of 00 deg. 21 min. 35 sec. and a chord which bears South 07 deg. 20 min. 01 sec. West;

THENCE along said curve to the left a distance of 3.77 feet to a point for the end of said curve;

THENCE North 82 deg. 50 min. 39 sec. West a distance of 249.21 feet to an angle point;

THENCE North 44 deg. 22 min. 18 sec. West a distance of 1045.85 feet to an iron rod for corner;

THENCE North 44 deg. 26 min. 56 sec. East a distance of 1410.86 feet to an angle point;

THENCE North 45 deg. 32 min. 07 sec. East a distance of 390.66 feet to an iron rod for corner;

THENCE South 44 deg. 56 min. 27 sec. East a distance of 2234.68 feet to an iron rod for an angle point;

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THENCE South 44 deg. 23 min. 23 sec. East a distance of 137.63 feet to an iron rod for corner, said iron rod being in the Northwest line of Mercury Road;

THENCE along said Northwest line of Mercury Road South 44 deg. 26 min. 13 sec. West a distance of 158.03 feet to the POINT OF BEGINNING and containing 791,092 square feet or 18.1610 acres of land.

LEGAL DESCRIPTION
TRACT 2

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the southeast right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3347.67 feet along said Southeast line of Mercury Road to the POINT OF BEGINNING;

THENCE North 44 deg. 56 min. 13 sec. East a distance of 446.64 feet along the Southeast line of Mercury Road to a nail for corner;

THENCE South 55 deg. 42 min. 47 sec. East a distance of 780.55 feet to a nail for an angle point;

THENCE South 44 deg. 20 min. 47 sec. East a distance of 700.20 feet to a nail for an angle point;

THENCE South 22 deg. 28 min. 58 sec. East a distance of 468.95 feet to a nail for corner;

THENCE South 46 deg. 07 min. 08 sec. West a distance of 402.15 feet to a point for corner;

THENCE North 45 deg. 03 min. 47 sec. West a distance of 1891.96 feet to the POINT OF BEGINNING and containing 1,019,998 square feet or 23.4159 acres of land.

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LEGAL DESCRIPTION
TRACT 3

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3998.53 feet along said Northwest line of Mercury Road to an iron rod for an angle point; thence continuing along the Northwest line of Mercury Road North 44 deg. 26 min. 13 sec. East a distance of 480.77 feet to the POINT OF BEGINNING;

THENCE North 45 deg. 33 min. 47 sec. West a distance of 658.61 feet to a point for the beginning of a curve to the left having a radius of 600.00 feet and a central angle of 126 deg. 55 min. 17 sec.;

THENCE along said curve to the left a distance of 1329.12 feet to the end of said curve;

THENCE North 44 deg. 22 min. 18 sec. West a distance of 1083.84 feet to an iron rod for corner;

THENCE North 44 deg. 26 min. 56 sec. East a distance of 1254.58 feet to an angle point;

THENCE North 45 deg. 32 min. 07 sec. East a distance of 232.47 feet to an iron rod for corner;

THENCE South 44 deg. 56 min. 27 sec. East a distance of 2077.23 feet to an angle point;

THENCE South 44 deg. 23 min. 23 sec. East a distance of 140.10 feet to a point for corner, said point being in the Northwest line of Mercury Road;

THENCE South 44 deg. 26 min. 13 sec. West a distance of 523.69 feet to the POINT OF BEGINNING and containing 2,196,583 square feet or 50.4266 acres of land.

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LEGAL DESCRIPTION
TRACT 4

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3914.30 feet along said Northwest line of Mercury Road to the POINT OF BEGINNING;

THENCE North 45 deg. 03 min. 47 sec. West a distance of 1256.16 feet to a point on a curve;

THENCE in an easterly direction with a curve to the right having a radius of 600.00 feet, a central angle of 88 deg. 57 min. 06 sec. and a chord which bears South 88 deg. 21 min. 58 sec. East;

THENCE along said curve to the right a distance of 931.50 feet to a point for the end of said curve;

THENCE South 45 deg. 33 min. 47 sec. East a distance of 658.61 feet to a point for corner, said point being in the Northwest line of Mercury Road;

THENCE along said Southeast line of Mercury Road South 44 deg. 26 min. 13 sec. West a distance of 480.77 feet to an iron rod for an angle point;

THENCE continuing along the Northwest line of Mercury Road South 44 deg. 56 min. 13 sec. West a distance of 84.23 feet to the POINT OF BEGINNING and containing 626,948 square feet or 14.3927 acres of land.

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LEGAL DESCRIPTION
TRACT 5

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Southeast right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 2600.79 feet along said Southeast line of Mercury Road to an iron rod for corner; thence South 44 deg. 43 min. 28 sec. East a distance of 584.58 feet to an iron rod for an angle point; thence South 45 deg. 05 min. 37 sec. East a distance of 340.42 feet to the POINT OF BEGINNING;

THENCE North 44 deg. 54 min. 23 sec. East a distance of 750.15 feet to a point for corner;

THENCE South 45 deg. 03 min. 47 sec. East a distance of 967.37 feet to a point for corner;

THENCE South 46 deg. 07 min. 08 sec. West a distance of 749.81 feet to an iron rod for corner;

THENCE North 45 deg. 05 min. 37 sec. West a distance of 951.50 feet to the POINT OF BEGINNING and containing 719,484 square feet or 16.5171 acres of land.

