

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-1 SINGLE FAMILY TO R-2A SINGLE FAMILY RESIDENTIAL ON A TRACT LOCATED SOUTH OF THE WINDSOR MANOR ADDITION AND CARTWRIGHT ROAD; 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-1 Single Family to R-2A Single Family Residential on a tract located south of the Windsor Manor Addition and Cartwright Road; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

00296

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 21st day of January, A.D., 1985.

*Mrs. Brunhilde Nystrom*  
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Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

*Lynn Prugel*  
\_\_\_\_\_  
Lynn Prugel  
City Secretary

\_\_\_\_\_  
Elland Archer  
City Attorney

N 45°29'51"E 1634.70'

Fig. 1R

00207

J.P. ANDERSON LEAGUE AND LABOR SURVEY  
ABSTRACT NO.1

GROSS	1,699,268	S.F.	OR	39.009	AC.
- T.P. & L. ROW	67,354	S.F.			
<b>NET</b>	<b>1,631,914</b>	<b>S.F.</b>	<b>OR</b>	<b>37.464</b>	<b>AC.</b>

N 44°49'17" W 1035.00'

Fig. 1R

05

S 45°29'45" 1645.26

# 1-7

S 45°23'15" E 1037.43'

CARTWRIGHT

611

Barbed Wire Fence

100' T.P. & L. CO. ROW. (Vol. 3849, Pg. 36)  
S 19°35'6" E - 673.53'  
H. HANSEN TOWN

H. HANSEN TOWN

Barbed Wire Fence

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FIELD NOTE DESCRIPTION

Being a tract of land located in the J.P. Anderson League and Labor Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas and being more particularly described as follows:

Commencing at the most northeasterly corner of Lot 1, Block B, Windsor Manor Addition, an addition to the City of Mesquite, Texas as recorded in Volume 22135, Page 1392 of the Deed Records of Dallas County, Texas; Thence N 45°24'51"E, 20.0-feet to a point in the south line of Cartwright Road (a 60-foot right-of-way at this point); Thence S 45°16'00"E, 101.0-feet along the southwest line of Cartwright Road to the northeasterly corner of a T.P. & L. 100.0-foot wide right-of-way as recorded in Volume 68189, Page 0202 of the Dallas County Deed Records and to the Point of Beginning;

THENCE S 45°23'15"E, 1037.43-feet along the southwest line of Cartwright Road to a 1/2-inch iron rod set for corner;

THENCE S 45°23'45"W, 1645.26-feet to a 1/2-inch iron rod set for corner.

THENCE N 44°48'17"W, 1035.0-feet to a 1/2-inch iron rod found for corner at the southeast corner of the T.P. & L. right-of-way as recorded in Volume 68189, Page 0202 of the Deed Records of Dallas County, Texas.

THENCE N 45°24'51"E, 1634.70-feet along the southeast line of the T.P. & L. right-of-way to the Point of Beginning and containing 1,693,268 square feet or 39.009 acres of land.

TO: ARLINGTON REALTY INVESTORS AND FIRST AMERICAN TITLE COMPANY OF DALLAS:

I hereby certify that on the 3 day of October, 1984, this survey was made on the ground as per the field notes shown on this survey and is true, correct, and accurate as to boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as in the other matters shown hereon, and correctly shows the location of all visible easements and right-of-way and of all rights-of-way, easements, and any other matters of record of which I have knowledge or have been advised, whether or not of record, affecting the subject property.

Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions.

October 3, 1984

Donald C. Foreau  
Donald C. Foreau, R.P.S. No. 3433

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