LEGAL DESCRIPTION
TRACT 6

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3219.30 feet along said Northwest line of Mercury Road to the POINT OF BEGINNING;

THENCE North 45 deg. 03 min. 47 sec. West a distance of 835.34 feet to a point on a curve;

THENCE in a northerly direction with a curve to the left having a radius of 600.00 feet, a central angle of 21 deg. 26 min. 29 sec. and a chord which bears North 00 deg. 15 min. 51 sec. West;

THENCE along said curve to the left a distance of 224.53 feet to a point for the beginning of a reverse curve to the right having a radius of 600.00 feet and a central angle of 56 deg. 28 min. 15 sec.;

THENCE along said curve to the right a distance of 591.36 feet to a point for the end of said curve;

THENCE South 45 deg. 03 min. 47 sec. East a distance of 1256.16 feet to a point for corner, said point being in the Northwest line of Mercury Road;

THENCE along said Northwest line of Mercury Road South 44 deg. 56 min. 13 sec. West a distance of 695.00 feet to the POINT OF BEGINNING and containing 779,504 square feet or 17.8950 acres of land.

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LEGAL DESCRIPTION
TRAC 7

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 2579.30 feet along said Northwest line of Mercury Road to a point for corner; thence North 45 deg. 02 min. 57 sec. West a distance of 730.00 feet to the POINT OF BEGINNING;

THENCE North 45 deg. 02 min. 57 sec. West a distance of 739.08 feet to a point for the beginning of a curve to the left having a radius of 824.74 feet and a central angle of 06 deg. 15 min. 08 sec.;

THENCE along said curve to the left a distance of 90.00 feet to a point for the end of said curve;

THENCE North 44 deg. 57 min. 03 sec. East a distance of 781.30 feet to an iron rod for corner;

THENCE South 44 deg. 22 min. 18 sec. East a distance of 230.00 feet to an angle point;

THENCE South 82 deg. 50 min. 39 sec. East a distance of 249.21 feet to a point on a curve;

THENCE in a southerly direction with a curve to the left having a radius of 600.00 feet, a central angle of 18 deg. 08 min. 29 sec. and a chord which bears South 01 deg. 54 min. 53 sec.;

THENCE along said curve to the left a distance of 189.98 feet to a point for the beginning of a reverse curve to the right having a radius of 600.00 feet and a central angle of 55 deg. 56 min. 10 sec.;

THENCE along said curve to the right a distance of 585.76 feet to a point for the end of said curve;

THENCE South 44 deg. 57 min. 03 sec. West a distance of 300.00 feet to the POINT OF BEGINNING and containing 635,191 square feet or 14.5820 acres of land.

LEGAL DESCRIPTION
TRACT 8

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Southeast right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 3204.67 feet along said Southeast line of Mercury Road to the POINT OF BEGINNING;

THENCE North 44 deg. 56 min. 13 sec. East a distance of 143.00 feet along the Southeast line of Mercury Road to a point for corner;

THENCE South 45 deg. 03 min. 47 sec. East a distance of 924.59 feet to a point for corner;

THENCE South 44 deg. 54 min. 23 sec. West a distance of 750.15 feet to a point for corner;

THENCE North 45 deg. 05 min. 37 sec. West a distance of 340.42 feet to an iron rod for an angle point;

THENCE North 44 deg. 43 min. 28 sec. West a distance of 354.58 feet to a point for corner;

THENCE North 44 deg. 56 min. 13 sec. East a distance of 605.24 feet to a point for corner;

THENCE North 45 deg. 03 min. 47 sec. West a distance of 230.00 feet to the POINT OF BEGINNING and containing 553,812 square feet or 12.7138 acres of land.

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10-31-84

LEGAL DESCRIPTION
TRACT 9

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Northwest right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 2579.30 feet along said Northwest line of Mercury road to the POINT OF BEGINNING;

THENCE North 45 deg. 02 min. 57 sec. West a distance of 730.00 feet to a point for corner;

THENCE North 44 deg. 57 min. 03 sec. East a distance of 300.00 feet to a point for the beginning of a curve to the left having a radius of 600.00 feet and a central angle of 27 deg. 42 min. 13 sec.;

THENCE along said curve to the left a distance of 585.76 feet to a poing for the end of said curve;

THENCE South 45 deg. 03 min. 47 sec. East a distance of 835.44 feet to a point for corner, said point being in the Northwest line of Mercury Road;

THENCE along said Northeast line of Mercury Road South 44 deg. 56 min. 13 sec. West a distance of 640.00 feet to the POINT OF BEGINNING and containing 478,584 square feet or 10.9868 acres of land.

LEGAL DESCRIPTION
TRACT 10

BEING a tract of land situated in the JOHN P. ANDERSON SURVEY, Abstract No. 1, Dallas County, Texas and being more particularly described as follows:

COMMENCING at an iron rod at the present intersection of the Northeast right-of-way line of Belt Line Road (a 100' R.O.W.) with the Southeast right-of-way line of Mercury Road (a 60' R.O.W.); thence North 44 deg. 56 min. 13 sec. East a distance of 2600.79 feet along said Southeast line of Mercury Road to an iron rod for the POINT OF BEGINNING;

THENCE continuing along said Southeast line of Mercury Road North 44 deg. 56 min. 13 sec. East a distance of 603.88 feet to a point for corner;

THENCE South 45 deg. 03 min. 47 sec. East a distance of 230.00 feet to a point for corner;

THENCE South 44 deg. 56 min. 13 sec. West a distance of 605.24 feet to a point for corner;

THENCE North 44 deg. 43 min. 28 sec. West a distance of 230.00 feet to the POINT OF BEGINNING and containing 139,049 square feet or 3.1921 acres of land.

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